

**WEST NEW YORK BOARD OF EDUCATION**  
West New York, New Jersey

**District Policies & Regulations**

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# POLICY

## West New York Board of Education

Section: Property

7100. LONG-RANGE FACILITIES PLANNING (M)

Date Created: June, 2008

Date Edited: June, 2008

### 7100- LONG-RANGE FACILITIES PLANNING (M)

#### M

The Board of Education recognizes that sound planning based on accurate information is essential to the provision of suitable educational facilities. In order to ensure that future district construction is planned on the basis of need, the Board, in accordance with N.J.A.C. 6A:26-2.1 et seq., will maintain and submit a Long-Range Facilities Plan (LRFP) to the New Jersey Department of Education. Except as provided in N.J.A.C. 6A:26-3.16, 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.

The district may submit an amendment to an approved LRFP for review and approval by the Commissioner of Education at any time whenever it seeks to undertake a capital project that is inconsistent with the approved LRFP then in effect.

The Board shall review all facilities annually to determine if any of them are substandard pursuant to 6A:26-8.1 et seq. All substandard facilities must be initially approved by the County Superintendent of Schools. Such approvals are given for a maximum of two consecutive years, unless inspected by the New Jersey Department of Education, Division of Finance. The Board shall not continue their use without the express written consent of the County Superintendent of Schools. No substandard educational facility will be approved unless inspected by the Division of Facilities and Transportation in the Department of Education to ensure:

1. The facilities meet health, safety and educational adequacy standards for temporary, substandard facilities, as specified in N.J.A.C. 6A:26;
2. A plan has been developed by the district and approved by the County Superintendent of Schools to upgrade the facilities to standard, fully approved conditions.

The County Superintendent will annually monitor the district's plans to upgrade facilities to fully approved status. The district will provide funds in the next immediate annual budget to correct the deficiencies about which the district is notified by the County Superintendent on or before October 1 annually. Failure to budget for the correction of deficiencies and to implement the corrections by the next September 1 following the October 1 notice will result in the Division of Facilities and Transportation ordering that the substandard facility be abandoned immediately.

The factors as outlined in N.J.A.C. 6A:26-8.1(e) will be taken into account in making a determination upon any application for the use of emergency substandard facilities.

N.J.S.A. 18A:7G-1 et seq.; 18A:11-1; 18A:33-1 et seq.; 18A:46-13

N.J.A.C. 6:23-1.1 et seq.; 6A:26-2.1 et seq.; 6A:26-8.1 et seq.

Adopted: 25 June 2008

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# REGULATION

## West New York School District

Section: Property

7100. LONG-RANGE FACILITIES PLANNING (M)

Date Created: June, 2008

Date Edited: June, 2008

### 7100. LONG-RANGE FACILITIES PLANNING (M)

#### M

In order to plan for facilities needs and meet the requirements set forth in N.J.A.C. 6A:26-2.1 et seq. The Superintendent shall cause the completion of the Long-Range Facilities Plan (LRFP). The LRFP will include the requirements as set forth in N.J.A.C. 6A:26-2.2 et seq. Except as provided in N.J.A.C. 6A:26-3.16, 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.

The district may submit an amendment to an approved LRFP for review and approval by the Commissioner of Education at any time whenever it seeks to undertake a capital project that is inconsistent with the approved LRFP then in effect.

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# POLICY

## West New York Board of Education

Section: Property

### 7101. EDUCATIONAL ADEQUACY OF CAPITAL PROJECTS

Date Created: June, 2008

Date Edited: June, 2008

#### 7101- EDUCATIONAL ADEQUACY OF CAPITAL PROJECTS

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

Projects requiring approval for educational adequacy, as defined in N.J.A.C. 6A:26-5.1 are: new school facilities including pre-fabricated facilities; additions to existing school facilities; alterations to the total number, dimension in volume and/or area, configuration or location of educational spaces or the number of any one kind of educational space; change-of-use that requires certain alterations, or that requires mechanical or electrical changes pursuant to N.J.A.C. 5:23 or these regulations; installation of temporary facilities; and any site or school facility change or alteration for the purpose of making the site and school barrier free and accessible to disabled persons pursuant to N.J.A.C. 5:23 and Section 504 of the Federal Rehabilitation Act of 1973, 29 U.S.C. §794 and the Americans with Disabilities Act, 42 U.S.C. §12101 et seq.

New Jersey Economic Development Authority and non-authority school facilities projects, along with other capital projects, are subject to educational adequacy reviews pursuant to N.J.A.C. 6A:26-5.1(b). The district will submit any plan to change of use of instructional space that is not a capital project to the County Superintendent of Schools for approval.

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

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 indicating project document submission to the County Superintendent and a copy of the transmittal letter indicating the date of plan submission to the local planning board (whenever the building footprint, volume, pedestrian or

vehicular access are altered by the project) must be submitted to the Division of Facilities and Transportation.

The Director of the Office of Bilingual Education and Equity Issues must receive a completed OEEEO questionnaire, in accordance with Title 6 of the Civil Rights Act of 1964 (42 U.S.C. §2000a et seq.), Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. §794) and Title 2 of the Americans with Disabilities Act of 1990 (42 U.S.C. §12101 et seq.), from the district and must make a positive recommendation in writing to the Division before schematic plans can be approved for any project that affects the capacity of individual buildings or their sending areas in the district.

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

The Division of Facilities and Transportation will 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.

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# REGULATION

## West New York School District

Section: Property

### 7101. EDUCATIONAL ADEQUACY OF CAPITAL PROJECTS

Date Created: June, 2008

Date Edited: June, 2008

#### 7101. EDUCATIONAL ADEQUACY OF CAPITAL PROJECTS

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

- A. Projects Requiring Approval for Educational Adequacy - N.J.A.C. 6A:26-5.1
1. Capital projects that involve the following types of building construction work require approval for educational adequacy:
    - a. New school facilities including pre-fabricated facilities;
    - b. Additions to existing school facilities;
    - c. Alterations to the total number, dimension in volume and/or area, configuration or location of educational spaces or the number of any one kind of educational space;
    - d. Change of use that requires alterations per A.1.c. above, or that requires mechanical or electrical changes pursuant to N.J.A.C. 5:23 or these regulations;
    - e. Installation of temporary facilities; and
    - f. Any site or school facility change or alteration for the purpose of making the site and school barrier free and accessible to disabled persons pursuant to N.J.A.C. 5:23 and §504 of the Federal Rehabilitation Act of 1973, 29 U.S.C. §794 and the Americans with Disabilities Act, 42 U.S.C. §12101 et seq.
- B. New Jersey Economic Development Authority and Non-Authority Capital Projects
1. New Jersey Economic Development Authority and non-authority school facilities projects, along with other capital projects, are subject to educational adequacy reviews as follows:
    - a. Authority School Facilities Projects - The district will apply for the review and approval for educational adequacy in conjunction with the application for approval of a school facilities project pursuant to N.J.A.C. 6A:26-3.1 et seq., and prior to the review and approval of capital projects for compliance with the Uniform Construction Code, N.J.A.C. 5:23, by the Division of Codes and Standards in the Department of Community



Affairs, and prior to local share authorization. The educational adequacy review will cover three and in certain circumstances, see N.J.A.C. 6A:26-5.4, four types of project documents: educational specifications, schematic plans and related documents, detailed plans and specifications, and final plans and specifications. The educational specifications and schematic plans and related documents will be submitted by the district at the time of project application; the detailed plans and specifications, and final plans and specifications are forwarded by the authority to the Division after project approval, but prior to UCC approval.

- b. Non-authority School Facilities Projects - The district will apply for the review and approval for education adequacy as in subparagraph B.1.a. above. The educational adequacy review will cover three types of documents: educational specifications, schematic plans and related documents, and final plans and specifications. Educational specifications and schematic plans and related documents will be submitted to the Division by the district at the time of the project application. Final plans and specifications will be submitted to the Division by the district after project approval, but prior to UCC approval and local share or total costs of the school facilities project for a debt service aid authorization.
- c. Other Capital Projects - The district will apply for the review and approval for educational adequacy prior to the division review for consistency of the other capital project with the district's approved LRFP. The educational adequacy review will cover educational specifications, schematic plans and related documents, and final plans and specifications. The educational specifications and schematic plans and related documents will be submitted by the district at the time the project is reviewed for consistency with the district's approved LRFP. Final plans and specifications will be submitted to the Division by the district after the consistency review, but prior to UCC approval and local funding authorization.

C. Change of Use of Instructional Space

1. The district will submit any plan for change of use of instructional space to the County Superintendent of Schools for approval.

D. Educational Specifications (N.J.A.C. 6A:26-5.2)

1. Submissions of educational specifications for educational adequacy reviews will include the following:
  - a. Educational specifications will be prepared in writing describing in detail the educational program activities and requirements for each space proposed in the capital project, and will refer to the Core Curriculum Content Standards wherever appropriate;
  - b. An itemized list of furniture, equipment, and support spaces required to conduct the educational program specified for each space will be included, together with their estimated areas in square feet, as well as an estimate of the total room area required for each space;
  - c. Specific technical and environmental criteria, adjacencies and other

requirements for the educational program will be noted; and

- d. Educational specifications must contain a building space program that indicates the number and area in square feet of each instructional, specialized instructional, administrative and support space in each existing or proposed building included in the capital project.

E. Schematic Plans and Other Related Project Documents (N.J.A.C. 6A:26-5.3)

1. Submissions of schematic plans for educational adequacy reviews will include the following:
  - a. Three sets of schematic plans showing the entire existing and proposed building drawn to a scale of not less than 1/16 inch per foot will be submitted. The approved use of each space, and the proposed number of occupants, will be clearly labeled;
  - b. Schematic plans will be reviewed for conformance with the educational specifications and will include layouts of the built-in and moveable furniture and equipment for examples of all occupied spaces drawn to a scale of not less than 1/8 inch per foot;
  - c. Information required to demonstrate compliance with the Facility Planning Standards of N.J.A.C. 6A:26-6.1 et seq. will be indicated on the schematic plans, including dimensions, clearances, ceiling heights, and required equipment;
  - d. Paths of travel for disabled persons will be clearly indicated;
  - e. Whenever site work is required, a completed plot plan will be submitted and on it will be shown the intended location of the school and a layout of the locations of all other structures, play and recreation areas, athletic fields, walkways, roadways, access roads, buffer and set back zones, and parking areas; and
  - f. Schematic plans will be signed and sealed by a New Jersey registered architect or licensed engineer and signed by the President of the Board and Superintendent.
2. Other project documents to be submitted with the schematic plans will include:
  - a. A project cost estimate on a form provided by the Commissioner of Education;
  - b. A project schedule;
  - c. A copy of the dated transmittal letter indicating project document submission to the County Superintendent;
  - d. A copy of the transmittal letter indicating the date of plan submission to the local planning board, whenever the building footprint, volume, pedestrian or vehicular access are altered by the project; and
  - e. The Director of the Office of Bilingual Education and Equity Issues must

receive a completed OEEQ questionnaire, in accordance with Title 6 of the Civil Rights Act of 1964 (42 U.S.C. § 2000a et seq.), Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. §794) and Title 2 of the Americans with Disabilities Act of 1990 (42 U.S.C. §12101 et seq.), from the district and must make a positive recommendation in writing to the Division before schematic plans can be approved for any project that affects the capacity of individual buildings or their sending areas in the district.

