

Policy

SAFETY

The Superintendent shall develop rules governing school safety which shall include but not be limited to: pupil safety in school; care of injured pupils; vehicle safety programs; plant safety including removal and/or encapsulation of asbestos; labeling and storage of hazardous substances; emergency procedures; pupil safety in transit to and from school; and eye protection. In addition, pupils shall be provided with safety instruction in accordance with the law.

Use and Storage of Hazardous Substances

The board shall not allow the use of any hazardous substances in or on any of the buildings or grounds of this district when children are present, except in emergencies. A list of substances that are legally exempted from this requirement can be obtained from the Superintendent.

The Superintendent shall inform the board when hazardous substances may be used when children are present, and the board shall determine if an emergency situation exists and such use is warranted.

If any hazardous substance is stored on any school site, the Superintendent shall make available the hazardous substance fact sheet for that substance to any one who requests it.

At least two days prior to the start of any construction activity involving hazardous substances, the Superintendent shall post on a bulletin board at the school a notice that such construction will take place. The notice will state the activity to be conducted and the hazardous substance(s) to be used.

The Superintendent shall ensure that all parents/guardians receive a notice at least once a year informing them of the following:

- A. Notice of any construction or other activities involving hazardous substances will be posted on the bulletin board of their children's school;
- B. Hazardous substances may be stored at the school at various times throughout the year;
- C. Hazardous substance fact sheets for any of the hazardous substances being used or stored are available at the school.

Soil Contamination on School Property

The school board, the board of trustees of a charter school, the principal or chief administrator of a private school, as appropriate, shall ensure that notice of soil contamination on school property is provided. Notice will be provided to each parent or guardian of a student enrolled at the school, and to each staff member of the school. Notice will be provided within 10 business days of the discovery of the soil contamination, when the contamination is found by the Department of Environmental Protection or a licensed site remediation professional to exceed the department's direct contact soil remediation standards for residential use.

The notice shall include:

- A. A description of the soil contamination and the conditions under which a student or staff member may be exposed to the contamination;

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- B. A description and timetable of the steps that have been taken and will be taken to ensure that there is no contact by any student or staff member with the contamination;
- C. A description and timetable of the steps that have been taken and will be taken to remediate the soil contamination.

The notice may be provided by:

- A. Written notice sent home with the student and provided to the staff member;
- B. Telephone call;
- C. Direct contact;
- D. Electronic mail.

The district shall also post a copy of the notice in a conspicuous location near the site of the contamination to notify any other users of the school grounds of the existence of the contamination.

Implementation

Rules and procedures implementing this policy shall be reviewed and adopted by the board as required by law and shall be disseminated to staff and pupils annually, and whenever any changes are made.

Date:

Legal References: Use legal reference sheet.

Cross References: List your appropriate policies. See legal reference sheet for possibilities.

Key Words

Safety, Pupil Safety, Employee Safety, Asbestos, Hazardous Materials, Student Safety

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MEDFORD LAKES BOARD OF EDUCATION

FILE CODE: 3516

 X **Monitored**

 X **Mandated**

 X **Other Reasons**

Legal References

SAFETY

QSAC Monitored:

Section 1: Operations

Mandated:

N.J.A.C. 6A:16-1.4(a)1, 2 and 3 require policies and procedures addressing care of pupils who are injured or become ill while in the school's care.

N.J.A.C. 6A:26-12.2(a)1 requires boards to adopt policies and procedures regarding safe and sanitary operation and maintenance of school facilities and grounds.

N.J.A.C. 6A:26-12.2(a)2 requires policies and procedures on supervision of pupil safety to include safe storage and use of hazardous materials on school property; compliance with community right-to-know requirements; prevention of accidents, panic and fire; and provision for and maintenance of suitable and safe equipment.

N.J.A.C. 6A:26-12.2(a)3 requires policy and procedures on organization of safety patrols.

Other Reasons:

N.J.S.A. 34:5A-1 et seq. and implementing regulations (N.J.A.C. 8:59) require boards to identify and label hazardous substances and to provide appropriate education and training programs for employees. Federal and state law requires removal or encapsulation of asbestos.

Recent state law amending N.J.S.A. 34:5A-10.1 et seq. forbids use or storage of hazardous substances at a school when children are present without prior notification. There are notable exceptions. Penalties for violation could be as high as \$2,500 a day.

N.J.S.A. 58:10B-24.6 et seq. requires notice to parents/guardians, students and staff of soil contamination found to exceed Department of Environmental Protection or other professional standards, within 10 business days of discovery.

Recommendation:

A comprehensive policy directing the Superintendent to develop the programs and regulations that the board is required to review and/or adopt concerning various aspects of safety. Details of some may be better addressed under cross references. Details of the program required by N.J.A.C. 6A:19-6.1 et seq. (for vocation-technical education) are better addressed in the board's policy and regulations on career education.

Legal References: N.J.S.A. 18A:6-2 Instruction in accident and fire prevention
N.J.S.A. 18A:11-1 General mandatory powers and duties
N.J.S.A. 18A:17-42 et seq. Public School Safety Law

Legal References (continued)

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<u>N.J.S.A.</u> 18A:40-12.1, -12.2	Protective eye devices required for teachers, pupils and visitors in certain cases
<u>N.J.S.A.</u> 18A:41-1 <u>et seq.</u>	Fire, school security drills
<u>See particularly:</u>	
<u>N.J.S.A.</u> 18A:41-5	
<u>N.J.S.A.</u> 18A:42-1	Safety patrol by pupils
<u>N.J.S.A.</u> 18A:54-20	Powers of board (county vocational schools)
<u>N.J.S.A.</u> 34:5A-1 <u>et seq.</u>	Worker and Community Right to Know Act
<u>See particularly:</u>	
<u>N.J.S.A.</u> 34:5A -10.1 through -10.5	
<u>N.J.S.A.</u> 34:6A-25 <u>et seq.</u>	New Jersey Public Employees Occupational Safety and Health Act
<u>N.J.S.A.</u> 58:10B-24.6 <u>et seq.</u>	Hazardous discharge site remediation
<u>N.J.A.C.</u> 5:23-7	Barrier free subcode of the uniform construction code
<u>N.J.A.C.</u> 6A:16-1.4	District policies and procedures
<u>N.J.A.C.</u> 6A:19-6.1 <u>et seq.</u>	Safety and Health Standards (career and technical programs)
<u>N.J.A.C.</u> 6A:26-1.1 <u>et seq.</u>	Educational Facilities
<u>See particularly:</u>	
<u>N.J.A.C.</u> 6A:26-12.1 <u>et seq.</u>	
<u>N.J.A.C.</u> 6A:27-12.2	Accident reporting (drivers and aids)
<u>N.J.A.C.</u> 6A:30-1.1 <u>et seq.</u>	Evaluation of the Performance of School Districts
<u>N.J.A.C.</u> 6A:32-12.1	Reporting requirements

Possible

<u>Cross References:</u>	*1330	Use of school facilities
	*1410	Local units
	*3510	Operation and maintenance of plant
	*5141.1	Accidents
	*5142	Pupil safety
	*5142.1	Safety patrols
	*6114	Emergencies and disaster preparedness
	*6142.12	Career education
	*7110	Long-range facilities planning

*Indicates policy is included in the Critical Policy