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7460	<a href="#"><u>Energy Conservation</u></a>	August 18, 2009
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7481	<a href="#"><u>Unmanned Aircraft Systems (UAS, aka Drones)</u></a>	August 9, 2016
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7610	<a href="#"><u>Vandalism</u></a>	August 18, 2009
R7610	<a href="#"><u>Vandalism</u></a>	August 18, 2009
7650	<a href="#"><u>School Vehicle Assignment, Use, Tracking, Maintenance, and Accounting (M)</u></a>	August 18, 2009
R7650	<a href="#"><u>School Vehicle Assignment, Use, Tracking, Maintenance, and Accounting (M)</u></a>	August 18, 2009



### **7100 – Long-Range Facilities Planning (M)**

The Board of Education recognizes that sound planning based on accurate information is essential to the provision of suitable educational facilities. In order to ensure that future district construction is planned on the basis of need, the Board, in accordance with N.J.S.A. 18A:7G-4 and N.J.A.C. 6A:26-2.1 et seq., will maintain and submit a Long-Range Facilities Plan (LRFP) to the New Jersey Department of Education. Except as provided in N.J.A.C. 6A:26-3.14, no school facilities project will be considered or approved unless the district's LRFP has been submitted to and approved by the Commissioner of Education.

Long-range facilities planning by the school district will be in accordance with the provisions of N.J.A.C. 6A:26-2 et seq.

#### **Legal References**

N.J.S.A. 18A:7G-1 et seq.; 18A:33-1 et seq.

N.J.A.C. 6A:26-2.1 et seq.

Adopted: August 18, 2009  
Revised: October 10, 2017



### **R7100 – Long-Range Facilities Planning (M)**

#### **A. Responsibilities of the School District – N.J.A.C. 6A:26-2.1**

1. The school district will amend its Long Range Facilities Plan (LRFP) at least once every five years following the approval of the 2005 LRFP on software made available by the New Jersey Department of Education (NJDOE) and in accordance with the instructions for completing the software.
2. The LRFP will detail the school district's school facilities, other facilities, temporary facilities, and the school district's plan for meeting school facilities needs during the ensuing five years.

#### **B. Completion of Long Range Facilities Plans – N.J.A.C. 6A:26-2.2**

1. Each LRFP will include:
  - a. Enrollment projections for the school district for the five years covered by the plan in accordance with the requirements of N.J.A.C. 6A:26-2.2(a)1;
  - b. The functional capacity of every school facility in the school district in accordance with N.J.A.C. 6A:26-2.2(a)2;
  - c. An inventory of every school facility, other facility, and temporary facility in the school district in accordance with N.J.A.C. 6A:26-2.2(a)3;
  - d. An inventory of all school district-owned land in accordance with N.J.A.C. 6A:26-2.2(a)4;
  - e. A listing of the approximate size and nature of any new sites that may be needed for school facilities projects set forth in the LRFP in accordance with N.J.A.C. 6A:26-2.2(a)5;
  - f. An inventory of all building systems within each facility in accordance with N.J.A.C. 6A:26-2.2(a)6;
  - g. A determination of the life expectancy of all building systems;
  - h. A determination of any building system deficiencies in each school facility and the required remediation;
  - i. The school district's proposed school facilities projects, other capital projects, and preliminary scopes of work in accordance with N.J.A.C. 6A:26-2.2(a)9 and N.J.S.A. 18A:7G-5(m);
  - j. The school district's proposed programmatic models for school facility types and capacities the school district intends to operate in the ensuing five years;
  - k. A comparison of the school district's proposed programmatic models with the facilities efficiency standards and identification of all types of spaces, sizes of spaces, and number of spaces inconsistent with those standards in accordance with N.J.A.C. 6A:26-2.2(a)11;



- l. A comparison of the school district's programmatic models with the existing inventory and how the school district proposes to convert the existing inventory to programmatic models;
  - m. The school district's proposed plans for new construction and renovation of other facilities in the five years ensuing in accordance with N.J.A.C. 6A:26-2.2(a)13;
  - n. For each school facility set forth in the LRFP for which the school district is seeking approval of additional space or waiver of a facility efficiency standard to be approved as part of the LRFP, the school district will submit documentation supporting the request in accordance with N.J.A.C. 6A:26-2.3(c);
  - o. For each school facility to be replaced, a preliminary comparison of the cost of replacement of the school facility verses the cost to rehabilitate the school facility;
  - p. Preliminary data to support each proposed new school facility or addition, renovation to an existing school facility, and the removal from the school district's inventory of school facilities for each school facility to be sold, converted to non-school facility use, or razed;
  - q. A preliminary estimate of the cost of every school facilities project set forth in the LRFP; and
  - r. The Board resolution approving submission of the LRFP.
2. Each LRFP will include a determination by the school district of the number of un-housed students for the ensuing five-year period calculated in accordance with N.J.A.C. 6A:26-2.2(b)1.
  3. Approved area for un-housed students will be determined according to the formula as outlined in N.J.A.C. 6A:26-2.2(c).
  4. Superintendents in Early Childhood Program Aid (ECPA) districts are strongly encouraged to meet and collaborate with community childhood education providers to meet the needs of un-housed students in the LRFP in accordance with N.J.A.C. 6A:26-2.2(d).
  5. The school district will incorporate the facilities efficiency standards in the LRFP and seek any necessary waiver or special Commissioner approval in accordance with N.J.A.C. 6A:26-2.2(e)1 and 2.

### **C. LRFP Submission Procedure – N.J.A.C. 6A:26-2.1**

1. Except as provided in N.J.A.C. 6A:26-3.14, no school facilities project will be considered or approved unless the school district's LRFP has been submitted to the NJDOE and approved by the Commissioner.
2. The school district will submit its LRFP to the planning board(s) of the municipality(ies) in which the school district is situated, no later than the date the school district submits the LRFP to the Commissioner. No LRFP will be considered complete until comments have been received from the planning board(s) or until forty-five days have passed from the planning boards' receipt of the LRFP in accordance with N.J.A.C. 6A:26-2.1(c).



3. In accordance with the provisions of N.J.A.C. 6A:26-2.1(d), a school district sending students to another school district pursuant to N.J.S.A. 18A:38-8 et seq. will expeditiously provide all information necessary for the receiving school district to complete its LRFP, including but not limited to, demographic information necessary to prepare enrollment projections. Both sending and receiving school districts must submit a LRFP. If a send-receive relationship is terminated pursuant to N.J.S.A. 18A:38-21, both the sending and receiving school districts will promptly submit an amended LRFP.
4. An amended LRFP must be submitted to the NJDOE, in accordance with the provisions of N.J.A.C. 6A:26-2.1(e), if one or more school districts withdraw from a regional school district or a regional school district dissolves.
5. At any time, a school district may submit an amendment to an approved LRFP for review and approval by the Commissioner.
6. A school district's approved LRFP will remain in effect until an amended LRFP is approved.

#### **D. Review and Approval of Long-Range Facilities Plan – N.J.A.C. 6A:26-2.3**

1. Within ninety (90) calendar days of receipt of a LRFP from a school district that has not previously submitted a LRFP, the Division of Administration and Finance (Division) will determine where the plan is fully and accurately complete and whether all information necessary to review the plan has been filed by the school district.
  - a. When a LRFP is determined to be complete, the Division will notify the school district in writing that the plan is deemed complete.
  - b. When a LRFP is determined to be incomplete, the Division will notify the school district in writing and require the submission of additional information as detailed in the notification. Only after the Division determines all requested information has been submitted and the information is accurate will it determine a plan to be complete.
2. Within sixty (60) days of the date of notification that the plan is complete, the Commissioner will notify the school district of the final determination of the LRFP. A final determination will set forth information as outlined in N.J.A.C. 6A:26-2.3(b).
3. A school district will amend its approved LRFP whenever it seeks to undertake a capital project that is inconsistent with the approved LRFP in effect. The amendment request will be accompanied by a Board of Education resolution approving the submission of the LRFP amendment and will be in accordance with the requirements of N.J.A.C. 6A:26-2.3(c)1 through 4.
4. The Commissioner may extend the deadline for reviewing each LRFP if at any time the number of LRFPS pending before the Commissioner for review exceeds twenty percent of the total number of operating school districts in the State pursuant to N.J.A.C. 6A:26-2.3(d).



5. A school district that has an approved LRFP may begin undertaking feasibility studies for new construction identified in accordance with N.J.A.C. 6A:26-2.3(b)6. For school districts required to use the New Jersey Schools Development Authority (Development Authority), the activities also will be undertaken under the auspices of the Development Authority and in accordance with N.J.S.A. 18A:7G-5 and N.J.A.C. 6A:26-2 et seq.

Adopted: August 18, 2009

Revised: October 10, 2017



### **7101 – Educational Adequacy of Capital Projects**

Capital projects that affect any of the criteria for educational adequacy will be reviewed and approved by the Division of Administration and Finance (Division) in accordance with N.J.A.C. 6A:26-5 et seq. The criteria are the number, configuration, size, location or use of educational spaces within a school facility. The review for educational adequacy will take into consideration the suitability of the number, configuration, size, location, and use of educational spaces; built-in furniture and equipment; and provisions for the disabled.

Projects requiring approval for educational adequacy, as defined in N.J.A.C. 6A:26-5.1 are: new school facilities including pre-fabricated facilities; additions to existing school facilities; alterations to the total number, dimension in volume and/or area, configuration or location of educational spaces or the number of any one kind of educational space; and installation of temporary facilities.

New Jersey Schools Development Authority (Development Authority), Regular Operating District (ROD), along with other capital projects, are subject to educational adequacy reviews pursuant to N.J.A.C. 6A:26-5.1(b). The Executive County Superintendent will approve any change of use of instructional space that is not a capital project.

Educational specifications for educational adequacy reviews will be prepared and submitted in accordance with N.J.A.C. 6A:26-5.2. Educational specifications will detail the educational program activities and requirements for each space proposed in the capital project, and will refer to the New Jersey Student Learning Standards (NJSLS) wherever appropriate. The educational specifications will include an itemized list of furniture, equipment, and support spaces required to conduct the educational program specified for each space, together with their net areas in square feet, as well as the net of the total room area required for each space. The educational specifications will also include specific technical and environmental criteria, adjacencies and other requirements for the educational program and a building space program that indicates the number and net area in square feet of each instructional, specialized instructional, administrative and support space in each existing or proposed building included in the capital project and/or temporary facility.

Schematic plans and other related project documents will be prepared and submitted in accordance with N.J.A.C. 6A:26-5.3.

A project cost estimate on a form provided by the Commissioner of Education, a project schedule, a copy of the dated transmittal letter to the Executive County Superintendent indicating project document submission to the Division, and a copy of the transmittal letter indicating the date of plan submission to the local planning board will be submitted in accordance with N.J.A.C. 6A:26-5.3(b)4.

In the case of a Development Authority school facilities project, upon completion of detailed plans and specifications, the Development Authority on behalf of the district will apply, on completion of detailed plans and specifications, for final approval of the project's educational adequacy of the project in accordance with N.J.A.C.6A:26-5.4(a). In the case of a ROD school facilities project or another capital project, the school district will apply on the completion of final plans and specifications final approval of the educational adequacy of the project in accordance with N.J.A.C. 6A:26-5.4(b). In the case of a





temporary facility, the school district or the Development Authority on behalf of the school district for Development Authority school facilities projects, shall apply upon the completion of detailed plans and educational specifications for approval of the temporary facility's adequacy in accordance with N.J.A.C. 6A:26-5.4(c).

The Division will collect fees for its reviews according to N.J.A.C. 6A:26-5.5.

For a Development Authority school facilities project not subject to educational adequacy review, the Division will issue a preliminary project report and shall forward the report to the Department of Community Affairs in accordance with N.J.A.C. 6A:26-5.6(a). The review will require the documentation required by the Uniform Construction Code (UCC) in accordance with N.J.A.C. 5:23-2.15.

For a ROD school facilities project or other capital project, not subject to educational-adequacy review, the Division will make a determination of the project's final eligible costs and will forward their determination to the Department of Community Affairs in accordance with N.J.A.C. 6A:26-5.6(b). The review will include the documentation required by the UCC in accordance with N.J.A.C. 5:23-2.15.

### Legal References

N.J.A.C. 6A:26-5.1 et seq.; **N.J.A.C. 5:23-2.15**

Adopted: August 18, 2009  
Revised: October 10, 2017



### **R7101 – Educational Adequacy of Capital Projects**

Capital projects that affect any of the following criteria for educational adequacy will be reviewed and approved by the Division of Administration and Finance (Division). The criteria are the number, configuration, size, location or use of educational spaces within a school facility. The review for educational adequacy will take into consideration the suitability of the number, configuration, size, location, and use of educational spaces; built-in furniture and equipment; and provisions for the disabled.

#### **A. Projects Requiring Approval for Educational Adequacy – N.J.A.C. 6A:26-5.1**

1. Capital projects that involve the following types of building construction work will be approved for educational adequacy:
  - a. New school facilities including pre-fabricated facilities;
  - b. Additions to existing school facilities;
  - c. Alterations to the total number, dimension in volume and/or area, configuration or location of educational spaces or the number of any one kind of educational space; and
  - d. Installation of temporary facilities.

#### **B. New Jersey Schools Development Authority (Development Authority), Regular Operating District (ROD) and Other Capital Projects – N.J.A.C. 6A:26-5.1(b)**

1. Both Development Authority and ROD school facilities projects, along with other capital projects, will be subject to educational adequacy reviews. The review process and types of documents subject to review will differ depending on whether the project is a school facilities project or other capital project, and if a school facilities project, on whether it is a Development Authority project or a ROD project.
  - a. For a Development Authority school facilities project, the Development Authority on behalf of the school district will apply for the review and approval for educational adequacy in conjunction with the application for approval of a school facilities project pursuant to N.J.A.C. 6A:26-3. The application will be made prior to the review and approval of capital projects for compliance with the Uniform Construction Code, N.J.A.C. 5:23, by the Division of Codes and Standards in the Department of Community Affairs, and prior to local share authorization. The educational adequacy review will cover the following types of project documents: educational specifications, schematic plans and related documents, detailed plans and specifications, and final plans and specifications. The educational specifications, schematic plans, and related documents will be submitted by the Development Authority on behalf of the school district at the time of project application. Detailed and final plans and specifications will be forwarded to the Division by the Development Authority after project approval, but prior to the Divisions determination of final eligible costs and Department of Community Affairs review for UCC compliance.



- b. For a ROD school facilities project, school districts will apply for the review and approval for education adequacy in conjunction with the application for approval of a school facilities project. The educational adequacy review will cover the following types of documents: educational specifications, schematic plans and related documents, and final plans and specifications. The educational specifications and schematic plans and related documents will be submitted by the school district at the time of the project application. Final plans and specifications will be submitted by the school district after project approval, but prior to UCC compliance review.
- c. For any other capital project, school districts will apply for the review and approval for educational adequacy in conjunction with the application for the Division review for consistency with the school district's approved LRFP. The educational adequacy review will cover educational specifications, schematic plans and related documents, and final plans and specifications. The educational specifications and schematic plans and related documents will be submitted by the school district at the time the project is reviewed for consistency with the school district's approved LRFP. Final plans and specifications will be submitted by the school district after the consistency review, but prior to UCC compliance review.

### **C. Change of Use of Instructional Space, Non-Capital Project – N.J.A.C. 6A:26-5.1(c)**

The Executive County Superintendent will approve any change of use of instructional space that is not a capital project.

### **D. Educational Specifications – N.J.A.C. 6A:26-5.2**

1. Submissions of educational specifications for educational adequacy reviews will include the following:
  - a. Details of the educational program activities and requirements for each space proposed in the capital project, and will refer to the New Jersey Student Learning Standards wherever appropriate;
  - b. An itemized list of furniture, equipment, and support spaces required to conduct the educational program specified for each space, together with their net areas in square feet, as well as the net of the total room area required for each space;
  - c. Specific technical and environmental criteria, adjacencies and other requirements for the educational program; and
  - d. A building space program that indicates the number and net area in square feet of each instructional, specialized instructional, administrative and support space in each existing or proposed building included in the capital project and/or temporary facility.



### **E. Schematic Plans and Other Related Project Documents –N.J.A.C. 6A:26-5.3**

1. Submissions of schematic plans for educational adequacy reviews will include the following:
  - a. Four sets of schematic plans showing the entire existing and proposed building drawn to a scale of not less than 1/16 inch per foot. The approved use of each space, the proposed number of occupants, and the net square fee area will be clearly labeled on all existing and proposed spaces;
  - b. Layouts of the built-in and moveable furniture and equipment for examples of all occupied spaces drawn to a scale of not less than 1/8 inch per foot;
  - c. Information required to demonstrate compliance with the Facility Planning Standards of N.J.A.C. 6A:26-6 including dimensions, clearances, ceiling heights, and required equipment;
  - d. Paths of travel for disabled persons will be clearly indicated;
  - e. A completed plot plan when site work is required, including the intended location of the school and a layout of the locations of all other structures, multi-purpose physical education fields, playgrounds, walkways, roadways, access roads, buffer and set back zones, parking areas, deed restrictions, easements, protective covenants, right of ways, and environmentally sensitive areas. If the land for the site is being acquired, an application also will be submitted for approval under N.J.A.C. 6A:26-7.1; and
  - f. The signature and seal of a New Jersey licensed architect or engineer engaged for the project, and signatures of the President of the Board of Education and Superintendent. In the case of Development Authority school facilities projects, schematic plans will also be signed by the Development Authority, pursuant to N.J.S.A. 59:4-6.
2. Other project documents to be submitted with the schematic plans will include:
  - a. A project cost estimate on a form provided by the Commissioner;
  - b. A project schedule;
  - c. A copy of the dated transmittal letter to the Executive County Superintendent indicating project document submission to the Division; and
  - d. A copy of the transmittal letter indicating the date of plan submission to the local planning board, where required by N.J.S.A. 40:55D-31 and N.J.S.A. 18A:18A-16, including, but not limited to, whenever the project consists of a new building, the conversion of an existing building to school use, or the building footprint, volume, pedestrian or vehicular access are altered by the project.

### **F. Detailed Plans and Specifications and Final Plans and Specifications – N.J.A.C. 6A:26-5.4**

1. Development Authority school facilities project, the Development Authority on behalf of the school district will apply upon completion of detailed plans and specifications for final approval of the project's educational adequacy. Detailed plans and specifications will be considered adequate for calculations of final eligible costs if the plans and specifications are at least sixty



percent complete. Final approval of the educational adequacy of the project will occur prior to the calculation of the final eligible costs of the school facilities project pursuant to N.J.A.C. 6A:26-3.5. The application for final approval will include:

- a. Four individually packaged sets of detailed plans, drawn to a scale of not less than 1/8 inch per foot, signed and sealed by a New Jersey licensed architect or professional engineer and signed by the President of the Board of Education and Superintendent, and the Development Authority, and specifications to sufficiently demonstrate that the school facilities project conforms to schematic plans approved by the Division. To demonstrate such conformance, the submission will include architectural floor plans, an architectural site plan, as applicable, and architectural drawings that will allow verification of ceiling heights and other applicable standards in N.J.A.C. 6A:26-6.3. If the Division determines the documents are not sufficient to demonstrate conformity with the schematic plans, it may request additional drawings and/or technical specifications;
  - b. The fee calculated according to the fee schedule unless exempted pursuant to N.J.A.C. 6A:26-5.5; and
  - c. In the event there is a change affecting the number, configuration, size, location or use of educational spaces as set forth in the detailed plans and specifications submitted to the New Jersey Department of Education, the Development Authority will submit to the Division the application with two sets of final plans and specifications, as set forth in subparagraph 2.a. below. No additional fee will be imposed.
2. In the case of a ROD school facilities project or another capital project, the school district will apply on the completion of final plans and specifications for final approval of the educational adequacy of the project. Such application will include:
- a. Four individually packaged sets of detailed plans, drawn to a scale of not less than 1/8 inch per foot, signed and sealed by a New Jersey licensed architect or professional engineer and signed by the President of the Board of Education and Superintendent, and specifications to sufficiently demonstrate that the capital project conforms to schematic plans approved by the Division in F.1.a. above;
  - b. A properly executed copy of a “Request for Local Release of School Construction Plans” for a district that chooses to have a municipal code enforcing agency review its plans for UCC conformance. The review will include the documentation required by the UCC in accordance with N.J.A.C. 5:23-2.15, for the requirements for application for a construction permit or for plan review, as appropriate. The Superintendent and municipal code enforcing agency chief will sign the form, which may be obtained from the Division; and
  - c. A check, payable to the “Treasurer, State of New Jersey,” for the fee calculated according to the fee schedule pursuant to N.J.A.C. 6A:26-5.5.
3. In the case of a temporary facility, the school district or the Development Authority on behalf of the school district for Development Authority school facilities projects, will apply to the



Division upon the completion of detailed plans and educational specifications for approval of the temporary facility's adequacy. Detailed plans and educational specifications will be considered adequate for calculations of eligible costs if the plans and educational specifications are at least sixty percent complete unless otherwise provided in N.J.A.C. 6A:26-5.4. The application will include items in accordance with N.J.A.C. 6A:26-5.4(c) as outlined below:

- a. Four sets of detailed plans, drawn to a scale of not less than 1/8 inch per foot, signed and sealed by a New Jersey registered architect or licensed engineer and signed by the President of the Board of Education and Superintendent, as well as the Development Authority in the case of a temporary facility that is part of a Development Authority school facilities project, and educational specifications to sufficiently demonstrate the educational adequacy of the temporary facility and compliance with the temporary facility standards at N.J.A.C. 6A:26-8;
- b. A completed plot plan whenever site work is required for the temporary facility. On it will be shown the intended location of the temporary facility and a layout of all other structures, play and recreation areas, athletic fields, walkways, roadways, access roads, buffer and set-back zones, and parking areas. It also clearly will indicate the impact that placement of the temporary facility will have on the site of the permanent school facility;
- c. A copy of the dated transmittal letter to the Executive County Superintendent indicating plan submission to the Division;
- d. A copy of the transmittal letter indicating the date of plan submission to the local planning board, whenever required by N.J.S.A. 40:55D-31 and N.J.S.A. 18A:18A-16;
- e. A temporary facility schedule addressing the relationship to the school facilities project schedule, in the event that the temporary facility is part of a school facilities project;
- f. The fee calculated according to the fee schedule pursuant to N.J.A.C. 6A:26-5.5. If the temporary facility is not part of a Development Authority school facilities project, payment will be in the form of a check, payable to the "Treasurer, State of New Jersey";
  - (1) If the fee for the temporary facility is submitted to the Division prior to the submission of the fee for the final educational adequacy review for the school facilities project, the amount paid for the temporary facility will be credited toward the fee for the school facilities project;
- g. If the temporary facility is not part of a Development Authority school facilities project, a properly executed copy of a Request for Local Release of School Construction Plans for a school district that chooses to have a municipal code enforcing agency review its plans for conformance with the UCC. Such review will require the documentation required by the UCC, N.J.A.C. 5:23-2.15, for the requirements for application for a construction permit or for plan review, as appropriate. The Superintendent and municipal code enforcing agency chief will sign the form, which may be obtained from the Division; and





- h. If the temporary facility was previously used for school purposes and a certificate of occupancy for Group E, as designated by the Commissioner of the Department of Community Affairs, is in effect and no change of use is required, a floor plan with proposed occupancy in lieu of signed and sealed plans will be submitted to the Division to meet the requirements of N.J.A.C. 6A:26-5.4.

### **G. Fee Schedule**

The Division will collect fees for its reviews of detailed/final plans and specifications for educational adequacy in the case of Development Authority school facilities projects and for its reviews of final plans and specifications for educational adequacy in ROD school facilities projects and other capital projects to in accordance with the fee schedule outlined in N.J.A.C. 6A:26-5.5.

### **H. Capital Projects Not Subject to Educational Adequacy Review – N.J.A.C. 6A:26-5.6**

1. For a Development Authority school facilities project not subject to educational adequacy review, the Division will issue a preliminary project report and will forward to the Department of Community Affairs for review the report along with drawings or narrative sufficient to delineate the scope of work, so the Department of Community Affairs may review construction documents for UCC conformance. The review will require the documentation required by the UCC in accordance with N.J.A.C. 5:23-2.15, for the requirements for application for a construction permit or for plan review, as appropriate.
2. For a ROD school facilities project or other capital project not subject to educational adequacy review, the Division will make a determination of the project's final eligible costs and will forward to the Department of Community Affairs for review the determination along with drawings or narrative sufficient to delineate the scope of work, so the Department of Community Affairs may review construction documents for UCC conformance. The review will include the documentation required by the UCC in accordance with N.J.A.C. 5:23-2.15, for the requirements for a construction-permit or plan-review application, as appropriate. If the school district has submitted to the Division a properly executed copy of a “Request for Local Release of School Construction Plans,” pursuant to N.J.A.C. 6A:26-5.4(b)2, the Division will forward the release form to the Department of Community Affairs for its action.

Adopted: August 18, 2009  
Revised: February 20, 2018



### **7102 – Site Selection and Acquisition**

The Board of Education may need to select and acquire new sites for school district facilities. Site acquisition for school purposes and every acquisition of land will be made pursuant to N.J.A.C. 6A:26-3.12 and N.J.A.C. 6A:26-7.1 through 7.3.

Every acquisition of land, whether by purchase, condemnation, or by gift or grant, to be used as a school site shall comply with the requirements of N.J.A.C. 6A:26-7.1 et seq. The school district, or the New Jersey Schools Development Authority (Development Authority) on behalf of the district, shall submit information to the Division of Administration and Finance (Division) to obtain approval for land in connection with a school facilities project in accordance with the provisions of N.J.A.C. 6A:7.1(b).

In the event the school district intends to acquire land not in connection with a school facilities project, the district shall submit all of the information required under N.J.A.C. 6A:26-7.1(b) except N.J.A.C. 6A:26-7.1(b)1.ii and N.J.A.C. 6A:26-7.1(b)1.iii, and shall further be excepted from the requirements of N.J.A.C. 6A:26-7.1(d) and N.J.A.C. 6A:26-7.1(e). If the school district later intends to change the use of the land and use as a school site, the school district shall be required to submit all of the information required under N.J.A.C. 6A:26-7.1 and the exceptions outlined above shall no longer apply.

In accordance with the provisions of N.J.A.C. 6A:26-7.1(d), school site sizes shall be directly related to the acreage required for the structures and activities to be situated thereon. Except where specifically noted for multiple or shared use, the acreage shall be considered for single use.

All school sites shall have sufficient acreage for the placement of the school facility; expansion of the building to its maximum potential enrollment; the placement of all other structures such as greenhouses, storage buildings, school bus maintenance buildings or garages, and any other above or below ground structure, which is to be placed thereon; multi-purpose physical education fields and, for preschool through grade five school facilities, a playground required to support the achievement of the New Jersey Student Learning Standards as defined by the number of physical education teaching stations applicable to the school facility pursuant to the facilities efficiency standards and the approved programmatic model; disabled-accessible pedestrian walkways, roadways, and parking areas on which people and vehicles access the building; public and service access roads onto the site including, where warranted, a one-way school bus road of thirty foot width and a two-way road of thirty-six foot width; a school bus drop-off area; and eighteen foot wide posted fire lanes for fire apparatus; and a thirty-foot wide access around the entire building.

Land owned by the Board of Education that does not meet the standards of N.J.A.C. 6A:26-7.1 may be supplemented pursuant to the requirements of N.J.A.C. 6A:26-7.1(f).

Pursuant to N.J.A.C. 6A:26-7.1(g), the Division's approval shall remain effective for three years, after which time Division approval shall again be required to be obtained prior to acquiring land.

The Development Authority may acquire land on behalf of a school district eligible for one hundred percent State support of final eligible costs for school facilities projects that are consistent with the





school district's approved Long Range Facilities Plan (LRFP). For such school districts, the New Jersey Department of Education shall require submission of all information set forth in N.J.A.C. 6A:26-7.1(b) to demonstrate compliance with N.J.A.C. 6A:26-7. The Development Authority may submit the required information on behalf of such school districts.

In accordance with N.J.A.C. 6A:7.3, the Board of Education may acquire an existing facility through purchase, gift, lease, or otherwise provided the Board complies with all procedures and rules pertaining to the appropriation and use of capital funds as required by N.J.S.A. 18A:20-4 and 4.2 and the Board has the facility approved in accordance with N.J.A.C. 6A:26-3, which applies to the acquisition of a school site and for the construction of a new facility. Facilities to be procured for temporary use shall comply with N.J.A.C. 6A:26-8 if subject to educational-adequacy review pursuant to N.J.A.C. 6A:26-5.4(c) because the facilities will house students.

### Legal References

N.J.A.C. 6A:26-3.12; 6A:26-7.1; 6A:26-7.2; 6A:26-7.3

Adopted: August 18, 2009  
Revised: October 10, 2017



### **R7102 – Site Selection and Acquisition**

The school district may need to select and acquire new sites for school district facilities. Site acquisition for school purposes and every acquisition of land will be made pursuant to N.J.A.C. 6A:26-3.12 and N.J.A.C. 6A:26-7.1 through 7.3.

#### **A. Acquisition of Land by School Districts – N.J.A.C. 6A:26-3.12**

Every acquisition of land, whether by purchase, condemnation, or by gift or grant, to be used as a school site shall comply with N.J.A.C. 6A:26-7 and receive approval.

#### **B. Approval of the Acquisition of Land – N.J.A.C. 6A:26-7.1**

##### **1. Voter Approval – N.J.A.C. 6A:26-7.1(a)**

The school district may obtain voter approval for funding of land acquisition prior to the Division of Administration and Finance (Division) approval of the land acquisition. The school district shall not take any action to acquire the land prior to obtaining Division approval.