F. Detailed Plans and Specifications and Final Plans and Specifications (N.J.A.C. 6A:26-5.4)

1. In the case of an authority school facilities project, upon completion of detailed plans and specifications, the authority on behalf of the district will apply for final approval of the educational adequacy of the project. Detailed plans and specifications will be considered adequate for calculations of final eligible costs if the plans and specifications are sixty percent or more complete. Such application will include:
  - a. Two sets of detailed plans, drawn to a scale of not less than 1/8 inch per foot, signed and sealed by a New Jersey registered architect or licensed engineer and signed by the President of the Board and Superintendent, and specifications, to sufficiently demonstrate that the school facilities project conforms to schematic plans approved by the Division;
  - b. The fee calculated according to the fee schedule unless exempted pursuant to N.J.A.C. 6A:26-5.5; and
  - c. In the event there is a change affecting the number, configuration, size, location or use of educational spaces as set forth in the detailed plans and specifications submitted to the Department, the authority will submit such application to the Division with two sets of final plans and specifications, as set forth in subparagraph 2.a. below and no additional fee will be imposed.
2. In the case of a non-authority school facilities project or another capital project, upon the completion of final plans and specifications, the district will apply for final approval of the educational adequacy of the project. Such application will include:
  - a. Two sets of detailed plans, drawn to a scale of not less than 1/8 inch per foot, signed and sealed by a New Jersey registered architect or licensed engineer and signed by the President of the local Board and Superintendent, and specifications, to sufficiently demonstrate that the capital project conforms to schematic plans approved by the Division;
  - b. A properly executed copy of a "Release Form for School Construction Plans" for a district which chooses to have a municipal code enforcing agency review of its plans for conformance with the UCC. The district's Superintendent and municipal code enforcing agency chief must sign this form. This form may be obtained from the Division;
  - c. Copies of letters of approval from all other State agencies having jurisdiction over the project; and

- d. A check, payable to the "Treasurer, State of New Jersey," for the fee calculated according to the fee schedule unless exempted pursuant to N.J.A.C. 6A:26-5.5.

G. Fee schedule and exemption

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

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# POLICY

## West New York Board of Education

Section: Property

7102. SITE SELECTION AND ACQUISITION

Date Created: June, 2008

Date Edited: June, 2008

### 7102- SITE SELECTION AND ACQUISITION

The District may need to select and acquire new sites for school district facilities. Site acquisition for school purposes and every acquisition of land will be made pursuant to N.J.A.C. 6A:26-3.13 and N.J.A.C. 6A:26-7.1 through 7.3.

#### A. Voter Approval

The district may obtain voter approval for funding of the acquisition of land prior to the Division of Facilities and Transportation approval of the purchase of land, but shall not take any action to acquire land prior to obtaining Division approval.

#### B. Submission to the Division of Facilities and Transportation

1. The district, or the authority on behalf of the district, shall submit the following information to the Division to obtain approval for the acquisition:
  - a. A written request for approval from the district, which shall include a statement, signed by the Board President and the chief school administrator, indicating the immediate and ultimate proposed uses of the site, in terms of building use, grade organization and potential maximum enrollment, and whether the land is, or will be, part of a school facilities project indicated in the district's LRFP:
  - b. Statement from a local or county water/sewerage agency certifying that:
    - (1) The land can be adequately provided with the necessary water for the proposed maximum enrollment;
    - (2) The land can be adequately provided with the necessary and acceptable sewerage disposal system for the proposed maximum enrollment; and
    - (3) Water and sewer infrastructure is, or is not, in place to service the site.
  - c. Statement from New Jersey Department of Environmental Protection or a licensed architect, engineer or professional planner, indicating whether:
    - (1) The land is subject to regulation under wetlands, pinelands, or the waterfront development acts, the Greenacres Act, or other statutes, regulations or Executive Orders administered by agencies of state or federal government;
    - (2) If so subject, the steps necessary to obtain approval from such

agencies, and adequate documentation to demonstrate to the Division that such approvals will be obtainable and not affect the adequacy of the site; and

- (3) The land is in an area designated for growth under the New Jersey State Development and Redevelopment Plan.
- d. A statement from a New Jersey registered architect or licensed engineer indicating that the land to be acquired is suitable for the proposed use;
  - e. A completed plot plan of the land to be acquired showing topographical and contour lines, all adjacent properties and access roads. The acreage and dimensions of the tract proposed for acquisition shall be included as per the application of the standards for minimum acceptable school site sizes in C. below;
  - f. A map of the district showing the location of the land and the location of existing schools in the district;
  - g. A map showing the attendance area to be served by the school and the number of pupils who reside therein;
  - h. Data regarding the impact of the acquisition on racial balance within the district's public schools;
  - i. If existing buildings are located on the land to be acquired, the intended use and/or disposition of these buildings. Any building to be acquired and used must comply with the requirements of the Uniform Construction Code for educational occupancy, and the requirements of N.J.A.C. 6A:26-5.1 et seq. which apply to the construction of a new building;
  - j. Recommendations of the local planning board of the municipality in which the site is situated and which has an approved master plan, as required by N.J.S.A. 40:55D-31, 18A:18A-49 and 18A:18A-16;
  - k. Prior approvals of other agencies, such as the New Jersey Departments of Agriculture and Environmental Protection and the Pinelands Commission, where such approval is reasonably obtainable prior to acquisition;
  - l. Documentation that available data on soil conditions have been examined by the architect or engineer;
  - m. Reports by the architect or engineer of actual soil test borings and percolation tests on any site located less than one mile from a landfill;
  - n. A full, detailed appraisal of the market value of the property prepared by a licensed professional; and
  - o. The recommendation of the County Superintendent of Schools based on the requirements specified in this subchapter.

### C. Size of School Sites

1. 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.
2. All school sites require sufficient acreage for the following:
  - a. The placement of the school facility;
  - b. Expansion of the building to its maximum potential enrollment;
  - c. The placement of all other structures such as greenhouses, storage buildings, school bus maintenance buildings or garages and any other structure, above or below ground, which is to be placed thereon;
  - d. Multi-purpose physical education and recreation field(s) required to support the achievement of the Core Curriculum Content Standards as defined by the educational specifications under N.J.A.C. 6A:26-5.1 et seq.;
  - e. Disabled-accessible pedestrian walkways, roadways and parking areas on which people and vehicles access the building;
  - f. Public and service access roads onto the site including, where warranted, a one-way school bus road of thirty foot width and a two-way road of thirty-six foot width; a school bus drop-off area; and eighteen foot wide posted fire lanes for fire apparatus; and
  - g. A thirty-foot wide access around the entire building.
- D. Land owned by the school district which does not meet the standards of N.J.A.C. 6A:26-7.1 may be supplemented by adjacent municipally owned land if such land is formally leased on a long-term basis to the district Board of Education for exclusive use during school hours.
- E. The approval of the Division shall remain effective for three years, after which time Division approval shall again be obtained prior to acquiring land.
- F. Approval for Acquisition of Existing Facilities
  1. If the district has an opportunity to acquire an existing facility through purchase, gift, lease or otherwise the district will comply with all procedures and rules pertaining to the appropriation and use of capital funds as required by N.J.S.A. 18A:20-4 and 18A:20-4.2 as per N.J.A.C. 6A:26-7.3.
  2. The district shall also have the facility approved in accordance with N.J.A.C. 6A:26-3 which applies to the acquisition of a school site and for the construction of a new facility.
  3. Off-site facilities which are to be procured for temporary, emergency use must comply with N.J.A.C. 6A:26-8, Substandard School Facilities.
- G. Districts Eligible for 100% State Support Only

The authority may acquire land on behalf of a district eligible for 100% State support of

final eligible costs, for school facilities projects that are consistent with such district's approved LRFP. For such districts, the Department requires submission of all information set forth in N.J.A.C. 6A:26-7.1(b) to demonstrate compliance with these regulations. The authority may submit the required information on behalf of such districts.

N.J.A.C. 6A:26-3.13; 6A:26-7.1; 6A:26-7.2; 6A:26-7.3

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# POLICY

## West New York Board of Education

Section: Property  
7130. SCHOOL CLOSING  
Date Created: June, 2008  
Date Edited: June, 2008

### 7130- SCHOOL CLOSING

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

The Board will not commit itself to the closing of any school facility without first having collected and considered appropriate information regarding pupil enrollments, the educational adequacy of school facilities, relevant safety and traffic factors, district revenues, and alternative district organizational plans. The Board will invite citizen participation in the analysis of that information and the formulation of recommendations. Information on any proposed district reorganization will be disseminated to the public, and public response will be invited by all appropriate means.

The Board must receive a letter of approval from the Department of Education before making a final determination to close a school. To receive the letter of approval from the Department of Education, the Board must provide the Division of Facilities and Transportation and the County Superintendent of Schools assurances as required in N.J.A.C. 6A:26-7.5.

The proposed closing must be consistent with the district's approved LRFP, demonstrating that sufficient school building capacity exists to house district pupils following such closing for the succeeding five years. The use of substandard spaces in the remaining schools within the district must not result or increase from an overall facilities shortage caused by the school closing. 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.

N.J.S.A. 18A:11-1; 18A:20-36; 18A:33-1  
N.J.A.C. 6A:26-7.5 et seq.

Adopted: 25 June 2008

# POLICY

## West New York Board of Education

Section: Property

7230. GIFTS, GRANTS, AND DONATIONS

Date Created: June, 2008

Date Edited: June, 2008

### 7230- GIFTS, GRANTS, AND DONATIONS

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

The Board may accept by resolution duly passed at a public meeting any gift or grant of land, with or without improvement, and of money or other personal property, except that the Superintendent may accept on behalf of the Board any such gift less than \$500 in value. Grants of land are subject to the appropriate legal limitations and approvals.

