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Revised: June 12, 2018

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Facilities Planning

**M**

## 7100 FACILITIES PLANNING

The Board of Education recognizes that sound planning based on accurate information is essential to the provision of suitable educational facilities. In order to insure 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 (LFRP) 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 shall be in accordance with the provisions of N.J.A.C. 6A:26-2 et seq.

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: 6 May 1997

Revised: 10 April 2018

# REGULATION

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Facilities Planning

**M**

## R 7100 FACILITIES PLANNING

Refer to Dunellen School District Long Range Facilities Master Plan.

Adopted: 6 May 1997

## 7101 EDUCATIONAL ADEQUACY OF CAPITAL PROJECTS

Capital projects that affect any of the criteria for educational adequacy shall 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 shall 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.

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).

Educational specifications for educational adequacy reviews shall be prepared and submitted in accordance with N.J.A.C. 6A:26-5.2. Educational specifications shall detail the educational program activities and requirements for each space proposed in the capital project, and shall refer to the New Jersey Student Learning Standards wherever appropriate. The educational specifications shall 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 shall 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

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Educational Adequacy of Capital Projects

letter indicating the date of plan submission to the local planning board shall be submitted in accordance with N.J.A.C. 6A:26-5.3(b)4.

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

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

Adopted: 6 May 1997

Revised: 19 December 2006

Revised: 10 April 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, 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.

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Site Selection and Acquisition

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.

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.

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

Adopted: 10 April 2018



## 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, and/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 Board shall 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 pupils to other schools in the district does not produce, sustain nor contribute to unlawful segregation, separation or isolation of pupil populations on the basis of race or national origin.

A request for approval from the Division for the school closing shall 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 shall be required before the school's closing.

The Division shall 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.

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School Closing

Adopted: 6 May 1997  
Revised: 19 December 2006  
Revised: 10 April 2018

## 7230 GIFTS, GRANTS AND DONATIONS

The Board accepts its responsibility to provide from public funds sufficient supplies and equipment for an effective instructional program; it 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 any gift or grant of land, with or without improvement, and of money or other personal property and shall acknowledge any such acceptance by resolution duly passed at a public meeting; except that the Superintendent or designee may accept on behalf of the Board any such gift less than \$500. in value.

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.

Any gift accepted by the Board or its designee 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.

The Board will make every effort to honor the intent of the donor in its use of the gift, but reserves the right to utilize any gift it accepts in the best interest of 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 Board may provide public moneys for the purchase of any school property on a matching fund basis.

The Superintendent shall:

1. acknowledge the receipt and value of any gift accepted by the school district.
2. counsel potential donors on the appropriateness of gifts and encourage such donors to choose as gifts, supplies or equipment not likely to be purchased with public funds, and

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Gifts, Grants and Donations

3. prepare fitting means of recognizing or memorializing gifts to the district as appropriate.

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

Adopted: 6 May 1997

Revised: 1 February 2000

# REGULATION

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Gifts, Grants and Donations

## R 7230 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.
2. "Donor" means any individual or organization that offers a gift.

### B. Gift proposals

1. A gift proposal may be made to a principal or administrator. When a gift is proposed to any staff member, the donor shall be referred to the principal or administrator.
2. The 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. The Board of Education may ask the donor to help defray the cost of moving, installing and/or maintaining the gift.

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4. A donor who proposes a gift of funds up to \$500 in amount will be invited by the appropriate 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.
5. Any proposed donation of funds \$500 or more will be referred to the Superintendent, who will invite the donor to confer with them on the dedication of the funds.
6. 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 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. 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 in amount and gifts of property valued at up to \$500. All gifts accepted by the Superintendent will be reported to the Board.
3. All gifts of value greater than \$500 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.

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Gifts, Grants and Donations

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: 6 May 1997

Revised: 1 February 2000

# REGULATION

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Gifts, Grants and Donations

## DUNELLEN BOARD OF EDUCATION

High and Lehigh Streets  
Dunellen, NJ 08812

### PROPERTY DONATION FORM

In compliance with Policy # 7230 and Regulation R7230, any donor of any gift must submit this form. Any gifts of \$500.00 or more must be accepted by the Board of Education.

Organization/Individual's name \_\_\_\_\_

Street Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

Description of gift (attach specifications if necessary): \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Value of gift: \_\_\_\_\_

Any additional expenses/costs/maintenance necessary to make gift operational: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Under \$500.00

Accepted by: \_\_\_\_\_

Over \$500.00

Accepted by Dunellen Board of Education on: \_\_\_\_\_

Gift not accepted by the Dunellen Board of Education: \_\_\_\_\_



## 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 shall be sold at public sale, together with a description of the items to be sold and the conditions of sale, shall 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-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 shall develop regulations for the disposition of district property that provide 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

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Disposition of Property

sale, donation, or discard; and the disposition of property in a fair and open manner consistent with the public interest and applicable laws.

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: 6 May 1997  
Revised: 16 January 2007  
Revised: 10 April 2018

# REGULATION

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Disposition of Instructional Property

R 7300.1 DISPOSITION OF INSTRUCTIONAL PROPERTY  
\*\* ABOLISHED MM/DD/YYYY\*\*

This Regulation Guide outlines the procedure for disposal of instructional school district property which was the same procedure required for the disposal of school district personal property as outlined in Regulation Guide 7300.3 – Disposal of Personal Property. Therefore, it is recommended a school district abolish Regulation Guide 7300.1.