##### **2. Submission to the Division of Administration and Finance – N.J.A.C. 6A:26-7.1(b)**

The school district, or the New Jersey Schools Development Authority (Development Authority) on behalf of the district, shall submit to the Division the following information to obtain approval under B.1. above for land in connection with a school facilities project. The following requirements do not address requirements of other State agencies having approval or permitting jurisdiction over land acquisition:

##### **a. The following information shall be provided by the school district:**

- (1) A written request that shall include a statement, signed by the Board President and the Superintendent, indicating the immediate and ultimate proposed uses of the site, in terms of building use, grade organization, and potential maximum enrollment, and whether the land is, or will be, part of a school facilities project indicated in the district's LRFP;
- (2) A map of the school district showing the location of the land, the location of existing schools in the school district, the attendance area to be served by the school, and the number of students who reside within the attendance area;
- (3) Data regarding the impact of the acquisition upon racial balance within the school district's public schools;
- (4) A full, detailed appraisal of the market value of the property prepared by a licensed professional;
- (5) A title report on the property produced by any reputable title insurer licensed in the State of New Jersey evidencing that title is good and marketable;
- (6) A feasibility study evidencing that school district-owned land within the attendance area to be served by the school is not available, suitable, or sufficient



- to be used for school purposes, but only if the school district is required to use the Development Authority and seeking approval for a new acquisition of land and not merely a new use for already school district-owned land; and
- (7) For a school district required to use the Development Authority and seeking approval for the acquisition of land, evidence that the school district has not indemnified the seller of the land for the costs arising from the environmental remediation required for the property to be used for school purposes; acquired the land in its "as is" condition; or acquired the land under terms and conditions that would invalidate the statutory immunity of the school district from liability for the remediation costs associated with pre-existing contamination, whether discovered pre-closing or post-acquisition, under the Spill Compensation and Control Act, N.J.S.A. 58:10-23.11 et seq.
- b. The following information shall generally be provided by a licensed architect, professional engineer, or professional planner in accordance with N.J.A.C. 6A:26-7.1(b)(2):
- (1) A statement from the licensed architect, professional engineer, or professional planner indicating whether the land is subject to regulation under the Coastal Wetlands Act – N.J.S.A. 13:9A-1 et seq.; the Freshwater Wetlands Act – N.J.S.A. 13:9B-1 et seq.; the Pinelands Protection Act – N.J.S.A. 13:18A-1 et seq.; the Waterfront Development Act – N.J.S.A. 12:5-3; the Green Acres Acts – N.J.S.A. 13:8A-1 et seq., N.J.S.A. 13:8A-19 et seq., N.J.S.A. 13:8A-35 et seq., and N.J.S.A. 13:8C-1 et seq.; or other statutes, regulations or executive orders administered by agencies of State or Federal government;
    - (a) If so subject, the statement shall address the steps necessary to obtain approval from the agencies, and include adequate documentation to demonstrate to the Division the approvals will be obtained and not affect the educational adequacy of the site, as set forth in B.4. and B.5. below.
  - (2) A statement from a New Jersey licensed architect, professional engineer, or professional planner indicating whether the proposed use of the land to be acquired is consistent with the goals and strategies of the New Jersey State Development and Redevelopment Plan (State Plan). If inconsistent with such goals and strategies, the statement shall include adequate documentation to demonstrate to the Division there are no alternative suitable sites available in the school district that are consistent with the State Plan's goals and strategies;
  - (3) A statement from a New Jersey licensed architect, professional engineer, or professional planner indicating the land to be acquired is suitable for the proposed use;
  - (4) A completed, signed, and sealed plot plan of the land to be acquired showing topographical and contour lines; adjacent properties indicating current land



uses; access roads; deed restrictions; easements; protective covenants; right of ways; and environmentally sensitive areas such as waterways and wetlands. The acreage and dimensions of the tract proposed for acquisition shall be included as per the application of the standards for minimum acceptable school site sizes in B.4. below;

- (5) If existing buildings or structures are located on the land to be acquired, the intended use, and/or disposition of these buildings. Any building to be acquired and used shall comply with the requirements of the Uniform Construction Code (UCC) for educational occupancy and N.J.A.C. 6A:26-5 that apply to the construction of a new building;
  - (6) Adequate documentation to demonstrate to the Division that soil conditions for structural integrity and drainage have been examined by the New Jersey licensed architect or professional engineer; and
  - (7) Adequate documentation to demonstrate to the Division that soil and groundwater conditions have been examined by a New Jersey licensed architect or professional engineer for suitability for septic systems, if applicable.
- c. The following shall be submitted by the school district in accordance with N.J.A.C. 6A:26-7.1(b)3:
- (1) A statement from a local or regional water purveyor or alternatively, a statement from a geologist or professional engineer if the source of water is groundwater, certifying that:
    - (a) The land can be adequately provided with the necessary water for the proposed maximum enrollment, and if the source of water is groundwater, that there will be sufficient groundwater available for the proposed maximum enrollment; and
    - (b) Potable water infrastructure is, or is not, in place to service the site.
  - (2) A statement from a local or county sewerage agency certifying that:
    - (a) The land can be adequately provided with the necessary and acceptable sewage disposal system for the proposed maximum enrollment, as evidenced, for example, by consistency with the locally approved wastewater management plan; and
    - (b) Sewer infrastructure is, or is not, in place to service the site. If such infrastructure is not in place, adequate documentation from a professional engineer or licensed geologist to demonstrate that soil and groundwater conditions are suitable for a septic system or discharge to groundwater.
  - (3) Recommendations from the New Jersey Department of Environmental Protection (NJDEP) that there are no substantial reasons why the land acquisition should not proceed within forty-five days of its receipt of an



environmental site report submitted by the school district or the Development Authority on behalf of the school district addressing the items below, or evidence that forty-five days have passed since the NJDEP's receipt of the environmental site report, whichever is earlier:

- (a) A sewer service consistency determination;
  - (b) Potable water supply;
  - (c) Coastal and freshwater wetlands;
  - (d) Green Acres land;
  - (e) Stream encroachment;
  - (f) Historical or archeological resources;
  - (g) Endangered plant species;
  - (h) Threatened or endangered animal species; and
  - (i) An environmental site assessment to determine whether there is potential contamination on the land, submitted on a form provided by the New Jersey Department of Education (NJDOE).
- d. The following shall be submitted by the school district in accordance with N.J.A.C. 6A:26-7.1(b)4:
- (1) Recommendations of the planning board or the municipality in which the land is situated, and that has an approved master plan as required by N.J.S.A. 40:55D-31 and N.J.S.A. 18A:18A-16, or evidence that the applicable forty-five days or fifty-five days have passed, whichever is earlier, from the planning board's receipt of the land acquisition application. The recommendations shall be sent to the Division of Administration and Finance, Office of School Facilities, PO Box 500, Trenton, NJ 08625-0500, and forwarded promptly to the Division at the above address if received by the school district or its architect;
  - (2) The recommendation of the Executive County Superintendent based on the requirements specified in N.J.A.C. 6A:26-7; and
  - (3) Prior approvals of other agencies, such as the New Jersey Department of Agriculture, NJDEP, and the Pinelands Commission, where such approval is reasonably obtainable prior to acquisition.
3. Land Acquisition for Non-School Facility Project – N.J.A.C. 6A:26-7.1(c)
- a. A school district that intends to acquire land not in connection with a school facilities project shall submit all of the information required under N.J.A.C. 6A:26-7.1(b) except N.J.A.C. 6A:26-7.1(b)1.ii and N.J.A.C. 6A:26-7.1(b)1.iii, and shall further be excepted from the requirements of N.J.A.C. 6A:26-7.1(d) and N.J.A.C. 6A:26-7.1(e). If the school district later intends to change the use of the land and use as a school site, the school district shall be required to submit all of the information required under N.J.A.C. 6A:26-7.1 and the aforementioned exceptions shall no longer apply.



4. School Site Size – N.J.A.C. 6A:26-7.1(d)

School site sizes shall be directly related to the acreage required for the structures and activities to be situated thereon. Except where specifically noted for multiple or shared use, the acreage shall be considered for single use.

5. School Site Size Requirements – N.J.A.C. 6A:26-7.1(e)

All school sites require sufficient acreage for the following:

- a. The placement of the school facility;
- b. Expansion of the building to its maximum potential enrollment;
- c. The placement of all other structures such as greenhouses, storage buildings, school bus maintenance buildings or garages, and any other above or below ground structure, which is to be placed thereon;
- d. Multi-purpose physical education and, for preschool through grade five school facilities, a playground required to support the achievement of the New Jersey Student Learning Standards as defined by the number of physical education teaching stations applicable to the school facility pursuant to the facilities efficiency standards and the approved programmatic model;
- e. Disabled-accessible pedestrian walkways, roadways, and parking areas on which people and vehicles access the building;
- f. Public and service access roads onto the site including, where warranted, a one-way school bus road of thirty foot width and a two-way road of thirty-six foot width; a school bus drop-off area; and eighteen foot wide posted fire lanes for fire apparatus; and
- g. A thirty-foot wide access around the entire building.

6. Land owned by the Board of Education that does not meet the standards of N.J.A.C. 6A:26-7.1 may be supplemented by adjacent municipally owned land if it is formally leased on a long-term basis to the Board for exclusive use during school hours and there are no deed restrictions that prohibit school district use.

7. The Division's approval shall remain effective for three years, after which time Division approval shall again be required to be obtained prior to acquiring land.

**C. Approval of the Acquisition of Land in Certain School Districts Under the Development Authority's Auspices – N.J.A.C. 6A:26-7.2**

The Development Authority may acquire land on behalf of a school district eligible for one hundred percent State support of final eligible costs for school facilities projects that are consistent with the school district's approved LRFP. For such school districts, the NJDOE shall require submission of all information set forth in N.J.A.C. 6A:26-7.1(b) to demonstrate compliance with N.J.A.C. 6A:26-7.1. The Development Authority may submit the required information on behalf of such school districts.



### **D. Approval for the Acquisition of Existing Facilities – N.J.A.C. 6A:26-7.3**

1. The Board planning to acquire an existing facility through purchase, gift, lease, or otherwise shall comply with all procedures and rules pertaining to the appropriation and use of capital funds as required by N.J.S.A. 18A:20-4 and 4.2. The school district shall also have the facility approved in accordance with N.J.A.C. 6A:26-3, which applies to the acquisition of a school site and for the construction of a new facility.
2. Facilities to be procured for temporary use shall comply with N.J.A.C. 6A:26-8 if subject to educational-adequacy review pursuant to N.J.A.C. 6A:26-5.4(c) because the facilities will house students.

Adopted: October 10, 2017





### **7130 – School Closing**

The Board of Education recognizes its responsibility to provide a thorough and efficient program of free public education and appropriate facilities to house that program. The Board further recognizes that declining enrollments, diminished resources, district reorganization, or other good cause may require that the use of one or more district facilities for educational purposes be abandoned.

To receive approval for the closing of a school The proposed closing the Board will provide the Division of Administration and Finance (Division) and the Executive County Superintendent with the following assurances:

1. The proposed closing is consistent with the district’s approved LRFP because:
  - a. The school district has demonstrated that sufficient school building capacity exists to house students for the five years following the closing; or
  - b. The school district has demonstrated through a feasibility study that the benefits of undertaking new construction outweigh those of rehabilitating the school proposed for closure.
2. The use of temporary facilities in the remaining schools does not result or increase from an overall facilities shortage caused by the school closing; and
3. The re-assignment of students to other schools in the district does not produce, sustain nor contribute to unlawful segregation, separation or isolation of student populations based on race or national origin.

A request for approval from the Division for the school closing will include the recommendation of the Executive County Superintendent. A letter of approval from the Division based on the information in N.J.A.C. 6A:26-7.5(a) and as listed above will be required before the school’s closing.

The Division will notify the school district in writing of its determination with respect to the requested school closing, with a copy provided to the Executive County Superintendent.

#### **Legal References**

N.J.S.A. 18A:20-36; 18A:33-1

N.J.A.C. 6A:26-7.5

Adopted: August 18, 2009

Revised: October 10, 2017





### **7230 – Gifts, Grants and Donations**

The Board of Education accepts its responsibility to provide from public funds sufficient supplies and equipment for an effective instructional program. The Board recognizes, however, that from time to time individuals or organizations in the community may wish to contribute additional supplies or equipment to enhance or extend the instructional program.

The Board may accept by resolution duly passed at a public meeting any gift or grant of land, with or without improvement, and of money or other personal property, except that the Superintendent may accept on behalf of the Board any such gift less than \$500.00 in value. Grants of land are subject to the appropriate legal limitations and approvals.

The Board reserves the right to refuse to accept any gift that does not contribute toward the achievement of the goals of this district or any gift the ownership of which would tend to deplete the resources of the district. The Board shall not provide public moneys for the purchase of any school property on a matching fund basis.

Any gift accepted by the Board shall become the property of the Board, may not be returned without the approval of the Board, and shall be subject to the same controls and regulations as are other properties of the Board. The Board shall be responsible for the maintenance of any gift it accepts, subject to any joint agreement with another governmental body.

The Board will respect the intent of the donor in its use of a gift, but reserves the right to utilize any gift it accepts in the best interests of the pupils and the educational program of the district. In no case shall acceptance of a gift be considered to be an endorsement by the Board of a commercial product or business enterprise or institution of learning.

The Superintendent shall:

4. Counsel potential donors on the appropriateness of contemplated gifts and encourage such donors to choose as gifts supplies or equipment not likely to be purchased with public funds;
5. Encourage individuals and organizations considering a contribution to the schools to consult with the Building Principal or Superintendent before appropriating funds to that end;
6. Report to the Board all gifts that have been accepted on behalf of the Board;
7. Acknowledge the receipt of any gift accepted by the Board; and
8. Prepare fitting means for recognizing or memorializing gifts to the school district.

### **Legal References**

N.J.S.A. 18A:20-4; 18A:20-11 et seq.

Adopted: August 18, 2009



### **R7230 – Gifts, Grants and Donations**

#### A. Definitions

1. “Gift” means a donation of any property, real or personal, including cash, to the school district, to any individual school or class, or to any school program, but not a token of appreciation given to an individual staff member.
2. “Donor” means any individual or organization that offers a gift.

#### B. Gift Proposals

1. A gift proposal may be made to a Building Principal or administrator. When a gift is proposed to any staff member, the donor shall be referred to the Building Principal or administrator.
2. The Building Principal or administrator shall prepare and submit to the Superintendent a property donation form for any gift that cannot be accepted directly in accordance with C1. The form will include:
  - a. The name and address of the donor;
  - b. A description of the proposed gift;
  - c. The class, school, and/or program to which the donation is made;
  - d. The proposed use of the gift and its relation to the curriculum;
  - e. The proposed location of the gift;
  - f. The cost to the district, if any, for moving, installation, and maintaining the gift; and
  - g. The donor’s intention, if any, that the gift be a memorial.
3. A donor who proposes a gift of funds up to \$500.00 in amount will be invited by the appropriate Building Principal or administrator to discuss the dedication of the funds to a purchase that will enrich the school program. The donor will be encouraged to fund purchases not likely to be made with public funds.
4. Any proposed donation of funds \$500.00 or more will be referred to the Superintendent, who will invite the donor to confer with him/her on the dedication of the funds.
5. Building Principals and administrators are encouraged to keep a list of appropriate gifts as an aid to individuals and organizations seeking gift opportunities.

#### C. Acceptance of Gifts

1. The Building Principal of the school or the administrator of the program in which a proposed gift is to be used may accept the gift directly, provided its value does not exceed \$500.00. Any such directly accepted gift must meet district standards for health and safety and must be promptly reported to the Superintendent.
2. The Superintendent may accept gifts of funds up to \$500.00 in amount and gifts of property valued at up to \$500.00. All gifts accepted by the Superintendent will be reported to the Board.



3. All gifts of value greater than \$500.00 can be accepted only by resolution of the Board duly convened.
4. The staff members who would be professionally involved in the use of the gift will be consulted on its suitability in the educational program.
5. A gift of property may be submitted for professional assessment and evaluation before it is accepted, in order to determine the Board's potential liability for installation, maintenance, and/or repair.
6. The district purchasing officer will be consulted as to whether a proposed gift meets necessary district specifications. A gift that does not meet district health and safety standards will not be accepted.
7. A gift of money, whether or not it is dedicated to a specific purpose, will be accepted into the general account of the district. Any purchases made with the gift are subject to applicable state law and Board policy on advertising for bids and purchasing generally.
8. The donor of any accepted gift of property or cash will be notified in writing of the acceptance of the gift, the value of the gift in dollar amount, and the value of the gift to the educational program of the district.
9. A gift intended as a memorial will be fittingly recognized by means (such as a plaque or ceremony) approved by the donor and the Board.
10. Capital property accepted as a gift shall be insured for its replacement value.

Adopted: August 18, 2009



### **7243 – Supervision of Construction**

The Board of Education directs that the School Business Administrator/Board Secretary or his/her designee be responsible for the supervision of all building construction in this district. Supervision shall include field inspection of the 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. For major construction projects the Board may hire a professional construction management firm.

The Superintendent and School Business Administrator/Board Secretary shall report periodically to the Board that by his/her personal knowledge the work of the construction contractor and the architect is being performed in accordance with the plans, specifications, and contracts approved by the Board. If a professional construction manager has been hired the Board may request that he/she provide periodic updates.

A change order involving additional cost will be submitted by the architect for Board review.

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 architect.

#### **Legal References**

N.J.S.A. 18A:18A-16; 18A:18A-43; 18A:18A-44

Adopted: August 18, 2009



### **7250 – School and Facility Names**

School buildings and separate school facilities, both on school grounds and within school buildings, shall be named only by formal action of the Board of Education. In naming schools and facilities, the Board shall strive to honor the traditions and high ideals of this district and the community it serves.

A school building or school facility may be named to memorialize the outstanding service of a school district employee or officer.

The Board welcomes the suggestions of members of the community in the naming of school buildings and facilities and may appoint a committee of interested persons to conduct appropriate studies and make recommendations for Board consideration.

Adopted: August 18, 2009



### **7300 – Disposition of Property**

The Board of Education believes the efficient administration of the district requires the disposition of property and goods no longer necessary for school purposes. The Board directs the periodic review of all district property and authorizes the disposition by sale, donation, or discard of any property no longer required for the maintenance of the educational program or the efficient management of the school district. The disposition of any school property will be in accordance with this Policy and applicable laws.

Real estate property will be disposed of by sale or otherwise, in accordance with N.J.S.A. 18A:20-5 through 18A:20-7 and N.J.A.C. 6A:26-7.4. If an approved site, or interest therein, is to be altered or disposed of through sale, transfer or exchange of all or part of the total acreage, including facilities, if applicable, a written request for approval of the disposal will be made to the Division of Administration and Finance (Division) in accordance with the requirements of N.J.A.C. 6A:26-7.4. The Division will notify the district of its approval or disapproval.

The Board may, by resolution and by sealed bid or public auction, authorize the sale of its personal property not needed for school purposes, and disposal of any property declared scrap or waste. If the estimated fair value of the property to be sold exceeds fifteen percent of the bid threshold in any one sale and it is neither livestock nor perishable goods, it will be sold at public sale, together with a description of the items to be sold and the conditions of sale, will be published once in an official newspaper. By resolution of the Board, the purchasing agent may include the sale of personal property no longer needed for school purposes as part of specifications to offset the price of a new purchase. In the event no bids are received for personal property or the personal property is not sold at private sale pursuant to, N.J.S.A. 18A:18A-45, the Board may declare the personal property as scrap or waste and dispose of it locally.

Personal property may be sold to the United States, the State of New Jersey, or to any body politic in the State of New Jersey, or any foreign nation which has diplomatic relations with these United States by private sale without advertising for bids.

Notwithstanding anything to the contrary in this Policy, property acquired with Federal funds for use in a federally funded program will be disposed of in accordance with applicable law and guidelines.

The Superintendent will develop regulations for the disposition of school district property that provides for the review of the continued usefulness of all property in conjunction with the periodic inventory of property; the recommendation for Board designation of property for sale, donation, or discard; and the disposition of property in a fair and open manner consistent with public interest and applicable laws.

#### **Legal References**

N.J.S.A. 18A:18A-5; 18A:18A-45; 18A:20-5 through 18A:20-7

N.J.A.C. 6A:26-7.4

Adopted: August 18, 2009

Revised: October 10, 2017



### **R7300.02 – Disposition of Land**

The Board of Education by a recorded roll call majority vote of its full membership may dispose of, by sale or otherwise, any of the lands or any rights or interest therein, owned by it, which cease to be suitable or convenient for the use for which they were acquired or which are no longer needed for school purposes, whether acquired through purchase or through condemnation proceedings and the purchaser will acquire title free from use of purpose for which it may have been acquired by the Board of Education in accordance with N.J.S.A. 18A:20-5 through 18A:20-7, N.J.A.C. 6A: 26-7.4 and [Board Policy #7100 – Long-Range Facility Planning](#).

#### **A. Written request for Approval for Disposal – N.J.A.C. 6A:26-7.4(a)**

The school district will make a written request to the Division of Administration and Finance (Division) for school district owned land to be altered or disposed of through sale, transfer or exchange of all or part of the total acreage, including rights or interest therein and/or improvements thereon, such facilities, if applicable.

1. The district will send a copy of the request to the Executive County Superintendent who will make recommendations to the Division. The Executive County Superintendent will provide a copy of the recommendations to the Board.
2. The request will indicate whether the district intends to convey the site, rights, or interest therein, and/or improvements thereon, under an exception to the public sale requirements of N.J.S.A. 18A:20-6.
3. The request will indicate whether the school district intends to convey the site, rights, or interest therein, and/or improvements thereon that had been conveyed to the school district from the New Jersey Schools Development Authority (Development Authority) or funded in whole or in part by the State share under Educational Facilities Construction and Financing Act (EFCFA).
4. If the land, rights, or interest therein, and/or improvements thereon have been conveyed to the school district from the Development Authority, the request will provide evidence acceptable to the New Jersey Department of Education that the property has not reverted to the Development Authority as authorized under N.J.A.C. 19:34-3.6.
5. If a school district seeks to dispose of land, rights, or interest therein, and/or improvements thereon funded in part with debt service aid pursuant to N.J.S.A. 18A:7G-9 or 10, and the land and/or improvements are either not needed or not being used for the purposes for which the bonds were issued, any proceeds from the disposal will be used by the school district first to reduce the outstanding principal amount at the earliest call date or to annually reduce the debt service principal payments. The Board may request approval from the Commissioner to apply the proceeds over the term of the outstanding debt or by some other distribution mechanism if, for example, it is beneficial to stabilizing the school district's debt service tax levy.



### **B. Disposal – N.J.A.C. 6A:26-7.4(b)**

The Division will determine whether the disposal is consistent with the district's approved Long-Range Facilities Plan (LRFP) or has a negative impact on the educational adequacy of an individual site.

### **C. Notification of Approval – N.J.A.C. 6A:26-7.4(c)**

The Division will notify the school district of its approval or disapproval and send a copy to the Executive County Superintendent. If the disposal includes a site, rights, or interest therein and/or improvements thereon conveyed to the school district from the Development Authority, is funded in whole or in part by State share under EFCFA, or is in a school district that is required to use the Development Authority, the Division will also notify the Development Authority.

### **D. Sale at Public Sale; Exceptions – N.J.S.A. 18A:20-6**

Any lands, rights, or interests therein sold by the Board, except lands conveyed as part of a lease purchase agreement pursuant to N.J.S.A. 18A:20-4.2(f), will be sold at public sale, to the highest bidder, after advertisement of the sale in a newspaper published in the district, or if none is published therein, then in a newspaper circulating in the district, in which the same is situated, at least once a week for two weeks prior to the sale, unless:

1. The same are sold to the State, or a political division thereof, in which case they may be sold at private sale without advertisement; or
2. The sale or other disposition thereof in some other manner is provided for in N.J.S.A. 18A.

### **E. Sales at Fixed Minimum Prices – N.J.S.A. 18A:20-7**

1. In the case of public sales the Board may by resolution fix a minimum price with or without the reservation of the right, upon the completion of said public sale, to accept or reject the highest bid made, a statement whereof will be included in the advertisement of sale of the lands and given as public notice at the time of the sale. The Board may by resolution provide without fixing a minimum price that upon the completion of the public sale, the Board may accept or reject the highest bid received. If the Board fails to accept or reject the highest bid by the second regular Board meeting following the sale, the bid will be deemed to have been rejected.
2. If no bid is received or if the bids that are received are rejected by the Board in the public interest, the Board may enter into negotiations with any interested party or parties for the sale or other disposal of the property, but will offer a bidder a hearing upon the bidder's request before entering into such negotiations.
3. The acceptance or rejection of a negotiated price will be by the affirmative votes of a majority of the full number of Board members at a regularly scheduled meeting.





### F. Sewer Lines - N.J.A.C. 6A:26-7.4(d)

The district may convey and transfer, without consideration, its right, title, and interest in and to any trunk or other sewer lines to a municipality, without requiring approval from the Division.

Adopted: August 18, 2009  
Revised: October 10, 2017



### **R7300.03 – Disposition of Personal Property**

#### **A. Definitions**

1. “Personal property” means all Board of Education property other than real property as defined in [Board Regulation #R7300.02 – Disposition of Land](#) and Federal property as defined in [Board Regulation #R7300.04 – Disposition of Federal Property](#).
2. “Excess property” means personal property that is no longer needed and is not required as a trade-in on a replacement purchase.

#### **B. Master List of Excess Property**

1. Upon request of the School Business Administrator/Board Secretary (or designee), a Building Principal or other administrator will compile a list of excess property in a school district building or program at the close of each school year.
2. The School Business Administrator/Board Secretary will receive lists prepared in accordance with paragraph B.1 and will maintain a master, district-wide list of excess property.
3. A Building Principal or other administrator may request transfer of excess property by submitting such request to the School Business Administrator/Board Secretary
4. An item transferred to another location in the school district will be removed from the district-wide list of excess property.
5. An item of personal property that has remained on the district-wide master list of excess property may be disposed of in accordance with [Board Policy #7300 – Disposition of Property](#) and this Regulation.

#### **C. Disposal at Public Sale – N.J.S.A. 18A:18A-45**

The Board may, by resolution and by sealed bid or public auction, authorize the sale of its personal property not needed for school purposes.

1. If the estimated fair value of the property to be sold exceeds fifteen percent of the bid threshold in any one sale and it is neither livestock nor perishable goods, it will be sold at public sale to the highest bidder.
2. Notice of the date, time and place of the public sale, together with a description of the items to be sold and the conditions of sale, will be published once in the official newspaper.

Such sale will be held not less than seven nor more than fourteen days after the publication of the notice thereof.

3. Personal property may be sold to the United States, the State of New Jersey, another Board of Education, any body politic, any foreign nation that has diplomatic relations with the United States, or any governmental unit in these United States by private sale without advertising for bids.



4. If no bids are received the property may then be sold at private sale without further publication or notice thereof, but in no event at less than the estimated fair value; or the Board may if it so elect to re-offer the property at public sale.

As used herein, “estimated fair value” means the market value of the property between a willing seller and a willing buyer less the cost to the Board to continue storage or maintenance of any personal property not needed for school purposes to be sold pursuant to N.J.S.A. 18A:18A-45.

5. The Board may reject all bids if it determines such rejection to be in the public interest.
  - a. In any case in which the Board has rejected all bids, it may re-advertise such personal property for a subsequent public sale.
  - b. If it elects to reject all bids at a second public sale, pursuant to N.J.S.A. 18A:18A-45, it may then sell such personal property without further publication or notice thereof at private sale, provided that in no event will the negotiated price at private sale be less than the highest price of any bid rejected at the preceding two public sales and provided further that in no event will the terms or conditions of sale be changed or amended.
6. If the estimated fair value of the property to be sold does not exceed the applicable bid threshold established pursuant to section C.1. above in any one sale or is either livestock or perishable goods, it may be sold at private sale without advertising for bids.
7. Notwithstanding the provisions of N.J.S.A. 18A:18A-45 and this Regulation, by resolution of the Board, the purchasing agent may include the sale of personal property no longer needed for school purposes as part of specifications to offset the price of a new purchase.

#### **D. Discarding of Textbooks – N.J.S.A. 18A:34-3**

1. Prior to discarding textbooks, the School Business Administrator/Board Secretary (or designee) will notify the New Jersey Department of Education (NJDOE) of any textbooks the school district intends to discard.
2. In accordance with the provisions of N.J.S.A. 18A:34-3, the NJDOE will within fourteen days of receiving notification from the school district of the intent to dispose of textbooks, list the textbooks in a textbook database.
3. The School Business Administrator/Board Secretary (or designee) will retain the textbooks to be discarded for a period of one hundred and twenty (120) calendar days after the district has notified the NJDOE.

#### **E. Scrap and Waste Property**

1. In the event no bids are received for personal property or the personal property is not sold at public or private sales pursuant to N.J.S.A. 18A:18A-45, the Board may declare the personal property as scrap or waste and dispose of it locally.
2. Personal property declared scrap or waste with no recyclable or usable value may be discarded.



3. Personal property declared scrap or waste may not be given or sold to employees, private citizens, local governments, non-profit organizations, etc.

### F. **Board of Education Approval**

The Board of Education will approve, by resolution of the Board, the negotiated price of personal property offered at private sale and any personal property declared scrap or waste.

Adopted: August 18, 2009  
Revised: October 10, 2017



### **R7300.04 – Disposition of Federal Property**

#### **A. Definitions**

1. “Awarding agency” means with respect to this Regulation and a Federal grant, the Federal agency awarding the grant.
2. “Uniform Grant Guidance” means a set of Federal grant regulations that combines several previous Federal cost principles, administrative requirements, and audit requirement circulars into a single, comprehensive document.
3. “Federal property” means all equipment, supplies, or real.
4. “Equipment” means tangible personal property (including information technology systems) having a useful life of more than one year and a per-unit acquisition cost which equals or exceeds the lesser of the capitalization level established by the non-Federal entity for financial statement purposes, or \$5,000, as defined in the Uniform Grant Guidance – 2 CFR Part 200.
5. “Real property” means land, including land improvements structures and appurtenances thereto, but excludes moveable machinery and equipment, as defined in the Uniform Grant Guidance – 2 CFR Part 200.
6. “Supplies” means all tangible personal property other than those described in “Equipment,” as defined in the Uniform Grant Guidance – 2 CFR Part 200.
7. “Federal property no longer needed” for the purposes of this Regulation means property acquired under a Federal award that is no longer needed for the original project or program or for other activities currently or previously supported by a Federal awarding agency, except as otherwise provided in Federal statutes, regulations, or Federal awarding agency disposition instructions.

#### **B. Periodic Review**

1. The School Business Administrator/Board Secretary will compile a list of physical inventory of Federal property in the district. This physical inventory must be taken and the results reconciled with the property records at least once every two years.
2. A list of Federal property no longer needed will be periodically distributed to all school facilities in the district.
3. Any school may request the transfer Federal property to a currently or previously funded federal project or arrange a shared-time use with other such projects.
4. Federal property no longer needed in the school district will be considered for disposition.

#### **C. Disposition of Federal Property – Equipment**

1. The School Business Administrator/Board Secretary will request disposition instructions from the awarding agency for Federal equipment no longer needed.