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

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

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

The Superintendent shall:

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

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

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# REGULATION

## West New York School District

Section: Property

7230. GIFTS, GRANTS AND DONATIONS

Date Created: June, 2008

Date Edited: June, 2008

### 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. 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.
4. Any proposed donation of funds \$500 or more will be referred to the Superintendent, who will invite the donor to confer with him/her on the dedication of the funds.
5. 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.
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.

Issued: 25 June 2008

# POLICY

## West New York Board of Education

Section: Property

7231. GIFTS FROM VENDORS (M)

Date Created: June, 2008

Date Edited: June, 2008

### 7231- GIFTS FROM VENDORS (M)

#### M

In accordance with N.J.A.C. 6A:10A-4.1(f), no school district employee shall solicit, receive or agree to receive any compensation, reward, employment, gift, meal, honorarium, travel, reimbursement, donation, or any other thing of value from any person, firm, corporation, association, partnership or business that is the recipient of, or a potential bidder for, or applicant for any contract, professional services contract, or purchase order from the school district. The policy shall be consistent with the requirements of N.J.S.A. 18A:12-21 et seq., School Ethics Act.

There is no threshold for the amount of contract, professional services agreement, purchase order, or other agreement to do business with the school district. A certification shall be completed by all signatories who are school district employees to any business transactions that the contract, agreement, or purchase order has been executed consistent with the terms of N.J.A.C. 6A:10A-4.1(f).

Any school district employee who violates the terms of N.J.A.C. 6A:10A-4.1(f) will be subject to consequences which may include, but are not limited to, suspension, termination of employment, withholding of annual increments or demotion.

N.J.A.C. 6A:10-4.1(f)

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# POLICY

## West New York Board of Education

Section: Property  
7243. SUPERVISION OF CONSTRUCTION  
Date Created: June, 2008  
Date Edited: June, 2008

### 7243- SUPERVISION OF CONSTRUCTION

The Board of Education directs that the Facilities Manager be responsible for the supervision of all building construction in this district. Supervision shall include field inspection of the contractor's operations, administrative review of the activities of the architect relating to the construction, and any other construction matters relating to the interests of the school district.

The Superintendent and/or designee shall report periodically to the Board that by his/her personal knowledge the work of the construction contractor and the architect is being performed in accordance with the plans, specifications, and contracts approved by the Board.

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

Upon completion of a building project and a final inspection of all its aspects by the architect, contractors, and school officials, a recommendation for acceptance shall be made to the Board by the architect.

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

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# POLICY

## West New York Board of Education

Section: Property  
7250. SCHOOL AND FACILITY NAMES  
Date Created: June, 2008  
Date Edited: June, 2008

### 7250- SCHOOL AND FACILITY NAMES

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

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

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

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# POLICY

## West New York Board of Education

Section: Property  
7300. DISPOSITION OF PROPERTY  
Date Created: June, 2008  
Date Edited: June, 2008

### 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 and N.J.A.C. 6A:26-7.4. If an approved site 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 Department of Education in accordance with the requirements of N.J.A.C. 6A:26-7.4 et seq. The Department of Education 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. 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.

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 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:20-6 et seq.  
N.J.A.C. 6A:26-7.4

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# REGULATION

## West New York School District

Section: Property

### 7300.1. DISPOSITION OF INSTRUCTIONAL PROPERTY

Date Created: June, 2008

Date Edited: June, 2008

#### 7300.1. DISPOSITION OF INSTRUCTIONAL PROPERTY

##### A. Definition

“Instructional property” means textbooks as defined in Policy No. 2510 and resource materials as defined in Policy No. 2530, excluding textbooks and resource materials purchased with federal funds.

##### B. Review

1. The School Business Administrator/Board Secretary shall appoint committees comprised of teachers, administrators, and librarians, as appropriate to the grade level and subject matter to assess periodically the continuing usefulness of instructional property in the school or program.
2. The committees will recommend for removal or replacement instructional property that:
  - a. Is so worn and/or damaged as to preclude effective use and economical repair or restoration,
  - b. Is so outdated as to no longer serve as worthy instructional tools,
  - c. Violates federal, state, or district affirmative action standards for nondiscriminatory materials, pursuant to Policy No. 2260, or
  - d. Although still useful, has been superseded by superior replacement materials.
3. The School Business Administrator/Board Secretary will receive and review the committee’s recommendations. A list of textbooks and materials approved for disposal will be sent to the Superintendent.
4. Approval by the Board of Education is required for disposing of instructional property. Any such recommendation must comply with Policy Nos. 2530 and 9130, which require that the reason for disposal accompany the recommendation. No material may be removed and disposed of solely because it presents ideas that may be unpopular or offensive to some.

##### C. Disposal

1. Instructional property approved for disposal will be offered at no cost to any educational institution, public or private, willing to accept the property and pay the costs of packing and delivery.
2. Any remaining instructional property will be offered for sale to pupils, parent(s)

or legal guardian(s), and community residents. Prices will reflect the reduced value of the property to the district by covering only the cost to the district of conducting the sale.

3. Any property remaining after offer of sale has been made will be donated to the parent-teacher organization or other community organization for sale in a book fair.
4. Any property remaining after offer of sale and donation has been made will be sold for scrap or, if unsalable, offered for recycle.

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# REGULATION

## West New York School District

Section: Property

7300.2. DISPOSITION OF REAL PROPERTY

Date Created: June, 2008

Date Edited: June, 2008

### 7300.2. DISPOSITION OF REAL PROPERTY

#### A. Definition

“Real property” means land and the structures upon the land and all immovable equipment and fixtures attached to the land or its structures, excluding property purchased with federal funds.

#### B. Review

The decision to dispose of the real property of the district that is no longer suitable or convenient for the use for which it was acquired or is no longer needed for school purpose will be made by the Board of Education in accordance with N.J.S.A. 18A:20-5 et seq., N.J.A.C. 6A: 26-7.4 and Policy No. 7100.

#### C. Department of Education Review and Approval

1. If the Board desires to have an approved site 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 Facilities and Transportation, Department of Education.
2. The district will send a copy of the request to the County Superintendent of Schools who will make recommendations to the Division. The County Superintendent will provide a copy of the recommendations to the Board of Education.
3. The request will indicate whether the district intends to convey the site under an exception to the public requirements of N.J.S.A. 18A:20-9.
4. The Division will determine whether the disposal is consistent with the district’s approved Long-Range Facility Plan, or whether it has a negative impact on the educational adequacy of an individual site.
5. The Department of Education will notify the district of its approval or disapproval.

#### D. Disposal

1. If the Department of Education approves the Board’s request, the Board by the affirmative votes of a majority of its full number of members, may alter or dispose of through sale, transfer or exchange of all or part of the total acreage of an approved school site, including facilities if applicable.
2. Any such real property will be sold at public sale, in accordance with N.J.S.A. 18A:20-5 et seq., unless it is sold at private sale without advertisement to the

State of New Jersey or a political subdivision of the state or otherwise conveyed or transferred as provided by statute.

3. The public sale will be advertised at least once a week for two weeks prior to the sale in the newspapers in which official announcements of this district are made.
4. After advertisement, the property will be sold to the highest bidder, except that:
  - a. The Board may by resolution fix a minimum price with or without reservation of the right, upon the completion of the public sale, to accept or reject the highest bid which reservation shall be included in the advertisement and given as public notice at the time of the sale, or
  - b. 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.

5. 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.
6. 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.

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# REGULATION

## West New York School District

Section: Property

### 7300.3. DISPOSITION OF PERSONAL PROPERTY

Date Created: June, 2008

Date Edited: June, 2008

#### 7300.3. DISPOSITION OF PERSONAL PROPERTY

##### A. Definitions

1. "Personal property" means all property other than real property, as defined in Regulation No. 7300.2; instructional property, as defined in Regulation No. 7300.1; and federal property, as defined in Regulation No. 7300.4.
2. "Excess property" means personal property that is still usable but is no longer needed in a school building or instructional program or administrative office and is not required as a trade-in on a replacement purchase.
3. "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 excess property.

##### B. Review

1. The Building Principal will compile a list of excess property in his/her 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 B1 and will maintain a master, district-wide list of excess property.
3. The master list of excess property will be periodically distributed to all school facilities.
4. Any school or office may request transfer of excess property on the proper form, submitted to the School Business Administrator/Board Secretary. Requests will be granted in the order in which they are received.
5. An item transferred to another school or office will be removed from the district-wide list of excess property.
6. An item of personal property that has remained on the district-wide master list of excess property for thirty working days or more will be considered to be unusable and will be disposed of in accordance with Policy No. 7300 and this regulation.

##### C. Disposal at Public Sale

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

1. If the estimated fair value of the property to be sold exceeds fifteen percent of

the bid threshold in any one sale and it is neither livestock nor perishable goods, it shall be sold at public sale to the highest bidder.

2. Notice of the date, time and place of the public sale, together with a description of the items to be sold and the conditions of sale, shall be published once in the official newspaper.

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

3. Personal property may be sold to the United States, the State of New Jersey, another Board of Education, any body politic, any foreign nation 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 elect to re-offer the property at public sale.

As used herein, "estimated fair value" means the market value of the property between a willing seller and a willing buyer less the cost to the Board to continue storage or maintenance of any personal property not needed for school purposes to be sold pursuant to this section.

5. The Board may reject all bids if it determines such rejection to be in the public interest.
  - a. In any case in which the Board has rejected all bids, it may readvertise such personal property for a subsequent public sale.
  - b. If it elects to reject all bids at a second public sale, pursuant to this section, 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 of sale be changed or amended.
  - c. 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.
6. Notwithstanding the provisions of this regulation, by resolution of the Board, the purchasing agent may include the sale of personal property no longer needed for school purposes as part of specifications to offset the price of a new purchase.

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# REGULATION

## West New York School District

Section: Property

7300.4. DISPOSITION OF FEDERAL PROPERTY

Date Created: June, 2008

Date Edited: June, 2008

### 7300.4. DISPOSITION OF FEDERAL PROPERTY

#### A. Definitions

1. "Federal property" means all property, real or personal or otherwise, purchased with federal grant funds, including instructional materials.
2. "Excess property" means personal property that is still usable but is no longer needed in a school building or instructional program or administrative office and is not required as a trade-in on a replacement purchase.
3. "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 excess property.