Regulation Guide 7300.1 should be ABOLISHED

Adopted: 6 May 1997  
Reviewed: 16 January 2007  
Abolished: 10 April 2018

# REGULATION

## DUNELLEN SCHOOL DISTRICT

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Disposition of Land

### R 7300.2 DISPOSITION OF LAND

The Board of Education by a recorded roll call majority vote of its full membership may dispose, by sale or otherwise, of any 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 shall acquire title free from any use of purpose for which it may have been acquired by the Board in accordance with N.J.S.A. 18A:20-5 through 18A:20-7, N.J.A.C. 6A:26-7.4, Policy No. 7100.

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

The district shall make to the Division of Administration and Finance (Division) a written request 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 as facilities, if applicable.

1. The district will send a copy of the request to the Executive County Superintendent who shall make recommendations to the Division. The Executive County Superintendent of Schools who shall provide a copy of the recommendations to the Board.
2. The request shall 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:20-96.
3. The request shall 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 shall 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

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## DUNELLEN SCHOOL DISTRICT

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Disposition of Land

being used for the purposes for which the bonds were issued, any proceeds from the disposal shall 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 shall 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 shall 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 shall 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), shall 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.

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Disposition of Land

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 said completion of said public sale, to accept or reject the highest bid made, a statement whereof shall 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 shall offer a bidder a hearing upon the bidder's request before entering into such negotiations.
3. The acceptance or rejection of a negotiated price shall 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: 6 May 1997  
Reviewed: 16 January 2007  
Revised: 10 April 2018

# REGULATION

## DUNELLEN SCHOOL DISTRICT

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Disposition of Personal Property

### R 7300.3 DISPOSITION OF PERSONAL PROPERTY

#### A. Definitions

1. "Personal property" means all Board of Education property other than real property as defined in Regulation 7300.2 and Federal property as defined in Regulation 7300.4.
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 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 Principal or other administrator may request transfer of excess property by submitting a 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 considered to be unusable and will be disposed of in accordance with Policy 7300 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 the property is neither livestock nor perishable goods, it shall be sold at public sale to the highest bidder established by law.

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## DUNELLEN SCHOOL DISTRICT

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Disposition of Personal Property

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, shall be published once in a legal newspaper.

Sale shall be held not less than seven nor more than fourteen days after publication of the newspaper notice.

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 which 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 elects, reoffer 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 that such rejection is in the public interest.
  - a. In any case in which ~~If bids are rejected~~, 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 shall 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 shall the terms or conditions 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



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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 shall 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 shall 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 shall retain the textbooks to be discarded for a period of one hundred and twenty 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.

### F. Board of Education Approval

1. 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: 6 May 1997  
Reviewed: 16 January 2007  
Revised: 10 April 2018

# REGULATION

## DUNELLEN SCHOOL DISTRICT

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Disposition of Federal Property

### R 7300.4 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 property purchased with Federal grant funds.
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

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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 to 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 of \$5,000 or less may be retained, sold, or otherwise disposed of with no further obligation to the awarding agency. 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

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school district shall 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 shall 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 shall 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: 6 May 1997  
Reviewed: 16 January 2007  
Revised: 10 April 2018

## 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.

No premises of this school district will be leased unless the lessee provides insurance in the amount of \$1,000,000 bodily injury and \$1,000,000 property damage per each occurrence for any claim arising out of the lessee's use of the lease premises and supplies documentation satisfactory to the Board as proof of that coverage. The Board of Education on that document shall be listed as an "Additional Insured."

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

Adopted: 6 May 1997

Revised: 6 February 2007

## 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 Regulation 7410.

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

Adopted: 6 May 1997

Revised: 21 October 2008

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## R 7410 MAINTENANCE AND REPAIR

**M**

### A. Inspection

1. The head custodian shall inspect the facility daily for proper functioning and cleanliness in critical areas.
2. The principal with the head custodian shall regularly make an inspection of the school building, support facilities, and grounds to identify any required repairs or replacements.
3. Safety inspections of the facility will be made in accordance with Regulation No. 7430.
4. Health and sanitary inspections of the facility will be made in accordance with Regulation No. 7420.

### B. Reports

1. Reports of each inspection required in ¶A1 and ¶A2 will be recorded in a book in the school office. Notations will indicate deficiencies and problems.
2. Repairs required between inspections may be reported to the Principal by any staff member on the applicable district form. Whenever possible, only one request will be made on each form.

### C. Repairs by district staff

1. Any teaching staff member may report to the school office the need for repairs and/or maintenance. All work order requests will be submitted to the Principal.
2. The School Business Administrator/Board Secretary or designee 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;

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Maintenance and Repair

- 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.
3. 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.
  4. The School Business Administrator/Board Secretary or designee is authorized to make purchases required for repairs at supply distributors.
  5. The School Business Administrator/Board Secretary's or designee's denial of a work order request or alleged mistake in priority assignment may be appealed to the Superintendent.

### D. Repairs by outside contractors

1. When it appears to be necessary to utilize outside contracting services to effect a repair, the principal, head custodian, and any other interested staff member will confer in the preparation of a job specification.
2. The School Business Administrator/Board Secretary or designee shall prepare a purchase requisition for submission to the Board 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 School Business Administrator/Board Secretary or designee shall be responsible for supervising the conduct of the work.

### E. Replacements and improvements



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1. The School Business Administrator/Board Secretary or designee 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 principal or the School Business Administrator/Board Secretary or designee 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 every five years and reviewed annually in accordance with N.J.A.C. 6:8-4.9(a)7 in order to meet facility needs and comply with law.
4. Recommended improvements not included in the comprehensive plan will be presented to the principal in the form of a report describing the need and the effect it will have on the educational program or the costs of operation.

