

WESTFIELD PUBLIC SCHOOLS
Westfield, New Jersey 07090

BYLAWS
0146
Board Member Authority

Page 1 of 1

0146 - BOARD MEMBER AUTHORITY

A Board member does not possess individually the authority and powers that reside in the Board of Education. No Board member by virtue of his/her office shall exercise any administrative responsibility with respect to the operation of the school district or as an individual command the services of any school district employee.

Release of Information

Board member access to public, personnel, and pupil records shall be governed by law and by the provisions of Policies 8310 - Public Records, 8320 - Personnel Records, and 8330 – Pupil Records.

Confidential information to which a Board member becomes privy as a result of his or her office shall be used only for the purpose of helping the member discharge his or her responsibilities as Board member. No Board member shall reveal information contained in a confidential record or received during a duly convened private session of the Board except when that information has been released to the public by the Board.

Public Expressions

Board members are entitled to express themselves publicly on any matter, including issues involving the Board and the school district. Individual Board members cannot, however, express the position of the Board except as expressly authorized, in accordance with Board policy 9120 – Public Information Program. A Board member shall not represent his or her personal opinion as the position of the Board and shall include in all formal expressions in which his or her Board affiliation is likely to be recognized, such as letters to government officials or newspapers, speeches to organizations, or any electronic communication posts on social media or other websites, a statement that the opinions expressed do not necessarily represent those of the Board.

Members of the Board shall adhere to the Code of Ethics for Board members in Bylaw 0142 - Board Member Qualifications, Prohibited Acts and Code of Ethics

Board member visiting a school shall comply with district policy and procedures for school visitors.

N.J.S.A. 18A:11-1

Approved: March 7, 2000
Revised: December 14, 2010
Reviewed: February 25, 2013
First Reading: December 3, 2019
Second Reading:

0151 - ORGANIZATION MEETINGS

The Westfield Board of Education shall hold two organizational meetings annually. The organizational sessions will be held at regular board meetings beginning not later than 8 p.m. on a day appointed by statute or by board-adopted calendar. If an organization meeting cannot take place on the appointed day because of lack of a quorum or for any other reason, the meeting shall be held within three days thereafter.

January Organizational Meeting

The January organizational meeting for reorganization of membership of the board shall be called to order by the board secretary/business administrator, who shall act as temporary chairperson. The board secretary/business administrator or designee will administer the oath of office to new board members and will thank the outgoing members of the board for their service.

The board shall proceed to the election of a president in accordance with Policy 0152. The newly elected president shall immediately become chairperson; the board shall then elect a vice president. A majority vote of the members of the board present and voting shall be necessary for election.

Therefore, at the business organization meeting, the board shall:

- A. elect a president;
- B. elect a vice president;
- D adopt rules of order; and
- C. establish committees of the board if other than those specified in the bylaws. The president will appoint the members and chairpersons, and may revise the assignments during the course of the year in the interests of efficiency.

Organizational Meeting for Business and Academic Affairs

The organizational meeting for business and academic affairs shall be held on a date set by the Board near the end of the fiscal and academic year, normally to be held in May, June or July, to establish the business and academic arrangements for the fiscal year that begins July 1. The Board president will preside at the organizational meeting for business and academic affairs. At the business organization meeting, the Board shall appoint a Board secretary if the incumbent is not tenured.

Therefore, at the business and academic affairs organization meeting, the Board shall:

- A. appoint a Board secretary for the new fiscal and academic year;
- B. adopt curriculum guides and courses of study;
- C. adopt textbooks;
- D. designate a depository(ies) for school funds and modify the signatories if necessary;
- E. appoint the following personnel if not tenured:
 - 1. Attorney to the Board
 - 2. Auditors to the Board
 - 3. Attendance officers
 - 4. School physician/medical examiner
 - 5. Compliance personnel
- F. adopt any mandated plans;
- G. review and adopt the annual meeting schedule to conduct the business of the Board, and revise if necessary for efficient operation of the board;
- H. adopt Board policies, by-laws, rules and regulations;
- I. designate at least two local media outlets accessible within the district;
- J. designate liaisons to:
 - 1. NJ and County School Boards Association;
 - 2. local Parent Teachers/Association;
 - 3. mayor and council; and
 - 4. other groups as the Board deems necessary
- K. designate a representative (a board member or chief school administrator) to serve as a member to the Representative Assembly of the County Educational Services Commission;

- L. modify the signatories for financial matters, if necessary or desirable; and
- M. approve any professional services contract for which there is a motion to approve, a second, and a majority vote of the board members present and voting.

N.J.S.A. 18A:10-3
N.J.S.A. 18A:10-4
N.J.S.A. 18A:10-5
N.J.S.A. 18A:15-1

Approved: February 1, 2000
Revised: December 14, 2010
Revised: June 11, 2013
Revised: December 10, 2013
First Reading: December 3, 2019
Second Reading:

0152 BOARD OFFICERS

At its first regular meeting, the Board of Education shall organize by electing one of its members as President and another as Vice President.

Any member may place a member's name in nomination. A second is required. Election for each office will be conducted by roll call vote when the nominations for that office are closed. The candidate receiving the votes of a majority of Board members present and voting will be elected to office. In order to serve as an officer of the Board, a member must have served at least one year.

Voting shall take place by verbal roll call vote after nominations are closed. When more than one person has been nominated, the Board will vote on candidates in the order in which they were nominated. In the event no candidate receives a majority vote of the full Board, the procedure shall continue until someone receives a majority vote. If the Board shall fail to hold said meeting or to elect said officers, as prescribed by this law, the Executive County Superintendent shall appoint from among the members of the Board a President and Vice President.