#### B. Review

1. The School Business Administrator/Board Secretary will compile a list of excess federal property in the district at the close of each school year.
2. The list of excess federal property will be periodically distributed to all school facilities.
3. Any school may request the School Business Administrator/Board Secretary to transfer excess federal property to a currently or previously funded federal project or arrange a shared-time use with other such projects. Requests will be granted in the order in which they are received.
4. Property transferred to another school or office will be removed from the district-wide list of excess property.
5. Property that has remained on the list of excess federal property for thirty working days or more will be considered to be unusable and will either be traded in or reported to the State Department of Education with a request for disposal.

#### C. Trade-in

Federal property no longer usable may be traded in or sold and the proceeds are to be used to offset the cost of replacement equipment with the approval of the New Jersey Department of Education. The additional cost to acquire a replacement shall be charged directly to the federal program, if the program budget permits, and provided the Board of Education has approved the transaction by resolution.

#### D. Disposal

1. Equipment no longer needed with a unit fair market value of \$5,000 or more

may be retained for other uses provided compensation is made to the United States Department of Education. The amount of compensation shall be computed by applying the percentage of Federal participation in the cost of the original project or program to the current fair market value of the equipment. Payments shall be made to Treasurer, State of New Jersey-New Jersey Department of Education.

2. The School Business Administrator/Board Secretary will request disposition instructions from the Secretary of the United States Department of Education for equipment no longer wanted by the school district.

If so instructed or if the disposition instructions are not issued in one hundred twenty calendar days after the request is received by the Secretary, the equipment will be sold in accordance with No. 3 below.

3. Equipment no longer needed and/or wanted with a unit fair market value of less than \$5,000 and more than fifteen percent of the bid threshold, as per N.J.S.A. 18A:18A-45a, shall be disposed of with no further obligation of the school district and as follows:

- a. Notice of the date, time, and place of 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. (N.J.S.A. 18A:18A-45b)
- b. A sale shall be held not less than seven nor more than fourteen days after publication of the newspaper notice. (N.J.S.A. 18A:18A-45b)
- c. If no bids are received, the Board may readvertise the public sale or sell the property at private sale without public notice. Any such property sold at private sale cannot be sold for less than the estimated fair value of the property. (N.J.S.A. 18A:18A-45d)
- d. The Board may reject all bids if it determines that such rejection is in the public interest. If all bids are rejected, the Board may readvertise the property for a second public sale. (N.J.S.A. 18A:18A-45e)
- e. If the Board rejects all bids at the second public sale, the Board may sell the property at private sale without public notice, provided the selling price at private sale is at least as high as the highest bid received at the two preceding public sales, and the terms and conditions announced at the public sales are unchanged. (N.J.S.A. 18A:18A-45e)

4. Federal property with a unit value of less than fifteen percent of the bid threshold, as per N.J.S.A. 18A:18A-45a, may be disposed of at private sale with no further obligation of the school district and as follows:

- a. The School Business Administrator/Board Secretary shall establish the sale price and make reasonable efforts to find private buyers. The price charged shall be fair in value, but in no case can it be less than the costs incurred by the Board in arranging the sale and maintaining and delivering the property.
- b. Property that remains unsold after thirty working days shall be given without cost to another school district or a charitable organization or institute within the school district.

- c. Property that has not been claimed after thirty working days shall be offered for scrap or, if that is not feasible, discarded.
5. If there is a residual inventory of unused supplies exceeding \$5,000 in total aggregate value upon termination or completion of the Federal project or program, the school district shall retain the supplies for use on non-Federal activities or sell them, but shall, in either case, compensate the Federal government for its share. The amount of compensation shall be computed in the same manner as for equipment.

The supplies acquired with Federal funds may not be used to provide services to non-Federal outside organizations for a fee that is less than private companies charge for equivalent services unless specifically authorized by Federal statute.

34 CFR Subtitle A Section 74.34, 74.35 and 80.32

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# POLICY

## West New York Board of Education

Section: Property  
7410. MAINTENANCE AND REPAIR (M)  
Date Created: June, 2008  
Date Edited: April, 2009

### 7410- MAINTENANCE AND REPAIR (M)

#### 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.

[Required for School Districts with Three or More District Buildings

— Facilities maintenance, repair scheduling and accounting shall be in accordance with the provisions of N.J.A.C. 6A:23A-6.9 and Regulation 7410.01]

N.J.S.A. 18A:18A-43; 18A:21-1  
N.J.A.C. 6A:26A:-1.1 et seq.; 6A:23A-6.9

Adopted: 22 April 2009

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# REGULATION

## West New York School District

Section: Property

7410. MAINTENANCE AND REPAIR (M)

Date Created: June, 2008

Date Edited: April, 2009

### 7410. MAINTENANCE AND REPAIR (M)

#### M

##### A. Inspection

1. The Principal and the appropriate custodial staff member shall inspect the facility daily for proper functioning and cleanliness.
2. The Principal with the appropriate custodial staff member shall make a monthly inspection of the school building, support facilities, and grounds to identify any required repairs or replacements.

##### B. Reports

1. Reports of each inspection required in paragraph A1 and paragraph A2 will be made on the prescribed district form and forwarded to the School Business Administrator/Board Secretary.
2. The Building Principal will report to the Facilities Manager those repairs to be performed by the district staff and those that require the services of an outside contractor.

##### C. Repairs by District Staff

1. Any teaching staff member may prepare, on the prescribed form, a work order request for repairs and/or maintenance. All work order requests will be submitted to the Facilities Manager.
2. The Facilities Manager will assign a priority to those work orders to be performed by district staff. The priority code will be:
  - a. Emergency, for work that must be done immediately,
  - b. High Priority, for work that affects health or safety,
  - c. Normal Priority, for work that affects neither health nor safety, and
  - d. Low Priority, for work that can be completed during the summer months or whenever staff is available.
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 work order form shall include, at a minimum, the following

information:

- a. Name of the person making the request;
- b. Date of request;
- c. Location of repair,
- d. A description of the work to be performed,
- e. Scheduled date of completion, and
- f. Signature of the Facilities Manager.

D. Repairs by Outside Contractors

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

E. Replacements and Improvements

1. The Facilities Manager 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 Facilities Manager by the end of September on a budget request form for consideration in the next annual budget.
3. A comprehensive district maintenance plan shall be prepared in accordance with N.J.A.C. 6A:26A-3.1 in order to meet facility needs and comply with law.

Adopted: 22 April 2009



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# REGULATION

## West New York School District

Section: Property

7410.01. FACILITIES MAINTENANCE, REPAIR SCHEDULING, AND ACCOUNTING

Date Created: April, 2009

Date Edited: April, 2009

### 7410.01. FACILITIES MAINTENANCE, REPAIR SCHEDULING, AND ACCOUNTING

A school district with three or more district buildings shall have an automated work order system by July 1, 2010 for prioritizing, performing and recording all maintenance and repair requests for all district buildings and grounds.

#### A. Standard Operating Procedure (SOP) For Work Order System

1. The Superintendent or designee shall establish Standard Operating Procedures (SOP) for the approval and prioritization of work order requests which take into account the health and safety of building occupants, priorities and objectives established annually to carryout the district Strategic Plan, the need for the work requested, and other factors the district deems appropriate.
2. Except in an emergency where the work is necessary to correct a situation that poses an imminent threat to the health or safety of pupils and/or staff, the work order system shall include the following information for a request for work before work begins:
  - a. The name of the person making the request;
  - b. The date of the request;
  - c. The appropriate approval(s) as established by SOP;
  - d. The date of approval(s);
  - e. The location of work requested;
  - f. The priority level (for example, urgent, high, average, low);
  - g. The scheduled date(s) of service;
  - h. The trade(s) needed such as general maintenance worker, custodian, carpenter, plumber, electrician, HVAC, grounds, roofer, masonry, glazer, other;
  - i. A description of the work requested;
  - j. A projection of the materials and supplies needed for the work;
  - k. The estimated man hours needed to complete task;
  - l. The name of the work order assigner; and
  - m. The name of the employee(s) working on the order.

3. The work order system shall include the following close-out information for each request for work:
  - a. The actual hours worked by date for each assigned staff member;
  - b. The actual hourly rate paid, both regular and over-time, for each assigned staff member;
  - c. The aggregate cost of labor by regular, over-time and total;
  - d. The actual materials and supplies needed to complete the work order;
  - e. Actual cost of materials and supplies; and
  - f. The name of the employee responsible for attesting that the job was completed satisfactorily.
4. Except where prohibited by a collective bargaining agreement, the SOP shall require for any work, which cannot be completed during regular working hours by the needed completion date, an assessment of the cost-benefit of outsourcing any such work in excess of the quote threshold as determined under N.J.S.A. 18A:18A-37.
5. Where, according to the assessment, the cost of outsourcing work is less than the in-house estimated cost of labor, at over-time rates, and materials for the same work, the work shall be outsourced provided the work can be contracted in accordance with N.J.S.A. 18A:18A-1 et seq., completed by the projected completion date contained in the prioritized work order system and does not violate the terms of a collective bargaining agreement for maintenance workers and/or custodians.
6. The School Business Administrator/Board Secretary, in consultation with the supervisor responsible for this work, shall conduct an analysis of the information in the work order system no later than February 1 of the prebudget year for consideration during budget preparation. The analysis should include productivity of staff as a whole and individually, significant variations between estimated labor time and materials and actual labor time and materials, unusual trends for like projects, and other factors that will improve productivity and efficiency.

Adopted: 22 April 2009

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# POLICY

## West New York Board of Education

Section: Property  
7420. HYGIENIC MANAGEMENT (M)  
Date Created: June, 2008  
Date Edited: June, 2008

### 7420- HYGIENIC MANAGEMENT (M)

#### M

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

The Board directs that a program of hygienic management be instituted in the schools and explained annually to all staff members. Each school shall be inspected for cleanliness and sanitation by the Building Principal and head custodian 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 employee 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 Assistant Superintendent for Administrative Services before implementation;
6. Provisions for medical consultation;
7. Designation of personnel responsible for implementation of the chemical hygiene plan; and
8. Provisions for additional employee protection for work with particularly hazardous substances.