- a. If the awarding agency fails to provide requested disposition instructions within one hundred and twenty days, items of Federal equipment with a current per-unit fair market value in excess of \$5,000 may be retained or sold by the school district. If the equipment is sold by the school district, the awarding agency is entitled to proceeds in accordance with 2 CFR 200.313(e)(2).
  - b. Federal equipment no longer needed with a current per-unit fair market value \$5,000 or less may be retained, sold, or otherwise disposed of with no further obligation to the awarding agency.
2. If the awarding agency fails to provide disposition instructions, the sale of Federal equipment no longer needed will be sold and/or disposed of in accordance with the provisions of N.J.S.A. 18A:18A-45 and Regulation 7300.3.

#### **D. Disposal of Federal Property – Supplies**

1. Title to supplies will vest in the school district upon acquisition.
2. If there is a residual inventory of unused supplies exceeding \$5,000 in total aggregate value upon termination or completion of the project or program, and the supplies are not needed for any other Federal award, the school district will retain the supplies for use on other activities or sell them, but must in either case, compensate the awarding agency for its share. The amount of compensation will be computed in the same manner as for Federal equipment in accordance with 2 CFR 200.313(e)(2).

#### **E. Disposal of Federal Property – Real Property**

1. The School Business Administrator/Board Secretary (or designee) will request disposition instructions from the United States Department of Education for real property equipment no longer needed for the original purpose.
2. The instructions must provide for one of the following alternatives: retain title after compensating the awarding agency; sell the property and compensate the awarding agency; transfer title to the awarding agency; or third party designated/approved by the awarding agency.

Adopted: August 18, 2009  
Revised: October 10, 2017



### **7320 – Lease of School Premises**

The Board of Education will consider leasing premises owned by this Board and not presently used in the instructional program of the school district, provided that any such lease does not interfere in any way with the attainment of educational goals.

No lease shall be entered except by the resolution of the Board duly adopted, which authorizes the President of the Board to enter a lease contract and states the premises to be leased, the name and address of the lessee, the purposes for which the lessee intends to use the premises, the rental fee, the term of the lease, and such other terms and conditions as may be recommended by the Board Attorney and accepted by the Board. Any lease entered by this Board shall be in writing; a lease the term of which will extend beyond the life of this Board shall include the conditions that it will terminate unless ratified by the successor Board and any succeeding Boards at each annual reorganization meeting.

The Board will approve the lease that shall include an insurance requirement for the tenant.

Changing enrollment patterns make it necessary for the Lopatcong Township School District to scrutinize the use to which it puts all existing facilities to determine whether it is possible to cut operating costs without interfering with the quality of the educational program.

Therefore, the Superintendent shall have prepared annually for presentation to the Board a projection of the optimum use of each building, with suggestions for the leasing in whole or part of those facilities not necessary to the educational program. Prospective lessees shall be those organizations and agencies as shall be deemed proper by the Board.

The rental fee shall be sufficient in order to preserve the Board's full authority to determine suitable lessees. The lessee shall assume full responsibility for maintenance, operating, and other costs connected with the property, unless otherwise stated in the lease agreement.

#### **Legal References**

N.J.S.A. 18A:20-8.2; 18A:20-34

Adopted: August 18, 2009



### **7410 – Maintenance and Repair (M)**

The Board of Education recognizes that the fixed assets of this district represent a significant investment of this community; their maintenance is, therefore, of prime concern to the Board.

The Board will develop, approve, and implement a comprehensive maintenance plan in accordance with the requirements of N.J.A.C. 6A:26A-3.1 and 6A:26A-3.2. A “comprehensive maintenance plan” means a multi-year maintenance plan developed by a school district covering required maintenance activities for each school facility in the school district pursuant to N.J.A.C. 6A:26A-1.1 et seq.

Required maintenance activities, in accordance with N.J.A.C. 6A:26A-2.1, are those specific activities necessary for the purpose of keeping a school facility open and safe for the use or in its original condition, and for keeping its constituent building systems fully and efficiently functional and for keeping their warranties valid. The activities address interior and exterior conditions; include preventative and corrective measures; and prevent premature breakdown or failure of the school facility and its building systems.

Expenditures for required maintenance activities set forth in N.J.A.C. 6A:26A-2.1 shall be accounted for in accordance with the requirements of N.J.A.C. 6A:26A-2.2.

The required annual maintenance budget amount in the comprehensive maintenance plan shall be included in the district’s annual budget certified for taxes in accordance with the provisions of N.J.A.C. 6A:26A-4.1(a). The required annual maintenance budget amount shall be calculated and adjusted in accordance with the provisions of N.J.A.C. 6A:26A:4.1(b). The Executive County Superintendent, in accordance with the provisions of N.J.A.C. 6A:26A:4.1(c), may not approve the school district’s budget if the required annual maintenance budget is not included in the budget certified for taxes.

Maintenance and repair requests and repairs shall be processed in accordance with the procedures as outlined in [Board Regulation #R7410 – Maintenance and Repair](#).

#### **Legal References**

N.J.S.A. 18A:18A-43; 18A:21-1

N.J.A.C. 6A:26A:-1.1 et seq.; 6A:23A-6.9

Adopted: August 18, 2009





### **R7410 – Maintenance and Repair (M)**

#### A. Inspection

1. The Building Principal and the Supervisor of Buildings and Grounds or his/her designee shall inspect the facility daily for proper functioning and cleanliness.
2. The Building Principal with the Supervisor of Buildings and Grounds or his/her designee shall make a monthly inspection of the school building, support facilities, and grounds to identify any required repairs or replacements.

#### B. Reports

1. Reports of required repairs found during each inspection required in paragraph A1 and paragraph A2 will be made on the prescribed district form and forwarded to the Supervisor of Buildings and Grounds, if he/she did not prepare the report.
2. Any teaching staff member may prepare, on the prescribed form, a work order request for repairs and/or maintenance. All work order requests will be submitted to Supervisor of Building and Grounds.
3. The Supervisor of Building and Grounds will report to the School Business Administrator/Board Secretary those repairs to be performed by the district staff and those that require the services of an outside contractor.

#### C. Repairs by District Staff

1. The Supervisor of Building and Grounds will assign a priority to those work orders to be performed by district staff. The priority code will be:
  - a. Emergency, for work that must be done immediately,
  - b. High Priority, for work that affects health or safety,
  - c. Normal Priority, for work that affects neither health nor safety, and
  - d. Low Priority, for work that can be completed during the summer months or whenever staff is available.
2. Work scheduled to be performed by the district staff shall be entered on a work order form unless an emergency exists in which case the form may be filed after the repair has been made.
3. The work order form shall include, at a minimum, the following information:
  - a. Name of the person making the request;
  - b. Date of request;
  - c. Location of repair,
  - d. A description of the work to be performed,
  - e. Scheduled date of completion, and
  - f. Signature of the Supervisor of Buildings and Grounds.



### D. Repairs by Outside Contractors

1. When it appears to be necessary to utilize outside contracting services to effect a repair, the Building Principal, Supervisor of Buildings and Grounds or his/her designee, and any other interested staff member will confer in the preparation of a job specification.
2. The Supervisor of Building and Grounds shall prepare a purchase requisition for submission to the School Business Administrator/Board Secretary that indicates:
  - a. The recommended vendor(s),
  - b. The work required and its location,
  - c. The reason why the work cannot be done by district staff, and
  - d. The estimated cost as obtained from at least three contractors.
3. The Supervisor of Building and Grounds shall be responsible for supervising the conduct of the work.

### E. Replacements and Improvements

1. The Supervisor of Building and Grounds will prepare a replacement schedule that lists all district equipment. Annual recommendations will be made in the budget to maintain the schedule of replacements.
2. Replacements required but not scheduled shall be submitted to the Building Principal or the School Business Administrator/Board Secretary by the end of September on a budget request form for consideration in the next annual budget.
3. A comprehensive district maintenance plan shall be prepared in accordance with N.J.A.C. 6A:26A-3.1 in order to meet facility needs and comply with law.

Adopted: August 18, 2009



### **7420 – Hygienic Management (M)**

The Board of Education recognizes that the health and physical well-being of the pupils and staff of this district depend in large measure upon the cleanliness and sanitary management of the schools.

The Board directs that a program of hygienic management be instituted in the schools and explained annually to all staff members. Each school shall be inspected for cleanliness and sanitation by the Building Principal and Supervisor of Buildings and Grounds on a regular basis.

The Board will cooperate with the local board of health in the sanitary inspection of the schools' toilets, washrooms, food vending machines, water supply, and sewage disposal systems.

The Superintendent shall prepare, in consultation with the school medical inspector and nurses, regulations, first aid and emergency medical procedures that utilize universal precautions in the handling and disposal of blood and body fluids, whether or not pupils or staff members with HIV infection are present. School staff members and volunteers shall be provided the supplies for implementing the procedures. In particular, school nurses, custodians, and teachers shall be trained in proper handling procedures. These regulations and procedures will comply with the regulations of the State Department of Health and State Department of Labor (OSHA Standards for Occupational Exposure to Bloodborne Pathogens) and recommendations of the Centers for Disease Control and Prevention. A copy of these regulations and procedures will be kept in the nurses office at both schools.

#### **Bloodborne Pathogens**

The Board recognizes that school employees may in the performance of their duties reasonably anticipate contact with human blood or other potentially infectious body fluids that may expose them to bloodborne pathogens such as Hepatitis B Virus (HBV) and Human Immunodeficiency Virus (HIV). In accordance with federal OSHA regulations, the Board directs the Superintendent or his/her designee to establish a written Exposure Control Plan designed to eliminate or minimize employee exposure to such infection. The plan shall list all job classifications and tasks in which exposure occurs; describe and require the implementation of workplace controls to eliminate or minimize exposure; require the provision of hepatitis B vaccination to employees who have occupational exposure; and require the provision of a training program for employees who have occupational exposure. The plan shall be updated annually and as required to include new or revised employee positions with occupational exposure. A copy of the plan will be kept in the nurse's office at both schools and shall be made accessible to employees.

#### **Disposal of Medical Waste**

The Superintendent shall prepare, in consultation with the school medical inspector, a medical waste disposal program to ensure all medical waste, including needles and sharps, are disposed of in accordance with the rules and regulations of the New Jersey Department of Health.



### Chemical Hygiene

The Board also recognizes that certain school employees who work in laboratories may be exposed to hazardous chemicals in the course of their duties. In accordance with federal OSHA regulations, the Board directs the Superintendent or his/her designee to establish practices that are capable of protecting employees from health hazards presented by hazardous chemicals used in the workplace. The plan shall contain the locations of hazardous chemicals and shall enunciate a plan capable of protecting employees from associated health hazards and keeping exposure of employees below specified limits. A copy of the Chemical Hygiene Plan will be kept in the nurses and custodial offices at both schools and shall be readily available to employees and shall contain at least the following elements:

1. Standard operating procedures for using hazardous chemicals in laboratory work;
2. Criteria that the Board will use to determine and implement control measures to reduce employee exposure;
3. The requirement that fume hoods and other protective equipment are functioning properly and that measures are taken to ensure adequate performance of such equipment;
4. Provision for employee information and training;
5. The circumstances under which a particular laboratory operation, procedure or activity shall require prior approval from the Building Principal before implementation;
6. Provisions for medical consultation;
7. Designation of personnel responsible for implementation of the chemical hygiene plan; and
8. Provisions for additional employee protection for work with particularly hazardous substances.

The Board directs that the program of chemical hygiene be implemented by the Chemical Hygiene Officer. The Supervisor of Building and Grounds will serve as Chemical Hygiene Officer for all schools in the district and shall be responsible for the examination of all school facilities to determine where hazardous chemicals are used and to ensure compliance of all school facilities with the Chemical Hygiene Plan.

The Superintendent shall develop and supervise a program for the cleanliness and sanitary management of the school buildings, school grounds, and school equipment pursuant to statute, rules of the State Board of Education, and regulations of the State Board of Health.

The day to day monitoring of the cleanliness of each school building shall be the responsibility of the Building Principal.

A copy of all the plans describe in this Policy will be maintained in the office of the Business Administrator/Board Secretary.



### Legal References

29 C.F.R. 1910

N.J.A.C. 6:3-8.1; 6A:16-1.4; 6A:16-2.3(e); 6A:26-12.4

Adopted: August 18, 2009



### **R7420 – Handling and Disposal of Body Wastes and Fluids (M)**

#### A. Definitions

1. “Body wastes and fluids” includes a person’s blood, semen, drainage from scrapes and cuts, feces, urine, vomitus, respiratory secretions (e.g., nasal discharge), and saliva. Body fluids of all persons should be considered to potentially contain infectious agents.
2. “Disinfectant” means an intermediate level agent that will kill vegetative bacteria, fungi, tubercle bacillus, and viruses and has been registered by the U.S. Environmental Protection Agency for use as a disinfectant in medical facilities and hospitals. The following classes of disinfectants are acceptable, with hypochlorite solution (A2c) preferred for objects that may be put in the mouth:
  - a. Ethyl or isopropyl alcohol (70%);
  - b. Phenolic germicidal detergent in a 1% aqueous solution;
  - c. Sodium hypochlorite with at least 100 ppm available chlorine (one-half cup household bleach in one gallon water, freshly prepared for each use);
  - d. Quaternary ammonium germicidal detergent in 2% aqueous solution; and
  - e. Iodophor germicidal detergent with 500ppm available iodine.
3. “Person” means any person on school premises or at a school-related activity, including pupils, staff members, and visitors, whether or not the person has a communicable disease or has been exposed to a communicable disease.

#### B. Precautions

1. Whenever possible, direct contact with body wastes and fluids should be avoided.
2. The wearing of protective gloves is required whenever direct hand contact with body wastes and fluids is anticipated, such as in treating a bloody nose, handling clothing soiled by incontinence, and cleaning small spills by hand.
3. Disposable protective gloves shall be worn by any person in the removal of body wastes and fluids and the treatment or disinfection of any items or surfaces that have come in contact with body wastes and fluids.
4. A supply of disposable protective gloves shall be maintained in the office of the school nurse and shall be freely available to all staff members.

#### C. When Bodily Contact with Body Wastes or Fluids Occurs

1. Hands and other skin areas that have come in contact with a person’s body wastes or fluids must be thoroughly washed by the use of soap and vigorous scrubbing of all contacted surfaces under



running water for at least ten seconds. Hands and other skin areas should then be dried with paper towels.

2. Gloves soiled by contact with body wastes and fluids or in the cleaning of soiled items and surfaces should be promptly removed and placed in a plastic bag or lined trash can, secured, and disposed of daily.

#### D. Removal of Body Wastes and Fluids From the Environment

1. A sanitary absorbent agent, designed to absorb and disinfect body wastes and fluids, will be applied in accordance with instructions supplied with the material.
2. When the fluid is absorbed, the material will be vacuumed or swept up and the vacuum bag or sweepings will be disposed of in a plastic bag or lined trash can, secured, and disposed of daily.
3. The broom and dust pan used in sweeping will be rinsed in a disinfectant. No special handling is required for the vacuuming equipment.
4. Any disposable items (such as paper towels and tissues) used to clean up will be placed in a plastic bag or lined trash can, secured, and disposed of daily.

#### E. Treatment of Soiled Items

1. Items such as clothing and fabric towels should be rinsed under cold running water to remove body wastes and fluids. If necessary for the treatment of stains, the item may be soaked in cold water.
2. If such pre-rinsing is required, gloves should be used when rinsing or soaking the items in cold water prior to bagging. Clothing should be sent home for washing with appropriate directions to parents/teachers.
3. Rinsed items may be stored in a plastic bag until further treatment can be given. A pupil's soiled clothing should be placed in a plastic bag with prepared laundry instructions for the parent(s) or legal guardian(s).
4. Clothing and other items soiled by body wastes and fluids should be laundered separately in soap and water. The use of a household chlorine bleach is recommended; if the material is not colorfast, a non-chlorine bleach may be used.
5. Soiled disposable items (e.g., tissues, cotton balls, band aids, paper towels, diapers) should be handled in the same manner as disposable gloves.

#### F. Treatment of Soiled Rugs

1. Body wastes and fluids should be removed as provided in D.
2. A rug shampoo with a germicidal detergent should be applied with a brush and, when dried, vacuumed.



3. The vacuum bag will be placed in a plastic bag or lined trash can, secured, and disposed of daily.

### G. Disinfection of Hard Surfaces

1. Employees are to wear gloves while disinfecting hard surfaces and equipment.
2. Body wastes and fluids should be removed as provided in D and a disinfectant applied to the affected surface.
3. Mops should be soaked in the disinfectant after use and rinsed thoroughly or washed in a hot water cycle.
4. Disposable cleaning equipment and water should be placed in a toilet or plastic bag as appropriate.
5. Non-disposable cleaning equipment (such as dust pans and buckets) should be thoroughly rinsed in the disinfectant.
6. The disinfectant solution should be promptly discarded down a drain pipe.
7. Gloves should be discarded in appropriate receptacles.

### H. Disposal of Sharps

“Sharps” are defined as any instrument used to inject fluids into or draw fluids out of humans. Included are the pricks used for tine tests and blood sampling.

1. The school nurse shall keep a log of all sharps used on a monthly basis. One copy of the log shall be maintained with the nurse’s files and one copy submitted to the School Business Administrator/Board Secretary.
2. All sharps shall be placed in a medical waste container that is:
  - rigid
  - leak resistant
  - impervious to moisture
  - have sufficient strength to prevent tearing or bursting under normal conditions of use and handling
  - puncture resistant
  - sealed to prevent leakage during transport
  - labeled

When the medical waste container is 75% full, the school nurse shall advise the School Business Administrator/Board Secretary, who will arrange, by work order, to have the





container picked up. The words, “Medical Waste”, shall be clearly typed across the top of the work order form.

The School Business Administrator/Board Secretary will arrange for the contracted vendor to pick up the sharps container. The vendor will provide a completed transmittal form at the time of pick up. A copy of the transmittal form will be kept by the school nurse and a copy submitted to the School Business Administrator/Board Secretary.

Adopted: August 18, 2009



### **R7420.01 – Bloodborne Pathogen Exposure Control Plan (M)**

#### A. Definitions

1. “Bloodborne pathogens” means pathogenic microorganisms that are present in human blood and can cause disease in human beings, including but not limited to Hepatitis B Virus (HBV) and Human Immunodeficiency Virus (HIV).
2. “Exposure incident” means a specific eye, mouth, other mucous membranes, non-intact skin, or parenteral contact with blood or other potentially infectious materials that results from the performance of an employee’s duties.
3. “Occupational exposure” means reasonably anticipated skin, eye, mucous membrane, or parenteral contact with blood or any other body fluid that may result from the performance of an employee’s duties.
4. “Parenteral” means piercing mucous membranes or the skin barrier through such events as needle sticks, human bites, cuts, and abrasions.
5. “Source individual” means any individual, living or dead, whose blood or other potentially infectious materials may be a source of occupational exposure to the employee.

#### B. Exposure Determination

The employees in this school district who have occupational exposure are those employees whose duties require close contact with pupils and include the job classifications designated by the Superintendent.

#### C. Workplace Controls

1. Universal precautions shall be observed to prevent contact with blood or other potentially infectious materials. All body fluids shall be considered potentially infectious materials, whether or not the presence of bloodborne pathogens is determined and whether or not body fluid types can be differentiated.
2. All blood and body fluids shall be handled in accordance with [Board Regulation #R7420 – Handling and Disposal of Body Wastes and Fluids](#), which is incorporated herein as if set forth in its entirety.

#### D. Hepatitis B Vaccination

1. Hepatitis B vaccination shall be made available to each employee identified as having occupational exposure, after the employee has received training in bloodborne pathogens and within ten working days of his/her initial assignment, unless
  - a. The employee has previously received the complete hepatitis B vaccination series,
  - b. Antibody testing has revealed that the employee is immune,



- c. The vaccine is contraindicated for medical reasons, or
  - d. The employee declines to receive the vaccine and signs the required statement to that effect, except that an employee who has declined to receive the vaccine and later decides to receive it shall be again offered the vaccine.
2. Hepatitis vaccination shall be made available without cost to employees, at a reasonable time and place, under the supervision of a licensed physician or other licensed healthcare professional, and in accordance with recommendations of the U.S. Public Health Service current at the time of the vaccination.
  3. All laboratory tests shall be conducted by an accredited laboratory at no cost to the employee.

### E. Post Exposure Evaluation and Follow-Up

Whenever an exposure incident is reported, the exposed employee shall be promptly offered a confidential medical evaluation and follow-up.

1. The route(s) of exposure and the circumstances under which exposure occurred shall be documented.
2. The identity of the source individual shall be documented, unless the Board establishes that identification is not feasible or is prohibited by state or federal law.
3. Unless the identified source individual's infection with HBV or HIV infection is already known, the identified source individual's blood shall be tested for HBV and HIV infectivity, provided that the source individual has consented to the test for HBV and HIV infectivity or when consent is not required by the law. When the source individual is already known to be infected with HBV or HIV, testing for the source individual's known HBV or HIV status need not be repeated.
4. The results of any blood testing of the source individual shall be made available to the exposed employee, and the employee shall be informed of all laws and regulations regarding disclosure of the identity and infectious status of the source individual.
5. The exposed employee's blood shall be collected as soon as possible after the exposure and on the employee's consent for HBV and HIV serological status. The employee may withhold consent for HIV serological testing for up to ninety days, during which his/her blood sample shall be preserved.
6. The exposed employee shall be offered post-exposure prophylaxis, when medically indicated, as recommended by the U.S. Public Health Service; counseling; and evaluation of any reported illnesses.



### F. Communication of Hazards to Employees

Any container that holds blood or other potentially infectious material shall be conspicuously labeled with a sign that its contents are a biohazard, in accordance with federal regulations, 29 C.F.R. 1910.1030(g).

### G. Training Program

1. Employees with occupational exposure must participate in a training program, which shall be provided at no cost to the employee and during working hours.
2. Employees shall receive training on their initial assignment to a position with occupational exposure within ninety days after the effective date of the exposure and annually thereafter. Employees shall also receive training whenever any modifications in the position affects exposure except that any such training may be limited to the new exposures created.
3. Training materials shall be appropriate in content and vocabulary to the educational level, literacy, and language of employees.
4. The training program shall include as a minimum:
  - a. An accessible copy of the OSHA regulation on bloodborne pathogens, 29 C.F.R. 1910.1030, and an explanation of its contents,
  - b. A general explanation of the epidemiology and symptoms of bloodborne diseases,
  - c. An explanation of the modes of transmission of bloodborne pathogens,
  - d. An explanation of this Exposure Control Plan and the means by which the employee can obtain a copy of the plan,
  - e. An explanation of the appropriate methods for recognizing tasks and other activities that may involve exposure to blood and other potentially infectious materials,
  - f. An explanation of the use and limitations of methods that will prevent or reduce exposure, including work practices and personal protective equipment,
  - g. Information on the types, proper use, location, removal, handling, decontamination, and disposal of personal protective equipment,
  - h. An explanation of the basis for selection of personal protective equipment,
  - i. Information on the hepatitis B vaccine, including information on its efficacy, safety, method of administration, the benefits of vaccination, and the free availability of the vaccine and vaccination,
  - j. Information on the appropriate actions to take and persons to contact in an emergency involving blood or other potentially infectious materials,
  - k. An explanation of the procedure to be followed if an exposure incident occurs, including the method of reporting that incident and the medical follow-up that will be made available,



- l. Information on the post-exposure evaluation and follow-up that the employer is required to provide after an exposure incident,
  - m. Information regarding the labeling of biohazardous materials, and
  - n. An opportunity for interactive questions and answers with the person conducting the training session.
5. The person conducting the training shall be knowledgeable in the subject matter covered as it relates to the workplace that the training will address.

### H. Recordkeeping

1. The district will establish and maintain an accurate medical record for each employee with occupational exposure in accordance with 29 CFR 1910.1020. The record shall include:
  - a. The name and social security number of the employee;
  - b. A copy of the employee's hepatitis B vaccination status including the dates of all the hepatitis B vaccinations and any medical records relative to the employee's ability to receive vaccinations required by Section D. of this Regulation;
  - c. A copy of all results of examinations, medical testing, and follow-up procedures as required by Section E. of this Regulation;
  - d. The district's copy of the healthcare professional's written opinion as required by 29 C.F.R. 1910.1030 (f)5;
  - e. A copy of the information provided to the healthcare professional as required by 29 C.F.R. 1910.1030 (f)(4)ii(B)(C) and (D);
  - f. The district shall ensure the employee's medical records required in [Board Policy #7420 – Hygienic Management](#) and this Regulation are kept confidential and are not disclosed or reported without the employee's express written consent to any person within or outside the workplace except as required by law; and
  - g. The medical records required in this section must be maintained by the district for at least the duration of employment of the employee plus thirty years in accordance with 29 CFR 1910.1020.
2. The district will maintain training records for three years from the date on which the training occurred. These records shall include:
  - a. The dates and contents or summary of the training sessions; and
  - b. The names and qualifications of persons conducting the training and the names and job titles of all persons attending the training sessions.
3. The district will ensure the training records required by this section of the Regulation be made available to authorized State and federal agencies, employees, and employee representatives upon request. Employee medical records required by this section of the Regulation shall be provided upon request for examination and copying to the subject employee, to anyone having



written consent of the subject employee, and to authorized State and federal agencies in a accordance with State and federal laws.

4. The district shall comply with the requirements involving the transfer of records set forth in 29 CFR 1910.1020(h).
5. The district shall establish and maintain a sharps injury log in each nurse's office for the recording of percutaneous injuries from contaminated sharps. The information in the logs shall be recorded and maintained in such a manner as to protect the confidentiality of the injured employee. The logs shall contain, at a minimum: the type and brand of device involved in the incident; the department or work area where the exposure incident occurred; and an explanation of how the incident occurred. These logs shall be maintained for the period required by 29 CFR 1904.6.

### I. District's Exposure Control Plan

1. The District's Exposure Control Plan shall be reviewed at least annually and whenever necessary to reflect new or modified tasks and procedures that affect occupational exposure and to reflect new or revised employee positions with occupational exposure. The review and update of the Plan shall also
  - a. Reflect changes in technology that eliminate or reduce exposure to bloodborne pathogens; and
  - b. Document annually consideration and implementation of appropriate, commercially-available, and effective safer medical devices designated to eliminate or minimize occupational exposure.

### J. Staff Input

The School Business Administrator/Board Secretary and/or designee shall solicit input from non-managerial employees who are potentially exposed to injuries from contaminated sharps in the identification, evaluation, and selection of effective engineering and work practice controls and shall document this solicitation in the Exposure Control Plan.

Adopted: August 18, 2009



### **R7420.02 - Chemical Hygiene (M)**

#### A. Definitions

The following terms shall be defined as specified in 29 CFR 1910:

1. “Action level” means a concentration designated in 29 CFR part 1910 for a specific substance, calculated as an eight hour time-weighted average, which initiates certain required activities such as exposure monitoring and medical surveillance.
2. “Carcinogen” (see “select carcinogen”).
3. “Chemical Hygiene Officer” means an employee who is designated by the employer, and who is qualified by training or experience, to provide technical guidance in the development and implementation of the provisions of the Chemical Hygiene Plan. This definition is not intended to place limitations on the position description or job classification that the designated individual shall hold within the employer’s organizational structure.
4. “Chemical Hygiene Plan” means a written program developed and implemented by the employer which sets forth procedures, equipment, personal protective equipment and work practices that (i) are capable of protecting employees from the health hazards presented by hazardous chemicals used in that particular workplace and (ii) meets the requirements of a Chemical Hygiene Plan.
5. “Combustible liquid” means any liquid having a flashpoint at or above 100°F (37.8°C) but below 200°F (93.3°C), except any mixture having components with flashpoints of 200°F (93.3°C) or higher, the total volume of which make up 99 percent or more of the total volume of the mixture.
6. “Compressed gas” means:
  - a. A gas or mixture of gases having, in a container, an absolute pressure exceeding 40 psi at 70°F (21.1°C); or
  - b. A gas or mixture of gases having, in a container, an absolute pressure exceeding 104 psi at 130°F (54.4°C) regardless of the pressure at 70°F (21.1°C); or
  - c. A liquid having a vapor pressure exceeding 40 psi at 100°F (37.8°C) as determined by ASTM D-323-72.
7. “Designated area” means an area which may be used for work with “select carcinogens,” reproductive toxins or substances which have a high degree of acute toxicity. A designated area may be the entire laboratory, an area of a laboratory or a device such as a laboratory hood.
8. “Emergency” means any occurrence such as, but not limited to, equipment failure, rupture of containers or failure of control equipment which results in an uncontrolled release of a hazardous chemical into the workplace.
9. “Employee” means an individual employed in a laboratory workplace who may be exposed to hazardous chemicals in the course of his/her assignments.





10. “Explosive” means a chemical that causes a sudden, almost instantaneous release of pressure, gas, and heat when subjected to sudden shock, pressure, or high temperature.
11. “Flammable” means a chemical that falls into one of the following categories:
- “Aerosol, flammable” means an aerosol that, when tested by the method described in 16 CFR 1500.45, yields a flame projection exceeding 18 inches at full valve opening, or a flashback (a flame extending back to the valve) at any degree of valve opening;
  - “Gas, flammable” means
    - A gas that, at ambient temperature and pressure, forms a flammable mixture with air at a concentration of 13 percent by volume or less; or
    - A gas that, at ambient temperature and pressure, forms a range of flammable mixtures with air wider than 12 percent by volume regardless of the lower limit.
  - “Liquid, flammable” means any liquid having a flashpoint below 100°F (37.8°C) except any mixture having components with flashpoints of 100°F (37.8°C) or higher, the total of which make up 99 percent or more of the total volume of the mixture.
  - “Solid, flammable” means a solid, other than a blasting agent or explosive as defined in § 1910.109(a), that is liable to cause fire through friction, absorption of moisture, spontaneous chemical change, or retained heat from manufacturing or processing, or which can be ignited readily and when ignited burns so vigorously and persistently as to create a serious hazard. A chemical shall be considered to be a flammable solid if, when tested by the method described in 16 CFR 1500.44, it ignites and burns with a self-sustained flame at a rate greater than one-tenth of an inch per second along its major axis.
12. “Flashpoint” means the minimum temperature at which a liquid gives off a vapor in sufficient concentration to ignite when tested as follows:
- Tagliabue Closed Tester (See American National Standard Method of Test for Flash Point by Tagliabue Closed Tester, Z11.24-1979 (ASTM D 56-79)) for liquids with a viscosity of less than 45 Saybolt Universal Seconds (SUS) at 100°F (37.8°C) that do not contain suspended solids and do not have a tendency to form a surface film under test; or
  - Pensky-Martens Closed Tester (see American National Standard Method of Test for Flash Point by Pensky-Martens Closed Tester A11.7-1979 (ASTM D 93-79)) for liquids with a viscosity equal to or greater than 45 SUS at 100°F (37.8°C) or that contain suspended solids, or that have a tendency to form a surface film under test; or
  - Setaflash Closed Tester (see American National Standard Method of Test for Flash Point by Setaflash Closed Tester (ASTM D 3278-78)).