Officers shall serve for one year or until their respective successors are elected and qualified.

An officer who refuses to perform a duty imposed upon him or her by law may be removed by a majority vote of the full Board.

The Board shall fill a vacancy in either office within thirty days of the occurrence of the vacancy. If the Board fails to fill the vacancy within such time, the Executive County Superintendent shall fill the vacancy for the unexpired term.

N.J.S.A. 18A:15-1; 18A:15-2

First Reading: December 21, 1999
Approved: February 1, 2000
Reviewed: April 15, 2013
First Reading: December 3, 2019
Second Reading:

0167 PUBLIC PARTICIPATION IN BOARD MEETINGS

The Board of Education recognizes the value of public comment on educational issues and the importance of allowing members of the public to express themselves on school matters of community interest.

In order to permit the fair and orderly expression of such comment, the Board shall provide a period for public comment at every public meeting.

Public participation shall be permitted only as indicated on the order of business in Board Bylaw No. 0164 (Conduct of Board Meetings).

Public participation shall be extended to residents of this district, persons having a legitimate interest in the actions of this Board, persons representing groups in the community or school district, representatives of firms eligible to bid on materials or services solicited by the Board, and employees and pupils of this district, except when the issue addressed by the participant is subject to remediation by an alternate method provided for in policies or contracts of the Board.

Public participation shall be governed by the following rules:

1. after being recognized by the President, the individual shall stand and give his or her name and address;
2. all questions, statements, or inquiries must be directed to the President of the Board of Education or his/her designee. . Any questions or inquiries directed by a participant to another Board member shall be redirected to the presiding officer who shall determine if such question, statement or inquiry shall be addressed by the presiding officer on behalf of the Board or by the individual Board member;
3. no participant may speak more than once on the same topic until all others who wished to speak on that topic have been heard;
4. discussion directed at other members of the audience will not be permitted; public criticism of individual staff members will not be permitted;

BYLAWS
0167
Public Participation in Board Meetings

Page 2 of 2

5. the Board or committee reserves the right to adjourn the meeting any time the public does not accept directions from the President of the meeting;
6. recording devices may be used by the public and the Board or committee may announce this as a point of information;
7. photographers and television camera operators are permitted if in the judgment of the President their activities do not interrupt or detract from the orderly conduct of the meeting;
8. The President may:
 - a. interrupt, warn, and/or terminate a participant's question, statement, or inquiry when the statement is too lengthy;
 - b. interrupt, warn, and/or terminate a participant's question, statement, or inquiry when the statement is abusive, obscene, or may be defamatory;
 - c. request any person to leave the meeting when that person does not observe reasonable decorum;
 - d. request the assistance of law enforcement officers in the removal of a disorderly person when that person prevents or disrupts a meeting with an act that obstructs or interferes with a meeting;
 - e. call for a recess or an adjournment to another time when the lack of public decorum interferes with the orderly conduct of the meeting; and
 - f. waive these rules when necessary for the protection of privacy or to maintain an orderly operation of the Board meeting.

N.J.S.A. 2C:33-8
N.J.S.A. 10:4-12

Approved: March 7, 2000
Revised: December 2, 2008
Reviewed: May 29, 2013
First Reading: December 3, 2019
Second Reading:

0168 RECORDING BOARD MEETINGS

The Board of Education directs the creation and maintenance of an official record of the formal proceedings of the Board and will permit the unofficial recording of Board meetings in accordance with this Bylaw.

Minutes

The Board shall keep reasonably comprehensible minutes of all its meetings showing the time and place, the members present, the subject considered, the actions taken, the vote of each member, information sufficient to explain the actions taken, and any other information required to be shown in the minutes by law.

Minutes of public meetings shall be public records signed by the Board Secretary and filed in the Board Secretary's office in a minute book as the permanent record of the acts of this Board.

Minutes of private meetings shall be filed in the Board Secretary's office in a place separate from the minute book until the time, if any, when the proceedings may be made public. At that time, the minutes shall be public records and shall be filed in the regular minute book.

The Board Secretary shall provide each Board member with a copy of the minutes prior to Board approval.

When practicable the district will arrange for a video recording of Board meetings. Any such recordings shall be preserved as a governmental record in accordance with the Open Public Records Act.

Recording by the Public

The Board will permit the use of audio or video recording devices by members of the public to record public meetings. The Board President or designee may use discretion to intervene if the use of audio or video devices is disruptive.

N.J.S.A. 10:4-14

Approved: February 1, 2000
Revised: October 1, 2013
First Reading: December 3, 2019
Second Reading:

2418 SECTION 504 OF THE
REHABILITATION ACT OF 1973 - STUDENTS

The Board will comply with Section 504 of the Rehabilitation Act of 1973, the purpose of which is to eliminate discrimination on the basis of disability in any program or activity receiving Federal financial assistance.

Guarantee of Rights

The Board will provide a free appropriate public education to each student with a disability regardless of the nature or severity of the disability.

The Board will make reasonable accommodations to ensure that no student with a disability, solely on the basis of the disability, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity sponsored by this Board, including participation in non-academic and extracurricular services and activities.

The administration will undertake to identify and locate all students with disabilities between the ages of three and twenty-two, who are residing within the district, but not receiving a public school education. The administration will take steps to notify such students and their parents of the district's duty to provide accommodations for students with disabilities as well as procedures to determine eligibility for such accommodations.

Educational Setting

The Board will ensure that a student with a disability participates with nondisabled students in activities and services to the maximum extent appropriate to the needs of the student with a disability.