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

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

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

29 C.F.R. 1910

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

Adopted: 25 June 2008

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# REGULATION

## West New York School District

Section: Property

7420. HANDLING AND DISPOSAL OF BODY WASTES AND FLUIDS (M)

Date Created: June, 2008

Date Edited: June, 2008

### 7420. HANDLING AND DISPOSAL OF BODY WASTES AND FLUIDS (M)

#### M

##### A. Definitions

1. "Body wastes and fluids" includes a person's blood, semen, drainage from scrapes and cuts, feces, urine, vomitus, respiratory secretions (e.g., nasal discharge), and saliva. Body fluids of all persons should be considered to potentially contain infectious agents.
2. "Disinfectant" means an intermediate level agent that will kill vegetative bacteria, fungi, tubercle bacillus, and viruses and has been registered by the U.S. Environmental Protection Agency for use as a disinfectant in medical facilities and hospitals. The following classes of disinfectants are acceptable, with hypochlorite solution (A2c) preferred for objects that may be put in the mouth:
  - a. Ethyl or isopropyl alcohol (70%);
  - b. Phenolic germicidal detergent in a 1% aqueous solution;
  - c. Sodium hypochlorite with at least 100 ppm available chlorine (one-half cup household bleach in one gallon water, freshly prepared for each use);
  - d. Quaternary ammonium germicidal detergent in 2% aqueous solution; and
  - e. Iodophor germicidal detergent with 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 protective gloves is required whenever direct hand contact with body wastes and fluids is anticipated, such as in treating a bloody nose, handling clothing soiled by incontinence, and cleaning small spills by hand.
3. Disposable protective gloves shall be worn by any person in the removal of body wastes and fluids and the treatment or disinfection of any items or surfaces that have come in contact with body wastes and fluids.
4. A supply of disposable protective gloves shall be maintained in the office of the

school nurse and shall be freely available to all staff members.

C. When Bodily Contact with Body Wastes or Fluids Occurs

1. Hands and other skin areas that have come in contact with a person's body wastes or fluids must be thoroughly washed by the use of soap and vigorous scrubbing of all contacted surfaces under running water for at least ten seconds. Hands and other skin areas should then be dried with paper towels.
2. Gloves soiled by contact with body wastes and fluids or in the cleaning of soiled items and surfaces should be promptly removed and placed in a plastic bag or lined trash can, secured, and disposed of daily.

D. Removal of Body Wastes and Fluids From the Environment

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

E. Treatment of Soiled Items

1. Items such as clothing and fabric towels should be rinsed under cold running water to remove body wastes and fluids. If necessary for the treatment of stains, the item may be soaked in cold water.
2. If such 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(s) or legal guardian(s).
4. Clothing and other items soiled by body wastes and fluids should be laundered separately in soap and water. The use of a household chlorine bleach is recommended; if the material is not colorfast, a 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.
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 the School Business Administrator/Board Secretary.
2. All sharps shall be placed in a medical waste container that is:
  - rigid
  - leak resistant
  - impervious to moisture
  - have sufficient strength to prevent tearing or bursting under normal conditions of use and handling
  - puncture resistant
  - sealed to prevent leakage during transport
  - labeled

When the medical waste container is 75% full, the school nurse shall advise the school, who will arrange, by work order, to have the container picked up. The words, “Medical Waste”, shall be clearly typed across the top of the work order

form.

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

Adopted: 25 June 2008

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# REGULATION

## West New York School District

Section: Property

7420.1. BLOODBORNE PATHOGEN EXPOSURE CONTROL PLAN (M)

Date Created: June, 2008

Date Edited: June, 2008

### 7420.1. BLOODBORNE PATHOGEN EXPOSURE CONTROL PLAN (M)

#### **M**

##### A. Definitions

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

##### B. Exposure Determination

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

##### C. Workplace Controls

1. Universal precautions shall be observed to prevent contact with blood or other potentially infectious materials. All body fluids shall be considered potentially infectious materials, whether or not the presence of bloodborne pathogens is determined and whether or not body fluid types can be differentiated.
2. All blood and body fluids shall be handled in accordance with Regulation No. R 7420, Handling and Disposal of Body Wastes and Fluids, which is incorporated herein as if set forth in its entirety.

##### D. Hepatitis B Vaccination

1. Hepatitis B vaccination shall be made available to each employee identified as having occupational exposure, after the employee has received training in

bloodborne pathogens and within ten working days of his/her initial assignment, unless

- a. The employee has previously received the complete hepatitis B vaccination series,
  - b. Antibody testing has revealed that the employee is immune,
  - c. The vaccine is contraindicated for medical reasons, or
  - d. The employee declines to receive the vaccine and signs the required statement to that effect, except 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.
3. Unless the identified source individual's infection with HBV or HIV infection is already known, the identified source individual's blood shall be tested for HBV and HIV infectivity, provided that the source individual has consented to the test for HBV and HIV infectivity or when consent is not required by the law. When the source individual is already known to be infected with HBV or HIV, testing for the source individual's known HBV or HIV status need not be repeated.
4. The results of any blood testing of the source individual shall be made available to the exposed employee, and the employee shall be informed of all laws and regulations regarding disclosure of the identity and infectious status of the source individual.
5. The exposed employee's blood shall be collected as soon as possible after the exposure and on the employee's consent for HBV and HIV serological status. The employee may withhold consent for HIV serological testing for up to ninety days, during which his/her blood sample shall be preserved.
6. The exposed employee shall be offered post-exposure prophylaxis, when medically indicated, as recommended by the U.S. Public Health Service; counseling; and evaluation of any reported illnesses.

## F. Communication of Hazards to Employees

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

## G. Training Program

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

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

#### H. Recordkeeping

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

names and job titles of all persons attending the training sessions.

3. The district will ensure the training records required by this section of the Regulation be made available to authorized State and federal agencies, employees, and employee representatives upon request. Employee medical records required by this section of the Regulation shall be provided upon request for examination and copying to the subject employee, to anyone having written consent of the subject employee, and to authorized State and federal agencies in a accordance with State and federal laws.
4. The district shall comply with the requirements involving the transfer of records set forth in 29 CFR 1910.1020(h).
5. The district shall establish and maintain a sharps injury log for the recording of percutaneous injuries from contaminated sharps. The information in the log shall be recorded and maintained in such a manner as to protect the confidentiality of the injured employee. The log shall contain, at a minimum: the type and brand of device involved in the incident; the department or work area where the exposure incident occurred; and an explanation of how the incident occurred. This log shall be maintained for the period required by 29 CFR 1904.6.

I. District's Exposure Control Plan

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

J. Staff Input

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

Adopted: 25 June 2008

# REGULATION

## West New York School District

Section: Property

7420.2. CHEMICAL HYGIENE (M)

Date Created: June, 2008

Date Edited: June, 2008

### 7420.2. CHEMICAL HYGIENE (M)

#### M

##### A. Definitions

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

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



- carcinogens," reproductive toxins or substances which have a high degree of acute toxicity. A designated area may be the entire laboratory, an area of a laboratory or a device such as a laboratory hood.
8. "Emergency" means any occurrence such as, but not limited to, equipment failure, rupture of containers or failure of control equipment which results in an uncontrolled release of a hazardous chemical into the workplace.
  9. "Employee" means an individual employed in a laboratory workplace who may be exposed to hazardous chemicals in the course of his/her assignments.
  10. "Explosive" means a chemical that causes a sudden, almost instantaneous release of pressure, gas, and heat when subjected to sudden shock, pressure, or high temperature.
  11. "Flammable" means a chemical that falls into one of the following categories:
    - 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 Tagliabue Closed Tester, Z11.24-1979 (ASTM D 56-79)) for liquids with a viscosity of less than 45 Saybolt Universal Seconds (SUS) at 100°F (37.8°C) that do not contain suspended solids

and do not have a tendency to form a surface film under test: or

- 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)).

Organic 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 -O-O- structure and which may be considered to be a structural derivative of hydrogen peroxide where one or both of the hydrogen atoms has been replaced by an organic radical.
20. "Oxidizer" means a chemical other than a blasting agent or explosive as defined in §1910.109(a), that initiates or promotes combustion in other materials, thereby causing fire either of itself or through the release of oxygen or other gases.
21. "Physical hazard" means a chemical for which there is scientifically valid evidence that it is a combustible liquid, a compressed gas, explosive, flammable, an organic peroxide, an oxidizer, pyrophoric, unstable (reactive) or water-reactive.
22. "Protective laboratory practices and equipment" means those laboratory procedures, practices and equipment accepted by laboratory health and safety experts as effective, or that the employer can show to be effective, in minimizing the potential for employee exposure to hazardous chemicals.
23. "Reproductive toxins" means chemicals which affect the reproductive capabilities including chromosomal damage (mutations) and effects on fetuses (teratogenesis).
24. "Select carcinogen" means any substance which meets one of the following criteria:
- a. It is regulated by OSHA as a carcinogen; or
  - b. It is listed under the category, "known to be carcinogens," in the Annual Report on Carcinogens published by the National Toxicology Program (NTP) (latest edition); or
  - c. It is listed under Group 1 ("carcinogenic to humans") by the International Agency for Research on Cancer Monographs (IARC) (latest editions); or
  - d. It is listed in either Group 2A or 2B by IARC or under the category, "reasonably anticipated to be carcinogens" by NTP, and causes statistically significant tumor incidence in experimental animals in accordance with any of the following criteria:

- (1) After inhalation exposure of 6-7 hours per day, 5 days per week, for a significant portion of a lifetime to dosages of less than 10 mg/m<sup>3</sup>;
  - (2) After repeated skin application of less than 300 (mg/kg of body weight) per week; or
  - (3) After oral dosages of less than 50 mg/kg of body weight per day.
25. “Unstable (reactive)” means a chemical which is in the pure state, or as produced or transported, will vigorously polymerize, decompose, condense, or will become self-reactive under conditions of shocks, pressure or temperature.
26. “Water-reactive” means a chemical that reacts with water to release a gas that is either flammable or presents a health hazard.

