**ELSINBORO TOWNSHIP BOARD OF EDUCATION FILE CODE: 3516**

**Salem, New Jersey X Monitored**

 **X Mandated**

**Policy X Other Reasons**

SAFETY

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

They shall address as a minimum the requirements of law and the applicable rules and regulations of various departments of state government along with the guidelines mandated by the annual insurance report and this policy.

The superintendent and business administrator/board secretary shall be responsible for the promulgation of such rules to all personnel concerned.

Use and Storage of Hazardous Substances

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

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

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

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

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

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

Soil Contamination on School Property

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

The notice shall include:

1. A description of the soil contamination and the conditions under which a student or staff member may be exposed to the contamination;
2. A description and timetable of the steps that have been taken and will be taken to ensure that there is no contact by any student or staff member with the contamination;
3. A description and timetable of the steps that have been taken and will be taken to remediate the soil contamination.

The notice may be provided by:

1. Written notice sent home with the student and provided to the staff member;
2. Telephone call;
3. Direct contact;
4. Electronic mail.

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

Safe Drinking Water

The board of education shall assure the availability of potable drinking water through sanitary means in school facilities or upon school grounds in accordance with the Safe Drinking Water Act (N.J.S.A. 58:12A-1 et seq.).

The board directs that lead sampling and analysis be conducted in all drinking water outlets to which a student or staff member has or may have access, in each school facility, other facility, or temporary facility no later than July 13, 2017. Sampling shall be conducted according to the lead sampling plan.\* The lead sampling plan shall include:

1. A plumbing survey for each facility that identifies how water enters and flows through each facility, the types of plumbing materials used in the facility, such as the service line, piping, solder, fixtures, drinking water outlets where students or staff have or may have access, and point of use treatment, such as drinking water filters;
2. The names and responsibilities of all individuals involved in sampling; and
3. The following sampling procedures:
4. Samples shall be taken after water has sat, undisturbed in the school pipes for at least eight hours but no more than 48 hours before the sample is taken;
5. At least eight hours prior to sampling, signs shall be posted to indicate that water shall not be used and access to the buildings subject to the sampling shall be restricted to all but authorized staff members;
6. Existing aerators, screens, and filters shall not be replaced or removed prior to or during sampling; and
7. All samples shall be collected in pre-cleaned high-density polyethylene (HDPE) 250 milliliter (mL) wide-mouth single-use rigid sample containers that are properly labeled.

The board shall test all drinking water outlets within six years following the initial testing and every six years thereafter. Sampling shall be prioritized in buildings and facilities that previously had outlets with results above the action level or identified in the plumbing profile as high risk for lead. The water outlets in these buildings and facilities shall be sampled first in accordance with the sampling plan.  In addition, sampling for lead shall be conducted after the replacement of any drinking water outlet or any other alteration to plumbing or service lines that may impact lead levels at the outlet.

\*See Resources below. The lead sampling plan, <http://www.nj.gov/dep/watersupply/pdf/techguide.pdf>

Drinking Water Sample Analysis

Analysis of water samples shall be conducted by a certified laboratory to analyze for lead in drinking water. The laboratory shall use an approved analytical method pursuant to the Federal Safe Drinking Water Act at 40 CFR 141.23(k)(1). Sample analysis shall be conducted in accordance with a Quality Assurance Project Plan (QAPP)\*\*, which shall be signed by the board of education, the certified laboratory, and the individual responsible for conducting sampling. The QAPP shall include:

1. Identification of analytical methods;
2. Chain of custody procedures;
3. Data validation and reporting processes;
4. Detection limits;
5. Reporting to three significant figures;
6. Field blanks; and
7. Quality control measures required by the certified method.

\*\* See Resources below. Quality Assurance Project Plan (QAPP) at <http://www.nj.gov/dep/watersupply/pdf/techguide.pdf>

Water Sample Analysis Results: Notifications

Within 24 hours after the board has reviewed and verified the final laboratory results, the board shall make the test results of all water samples publicly available at the school facility and on the district website. If any results exceed the permissible lead action level, written notification shall be provided to the parents/guardians of all students attending the facility, as well as to the New Jersey Department of Education (NJDOE). This notification shall include a description of the measures taken by the board to:

1. Immediately end use of each drinking water outlet where water quality exceeds the permissible lead action level;
2. Ensure that alternate drinking water has been made available to all students and staff members, and information regarding the health effects of lead is provided.

The board shall annually submit a statement of assurance to the NJDOE that lead testing was completed, that notifications were provided, and that alternate drinking water continues to be made available to all students and staff in accordance law and board policy.

Within six years of the adoption of this policy, and within each six-year period thereafter, the board must test all drinking water outlets; sampling shall be prioritized in facilities previously identified with excessive lead results or identified as high risk in the sampling plan.

Mold

Concern about mold in schools is escalating. While there are many unanswered questions about potential health effects of mold, the director of facilities shall promptly respond to any known conditions involving excessive moisture that could, under the right conditions, lead to mold growth.

Molds are a normal presence in outdoor and indoor air. It is the proliferation, or amplification of microbial growth in the indoor environment that may be a potential health threat. When building materials have become moist or water-damaged due to excessive humidity, chronic leaks, condensation, water infiltration or flooding, molds may grow and become apparent as visible discoloration of surfaces or through the detection of "off” odors.