The school administration will place a student with a disability in the regular educational environment within the district unless the district demonstrates that the education of the student with a disability in the regular environment with the use of supplementary aids and services cannot be achieved satisfactorily.

Evaluation and Placement

The Board will establish standards and procedures for initial evaluations and periodic re-evaluations of students who need or are believed to need accommodations, special education, and/or related services because of a disability. Evaluations may include, but are not limited to, a review of work samples, direct observation, interviews, and/or administration of assessment measures.

**PROGRAM
2418
Section 504 of the
Rehabilitation Act of 1973 – Students**

**M
*Regulations Follow***

Page 2 of 2

Enforcement

The Assistant Superintendent for Pupil Personnel Services is designated by the Board as the District 504 Coordinator for matters dealing with Section 504 of the Rehabilitation Act of 1973 and can be contacted at the following address or telephone number:

Office Address: 302 Elm Street, Westfield, NJ 07090

Telephone: 908-789-4400 x4442

Procedural Safeguards

The district will establish and implement a system of procedural safeguards with respect to the identification, evaluation, or provision of services under Section 504. This system includes notice, an opportunity for the parent to examine relevant records, an impartial hearing with the opportunity for participation by the parent and representation by counsel, and a review procedure. These procedural safeguards shall be in accordance with N.J.A.C. 6A:14 et seq., Policy 2460, Regulation 2460.8, and/or the grievance procedures outlined in Regulation 2418.

Notice

The Board will notify members of the community that the Board does not discriminate on the basis of a disability in violation of Section 504 of the Rehabilitation Act of 1973. Policy and Regulation 2418 may be reprinted in part or in full and distributed to serve as adequate notice.

State or Local Law

The obligation to comply with the Rehabilitation Act of 1973 is not obviated or alleviated by the existence of any State or local law or other requirement that, on the basis of disability, imposes prohibitions or limits upon the eligibility of a student with a disability to receive services.

29 U.S.C. 794 (Section 504 Rehabilitation Act of 1973)

20 U.S.C. 1401 et seq. (Individuals with Disabilities Education Act)

42 U.S.C. 12101 (Americans with Disabilities Act of 1990, as amended)

First Reading: December 3, 2019

Second Reading:

Adopted:

R 2418 SECTION 504 OF THE
REHABILITATION ACT OF 1973 – STUDENTS

It is the policy of the Board of Education that no qualified student with a disability will, solely on the basis of disability, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity sponsored by this Board. The Board will also comply with the Individuals with Disabilities Education Act through the implementation of Policy 2460 and Regulations 2460 through 2460.16.

A. Definitions

1. “Accommodation” means a change in the educational setting, instructional strategies, materials, and/or supplementary/related aids and services that does not significantly alter the content of the curriculum or level of expectation for a student’s performance, but which allows the student to access the regular general education curriculum.
2. “Act” means the Rehabilitation Act of 1973.
3. “Aids and Services” means aids and services designed to meet the individual student’s educational needs to the same extent as the needs of students without disabilities are met. 34 CFR §104.33
4. “Board” means the Board of Education of this school district.
5. “Complainant” means a parent of a student with a disability who files a grievance in accordance with the grievance procedure.
6. “Day” means either calendar or working day, as specified in the Act.
7. “Disability” means, with respect to an individual, that the individual meets one or more of the following three prongs:
 - a. A physical or mental impairment that substantially limits one or more of the major life activities of such individual;
 - b. A record of such an impairment; or
 - c. Being regarded as having such an impairment.
8. “District” means this school district.

**PROGRAM
R 2418
Section 504 of the
Rehabilitation Act of 1973 – Students**

M

Page 2 of 12

9. “District 504 Coordinator” means the district official responsible for the coordination of activities relating to compliance with the Act.
10. “FAPE” means free appropriate public education. FAPE consists of the provision of regular or special education and related aids and services designed to meet the educational needs of a student with a disability to the same extent as the needs of non-disabled students are met.
11. “Grievance” means an unresolved problem concerning the interpretation or application of law and regulations regarding discrimination by reason of a disability by an officer or employee of this district.
12. “Individuals with Disabilities in Education Act” (IDEA) identifies eligible children and young adults who have specific types of disabilities and, thus, require special education and related services. If they qualify, students receiving services through IDEA may also be eligible for services under Section 504 and ADA.
13. “Major life activities” means those of central importance to daily life and include, but are not limited to, functions such as: caring for one's self, performing manual tasks, walking, seeing, hearing, eating, sitting, writing, standing, reaching, lifting, sleeping, bending, speaking, breathing, reading, concentrating, thinking, communicating, interacting with others, learning, and working. “Major life activities” also include physical or mental impairments that substantially limit the operation of a major bodily function, including, but not limited to: functions of the immune system, special sense organs and skin, normal cell growth, and digestive, genitourinary, bowel, bladder, neurological, brain, respiratory, circulatory, cardiovascular, endocrine, hemic, lymphatic, musculoskeletal, reproductive systems, and the operation of an individual organ within a body system. 28 CFR §35.108; 28 CFR §36.105
14. “Mitigating measures” means steps taken to eliminate or reduce the symptoms or impact of an impairment. “Mitigating measures” include, but are not limited to: medication; medical equipment/appliances; mobility devices; low vision devices (not including ordinary eyeglasses or contact lenses); prosthetics (including limbs and devices); hearing aids, cochlear implants, or other implantable hearing devices; oxygen therapy equipment and supplies; the use of assistive technology; reasonable modifications or auxiliary aids or services; learned behavioral or adaptive neurological modifications; and psychotherapy, behavioral, or physical therapies. 42 U.S.C. 126 §12102
 - a. Mitigating measures, must not be used when determining whether an impairment is a disability except for the use of corrective eyeglasses or contact lenses. Mitigating measures may be considered in assessing whether someone is entitled to reasonable accommodation or poses a direct threat.