Adopted: 6 May 1997

## 7420 HYGIENIC MANAGEMENT

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 principal 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, 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.

### 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 will 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 employees positions with occupational exposure. A copy of the plan 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 will 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. The Chemical Hygiene Plan 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 Chemical Hygiene Officer 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.

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Hygienic Management

The Board directs that the program of chemical hygiene be implemented by the Chemical Hygiene Officer. The High School Principal or designee 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 or designee 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.

29 C.F.R. 1910

N.J.A.C. 6:29-1.3; 6:29-1.6; 6:29-2.5; 6:29-3.4

N.J.A.C. 8:52-7.8; 8:61-1.1

Adopted: 6 May 1997

# REGULATION

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Handling and Disposal  
of Body Wastes and Fluids

**M**

## R 7420 HANDLING AND DISPOSAL OF BODY WASTES AND FLUIDS

### 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 500 ppm 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 latex 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.

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3. Disposable latex 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 latex 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.

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2. If such prerinsing 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 or legal guardian.
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 nonchlorine 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.

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5. Nondisposable 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 principal. The nurse will provide the principal with a photocopy.
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 Director of Buildings and Grounds, 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.



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The Director of Buildings and Grounds 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 Director of Buildings and Grounds.

Adopted: 6 May 1997

## R 7420.1 BLOODBORNE PATHOGEN EXPOSURE CONTROL PLAN

### 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 job classifications as defined 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 Regulation No. R 7420, Handling and Disposal of Body Wastes and Fluids, which is incorporated herein as if set forth in its entirety.

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## 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 the employee's 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 than 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.

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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 the law requires no such consent.
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 the employee's 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 CFR 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 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.

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4. The training program shall include as a minimum:
  - a. An accessible copy of the OSHA regulation on bloodborne pathogens, 29 CFR 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

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- 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 is relates to the workplace that the training will address.

Adopted: 6 May 1997

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**M**

## R 7420.2 CHEMICAL HYGIENE

### 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

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- 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 their 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:
  - a. "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:
  - b. "Gas, flammable" means
    - (1) 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
    - (2) 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.
  - c. "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.



- d. "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:
- a. Tagliabue Closed Tester (See American National Standard Method of Test for Flash Point by Tague 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
  - b. 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
  - c. Setaflash Closed Tester (see American National Standard Method of Test for Flash Point by Setaflash Closed Tester (ASTM D 3278-78)).

Organize peroxides, which undergo autoaccelerating 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 OO 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 2. Monitoring may only be terminated in accordance with the relevant standard. The Business Administrator or designee will notify in writing affected employees within 15 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 Business Administrator or designee 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;

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- 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 High School Principal or designee 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.

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## 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 High School Principal or designee 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 1910.20.

Adopted: 6 May 1997



## 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 Director of Building & 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.

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

N.J.A.C. 5:23

Adopted: 11 January 2011

## 7422 SCHOOL INTEGRATED PEST MANAGEMENT PLAN

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 Dunellen School District.

### IPM Coordinator (IPMC)

The Director of Buildings and Grounds shall 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) shall 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 Superintendent, in collaboration with the school Building Principal(s) and the IPMC, shall 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/legal guardians 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 shall be maintained on site to meet the requirements of the State regulatory agency and the Board.

Records shall 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 or legal guardians and the school staff of pesticide treatments pursuant to the School Integrated Pest Management Act.

## Re-entry

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

## Pesticide Applicators

The IPMC shall 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.

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## 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 shall 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.

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

Adopted: 27 April 2004

## **R7422 SCHOOL INTEGRATED PEST MANAGEMENT PLAN**

### 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

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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 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 Director of Buildings and Grounds shall be designated the Integrated Pest Management Coordinator (IPMC) of the school district. The Integrated Pest Management Coordinator (IPMC) shall:

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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). 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 student attending the school; and

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- 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 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 Principal, upon prior notice from the IPMC, shall provide notice to a parent or legal guardian 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 shall include:
  - a. The common name, trade name, and federal Environmental Protection Agency registration number of the pesticide;



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- 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.

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## 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 students that are using the school in an authorized manner.

## G. Emergency Use of Certain Pesticides

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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 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 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 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, 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 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 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

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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: 27 April 2004

# REGULATION

## DUNELLEN SCHOOL DISTRICT

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Lead Testing of Water in Schools

### 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 Board shall assure the availability of potable drinking water through sanitary means in school facilities or on school grounds. The Board of Education shall provide, in accordance with N.J.A.C. 6A:26-12.4, testing for lead in all district sources of drinking water.

The Board shall conduct lead sampling and analysis in 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 shall be conducted with a lead sampling plan in accordance with N.J.A.C. 6A:26-12.4(d)1, 2, and 3, and shall be in accordance with the Safe Drinking Water Act, N.J.S.A. 58:12A-1.

Within twenty-four hours after the Board 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 shall 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 Board shall provide written notification to the parents of all students attending the facility, facility staff, and the New Jersey Department of Education. This notification shall include: a description of the measures taken by the Board 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 Board will conduct these lead screenings every six years and shall 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 Board shall submit to the New Jersey Department of Education by June 30 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).

N.J.S.A. 58:12A-1 et seq.  
N.J.A.C. 6A:26-12.4

Adopted: 10 April 2018

## 7430 SCHOOL SAFETY

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.