Organic peroxides, which undergo auto-accelerating thermal decomposition, are excluded from any of the flashpoint determination methods specified above.

13. “Hazardous chemical” means a chemical for which there is statistically significant evidence based on at least one study conducted in accordance with established scientific principles that acute or chronic health effects may occur in exposed employees. The term “health hazard”





includes chemicals which are carcinogens, toxic or highly toxic agents, reproductive toxins, irritants, corrosives, sensitizers, hepatotoxins, nephrotoxins, neurotoxins, agents which act on the hematopoietic systems, and agents which damage the lungs, skin, eyes, or mucous membranes.

Appendices A and B of the Hazard Communication Standard (29 CFR 1910.1200) provide further guidance in defining the scope of health hazards and determining whether or not a chemical is to be considered hazardous for purposes of this standard.

14. “Laboratory” means a facility where the “laboratory use of hazardous chemicals” occurs. It is a workplace where relatively small quantities of hazardous chemicals are used on a non-production basis.
15. “Laboratory scale” means work with substances in which the containers used for reactions, transfers, and other handling of substances are designed to be easily and safely manipulated by one person. “Laboratory scale” excludes those workplaces whose function is to produce commercial quantities of materials.
16. “Laboratory-type hood” means a device located in a laboratory, enclosure on five sides with a movable sash or fixed partial enclosed on the remaining side; constructed and maintained to draw air from the laboratory and to prevent or minimize the escape of air contaminants into the laboratory; and allows chemical manipulations to be conducted in the enclosure without insertion of any portion of the employee’s body other than hands and arms.

Walk-in hoods with adjustable sashes meet the above definition provided that the sashes are adjusted during use so that the airflow and the exhaust of air contaminants are not compromised and employees do not work inside the enclosure during the release of airborne hazardous chemicals.

17. “Laboratory use of hazardous chemicals” means handling or use of such chemicals in which all of the following conditions are met:
  - a. Chemical manipulations are carried out on a “laboratory scale”;
  - b. Multiple chemical procedures or chemicals are used;
  - c. The procedures involved are not part of a production process, nor in any way simulate a production process; and
  - d. “Protective laboratory practices and equipment” are available and in common use to minimize the potential for employee exposure to hazardous chemicals.
18. “Medical consultation” means a consultation which takes place between an employee and a licensed physician for the purpose of determining what medical examinations or procedures, if any, are appropriate in cases where a significant exposure to a hazardous chemical may have taken place.



19. "Organic peroxide" means an organic compound that contains the bivalent -O-O-structure and which may be considered to be a structural derivative of hydrogen peroxide where one or both of the hydrogen atoms has been replaced by an organic radical.
20. "Oxidizer" means a chemical other than a blasting agent or explosive as defined in § 1910.109(a), that initiates or promotes combustion in other materials, thereby causing fire either of itself or through the release of oxygen or other gases.
21. "Physical hazard" means a chemical for which there is scientifically valid evidence that it is a combustible liquid, a compressed gas, explosive, flammable, an organic peroxide, an oxidizer, pyrophoric, unstable (reactive) or water-reactive.
22. "Protective laboratory practices and equipment" means those laboratory procedures, practices and equipment accepted by laboratory health and safety experts as effective, or that the employer can show to be effective, in minimizing the potential for employee exposure to hazardous chemicals.
23. "Reproductive toxins" means chemicals which affect the reproductive capabilities including chromosomal damage (mutations) and effects on fetuses (teratogenesis).
24. "Select carcinogen" means any substance which meets one of the following criteria:
  - a. It is regulated by OSHA as a carcinogen; or
  - b. It is listed under the category, "known to be carcinogens," in the Annual Report on Carcinogens published by the National Toxicology Program (NTP) (latest edition); or
  - c. It is listed under Group 1 ("carcinogenic to humans") by the International Agency for Research on Cancer Monographs (IARC) (latest editions); or
  - d. It is listed in either Group 2A or 2B by IARC or under the category, "reasonably anticipated to be carcinogens" by NTP, and causes statistically significant tumor incidence in experimental animals in accordance with any of the following criteria:
    - (1) After inhalation exposure of 6-7 hours per day, 5 days per week, for a significant portion of a lifetime to dosages of less than 10 mg/m<sup>3</sup>;
    - (2) After repeated skin application of less than 300 (mg/kg of body weight) per week; or
    - (3) After oral dosages of less than 50 mg/kg of body weight per day.
25. "Unstable (reactive)" means a chemical which is in the pure state, or as produced or transported, will vigorously polymerize, decompose, condense, or will become self-reactive under conditions of shocks, pressure or temperature.
26. "Water-reactive" means a chemical that reacts with water to release a gas that is either flammable or presents a health hazard.



### B. Employee Exposure

The Board shall provide for initial and periodic monitoring of any employees if there is reason to believe that exposure levels to an OSHA regulated substance will exceed permissible limits as specified in 29 CFR part 1910 subpart Z. Monitoring may only be terminated in accordance with the relevant standard. The Supervisor of Buildings and Grounds will notify in writing affected employees within fifteen working days of the results of monitoring either individually or by posting the results in a location accessible to all employees.

### C. Chemical Hygiene Plan

1. The Superintendent shall cause the development of a Chemical Hygiene Plan by the Supervisor of Buildings and Grounds which shall include at least the following elements and indicate specific measures the Board will take to ensure employee protection:
  - a. Standard operating procedures relevant to safety and health considerations to be followed when laboratory work involves the use of hazardous chemicals;
  - b. Criteria that the employer will use to determine and implement control measures to reduce employee exposure to hazardous chemicals including engineering controls, the use of personal protective equipment and hygiene practices; particular attention shall be given to the selection of control measures for chemicals that are known to be extremely hazardous;
  - c. A requirement that fume hoods and other protective equipment are functioning properly and specific measures that shall be taken to ensure proper and adequate performance of such equipment;
  - d. Provisions for employees information and training as prescribed by 29 CFR Part 1910;
  - e. The circumstances under which a particular laboratory operation, procedure or activity shall require prior approval from the employer or the employer's designee before implementation;
  - f. Provisions for medical consultation and medical examinations in accordance with 29 CFR Part 1910;
  - g. Designation of personnel responsible for implementation of the Chemical Hygiene Plan including the assignment of a Chemical Hygiene Officer and, if appropriate, establishment of a Chemical Hygiene Committee; and
  - h. Provisions for additional employee protection for work with particularly hazardous substances. These include "select carcinogens", reproductive toxins and substances which have a high degree of acute toxicity. Specific consideration shall be given to the following provisions which shall be included where appropriate:
    - (1) Establishment of a designated area;
    - (2) Use of containment devices such as fume hoods or glove boxes;
    - (3) Procedures for safe removal of contaminated waste; and



(4) Decontamination procedures.

2. The plan shall be capable of protecting employees from health hazards associated with hazardous chemicals in laboratories and keeping exposure below specified limits.

#### D. Employee Information and Training

The Supervisor of Buildings and Grounds shall provide employees with information and training to ensure that they are apprised of the hazards of chemicals present in their work area. The information shall be provided at the time of the employees initial assignment to the work area and whenever new exposure situations arise. Refresher information shall be provided as the situation with regard to hazardous chemicals changes. Employees shall be informed of (1) the contents of federal standards relating to hazardous chemicals; (2) the location and availability of the chemical hygiene plan; (3) the permissible exposure limits as established by OSHA; (4) signs and symptoms associated with exposure to hazardous chemicals used in the laboratory and (5) the location and availability of known references on the hazards, safe handling, storage and disposal of hazardous chemicals.

Employee training shall include (1) methods and observations used to detect the presence or release of hazardous chemicals; (2) the physical and health hazards of chemicals in the work area; (3) the measures employees can use to protect themselves, including specific procedures the Board has implemented to protect employees; (4) training on the applicable details of the Board's Chemical Hygiene Plan.

#### E. Medical Consultation

The Board will provide all employees who work with hazardous chemicals an opportunity to receive medical attention, including follow-up examinations the physician deems necessary under the following circumstances:

1. Whenever an employee develops signs or symptoms associated with a hazardous chemical to which the employee may have been exposed in the laboratory, the employee shall be provided an opportunity to receive an appropriate medical examination.
2. Where exposure monitoring reveals an exposure level routinely above the action level (or in the absence of an action level, the PEL) for an OSHA regulated substance for which there are exposure monitoring and medical surveillance requirements, medical surveillance shall be established for the affected employee as prescribed by the particular standard.
3. Whenever an event takes place in the work area such as a spill, leak, explosion or other occurrence resulting in the likelihood of a hazardous exposure, the affected employee shall be provided an opportunity for a medical consultation. Such consultation shall be for the purpose of determining the need for a medical examination.

#### F. Information Provided to the Physician

The employer shall provide the following information to the physician:



1. The identity of the hazardous chemicals(s) to which the employee may have been exposed;
2. A description of the conditions under which the exposure occurred including quantitative exposure data, if available; and
3. A description of the signs and symptoms of exposure that the employee is experiencing, if any.

### G. Physician's Written Opinion Shall Include:

1. Any recommendation for further medical follow-up;
2. The results of the medical examination and any associated tests;
3. Any medical condition which may be revealed in the course of the examination which may place the employee at increased risk as a result of exposure to a hazardous chemical found in the workplace; and
4. A statement that the employee has been informed by the physician of the results of the consultation or medical examination and any medical condition that may require further examination or treatment.

### H. Hazard Identification

With respect to labels and material data sheets, the Board shall (1) ensure that labels on incoming containers of hazardous materials are not removed or defaced; (2) maintain material safety data sheets and ensure they are available to employees, and (3) comply with federal regulations with regard to chemical substances produced within the laboratory, assuming that if a substance is produced whose composition is not known that it will be assumed it is hazardous.

### I. Use of Respirators

Where respirators are required to maintain exposure below permissible limits, they will be provided to the employee at no cost and will comply with the requirements of 29 CFR 1910.134.

### J. Recordkeeping

The Supervisor of Buildings and Grounds shall establish and maintain for each employee exposed to hazardous chemicals an accurate record of any measurements taken to monitor employee exposures and any medical consultation and examinations including tests or written opinions required by federal standards. The Board shall assure that records are kept, transferred and made available in accordance with 29 CFR 1910.1020.

Adopted: August 18, 2009



### **7421 – Indoor Air Quality Standards**

The Board of Education will provide air quality for school employees in school buildings that meet the standards established by the New Jersey Department of Labor pursuant to N.J.A.C. 12:100-13.

The Board will designate the Supervisor of Buildings and Grounds as the individual, who is responsible to assure compliance with New Jersey Department of Labor standards. The designated person will assure that preventative maintenance programs for heating, ventilating and air conditioning (HVAC) systems are implemented and documented and that general and local exhaust ventilation is used for employees working with equipment or products that could reasonably be expected to result in hazardous chemicals or particulate exposure. The designated person shall check to make sure HVAC systems are working properly when the building temperatures are outside of the range of 68 to 79 degrees Fahrenheit and make sure buildings without mechanical ventilation have operable windows, doors, vents, stacks and other portals designated or used for natural ventilation are operational. The designated person will also promptly investigate all employee complaints of signs or symptoms that may be associated with building-related illnesses.

The Board will make sure air quality will be maintained at acceptable standards during renovation and remodeling that results in the diffusion of dust, stone and other small particles, toxic gases or other harmful substances in quantities hazardous to health. The designated person will notify employees at least twenty-four hours in advance or promptly in emergency situations of work to be performed on the building that may induce air contaminants into their work area.

The designated person will respond to a complaint received by the Department of Labor within fifteen working days of receipt of the complaint.

#### **Legal References**

N.J.A.C. 12:100-13.2 et seq.

N.J.A.C. 5:23

Adopted: August 18, 2009



### **R7421 – Indoor Air Quality Standards**

#### A. Definitions

1. “Air contaminants” refers to substances contained in vapors from paint, cleaning chemicals, pesticides, solvents, particles, outdoor air pollutants and other airborne substances which together may cause material impairment to employees working within the enclosed workplace.
2. “Building related illnesses” describes specific medical conditions of known etiology which can be documented by physical signs and laboratory findings. Such illnesses include sensory irritations when caused by known agents, respiratory allergies, asthma, nosocomial infections, humidifier fever, Legionnaires’ Disease, and the signs and symptoms characteristic of exposure to chemical or biologic substances such as carbon monoxide, formaldehyde, pesticides, endotoxins, or mycotoxins.
3. “Building systems” include the heating, ventilating and air-conditioning (HVAC) system, the energy management system and all other systems in a facility which may impact indoor air quality.
4. “Department” Department of Health and Senior Services
5. “Designated person” a person who is designated by the administration to take necessary measures to assure compliance with indoor air quality standards.
6. “HVAC system” means the collective components of the heating, ventilation and air conditioning systems including, but not limited to, filters and frames, cooling coil condensate drip pans and drainage piping, outside air dampers and actuators, humidifiers, air distribution ductwork, automatic temperature controls, and cooling towers.
7. “HVAC System Commissioning Report” means a document normally prepared by an architect or engineer that provides verification that the HVAC system is operating in conformity with the design intent.
8. “Office Building” means a building in which administrative and/or clerical activities are conducted. Examples of facilities and/or operations which are not office buildings include schools, repair shops, garages and print shops.
9. “Renovations and remodeling” means building modification involving activities that include, but are not limited to; removal or replacement of walls, roofing, ceilings, floors, carpet and components such as moldings cabinets, doors, and windows; paintings; decorating; demolition; surface refinishing; and removal or cleaning of ventilating ducts.

#### B. Compliance Program

The Superintendent will designate the Supervisor of Buildings and Grounds who is given the responsibility to assure compliance with indoor air quality standards. The designated person will assure that at least the following actions are limited and documented:





1. Establishing and following a preventative maintenance schedule for heating, ventilating and air conditioning (HVAC) systems that are in accordance with manufacturer's recommendations or with accepted practice for the HVAC system.
2. Implementing the use of general and local exhaust ventilation where housekeeping and maintenance activities involve the use of equipment or products that could reasonably be expected to result in hazardous chemicals or particulate exposure above the Permissible Exposure Limit (PEL).
3. When the carbon dioxide level exceeds 1,000 parts per million (ppm), the designated person will check to make sure the HVAC system is operating properly. If it is not, the designated person will take necessary steps as outlined in 1. above.
4. Check to make sure HVAC systems are working properly when the building temperatures are outside of the range of 68 to 79 degrees Fahrenheit. If it is not, the designated person will take necessary steps as outlined in 1. above.
5. If contamination of the make-up air supply is identified and documented, then the make-up inlets and/or exhaust outlets shall be re-located or the source of the contamination eliminated. Sources of make-up air contamination may include contaminants from sources such as cooling towers, sanitary vents, vehicular exhausts from parking garages, loading docks and street traffic.
6. Assure that buildings without mechanical ventilation have operable windows, doors, vents, stacks and other portals designated or used for natural ventilation are operational.
7. Promptly investigate all employee complaints of signs or symptoms that may be associated with building-related illnesses.

### C. Air Quality During Renovation and Remodeling

1. Renovation work and/or new construction that results in the diffusion of dust, stone and other small particles, toxic gases or other harmful substances in quantities hazardous to health will be safeguarded by means of local ventilation or other protective devices to ensure the safety of employees. Renovation areas in occupied buildings shall be isolated and dust and debris shall be confined to the renovation or construction area.
2. Before use of paints, adhesives, sealants, solvents, or installation of insulation, particle board, plywood, floor coverings, carpet backing, textiles, or other materials in the course of renovation or construction, the designated person will check product labels or seek and obtain information from the manufacturers of those products on whether or not they contain volatile organic compounds such as solvents, formaldehyde or isocyanates that could be emitted during regular use. This information shall be used to select products and to determine necessary measures to be taken to comply with indoor air quality standards.
3. The designated person will notify employees at least twenty-four hours in advance, or promptly in emergency situations of work to be performed on the building that may induce air contaminants into their work area.





### D. Recordkeeping

1. The maintenance schedule shall be updated by the designated person to show all maintenance performed on the building systems. The schedule shall include the date such maintenance was performed and the name of the person or company performing the work.
2. The records required to be maintained by this section shall be retained for at least three years and be available on request to employees and employee representatives and Department representatives for examination and copying.

### E. Response To A Signed Complaint From The Department

1. Within ten working days of receipt of the complaint notification from the Department, the designated person will respond in writing to the Department. The response may include any combination of the following:
  - a. A statement that the complaint is unfounded;
  - b. A description of any remedial action already taken;
  - c. An outline of any remedial measures planned but not yet taken, with a timeline for completion; and/or
  - d. A statement that a study of the problem, with a timetable for completion of the study, has been initiated.
2. Where remedial measures are planned or a study initiated, they shall be completed as soon as feasible. The designated person will submit, to the Department, a written report describing the remedial measures implemented and/or a copy of the study's report within fifteen working days of completion.
3. Permits for remedial work shall be obtained as required by N.J.A.C. 5:23 (the New Jersey Uniform Construction Code). All work requiring a permit shall be performed in compliance with N.J.A.C. 5:23.

### F. In response to an employee complaint to the Department, the designated person will provide any of the following documents, if available, and requested by the Department:

1. As-built construction documents;
2. HVAC system commissioning reports;
3. HVAC systems testing, adjusting and balancing reports;
4. Operations and maintenance manuals;
5. Water treatment logs; and
6. Operator training materials.

Adopted: August 18, 2009



### **7422 – School Integrated Pest Management Plan (M)**

The New Jersey School Integrated Pest Management Act of 2002 requires school districts to implement a school integrated pest management policy that includes an Integrated Pest Management Plan. In accordance with the requirements of the Act, the Board shall ensure implementation of Integrated Pest Management (IPM) procedures to control pests and minimize exposure of children, faculty, and staff to pesticides. These procedures shall be applicable to all school property in the Lopatcong Township School District.

#### **IPM Coordinator (IPMC)**

The Supervisor of Buildings and Grounds (or designee) will be designated as the district's Integrated Pest Management Coordinator (IPMC) and is responsible for the implementation of the school integrated pest management policy.

#### **Integrated Pest Management Procedures in Schools**

Implementation of Integrated Pest Management (IPM) procedures will determine when to control pests and whether to use mechanical, physical, cultural, biological, or chemical methods. Applying IPM principles prevents unacceptable levels of pest damage by the most economical means and with the least possible hazard to people, property, and the environment.

The Integrated Pest Management Coordinator (IPMC) will consider the full range of management options, including no action at all. Non-pesticide pest management methods are to be used whenever possible. The choice of using a pesticide shall be based on a review of all other available options and a determination that these options are not effective or not reasonable. When it is determined that a pesticide must be used, low impact pesticides and methods are preferred and shall be considered for use first.

#### **Development of IPM plans**

The Integrated Pest Management Coordinator, in collaboration with the school district Superintendent and Building Principal(s), will be responsible for the development of the IPM Plan for the school district. The school district's Integrated Pest Management (IPM) Plan is a blueprint of how the school district will manage pests through IPM methods. The school district's IPM Plan will state the school district's goals regarding the management of pests and the use of pesticides for all school district property. The Plan will reflect the school district's site-specific needs and a description of how each component of the school district's Integrated Pest Management Policy and Regulation will be implemented for all school property.

#### **Education/Training**

The school community will be educated about potential pest problems and IPM methods used to achieve the pest management objectives.

The IPMC, other school staff, and pesticide applicators involved with implementation of the district's IPM Policy will be trained in appropriate components of IPM as it pertains to the school environment.



Students and parents will be provided information on this Policy and instructed on how they can contribute to the success of the IPM program.

### **Recordkeeping**

Records of pesticide use will be maintained on site to meet the requirements of the State regulatory agency and the Board.

Records will also include, but are not limited to, pest surveillance data sheets and other non-pesticide pest management methods and practices utilized.

### **Notification/Posting**

The Building Principal of each school, working with the IPMC, is responsible for timely notification to students, parents and the school staff of pesticide treatments pursuant to the School Integrated Pest Management Act.

### **Re-entry**

Re-entry to a pesticide treated area will conform to the requirements of the School Integrated Pest Management Act.

### **Pesticide Applicators**

The IPMC will ensure that applicators follow State regulations, including licensing requirements and label precautions, and must comply with all components of the School Integrated Pest Management Policy.

### **Evaluation**

The Superintendent will report annually to the Board on the effectiveness of the IPM Plan and make recommendations for improvement as needed.

The school district's Integrated Pest Management Plan, Policy and Regulation will be implemented not later than June 12, 2004. The Board directs the Superintendent to develop Regulations/Procedures for the implementation of School Integrated Pest Management Plan.

### **Legal References**

N.J.S.A. 13:1F-19 through 13:1F-33

Adopted: August 18, 2009

Revised: June 26, 2018



### **R7422 – School Integrated Pest Management Plan (M)**

#### **A. Definitions**

1. “Commissioner” means the Commissioner of Environmental Protection.
2. “Department” means the Department of Environmental Protection.
3. “Integrated Pest Management Coordinator” or “coordinator” means an individual who is knowledgeable about integrated pest management systems and has been designated by the Board, as the Integrated Pest Management Coordinator (IPMC) pursuant to the New Jersey School Integrated Pest Management Act. The IPMC is authorized to perform the statutory IPM responsibilities of the Board of Education.
4. “Low Impact Pesticide” means any pesticide or pesticidal active ingredient alone, or in combination with inert ingredients, that the United States Environmental Protection Agency has determined is not of a character necessary to be regulated pursuant to the “Federal Insecticide, Fungicide, and Rodenticide Act,” 7 U.S.C. s.136 et seq. and that has been exempted from the registration and reporting requirements adopted pursuant to that act; any gel; paste; bait; antimicrobial agent such as a disinfectant used as a cleaning product; boric acid; disodium octoborate tetrahydrate; silica gels; diatomaceous earth; microbe-based insecticides such as bacillus thuringiensis; botanical insecticides, not including synthetic pyrethroids, without toxic synergists; and biological, living control agents.
5. “Pesticide” means any substance or mixture of substances labeled, designed, intended for or capable of use in preventing, destroying, repelling, sterilizing or mitigating any insects, rodents, nematodes, predatory animals, fungi, weeds and other forms of plant or animal life or viruses, except viruses on or in living man or other animals. “Pesticide” will also include any substance or mixture of substances labeled, designed or intended for use as a defoliant, desiccant or plant regulator.
6. “Plan” means the school district’s goals regarding the management of pests and the use of pesticides on all school property. The plan will be developed in accordance with the requirements of N.J.S.A. 13:1f-19 through 33.
7. “School” means any public or private school as defined in N.J.S.A. 18A:1-1.
8. “School Integrated Pest Management Policy” means a managed pest control policy that eliminates or mitigates economic, health, and aesthetic damage caused by pests in schools; that delivers effective pest management, reduces the volume of pesticides used to minimize the potential hazards posed by pesticides to human health and the environment in schools; that uses integrated methods, site or pest inspections, pest population monitoring, an evaluation of the need for pest control, and one or more pest control methods, including sanitation, structural repair, mechanical and biological controls, other non-chemical methods, and when non-chemical options are ineffective or unreasonable, allows the use of a pesticide, with a preference toward first considering the use of a low impact pesticide for schools.



9. “School pest emergency” means an urgent need to mitigate or eliminate a pest that threatens the health or safety of a student or staff member.
10. “School property” means any area inside and outside of the school buildings controlled, managed, or owned by the school district.
11. “Staff member” means an employee of the school district, including administrators, teachers, and other persons regularly employed by the school district, but will not include an employee hired by the school district or the State to apply a pesticide or a person assisting in the application of a pesticide.
12. “Universal notification” means notice provided by the school district to all parents of children attending a school, and staff members of the school district.

### **B. Integrated Pest Management Coordinator (IPMC)**

The Business Administrator/Board Secretary will be designated the Integrated Pest Management Coordinator (IPMC) of the school district. The Integrated Pest Management Coordinator (IPMC) will:

1. Maintain information about individual schools, the school district’s Integrated Pest Management Policy, and about pesticide applications on the school property of the schools within the school district;
2. Act as a contact for inquiries about the School Integrated Pest Management Policy; and
3. Maintain material safety data sheets, when available, and labels for all pesticides that are used on the school property or in the schools in the school district.

### **C. Maintenance of Records of Pesticide Application; Notices of Policy**

The IPMC will request from the pesticide applicator and will maintain records of pesticide applications used on school property or for each school in the school district for three years after the application, and for five years after the application of a pesticide designed to control termites, and on request, will make the data available to the public for review.

A notice of the school district’s Integrated Pest Management Policy will be included in school calendars or another form of universal notification to students and parent(s) and posted on the district’s website. The notice will include:

1. The school district’s Integrated Pest Management Policy;
2. A list of any pesticide that is in use or that has been used in the last twelve months on school district property at each school location;
3. The name, address, and telephone number of the Integrated Pest Management Coordinator of (IPMC) of the school district;
4. A statement that:



- a. The IPMC maintains the product label and material safety data sheet, when available, of each pesticide that may be used on school property;
  - b. The label and data sheet is available for review by a parent, staff member, or student attending the school; and
  - c. The Integrated Pest Management Coordinator (IPMC) is available to parents, and staff members for information and comment.
5. The time and place of any Board meetings that will be held to adopt the School Integrated Pest Management Policy; and
6. The following statement:

“As part of a school pest management plan, the School District may use pesticides to control pests. The United States Environmental Protection Agency (EPA) and the New Jersey Department of Environmental Protection (DEP) register pesticides to determine that the use of a pesticide in accordance with instructions printed on the label does not pose an unreasonable risk to human health and the environment. Nevertheless, the EPA and DEP cannot guarantee that registered pesticides do not pose any risk to human health, thus unnecessary exposure to pesticides should be avoided. The EPA has issued the statement that where possible, persons who are potentially sensitive, such as pregnant women, infants and children, should avoid unnecessary pesticide exposure.”

After the beginning of each school year, the IPMC, in conjunction with the Building Principal(s), will provide this notice to each new staff member who is employed during the school year and to the parent(s) of each new student enrolled during the school year.

#### **D. Permitted Use of Certain Pesticides; Notice**

If it is determined that a pesticide, other than a low impact pesticide, must be used on school property, the pesticide may be used only in accordance with the requirements of N.J.S.A. 13:1F-25.

1. The Building Principal, upon prior notice from the IPMC, will provide notice to a parent of each student enrolled at the school and each staff member of the school, at least seventy-two hours before a pesticide, other than a low impact pesticide, is used on school property. The notice will include:
  - a. The common name, trade name, and federal Environmental Protection Agency registration number of the pesticide;
  - b. A description of the location of the application of the pesticide;
  - c. The date and time of application, except that, in the case of outdoor pesticide applications, one notice will include three dates, in chronological order, on which the outdoor pesticide applications may take place if the preceding date is cancelled;
  - d. A statement that the Office of Pesticide Programs of the United States Environmental Protection Agency has stated: “Where possible, persons who potentially are sensitive,



- such as pregnant women, infants, and children, should avoid any unnecessary pesticide exposure”;
- e. A description of potential adverse effects of the pesticide based on the material safety data sheet, if available, for the pesticide;
  - f. A description of the reasons for the application of the pesticide;
  - g. The name and telephone number of the school district’s IPMC; and
  - h. Any additional label instruction and precautions related to public safety.
2. The notice required by D.1. above may be provided by:
    - a. Written notice sent home with the student and provided to each staff member;
    - b. A telephone call;
    - c. Direct contact;
    - d. Written notice mailed at least one week before the application; or
    - e. Electronic mail.
  3. If the date of the application of the pesticide must be extended beyond the period required for notice under this section, the Board will reissue the notice required under D.1. above for the new date of application.

### **E. Posting of Sign Prior to Use of Certain Pesticides**

At least seventy-two hours before a pesticide, other than a low impact pesticide, is used on school property, the IPMC will post a sign that provides notice of the application of the pesticide in a prominent place that is in or adjacent to the location to be treated and at each entrance to the building or school ground to be treated.

A sign required for the application of a pesticide will:

1. Remain posted for at least seventy-two hours after the end of the treatment;
2. Be at least 8½ inches by 11 inches; and
3. State the same information as that required for prior notification of the pesticide application pursuant to Section D.1. of this Regulation.

In the case of outdoor pesticide applications, each sign will include three dates, in chronological order, on which the outdoor pesticide application may take place if the preceding date is canceled due to weather. A sign will be posted after an outdoor pesticide application in accordance with 1, 2 and 3 above.

The requirement imposed pursuant to this section will be in addition to any requirements imposed pursuant to the “Pesticide Control Act of 1971,” P.L. 1971, c.176 (C.13:1F-1 et seq.), and any rules or regulations adopted pursuant thereto.





### F. Applicability of Notice and Posting Requirements

The provisions of Sections D and E of this Regulation will apply if any person applies a pesticide, other than a low impact pesticide, on school property, including a custodian, staff member, or commercial applicator. These provisions will apply to a school during the school year, and during holidays and the summer months, only if the school is in use by children during those periods. During those periods, notices will be provided to all staff members and the parents of the students that are using the school in an authorized manner.

### G. Emergency Use of Certain Pesticides

A pesticide, other than a low impact pesticide, may be applied on school property in response to an emergency, without complying with the provisions of Sections D and E of this Regulation, provided the following requirements are met:

1. The Building Principal will, upon prior notice from the IPMC and within twenty-four hours after the application or on the morning of the next school day, provide to each parent of students enrolled at the school, and staff members of the school, notice of the application of the pesticide for emergency pest control that includes:
  - a. The information required for a notice under Section D of this Regulation;
  - b. A description of the problem and the factors that qualified the problem as an emergency that threatened the health or safety of a student or staff member; and
  - c. If necessary, a description of the steps that will be taken in the future to avoid emergency application of a pesticide pursuant to this section.

The district may provide notice required in G.1. above by:

1. Written notice sent home with the student and provided to the staff members;
2. A telephone call;
3. Direct contact; or
4. Electronic mail.

