

18A:40-4

LEGISLATIVE HISTORY CHECKLIST

NJSA 18A:40-4 (School pupils--hearing exam -- conduct at beginning of each school year)

LAWS 1979 CHAPTER 427

Bill No. S3026

Sponsor(s) Merlino

Date Introduced January 11, 1979

Committee: Assembly Education

Senate Education

Amended during passage Yes ~~XXX~~ Amendments during passage denoted by asterisks

Date of Passage: Assembly Dec. 6, 1979

Senate June 11, 1979

Date of approval February 11, 1980

Following statements are attached if available:

Sponsor statement Yes ~~XXX~~ (Below)

Committee Statement: Assembly Yes ~~XXX~~

Senate Yes ~~XXX~~

Fiscal Note XXes No

Veto Message XXes No

Message on signing Yes ~~XXX~~

Following were printed:

Reports XXes No

Hearings XXes No

Sponsor's statement:

This bill requires that a test for hearing be conducted on each pupil at the beginning of each school year.

Rules and regulations, proposed at 14NJR108(a), adopted 4-7-82 as R.1982 d.195 (N.J.A.C. 6:29-8.1 and 6:29-8.2)

6/22/81

PP

430

1982

427 79
1-11-80
[OFFICIAL COPY REPRINT]
SENATE, No. 3026

STATE OF NEW JERSEY

INTRODUCED JANUARY 11, 1979

By Senator MERLINO

Referred to Committee on Education

AN ACT concerning the examination of pupils and amending
N. J. S. 18A:40-4.

1 BE IT ENACTED *by the Senate and General Assembly of the State*
2 *of New Jersey:*

1 1. N. J. S. 18A:40-1 is amended to read as follows:

2 18A:40-4. The medical inspector, or the nurse *or licensed medical*
3 *and health care personnel* under the immediate direction of the
4 medical inspector, shall examine every pupil to learn whether any
5 physical defect exists, or in lieu thereof the medical inspector may
6 accept the report of such an examination by a physician licensed
7 to practice medicine and surgery within the State. **The**, *and the*
8 frequency and procedure of and selection of pupils for such
9 examinations shall comply with the rules of the State board, **but**
10 **a**. *Additionally a screening of hearing examination shall be con-*
11 *ducted ***annually*** on each pupil ***at the beginning of each****
12 **during the* school year *pursuant to rules, regulations and stan-*
12A *dards established by the State Department of Education in con-*
12B *sultation with the State Department of Health*. **Personnel and***
13 *equipment as well as methods for auditory screening shall be in*
14 *compliance with the rules and standards of the State Department*
14A *of Education*.*

15 A pupil who presents a statement signed by his parents or
16 guardian that **a medical examination interferes** *such required*
17 *examinations interfere* with the free exercise of his religious beliefs
18 shall be examined only to the extent necessary to determine whether
19 he is ill or infected with a communicable disease or to determine
20 his fitness to participate in any health, safety and physical educa-
21 tion course required by law.

22 A health record of each pupil shall be kept, in which shall be
23 entered the findings of each examination, and such record shall be

**EXPLANATION—Matter enclosed in bold-faced brackets [thus] in the above bill
is not enacted and is intended to be omitted in the law.**

24 the property of the board of education and shall be forwarded to
25 any public school to which the pupil is transferred, if such school
26 is known.

1 2. This act shall take effect immediately.

ASSEMBLY EDUCATION COMMITTEE

STATEMENT TO

SENATE, No. 3026

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STATE OF NEW JERSEY

DATED: NOVEMBER 26, 1979

The Assembly Education Committee favorably reports this bill and endorses the statement of the Senate Education Committee.

SENATE EDUCATION COMMITTEE

STATEMENT TO

SENATE, No. 3026

with Senate committee amendments

STATE OF NEW JERSEY

DATED: MAY 7, 1979

PROVISIONS:

The Senate Education Committee favorably reports this bill which would require school districts to test the hearing of pupils. Regulations will be established by the State Department of Education, in consultation with the Department of Health.

FISCAL IMPLICATIONS:

There would be relatively little cost associated with this legislation. According to a survey of school districts conducted by the Speech and Hearing Association, most schools already have audiometers, so that the costs associated with the purchase of equipment would be minimal.

COMMITTEE AMENDMENTS:

The committee has amended this legislation to provide for consultation between the Department of Education and Department of Health in the development of regulations and to eliminate the requirement that each child be tested annually at the beginning of each school year. While this is necessary in the early grades, annual testing is not necessary in junior high school and high school. The frequency of testing would be determined by regulation rather than specified in legislation.

FROM THE OFFICE OF THE GOVERNOR

FOR IMMEDIATE RELEASE

FOR FURTHER INFORMATION

FEBRUARY 11, 1980

KATHRYN FORSYTH

Governor Brendan Byrne today signed the following bills into law:

S-3016, sponsored by Senator Frank E. Rodgers (D-Hudson), which includes the entire town of Kearny within the Passaic Valley sewerage District.

Formerly, only portions of the town located along the Passaic River were included in the district, and the area of Kearny not within the district was served by an antiquated sewerage plant.

The bill is consistent with the recommendations of the Department of Environmental Protection's Northeast New Jersey Water Quality Management Plan.

S-3026, sponsored by Senator Joseph P. Merlino (D-Mercer), which directs school districts to test the hearing of each pupil under guidelines to be developed by the Department of Education in consultation with the Department of Health.

The bill also permits the hearing examination and general medical examination of pupils to be conducted by licensed medical and other health care personnel other than the medical examiner or the school nurse.

The measure is aimed at protecting pupils in school districts not currently conducting hearing tests, although the majority of districts are already testing pupils.

S-3071, sponsored by Senator Charles B. Yates (D-Burlington), which permits a child to be excused from portions of school classes with no penalties in terms of credits or graduation if the child's parent or guardian has signed a statement to the effect that that part of the instructions in health, family life education or sex education is in conflict with the parent's moral or religious beliefs.

The bill is entitled the "Parents Right to Conscience Act."

Under the measure, children whose parents or guardians objected would also be exempt from medical or physical examinations except as may be necessary to determine the existence of a physical handicap, the existence of a communicable disease or whether the child was under the influence of a narcotic drug.

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