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. 6:A:16-1.4; 6A:23-2.10; 6:43-2.2;  
6:53-1.1 et seq.

Adopted: 6 May 1997

Reviewed: 20 January 2004

Revised: 23 February 2004 (citation only)

# REGULATION

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School Safety

**M**

## R 7430 SCHOOL SAFETY

### 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 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.



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School Safety

Adopted: 20 January 2004

## 7432 EYE PROTECTION

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 including Community Education programs.

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 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 insure 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.

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Eye Protection

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 their 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.

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

N.J.A.C. 6A:12-5; 6:53-5.1

Adopted: 6 May 1997

Revised: 23 February 2004 (citation only)

## R 7432 EYE PROTECTION PRACTICES

### 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:

Potential eye hazard    Protective devices

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

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Eye Protection Practices

Laser device operation or experimentation ---> Appropriate for specific hazard

Repair or servicing of vehicles ---> Clear goggles, flexible  
of vehicles 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 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 their 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 their glasses. A pupil or staff member may wear their 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.

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Eye Protection Practices

## 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 Policy No. 7432 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 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 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 ¶A1 above, the likelihood of flying objects and spilled liquids and the presence of protruding and sharp objects.

## D. Training and Supplies

1. 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: 6 May 1997

## 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.

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 School Business Administrator/Board Secretary or designee 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 School Business Administrator/Board Secretary or designee 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 periodically to the Board on hazardous substances in district use and the purpose of each.

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: 6 May 1997

Revised: 23 February 2004 (citation only)

## 7434 SMOKING ON SCHOOL PREMISES

The Board of Education believes that the right of persons to smoke must be balanced against the right of nonsmokers to breathe 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 of a lighted cigar, cigarette, pipe, or any other matter or substance which contains tobacco or any other matter that can be smoked.

For the purposes of this policy, “school grounds” means and includes 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, including, but not limited to, administrative buildings, kitchens, maintenance shops, and garages. “School grounds” also includes 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 law, the Board prohibits smoking at all times anywhere on school grounds.

Notwithstanding any provision of this policy, smoking by pupils is governed by Policy No. 5533.

A sign indicating smoking is prohibited on school grounds as defined above will be posted at each public entrance in accordance with law. The sign shall also indicate violators are subject to a fine. 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 Principal or designee may order the departure and removal of any person who continues to smoke in violation of this policy or law after being ordered to stop smoking on school grounds and may request the assistance of law enforcement to accomplish this departure and removal.

In the event the person is found to have violated this policy and the law, the 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).]



# POLICY

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Smoking on School Premises

N.J.S.A. 26:3D-15 et seq.  
N.J.A.C. 6:29-1.3

Adopted: 6 May 1997  
Revised: 29 October 2002  
Revised: 24 August 2010

## 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 and 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 Policy Nos. 3218, 4218, and 5530.

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.

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: 6 May 1997  
Reviewed: 6 February 2007

## 7436 DRUG FREE WORKPLACE

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 their position will be deemed to have forfeited their 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 who violates this policy will be treated in accordance with law and Policy Nos. 3218, 4218, and 5530.

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Drug Free Workplace

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.

41 U.S.C.A. 701 et seq.

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: 6 May 1997

Reviewed: 6 February 2007

# REGULATION

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Drug-Free Workplace

## R 7436 DRUG-FREE WORKPLACE

### 1. Suspected Users, Abusers, and/or Possessors

Any district employee who is suspected of using/abusing, selling, possessing and/or distributing dangerous substances or who is under the influence of such substances should be reported to the respective school Principal or designee. The Principal or designee shall immediately notify the Superintendent of Schools.

A meeting of the Principal, the Superintendent of Schools, the employee and the employee's representative shall be conducted to determine if the suspicion is valid. If necessary to confirm or remove the suspicion, the employee shall be referred to the district's medical examiner for testing and/or examination.

In the assessment-evaluation process, it may be necessary to conduct a complete assessment of the employee's physical and/or mental condition with respect to dangerous substance use/abuse through the assistance of such personnel as the district's medical examiner, substance abuse agencies, and/or other appropriate personnel or agencies as determined by the Superintendent of Schools. Additionally, as a part of this assessment, the district may request that a dangerous substance screening through blood testing or urinalysis of the employee be conducted and results provided to the Superintendent of Schools.

### 2. Confirmed Users, Abusers, and/or Possessors

When it is determined that an employee is under the influence or has in their possession dangerous substances for the purpose of use, sale, distribution, and/or abuse, the following steps shall be followed:

- a. The matter shall be referred directly to the school Principal or designee.
- b. The Principal or designee shall notify the Superintendent of Schools immediately.
- c. The Superintendent of Schools shall notify the local law enforcement agency in the event of dangerous substance involvement.
- d. The Superintendent of Schools shall immediately suspend the employee with pay and advise them to leave the school property.

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- e. The Superintendent of Schools shall immediately notify the President of the Board of Education.

A suspended staff member will be reinstated to their position when both an appropriate rehabilitation agency and the district's medical examiner certify to the Superintendent of Schools that the staff member is capable to return to their assignment.

### 3. Cooperation with Law Enforcement Agencies

In the matters of dangerous substance use/abuse, sales, possession and/or distribution, the Superintendent of Schools shall notify and cooperate with the police department and other law enforcement agencies.

### 4. Liability

Staff members who report an employee to the Principal, Superintendent of Schools or a designee in compliance with the provisions of this policy, providing they exercise reasonable skill and care, shall not be liable in civil damages as a result of making such a report.