When a pesticide is applied pursuant to this section, the IPMC will post a sign warning of the pesticide application at the time of the application of the pesticide in accordance with the provisions of Section E of this Regulation.

If there is an application of a pesticide pursuant to this section, the IPMC will modify the School Integrated Pest Management Plan of the school district if necessary, to minimize the future emergency applications of pesticides under this section.

A pesticide, other than a low impact pesticide, will not be applied on school property where students are expected to be present for academic instruction or for organized extra-curricular activities prior to the time prescribed for re-entry to the application site by the United States Environmental Protection Agency on the pesticide label, except that if no specific numerical re-entry time is prescribed on a pesticide label, such a pesticide, other than a low impact pesticide, will





not be applied on school property where students are expected to be present for academic instruction or for organized extra-curricular activities within seven hours of the application.

A pesticide, other than a low impact pesticide, will not be applied in a school building when students are present. Students may not be present in an untreated portion of a school building being treated unless the area being treated with a pesticide, other than a low impact pesticide, is served by a separate ventilation system and is separated from the untreated area by smoke or fire doors.

A low impact pesticide may be applied in areas of a school building where students will not contact treated areas until sufficient time is allowed for the substance to dry or settle, or after the period of time prescribed for re-entry or for ventilation requirements on the pesticide label has elapsed.

The requirements of this section will not apply when pesticides are applied on school property for student instructional purposes or by public health officials during the normal course of their duties.

#### **H. Immunity From Liability of Commercial Pesticide Applicator**

A commercial pesticide applicator will not be liable to any person for damages resulting from the application of a pesticide at a school if the damages are solely due to the failure of the IPMC to provide the notice required prior to the application of a pesticide pursuant to the provisions of sections 7, 8, 9, or 10 of P.L. 2002, c.117 (C.13:1F-25, C.13:1F-26, C.13:1F-27 or C.13:1F-28).

#### **I. Development, Availability of Form for Certifying Compliance**

The Department of Environmental Protection will develop and make available to commercial pesticide applicators a form that a commercial pesticide applicator may request an Integrated Pest Management Coordinator (IPMC) to sign prior to the application of a pesticide, other than a low impact pesticide, on school property. The form developed pursuant to this section will set forth a certification by the Integrated Pest Management Coordinator (IPMC) that the notice and posting requirements for the application of a pesticide established pursuant to Sections D and E of this Regulation, or the posting requirement established pursuant to Section G of this Regulation, as appropriate, have met compliance requirements. Upon being presented by a commercial pesticide applicator with a form pursuant to this section, the signature of the Integrated Pest Management Coordinator (IPMC) will be required as a condition for the application of the pesticide.

The Department of Environmental Protection may issue an administrative order against a local school Board that fails to adopt and implement a pesticide use and school Integrated Pest Management Policy in compliance with the provisions of N.J.S.A. 13:1F-32.

The Commissioner will adopt, pursuant to the provisions of the “Administrative Procedure Act,” P.L.1968, c.410 (C.52:14B-1 et seq.), such rules or regulations as are necessary to implement the provisions of the School Integrated Pest Management Act.

Adopted: August 18, 2009  
Revised: June 26, 2018



### A. Definitions

1. “Commissioner” means the Commissioner of Environmental Protection.
2. “Department” means the Department of Environmental Protection.
3. “Integrated Pest Management Coordinator” or “coordinator” means an individual who is knowledgeable about integrated pest management systems and has been designated by the Board, as the Integrated Pest Management Coordinator (IPMC) pursuant to the New Jersey School Integrated Pest Management Act. The IPMC is authorized to perform the statutory IPM responsibilities of the Board of Education.
4. “Low Impact Pesticide” means any pesticide or pesticidal active ingredient alone, or in combination with inert ingredients, that the United States Environmental Protection Agency has determined is not of a character necessary to be regulated pursuant to the “Federal Insecticide, Fungicide, and Rodenticide Act,” 7 U.S.C. s.136 et seq. and that has been exempted from the registration and reporting requirements adopted pursuant to that act; any gel; paste; bait; antimicrobial agent such as a disinfectant used as a cleaning product; boric acid; disodium octoborate tetrahydrate; silica gels; diatomaceous earth; microbe-based insecticides such as bacillus thuringiensis; botanical insecticides, not including synthetic pyrethroids, without toxic synergists; and biological, living control agents.
5. “Pesticide” means any substance or mixture of substances labeled, designed, intended for or capable of use in preventing, destroying, repelling, sterilizing or mitigating any insects, rodents, nematodes, predatory animals, fungi, weeds and other forms of plant or animal life or viruses, except viruses on or in living man or other animals. “Pesticide” shall also include any substance or mixture of substances labeled, designed or intended for use as a defoliant, desiccant or plant regulator.
6. “Plan” means the school district’s goals regarding the management of pests and the use of pesticides on all school property. The plan shall be developed in accordance with the requirements of N.J.S.A. 13:1f-19 through 33.
7. “School” means any public or private school as defined in N.J.S.A. 18A:1-1.
8. “School Integrated Pest Management Policy” means a managed pest control policy that eliminates or mitigates economic, health, and aesthetic damage caused by pests in schools; that delivers effective pest management, reduces the volume of pesticides used to minimize the potential hazards posed by pesticides to human health and the environment in schools; that uses integrated methods, site or pest inspections, pest population monitoring, an evaluation of the need for pest control, and one or more pest control methods, including sanitation, structural repair, mechanical and biological controls, other non-chemical methods, and when non-



chemical options are ineffective or unreasonable, allows the use of a pesticide, with a preference toward first considering the use of a low impact pesticide for schools.

9. “School pest emergency” means an urgent need to mitigate or eliminate a pest that threatens the health or safety of a pupil or staff member.
10. “School property” means any area inside and outside of the school buildings controlled, managed, or owned by the school district.
11. “Staff member” means an employee of the school district, including administrators, teachers, and other persons regularly employed by the school district, but shall not include an employee hired by the school district or the State to apply a pesticide or a person assisting in the application of a pesticide.
12. “Universal notification” means notice provided by the school district to all parents or legal guardians of children attending a school, and staff members of the school district.

### **B. Integrated Pest Management Coordinator (IPMC)**

The Business Administrator/Board Secretary shall be designated the Integrated Pest Management Coordinator (IPMC) of the school district. The Integrated Pest Management Coordinator (IPMC) shall:

1. Maintain information about individual schools, the school district’s Integrated Pest Management Policy, and about pesticide applications on the school property of the schools within the school district;
2. Act as a contact for inquiries about the School Integrated Pest Management Policy; and
3. Maintain material safety data sheets, when available, and labels for all pesticides that are used on the school property or in the schools in the school district.

### **C. Maintenance of Records of Pesticide Application; Notices of Policy**

The IPMC shall request from the pesticide applicator and shall maintain records of pesticide applications used on school property or for each school in the school district for three years after the application, and for five years after the application of a pesticide designed to control termites, and on request, shall make the data available to the public for review.

A notice of the school district’s Integrated Pest Management Policy shall be included in school calendars or another form of universal notification to pupils and parent(s) or legal guardian(s) and posted on the district’s website. The notice shall include:

1. The school district’s Integrated Pest Management Policy;
2. A list of any pesticide that is in use or that has been used in the last twelve months on school district property at each school location;
3. The name, address, and telephone number of the Integrated Pest Management Coordinator of (IPMC) of the school district;



4. A statement that:
  - a. The IPMC maintains the product label and material safety data sheet, when available, of each pesticide that may be used on school property;
  - b. The label and data sheet is available for review by a parent, legal guardian, staff member, or pupil attending the school; and
  - c. The Integrated Pest Management Coordinator (IPMC) is available to parents, legal guardians, and staff members for information and comment.
5. The time and place of any Board meetings that will be held to adopt the School Integrated Pest Management Policy; and
6. The following statement:

“As part of a school pest management plan, the School District may use pesticides to control pests. The United States Environmental Protection Agency (EPA) and the New Jersey Department of Environmental Protection (DEP) register pesticides to determine that the use of a pesticide in accordance with instructions printed on the label does not pose an unreasonable risk to human health and the environment. Nevertheless, the EPA and DEP cannot guarantee that registered pesticides do not pose any risk to human health, thus unnecessary exposure to pesticides should be avoided. The EPA has issued the statement that where possible, persons who are potentially sensitive, such as pregnant women, infants and children, should avoid unnecessary pesticide exposure.”

After the beginning of each school year, the IPMC, in conjunction with the Building Principal(s), shall provide this notice to each new staff member who is employed during the school year and to the parent(s) or legal guardian(s) of each new pupil enrolled during the school year.

#### **D. Permitted Use of Certain Pesticides; Notice**

If it is determined that a pesticide, other than a low impact pesticide, must be used on school property, the pesticide may be used only in accordance with the requirements of N.J.S.A. 13:1F-25.

1. The Building Principal, upon prior notice from the IPMC, shall provide notice to a parent or legal guardian of each pupil enrolled at the school and each staff member of the school, at least seventy-two hours before a pesticide, other than a low impact pesticide, is used on school property. The notice shall include:
  - a. The common name, trade name, and federal Environmental Protection Agency registration number of the pesticide;
  - b. A description of the location of the application of the pesticide;
  - c. The date and time of application, except that, in the case of outdoor pesticide applications, one notice shall include three dates, in chronological order, on which the outdoor pesticide applications may take place if the preceding date is cancelled;
  - d. A statement that the Office of Pesticide Programs of the United States Environmental Protection Agency has stated: “Where possible, persons who potentially are sensitive,



- such as pregnant women, infants, and children, should avoid any unnecessary pesticide exposure”;
- e. A description of potential adverse effects of the pesticide based on the material safety data sheet, if available, for the pesticide;
  - f. A description of the reasons for the application of the pesticide;
  - g. The name and telephone number of the school district’s IPMC; and
  - h. Any additional label instruction and precautions related to public safety.
2. The notice required by D.1. above may be provided by:
    - a. Written notice sent home with the pupil and provided to each staff member;
    - b. A telephone call;
    - c. Direct contact;
    - d. Written notice mailed at least one week before the application; or
    - e. Electronic mail.
  3. If the date of the application of the pesticide must be extended beyond the period required for notice under this section, the Board shall reissue the notice required under D.1. above for the new date of application.

### **E. Posting of Sign Prior to Use of Certain Pesticides**

At least seventy-two hours before a pesticide, other than a low impact pesticide, is used on school property, the IPMC shall post a sign that provides notice of the application of the pesticide in a prominent place that is in or adjacent to the location to be treated and at each entrance to the building or school ground to be treated.

A sign required for the application of a pesticide shall:

1. Remain posted for at least seventy-two hours after the end of the treatment;
2. Be at least 8½ inches by 11 inches; and
3. State the same information as that required for prior notification of the pesticide application pursuant to Section D.1. of this Regulation.

In the case of outdoor pesticide applications, each sign shall include three dates, in chronological order, on which the outdoor pesticide application may take place if the preceding date is canceled due to weather. A sign shall be posted after an outdoor pesticide application in accordance with 1, 2 and 3 above.

The requirement imposed pursuant to this section shall be in addition to any requirements imposed pursuant to the “Pesticide Control Act of 1971,” P.L. 1971, c.176 (C.13:1F-1 et seq.), and any rules or regulations adopted pursuant thereto.



### F. Applicability of Notice and Posting Requirements

The provisions of Sections D and E of this Regulation shall apply if any person applies a pesticide, other than a low impact pesticide, on school property, including a custodian, staff member, or commercial applicator. These provisions shall apply to a school during the school year, and during holidays and the summer months, only if the school is in use by children during those periods. During those periods, notices shall be provided to all staff members and the parents or legal guardians of the pupils that are using the school in an authorized manner.

### G. Emergency Use of Certain Pesticides

A pesticide, other than a low impact pesticide, may be applied on school property in response to an emergency, without complying with the provisions of Sections D and E of this Regulation, provided the following requirements are met:

1. The Building Principal shall, upon prior notice from the IPMC and within twenty-four hours after the application or on the morning of the next school day, provide to each parent or legal guardian of pupils enrolled at the school, and staff members of the school, notice of the application of the pesticide for emergency pest control that includes:
  - a. The information required for a notice under Section D of this Regulation;
  - b. A description of the problem and the factors that qualified the problem as an emergency that threatened the health or safety of a pupil or staff member; and
  - c. If necessary, a description of the steps that will be taken in the future to avoid emergency application of a pesticide pursuant to this section.

The district may provide notice required in G.1. above by:

1. Written notice sent home with the pupil and provided to the staff members;
2. A telephone call;
3. Direct contact; or
4. Electronic mail.

When a pesticide is applied pursuant to this section, the IPMC shall post a sign warning of the pesticide application at the time of the application of the pesticide in accordance with the provisions of Section E of this Regulation.

If there is an application of a pesticide pursuant to this section, the IPMC shall modify the School Integrated Pest Management Plan of the school district if necessary, to minimize the future emergency applications of pesticides under this section.

A pesticide, other than a low impact pesticide, shall not be applied on school property where pupils are expected to be present for academic instruction or for organized extra-curricular activities prior to the time prescribed for re-entry to the application site by the United States Environmental Protection Agency on the pesticide label, except that if no specific numerical re-entry time is prescribed on a pesticide label, such a pesticide, other than a low impact pesticide, shall not be





applied on school property where pupils are expected to be present for academic instruction or for organized extra-curricular activities within seven hours of the application.

A pesticide, other than a low impact pesticide, shall not be applied in a school building when pupils are present. Pupils may not be present in an untreated portion of a school building being treated unless the area being treated with a pesticide, other than a low impact pesticide, is served by a separate ventilation system and is separated from the untreated area by smoke or fire doors.

A low impact pesticide may be applied in areas of a school building where pupils will not contact treated areas until sufficient time is allowed for the substance to dry or settle, or after the period of time prescribed for re-entry or for ventilation requirements on the pesticide label has elapsed.

The requirements of this section shall not apply when pesticides are applied on school property for pupil instructional purposes or by public health officials during the normal course of their duties.

### **H. Immunity From Liability of Commercial Pesticide Applicator**

A commercial pesticide applicator shall not be liable to any person for damages resulting from the application of a pesticide at a school if the damages are solely due to the failure of the IPMC to provide the notice required prior to the application of a pesticide pursuant to the provisions of sections 7, 8, 9, or 10 of P.L. 2002, c.117 (C.13:1F-25, C.13:1F-26, C.13:1F-27 or C.13:1F-28).

### **I. Development, Availability of Form for Certifying Compliance**

The Department of Environmental Protection shall develop and make available to commercial pesticide applicators a form that a commercial pesticide applicator may request an Integrated Pest Management Coordinator (IPMC) to sign prior to the application of a pesticide, other than a low impact pesticide, on school property. The form developed pursuant to this section shall set forth a certification by the Integrated Pest Management Coordinator (IPMC) that the notice and posting requirements for the application of a pesticide established pursuant to Sections D and E of this Regulation, or the posting requirement established pursuant to Section G of this Regulation, as appropriate, have met compliance requirements. Upon being presented by a commercial pesticide applicator with a form pursuant to this section, the signature of the Integrated Pest Management Coordinator (IPMC) shall be required as a condition for the application of the pesticide.

The Department of Environmental Protection may issue an administrative order against a local school Board that fails to adopt and implement a pesticide use and school Integrated Pest Management Policy in compliance with the provisions of N.J.S.A. 13:1F-32.

The Commissioner shall adopt, pursuant to the provisions of the “Administrative Procedure Act,” P.L.1968, c.410 (C.52:14B-1 et seq.), such rules or regulations as are necessary to implement the provisions of the School Integrated Pest Management Act.

Adopted: August 18, 2009





### **7424 – Bed Bugs**

The Board of Education is concerned for students who may have bed bugs in their home with the potential for these students to bring bed bugs into the school building. Bed bugs can be transmitted from one location to another in backpacks, clothing, books, and other items. A bed bug infestation is unlikely in a school and the Board adopts this Policy as a proactive action to prevent infestation and to stop bed bugs from spreading within the school setting if a bed bug is transmitted into a school.

Bed bugs are parasitic insects that feed exclusively on blood and are mainly active at night, but are not exclusively nocturnal. A common bed bug prefers human blood and typically feeds on their hosts without being noticed. Bed bugs are not known to transmit disease, but cause reasonable distress and health concerns for many people. The presence of bed bugs in a home does not mean the home is unclean, bed bugs can be found in any home.

Bed bugs typically do not infest people as they hide during the day and come out during the night. Bed bugs are attracted to humans primarily by carbon dioxide, warmth, and by some chemicals. Bed bugs prefer exposed skin, preferably the face, neck, and arms of a sleeping person. Bed bug bites may lead to a range of skin manifestations from no visible effects to prominent blisters. The bite usually produces a swelling with no red spots, but when many bugs feed on a small area, reddish spots may appear after the swelling subsides. Effects also may include skin rashes, psychological effects, and allergic symptoms.

Any staff member who observes what may be bed bug bites on a student will send the student to the school nurse. The school nurse will examine the student to determine if there are any bed bugs present on the student or if the bites may be bed bug bites. The school nurse will inform the Building Principal and contact the student's parent on the results of the examination.

In the event the school nurse observes what appears to be a bed bug on the student or on the student's possessions, the school nurse will inform the Building Principal who will arrange for a licensed pest management professional to complete an inspection of the student's classroom(s) to determine if bed bugs are present in the classroom area. If a licensed pest management professional cannot complete an inspection within twenty-four hours of the request from the school district, the district custodial staff will vacuum the student's classroom(s) with a vacuum cleaner using a new vacuum cleaner bag and when finished the staff member will seal the bag and discard it in a receptacle outside the school building. If the vacuum does not have a bag, the contents of the vacuum will be emptied into a secure plastic bag, sealed, and discarded into a receptacle outside the school building. The Building Principal will determine if the classroom(s) should be occupied by staff and students until the inspection by a licensed pest management professional is conducted.

In the event the inspection determines bed bugs are in the school, the area(s) where bed bugs have been found or could be found will be treated by a licensed pest management professional.

The parent of any student who is found to have a live bed bug on them will be contacted by the school nurse and the parent will be required to pick-up their child to arrange for the child to return home to change clothes and to inspect any items the student brings to school. On the student's return to school,



the student will be required to report to the school nurse who will examine the child and the child's possessions. If there are no signs of bed bugs on the student or in or on the student's possessions, the student will be able to resume their school day. The school nurse may determine to examine the child subsequent to their initial return to school to ensure the student and possessions are free of bed bugs. In the event the nurse finds live bed bugs on the student or in or on the student's possessions on the student's initial return to school, or on any subsequent examination by the school nurse, the school nurse will contact the parent and require the parent to pick-up the student from school.

The Building Principal, in consultation with the school nurse, will determine if the parents of other students should be informed of the presence of bed bugs in an area of the school where their child may have been or is during the school day. This determination will be made on a case-by-case basis. Parents of other students may not be informed if bed bugs are found on a student or in or on the student's possessions, and are not found in the school building. The school district will comply with all notification requirements and other requirements of the New Jersey Pest Management Act, the district's Pest Management Plan, and any other applicable law.

Any student suspected of having bed bugs in their home or on or in their possessions will be treated with discretion, dignity, and respect. The district will offer the student counseling, if needed. The Building Principal (or designee) will work sensitively with parents of any student living in an infested home to develop strategies for preventing the further spread of bed bugs.

Adopted: October 10, 2017



### **R7424 – Bed Bugs**

The following procedures are established in implementation of Policy 7424 – Bed Bugs.

#### **A. Observation of Possible Bed Bug Bites or Bed Bugs on a Student**

1. A staff member who observes what he/she believes may be bed bug bites on a student or bed bugs on the student or in or on the student's possessions will send the student to the school nurse.
2. The school nurse will examine the student to determine if the student has bed bug bites or if there are any bed bugs present on the student or in or on the student's possessions.
3. If the school nurse determines the student does not have bed bug bites or bed bugs on them or in or on their possessions, the student will be returned to resume their school day.

#### **B. Confirmation of Bed Bug Bites or Bed Bugs on a Student**

1. If the school nurse believes the student has bed bug bites or finds bed bugs on the student or in or on the student's possessions, the school nurse will contact the Building Principal (or designee).
2. The Building Principal (or designee) will arrange for a licensed pest management professional to complete an inspection of the student's classroom(s) to determine if bed bugs are present.
3. If a licensed pest management professional cannot complete an inspection within twenty-four hours of the request from the school district, the district custodial staff will vacuum the student's classroom(s) with a vacuum cleaner using a new vacuum cleaner bag.
4. When vacuuming is completed by district custodial staff, the staff member will seal the bag and discard it in a receptacle outside the school building. If the vacuum does not have a bag, the contents of the vacuum will be emptied into a secure plastic bag, sealed, and discarded into a receptacle outside the school building. The vacuum will also be treated.
5. The Building Principal will determine if the classroom(s) should be occupied by staff and students until the inspection by a licensed pest management professional is conducted.

#### **C. Inspection by Licensed Pest Management Professional**

1. If an inspection by the licensed pest management professional determines bed bugs are not present in the classroom(s) inspected, the school program will resume use of the classroom(s) if the Building Principal previously decided the classroom(s) should not be occupied by staff or students.
2. If an inspection by the licensed pest management professional determines bed bugs are in the classroom(s), the area(s) will be treated by a licensed pest management professional. Any treatment will be in accordance with the provisions of the New Jersey Pest Management Act, the district's Pest Management Plan, and any other applicable law.



### D. Communication with Student's Parent

1. The school nurse will contact the student's parent on the results of the examination.
2. A parent of a student who is believed to have a live bed bug(s) on them or in or on their possessions will be required to arrange for their child to be picked-up from school to return home to change clothes and for the parent to inspect any possessions the student brings to school. The nurse may provide the parent with information regarding bed bugs.
  - a. On the student's return to school after being sent home to change clothes and an inspection of their possessions they bring to school, the student will be required to report to the school nurse who will examine the child and the child's possessions before the child can resume the school day.
    - (1) If there are no signs of bed bugs on the student or in or on the student's possessions on being examined by the school nurse after the child returns to school, the student will be able to resume their school day.
  - b. The school nurse may examine the student and the student's possessions subsequent to their initial return to school to ensure the student and possessions are free of bed bugs.
    - (1) In the event the nurse finds live bed bugs on the student or in or on the student's possession after the student's initial return to school or on any subsequent examination by the school nurse, the school nurse will contact the parent and require the parent to pick-up the student from school.
3. A parent of a student who is believed to have bed bug bites, but no evidence of bed bugs on them or in or on their possessions, will be informed of such results and the student may be required to be examined by the school nurse subsequent to the initial examination to ensure bed bugs are not on the student or in or on their possessions they bring to school.

### E. School Communications

1. The Building Principal, in consultation with the school nurse, will determine if the parents of other students should be informed if bed bugs are found in an area of the school. This determination will be made on a case-by-case basis.
  - a. Parents of other students need not be informed if bed bugs are found on a student or in or on the student's possessions, and are not found in the school building.

### F. Compliance with Applicable Laws

1. The Building Principal (or designee) will ensure the school district complies with all notification requirements and any other legal requirements, including the New Jersey Pest Management Act, the district's Pest Management Plan, and any other applicable law.

Adopted: October 10, 2017



### **7425 – Lead Testing of Water in Schools**

The health, safety, and welfare of the children in the school district are of utmost importance to the Board of Education. The potential exposure to lead-contaminated drinking water poses serious health problems, particularly for children, as well as for teachers and school personnel, since the risk of lead contamination can come from pipe and plumbing fixtures in school facilities or on school grounds. The Board will assure the availability of potable drinking water through sanitary means in school facilities or on school grounds. The Board of Education directs the Superintendent (or designee) to provide, in accordance with N.J.A.C. 6A:26-12.4, testing for lead in all district sources of drinking water.

The Superintendent (or designee) will conduct lead sampling and analysis for all drinking water outlets to which a student or staff member has or may have access in each school facility, other facility, or temporary facility, as soon as practicable, but no later than July 13, 2017, unless the district qualifies for an exemption in accordance with N.J.A.C. 6A:26-12.4(d)(h)(i). This testing will be conducted with a lead sampling plan in accordance with N.J.A.C. 6A:26-12.4(d)1, 2, and 3, and will be in accordance with the Safe Drinking Water Act, N.J.S.A. 58:12A-1.

Within twenty-four hours after the Superintendent (or designee) has completed a review of final laboratory results in accordance with the provisions of N.J.A.C. 6A:26-12.4(e), the test results will be made publicly available at the school facility and on the Board of Education's website. If any results exceed the permissible lead action level, the Superintendent (or designee) will provide written notification to the parents of all students attending the facility, facility staff, and the New Jersey Department of Education. This notification will include: a description of the measures taken by the Superintendent (or designee) to immediately end the use of each drinking water outlet where the water quality exceeded the permissible lead action level; the measures taken to ensure that alternate drinking water has been made available to all students and staff members; and information regarding the health effects of lead in accordance with N.J.A.C. 6A:26-12.4(e)1 and 2. After the initial screening, the Superintendent (or designee) will conduct these lead screenings every six years and will sample for lead after the replacement of any drinking water outlet or any other alteration to plumbing or service lines that may impact lead levels at the outlet, in accordance with N.J.A.C. 6A:26-12.4(f)1 and 2.

The Superintendent (or designee) will submit to the New Jersey Department of Education by June 30<sup>th</sup> of each year a statement of assurance, that the school district completed lead testing in accordance with N.J.A.C. 6A:26-12.4; that notifications were provided consistent with N.J.A.C. 6A:26-12.4; and that alternative drinking water continues to be made available to all students and staff, if necessary, pursuant to N.J.A.C. 6A:26-12.4(g).

The Superintendent (or designee) may apply for reimbursement for the costs of any water supply testing and analysis conducted, in accordance with N.J.A.C. 6A:26-12.4(j).



### Legal References

N.J.S.A. 58:12A-1 et seq.

N.J.A.C. 6A:26-12.4

Adopted: February 20, 2018



### **7430 – School Safety (M)**

The Board of Education recognizes that it is required by law to take measures for the safety of pupils and district employees.

The Board shall provide, publish, and post rules for safety and the prevention of accidents; instruct pupils in safety and accident prevention; provide protective devices where they are required by law for the safety of pupils and employees; and provide suitable and safe equipment where such equipment is necessary for the conduct of the educational program and the operation of the schools.

The Superintendent shall prepare regulations governing school safety and the prevention of accidents and fire that include as a minimum the requirements of law and the applicable rules of various departments of state government. Such regulations shall provide procedures and precautions for the safety of pupils in school, employees in the performance of their duties, users of school vehicles, pupils in transit to and from school, injured pupils and employees, and visitors to the school. Safety regulations shall be promulgated to all school employees and shall be reviewed and evaluated annually. The Superintendent is directed to instruct teaching staff members in proper safety precautions.

#### **Legal References**

N.J.S.A. 18A:6-2; 18A:40-12.1; 18A:40-12.2

N.J.S.A. 40:67-16.7

N.J.A.C. 6A:16-1.4; 6A:26-12.5

Adopted: August 18, 2009





### **R7430 – School Safety (M)**

#### **Guidelines for Dealing with Accident/Injury**

1. The school nurse or another trained person shall be responsible for administering first aid.
2. In all cases where the nature of an injury appears in any way serious, every effort shall be made to contact the parent(s) or legal guardian(s) and/or family physician immediately.
3. Parent(s) or legal guardian(s) shall be requested to pick up the pupil. If a parent(s) or legal guardian(s) is unable to provide such transportation, no pupil who is injured shall be sent home alone. A pupil who is injured may be taken home if a responsible person is there to receive that pupil.
4. In extreme emergencies, the school nurse, school doctor or Building Principal may make arrangements for immediate hospitalization of injured pupils. Parent(s) or legal guardian(s) should be contacted as soon as possible.
5. The teacher or other staff member who is responsible for a pupil at the time an accident occurs shall make out a report within twenty-four hours, providing details about the accident. This shall be required for every accident whether first aid is necessary or not.
6. Any injuries or accidents to pupils shall be reported as soon as possible to the Superintendent.

#### **Emergency Medical Procedures for Sports/Athletics**

The Board of Education recognizes its responsibility for pupil safety in all aspects of sports and athletic events, both intramural and interscholastic. Emergency medical procedures are to be developed at each school having an athletic program to ensure delivery of appropriate emergency medical services for all practice sessions, competitive contests, games, events, or exhibitions with individual pupils or teams of the schools of this district whether among themselves or with pupils of other districts.

These emergency medical procedures shall be disseminated to appropriate personnel within the district.

Adopted: August 18, 2009



### **7432 – Eye Protection (M)**

The Board of Education directs the rigorous implementation and enforcement of eye safety practices for pupils, staff members, and visitors exposed to conditions potentially hazardous to the eyes in the instructional program of this district.

The Superintendent shall be responsible for the continual monitoring of the school program, including, but not limited to, all vocational education, industrial arts education, science education, technology education and arts education, for conditions under which pupils, staff members, or visitors are exposed to a process or activity that might have a tendency to cause damage to the eyes.

Each pupil, staff member, and visitor exposed to a condition identified as hazardous to the eyes must wear an eye protective device appropriate to the activity and certified to meet the standards established by the State Board of Education, the American National Standard Practice for Occupational and Educational Eye and Face Protection, ANSI Z87.1-1979, and American National Standard Practice for the Safe Use of Lasers, ANSI Z136.1-1986 and the New Jersey Administrative Code. The eye protective device shall be supplied by the Board, except that the pupil, staff member, or visitor may wear personal eye wear that is appropriate to the activity and certified, in writing, by a licensed optician or other qualified licensed eye professional to meet or exceed those standards. District owned eye protective devices shall be inspected regularly by the appropriate staff member, and defective or poorly fitting devices shall be returned to the Building Principal for repair or discard. Any shared eye protective devices shall be disinfected between uses by the method prescribed by the school medical inspector.

Each classroom, shop, laboratory, and other area of the school in which pupils or staff members are exposed to caustic materials that can cause damage to the eyes shall be equipped with an emergency eye wash fountain in accordance with standards established by the Department of Education.

The Building Principal shall ensure that each area in the school identified as housing an activity hazardous to the eyes shall be posted with conspicuous signs that warn participants that an appropriate eye protective device must be worn during the activity. Staff members of such activities are responsible for instructing pupils in appropriate eye safety practices and for serving as exemplary models in the implementation of such practices.

The Board authorizes each staff member responsible for an activity or process hazardous to the eyes to compile and maintain, for the duration of the course of study, a list of pupils in the course who wear contact lenses.