**PROGRAM
R 2418
Section 504 of the
Rehabilitation Act of 1973 – Students**

M

Page 3 of 12

15. “Physical or mental impairment” means any physiological disorder or condition such as, cosmetic disfigurement or anatomical loss affecting one or more body systems, such as neurological, musculoskeletal, special sense organs, respiratory (including speech organs), cardiovascular, reproductive, digestive, genitourinary, immune, circulatory, hemic and lymphatic, skin, and endocrine; or any mental or psychological disorder such as intellectual disability, organic brain syndrome, emotional or mental illness, and specific learning disabilities. 28 CFR §35.108(b)(2) and 28 CFR§36.105(b)4
- a. Physical or mental impairments may include, but are not limited to: contagious and noncontagious diseases and conditions; orthopedic, visual, speech, and hearing impairments; cerebral palsy; epilepsy; muscular dystrophy; multiple sclerosis; cancer; heart disease; diabetes; intellectual disability; emotional illness; dyslexia and other specific learning disabilities; Attention Deficit Hyperactivity Disorder (ADHD); Human Immunodeficiency Virus (HIV) (whether symptomatic or asymptomatic); tuberculosis; drug addiction; and alcoholism.
 - b. Physical or mental impairments do not include: transvestism; transsexualism; homosexuality or bisexuality; gender identity disorders; sexual behavior disorders; pedophilia; exhibitionism; environmental, cultural, and economic disadvantages; pregnancy; physical characteristics; personality traits or behaviors; normal deviations in height, weight, or strength; compulsive gambling; kleptomania; pyromania; and psychoactive substance use disorders resulting from current illegal use of drugs.
 - c. An impairment that is episodic or in remission may be considered a “disability” if it would substantially limit a major life activity when active.
 - d. Not all impairments are disabilities.
16. “Qualified student with a disability” means a student with a disability at the preschool, elementary, or secondary level, who is: (1) of an age at which students without disabilities are provided educational services; (2) of an age at which it is mandatory under State law to provide educational services to students with disabilities; or (3) a student to whom a State is required to provide a free appropriate public education under the Individuals with Disabilities Education Act (IDEA).
17. “Record of such an impairment” means has a history of, or has been misclassified as having a mental or physical impairment that substantially limits one or more major life activities.

**PROGRAM
R 2418
Section 504 of the
Rehabilitation Act of 1973 – Students**

M

Page 4 of 12

18. “Regarded as having an impairment” means the individual establishes that he or she has been subjected to a prohibited action because of an actual or perceived physical or mental impairment, whether or not that impairment substantially limits or is perceived to substantially limit a major life activity.
 - a. For this prong only, the public entity must demonstrate the impairment is or would be both transitory (lasting or expected to last six months or less) and minor to show an individual is not regarded as having such an impairment. 42 U.S.C. 126 §12102(3)(B)
 - b. A public entity is not required to provide a reasonable modification to an individual meeting the definition of “disability” solely under the “regarded as” prong.
19. “Section 504” means Section 504 of the Act.
20. “Student” means an individual enrolled in any formal educational program provided by the school district.
21. “Substantially limits” means the extent to which the impairment limits a student’s ability to perform a major life activity as compared to most people in the general population, whether or not an individual chooses to forgo mitigating measures. 42 U.S.C. 126 §12102 (4); 28 CFR §35.108(d); 28 CFR §35.105(d) The rules of construction when determining whether an impairment substantially limits a student in a major life activity include:
 - a. That it is broadly construed in favor of expansive coverage, to the maximum extent permitted under the Act.
 - b. That it does not demand extensive analysis.
 - c. That it substantially limits one major life activity, but not necessarily other major life activities.
 - d. That it may be episodic or in remission, as long as the disability would substantially limit a major life activity when active.
 - e. That it need not prevent, or significantly or severely restrict, an individual from performing a major life activity.

**PROGRAM
R 2418
Section 504 of the
Rehabilitation Act of 1973 – Students**

M

Page 5 of 12

- f. That it requires an individualized assessment which does not create an “inappropriately high level of limitation” and is based upon the conditions, manner, or duration under which the individual can perform the major life activity 42 U.S.C. 12102(4)(B).
- g. That it generally will not require scientific, medical, or statistical evidence (although such evidence can be required where appropriate - evidence that can be considered may include statements or affidavits of affected individuals and school records).
- h. That the determination is made without regard to ameliorative effects of mitigating measures, except for the use of ordinary eyeglasses or contact lenses intended to fully correct visual acuity or eliminate refractive error. Non-ameliorative effects, such as the negative side effects of medication or a medical procedure, may also be considered.
- i. That the effects of an impairment lasting or expected to last less than six months can be substantially limiting for establishing a disability under the first two prongs: “actual disability” or “record of”.

B. District 504 Coordinator - 34 C.F.R. §104.7(a)

- 1. The District 504 Coordinator will be responsible for the initial evaluation of all allegations, reasonable accommodations (if required), and re-evaluations.
- 2. The District 504 Coordinator will comply with the mediation and due process requirements pursuant to N.J.A.C. 6A:14-2.6 and 6A:14-2.7 where applicable in cases arising from Section 504.

C. Educational Program

- 1. General:
 - a. The Board will not, on the basis of a disability, exclude a student with a disability from a program or activity and will take into account the needs of such student in determining the aid, benefits, or services to be provided under a program or activity.
 - b. Identification for special education services under IDEA and accommodations under Section 504 are not mutually exclusive.