### 5. Discretionary Action

The Superintendent of Schools is granted discretion under this policy to consider each situation individually and to take appropriate action considered in the best interests of the employee and the district in accordance with law.

### 6. Professional Development

Training and professional development for employees in substance use/abuse education shall be on-going and supported through professional leave, in-service workshops, meetings, conferences, etc. In addition, the Superintendent of Schools shall establish and maintain a program to:

- a. alert employees of the dangers of substance use/abuse in the workplace;
- b. inform employees of the prohibitions against dangerous substances as set forth in this policy;

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- c. inform employees about dangerous substances counseling and rehabilitation, assistance programs, and re-entry programs;
- d. inform employees of the penalties that will be imposed for violations of the prohibitions set forth in this policy; and,
- e. distribute a copy of the policy and regulations to all employees.

## 7. Review

The Board will review the effectiveness of its Drug-Free Workplace policy and regulations annually. Community input and consultation with local agencies shall be a part of this review process.

Adopted: 6 May 1997

Reviewed: 6 February 2007

## 7440 SECURITY OF SCHOOL PREMISES

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

The district security program will include the maintenance of facilities secure against unwelcome intrusion; protection against fire hazards and faulty equipment; and the observation of safe practices in the use of electrical, plumbing, and heating equipment. The Board directs close cooperation of district officials with local law enforcement officers, fire fighters, the sheriff's office, and insurance company inspectors.

Personal access to school buildings and grounds outside the hours school is in session shall be limited to personnel whose employment requires their presence in the facility. An adequate access control system will be established to limit building access to authorized personnel and guard against the potential of intrusion by unauthorized persons.

Building records and funds shall be kept in a safe place and under access control as appropriate and necessary.

Access control hardware 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 security guards in situations in which special risks are involved.

Adopted: 6 May 1997

Reviewed: 6 February 2007

Revised: 12 June 2018



# REGULATION

DUNELLEN  
SCHOOL DISTRICT

PROPERTY  
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School Security

## R 7440 SCHOOL SECURITY

### A. Definitions

1. "Access" means free and unimpeded entry to the public areas on school premises. Access does not include entry to
  - a. Areas that are the private domain of individuals, such as an individual's office, closets, and filing cabinets, or
  - b. Areas in which pupil instruction is being carried on, without the express permission of the principal or the teacher in charge.
2. "School premises" means all school buildings, all school grounds, and any structures on school grounds or are leased/rented by the District.

### B. Access to school premises

1. Access to school buildings and grounds during the school day will be permitted to all pupils enrolled in the school, all school staff members, and visitors pursuant to Policy No. 9150.
2. Access to school buildings and grounds before and after the school day will be permitted to
  - a. Members of the Board of Education for official published meetings;
  - b. The Superintendent, Board Secretary, facilities support staff and other support staff authorized by the Superintendent of Schools;
  - c. The building principal and other administrative staff members;
  - d. Staff members in the performance of their professional responsibilities;
  - e. Pupils involved in interscholastic athletics, co-curricular, and extra-curricular activities and authorized spectators;
  - f. Members of organizations granted the use of school premises pursuant to Policy No. 7510;

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- g. Police officers, fire fighters, health inspectors, and other agents of state and local government in the performance of their official duties; and
        - h. Members of the public present to attend a public Board meeting.
3. All visitors to school buildings during the school day will be required to register their presence in the school office, pursuant to Policy No. 9150.
4. All persons who enter school buildings when the school office is closed must register or sign a school log, maintained outside the school office. The log will record
  - a. The person's name and, if appropriate, title;
  - b. The date and time of entry and exit;
  - c. The reason for the person's entry.
5. Signs will be conspicuously posted to inform visitors of the requirements of ¶B3 and ¶B4.

### C. Building security

1. Entrances to school buildings shall be kept locked.
2. The building principal shall recommend to the Superintendent the installation of any special protective device to guard against illegal entry and/or vandalism.
3. No money, purses, or other valuables should be left in any room.
4. Visitors to the school, e.g., resource persons, parent volunteers, speakers, etc. must be coordinated with the principal.
5. All visitors are to report to the office prior to going to a classroom.

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### D. Access Control to school buildings and facilities

1. Staff members and school officials will be provided with an access device as follows:
  - a. Teaching staff members and support staff members will be provided with **an access control** devices to the specific classroom(s) or storage facility(ies) to which they require access for the performance of their professional duties.
  - b. The building principal and Supervisor of Buildings and Grounds will be provided with keys/access control devices 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/access control devices to the school building and to the offices to which they require access for the performance of their professional duties.
  - d. The Superintendent, School Business Administrator/Board Secretary, and the Director of Buildings and Grounds will be provided with a set of grand master keys/access control devices.
2. The employee or school official to whom key/access control devices is entrusted is prohibited from distributing the key/access control device to any other person.
3. Possession and/or use of a keys/access control devices to school premises by a district employee not expressly authorized by these regulations to possess such a keys/access control devices is an infraction of rules subject to discipline.
4. The loss of a key/access control device to any school building, facility, office, classroom, or storage place must be immediately reported to the immediate supervisor who shall report such losses to the School Business Administrator/Board Secretary. The staff member who loses a keys/access control devices will be responsible for the cost of the replacement of the key/access control device or, if necessary, the lock.