#### B. Employee Exposure

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

#### C. Chemical Hygiene Plan

1. The Superintendent shall cause the development of a Chemical Hygiene Plan by the Assistant Superintendent of Administrative Services which shall include at least the following elements and indicate specific measures the Board will take to ensure employee protection:
  - a. Standard operating procedures relevant to safety and health considerations to be followed when laboratory work involves the use of hazardous chemicals;
  - b. Criteria that the employer will use to determine and implement control measures to reduce employee exposure to hazardous chemicals including engineering controls, the use of personal protective equipment and hygiene practices; particular attention shall be given to the selection of control measures for chemicals that are known to be extremely hazardous;
  - c. A requirement that fume hoods and other protective equipment are functioning properly and specific measures that shall be taken to ensure proper and adequate performance of such equipment;
  - d. Provisions for employees information and training as prescribed by 29 CFR Part 1910;
  - e. The circumstances under which a particular laboratory operation, procedure or activity shall require prior approval from the employer or

the employer's designee before implementation;

- f. Provisions for medical consultation and medical examinations in accordance with 29 CFR Part 1910;
  - g. Designation of personnel responsible for implementation of the Chemical Hygiene Plan including the assignment of a Chemical Hygiene Officer and, if appropriate, establishment of a Chemical Hygiene Committee; and
  - h. Provisions for additional employee protection for work with particularly hazardous substances. These include "select carcinogens", reproductive toxins and substances which have a high degree of acute toxicity. Specific consideration shall be given to the following provisions which shall be included where appropriate:
    - (1) Establishment of a designated area;
    - (2) Use of containment devices such as fume hoods or glove boxes;
    - (3) Procedures for safe removal of contaminated waste; and
    - (4) Decontamination procedures.
2. The plan shall be capable of protecting employees from health hazards associated with hazardous chemicals in laboratories and keeping exposure below specified limits.

#### D. Employee Information and Training

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

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

#### E. Medical Consultation

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

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

F. Information Provided to the Physician

The employer shall provide the following information to the physician:

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

G. Physician's Written Opinion Shall Include:

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

H. Hazard Identification

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

I. Use of Respirators

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

J. Recordkeeping

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

Adopted: 25 June 2008

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# POLICY

## West New York Board of Education

Section: Property

7421. INDOOR AIR QUALITY STANDARDS

Date Created: June, 2008

Date Edited: June, 2008

### 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 Assistant Superintendent for Administrative Services and/or Facilities Manager as the individuals, who are 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

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# REGULATION

## West New York School District

Section: Property

7421. INDOOR AIR QUALITY STANDARDS

Date Created: June, 2008

Date Edited: June, 2008

### 7421. INDOOR AIR QUALITY STANDARDS

#### A. Definitions

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

## B. Compliance Program

The Superintendent will designate the Assistant Superintendent of Administrative Services and/or Facilities Manager who is given the responsibility to assure compliance with indoor air quality standards. The designated person will assure that at least the following actions are limited and documented:

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

## C. Air Quality During Renovation and Remodeling

1. Renovation work and/or new construction that results in the diffusion of dust, stone and other small particles, toxic gases or other harmful substances in quantities hazardous to health will be safeguarded by means of local ventilation or other protective devices to ensure the safety of employees. Renovation areas in occupied buildings shall be isolated and dust and debris shall be confined to the renovation or construction area.
2. Before use of paints, adhesives, sealants, solvents, or installation of insulation, particle board, plywood, floor coverings, carpet backing, textiles, or other materials in the course of renovation or construction, the designated person will check product labels or seek and obtain information from the manufacturers of those products on whether or not they contain volatile organic compounds such as solvents, formaldehyde or isocyanates that could be emitted during regular

use. This information shall be used to select products and to determine necessary measures to be taken to comply with indoor air quality standards.

3. The designated person will notify employees at least twenty-four hours in advance, or promptly in emergency situations of work to be performed on the building that may induce air contaminants into their work area.

D. Recordkeeping

1. The maintenance schedule shall be updated by the designated person to show all maintenance performed on the building systems. The schedule shall include the date such maintenance was performed and the name of the person or company performing the work.

2. The records required to be maintained by this section shall be retained for at least three years and be available on request to employees and employee representatives and Department representatives for examination and copying.

E. Response To A Signed Complaint From The Department

1. Within ten working days of receipt of the complaint notification from the Department, the designated person will respond in writing to the Department. The response may include any combination of the following:

a. A statement that the complaint is unfounded;

b. A description of any remedial action already taken;

c. An outline of any remedial measures planned but not yet taken, with a timeline for completion; and/or

d. A statement that a study of the problem, with a timetable for completion of the study, has been initiated.

2. Where remedial measures are planned or a study initiated, they shall be completed as soon as feasible. The designated person will submit, to the Department, a written report describing the remedial measures implemented and/or a copy of the study's report within fifteen working days of completion.

3. Permits for remedial work shall be obtained as required by N.J.A.C. 5:23 (the New Jersey Uniform Construction Code). All work requiring a permit shall be performed in compliance with N.J.A.C. 5:23.

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

1. As-built construction documents;

2. HVAC system commissioning reports;

3. HVAC systems testing, adjusting and balancing reports;

4. Operations and maintenance manuals;

5. Water treatment logs; and
6. Operator training materials.

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# POLICY

## West New York Board of Education

Section: Property

7422. SCHOOL INTEGRATED PEST MANAGEMENT PLAN (M)

Date Created: June, 2008

Date Edited: June, 2008

7422- SCHOOL INTEGRATED PEST MANAGEMENT PLAN (M)

### M

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

#### IPM Coordinator (IPMC)

The Facilities Manager 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.

Pupils 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 pupils, 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.

#### 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: 25 June 2008

# REGULATION

## West New York School District

Section: Property

7422. SCHOOL INTEGRATED PEST MANAGEMENT PLAN (M)

Date Created: June, 2008

Date Edited: June, 2008

### 7422. SCHOOL INTEGRATED PEST MANAGEMENT PLAN (M)

#### M

##### A. Definitions

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

volume of pesticides used to minimize the potential hazards posed by pesticides to human health and the environment in schools; that uses integrated methods, site or pest inspections, pest population monitoring, an evaluation of the need for pest control, and one or more pest control methods, including sanitation, structural repair, mechanical and biological controls, other non-chemical methods, and when non-chemical options are ineffective or unreasonable, allows the use of a pesticide, with a preference toward first considering the use of a low impact pesticide for schools.

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

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

The Facilities Manager shall be designated the Integrated Pest Management Coordinator (IPMC) of the school district. The Integrated Pest Management Coordinator (IPMC) shall:

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

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

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

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

1. The school district's Integrated Pest Management Policy;



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

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

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

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

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

1. The Principal, upon prior notice from the IPMC, shall provide notice to a parent or legal guardian of each pupil enrolled at the school and each staff member of the school, at least seventy-two hours before a pesticide, other than a low impact pesticide, is used on school property. The notice shall include:
  - a. The common name, trade name, and federal Environmental Protection Agency registration number of the pesticide;
  - b. A description of the location of the application of the pesticide;

- c. The date and time of application, except that, in the case of outdoor pesticide applications, one notice shall include three dates, in chronological order, on which the outdoor pesticide applications may take place if the preceding date is cancelled;
  - d. A statement that the Office of Pesticide Programs of the United States Environmental Protection Agency has stated: "Where possible, persons who potentially are sensitive, such as pregnant women, infants, and children, should avoid any unnecessary pesticide exposure";
  - e. A description of potential adverse effects of the pesticide based on the material safety data sheet, if available, for the pesticide;
  - f. A description of the reasons for the application of the pesticide;
  - g. The name and telephone number of the school district's IPMC; and
  - h. Any additional label instruction and precautions related to public safety.
2. The notice required by D.1. above may be provided by:
- a. Written notice sent home with the pupil and provided to each staff member;
  - b. A telephone call;
  - c. Direct contact;
  - d. Written notice mailed at least one week before the application; or
  - e. Electronic mail.
3. If the date of the application of the pesticide must be extended beyond the period required for notice under this section, the Board shall reissue the notice required under D.1. above for the new date of application.

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

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

A sign required for the application of a pesticide shall:

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

In the case of outdoor pesticide applications, each sign shall include three dates, in

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

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

F. Applicability of Notice and Posting Requirements

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

G. Emergency Use of Certain Pesticides

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

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

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

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

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

If there is an application of a pesticide pursuant to this section, the IPMC shall modify

the School Integrated Pest Management Plan of the school district if necessary, to minimize the future emergency applications of pesticides under this section.

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

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

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

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

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

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

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

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

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

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

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# POLICY

## West New York Board of Education

Section: Property  
7430. SCHOOL SAFETY (M)  
Date Created: June, 2008  
Date Edited: June, 2008

### 7430- SCHOOL SAFETY (M)

#### **M**

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

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

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

N.J.S.A. 18A:6-2; 18A:40-12.1; 18A:40-12.2  
N.J.S.A. 40:67-16.7  
N.J.A.C. 6A:16-1.4; 6A:26-12.5

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# REGULATION

## West New York School District

Section: Property

7430. SCHOOL SAFETY (M)

Date Created: June, 2008

Date Edited: June, 2008

### 7430. SCHOOL SAFETY (M)

#### M

#### Guidelines for Dealing with Accident/Injury

1. The school nurse or another trained person shall be responsible for administering first aid.
2. In all cases where the nature of an injury appears in any way serious, every effort shall be made to contact the parent(s) or legal guardian(s) and/or family physician immediately.
3. Parent(s) or legal guardian(s) shall be requested to pick up the pupil. If a parent (s) or legal guardian(s) is unable to provide such transportation, no pupil who is injured shall be sent home alone. A pupil who is injured may be taken home if a responsible person is there to receive that pupil.
4. In extreme emergencies, the school nurse, school doctor or 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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# POLICY

## West New York Board of Education

Section: Property  
7432. EYE PROTECTION (M)  
Date Created: June, 2008  
Date Edited: June, 2008

### 7432- EYE PROTECTION (M)

#### M

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

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

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

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

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

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

A pupil who refuses or persistently neglects to wear an eye protective device when required to do so or fails to observe established eye safety practices shall be dismissed from the day's class by his/her teacher. Any such dismissal from class will be considered to be an absence, in

accordance with Board policy on pupil attendance, and an accumulation of such absences may result in loss of course credit.

A staff member who refuses or persistently neglects to wear an eye protective device when required to do so or fails to observe established eye safety practices may be disciplined for insubordination for failing to obey the rules established by this Board. The proper implementation of eye protection practices shall be a criterion in the evaluation of every staff member required to observe such practices.

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

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

N.J.S.A. 18A:40-12.1; 18A:40-12.2  
N.J.A.C. 6A:26-12.5

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**REGULATION****West New York  
School District**

Section: Property

7432. EYE PROTECTION PRACTICES (M)

Date Created: June, 2008

Date Edited: June, 2008

**7432. EYE PROTECTION PRACTICES (M)****M****A. Eye Protection Devices**

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

| 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 materials                         | solid       | Clear goggles, flexible or rigid body; clear spectacles with side shields; add plastic window face shield for severe exposure     |
| Laser device operation or experimentation |             | Appropriate for specific hazard   |
| Repair or servicing of vehicles           |             | Clear goggles, flexible or rigid body; clear spectacles with side shields   |
| Other hazardous processes or activities   | potentially | 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 his/her class who wear contact lenses. A list of such pupils shall be kept by the staff member in order that appropriate emergency eye care may be given; the list shall be destroyed at the end of the course of study.