**PROGRAM
R 2418
Section 504 of the
Rehabilitation Act of 1973 – Students**

M

Page 6 of 12

- c. Students not otherwise eligible for special education programs and/or related services pursuant to N.J.A.C. 6A:14-1 et seq. may be referred to the District 504 Coordinator by the parent or staff member.
- d. The Board will provide reasonable accommodation(s) to students with disabilities notwithstanding any program and/or related services required pursuant to N.J.A.C. 6A:14-1 et seq.

D. Free Appropriate Public Education (FAPE) - 34 CFR §104.33

- 1. FAPE must be provided without cost to the student's parent, except for those fees imposed on a parent of a non-disabled student.
- 2. The district may place a student with a disability in or refer such student to a program other than one it operates as its means of carrying out the provisions of this Regulation.
 - a. The district will continue to maintain responsibility for ensuring the requirements of the Act are met in respect to any student with a disability so placed or referred.
 - b. The district will ensure adequate transportation to and from the program, provided at no greater cost than would be incurred by the parent if the student were placed in a program operated by the district.
 - (1) The administration will consider the proximity of any alternative setting to the student's home.
 - (2) If a public or private residential placement is necessary to provide FAPE to a student with a disability, the placement, including non-medical care, room, and board, shall be provided at no cost to his/her parent.

E. Evaluation and Placement - 34 CFR §104.35

- 1. The Board will establish standards and procedures for initial evaluations and periodic re-evaluations of students who need or are believed to need special education and/or related services on the basis of disability.

**PROGRAM
R 2418
Section 504 of the
Rehabilitation Act of 1973 – Students**

M

Page 7 of 12

- a. Section 504 evaluations may encompass record and work sample review; direct observation in the natural setting; interviews with the student, parent, and school personnel; and/or administration of assessment measures. They do not include independent evaluations.
 - b. It may be determined that additional data is required, including the administration of formal standardized instruments and data on conditions in remission or episodic in nature. Tests and other evaluation materials must meet the following criteria:
 - (1) Validated for the specific purpose for which they are used and administered by trained personnel;
 - (2) Tailored to assess specific areas of educational need and not merely those designed to provide a single intelligence quotient; and
 - (3) Accurately reflect aptitude or achievement or whatever else the tests purport to measure, rather than the student's impaired sensory, manual, or speaking skills (unless the test is designed to measure these particular factors).
2. In interpreting evaluation data and in making placement decisions, the district will:
- a. Draw information from a variety of sources, including, but not limited to: aptitude and achievement tests, medical evaluations, teacher recommendations, physical condition, social and cultural background, and adaptive behavior;
 - b. Establish procedures to ensure that information obtained from all such sources is documented and carefully considered;
 - c. Ensure that placement decisions are made by a group of persons, including persons knowledgeable about the student, the meaning of the evaluation data, and placement options; and
 - d. Ensure that placement decisions are made in conformity with this Regulation and 34 CFR §104.34.
3. The District 504 Coordinator will establish timelines for re-evaluations of students receiving reasonable accommodation(s). A parent may request a re-evaluation at any time upon written request to the District 504 Coordinator.

**PROGRAM
R 2418
Section 504 of the
Rehabilitation Act of 1973 – Students**

M

Page 8 of 12

4. Copies of requests for evaluation and related documents will be maintained in a designated Section 504 file folder placed in the student's cumulative record.

F. Section 504 and Special Education

1. A student who qualifies for Section 504 services may not qualify for special education under IDEA; likewise, a student who qualifies under IDEA may not qualify under Section 504.
2. A referral for a Section 504 evaluation may be made concurrently with a pending special education evaluation. In such instances, the Section 504 evaluation should be conducted during the same timeline utilized for the special education assessment. Generally, the Section 504 evaluation should be conducted in less than sixty days.
3. If a student is found eligible under Section 504 prior to the special education team's findings, a Section 504 Accommodation Plan will be developed pending the special education team's findings. If the student is then found eligible for special education, an Individualized Education Program (IEP) will be developed and the IEP team can incorporate into the IEP any accommodations/services provided in the Section 504 Accommodation Plan.
4. A separate Section 504 team meeting will be convened when a student is identified as eligible for special education and no longer requires accommodations/services under Section 504.
5. When an IEP team determines a student is not eligible or no longer eligible for special education, there may be circumstances when a Section 504 referral for evaluation may be appropriate and should be considered. The IEP team may document the student is being referred for a Section 504 evaluation, and the eligibility evaluation shall be addressed in a separate Section 504 team meeting.

G. Section 504 Accommodation Plan

1. The District 504 Coordinator will assist in organizing a team of individuals responsible for receiving referral documents; securing evaluation information; and determining eligibility and appropriate accommodations, related aids or services for eligible students with disabilities. The team must be comprised of people who:
 - a. Are knowledgeable about the student;
 - b. Understand the meaning of evaluation data; and
 - c. Are familiar with placement options.

**PROGRAM
R 2418
Section 504 of the
Rehabilitation Act of 1973 – Students
M**

Page 9 of 12

2. The District 504 Coordinator, based on the evaluation of the student eligible for services under Section 504, will prepare a Section 504 Accommodation Plan which may include as relates to the student:
 - a. Name;
 - b. Date of birth;
 - c. Current educational placement;
 - d. Name of the District 504 Coordinator preparing the Section 504 Accommodation Plan;
 - e. Disabling condition:
 - (1) Major life activity impaired;
 - (2) Educational impact; and
 - (3) Impact on related educational progress.
 - f. Accommodation (as appropriate):
 - (1) Physical and learning environment;
 - (2) Instructional;
 - (3) Behavioral;
 - (4) Evaluation;
 - (5) Medical; and/or
 - (6) Transportation.
 - g. Other:
 - (1) List of individuals participating in the development of the plan, along with their titles and the date(s) of their participation.
 - (2) Certification by the student's parent that he or she has participated in the development of the plan and provided consent to its implementation.
 - (3) A waiver of the fifteen days' notice prior to the implementation of the plan by the parent if the plan is to be implemented sooner than the fifteen days.