A pupil who refuses or persistently neglects to wear an eye protective device when required to do so or fails to observe established eye safety practices shall be dismissed from the day's class by his/her teacher. Any such dismissal from class will be considered to be an absence, in accordance with Board policy on pupil attendance, and an accumulation of such absences may result in loss of course credit.

A staff member who refuses or persistently neglects to wear an eye protective device when required to do so or fails to observe established eye safety practices may be disciplined for insubordination for



failing to obey the rules established by this Board. The proper implementation of eye protection practices shall be a criterion in the evaluation of every staff member required to observe such practices.

A visitor to the schools who refuses or persistently neglects to wear an eye protective device when required to do so or fails to observe established eye safety practices may be requested to leave the school premises.

The Superintendent shall promulgate regulations to implement this Policy that conform to rules of the State Board of Education and shall provide in-service training to staff members whose instructional duties include activities hazardous to the eyes. The Superintendent shall report annually to the Board on the implementation of the eye protection program and the eye injuries, if any, occurring in the course of the instructional program.

### **Legal References**

N.J.S.A. 18A:40-12.1; 18A:40-12.2

N.J.A.C. 6A:26-12.5

Adopted: August 18, 2009



## **R7432 – Eye Protection Practices (M)**

### A. Eye Protection Devices

1. The following types of eye protective devices must be worn by all pupils, staff members, and visitors (including persons attending evening adult school programs) participating in the activity or process designated wherever it may occur on school premises:

<b>Potential Eye Hazard</b>	<b>Protective Devices</b>
Caustic or explosive	Goggle, flexible fitting materials, hooded ventilation; add plastic window face shield for severe exposure
Dust producing operations	Goggle, flexible fitting, hooded ventilation
Electric arc welding	Welding helmet in combination with spectacles with eye cup or semi-or flat-fold side shields
Oxy-acetylene welding	Welding goggle, eye cup type with tinted lenses; welding goggle, coverspec type with tinted lenses or tinted plate lens
Hot liquids and gases	Goggle, flexible fitting, hood ventilation; add plastic window face shield for severe exposure
Hot solids	Clear or tinted goggles or spectacles with side shields
Molten materials	Clear or tinted goggles and plastic or mesh window face shield
Heat treatment or tempering	Clear or tinted goggles or clear or tinted spectacles with side shields
Glare operations	Tinted goggles; tinted spectacles with side shields or welding goggles, eye cup or coverage type with tinted lenses or plate lens
Shaping solid materials	Clear goggles, flexible or rigid body; clear spectacles with side shields; add plastic window face shield for severe exposure
Laser device operation or experimentation	Appropriate for specific hazard
Repair or servicing of vehicles	Clear goggles, flexible or rigid body; clear spectacles with side shields
Other potentially hazardous processes or activities	Appropriate for specific hazard



2. The supplier of any eye protective device to this district shall certify in writing that the device meets or exceeds ANSI standards. All spectacle type eye protective devices shall have side shields of the eye cup, semi-, or flat-fold type.
3. Staff members shall regularly and frequently inspect the eye protective devices used in their classes and shall report to the Building Principal devices that are defective or poorly fitting. All eye protective devices shall be identified with the name(s) of the user(s) and shall be properly stored when not in use.
4. An eye protective device that is shared shall be disinfected between uses by a method prescribed by the local school medical inspector.
5. The use of contact lenses shall be restricted in learning environments which entail exposure to chemical fumes, vapors or splashes, intense heat, molten metals, or highly particulate atmospheres. Staff members in these learning environments shall identify the pupils in his/her class who wear contact lenses. A list of such pupils shall be kept by the staff member in order that appropriate emergency eye care may be given; the list shall be destroyed at the end of the course of study.

When permitted, contact lenses may be worn only in conjunction with appropriate eye protective devices. The contact lens wearer shall be identified for appropriate emergency eye care in hazardous learning environments.

6. A pupil who wears prescription glasses shall be provided with an appropriate eye protective device that fits over his/her glasses. A pupil or staff member may wear his/her personal corrective eye wear in the course of an activity hazardous to the eyes provided that the eye wear has been certified in writing by a licensed optician to meet or exceed ANSI standards as defined in N.J.A.C. 6:29-1.7(b)1 and 2 for the appropriate eye protective device required.
7. The responsible staff member will provide each visitor to an area in which an activity hazardous to eyes is conducted with an appropriate eye protective device.

### B. Eye Wash Fountains

1. Eye wash fountains or similar devices, capable of a minimum of fifteen minutes of continuous flow of eye wash solution shall be provided in accordance with [Board Policy #7432 – Eye Protection](#) and the standards of the State Department of Education and N.J.A.C. 6:29-1.7(d).
2. Eye wash fountains shall be routinely checked by the responsible staff member and any fountain that does not operate properly shall be promptly reported to the Building Principal.

### C. Enforcement

1. Staff members shall not permit pupils to engage in an activity potentially hazardous to the eyes without appropriate eye protection and shall dismiss from the class period a pupil who refuses or persistently neglects to wear eye protection or to observe established eye protection practices. Any such dismissed pupil shall be reported absent for the class.



2. Staff members shall report to the Building Principal a visitor who refuses or persistently neglects to wear eye protection or observe established eye protection practices.
3. The Building Principal shall annually inspect the school premises for the existence of conditions potentially hazardous to the eyes, for the placement of signs requiring appropriate eye protective devices, and for an adequate supply of appropriate eye protective devices in satisfactory condition. Conditions potentially hazardous to the eyes include, in addition to the activities listed in paragraph A1 above, the likelihood of flying objects and spilled liquids and the presence of protruding and sharp objects.

#### D. Training and Supplies

The school district shall provide annual training and appropriate supplies and equipment to all school personnel responsible for implementing the eye safety policies and program. The training shall include all aspects of eye protection as defined in this Regulation.

Adopted: August 18, 2009



### **7433 – Hazardous Substances**

The Board of Education will enforce the law governing hazardous substances in the school district. Employees of this district shall be informed of the hazards related to the handling of certain substances and trained to work with hazardous substances.

Hazardous substance means any substance or substance in a mixture included on the hazardous substance list developed by the New Jersey Department of Health and Senior Services. Hazardous substances shall not include:

1. Any article containing a hazardous substance if the hazardous substance is present in a solid form which does not pose any acute or chronic health hazard to any person exposed to it;
2. Any hazardous substance constituting less than one percent of a mixture unless the hazardous substance is present in an aggregate amount of five hundred pounds or more in a container in a public or private school or child care center building;
3. Any hazardous substance which is a special health hazardous substance constituting less than the threshold percentage established by the Department of Health and Senior Services pursuant to P.L.1983, c.315 (C.34:5A-1 et seq.), for that special health hazardous substance when present in a mixture;
4. Any hazardous substance present in the same form and concentration as a product packaged for distribution and use by consumers and which is not a product intended primarily for commercial use;
5. Any fuel in a motor vehicle;
6. Tobacco or tobacco products;
7. Wood or wood products;
8. Foods, drugs, or cosmetics;
9. Hazardous substances which are an integral part of a building's structure or furnishings;
10. Products which are personal property and are intended for personal use; and
11. Any substance used in the routine maintenance of a public or private school or child care center building or its grounds, any substance used in a classroom science laboratory, any substance used in a school occupational training facility, including laboratories and shops, and any substance used in the normal operation of the classrooms or administrative offices of a public or private school or child care center, including any substance used in the heating or cooling of the school or child care center.

No person shall use or allow the use of any hazardous substance in or on any building or grounds used as a public school or child care center when children are expected to be present.

The Superintendent may delegate authority for the maintenance of hazardous substances and for the development of safety and training standards for the handling of such substances to a safety officer.





The Supervisor of Buildings and Grounds shall conduct periodic audits of hazardous substances in use in the district, ascertain that such substances are being handled in accordance with appropriate safety requirements, and determine that the employees who are required to handle hazardous substances are properly equipped to do so.

The Supervisor of Buildings and Grounds shall inform the Superintendent of all hazardous substances in use in the district, the purpose of each, and the precautions required for each. The Superintendent shall take such action as may be necessary and feasible to minimize the use of hazardous substances in the district.

The Superintendent shall report annually to the Board on hazardous substances in district use and the purpose of each.

### **Legal References**

N.J.S.A. 34:5A-1 et seq.; 34:5A-10.1 et seq.

N.J.A.C. 6A:16-1.4; 6A:19-10.5

N.J.A.C. 8:59-1 et seq.

Adopted: August 18, 2009



### **7434 – Smoking in School Buildings and on School Grounds (M)**

The Board of Education believes that the right of persons to smoke must be balanced against the right of nonsmokers to breath air untainted by tobacco smoke.

For purposes of this Policy, “smoking” means the burning of, inhaling the smoke from, exhaling the smoke from, or the possession a lighted cigarette, cigar, cigarillo, pipe, or any other matter or substance which contains tobacco or any other matter that can be smoked, including the use of smokeless tobacco and snuff, or the inhaling or exhaling of smoke or vapor from an electronic smoking device.

For the purpose of this Policy, “electronic smoking device” means an electronic device that can be used to deliver nicotine or other substances to the person inhaling from the device, including, but not limited to, an electronic cigarette, cigar, cigarillo, or pipe.

For the purposes of this Policy, “school buildings” and “school grounds” mean and include land, portions of land, structures, buildings, and vehicles owned, operated or used for the provision of academic or extracurricular programs sponsored by the district or community provider and structures that support these buildings, such as school wastewater treatment facilities, electricity generating facilities, and other central facilities including, but not limited to kitchens and maintenance shops. “School buildings” and “school grounds” also include athletic stadiums; swimming pools; any associated structures or related equipment tied to such facilities including, but not limited to, grandstands; greenhouses; garages; facilities used for non-instructional or non-educational purposes; and any structure, building, or facility used solely for school administration. “School buildings” and “school grounds” also include other facilities as defined in N.J.A.C. 6A:26-1.2, playgrounds, and other recreational places owned by the local municipalities, private entities or other individuals during those times when the school district has exclusive use of a portion of such land.

In accordance with N.J.S.A. 26:3D-58 and N.J.A.C. 8:6-7.2, the Board prohibits smoking at all times anywhere in school buildings and on school grounds. A sign indicating smoking is prohibited in school buildings and on school grounds will be posted at each public entrance of a school building in accordance with law. The sign shall also indicate violators are subject to a fine.

Notwithstanding any provision of this Policy, smoking by pupils is prohibited and governed by Board Policy #5533 – Pupil Smoking. Pupils and district employees who violate the provisions of this Policy shall be subject to appropriate disciplinary measures and may be subject to fines in accordance with law.

The Building Principal (or designee) may order the departure and removal of any person who continues to smoke in violation of this Policy and the law after being ordered to stop smoking in school buildings and on school grounds. The Building Principal (or designee) may request the assistance of law enforcement to accomplish this departure and removal.



In the event a person is found to have violated this Policy and the law, the Building Principal (or designee) may file a complaint with the appropriate Municipal Court or other agency with jurisdiction as defined in N.J.A.C. 8:6-9.1(c).]

The Board of Education will comply with any provisions of a municipal ordinance which provides restrictions on or prohibitions against smoking equivalent to, or greater than, those provided in N.J.S.A. 26:3D-55 through N.J.S.A. 26:3D-63.

### Legal References

N.J.S.A. 26:3D-55 through 26:3D-63

N.J.A.C. 6A:16-1.3

N.J.A.C. 8:6-7.2; 8:6-9.1 through 8:6-9.5

Adopted: August 18, 2009

Revised: July 9, 2013



### **7435 – Alcoholic Beverages on School Premises**

The knowing possession, without legal authority, or knowing consumption of any alcoholic beverage by any person on school premises is a disorderly persons offense.

The Board of Education prohibits the possession and consumption of an alcoholic beverage, by any person in any school building, on school property, or at any school sponsored activity.

The Board will report to law enforcement officials and prosecute as appropriate any person who violates law and this Policy, except that any pupil who possesses or uses or is under the influence of alcohol on school premises or at any school sponsored activity will be treated in accordance with law and Board Policy #3218 – Substance Abuse, Board Policy #4218 – Substance Abuse, and Board Policy #5530 – Substance Abuse.

School district employees who violate this Policy or are present on school premises or at any school sponsored activity while under the influence of alcohol will be subject to discipline, which may include dismissal or certification of tenure charges, as appropriate.

#### **Legal References**

N.J.S.A. 2C:33-15 et seq.

N.J.S.A. 18A:40A-12

N.J.S.A. 24:21-2 et seq.

Adopted: August 18, 2009



### **7436 – Drug Free Workplace (M)**

The Board of Education prohibits the unlawful manufacture, distribution, dispensing, possession or use of any controlled dangerous substance by any person in any school building, on school grounds, or during any activity or event sponsored by the Board.

Every employee of this district must, as a condition of employment, agree to be bound by this Policy. An employee who violates the prohibitions or reporting requirements of this Policy will be subject to discipline, which may include dismissal, or certification of tenure charges, as appropriate. An employee whose involvement with drugs results in a conviction for a crime of the third degree or above or for an offense touching his/her position will be deemed to have forfeited his/her public employment, pursuant to N.J.S.A. 2C:51-2.

An employee who is convicted of a drug related offense must report the conviction to the Superintendent within five days of its occurrence. The Superintendent will, within ten days of the date on which notice of the conviction is received, report any such conviction resulting from drug use in the workplace to any federal agency from which the district has received funds through a grant.

The Board directs the Superintendent to establish and maintain a program to:

1. Alert employees as to the dangers of drug abuse in the workplace;
2. Inform employees of the prohibitions against drugs set forth in this Policy;
3. Inform employees of available drug counseling, rehabilitation, and assistance programs; and
4. Warn employees of the penalties that may be imposed for violations of prohibitions set forth in this Policy.

The Board will report to law enforcement officials and prosecute as appropriate any employee or visitor who violates the prohibitions of this Policy. A pupil or employee who violates this Policy will be treated in accordance with law and Board Policy #3218 – Substance Abuse, Board Policy #4218 – Substance Abuse, and Board Policy #5530 – Substance Abuse.

This Policy will be distributed to each district employee, including all those engaged in the performance of services under a federal grant, and will be prominently posted in the district.

#### **Legal References**

41 U.S.C.A. Chapter 10  
34 CFR 85.600 et seq.  
N.J.S.A. 2C:33-15 et seq.  
N.J.S.A. 24:21-2 et seq.

Adopted: August 18, 2009



### **7440 – School District Security**

The Board of Education believes the buildings and facilities of the school district represent a substantial community investment. The Board directs the development and implementation of a plan for school district security to protect the school community's investment in the school buildings and facilities.

The school district security program will include: maintenance of facilities that are secure against unwelcome intrusion; protection against fire hazards and faulty equipment; and compliance with safe practices in the use of electrical, plumbing, heating, and other school building equipment. The Board directs close cooperation of district officials with law enforcement officers, fire officials, and other emergency agencies.

The Superintendent will designate a school administrator as a School Safety Specialist for the district in accordance with the provisions of N.J.S.A. 18A:17-43.3. The School Safety Specialist will be required to acquire a New Jersey Department of Education School Safety Specialist certification in accordance with the provisions of N.J.S.A. 18A:17-43.2. The School Safety Specialist will also serve as the school district's liaison with local law enforcement and national, State, and community agencies and organizations in matters of school safety and security.

Access to school buildings and grounds outside the hours school is in session will be limited to personnel whose employment requires their presence in the facility. An adequate access and security/alarm control system will be established to limit building access to authorized personnel and guard against the potential of intrusion by unauthorized persons who have obtained access improperly.

Notwithstanding the previous paragraph, public areas of the school (e.g., Gym, Multipurpose Room) will be open for Board-approved events, for members of those organizations requesting the use of school facilities pursuant to [Board Policy #7510 – Use of School Facilities](#). In addition, the Superintendent, and Building Principals may schedule events (e.g., concerts, stage performances) during which access to public areas of the schools is permitted. Access to areas not approved by the Board is prohibited (e.g., entering classrooms when the Board has only approved the use of the Gym). The Superintendent, Building Principals, and designees, and/or the Business Administrator/Board Secretary may schedule meetings or other activities in non-public areas (e.g., conference room, their private offices) for use by invited persons.

Building records and funds will be kept in a safe place and secured as appropriate and necessary.

Protective devices designed to be used as safeguards against illegal entry and vandalism may be installed when appropriate. The Board may approve the employment of school resource officers, security officers and/or law enforcement officers in situations in which special risks are involved.

#### **Legal References**

N.J.S.A. 18A:17-43.1; 18A:17-43.2; 18A:17-43.3

Adopted: August 18, 2009

Revised: February 20, 2018



### **R7440 – School Security**

#### **A. Definitions**

1. “Access” means authorized access to a school building or school grounds through the use of a Board-approved access control system.
2. “Access control system” means the use of a physical key, key fob, card reader, keypad code, or any other means to disengage a locking mechanism to provide entry to a school building, sections in the building, or school grounds.
3. “School buildings” and “school grounds” means and includes land, portions of land, structures, buildings, and vehicles, when used for the provision of academic or extracurricular programs sponsored by the district or community provider and structures that support these buildings, such as school wastewater treatment facilities, generating facilities, and other central service facilities including, but not limited to, kitchens and maintenance shops. “School buildings” and “school grounds” also includes athletic stadiums; swimming pools; any associated structures or related equipment tied to such facilities including, but not limited to, grandstands; night field lights, greenhouses; garages; facilities used for non-instructional or non-educational purposes; and any structure, building, or facility used solely for school administration. “School buildings” and “school grounds” also includes other facilities such as playgrounds; and other recreational places owned by local municipalities, private entities, or other individuals during those times when the school district has exclusive use of a portion of such land in accordance with N.J.A.C. 6A:16-1.3 and 6A:26-1.2.

#### **B. Access to School Premises**

1. Access to school buildings and grounds during the school day will be permitted to all students enrolled in the school, all school staff members, and visitors pursuant to Board Policy #9150 – School Visitors.
2. Access to school buildings and grounds before and after the school day will be permitted to:
  - a. Members of the Board of Education;
  - b. Administrative and supervisory staff members, teaching staff members, and support staff members assigned to a school building or grounds in the performance of their duties;
  - c. Other school staff members in the performance of their professional responsibilities;
  - d. Students involved in co-curricular and extra-curricular activities and authorized spectators;
  - e. Members of organizations granted the use of school premises pursuant to Board Policy and Regulation #7510 – Use of School Facilities;
  - f. Individuals invited to meetings by the Superintendent, Building Principals and designees, or Business Administrator/Board Secretary;
  - g. Individuals attending school-sponsored public events (e.g., concerts, plays) approved by the Board, Superintendent, Building Principals or designees;





- h. Police officers, fire fighters, health inspectors, and other agents of state and local government in the performance of their official duties; and
  - i. Members of the public present to attend a public Board of Education meeting.
3. All visitors to school buildings during the school day will be required to register their presence in the school office, pursuant to Board Policy #9150 – School Visitors. The school's registration and sign-in procedures may include the use of a school visitor management system requiring the visitor to present acceptable identification to access the school building.
  4. Signs will be conspicuously posted to inform visitors of the requirements of B3.

### **C. Building Security**

1. Entrances to school buildings will be kept locked when the school office is closed, except for those entrances required for the access of authorized persons, and for approved events.
2. The Building Principals may recommend to the Superintendent the installation of any special protective device to guard against illegal entry and/or vandalism.

### **D. Control System for Access to School Buildings and Facilities**

1. Staff members and school officials will be provided with keys and/or key fobs as follows:
  - a. Teaching staff members and support staff members will be provided with keys to the specific classroom(s) or storage facilities to which they require access for the performance of their professional duties. In addition, they will be provided with an electronic key fob that will allow them entrance to the school during the school day.
    - (1) The Building Principal will determine the school staff members who will be provided access to facilities within the school building and on school grounds.
    - (2) The Superintendent (or designee) will determine the district administrators, supervisors, and other staff members who will be provided access to facilities within the school building and on school grounds
  - b. The Building Principal and head custodian will be provided with keys and/or key fobs to the school building and master keys to all offices, classrooms, and storage facilities in the building.
  - c. Other administrators assigned to the school building will be provided with keys and/or key fobs to the school building and to the offices to which they require access for the performance of their professional duties.
  - d. The Superintendent and Business Administrator/Board Secretary and Supervisor of Building and Grounds will be provided with a set of all master keys and key fobs.
2. School staff members provided access to a school building or other facilities on school grounds will be responsible for ensuring their access control system authorization is not shared with another individual without prior approval of the Building Principal (or designee) for school staff members, or the Superintendent (or designee) for district staff members. Staff members are prohibited from permitting their key control system authorization to be used by another person



unless prior approval is obtained from the Building Principal (or designee) at the building level and Superintendent (or designee) at the district level or in the event of an emergency. The employee or school official to whom a key or keys is entrusted is prohibited from distributing a key or copy of a key to a person not authorized to possess a key by these regulations.

3. Possession and/or use of a key or key fob to school premises by a district employee not expressly authorized by these regulations to possess such a key is an infraction of rules subject to discipline.
4. The loss of a key or key fob to any school building, facility, office, classroom, or storage place must be immediately reported to the School Business Administrator/Board Secretary. The staff member who loses a key or key fob will be responsible for the cost of the replacement of the key or, if necessary, the lock.

### **E. Staff Member Responsibilities**

1. All valuable belongings should be kept secure. A secure storage place will be maintained in the school office under lock and key for the temporary storage of valuables belonging to staff members or students.
2. A valuable item brought to school by a student should be placed in the school office under lock and key and a written receipt given to the student. The student's parent(s) will be requested to retrieve the item from the school office. The parent(s) may be requested to provide adequate identification before the item is released. The parent(s) to whom a valuable item is released will sign a receipt, which will be maintained by the Building Principal.
3. In the event a staff member observes a student has a valuable item in school, the staff member will report it the Building Principal (or designee). A valuable item may include, but is not limited to, an unusually large amount of money, expensive jewelry, or electronic equipment, or any item that is determined by the Building Principal (or designee) to be valuable to a student based on the student's age.
  - a. The Building Principal (or designee) may contact the student's parent and request the parent come to school to retrieve the valuable item;
  - b. The Building Principal (or designee) may secure the valuable item and return it to the student at the end of the school day and inform the student and the parent not to bring the valuable item to school in the future; or
  - c. The Building Principal (or designee) will permit the student to maintain the valuable item and inform the student and the parent not to bring the valuable item to school in the future.
  - d. The Board of Education is not responsible for a student's personal possession in the event the item is lost, stolen, misplaced, damaged, or destroyed when in the possession of the student.



4. Teaching staff members will:
  - a. Close classroom windows and shut and lock classroom doors when leaving at the end of the school day,
  - b. Shut and lock classroom doors during the school day when the room is empty,
  - c. Report immediately to the Building Principal any evidence of tampering or theft.
5. Custodians will, at the end of the work day, conduct a security check of the building to make certain that all windows are closed and all office, classroom, and building doors are shut and locked, except as such doors may be required to be open for the purposes of authorized persons.
6. Office personnel will take all reasonable precautions to ensure the security of records and documents against unauthorized access, deterioration, and destruction.
  - a. Petty cash funds and records will be secured daily in accordance with Board Regulation #R6620 – Petty Cash.
  - b. Board minutes will be secured in accordance with Board Bylaw #0168 – Recording Board Meetings.
  - c. Financial records and books of account will be secured in accordance with Board Policy # 6810 – Financial Objectives.
  - d. Student records will be secured in accordance with Board Policy and Regulation #8330 – Student Records.
  - e. Personnel records will be secured in accordance with Board Policy and Regulation #8320 – Personnel Records.

### **F. School Safety Specialist**

1. The Superintendent will designate a school administrator as a School Safety Specialist for the district in accordance with the provisions of N.J.S.A. 18A:17-43.3.
2. The School Safety Specialist will:
  - a. Be responsible for the supervision and oversight for all school safety and security personnel, policies, and procedures in the school district;
  - b. Ensure that these policies and procedures are in compliance with State law and regulations; and
  - c. Provide the necessary training and resources to school district staff in matters relating to school safety and security.
3. The School Safety Specialist will also serve as the school district's liaison with law enforcement and national, State, and community agencies and organizations in matters of school safety and security.
4. The School Safety Specialist will be required to acquire a New Jersey Department of Education School Safety Specialist Certification in accordance with the provisions of N.J.S.A. 18A:17-43.2.



### G. Summoning Law Enforcement Agencies

1. Law enforcement agencies will be summoned promptly whenever evidence is discovered that indicates:
  - a. A crime has been committed on school premises or in the course of staff or student transportation to or from school;
  - b. A break and entry has occurred on school premises;
  - c. A deadly weapon is on school premises;
  - d. A breach of the peace has occurred on school premises;
  - e. For any reason required in the Memorandum of Understanding between the Board of Education and Law Enforcement and in accordance with Board Policy and Regulation #9320 – Cooperation with Law Enforcement Agencies; or
  - f. For any other reason there is concern about the health, safety, and welfare of persons on school grounds or school property.
2. A call to law enforcement agents will be reported to the Superintendent as soon as possible, along with the reason(s) for which the call was made and the outcome of the incident.

Adopted: August 18, 2009  
Revised: February 20, 2018



### **7441 – Electronic Surveillance in School Buildings and on School Grounds**

The Board of Education authorizes the use of electronic surveillance systems in school buildings and on school grounds to enhance the safety and security for school district staff, students, community members, and other building occupants and to protect the school district's buildings and grounds.

The content produced by the surveillance system under certain circumstances may be considered a student record and if so it will be subject to the Board of Education policy and regulations regarding confidential student records. If the content of the surveillance system becomes the subject of a disciplinary proceeding, it will be treated like other evidence in the proceeding.

In accordance with the provisions of N.J.S.A. 18A:41-9, if at least one school building of the school district is equipped with video surveillance equipment that is capable of streaming live video wirelessly to a remote location, the Board of Education will enter into a Memorandum of Understanding (MOU) with local law enforcement authorities providing the authorities with the capacity to activate the equipment and view live streaming video. The MOU will include the provisions of N.J.S.A. 18A:41-9 and any additional information required by law enforcement officials. In the event the parties to the MOU are unable to reach an agreement regarding any provision required to be included in the MOU as per N.J.S.A. 18A:41-9a, the County Prosecutor will make the final determination regarding that provision. Nothing in N.J.S.A. 18A:41-9 will be construed as to require the installation of video surveillance equipment capable of streaming live video wirelessly to a remote site from a school building that does not have the ability to have live streaming video.

The Board of Education will post signage in a prominent, public place in buildings and on school grounds where electronic surveillance equipment may be used

In addition to posting, the district will notify school staff members, parents, and students that electronic surveillance may be used in school buildings and on school grounds through publication in student and staff handbooks, school calendars, notice sent home with students, or any other effective means to publish the district's use of electronic surveillance equipment in school buildings and on school grounds.

#### **Legal References**

N.J.S.A. 18A:41-9

Adopted: August 18, 2009  
Revised: February 20, 2018



### **R7441 – Electronic Surveillance in School Buildings and on School Grounds**

In order to enhance a safe and secure environment, the Board authorizes electronic surveillance devices to be used on district property and on school grounds.

#### **A. Recording and Notice**

1. Surveillance devices may include, but are not limited to, sound/video cameras, audio recording devices, and other appropriate devices.
2. Recordings may be used to monitor and observe the conduct of school district staff, students, community members, and other person(s) in school buildings or on school grounds.
3. Signage will be posted in a prominent public place in school buildings and or on school grounds where electronic surveillance equipment devices may be used.

#### **B. Student Records and Notice**

School district personnel will comply with the provisions of applicable law regarding student record requirements including the Family Educational Rights and Privacy Act (FERPA) and the Individual with Disabilities Education Act (IDEA). Recordings considered for retention, as a part of a student's behavioral record, will be maintained in accordance with established student record procedures governing access, review, and release of student records.

#### **C. Staff Records and Notice**

1. Recordings considered for retention as part of the employee's personnel record will be maintained in accordance with established Board personnel policies, administrative regulations, applicable law, and any labor agreements governing access, review, and release of employee personnel records.
2. The district will provide notice to students, parent(s), and school staff members that surveillance devices may be used in school buildings and on school grounds.

#### **D. Storage/Security**

1. All recordings will be stored by the Superintendent (or designee), and secured to ensure confidentiality.
2. Recordings will be retained in accordance with the New Jersey Department of the Treasury – Records Management Services Records Retention Schedules and will be erased or discarded, unless there is a legitimate reason for retaining such recording for review, upon receiving prior authorization from Records Management Services.



### E. Use

1. The determination of the location of surveillance devices will be made by the Superintendent (or designee).
2. Tampering with or otherwise interfering with surveillance equipment is prohibited. Any individual found tampering with equipment will be subject to discipline.

### F. Viewing or Listening

1. Initial viewing or listening to recordings will be done by the Building Principal (or designee).
2. Requests for viewing or listening will be limited to persons with a direct interest in any proceedings, disciplinary or otherwise, resulting from the recordings, as deemed appropriate by the Building Principal.
3. Only the portion of the recording concerning a specific incident will be made available for viewing.
4. Viewing or listening to the recording will be permitted on school property or as otherwise required by law.
5. All viewing will be in the presence of the Building Principal (or designee).
6. A written log will be maintained by the Building Principal (or designee) of those viewing video recordings including date of viewing, reason for viewing, the date the recording was made, and the signature of the viewer.
7. Video recordings remain the property of the school district and may be reproduced only in accordance with law, including applicable district student records policy and procedures and district personnel records policy, procedures and applicable labor agreements.

### G. Law Enforcement Memorandum of Understanding (MOU) (N.J.S.A. 18A:41-9)

1. In accordance with the provisions of N.J.S.A. 18A:41-9, if at least one school building of the school district is equipped with video surveillance equipment that is capable of streaming live video wirelessly to a remote location, the Board of Education will enter into a MOU with local law enforcement authorities providing the authorities with the capacity to activate the equipment and view live streaming video. The MOU will include, but need not be limited to, the following:
  - a. The designation of individuals who will be authorized to view live streaming video;
  - b. The circumstances under which the designated individuals would view live streaming video; and
  - c. A detailed plan for preventing and detecting unauthorized access to live streaming video.
2. In the case of a school building that is located in a municipality in which there is no municipal police department, the Board will enter into a MOU with an entity designated by the Superintendent of the State Police.