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

6. A pupil who wears prescription glasses shall be provided with an appropriate eye protective device that fits over his/her glasses. A pupil or staff member may wear his/her personal corrective eye wear in the course of an activity hazardous to the eyes provided that the eye wear has been certified in writing by a licensed

optician to meet or exceed ANSI standards as defined in N.J.A.C. 6:29-1.7(b)1 and 2 for the appropriate eye protective device required.

7. The responsible staff member will provide each visitor to an area in which an activity hazardous to eyes is conducted with an appropriate eye protective device.

#### B. Eye Wash Fountains

1. Eye wash fountains or similar devices, capable of a minimum of fifteen minutes of continuous flow of eye wash solution shall be provided in accordance with 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 paragraph A1 above, the likelihood of flying objects and spilled liquids and the presence of protruding and sharp objects.

#### D. Training and Supplies

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

Issued: 25 June 2008

# POLICY

## West New York Board of Education

Section: Property  
7433. HAZARDOUS SUBSTANCES  
Date Created: June, 2008  
Date Edited: June, 2008

### 7433- HAZARDOUS SUBSTANCES

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

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

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

of the classrooms or administrative offices of a public or private school or child care center, including any substance used in the heating or cooling of the school or child care center.

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

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

The Assistant Superintendent for Administrative Services 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 Assistant Superintendent for Administrative Services 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.

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# POLICY

## West New York Board of Education

Section: Property

7434. SMOKING ON SCHOOL GROUNDS (M)

Date Created: June, 2008

Date Edited: October, 2013

### 7434- SMOKING ON SCHOOL GROUNDS (M)

#### **M**

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, or vapor caused by electronic or battery operated smoking devices.

For purpose of this Policy, “smoking” means the burning of, inhaling 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, including the use of smokeless tobacco and snuff, or the inhaling or exhaling of smoke or vapor from an electronic smoking device.

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

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

In accordance with N.J.S.A. 26:3D-58 and N.J.A.C. 8:6-7.2, the Board prohibits smoking at all times anywhere in school buildings or on school grounds.

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

A sign indicating smoking is prohibited in school buildings and on school grounds will be posted at each public entrance of a school building in accordance with law. The sign



shall also indicate violators are subject to a fine. 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 and the law after being ordered to stop smoking in school buildings or on school grounds. The Principal or designee may request the assistance of law enforcement to accomplish this departure and removal.

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

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

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

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

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# POLICY

## West New York Board of Education

Section: Property

7435. ALCOHOLIC BEVERAGES ON SCHOOL PREMISES

Date Created: June, 2008

Date Edited: June, 2008

### 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, without the express written permission of the Superintendent, 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.

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# POLICY

## West New York Board of Education

Section: Property

7436. DRUG FREE WORKPLACE (M)

Date Created: June, 2008

Date Edited: June, 2008

### 7436- DRUG FREE WORKPLACE (M)

#### M

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

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

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

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

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

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

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

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# POLICY

## West New York Board of Education

Section: Property

7440. SECURITY OF SCHOOL PREMISES

Date Created: June, 2008

Date Edited: June, 2008

### 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 key control system will be established to limit building access to authorized personnel and guard against the potential of intrusion by unauthorized persons who have obtained keys improperly.

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

Protective devices designed to be used as safeguards against illegal entry and vandalism may be installed when appropriate. The Board may approve the employment of security guards in situations in which special risks are involved.

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# REGULATION

## West New York School District

Section: Property  
7440. SCHOOL SECURITY  
Date Created: June, 2008  
Date Edited: June, 2008

### 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.

#### 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;
  - b. The Superintendent, Board Secretary, Supervisor of Buildings and Grounds, and Head Custodian;
  - 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;
  - 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 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 when the school office is closed, except for those entrances required for the access of authorized persons.
2. The Building Principal shall recommend to the Superintendent the installation of any special protective device to guard against illegal entry and/or vandalism.

D. Keys to School Buildings and Facilities

1. Staff members and school officials will be provided with keys as follows:
  - a. Teaching staff members and support staff members will be provided with keys 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 foreman of custodians will be provided with keys 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 to the school building and to the offices to which they require access for the performance of their professional duties.
  - d. The Superintendent, Facilities Manager, and Supervisor of Buildings and Grounds will be provided with a set of all master keys.
2. The employee or school official to whom a key or keys is entrusted is prohibited from distributing a key or copy of a key to a person not authorized to possess a key by these regulations.
3. Possession and/or use of a key to school premises by a district employee not expressly authorized by these regulations to possess such a key is an infraction of rules subject to discipline.
4. The loss of a key to any school building, facility, office, classroom, or storage place must be immediately reported to the Facilities Manager. The staff member who loses a key will be responsible for the cost of the replacement of the key or, if necessary, the lock.

E. Staff Member Responsibilities

1. All valuable belongings should be kept secure. A secure storage place shall be maintained in the school office under lock 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(s) or legal guardian(s) will be requested to retrieve the item from the school office. The parent(s) or legal guardian(s) may be requested to provide adequate identification before the item is released. The parent(s) or legal guardian(s) to whom a valuable item is released will sign a receipt, which will be maintained by the Principal.
3. Teaching staff members shall:
  - a. Close classroom windows and shut and lock classroom doors when leaving at the end of the school day,
  - b. Shut and lock classroom doors during the school day when the room is empty,
  - c. Report immediately to the 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 ensure the security of records and documents against unauthorized access, deterioration, and destruction.
  - a. Petty cash funds and records will be secured daily in accordance with 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.
  - e. Personnel records will be secured in accordance with Policy No. 8320 and Regulation No. 8320.

F. Summoning the Police

1. The West New York 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.

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# POLICY

## West New York Board of Education

Section: Property

### 7441. ELECTRONIC SURVEILLANCE IN SCHOOL BUILDINGS AND ON SCHOOL GROUNDS

Date Created: June, 2008

Date Edited: June, 2008

#### 7441- ELECTRONIC SURVEILLANCE IN SCHOOL BUILDINGS AND ON SCHOOL GROUNDS

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

The content produced by the surveillance system under certain circumstances may be considered a pupil record, in which it will be subject to the Board of Education policy and regulations regarding confidential pupil records. If the content of the surveillance system becomes the subject of a disciplinary proceeding, it shall be treated like other evidence in the proceeding, and the district declares such use to be a legitimate educational interest.

The following statement shall be posted in a prominent, public place in buildings and on school grounds where electronic surveillance equipment may be used:

The Board of Education authorizes the use of electronic surveillance monitoring devices in school buildings and on school grounds.

In addition to posting, the district shall notify school staff members, parent(s) or legal guardian (s), and pupils that electronic surveillance may be used in school buildings and on school grounds through publication in pupil and staff handbooks, school calendars, notice sent home with pupils, or any other effective means to publish the district's use of electronic surveillance equipment in school buildings and on school grounds.

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# REGULATION

## West New York School District

Section: Property

### 7441. ELECTRONIC SURVEILLANCE IN SCHOOL BUILDINGS AND ON SCHOOL GROUNDS

Date Created: June, 2008

Date Edited: June, 2008

#### 7441. ELECTRONIC SURVEILLANCE IN SCHOOL BUILDINGS AND ON SCHOOL GROUNDS

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

#### A. Recording and Notice

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

#### B. Pupil Records and Notice

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

#### C. Staff Records and Notice

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

#### D. Storage/Security

1. All recordings will be stored by the Superintendent or designee, and secured to ensure confidentiality.
2. Recordings will be stored for five calendar days after initial recording, whereupon such recordings will be erased or discarded, unless there is a

legitimate reason for retaining such recording for review.

E. Use

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

F. Viewing or Listening

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

G. Purchase, Maintenance, Replacement of Equipment/Supplies

1. The Superintendent of Schools or designee will be responsible for the purchase, maintenance, and replacement of all electronic surveillance devices.

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# POLICY

## West New York Board of Education

Section: Property

7444. USE OF METAL DETECTORS

Date Created: June, 2008

Date Edited: June, 2008

### 7444- USE OF METAL DETECTORS

The Board of Education is committed to protecting the health, safety, and welfare of all children, staff, and visitors of the school district. The Board authorizes the school district administration to use walk-through and/or hand-held metal detectors at any school district activity and in the school district's buildings or on "school grounds". These metal detectors may be used for entrance into a school building, on "school grounds", as defined in N.J.A.C. 6A:16-1.3, or at any school district activity where the Superintendent or his/her designee believes a security threat may be present.

Persons entering a school building or attending a school activity may be subject to daily, regular, or random screening with a metal detector. The metal detector may be a walk-through, hand-held, or other type of metal detection device. The Superintendent or designee shall determine if the screening shall be daily, regular, or random upon evaluating the security threat posed by the situation at the time. The screenings may take place before: entering a school building; gaining access to school grounds (as defined in N.J.A.C. 6A:16-1.3); being admitted to a school activity; boarding or unloading a school bus; and/or before gaining access to any other location and/or activity sponsored by this school district. Persons that do not consent to a metal detection screening may be denied admittance.

The Assistant Superintendent of Operations shall recommend the Board purchase metal detectors approved for the school district's intended use; shall schedule training and re-training for all personnel using metal detectors; shall provide additional training for all personnel trained and authorized to use metal detectors in the event there is a security breach near or at the location of a metal detector; and shall coordinate all school district metal detector tests in accordance with the requirements as outlined in the manufacturer's specifications. The Assistant Superintendent of Operations shall maintain records for the purchase of metal detectors, training and re-training of personnel in the use of metal detectors and potential security breaches, and the testing of metal detectors.

The West New York Police Department will be immediately contacted in the event a person is found to have in their possession any item that poses a threat to the security of the person(s) or others.

All school district parent, pupil, and faculty handbooks will indicate: "The West New York Board of Education may use metal detecting devices in all school buildings, on school grounds, and at all school activities."