**PROGRAM
R 2418
Section 504 of the
Rehabilitation Act of 1973 – Students**

M

Page 10 of 12

3. A Section 504 Accommodation Plan should not:
 - a. Modify the curriculum;
 - b. Exempt a student from a course or subject required for graduation;
 - c. Alter the level of expectation for a student's performance;
 - d. Provide an extended time accommodation only for standardized testing when it is not required as part of the regular program of evaluation;
 - e. Include any testing accommodations unless authorized by the testing agency; and
 - f. Assign responsibility for implementing Section 504 accommodations to another student.

4. A Section 504 Accommodation Plan should:
 - a. Directly relate to a student's identified needs;
 - b. Be specific, measurable, and tailored to meet students' identified needs to allow for consistent implementation;
 - c. Be written to incorporate specific symptoms, behavior, or triggers that elicit implementation of the accommodation or service if required only occasionally; and
 - d. Clearly state how much extended time is required based upon a student's identified needs, if the Section 504 team determines such an accommodation is appropriate.

5. Students needing medication:
 - a. Not all students needing medication administered by school staff will require a Section 504 Accommodation Plan. It is not necessary to qualify a student as having a disability that substantially limits a major life activity under Section 504 in order to provide a service that schools perform for all general education students.

**PROGRAM
R 2418
Section 504 of the
Rehabilitation Act of 1973 – Students**

M

Page 11 of 12

- b. A Section 504 referral with the potential for a subsequent Section 504 Accommodation Plan is appropriate when a student is found to have a disability that substantially limits a major life activity and needs medication administered on a systematic basis to receive equal access to the educational program.

H. Nonacademic/Extracurricular Services - 34 CFR §104.37

- 1. Nonacademic and Extracurricular Services may include counseling, physical recreational athletics, transportation, health services, recreational activities, special interest groups or school clubs, and/or referrals to agencies which provide assistance to students with disabilities and student employment.
- 2. The Board and administration will ensure that students with disabilities are not counseled toward more restrictive career objectives than are nondisabled students with similar interests and abilities.
- 3. The Board will provide to students with disabilities equal opportunity as afforded nondisabled students for participation in physical education courses, athletics, and similar programs and activities.
 - a. The district may offer students with disabilities physical education and athletic activities that are separate or different from those offered to nondisabled students only if the separation or differentiation is consistent with the requirements of 34 CFR §104.34 and only if no student with a disability is denied the opportunity to compete or to participate.

I. Grievance Procedure - 34 CFR §104.7(b)

- 1. This grievance procedure shall apply to a student with a disability alleging discrimination under the provisions of Section 504 of the Rehabilitation Act of 1973.
- 2. The parent who believes his or her child has a valid basis for a grievance under Section 504 shall file an informal complaint in writing with the District 504 Coordinator stating the specific facts of the grievance and the alleged discriminatory act.
- 3. The District 504 Coordinator will make reasonable efforts to resolve the matter informally by reviewing the grievance with appropriate staff including, but not limited to: the Principal, Child Study Team staff, and/or classroom teacher(s).

**PROGRAM
R 2418
Section 504 of the
Rehabilitation Act of 1973 – Students**

M

Page 12 of 12

4. The District 504 Coordinator will investigate and document the complaint including dates of meetings, dispositions, and date(s) of dispositions. The District 504 Coordinator will provide a written decision to the complainant within seven working days of the written complaint.
5. If the complainant is not satisfied with the District 504 Coordinator's written decision, the complainant may appeal the decision in writing, setting out the circumstances that give rise to the alleged grievance. This written appeal must be filed with the District 504 Coordinator within three working days of the complainant's receipt of the written decision. The written appeal must state the basis for the appeal and the remedy sought by the complainant.
6. The District 504 Coordinator will appoint a qualified hearing officer within seven working days of the receipt of the written appeal. The hearing officer will conduct a hearing within seven working days of receipt of the written appeal. The hearing officer will give the parent a full and fair opportunity to present evidence relevant to the issues raised under the initial grievance. The parent may, at his or her own expense, be assisted or represented by individuals of their choice, including legal counsel. The hearing officer will present a written decision to the District 504 Coordinator and aggrieved individual within seven working days of the hearing.
7. The complainant may file a written appeal to the Board if not satisfied with the hearing officer's decision provided the written appeal is submitted to the Superintendent within three working days of the complainant's receipt of the hearing officer's written decision. The Board may, but is not required to, conduct a Board hearing on the appeal.
8. The complainant may request mediation and due process in accordance with N.J.A.C. 6A:14-2.6 and 2.7 if unsatisfied with the written decision of the Board. If specifically requested by the parent, the aforementioned N.J.A.C. 6A:14-2.6 and 2.7 grievance procedures must be followed.

Adopted:

5330 ADMINISTRATION OF MEDICATION

The Board of Education disclaims any and all responsibility for the diagnosis and treatment of the illness of any pupil. However, in order for many pupils with chronic health conditions and disabilities to remain in school, medication may have to be administered during school hours. Parents and legal guardians 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 pupils. The Board will permit the administration of medication in school in accordance with applicable law.