3. In the event the district and law enforcement authority are unable to reach an agreement regarding any provision required to be included pursuant to G.1.a.-c. above, the County Prosecutor will make the final determination.
4. Nothing in N.J.S.A. 18A:41-9 will be construed as to require the installation of video surveillance equipment capable of streaming live video wirelessly to a remote site from a school building that is not equipped with such equipment.

### **H. Purchase, Maintenance, Replacement of Equipment/Supplies**

1. The Building Principal (or designee) will be responsible for the purchase, maintenance, and replacement of all electronic surveillance devices.

Adopted: August 18, 2009  
Revised: February 20, 2018



### **7450 – Property Inventory**

As steward of this district's school property, the Board of Education recognizes that efficient management and the replacement of lost, damaged, or stolen property depend upon an accurate inventory and properly maintained property records.

The Board shall conduct a complete inventory by physical count of all district-owned equipment and supplies through a perpetual inventory.

For purposes of this Policy, "equipment" means a unit of furniture or furnishings, an instrument, a machine, an apparatus, or a set of articles that retains its shape and appearance with use, is non-consumable, costs at least \$2,000.00 as a single unit, and does not lose its identity when incorporated into a more complex unit.

The School Business Administrator/Board Secretary shall ensure that inventories are systematically and accurately recorded and that property records of equipment are adjusted annually. Major items of equipment shall be subject to annual spot check inventory to determine loss, mislocation, or depreciation; any major loss shall be reported to the Board. Property records of consumable supplies shall be maintained on a continuous inventory basis.

The School Business Administrator/Board Secretary shall maintain a system of property records that show, as appropriate to the item recorded, description and identification, manufacturer, year of purchase, initial cost, location, condition and depreciation, and current evaluation in conformity with insurance requirements.

#### **Legal References**

N.J.S.A. 18A:4-14

N.J.A.C. 6:20-4.3

Adopted: August 18, 2009



### **7460 – Energy Conservation**

The conservation of energy is of paramount importance to the Board because it supports a national effort, and saves the district funds which could otherwise be more wisely spent in the education process of the district. The Superintendent is directed to develop appropriate conservation measures for staff and pupils and to take part in any process, project, audit, or study which would serve to adhere to these principles advocated by the Board.

Adopted: August 18, 2009



### **7480 – Motor Vehicles on School Property**

The school grounds owned and maintained by this Board of Education are subject to damage by motor vehicles. Accordingly, the Board has provided areas, adjacent to the school building, in which employees of the district and visitors to the school may drive and park motor vehicles.

The Board prohibits the use or presence of any motor vehicle, including motorcycles, for any purpose on any part of the school property owned by the Board other than the driving and parking areas established by the Board except as expressly permitted by the Building Principal. The use of all-terrain vehicles, snow mobiles, mini bikes, and dirt bikes on school grounds is prohibited everywhere and at all times.

The Board directs the Superintendent to have conspicuous notices posted forbidding the parking of motor vehicles in undesignated areas of the school grounds.

The Board reserves the right to prosecute in a court of competent jurisdiction any person whose violation of this rule results in damage to the property of this district.

#### **Legal References**

N.J.S.A. 2C:17-3

N.J.S.A. 18A:37-3

Adopted: August 18, 2009



### **7481 -- Unmanned Aircraft Systems (UAS, aka Drones)**

The Board of Education is concerned for the safety of all staff members, students, parents, community members, and visitors while on school grounds. The Board of Education recognizes the operation of an unmanned aircraft system (UAS) on school grounds or flying an unmanned aircraft on or over school grounds presents a public safety issue as school grounds are populated many hours of the day by students, staff members, parents, and community members.

An unmanned aircraft system is the unmanned aircraft and all the associated support equipment, control station, data links, telemetry, communications and navigation equipment, etc. necessary to operate the unmanned aircraft. The unmanned aircraft is the flying portion of the system by a pilot via a ground control system, or autonomously through the use of an on-board computer, communication links and any additional equipment that is necessary for the unmanned aircraft to operate safely. A model aircraft is considered an unmanned aircraft.

The Board of Education prohibits the operation of an unmanned aircraft system on school grounds, the launching or landing of an unmanned aircraft on school grounds, or the flying of an unmanned aircraft over school grounds at all times.

The Board of Education will take appropriate action in accordance with Federal Aviation Administration regulations and/or any State and local laws against any violations of the provisions of this Policy.

Adopted: August 9, 2016



### **7490 – Animals on School Property**

The Board of Education will make every reasonable effort to maintain school grounds in a condition appropriate for the activities of school pupils.

Pet animals are permitted on school district grounds, while under the direct supervision of their owner only when school is not in session (including summer session).

The Building Principal shall report to the appropriate municipal authorities any pet that runs at large on school property and any pet owner whose animal is present and unsupervised on school property is in violation of this Policy.

Dogs must be kept on a leash. Owners are required to clean up after their pets.

Adopted: August 18, 2009



### **7510 – Use of School Facilities**

The Board of Education believes the school facilities of this district should be made available for community purposes, provided that such use does not interfere with the educational, co-curricular, and extra-curricular programs in the school district. For the purposes of this Policy, “school facilities” also includes the school grounds.

The Board will permit the use of school facilities when such permission has been requested in writing and has been approved by the Board. The Board reserves the right to withdraw permission after it has been granted in the event circumstances change requiring such school facilities, including school grounds, to be needed for a school district purpose, because of a school closing due to weather or other emergency, or the failure of the requesting group to adhere to the established rules/procedures and/or this Policy and its associated Regulation. Notwithstanding the need for Board approval, the Superintendent, or Building Principal in the absence of the Superintendent, may authorize the use of school facilities in an emergent situation. A resolution for such “pre-approved” use of school facilities will be presented to the Board for approval at its next scheduled meeting.

The use of school facilities will not be granted for the advantage of any commercial or profit-making organization, partisan political activity, private social function, or any purpose that is prohibited by law. Very limited exceptions (and not those prohibited by law) may be approved by the Board.

Each user must present evidence of the purchase of organizational liability insurance to the limits detailed in [Board Regulation #7510 – Use of School Facilities](#). All users must agree to assume all responsibility for: any legal liability for injury or uninsured injury; damage to the school building, equipment, or property; and/or loss or damage to property of the user and/or others. The user must agree to save and hold the Lopatcong School Board, its members, its employees, and its volunteers harmless in the event of any injury or damage.

Users must comply with the Policies and Regulations of the School Board, rules/procedures established for the use of facilities by the Superintendent, and all state and local fire, health, safety, and law enforcement statutes and regulations. Smoking, alcoholic beverages, and illegal substances are not allowed on school district property. Users will be financially liable for damage to the facilities and for proper chaperonage and/or security protection. All activities must terminate by 10:30pm on weekdays to avoid custodial overtime, unless otherwise approved.

Use of school equipment in conjunction with the use of school facilities must be specifically requested in writing and may be granted in accordance with [Board Policy #7520 – Loan of School Equipment](#). The users of school equipment must accept liability for any damage or loss to such equipment that occurs while it is in their use, regardless of any assignment of negligence. Where school district rules/procedures so specify, certain items of equipment may only be used by a qualified technician/operator approved by the school district administration.





### A. Classification of Use/Users, Priorities, and Charges

#### 1. School District and Board-Sponsored Student Organizations

Co-curricular and extra-curricular programs and activities for students, and other programs, events and activities (e.g., meetings, seminars, workshops, parent/adult education) provided by the school district or by Board-sponsored student organizations (e.g., Student Council).

Highest use priority; and,

No charges for facilities use.

#### 2. Lopatcong Township Recreational and Non-Profit Organizations Serving Lopatcong Students

Programs and activities provided by Lopatcong Township municipal or non-profit third-party organizations for the predominate benefit of the students in this school district or programs and activities (e.g., meetings, seminars, workshops) provided for Lopatcong Township school district students (e.g., PTA, Boy/Girl Scouts, Lopatcong youth athletic programs) that are solely for informational, educational, recreational, or entertainment purposes, and do not promote or endorse products and/or services.

a. Second highest use priority;

b. No charges for facilities use with the exception of the Kitchen, if used; and

c. Charges for custodial overtime will apply at the applicable weighted hourly rate for the type of overtime (e.g., 1.5x, 2.0x).

#### 3. Lopatcong Township Municipal Organizations

Programs, activities, meetings, seminars, workshops, and events provided/sponsored by Lopatcong Township municipal groups (e.g., municipality, fire company, emergency squad) for the predominate benefit of Lopatcong Township residents and without charge that are solely for informational, educational, recreational, or entertainment purposes, and do not promote or endorse products and/or services.

a. Third highest use priority;

b. No charges for facilities use with the exception of the Kitchen, if used; and

c. Charges for custodial overtime will apply at the applicable weighted hourly rate for the type of overtime (e.g., 1.5x, 2.0x).

#### 4. Lopatcong Township Non-Profit Community Organizations

Programs, activities, meetings, seminars, workshops, and events provided by Lopatcong Township non-profit community organizations for: (1) the predominate benefit of Lopatcong Township residents, without charge, and that are not considered fundraising events and that are solely for informational, educational, recreational, or entertainment purposes, and do not sell, promote or endorse products and/or services; or (2) fundraising activities or events where all the proceeds go to the substantial benefit of the residents of Lopatcong, less expenses for food,



prizes, equipment rental (including operators, if required), and payments to outside vendors; but not for salaries, stipends, or fees to individuals associated with the organization.

- a. Fourth highest use priority;
- b. No charges for facilities use with the exception of the Kitchen, if used;
- c. Charges for custodial overtime will apply at the applicable weighted hourly rate for the type of overtime (e.g., 1.5x, 2.0x).

### 5. Non-Profit Organizations - Non-Fundraising

Programs, activities, meetings, seminars, workshops, and events provided by other non-profit third-party organizations where no admission is charged or are not considered fundraising or promotional activities or events.

- a. Fifth highest use priority;
- b. Tier A charges apply for facilities use in addition to Kitchen charges, if used;
- c. Charges for custodial overtime will apply at the weighted hourly rate for the type of overtime (e.g., 1.5x, 2.0x).

### 6. Non-Profit Organizations - Fundraising

Programs, activities, meetings, seminars, workshops, and events provided by other non-profit third-party organizations where admission is charged or are considered to be fundraising or promotional activities or events.

- a. Sixth highest use priority;
- b. Tier B charges apply for facilities use in addition to Kitchen charges, if used;
- c. Charges for custodial overtime will apply at the weighted hourly rate for the type of overtime (e.g., 1.5x, 2.0x).

### 7. For-Profit Organizations

Programs, activities, meetings, seminars, workshops, and events provided by all for-profit third-party organizations:

- a. Lowest use priority;
- b. Tier C charges apply for facilities use in addition to Kitchen charges, if used;
- c. Charges for custodial overtime will apply at the weighted hourly rate for the type of overtime (e.g., 1.5x, 2.0x).

## **B. Additional Charges**

The Board will approve annually a schedule of fees for the use of school facilities. There is a separate hourly charge for all users, except for Classification #1 users, requiring a technician to manage the sound, lighting, and/or projection systems.

For all users, except for Classification #1 users, if substantial facility clean-up and/or repairs are required, the user will be charged for custodial time and other costs.



Kitchen use fees are charged separately by the school district's food services vendor. Any fees charged by law enforcement or other third-party agencies are also separate charges paid to those agencies for all users, except Classification #1 users.

Facility Use Charges are based on the type of facilities used (e.g., classroom, gym, multi-purpose room, outside fields) and at which school. They are tiered by user classification. All Tier A through C facilities use charges are due in advance.

The Superintendent (or designee) will develop rules/procedures for the use of school facilities; such rules/procedures will be distributed to every user of the facilities and every applicant for the use of school facilities. Permission to use school facilities will be granted only to persons and organizations that agree in writing to be bound by these rules.

The Business Administrator (or designee) will review all requests for facilities usage before recommending them to the Board for approval.

Agreements with Law Enforcement agencies, including the use of school buildings for training purposes, with Warren County for the use of school facilities during disasters, and with other governmental agencies supersede this policy and regulation and the use of school facilities is governed by the signed agreements between those agencies and the Board.

The Board, at its sole discretion, may waive the facilities use and/or technician charges for a specific group or event.

### Legal References

N.J.S.A. 18A:20-20; 18A:20-34

Adopted: August 18, 2009  
Revised: October 10, 2017



## **R7510 – Use of School Facilities**

### **A. Classification/Priority of Users**

Priority in the scheduling the use of school facilities will be given in the following order:

1. School District and Board-Sponsored Student Organizations

Co-curricular and extra-curricular programs and activities for students, and other programs and activities (e.g., meetings, seminars, workshops, parent/adult education) provided by the school district or by Board-sponsored student organizations (e.g., Student Council).

2. Lopatcong Township Recreational and Non-Profit Organizations Serving Lopatcong Students

Programs and activities provided by Lopatcong Township municipal or non-profit third-party organizations for the predominate benefit of the students in this school district or programs and activities (e.g., meetings, seminars, workshops) provided for Lopatcong Township school district students (e.g., PTA, Boy/Girl Scouts, Lopatcong youth athletic programs) that are solely for informational, educational, recreational or entertainment purposes, and do not promote or endorse products and/or services.

3. Lopatcong Township Municipal Organizations

Programs, activities, meetings, seminars, workshops, and events provided by Lopatcong Township municipal groups (e.g., municipality, fire company, emergency squad) for the predominate benefit of Lopatcong Township residents and without charge that are solely for informational, educational, recreational or entertainment purposes, and do not sell, promote or endorse products and/or services.

4. Lopatcong Township Non-Profit Community Organizations

Programs, activities, meetings, seminars, workshops, and events provided by Lopatcong Township non-profit community organizations for: (1) the predominate benefit of Lopatcong Township residents, without charge, and that are not considered fundraising events and that are solely for informational, educational, recreational or entertainment purposes, and do not sell, promote or endorse products and/or services; or (2) fundraising activities or events where all the proceeds go to benefit the residents of Lopatcong, less expenses for food, prizes, equipment rental (including operators, if required), and payments to outside vendors; but not for salaries, stipends, or fees to individuals associated with the organization.

5. Non-Profit Organizations - Non-Fundraising

Programs, activities, meetings, seminars, workshops, and events provided by other non-profit third-party organizations where no admission is charged, are not considered fundraising or promotional activities or events, and are not for the purpose of selling, promoting, or endorsing any products or services.



### 6. Non-Profit Organizations - Fundraising

Programs, activities, meetings, seminars, workshops, and events provided by other non-profit third-party organizations where admission is charged or are considered to be fundraising or promotional activities or events.

### 7. For-Profit Organizations

Programs, activities, meetings, seminars, workshops, and events provided by all for-profit third-party organizations:

## B. Application Procedures

1. Applications must be made in writing and on the form supplied by the school district. The form and a fee schedule are available in the main office at both schools.
2. An application for use of school facilities for single days must be submitted to the Business Administrator (or designee) not less than ten (10) working days before a scheduled School Board meeting and not less than thirty (30) calendar days before the date of the requested use. Organizations requesting use of school facilities for multiple days on a daily, weekly, or other scheduled basis must submit their application to the Business Administrator (or designee) by September 1<sup>st</sup> each year. An application for multiple days of use must explicitly state each date and specific times, and information about any differences in activities for each of the specified dates and times scheduled (e.g., practices versus games, general versus board of directors meetings, rehearsals versus performances).
3. The application must identify all the facilities (areas of the building) that the applicant wishes to use and all the specific dates and times of the requested use. For example, five (5) classrooms, the Multipurpose Room, and the Stage from 9:00am to 4:00pm on Saturday, March 4<sup>th</sup>. Approval of any application is limited to the facilities, dates, and times expressly requested on the application. Approval does not include the privilege of additional practice, training, or rehearsal time or the use of rooms or facilities not expressly requested.
4. Applicants must furnish evidence of insurance (see Insurance and Indemnification section) when the request is submitted, unless such has already been provided previously. The requested facilities will not be reserved and the application will not be processed until such evidence of insurance is provided.
5. A team/scout/performer/participant roster of students/individuals engaged in the activities, including grade level and town of residence, is required for all ongoing athletic/training/scouting/performance or other activities (i.e., regularly scheduled practices, training, scouting, rehearsals; but, not games, competitions, or performances with teams or groups from other towns).
6. The user must make proper arrangements with the Business Administrator (or designee) and school district's food service vendor, if the Kitchen is needed. The user will be charged an additional fee that must be paid to the food services vendor for Kitchen use.



7. The application must include all the equipment and supplies that the applicant wishes to include in the use, pursuant to [Board Policy #7520 - Loan of School Equipment](#). And, whether a technician is required to operate the equipment
8. Information about any third-party vendors (e.g., equipment, entertainment) or agencies (e.g., law enforcement, security) that will be used during the event or activity must be noted on the application.
9. The application must be signed by an adult representative of the requesting organization, who is duly authorized to be an agent of the organization and will be considered by the Board as such.
10. No new applications for the use of facilities will be processed or approved until all outstanding facilities use or custodial overtime charges are paid.

### C. Approval

1. The Business Administrator (or designee) will review each application and check the school calendar to determine whether the facility requested is available at the date and time requested, that is, the facility has not been scheduled:
  - a. For use in the instructional or co-curricular program,
  - b. For maintenance, repair, or capital improvement, or
  - c. For use by another organization.
2. If the facility is not available for use, the Business Administrator (or designee) will so inform the representative of the organization and may suggest alternative dates, times, or facilities. If scheduling conflicts arise by different individuals from the same organization requesting use of the facilities (e.g., basketball, cheerleading), those individuals or the leadership of the organization must resolve the conflict. The school district will not engage in any mediation over scheduling conflicts.
3. If the facility is available for use and the applicant meets the standards set by [Board Policy #7510 – Use of School Facilities](#) and this Regulation, the Business Administrator (or designee) will note his/her approval on the application form and will record the classification of the applicant organization and will include the application in the list of applications to be approved by the Board at its next regularly scheduled meeting.
4. Standards for approval include the following limitations on use:
  - a. School facilities are available for use without incurring custodial overtime charges only on weekdays when the buildings are open. However, if the custodians are requested or required by the action or inaction of the users to setup/take down tables or chairs, clean up, or make repairs, then custodial overtime charges will be assessed. School facilities may be available for use on Saturdays, Sundays, public holidays, or days the buildings are closed depending on available custodial coverage; custodial overtime charges will apply. The Superintendent may designate specific dates when one or both buildings are



- not available for use (e.g., some weekdays during the summer or school vacations when the building is closed).
- b. School facilities are available for use only during the hours of 3:00pm until 10:30pm on weekdays, 8:00am until 10:30pm on Saturdays and public holidays, and noon to 10:30pm on Sundays. Users requiring the use of facilities before noon on Sundays may request special permission to do so accompanied by a clear rationale. Permission may be granted for use outside those hours, if appropriate and adequate custodial coverage is available. School facilities are not available for use during the school day or for any use that may interfere with the school district's educational or co-curricular programs.
  - c. The use of school facilities will generally not be granted for observances or celebrations that are essentially private in nature or for meetings of small groups that can conveniently convene in private homes.
  - d. In accordance with [Board Policy #7510 – Use of Facilities](#), the use of school facilities will not be granted for the advantage of any commercial or profit-making organization or partisan political activity, or any purpose that is prohibited by law.
5. The Business Administrator (or designee) will determine the classification (1 to 7) of the applicant organization and the fees and costs, if any, to be charged for the use of the facility. That information will be entered on the application form returned to the applicant.
  6. In the event of a conflict between requesting organizations within the same classification, the request received earlier by the district will be honored first.
  7. A copy of each approved or disapproved application will be returned to the representative who signed the application form.
  8. The application form will include the rules governing the use of school facilities, and the representative's signature on the application will signify notice of those rules and the organization's agreement to be bound by those rules.
  9. The Board reserves the right to deny an application and to withdraw permission to use school facilities after approval has been granted and after the use has commenced. Permission may specifically be withdrawn from any organization whose representative has willfully made misrepresentation on the application or whose members violate the rules established for the use of school facilities. In addition, permission for the use of school facilities may be withdrawn if an organization is seriously delinquent in paying previously billed charges. Such withdrawal of permission may constitute grounds for denying a future application made by the organization.
  10. Permission to use school facilities is not transferable to another organization.
  11. The organization representative must inform the Business Administrator (or designee) of any cancelled use request as soon as he/she is aware of the cancellation. An organization's failure to inform the Business Administrator of a canceled use at least five (5) working days in advance of the scheduled time of the use may result in a denial of subsequent applications for use. In addition, if a custodian opens a building for a scheduled use and the requesting organization has





not provided notification of at least forty-eight (48) hours in advance of a cancellation, then custodial overtime charges will apply.

12. Permission to use a school facility is automatically withdrawn on a day when the facility is closed for inclement weather, work stoppage, or other emergency.

### **D. Insurance and Indemnification**

1. The representative of an organization granted permission to use a school facility must assume responsibility for the orderly and careful use of the facility and must agree to assume liability for any damage or loss of property caused by the use or in the course of the use.
2. The organization and its representative will hold the Board of Education, its members, employees, and volunteers harmless from claims arising out of the permitted use of the school facility or during the user's occupancy. In addition, the user will agree to save the Board, its members, employees, and volunteers harmless from liability for injury or damage to any person or property of any person who may be attending or participating in the function or activity for which permission has been granted.
3. The Board will not be responsible for any articles which may be stolen from, lost, or mislaid by any users of school facilities and the applicant agrees to indemnify and save the Board and its members, employees, and volunteers harmless from any loss.
4. The user must furnish evidence of the purchase of liability insurance in the amount of at least (see 5. below for additional coverage required from organizations that involve youth sports or athletic/physical training):

Medical Expenses:	\$10,000 per person,
Personal Injury:	\$1,000,000,
Per Occurrence	\$1,000,000,
Property Damage	\$1,000,000, and
General Aggregate	\$3,000,000.

However, the failure of the school district to request such evidence of insurance or indemnification will not relieve the applicant from any liability directly or indirectly arising out of the use of facilities.

5. Any youth sports team or athletic/physical training organization that is granted permission to use school facilities must provide the school district proof of an insurance policy against liability for any bodily injury in the amount of not less than \$50,000 per person per occurrence, insuring the youth sports team or athletic/physical training organization against liability for any bodily injury suffered by a person. For the purpose of this Policy, a “youth sports team or athletic/physical training organization” means one or more sports teams organized pursuant to a nonprofit or similar charter or which are member teams in a league organized by or affiliated with a county or municipal recreation/sports organization/association or an organization that



provides training to individuals to enhance their strength, flexibility, agility, and/or conditioning to engage in athletic or other physical activities.

### E. Rules for the Use of School Facilities

1. Users of school facilities will be bound by the law.
  - a. Users must comply strictly with all applicable statutes; municipal ordinances; and rules of the Board of Health, Fire Department, and Police Department regarding public assemblies.
  - b. The use must not exceed the established capacity of the facility used.
  - c. The use must not involve gambling or games of chance.
  - d. The use, possession, and/or distribution of alcohol and/or controlled dangerous substances is absolutely prohibited, in accordance with law and [Board Policy and Regulations #5530 – Substance Abuse](#) and [Board Policy #7435 – Alcoholic Beverages on School Premises](#). Any person caught doing so will be asked to leave immediately and be subject to prosecution.
  - e. Smoking is prohibited anywhere on school district property in accordance with law and [Board Policy #7434 – Smoking on School Grounds](#).
  - f. School facilities cannot be used for any purpose prohibited by law or likely to result in rioting, disturbance of the peace, damage to property, or for the purpose of defaming others.
2. Users of school facilities will respect Board property.
  - a. The user will not damage, destroy, or deface school property. The facility will be used with care and left in an orderly and neat condition.
  - b. The moving of furniture and/or equipment is prohibited. The user must request, in the application for use, what equipment and/or furniture is needed (or not) and how it should be arranged.
  - c. The user must request in the application and obtain the Business Administrator's (or designee's) permission to bring into and use equipment, decorations, or materials in the school facility. No decorations or materials may be nailed or tacked to floors, walls, windows, woodwork, curtains or fixtures or affixed to the same, or equipment used, in any manner that defaces or damages school property or grounds. The user assumes all liability for the damage to school property.
  - d. Any equipment, scenery, decorations, or other material brought into the school facility and any debris caused by the use or remaining after the use must be promptly removed by the user. Any such materials left on school premises more than six (6) hours beyond the time period approved in the application may be removed by the custodial staff at the direction of the administration at the user's expense. The Board assumes no liability for damage to or loss of materials or equipment brought to school facilities.



- e. Users of the gymnasium must ensure that all participants wear rubber-soled footwear to prevent damage to floors and must comply with the school district's dress code regarding footwear.
  - f. Lighting equipment, ventilation systems, and thermostatic controls may be operated only by an employee of the district.
  - g. The user must request in the application and obtain the Superintendent's permission to serve and consume food and/or beverages on school premises. The service and consumption of food and/or beverages is strictly limited to the area for which permission is granted. If food and/or beverages are served, the user must clean all tables, utensils, equipment, serving dishes, and the like and restore the facility to its proper condition. The user may not consume food or beverages or use supplies purchased with public funds. The application for use must specifically request the Kitchen, if it is to be used.
  - h. No signs, posters, advertisements, or other displays may be placed in a school building without the prior approval of the Superintendent.
  - i. No school facility may be used for any other purpose or in any other way than it was designed to be used (e.g., no baseball batting practice anywhere in the building).
  - j. No school keys or security codes will be issued to a user.
  - k. No animal will be allowed on school premises without the prior approval of the Superintendent or building administrator, with the exception of a "seeing-eye" or service dog that is accompanying an individual using the services provided by the dog.
  - l. An authorized school district staff member will examine the school facilities and/or grounds immediately after the use and will inform the user of any loss or damage that must be corrected.
  - m. Permission to use school facilities extends only to the facility requested. Users are not entitled to enter health offices, administrative offices, classrooms, storage closets, or any other room to which permission to use has not been expressly granted. Users are not permitted to use district telephones, computers, and/or office equipment.
  - n. No vehicles of any type will be operated in any area that is not designed for such vehicles without prior permission.
3. Users Must be Properly Supervised
- a. A school custodian must be on duty during the entire time a use occurs. The custodian is present for the purpose of insuring the security and proper functioning of the facility and of enforcing these regulations. The custodian is paid by the Board and may not accept gratuities from users. Users may not ask custodians to help them carry materials into and out of the building, hang signs or decorations, or perform other functions. If the custodian is directed by the Business Administrator to perform extra services as an accommodation to the user, the user will be charged an additional fee and the custodian will be compensated accordingly by the district.



- b. The use of the Kitchen requires the services of the school district's food services vendor. At least one employee of the food services vendor must be in the Kitchen at all times to ensure that the equipment is used properly and that utensils are put back in their proper place. If additional help is required in the Kitchen the user may request more employees of the food services vendor or provide volunteers to be supervised by the employee of the food services vendor.
- c. The user must assume full responsibility for the conduct of all participants in the requested use while they are in or about school buildings and grounds and must enforce these Regulations. The user must provide an adequate number of persons to supervise participants in the activity. The district, depending on the activity, may require as a condition of approval, a certain number of chaperones, law enforcement officers, and/or a school district representative(s) to be present at the activity.
- d. The user must, in consultation with the Building Principal (or designee), anticipate the need for the assistance of law enforcement officers, fire fighters, and/or parking attendants. All such services must be arranged by the user and will be at the expense of the user. When a user refuses or fails to secure law enforcement, fire, and/or parking assistance after having been advised to do so by the Building Principal (or designee), the Building Principal (or designee) may recommend that permission to use the facility be withdrawn.
- e. The Board reserves the right to take any action necessary to preserve order and/or to protect its employees, facilities, and property at the expense of the user.
- f. Board members and school administrators are entitled to full and free access to any part of the school premises during any use. No user may exclude a Board member or school administrators from a school facility for any reason.

### **F. Custodial Overtime Charges**

1. Custodial overtime charges are based on the average hourly salary of the full-time custodians employed by the school district, including the Supervisor of Buildings and Grounds, plus the applicable Social Security (FICA) and Medicare taxes and any other Federal or State taxes or fees the school district must pay to government agencies based on the hours worked by the custodians. It includes straight, 1.5x, and 2.0x times pay based on the then current contract covering overtime pay for the custodians.
2. Custodial overtime charges apply when one or more custodians are needed:
  - a. in the building outside of their normally scheduled hours;
  - b. to setup/take down or rearrange tables, chairs, etc.; or
  - c. to clean up or make repairs after the event or activity.
  - d. This includes, but is not limited to:
    - (1) weekdays after 10:30pm on days during the normal (180-day) school year when school is in session;



- (2) weekdays when school is not in session outside the normally scheduled working hours for custodians;
  - (3) weekends; and
  - (4) Holidays.
3. Users will be charged for the period of time they use the school buildings, including the user's set-up for the event and tear-down/clean-up after the event. Plus, they will be charged for an additional two hours to cover the opening of the building for use, making adjustments to the HVAC system to provide heating or cooling, cleaning the bathrooms and rooms used, resetting the HVAC system to its normal schedule, and closing and securing the building. Applicants will be charged at least two hours of custodial overtime charges for scheduled dates and times they do not use the facilities and do not provide the Business Administrator (or designee) at least forty-eight (48) hours of notice of their intent not to use the facilities.
  4. If more than one group is using the building the custodial overtime charges will be divided proportionately among the groups.
  5. Custodial overtime charges do not apply to the use of the Elementary or Middle School fields, if the school buildings are not used in any way (e.g., bathroom facilities).

### **G. Technician Charges**

1. Technician charges are the hourly rate based on the then contracted salary of the technician, plus the applicable Social Security (FICA) and Medicare taxes and any other Federal or State taxes or fees the school district must pay to government agencies based on the hours worked by the technician.
2. Technician charges apply when the user requests a technician to handle their sound, projection, and lighting equipment needs. It includes straight time when services are provided during the normal work day for 12-month employees. After 8:00pm on normal work days the charges are at 1.5x the hourly rate. On weekends, holidays, and on weekdays during school vacations, including the summer, when 12-month employees are not scheduled to work the charge is 2.0x the hourly rate.
3. The technician charge includes the time required to set up and take down the equipment.