Adopted: 25 June 2008

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# POLICY

## West New York Board of Education

Section: Property  
7450. PROPERTY INVENTORY  
Date Created: June, 2008  
Date Edited: June, 2008

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

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

N.J.S.A. 18A:4-14  
N.J.A.C. 6:20-4.3

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# **POLICY**

## **West New York Board of Education**

Section: Property  
7460. ENERGY CONSERVATION  
Date Created: June, 2008  
Date Edited: June, 2008

### 7460- ENERGY CONSERVATION

The Board of Education is committed to the conservation of natural as well as fiscal resources and directs the Superintendent to develop and implement regulations for the conservation of energy in the management of school buildings.

The Board further directs all employees of this district to cooperate in the program of energy conservation.

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# POLICY

## West New York Board of Education

Section: Property

7480. MOTOR VEHICLES ON SCHOOL PROPERTY

Date Created: June, 2008

Date Edited: June, 2008

### 7480- MOTOR VEHICLES ON SCHOOL PROPERTY

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

The Board prohibits the use or presence of any motor vehicle, including motorcycles, all-terrain vehicles, snow mobiles, and mopeds, for any purpose on any part of the school property owned by the Board other than the driving and parking areas established by the Board except as expressly permitted by the School Business Administrator/Board Secretary.

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

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

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

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

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# POLICY

## West New York Board of Education

Section: Property

7490. ANIMALS ON SCHOOL PROPERTY

Date Created: June, 2008

Date Edited: June, 2008

### 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 express permission of the Building Principal. Without such permission, a pet owner who brings or permits his/her 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.

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# POLICY

## West New York Board of Education

Section: Property

7510. USE OF SCHOOL FACILITIES

Date Created: June, 2008

Date Edited: February, 2013

### 7510- USE OF SCHOOL FACILITIES

The Board of Education believes the school facilities of this District should be made available for community purposes, provided that such use does not interfere with the educational and co-curricular programs of the schools district. For the purpose of this policy, "school facilities" also includes school grounds.

The Board will permit the use of school facilities when such permission has been requested in writing and has been approved by the Superintendent of Schools and the Board of Education. The Board reserves the right to withdraw permission after it has been granted in the event circumstances change requiring such school facilities or school grounds will be needed for a school district purpose or due to a school closing due to weather or other emergency.

In weighing competing requests for the use of school facilities, the Board will give priority to the following uses, in the descending order given:

Uses and groups directly related to the schools and the operations of the schools, including pupil and teacher groups;

Uses and organizations indirectly related to the schools, including the P.T.A., P.T.O., Home-School Association, and other school-parent related organizations;

Departments and agencies of the municipal government;

Governmental agencies;

Community organizations formed for charitable, civic, social, or educational purposes;

The use of school facilities will not be granted for the advantage of any commercial or profit-making organization, partisan political activity, or any private social function.

The use of school facilities will not be granted for any purpose that is prohibited by law.

Each user shall present evidence of the purchase of organizational liability insurance to the limit as prescribed by District regulations. Each user shall inspect, with a District representative, any facility or school grounds to be used prior to such use and shall notify a District representative of any existing safety or dangerous conditions. In the event such conditions exist, the district may cancel or modify the user's access to the school facility until such conditions are addressed. Users shall be financially liable for damage to the facilities and for proper chaperonage as required by the school district administration. Said program must be completed by the time approved by the Board.

Use of school equipment in conjunction with the use of school facilities must be specifically requested in writing and may be granted in accordance with Policy No. 7520. The users of school equipment must accept liability for any damage or loss to such equipment that occurs

while it is in their use, regardless of any assignment of negligence. Where rules so specify, certain items of equipment may only be used by a qualified operator approved by the school district administration.

The Board shall approve fees for the use of facilities on a case by case basis, at the sole discretion of the Board based upon the educational or governmental nature of the activities.

The school district shall provide a copy of Policy and Regulation 2431.4 – Prevention and Treatment of Sports-Related Concussions and Head Injuries to all youth sports team organizations that operate on school grounds or in school facilities. In accordance with the provisions of N.J.S.A. 18A:40-41.5, the school district shall not be liable for the injury or death of a person due to the action or inaction of persons employed by, or under contract with, a youth sports team organization that uses school facilities or operates on school grounds if the youth sports team organization provides the school district proof of an insurance policy in the amount of not less than \$50,000 per person, per occurrence; insuring the youth sports team organization against liability for any bodily injury suffered by a person. The youth sports team organization must also provide a statement of compliance with the school district's Policy and Regulation 2431.4 - Prevention and Treatment of Sports-Related Concussions and Head Injuries.

For the purpose of this Policy, a “youth sports team organization” means one or more sports teams organized pursuant to a nonprofit or similar charter or which are member teams in a league organized by or affiliated with a county or municipal recreation department.

The Superintendent shall develop regulations for the use of school facilities; such regulations shall be distributed to every user of the facilities and every applicant for the use of school facilities. Permission to use school facilities shall be granted only to persons and organizations that agree to the terms of Policy and Regulation 7510, the requirements as outlined in the use of school facilities application, and in accordance with the terms outlined in the approval granted by the school district.

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

Adopted: 7 February 2013

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# POLICY

## West New York Board of Education

Section: Property

7513. RECREATIONAL USE OF PLAYGROUNDS

Date Created: June, 2008

Date Edited: June, 2008

### 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. Pupils and employees of this district who violate those rules will be subject to discipline. The Board directs that any other person who violates a rule of this Board be requested to leave the school premises.

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

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

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# POLICY

## West New York Board of Education

Section: Property  
7610. VANDALISM  
Date Created: June, 2008  
Date Edited: June, 2008

### 7610- VANDALISM

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

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

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

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

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

N.J.S.A. 2C:33-10 et seq.  
N.J.S.A. 18A:34-2; 18A:37-3

Adopted: 25 June 2008

# REGULATION

## West New York School District

Section: Property

7610. VANDALISM

Date Created: June, 2008

Date Edited: June, 2008

### 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 to the extent and seriousness of the vandalism:
  - a. Requesting the reporting employee to file a report of the evidence giving rise to his/her belief or suspicion that vandalism has occurred;
  - b. Visiting the site of the vandalism and examining its extent, taking photographs as necessary;
  - c. Determining and recording the names of witnesses, if any;
  - d. Interviewing witnesses and requesting their written reports of events;
  - e. Assessing the costs of repair and replacement of any parts of the building, furnishings, and/or equipment; and
  - f. Questioning the person or persons, if any, identified as having caused the vandalism.
3. The 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, religion, national origin, ancestry, age, marital status, affectational or sexual orientation or sex, social or economic status, or disability, or
- e. An act of graffiti.

C. Penalties and Restitution

1. A pupil who vandalizes school property is subject to discipline, which may include suspension or expulsion, in accordance with 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 parent(s) or legal guardian(s) of any minor who injures/vandalizes school property, whether or not the minor is enrolled in this district, shall be liable for damages to the amount of the injury, together with costs of suit if the Board must resort to legal process to obtain payment of damages. N.J.S.A. 18A:37-3
  - a. The School Business Administrator/Board Secretary shall obtain a professional estimate of the cost of repairs and/or replacements necessitated by the vandalism.
  - b. The School Business Administrator/Board Secretary shall present the pupil's parent(s) or legal guardian(s) with an itemized bill based on the estimated costs.
  - c. If, within thirty calendar days, the pupil's parent(s) or legal guardian(s) has not paid the bill or made arrangements with the School Business Administrator/Board Secretary for the payment of the bill in periodic installments, the Superintendent shall inform the Board and may recommend 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.
4. 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.
5. Any person who purposely defaces or damages school property with any symbol that exposes persons to violence, contempt, or hatred on the basis of race, color, creed, religion, national origin, ancestry, age, marital status, affectational or sexual orientation or sex, social or economic status, or disability is guilty of a



crime and shall be reported to the appropriate law enforcement agency.

6. Any person who purposely or knowingly damages school district property recklessly or negligently in the employment of fire, explosives or another dangerous means listed in accordance with N.J.S.A. 2C:17-2 or purposely or recklessly tampers with the tangible property of the school district so as to endanger school district property will be reported to the appropriate law enforcement agency.
7. A person convicted of an offense that involves an act of graffiti will be required to reimburse the school district the cost of damages and may be required to perform community service, which may include removing the graffiti from the property, in accordance with the law. In addition, the courts may suspend or postpone driving privileges of any person, at least thirteen and under eighteen years of age, if convicted of an act of graffiti.

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# POLICY

## West New York Board of Education

Section: Property

### 7650. SCHOOL VEHICLE ASSIGNMENT, USE, TRACKING, MAINTENANCE, AND ACCOUNTING

Date Created: June, 2008

Date Edited: April, 2009

#### 7650- SCHOOL VEHICLE ASSIGNMENT, USE, TRACKING, MAINTENANCE, AND ACCOUNTING

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 be used primarily for business purposes, however, incidental and reasonable personal use is permitted with the approval of the Superintendent or the School Business Administrator/Board Secretary.

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

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

Adopted: 22 April 2009

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# REGULATION

## West New York School District

Section: Property

### 7650. SCHOOL VEHICLE ASSIGNMENT, USE, TRACKING, MAINTENANCE, AND ACCOUNTING

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#### 7650. SCHOOL VEHICLE ASSIGNMENT, USE, TRACKING, MAINTENANCE, AND ACCOUNTING

##### 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.
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.
  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 maintenance as called for in the manufacturer's routine maintenance schedule;
  - f. Operation of a vehicle while impaired to any degree, or under the influence of alcohol or narcotics as defined by State statutes;
  - g. Use of a school district vehicle by an unauthorized individual while assigned to an employee;
  - h. Use of a school district vehicle to transport any person or child, other than in the course of their assigned duties and responsibilities; and/or
  - i. Use of radar detectors in school district vehicles.

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

B. School Vehicle Inventory Control Record

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

1. Vehicle make, model and year;
2. Vehicle identification numbers (VIN);
3. Original purchase price;
4. Date purchased;
5. License plate number;
6. Person assigned or pool if not individually assigned;
7. Driver's license number of person assigned and the expiration date;
8. Insurer and policy number of person assigned; and
9. Usage category such as regular business, maintenance, security, or pupil transportation.

C. Driving Record of Operators of School District Vehicles

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

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

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

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

1. Vehicle make, model and year;
2. Vehicle identification numbers (VIN);
3. Original purchase price;
4. Date purchased;

5. License plate number;
6. Usage category such as regular business, maintenance, security or pupil transportation;
7. Manufacturer's routine maintenance schedule;
8. Category of work performed (routine maintenance, repair or body work);
9. Purchase order number;
10. Date work was performed;
11. Detailed description of work performed;
12. Mileage on date work was performed; and
13. Cost of work performed.

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

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