Medication will only be administered to pupils in school by a registered nurse, a certified or noncertified school nurse, a substitute school nurse employed by the district, the pupil's parent(s) or legal guardian(s), a pupil 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 in an emergency pursuant to N.J.S.A. 18A:40-12.5 and 12.6.

Self-administration of medication by a pupil for asthma, diabetes or other potentially life-threatening illness or a life threatening allergic reaction is permitted in accordance with the provisions of N.J.S.A. 18A:40-12.3.

Medication no longer required must be promptly removed by the parent(s) or legal guardian(s).

The school nurse shall have the primary responsibility for the administration of epinephrine. However, the certified 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 using standardized training protocols established by the Department of Education 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 the 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, shall be held liable for any good faith act or omission consistent with the provisions of N.J.S.A. 18A:40-12.5, 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. 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. 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 to the pupil.

The parent(s) or legal guardian(s) of the pupil 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 to the pupil and the parent(s) or legal guardian(s) 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 pupil.

The permission for the emergency administration of epinephrine via a pre-filled auto-injector mechanism containing epinephrine to pupils for anaphylaxis is effective for the school year it is granted and must be renewed for each subsequent school year.

The school nurse or trained designee, including a volunteer licensed athletic trainer, shall be permitted to administer epinephrine via a pre-filled auto-injector mechanism to any student without a known history of anaphylaxis when the nurse, or trained designee, or volunteer licensed athletic trainer, in good faith, believes that the student is having an anaphylactic reaction. This includes students whose parents/guardians have not submitted prior written permission or obtained prescribed medication.

The district shall maintain a supply of epinephrine auto-injectors that is prescribed under a standing protocol from a licensed physician or an advanced practice nurse in a secure but unlocked and easily accessible location. The supply of epinephrine auto-injectors shall be accessible to the school nurse and trained designees for administration to a student having anaphylactic reaction.

Each school in the district shall have and maintain for the use of pupils 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 State Department of Education regulations. Every pupil 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 pupil'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 pupil medications shall be appropriately maintained and secured by the school nurse, except those medications to be self-administered by pupils. In those instances the medication may be retained by the pupil with the prior knowledge of the school nurse. The school nurse may provide the Principal and other teaching staff members concerned with the pupil's educational progress with such information about the medication and its administration as may be in the pupil's best educational interests. The school nurse may report to the school physician any pupil who appears to be affected adversely by the administration of medication and may recommend to the Principal the pupil's exclusion pursuant to law.

The school nurse shall document each instance of the administration of medication to a pupil. Pupils self-administering medication shall report each incident to a teacher, coach, or other individual designated by the school nurse who is supervising the pupil during the school activity when the pupil self-administers. These designated individuals shall report such incidents to the school nurse within twenty-four hours of the self-administration of medication. The school nurse shall preserve records and documentation regarding the self-administration of medication in the pupil'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

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

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

Approved: November 13, 2001

Revised: August 28, 2012

Revised: June 16, 2015

First Reading: December 3, 2019

Second Reading:

R 5330 ADMINISTRATION OF MEDICATION

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 pupils with asthma, other potentially life-threatening illnesses or life-threatening allergic reaction.
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, i.e. the use of adrenaline injection in anaphylaxis.
5. “A pre-filled auto-injector mechanism containing epinephrine” is a medical device used for the emergency administration of epinephrine to a pupil for anaphylaxis.
6. “Epinephrine” (adrenaline) is a drug that can be successfully utilized to counteract anaphylaxis.
7. “Asthma” is a chronic lung condition caused by narrowing or blockage of airways in the lungs.
8. “Noncertified school 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 Department of Education.
9. “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.

10. “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 district medical inspector in N.J.S.A. 18A:40-4.1.
 11. “Advanced practice nurse” means a person who holds current certification as nurse practitioner/clinical nurse specialist from the State Board of Nursing.
 12. “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, school nurse, 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-related events will be given only when it is necessary for the health and safety of the pupil.
 2. Medication will not be administered to a pupil who is physically unfit to attend school or has a contagious disease. Any such pupil should not be permitted to attend school and may be excluded in accordance with Policy 8451.
 3. Parent(s) or legal guardian(s) requests for the administration of medication in school must be made in writing and signed by the parents or legal guardian.
 4. The parent(s) or legal guardian(s) must submit a certified statement written and signed by the pupil's physician. The statement must include:
 - a. The pupil's name,
 - b. The name of the medication,
 - c. The purpose of its administration to the pupil 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,

**PUPILS
R 5330
ADMINISTRATION OF MEDICATION**

Page 4 of 9

- d. The parent(s) or legal guardian(s) must sign 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 pupil and the parent(s) or legal guardian(s) 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.
- 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 school nurse shall be responsible for the placement of the pupil's prescribed epinephrine in a secure but unlocked location easily accessible by the school nurse and designees to ensure prompt availability in the event of an allergic emergency at school or at a school function. The location of the epinephrine shall be indicated on the pupil's emergency care plan. Back-up epinephrine shall also be available at the school if needed.
- g. The school nurse or trained designee shall be promptly available on site at the school and school sponsored functions in the event of an allergic reaction.
- h. The school nurse or trained designee shall arrange for the transportation of the pupil to a hospital emergency room by emergency services personnel after the administration of epinephrine, even if the pupil's symptoms appear to have resolved.
- i. In accordance with the provisions of N.J.S.A. 18A:40-12.5.f, the school nurse or a designated employee trained to administer epinephrine via a pre-filled auto-injector mechanism is permitted to administer epinephrine via a pre-filled auto-injector mechanism to any pupil without a known history of anaphylaxis or to any pupil whose parent has not met the requirements outlined above when the school nurse or trained designee in good faith believes the pupil is having an anaphylactic reaction.
- j. Each school in the district will 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, and that is accessible to the school nurse and trained designees for administration to a pupil having an anaphylactic reaction.