### E. Staff member responsibilities

1. Staff members and students are encouraged to limit bringing valuable belongings to school. All valuable belongings should be kept secure. Staff members and students who bring valuable belongings to school shall do so at his/her personal risk. A secure storage place shall be maintained in the school office under lock

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School Security

- and key for the temporary storage of valuables belonging to staff members or pupils.
2. A valuable item brought to school by a pupil should be placed in the school office under lock and key and a written receipt given to the pupil. The pupil's parent or legal guardian will be requested to retrieve the item from the school office. The parent or legal guardian may be requested to provide adequate identification before the item is released. The parent or legal guardian to whom a valuable item is released will sign a receipt, which will be maintained by the principal.
  3. Staff members shall
    - a. Close classroom windows and lock classroom doors when leaving at the end of the school day,
    - b. Shut classroom doors during the school day,
    - c. Utilize their access control device to enter/unlock any door equipped with an access control reader,
    - d. Report immediately to the principal any evidence of tampering or theft.
  4. Custodians shall, 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.
  5. Office personnel shall take all reasonable precautions to insure 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 Regulation No. 6620.
    - b. Board minutes will be secured in accordance with Bylaw No. 0168.
    - c. Financial records and books of account will be secured in accordance with Policy No. 6810.
    - d. Pupil records will be secured in accordance with Policy No. 8330 and Regulation No. 8330.

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- e. Personnel records will be secured in accordance with Policy No. 8320 and Regulation No. 8320.
- F. Summoning the police
- 1. The Dunellen Police Department 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 pupil transportation to or from school,
    - b. A break and entry has occurred on school premises,
    - c. A deadly weapon is on school premises, or
    - d. A breach of the peace has occurred on school premises.
  - 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: 6 May 1997  
Reviewed: 6 February 2007  
Revised: 24 April 2018  
Revised: 12 June 2018

## 7441 USE OF VIDEO AND AUDIO MONITORING

The Board of Education recognizes that maintaining the safety and security of students, staff and district property is best implemented with a multifaceted approach. To the extent modern technology provides tools to maintain safety and security, the use of technology such as video surveillance cameras is supported by the Board.

Video surveillance may be utilized in and around schools, on district property and on school transportation vehicles. Cameras may be equipped with audio recording capabilities as well. Video surveillance shall be in accordance with applicable laws pertaining to such use. The district also shall comply with applicable law related to maintaining video recordings. The superintendent or designee is directed to develop regulations governing the use and viewing of video surveillance in accordance with applicable law and Board policy.

### **Exclusions**

Video and Audio monitoring is not permitted in areas where there is a reasonable expectation of privacy. Recording of teacher instruction for purposes of completing a licensed personnel performance evaluation is not intended to be covered by this policy and shall not be permitted except as provided by state law. Recording of students for purposes of their educational programming is also not intended to be covered by this policy.

### **Placement and notification**

1. Video/Audio surveillance equipment will be installed in and around schools, district buildings and property leased / rented by the district where there is a legitimate need for video surveillance, as approved by the Superintendent of Schools or his or designee.
2. Video/Audio surveillance equipment will not be used or installed in areas where the public, students and/or staff have a reasonable expectation of privacy, such as locker rooms and restrooms.
3. Video/Audio surveillance equipment may be in operation 24 hours per day on a year round basis at any and all times, whether or not school is in session and whether or not the facilities or buildings are in use.
4. Video/Audio monitors shall not be located in an area that enables public viewing.

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Use of Video and Audio Monitoring

5. Conduct and comments in publicly accessible places on district property (e.g. instructional spaces, school hallways, cafeterias, auditoriums, libraries, customer service contact points, buses, athletic facilities, etc.) may be recorded by video and audio devices.
6. The district shall notify students, staff and the public that Video/Audio surveillance systems are present. Such notification will be included in staff and student handbooks and signs will be prominently displayed in appropriate locations throughout the district.
7. Specific notification will not be provided when a recording device has been installed or is being utilized in a school vehicle or building.

### Use

1. The use of video/audio surveillance equipment on school grounds, district buildings and property leased / rented by the district shall be supervised and controlled by the Superintendent of Schools or his/her designee.
2. Staff and students are prohibited from unauthorized use, tampering with or otherwise interfering with video recordings and/or video camera equipment. Violations will be subject to appropriate disciplinary action. Disciplinary action shall be consistent with applicable Board policies and regulations and may include, but not be limited to, written reprimand, increment withholding, suspension, or dismissal for staff and suspension and/or expulsion for students, depending upon the nature and severity of the situation.
3. The Superintendent of Schools or his/her designee will review the use and operations of the video/audio surveillance system with all school administrators and related support staff on a periodic basis.
4. Video/audio recordings may be used as evidence that a student, staff member or other person has engaged in behavior that violates state law, Board policies and/or school rules.
5. The District reserves the right to use the video/audio produced by the security systems as part of enforcement of school policy, and, where appropriate, disciplinary proceedings.
6. The security system may record criminal offenses and/or other misconduct that occurs in view of the camera / area of other device. Such video recordings may be

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Use of Video and Audio Monitoring

released to police or other applicants in accordance with state and federal law, including, but not limited, to the Family Educational Rights and Privacy Act.