A. The director of facilities shall develop an operations and maintenance plan that covers:

1. Staff training necessary for staff to carry out their responsibilities with respect to communicating with building occupants; cleaning, removing, and restoring damaged surfaces; and documenting all remediation efforts. The training should, at a minimum, focus on:

a. The objectives of the operations and maintenance plan;

b. The basic science of mold;

c. Recognition of dampened or wetted building materials that can lead to potential mold growth;

d. Mold prevention and management;

e. Mold remediation procedures;

2. Prevention through routine maintenance;

3. Remediation and clean-up procedures;

4. Effective communication with building occupants;

5. Maintenance of appropriate documentation;

B. The director of facilities shall be responsible for:

1. Communicating the objectives and policies of this program to occupants and maintenance staff;

2. Investigating complaints or reports of water intrusion or visible microbial growth;

3. Ensuring that inspections and routine maintenance procedures are implemented;

4. Selecting qualified consultants and contractors to assist in implementation of mold prevention and remediation procedures;

5. Monitoring response actions to ensure implementation of required procedures and engineering controls and effective completion;

C. Maintenance staff shall:

1. Be able to identify potential microbial growth conditions;

2. Be familiar with applicable policies and reporting procedures;

3. Conduct routine inspection and relevant maintenance activities;

4. Be familiar with procedures to deal with water intrusion/excessive moisture and appropriate remediation techniques for water-damaged surfaces;

5. Consult the director of facilities (or other designated administrative/management contact person), should decisions need to be made concerning testing or activities beyond their scope of training or responsibility;

6. Other duties as directed by the director of facilities.

Properly trained maintenance staff may conduct minor microbial remediation work as approved by the director of facilities.

As part of the required training under Occupational Safety and Health Administration’s (OSHA's) Hazard Communication Standard (29 CFR 1910.1200), workers must be informed about safe work practices for using various chemicals, including disinfectants, and personal protective equipment, which may be a part of a mold response. Workers who may be involved in cleanup of extensive mold should be supplied with appropriate respirators, which may involve compliance with OSHA's Respiratory Protection Standard (29 CFR 1910.134).

Implementation

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

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

Adopted: November 11, 2008

Revised: February 8, 2010

NJSBA Review/Update: May 2022

Readopted:

Key Words

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

Resources

New Jersey Department of Environmental Protection webpage for Lead Sampling in School Facilities.

Located at: <http://www.nj.gov/dep/watersupply/dwc-lead-schools.html>

*New Jersey Department of Environmental Protection, Overview: Lead in Drinking Water at School Facilities*

This document contains a link to the School District Lead Sampling Plan and the Quality Assurance Project Plan (QAPP) templates located at: <http://www.nj.gov/dep/watersupply/pdf/techguide.pdf>

*Lead Sampling in Schools Technical Guidance FAQs.*

Located at: <http://www.nj.gov/dep/watersupply/pdf/leadfaq.pdf>

Safe work practices for using various chemicals, including disinfectants, and personal protective equipment, which may be a part of a mold response:

<http://www.osha-slc.gov/dts/osta/oshasoft/hazexp.html>

[http://www.nyc.gov/html/doh/htrnl/epi/moldrpt1 .html](http://www.nyc.gov/html/doh/htrnl/epi/moldrpt1%20.html)

[http://www.osha-slc.gov/SL TC/respiratoryadvisor/rnainpage.htrnl](http://www.osha-slc.gov/SL%20TC/respiratoryadvisor/rnainpage.htrnl)

**Legal References:** N.J.S.A. 18A:6‑2 Instruction in accident and fire prevention

 N.J.S.A. 18A:11‑1 General mandatory powers and duties

 N.J.S.A. 18A:17‑42 et seq. Public School Safety Law

 N.J.S.A. 18A:40-12.1, -12.2 Protective eye devices required for teachers, students visitors in certain cases

 N.J.S.A. 18A:41-1 et seq. Fire Drills and Fire Protection

 See particularly:

 N.J.S.A. 18A:41‑5

 N.J.S.A. 18A:42-1 Safety patrol by students

 N.J.S.A. 18A:54‑20 Powers of board (county vocational schools)

 N.J.S.A. 34:5A‑1 et seq. Worker and Community Right to Know Act

 See particularly:

 N.J.S.A. 34:5A -10.1

 through -10.5

 N.J.S.A. 34:6A‑25 et seq. New Jersey Public Employees Occupational Safety and Health Act

 N.J.S.A. 58:10B-24.6 et seq. Hazardous discharge site remediation

 N.J.S.A. 58:12A-1 et seq. Safe Drinking Water Act

 N.J.A.C. 5:23-1 et seq. The uniform construction code

 N.J.A.C. 6A:16-5.1 School safety and security plans

 N.J.A.C. 6A:19-6.1 et seq. Safety and Health Standards

N.J.A.C. 6A:26-1.1 et seq. Educational Facilities

 See particularly:

 N.J.A.C. 6A:26-12.1et seq.

 N.J.A.C. 6A:26-12.4 Safe drinking water

 N.J.A.C. 6A:27-12.2 Accident reporting

 N.J.A.C. 6A:30-1.1et seq. Evaluation of the Performance of School Districts

 N.J.A.C. 7:10-1 et seq. Safe Drinking Water Act

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**Possible**

**Cross References:** \*1330 Use of school facilities

 \*1410 Local units

 \*3510 Operation and maintenance of plant

 \*5141.1 Accidents

 \*5142 Student safety

 \*5142.1 Safety patrols

 \*6114 Emergencies and disaster preparedness

 \*6142.12 Career education

 \*7110 Long-range facilities planning

\*Indicates policy is included in the Critical Policy Reference Manual.