### **H. Application of Fee Schedule**

1. School District and Board-Sponsored Student Organizations will not be charged a fee or costs for the use of the school facilities.
2. Lopatcong Township Recreational and Non-Profit Organizations Serving Lopatcong Students will not be charged a fee or costs for the use of the school facilities, but will be charged for:
  - a. Kitchen Use Charge, if the kitchen is needed;
  - b. Technician Charge, if a technician is needed to control audio, projection, and lighting systems;



- c. Custodial overtime charges; and
  - d. Setup/Teardown Charges and/or Extra-Cleanup/Repair Charges, if applicable.
3. Lopatcong Township Municipal Organizations will not be charged a facility fee, but will be charged for:
  - a. Kitchen Use Charge, if the kitchen is needed;
  - b. Technician Charge, if a technician is needed to control audio, projection, and lighting systems;
  - c. Custodial overtime charges; and
  - d. Setup/Teardown Charges and/or Extra-Cleanup/Repair Charges, if applicable.
4. Lopatcong Township Non-Profit Community Organizations will not be charged a fee or costs for the use of the school facilities, but will be charged for:
  - a. Kitchen Use Charge, if the kitchen needed;
  - b. Technician Charge, if a technician is needed to control audio, projection, and lighting systems;
  - c. Custodial overtime charges; and
  - d. Setup/Teardown Charges and/or Extra-Cleanup/Repair Charges, if applicable.
5. Non-Profit Organizations – Non-Fundraising will be charged the following fees or costs for the use of the school facilities:
  - a. Tier A Facility Use Charge;
  - b. Kitchen Use Charge, if the kitchen is needed;
  - c. Technician Charge, if a technician is needed to control audio, projection, and lighting systems;
  - d. Custodial overtime charges; and
  - e. Setup/Teardown Charges and/or Extra-Cleanup/Repair Charges, if applicable.
6. Non-Profit Organizations – Fundraising will be charged the following fees or costs for the use of the school facilities:
  - a. Tier B Facility Use Charge;
  - b. Kitchen Use Charge, if the kitchen is needed;
  - c. Technician Charge, if a technician is needed to control audio, projection, and lighting systems;
  - d. Custodial overtime charges; and
  - e. Setup/Teardown Charges and/or Extra-Cleanup/Repair Charges, if applicable.
7. For-Profit Organizations will be charged the following fees or costs for the use of the school facilities:
  - a. Tier C Facility Use Charge;



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- b. Kitchen Use Charge, if the kitchen is needed;
- c. Technician Charge, if a technician is needed to control audio, projection, and lighting systems;
- d. Custodial overtime charges; and
- e. Setup/Teardown Charges and/or Extra-Cleanup/Repair Charges, if applicable.

### I. Fee Schedule

1. Facility Use Charges – per each facility used up to four hours:

	Tier A	Tier B	Tier C
Elementary School Classroom	\$20	\$30	\$40
Elementary School Gym	\$100	\$150	\$200
Elementary School All-Purpose Room	\$100	\$150	\$200
Elementary School Media Center	\$30	\$40	\$50
Elementary School Fields	\$50	\$100	\$150
Middle School Classroom	\$25	\$35	\$45
Middle School Gym	\$150	\$200	\$250
Middle School Multi-Purpose Room	\$150	\$200	\$250
Middle School Media Center	\$40	\$50	\$60
Middle School Field	\$30	\$40	\$50

2. Facility Use Charges – each additional hour (or partial hour) per each facility used:

	Tier A	Tier B	Tier C
Elementary School Classroom	\$4	\$6	\$8
Elementary School Gym	\$20	\$30	\$40
Elementary School All-Purpose Room	\$20	\$30	\$40
Elementary School Media Center	\$6	\$8	\$10
Elementary School Fields	\$10	\$20	\$30
Middle School Classroom	\$5	\$7	\$9
Middle School Gym	\$30	\$40	\$50
Middle School Multi-Purpose Room	\$30	\$40	\$50
Middle School Media Center	\$8	\$10	\$12
Middle School Field	\$6	\$8	\$10





3. Custodial Overtime Charges – per hour, per custodian (see the fee scheduled attached to the application).
4. Technician Charges – per hour, per technician (see the fee scheduled attached to the application).
5. Kitchen Use Charges – as arranged with the school district’s food vendor.
6. Setup/Teardown Charges – billed at custodial overtime rate.
7. Extra-Cleanup/Repair Charges – billed at custodial overtime rate, plus costs.

### **J. Billing and Payment**

1. The Business Administrator will prepare an itemized bill for the use of school facilities will be prepared based on the approved application form. The bill will be sent to the representative of the applicant organization at least five (5) working days in advance of the use and payment may be requested in advance of the use.
2. Payment must be received by the Business Administrator at least twenty-four (24) hours before the scheduled use, if advance payment is requested.

### **K. Other Agreements**

Agreements with Law Enforcement agencies, including the use of school buildings for training purposes, with Warren County for the use of school facilities during disasters, and with other governmental agencies supersede this policy and regulation and the use of school facilities is governed by the signed agreements between those agencies and the Board.

Adopted: November 13, 2012

Revised: October 10, 2017





### **7513 – Recreational Use of Playgrounds**

The Board of Education requires that the playground of the school affords residents with a recreational area when school is not in session. The Board reserves the right to determine, in the interest of the safety of district residents and the integrity of the school facility, the uses to which the playground may be put and the hours when it may be used. During the day when school is in session, including summer sessions, the playgrounds cannot be used by community residents.

The Board will publish rules of conduct, which shall govern all persons who use the facilities of this district. Pupils and employees of this district who violate those rules will be subject to discipline. The Board directs that any other person who violates a rule of this Board be requested to leave the school premises.

Because of its potential for hazard, no object that is powered by fuel or battery shall be brought onto the school grounds for any purpose that is primarily recreational without the express permission of the Building Principal. Such objects include, but are not limited to, mini-bikes, mopeds, motorized model airplanes, and rockets.

#### **Legal References**

N.J.S.A. 18A:20-17 et seq.

Adopted: August 18, 2009



### **7520 – Loan of School Equipment**

The Board of Education believes that district owned equipment is a valuable resource that may be loaned for community use under certain conditions and when such use does not interfere with the educational program of the school.

The Board may lend specific items of equipment on the written request of the user when approval has been granted by the Superintendent and when such equipment is unobtainable elsewhere.

School equipment may be removed from school property by pupils or staff members only when such equipment is necessary to accomplish a task arising from their school or job responsibilities. The consent of the Superintendent and/or Building Principal and/or designee is required for such removal. The removal of school equipment from school property by pupils or employees for personal use is prohibited.

The user of school owned equipment shall be fully liable for any damage or loss occurring to the equipment during the period of its use, regardless of any assignment of negligence, and shall be responsible for its safe return. When equipment authorized for loan requires the services of a qualified operator, the user shall employ the services of a person designated by this district and shall pay such costs as may have been set for such services.

Adopted: August 18, 2009



### **7522 – School District Provided Technology Devices to Staff Members**

The Board of Education may provide technology devices to staff members for the express purpose of enhancing productivity and improving operational efficiency. The purpose of this Policy is to establish general guidelines for the issuance and utilization of any school district technology device provided to staff members. For the purposes of this Policy, "technology device" or "device" will include, but not be limited to, portable devices such as computers, laptops, tablets, cellular telephones, or any other computing or electronic devices the school district provides to staff members to be used in their school business related responsibilities.

A technology device provided by the school district to a staff member may include pre-loaded software. A staff member will not download and/or install unauthorized software programs or applications onto the technology device or tamper with software included on the technology device. However, staff members may download updates to the software already installed on their computer, if the software does not require administrative privileges to install. The Director of Technology (or designee) will administer and implement the issuance of school district technology devices to staff members.

In the event the Board of Education provides a technology device to a staff member, the staff member will be required to sign an agreement with the Board of Education requiring the staff member to comply with certain provisions. These provisions may include, but are not limited to:

1. A technology device provided to a staff member will be used for the sole and express purpose of conducting official school district business;
2. Use of all such devices is subject to the school district's acceptable use policies and any other Board policies regarding appropriate and acceptable conduct by a staff member;
3. All technology devices are considered the property of the Board of Education and will be returned upon termination of employment with the school district or immediately upon request by the Superintendent (or designee);
4. Technology devices provided by the school district to staff members may include the school district's software image and pre-loaded software for specific tasks. The installation of other software images or software, other than updates, on such technology devices may only be done by school district authorized staff members;
5. Staff members that are provided technology devices are expected to take all appropriate measures and precautions to prevent the loss, theft, damage, and/or unauthorized use of such technology devices. These appropriate measures and precautions for school district provided technology devices to staff members will include, but are not limited to, the following:
  - a. Keep the technology device in a locked and secured environment when not being used;
  - b. Do not leave the technology device in a vehicle for prolonged periods of time, especially in extreme temperatures;



- c. Keep food and drinks away from all technology devices and work areas;
  - d. Prohibit the use of any technology device by any other person except as authorized by the Superintendent or designee;
  - e. Do not leave the technology device unattended at any time in an unsecured location (e.g., an unlocked empty classroom or office); and
  - f. Keep the technology device in sight at all times while in public places, such as public transportation, airports, restaurants, etc.
6. Should the staff member have reason to believe the technology device may have been stolen, the staff member must:
- a. Immediately report the incident to his/her immediate supervisor and then to the Director of Technology (or designee);
  - b. File an official police report documenting the theft; and
  - c. Provide a copy of the police report to his/her immediate supervisor.
- If a staff member fails to adhere to these procedures, the staff member will be held legally and financially responsible for the replacement of such technology device. A staff member may be financially responsible for the loss or damage of a technology device;
7. A staff member must contact the district designated staff member in the event the technology device is not functioning properly or for repairs and/or required maintenance;
8. The Board of Education is under no legal, financial, or other obligation to provide a replacement technology device to any employee whose device is lost, stolen, or damaged;
9. Any technology device provided to a staff member is the property of the Board of Education. As such, the staff member will have no expectation of privacy in the use of such device. The technology device may have security settings, monitoring or auditing software, tracking technology, and any other software that could monitor the use of the technology device;
10. The staff member(s) designated to administer and implement the issuance of technology devices to staff members will:
- a. Maintain direct oversight of the inventory of devices, service contracts, agreements, and internal controls for all school district provided technology devices provided to staff members; and
  - b. Ensure compliance with regulatory policies and procedures as applicable.
11. Any violation of Board of Education policies or procedures including, but not limited to, school district provided technology devices to staff members; acceptable use of computer networks, computers, and resources; and/or inappropriate staff conduct may result in appropriate disciplinary action.



A copy of this Policy will be attached to the agreement that will be signed by any staff member who receives a technology device in accordance with the provisions of this Policy.

Adopted: September 10, 2013



### **7523 – School District Provided Technology Devices to Pupils**

The Board of Education may provide technology devices to pupils in the district school district authorized use only. The purpose of this Policy is to establish general guidelines for the issuance and utilization of any school district technology device provided to pupils of this district. For the purposes of this Policy, "technology device" or "device" will include, but not be limited to, portable devices such as computers, laptops, tablets, cellular telephones, or any other computing or electronic devices the school district provides to pupils to be used as part of their educational program.

A technology device made available to pupils will not be considered a textbook or supply, as defined in N.J.S.A. 18A:34-1, mandatory to a successful completion of the classroom curriculum. Therefore, because a technology device defined in this Policy is not mandatory to a successful completion of a pupil's classroom curriculum, a pupil will not be required to obtain a technology device provided by the school district as defined in this Policy. In the event the school district provides a technology device that is deemed mandatory to a successful completion of the classroom curriculum, the district will provide pupils with such a technology device consistent with its textbook or supply policies. Nothing in this Policy prohibits a pupil from using their personal technology device in accordance with school rules and regulations.

A technology device provided by the school district may include pre-loaded software. A pupil is prohibited from downloading additional software or applications onto the technology device or tampering with software and applications installed on the technology device. Only school district authorized staff members may load or download software onto a school district provided technology device.

To receive a school district provided technology device, the parent and pupil must sign a School District Provided Technology Device Form requiring the parent and the pupil to comply with certain provisions. These provisions may include, but are not limited to:

1. A school district provided technology device must be used only by the pupil for school district authorized use;
2. A pupil will comply with the school district's acceptable use policies, which will be attached to the School District Provided Technology Device Form, in their use of any school district provided technology device;
3. Any school district provided technology device loaned to a pupil must be returned to the school district in the condition it was initially provided to the pupil considering reasonable use and care by the pupil;
4. The parent or pupil will be responsible to reimburse the school district the cost of any technology device that is lost, damaged beyond reasonable use or beyond its value, abandoned, missing, stolen, or cannot be returned to the district in accordance with the terms of the School District Provided Technology Device Form;



5. The district may require, or offer as an option, depending on the type of technology device provided to the pupil, an insurance policy to be purchased by the parent or pupil that would cover certain losses or damage to a technology device during the time period the pupil has possession of the device. The parent or the pupil will pay any insurance policy required deductibles in the event of a loss;
6. In the event the school district does not require the purchase of an insurance policy for a technology device or the parent or pupil elects not to purchase optional insurance, the parent and/or pupil will be responsible for any loss or damage to the technology device in accordance with the terms of the School District Provided Technology Device Form;
7. A pupil will be required to report any hardware or software problems in the operation of the device to the school district staff member, designated on the School District Provided Technology Device Form, within two (2) week days of the commencement of the problem;
8. A pupil must report to the school district staff member designated on the School District Provided Technology Device Form within two (2) week days in the event the technology device has been damaged or is missing;
9. A parent or pupil is required to immediately file a police report in the event it is believed the technology device has been stolen. Within one (1) week day after filing a police report, a parent or pupil will complete the School District Provided Technology Device Loss Form and submit the completed Loss Form and a copy of the police report to the Building Principal (or designee);
10. A pupil will be required to provide routine cleaning and care of the device in accordance with school district cleaning and care guidelines;
11. The pupil will have the technology device in their possession in school as required; and
12. Any other provisions the Superintendent determines should be included on the School District Provided Technology Device Form.

The school district will provide the pupil and parent with written or electronic notification that the technology device provided by the school district may record or collect information on the pupil's activity or the pupil's use of the technology device if the device is equipped with a camera, global positioning system, or other feature capable of recording or collecting information on the pupil's activity or use of the device. This notification will also include a statement that the school district will not use any of the capabilities in a manner that would violate the privacy rights of the pupil or any individual residing with the pupil. The parent will be required to acknowledge receipt of this notification and the parent acknowledgement will be retained by the Building Principal (or designee) for as long as the pupil retains the use of the school district provided technology device. The parent acknowledgement and a signed School District Provided Technology Device Form will be required before the issuance of a technology device to a pupil. In accordance with the provisions of P.L. 2013, Chapter 44, a school district failing to provide this notification will be subject to a fine of \$250 per pupil, per incident. The fine will be remitted to the New Jersey Department of Education, and will be





deposited in a fund that will be used to provide laptop or other portable computer equipment to at-risk pupils as defined in N.J.S.A. 18A:7F-45.

Pupils will comply with all school district policies for the use of a school district provided technology device. A pupil will be subject to consequences in the event the pupil violates any school district policy, including the district's acceptable use policies; pupil code of conduct; any provision of this Policy; or any provision of the School District Provided Technology Device Form.

### Legal References

N.J.S.A. 18A:34-1

P.L. 2013, Chapter 44 – “The Anti-Big Brother Act”

Adopted: September 10, 2013



### **7610 – Vandalism**

The Board of Education believes that all school district property should be respected and all persons who use or have access to school district property should respect such property and take pride in the institutions of this community and the schools of this district.

Any person who purposely or knowingly damages school district property or damages school district property recklessly or negligently in the employment of fire, explosives or another dangerous means listed in accordance with N.J.S.A. 2C:17-2 or purposely or recklessly tampers with the tangible property of the school district so as to endanger school district property shall be reported to the appropriate law enforcement agency. Where the damage to district property is more than minimal or has been caused by a pupil or a minor not a pupil of this district, the Board will hold liable for the amount of the damage the parent(s) or legal guardian(s) having legal custody and control of the minor responsible for the damage.

A person convicted of an offense that involves an act of graffiti will be required to reimburse the school district the cost of damages and may be required to perform community service, which may include removing the graffiti from the property, in accordance with the law. In addition, the courts may suspend or postpone driving privileges of any person, at least thirteen and under eighteen years of age, if convicted of an act of graffiti.

A person who purposely defaces or damages district property with any symbol that exposes persons to violence, contempt, or hatred on the basis of race, color, creed, religion, national origin, ancestry, age, marital status, affectational or sexual orientation or sex, social or economic status, or disability is guilty of a crime and shall be reported to appropriate law enforcement authorities. The Board may also report to the appropriate law enforcement agencies any person whose vandalism of school property is serious or chronic.

The Superintendent shall develop regulations to implement this Policy and to protect textbooks, school equipment, and school facilities from undue wear, damage, or loss.

#### **Legal References**

N.J.S.A. 2C:33-10 et seq.

N.J.S.A. 18A:34-2; 18A:37-3

Adopted: August 18, 2009



### **R7610 – Vandalism**

#### A. Definitions

1. “Vandalism” means the willful and malicious acts of any person that result in the destruction, defacement, or damage of any property, real or personal, belonging to or entrusted to the Board. Vandalism includes arson and an act of graffiti.
2. “Arson” means the willful and malicious burning or setting on fire of any building or part of any building owned or operated by the Board, by any person.
3. “Act of graffiti” means the drawing, painting or making of any mark or inscription on school district real or personal property without the permission of the school district.

#### B. Reporting Vandalism

1. Any school employee who has reason to believe that an act of vandalism has occurred shall immediately report that belief or suspicion to the Building Principal of the affected building or, if the vandalism occurs at a facility other than a school, the supervisor in charge of the facility.
2. The Building Principal or supervisor shall promptly institute an investigation of the report by taking these steps as appropriate to the extent and seriousness of the vandalism:
  - a. Requesting the reporting employee to file a report of the evidence giving rise to his/her belief or suspicion that vandalism has occurred;
  - b. Visiting the site of the vandalism and examining its extent, taking photographs as necessary;
  - c. Determining and recording the names of witnesses, if any;
  - d. Interviewing witnesses and requesting their written reports of events;
  - e. Assessing the costs of repair and replacement of any parts of the building, furnishings, and/or equipment; and
  - f. Questioning the person or persons, if any, identified as having caused the vandalism.
3. The Building Principal will complete and file with the Superintendent a detailed vandalism and property damage report.
4. The Building Principal will notify the police if the vandalism involves:
  - a. Significant damage, or
  - b. Arson, or
  - c. Theft or burglary, or
  - d. The use of any symbol that exposes persons to violence, contempt, or hatred on the basis of race, color, creed, religion, national origin, ancestry, age, marital status, affectational or sexual orientation or sex, social or economic status, or disability, or
  - e. An act of graffiti.



### C. Penalties and Restitution

1. A pupil who vandalizes school property is subject to discipline, which may include suspension or expulsion, in accordance with Board Policy #5600 – Student Discipline/Code of Conduct, Board Policy #5610 – Suspension, and Board Policy #5620 – Expulsion.
2. A pupil who vandalizes school property will be held liable for any damages caused by the act of vandalism.
3. The parent(s) or legal guardian(s) of any minor who injures/vandalizes school property, whether or not the minor is enrolled in this district, shall be liable for damages to the amount of the injury, together with costs of suit if the Board must resort to legal process to obtain payment of damages. N.J.S.A. 18A:37-3
  - a. The School Business Administrator/Board Secretary shall obtain a professional estimate of the cost of repairs and/or replacements necessitated by the vandalism.
  - b. The School Business Administrator/Board Secretary shall present the pupil's parent(s) or legal guardian(s) with an itemized bill based on the estimated costs.
  - c. If, within thirty calendar days, the pupil's parent(s) or legal guardian(s) has not paid the bill or made arrangements with the School Business Administrator/Board Secretary for the payment of the bill in periodic installments, the Superintendent shall inform the Board and may recommend the Board Attorney commence civil action for the amount due together with costs.
  - d. No diploma, transcript, transfer card, or report card will be issued to the pupil until all obligations to the Board have been met.
4. The Building Principal will recommend to the Superintendent and the Superintendent will recommend to the Board, a pupil whose vandalism of school property is so serious or chronic as to warrant reporting the pupil to the police.
5. Any person who purposely defaces or damages school property with any symbol that exposes persons to violence, contempt, or hatred on the basis of race, color, creed, religion, national origin, ancestry, age, marital status, affectational or sexual orientation or sex, social or economic status, or disability is guilty of a crime and shall be reported to the appropriate law enforcement agency.
6. Any person who purposely or knowingly damages school district property recklessly or negligently in the employment of fire, explosives or another dangerous means listed in accordance with N.J.S.A. 2C:17-2 or purposely or recklessly tampers with the tangible property of the school district so as to endanger school district property will be reported to the appropriate law enforcement agency.
7. A person convicted of an offense that involves an act of graffiti will be required to reimburse the school district the cost of damages and may be required to perform community service, which may include removing the graffiti from the property, in accordance with the law. In



addition, the courts may suspend or postpone driving privileges of any person, at least thirteen and under eighteen years of age, if convicted of an act of graffiti.

Adopted: August 18, 2009



### **7650 – School Vehicle Assignment, Use, Tracking, Maintenance, and Accounting (M)**

The Board of Education adopts this Policy concerning the assignment, use, tracking, maintenance, and accounting of school district vehicles in accordance with the provisions of N.J.A.C. 6A:23A-6.11 and 6A:23A-6.12. For the purposes of this Policy, a “school district vehicle” means a vehicle purchased, leased, leased-purchased, or acquired without cost by gift, donation, or other method by the school district regardless of funding source.

School district vehicle assignment and use shall be in compliance with N.J.A.C. 6A:23A-6.12 and in accordance with OMB Circular 08-16-ADM or any superseding circulars. The Board of Education, upon the recommendation of the Superintendent, may authorize, at its discretion, by an affirmative vote of the Board’s full membership, the lease, lease-purchase, or purchase and assignment of school district vehicles for the conduct of official school district business.

The vehicles may be assigned either to individuals or to units within the school district for pool use according to classifications as outlined in N.J.A.C. 6A:23A-6.12(b). No individual assignment shall be made for the primary purpose of commuting. Vehicle use logs shall be maintained for all individual and pool assignments in order to accurately record all usage of each vehicle, including the driver, mileage, and starting and destination points. All changes to vehicle assignment, whether pool or individual, shall require prior written approval of the Superintendent and the authorization of an affirmative majority vote of the full Board. A school district vehicle shall only be used for business purposes and incidental and reasonable personal use of a school vehicle is prohibited without the approval of the Superintendent and the authorization of an affirmative majority vote of the full Board. However, the maintenance staff may take a truck home that has a plow or contains other snow removal equipment (e.g., snow-blower) when the weather forecast calls for snow or ice precipitation and it is anticipated that equipment may be needed to open school the following day.

If a school district vehicle is misused the driver’s driving privileges for school district vehicles shall be suspended or revoked, and additional disciplinary action shall be taken as appropriate. The Board shall establish and implement a policy for progressive, uniform, and mandatory disciplinary actions to be applied as necessary in the event it is determined a staff member misused a school vehicle.

The Board designates the Superintendent and/or the Director of Buildings and Grounds as the school vehicle coordinator(s) for district vehicles. The school vehicle coordinator(s) shall maintain inventory control records pursuant to the requirements of N.J.A.C. 6A:23A-6.11(a)1., driving records of operators of school district vehicles pursuant to the requirements of N.J.A.C. 6A:23A-6.11(a)2., and the records of maintenance, repair and body work pursuant to the requirements of N.J.A.C. 6A:23A-6.11(a)3.



### Legal References

N.J.A.C. 6A:23A-6.11; 6A:23A-6.12

Adopted: August 18, 2009





### **R7650 – School Vehicle Assignment, Use, Tracking, Maintenance, and Accounting (M)**

#### A. School Vehicle Assignment and Use

The Board of Education, upon the recommendation of the Superintendent, may authorize, at its discretion, by an affirmative vote of the Board’s full membership, the lease, lease-purchase, or purchase and assignment of school district vehicles for the conduct of official school district business.

1. The vehicles may be assigned either to individuals or to units (e.g., Building and Grounds, Child Study Team) within the school district for pool use according to the following classifications:
  - a. Vehicles may be assigned permanently and individually to the Superintendent, School Business Administrator/Board Secretary, the Director of Building and Grounds, or other supervisory employees who, based on their job duties, may be called upon on a twenty-four hour, seven day-a-week basis. No individual assignment shall be made for the primary purpose of commuting.
  - b. A unit may be permanently assigned one or more school district pool vehicles only if employees of the unit will collectively use the vehicle or each vehicle for more than an average of 750 miles per month on official school district business. Pool vehicles shall not be used for the purpose of commuting and shall remain at a school district facility when not in official use. However, the trucks may be permanently assigned to the Building and Grounds unit because they are required to move equipment, obtain supplies, and for snow removal.
2. When snow or ice is forecast for the following day and it is anticipated that a plow or other snow removal equipment will be needed to open the schools, members of the Buildings and Grounds unit may take one or more of the trucks home because the plow and snow removal equipment may be needed to access the school grounds.
3. Board members or employees may be temporarily assigned a school district vehicle for travel events.
4. In the event the operator of a school district vehicle believes their personal health (temporary or long-term) may impair their ability to safely operate a school vehicle, the operator shall inform their immediate supervisor and the school vehicle coordinator of the health problem and the expected duration of impairment. The operator’s immediate supervisor or the school vehicle coordinator may coordinate a physical examination for the staff member.
5. Smoking is prohibited on “school grounds” and therefore, smoking is prohibited in a school district vehicle at any time.



6. Vehicle use logs shall be maintained for all individual and pool assignments in order to accurately record all usage of each vehicle, including the driver, mileage, and starting and destination points.
7. All complaints of a potential misuse shall be investigated by the school vehicle coordinator and/or appropriate administrator and appropriate disciplinary action shall be taken. Any disciplinary action shall be progressive and uniform depending on the specific misuse.
8. All changes to vehicle assignment, whether pool or individual, shall require prior written approval of the Superintendent and the authorization of an affirmative majority vote of the full Board.
9. No luxury vehicle, one which exceeds the greater of \$30,000 or any current dollar limit established in IRS law or regulation, shall be purchased, lease-purchased, or leased by the school district. If a vehicle is assigned to the Superintendent, it may be a full size or intermediate, four-door sedan of the non-luxury class. All other vehicles shall be compact sedans, unless special passenger, cargo, equipment, or use requirements make the standard vehicle unsuitable for documented school district needs.
10. All damage to school district vehicles, regardless of cause, shall be reported within twenty-four hours to the school vehicle coordinator and the employee assigned to file insurance claims.
11. No physical alterations shall be made to a vehicle without prior Board approval.
12. Operators of a school district vehicle shall possess a valid driver's license to operate a vehicle in New Jersey. The school vehicle coordinator(s) shall be responsible to maintain a copy of each driver's license on file. In the event a driver's license is revoked, suspended or otherwise makes the driver unable to operate a school district vehicle in accordance with law, the driver shall immediately notify the school vehicle coordinator, who will immediately revoke the driver's authorization to operate a school district vehicle.
13. When a vehicle is due for routine maintenance in accordance with the manufacturer's schedule, the driver of an individually assigned vehicle or, in the case of a pool vehicle, the school vehicle coordinator shall be responsible for ensuring the vehicle receives the scheduled service.
14. A driver assigned a school district vehicle shall be responsible for the security of the vehicle and its contents.
15. Drivers shall be personally responsible for all fines accrued as a result of traffic violations related to operation of school district vehicles.
16. The driver, or the driver's supervisor, if the driver is incapacitated, of a school district vehicle involved in an accident resulting in damage to the school district vehicle or other vehicle shall file, within twenty-four hours of the accident, a detailed written report with the school vehicle coordinator and the school district staff member responsible for making insurance claims.



17. Police shall be immediately notified of an accident by the driver or school vehicle coordinator, if the driver is incapacitated. A copy of the police report shall be submitted to the school vehicle coordinator and the school district staff member responsible for making insurance claims as soon as possible.
18. If a school district vehicle is misused in any of the following ways, the driver's driving privileges for school district vehicles shall be suspended or revoked, and additional disciplinary action shall be taken as appropriate:
  - a. Frequent violation of traffic laws;
  - b. Flagrant violation of traffic laws;
  - c. Operation of a vehicle which the police or insurance company determined was the cause of an accident;
  - d. Use of a vehicle for unauthorized use whether personal use, business use, or commuting;
  - e. Violation of these rules or school district policy governing the assignment, use, operation, repair, and/or maintenance of vehicles. This includes the failure to submit a vehicle for routine maintenance as called for in the manufacturer's routine maintenance schedule;
  - f. Operation of a vehicle while impaired to any degree, or under the influence of alcohol or narcotics as defined by State statutes;
  - g. Use of a school district vehicle by an unauthorized individual while assigned to an employee;
  - h. Use of a school district vehicle to transport any person or child, other than in the course of their assigned duties and responsibilities; and/or
  - i. Use of radar detectors in school district vehicles.

The Board shall implement a progressive and uniform mandatory disciplinary program to be applied as necessary in the event it is determined a staff member misused a school vehicle.

### B. School Vehicle Inventory Control Record

The school vehicle coordinator(s) shall be responsible to maintain the following inventory control records for every school district vehicle:

1. Vehicle make, model and year;
2. Vehicle identification numbers (VIN);
3. Original purchase price;
4. Date purchased;
5. License plate number;
6. Person assigned or pool if not individually assigned;
7. Driver's license number of person assigned and the expiration date;



8. Insurer and policy number of person assigned; and
9. Usage category such as regular business, maintenance, security, or pupil transportation.

### C. Driving Record of Operators of School District Vehicles

The school vehicle coordinator(s) shall be responsible to obtain and maintain the following driving records of operators of school district vehicles:

1. Name of driver;
2. Drivers license number and expiration date;
3. Insurer and policy number of person assigned;
4. Motor vehicle code violations;
5. Incidents of improper or non-business usage;
6. Accidents; and
7. Other relevant information.

### D. Record of Maintenance, Repair and Body Work for School District Vehicles

The school vehicle coordinator(s) shall be responsible to maintain the following records of maintenance, repair and body work for each school vehicle:

1. Vehicle make, model and year;
2. Vehicle identification numbers (VIN);
3. Original purchase price;
4. Date purchased;
5. License plate number;
6. Usage category such as regular business, maintenance, security or pupil transportation;
7. Manufacturer's routine maintenance schedule;
8. Category of work performed (routine maintenance, repair or body work);
9. Purchase order number;
10. Date work was performed;
11. Detailed description of work performed;
12. Mileage on date work was performed; and
13. Cost of work performed.

All records maintained by the school vehicle coordinator(s) shall be maintained in the school district office of the school vehicle coordinator(s).

Adopted: August 18, 2009