### **Storage/security**

1. The district shall provide reasonable safeguards including, but not limited to password protection, well-managed firewalls and controlled physical access MDF/IDF rooms to protect the video/audio surveillance system from hackers, unauthorized users and unauthorized use.
2. Video/audio recordings will be stored for a minimum of 30 calendar days after the initial recording. If the Superintendent of Schools knows no reason for continued storage, such recordings may be erased.
3. Video/Audio recordings held for review will be maintained in their original form, trimmed to isolate the incident, pending resolution of the incident. Recording media will then be released for erasure, copied for authorized law enforcement agencies or retained in accordance with applicable law and Board policy.
4. To ensure confidentiality, all video storage devices along with cloud based servers that are not in use will be stored securely in the District Central Office. All storage devices that have been used will be numbered and dated. Access to the storage devices and/or cloud based servers will be limited to authorized personnel.
5. Video/audio recordings held by the district as student education records and/or personnel records shall be maintained in accordance with applicable law and Board policy.

### **Viewing requests**

Requests for review of video recordings will be as follows:

1. All viewing requests must be submitted in writing. Requests for viewing will be limited to those staff and/or district officials with a direct interest in the recording as authorized by the Superintendent of Schools. Only the portion of the recording concerning the specific incident at issue will be made available for viewing.
2. Requests for viewing may be made to the Superintendent of Schools or his designee within 15 school days of the date of recording.



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Use of Video and Audio Monitoring

3. Approval or denial for viewing will be made within 1 school day of receipt of the request and so communicated to the requesting individual.
4. Recordings will be made available for viewing within 1 school days of the approval of the request.
5. All viewing will include the designated district administrator or designee.
6. To the extent required by law, a written log will be maintained of those viewing video recordings including the date and location of viewing, reasons for viewing, date the recording was made and the viewer's signature.
7. Recordings will remain the property of the district and may be reproduced only in accordance with applicable law and Board policy.
8. As a general rule, copies of videos will not be released absent a court order or valid subpoena.

Adopted: 24 April 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 nonconsumable, costs at least \$2,000. as a single unit, and does not lose its identity when incorporated into a more complex unit.

The School Business Administrator/Board Secretary shall insure 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.

N.J.A.C. 6A:23-2.1

Adopted: 6 May 1997

Revised: 6 February 2007

# POLICY

BOARD OF EDUCATION  
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Animals on School Property

## 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 not permitted on school district grounds, except by the expressed permission of the building principal. Without such permission, a pet owner who brings or permits their animal on school grounds has committed an act of trespass. If an animal is found running at large on school grounds, its owner will be deemed to have permitted the animal to enter school property.

The Board directs the building principal to give notice regarding the prohibition of pets by posting appropriate signs on school property. The 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 on school property is in violation of this policy.

Adopted: 6 May 1997

## 7510 USE OF SCHOOL FACILITIES

The Board believes that the school facilities of this district should be made available for community purposes, provided that such use does not interfere with the educational program of the schools. The Board may permit the use of school facilities when such permission has been requested in writing and has been approved by the Superintendent and/or the Board Secretary.

Priority shall be given for the use of school facilities to the following:

- A. Uses and groups directly related to the school and the operations of the school, including parent teacher organizations and booster clubs.
- B. Organizations indirectly related to the school district, such as community non-profit organizations and municipal bodies e.g. the Dunellen Recreation Department, when the specific use promotes the interest of the public school system, or serves the youth of Dunellen
- C. Departments or agencies of the municipal governments within the school district in the performance of their usual and lawful activities other than those which may be included in B. above;

The extracurricular use of school facilities shall not be granted for any commercial use or to any profit-making organization, for a private social function, or for any purpose, which is prohibited by law.

Groups in A and B above may present performances, run camps, clinics, tournaments, etc. for the purpose of fund raising, when the proceeds, less expenses, go directly to assist student activities in the public schools, or when 50% or more of the participants are Dunellen residents. Such performances and the distribution of such funds must be approved in advance by the board or designee.

Priority shall always be given to uses of the facilities for programs of the board and then to uses specified in A. above.

No school building may be utilized unless a custodian with an appropriate boiler license is on duty. Therefore, school buildings can only be used by athletic teams and other organizations during school holidays if this coincides with the calendar utilized by the maintenance-custodial staff unless permission is granted by the Superintendent. The use

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Use of School Facilities

of school facilities may not be granted for the advantage of any non-community group nor for use on Sunday without Board permission.

The Board considers the use of its facilities to be a privilege and not a right that can be revoked if the privilege is abused or the rules violated. The Board shall require that all users of school facilities comply with the policies of this Board and the rules and regulations of this district. The Superintendent shall develop procedures for the granting of permission to use school facilities, which shall include:

1. Each user shall present evidence of the purchase of organizational liability insurance to the limit of one million dollars with the Dunellen Board of Education named as an "Additional Insured".
2. Use of school equipment, in conjunction with the use of school facilities must be specifically requested in writing and may be granted by the procedure by which permission to use facilities is granted. The user of school equipment must accept liability for any damage or loss to such equipment that occurs while it is in their use. Where rules so specify, no item of equipment may be used except by a qualified operator.
3. The use of school facilities for activities directly related to the educational program district operations shall be without cost to the users. Organizations outside the schools shall assume the costs of their use, including the cost of such additional staff services as may be required.

The Board may assess fees for the use of school facilities. The Superintendent will determine use on days when schools are not in session. No use of school buildings shall be permitted on holidays or weekends until the safety of the building is determined by the School Business Administrator/Board Secretary or designee.

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

Adopted: 6 May 1997

Revised: 10 October 2006

# POLICY

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Recreational Use of Playgrounds

## 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.

The Board will publish rules of conduct, which shall govern all persons who use the facilities of this district. Students 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.