D. Permission for Self-Administration of Medication

Permission for self-administration of medication of a pupil with asthma or other potentially life-threatening illnesses or a life-threatening allergic reaction may be granted under the following conditions:

1. Parent(s) or legal guardian(s) of the pupil must provide the school nurse written authorization for the self-administration of medication.
2. The parent(s) or legal guardian(s) of the pupil must also provide the school nurse with a signed written certification from the physician of the pupil that the pupil has asthma or another potentially life threatening illness or is subject to a life-threatening allergic reaction and is capable of, and has been instructed in, the proper method of self-administration of medication. The written certification must include:
 - a. The pupil's name;
 - b. The name of the medication;
 - c. The purpose of its administration to the pupil 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 pupil 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 pupil would not be able to attend school.
3. The parent(s) or legal guardian(s) of the pupil have signed 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 pupil and that the parent(s) or legal guardian(s) 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 pupil;
4. The parent's and/or legal guardian's written authorization and the physician's written certification shall be reviewed by the school nurse. The school nurse must agree the pupil is capable of self-administration of medication. If it is determined the pupil may self-administer medication:

- a. The request for the administration of medication must be made to the school nurse prior to any self-administration of medication.
 - b. The parent(s) or legal guardian(s) will be informed of the reason for a denied request; a denied request may be appealed to the district medical inspector.
5. Permission to self-administer one medication shall not be construed as permission to self-administer other medication; and
 6. 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 1. through 4. above.

E. 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(s) or legal guardian(s).
 - b. All medications must be in the original container, with the prescription information affixed.
 - c. The school nurse shall be custodian of pupils' medication, which will be properly secured.
 - d. Any unused medication must be picked up by the pupil's parent(s) or legal guardian(s).
 - e. After reasonable efforts to have the parent(s) or legal guardian(s) retrieve the medication have failed, any unused medication that remains in the school at the end of the school year or six (6) school weeks after the pupil 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 pupil:
 - a. Time being of the essence in cases of asthma, other potentially life threatening illness, or a life-threatening allergic reaction, all medications to be self-administered by a pupil must be kept in the pupil's possession.
 - b. No pupil may possess medication for self-administration unless the proper permission has been granted by the school nurse and a record of the medication is on file in the office of the school nurse.

- c. Pupils who are permitted to self-administer medications must secure their medication in such a manner that the medication will not be available to other pupils. The medication must be in a sealed container and clearly labeled with the medication name, dosage, and ordering physician. The medication, if ingested by someone other than the pupil, shall not cause severe illness or death.
- d. Pupils who are permitted to self-administer medications shall only have in their possession the quantity of medication necessary for the time period of the pupil's school day.
- e. Notwithstanding any other law or regulation, a pupil 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, at all times, provided the pupil does not endanger himself or other persons through misuse.

F. Administration of Medication

- 1. No medication shall be administered to or taken by a pupil in school or at a school-sponsored event except as permitted by Board policy and this regulation.
- 2. Medication will only be administered to pupils in school by a registered nurse, a certified or noncertified school nurse, a substitute school nurse employed by the district, a pupil 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 in an emergency pursuant to N.J.S.A. 18A:40-12.5 and 12.6.
- 3. When practicable, self-administration of medication should be observed by the school nurse.
- 4. Pupils self-administering medication shall report each administration of medication and any side effects to a teacher, coach, or the individual in charge of the pupil during school activities. Such individuals shall report all administrations and any side effects reported or observed to the school nurse within twenty-four hours.
- 5. When a pupil attends a school-sponsored event at which medication may be required (such as an outdoor field trip or athletic competition) and the school nurse cannot be in attendance, the pupil's parent(s) or legal guardian(s) will be invited to attend. If neither the school nurse nor the parent(s) or legal guardian(s) can attend and the pupil does not have permission to self-administer medication and there is a risk that the pupil may suffer injury from lack of medication, the pupil may be excused from the event.

G. Emergencies

1. Any medical emergency requiring medication of pupils will be handled in accordance with Policy No. 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 pupil to a hospital emergency room after the administration of epinephrine in accordance with N.J.S.A. 18A:40-12.5.e.(3).
2. Nothing in N.J.S.A. 18A:40-12.6 prohibits the emergency administration of epinephrine via a pre-filled auto-injector mechanism to a pupil for anaphylaxis by the school nurse or other trained designated employees pursuant to N.J.S.A. 18A:40-12.6 when the pupil 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 medicine, or when the epinephrine is administered pursuant to N.J.A.C. 18A:40-12.5.

H. Records

The school nurse shall include the following in a pupil'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 pupil self-administration of medication;
4. Any side effects that resulted from the administration of medication; and
5. 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(s) or legal guardian(s) removed the medication or, if the parent(s) or legal guardian(s) failed to remove the medication, the medication was destroyed and the date on which that occurred.

I. Notification

1. The school nurse may provide the Principal and other teaching staff members concerned with the pupil's educational progress with information about the medication and administration when such release of information is in the pupil's best educational interest.
2. The school nurse will provide teachers, coaches, and other individuals in charge of school activities with a list of pupils who have been given permission to self-administer medication.
3. The school nurse will inform the pupil's parent(s) or legal guardian(s) of any difficulty in the administration of medication or any side effects.
4. The school nurse will report to the school physician any pupil who appears to be adversely affected by the medication.

In Effect: August 28, 2012

Revised: June 16, 2015

Revised: