

## **Public Notice**

### **Education**

#### **State Board of Education**

#### **Notice of Action on Petition for Rulemaking**

#### **Programs to Support Student Development**

#### **Required Health Services**

#### **N.J.A.C. 6A:16-2.2**

Petitioner: Amanda Hackett, RN, Public Health Nurse, Jefferson Township Department of Health.

**Take notice** that on June 6, 2024, the New Jersey State Board of Education (State Board) received a petition for rulemaking from the above petitioner, requesting the State Board amend N.J.A.C. 6A:16-2.2(g) and (h) to add a requirement that medical exams for all children must be submitted to school nurses or childcare/preschool directors at the beginning of each year.

Existing N.J.A.C. 6A:16-2.2(g) and (h), collectively, require school districts to ensure that students receive medical examinations upon enrollment in school, when applying for working papers, for the purposes of the comprehensive child study team evaluation, when a student is suspected of being under the influence of alcohol or controlled dangerous substances, and prior to participation in a school-sponsored interscholastic or intramural athletic team or squad for students in any grades six to 12. The existing rules also require the findings of the examinations to include immunizations; medical history, including allergies, past serious illnesses, injuries, operations, medications, and current health problems; health screenings, including height, weight, hearing, blood pressure and vision; and physical examinations.

The petitioner sought to amend N.J.A.C. 6A:16-2.2(g) and (h) to make yearly health and wellness exams a requirement to attend school every new school year in the same manner as up-to-date immunizations are required. The petitioner's request stated that medical exams can

prevent and detect health issues and a yearly medical exam and universal health form should be required to start school to promote equitable healthcare for all children.

A notice acknowledging receipt of the petition was published in the July 15, 2024 New Jersey Register at 56 N.J.R. 1051(a).

The State Board and Department of Education (Department) takes seriously the safety and wellness of all students and appreciate the petitioner's similar concern for students. However, the petitioner's request to amend N.J.A.C. 6A:16-2.2(g) and (h) to additionally require yearly health and wellness exams as a condition for attending school is duplicative of existing rules and overly burdensome for families.

First, the requested change duplicates existing N.J.A.C. 6A:16-2.2(l), which requires each school district to conduct health screenings, including height, weight, hearing, blood pressure, and vision, and physical examinations, including biennial screenings for scoliosis. The existing regulation also requires school districts to ensure that any deviations from health standards identified during screenings are promptly communicated to parents or guardians, thereby enabling them to seek further medical evaluation and care, as needed. The New Jersey Department of Health (NJDOH) and the New Jersey Department of Children and Families (NJDCF) publish various resources to assist families seeking such follow-up care, such as the [NJDOH's Family Health Services webpage](#) and the [NJDCF's Youth Resource Spot's suite of guidance regarding physical health and annual physicals](#). This system supports proactive health monitoring while minimizing undue burdens on families and school operations.

Existing N.J.A.C. 6A:16-2.2(h)2iv also requires each school district to notify parents through its website or other means about the importance of obtaining medical examinations, which must be provided by a school physician, school nurse, or other school personnel.

Furthermore, requiring additional wellness visits before students start school would place a significant burden of time and cost on parents and guardians, with the likely unintended

consequence of keeping more students out of school. The requested change also would heavily burden parents and guardians who are unable to take time off from work to attend wellness visits, do not have sufficient health care coverage to support the cost, or lack proper transportation. Current wait times for students' wellness visits can often take multiple months; adding new requirements in a brief amount of time could lead to longer waitlists and more student absenteeism. Increased demand for health practitioners and new barriers to attendance may lead to increased absenteeism and an increased dropout risk among vulnerable student populations. Ensuring equitable access to education must remain a paramount concern, and adding mandatory wellness exams could counteract this objective.

For all of the above-mentioned reasons, after due consideration pursuant to law, the petitioner's request is hereby denied.