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

Adopted: 6 May 1997

Reviewed: 20 February 2007

# REGULATION

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Rules for Playground Conduct

## R 7513 RULES FOR PLAYGROUND CONDUCT

### A. Application

These regulations apply to all playgrounds and outdoor recreational areas under the maintenance, control, and management of the Board of Education, whether or not the premises are wholly owned by the Board with the exception of athletics fields prepared and reserved for the use of school teams which requires the expressed permission of the Superintendent for use.

### B. General rules

1. District playgrounds will be open for recreational use during daylight, non-school hours on all days during the calendar year.
2. No games or athletics or playing may take place within 25 feet of a school building or on the lawns in front of any school building.
3. Persons shall not congregate or loiter in or near a school building, or on school facility steps.
4. The use, possession, and/or distribution of alcohol and/or a controlled dangerous substance is absolutely prohibited. The presence of a person under the influence of alcohol or a controlled dangerous substance is absolutely prohibited.
5. Playgrounds cannot be used for activities that are
  - a. Potentially dangerous to persons,
  - b. Potentially harmful or destructive to school property and buildings, or
  - c. Unduly noisy or otherwise offensive to residents in the school neighborhood.
6. The use of any of the following is specifically barred from school playgrounds.
  - a. Fuel or battery-powered objects such as rockets and motorized model airplanes, and
  - b. Vehicles such as mini-bikes, mopeds, and all-terrain vehicles.

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Rules for Playground Conduct

7. Vehicles are permitted on school grounds only in parking areas and driveways specifically designated for vehicular traffic.
8. Vehicles cannot be left overnight on school grounds without the express permission of the principal.
9. Persons who use playgrounds are responsible for removing any trash or litter they bring to or create on the premises.
10. Dogs, on or off leash, and horses are barred from the playgrounds.
11. Where fences have been installed to control traffic or bar access, they cannot be climbed or vaulted.
12. Gambling is prohibited on school premises.

## C. Use by organized groups

The use of school playgrounds by organized groups is subject to Policy No. 7510 and Regulation No. 7510.

Adopted: 6 May 1997

Reviewed: 20 February 2007



# POLICY

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Lending of School Owned Equipment

## 7520 LENDING OF SCHOOL OWNED EQUIPMENT

The Board believes that district owned equipment is a valuable resource which may be loaned for community use under certain conditions, provided that such use does not interfere with the educational program of the schools.

The Board may lend specific items of equipment on the written request of the user and approval granted by the Superintendent.

The user of district owned equipment shall be fully liable for any damage or loss occurring to the equipment during the period of its use and shall be responsible for its safe return.

School equipment may be removed from school property by students or staff members only when such equipment is necessary to accomplish tasks arising from their school or job responsibilities. The consent of the Superintendent or designee is required for such removal.

Removal of school equipment from school property for personal use by employees is permitted subject to policy.

Adopted: 6 May 1997  
Reviewed: 20 February 2007

## 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. A pupil of the school district will be held liable for the damage. Where the damage to district property is more than minimal or has been caused by a minor not a pupil of this district, the Board will hold liable for the amount of the damage the parent or legal guardian 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 13 and under 18 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, or religion 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.

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

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

Adopted: 6 May 1997

Reviewed: 20 February 2007

# REGULATION

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Vandalism

### R 7610 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 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 principal or supervisor shall promptly institute an investigation of the report by taking these steps as appropriate or by contacting the appropriate investigative agency.
  - a. Requesting the reporting employee to file a report of the evidence giving rise to his or 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 principal will complete and file with the Superintendent a detailed vandalism and property damage report.
4. The 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, or religion, 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 Policy Nos. 5600, 5610, and 5620.
2. A pupil who vandalizes school property will be held liable for any damages caused by the act of vandalism.
3. The parents or legal guardians 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 Business Administrator or designee shall obtain a professional estimate of the cost of repairs and/or replacements necessitated by the vandalism.
  - b. The Business Administrator or designee shall present the pupil's parent or legal guardian with an itemized bill based on the estimated costs.

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Vandalism

- c. If, within 30 days the pupil's parent or legal guardians has not paid the bill or made arrangements with the Business Administrator or designee for the payment of the bill in periodic installments, the Superintendent shall inform the Board and recommend that 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.
3. The 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.
4. 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, or religion is guilty of a crime and shall be reported to the appropriate law enforcement agency.
5. 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.
6. 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 13 and under 18 years of age, if convicted of an act of graffiti.

Adopted: 6 May 1997

Reviewed: 20 February 2007

# POLICY

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School Vehicle Assignment, Use, Tracking, Maintenance and Accounting

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.

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 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.,

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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.

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

Adopted: 21 October 2008

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R 7650 SCHOOL VEHICLE ASSIGNMENT, USE, TRACKING,  
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**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 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 staff member serving as head of facilities services, the staff member serving as head of security services 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.
2. Board members or employees may be temporarily assigned a school district vehicle for travel events.
3. 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 in accordance with Policy 3160 or 4160.



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4. Smoking, as defined in Policy 7434, is prohibited on “school grounds” and therefore, in accordance with the definition of school grounds in Policy 7434, smoking is prohibited in a school district vehicle at any time.
5. 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.
6. 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.
7. 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.
8. 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.
9. 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.
10. No physical alterations shall be made to a vehicle without prior Board approval.
11. 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.

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12. 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.
13. A driver assigned a school district vehicle shall be responsible for the security of the vehicle and its contents.
14. Drivers shall be personally responsible for all fines accrued as a result of traffic violations related to operation of school district vehicles.
15. 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.
16. 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.
17. 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

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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

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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;

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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).

Issued: 21 October 2008