

CHESTERFIELD TOWNSHIP BOARD OF EDUCATION
Chesterfield, New Jersey

FILE CODE: 1250

☐ **Monitored**
☐ **Mandated**
☒ **Other Reasons**

Policy

VISITORS

The Chesterfield Board of Education welcomes visits to school by parents/guardians, board members, other adult residents of the community and interested educators, when they fit into the classroom or school routine. In order for the educational program to continue undisturbed when visitors are present, and to prevent the intrusion of disruptive persons into the school, the superintendent or his/her designee shall devise regulations addressing visitors' access to the school.

In order to ensure the safety and well-being of all students and staff at Chesterfield School, it is imperative for school personnel to know who is in the building at all times and be able to immediately determine those who are authorized. Therefore, all visitors are required to report to the main office upon entering the building and sign-in on the Visitor's Register, including his/her name, arrival time, and destination. He/she must then obtain a visitor's pass from office personnel. Before leaving the building, all visitors must report back to the main office, sign-out on the Visitor's Register, including the time he/she is leaving.

A "visitor" is anyone other than a pupil enrolled in or a staff member employed in the particular school. Visitors may not consult with the teaching staff or pupils during class time without the principal's permission.

Staff members and students are strictly prohibited from propping doors open. Students and staff members shall not open a door for anyone. All persons seeking entry to the building shall be directed to the main entrance.

For the purpose of preventing unauthorized entry into the district buildings, the building principal shall ensure that:

- A. The school's main entrance is clearly marked so that it is easily visible and recognizable;**
- B. Exterior doors are locked, and when they are in use for a large entry/exit, staff members, security personnel, law enforcement officers or other representatives of the district are assigned to monitor them;**
- C. Entrances are clearly marked with a numerical sequence to allow for specific response by police, fire, and emergency medical services responders;**
- D. A limited the number of doors are available for access by staff and the staff members shall be informed of which doors they are authorized to use;**

When the parental rights of a parent have been terminated by a court of appropriate jurisdiction, the legal guardian must inform the school so that the administration may apply appropriate regulations. The principal shall seek confirmation of legal custodianship where necessary.

No one may visit the school during school hours for the purpose of recommending or exhibiting books, maps, etc., to staff. No person shall be allowed to deliver any address or lecture on any subject unless authorized by the superintendent or designee.

All visitors to the school must obey regulations prohibiting smoking and any other regulations designed to ensure orderly operation of the school. All persons violating this policy shall be considered "disorderly persons" and subject to appropriate action.

Adopted: May 19, 2003
Revised: June 21, 2004
NJSBA Review/Update: May 2011
Readopted: September 21, 2011
Revised:

VISITORS (continued)Key WordsVisits to the Schools, Visitors, **Sign-in, Propping Doors**Legal References:

<u>N.J.S.A.</u> 2C:18-3	Unlicensed entry of Structures, defiant trespasser; peering into dwelling places; defenses
<u>N.J.S.A.</u> 2C:33-2	Disorderly conduct
<u>N.J.S.A.</u> 18A:7G-5.2	Public school facilities, certain, security measures required
<u>N.J.S.A.</u> 18A:11-1	General mandatory powers and duties
<u>N.J.S.A.</u> 18A:54-20	Powers of board (county vocational schools)
<u>N.J.S.A.</u> 26:3D-55 et seq.	<u>New Jersey Smoke-Free Air Act</u>

PossibleCross References:

*1220	<u>Ad hoc</u> advisory committees
*3327	Relations with vendors
*3515	Smoking prohibition
*4131/4131.1	Staff development; inservice education/visitations/conferences
*4231/4231.1	Staff development; inservice education/visitations/conferences
*5020	Role of parents/guardians
*5124	Reporting to parents/guardians
*5125	Pupil records
*5131.1	Harassment, intimidation and bullying
*5142	Pupil safety
*5145.11	Questioning and apprehension
*6144	Controversial issues
*9010	Role of the member

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

THE CHESTERFIELD TOWNSHIP BOARD OF EDUCATION
Chesterfield, New Jersey

FILE CODE: 3516

 X **Monitored**

 X **Mandated**

 X **Other Reasons**

Policy

SAFETY

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

Who provides us with the list of substances that are hazardous

The Chesterfield Township Board of Education 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 **deemed hazardous and those which 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:

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

Soil Contamination on School Property

The 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:

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

SAFETY (continued)

be exposed to the contamination;

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

The notice may be provided by:

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

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

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:

- A. **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;**
- B. **The names and responsibilities of all individuals involved in sampling; and**
- C. **The following sampling procedures:**
 - 1. **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;**
 - 2. **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;**
 - 3. **Existing aerators, screens, and filters shall not be replaced or removed prior to or during sampling; and**
 - 4. **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.**

SAFETY (continued)

The board shall ensure testing of 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

The board shall ensure that an 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:

- A. Identification of analytical methods;
- B. Chain of custody procedures;
- C. Data validation and reporting processes;
- D. Detection limits;
- E. Reporting to three significant figures;
- F. Field blanks; and
- G. 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:

- A. Immediately end use of each drinking water outlet where water quality exceeds the permissible lead action level;

SAFETY (continued)

- B. 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.

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.

Adopted: December 16, 2002

Revised: March 18, 2010

NJSBA Review/Update: May 2011

Readopted: September 21, 2011

Revised:

Key Words

Safety, Pupil 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>

Legal References:	<u>N.J.S.A. 18A:62</u>	Instruction in accident and fire prevention
	<u>N.J.S.A. 18A:111</u>	General mandatory powers and duties
	<u>N.J.S.A. 18A:1742 et seq.</u>	Public School Safety Law
	<u>N.J.S.A. 18A:40-12.1, -12.2</u>	Protective eye devices required for teachers, pupils and visitors in certain cases
	<u>N.J.S.A. 18A:41-1 et seq.</u>	Fire Drills and Fire Protection
	<u>See particularly:</u>	
	<u>N.J.S.A. 18A:415</u>	

SAFETY (continued)

<u>N.J.S.A. 18A:42-1</u>	Safety patrol by pupils
<u>N.J.S.A. 18A:5420</u>	Powers of board (county vocational schools)
<u>N.J.S.A. 34:5A1 et seq.</u>	<u>Worker and Community Right to Know Act</u>
<u>See particularly:</u>	
<u>N.J.S.A. 34:5A -10.1</u> through -10.5	
<u>N.J.S.A. 34:6A25 et seq.</u>	<u>New Jersey Public Employees Occupational Safety and Health Act</u>
<u>N.J.S.A. 58:10B-24.6 et seq.</u>	Hazardous discharge site remediation
<u>N.J.S.A. 58:12A-1 et seq.</u>	<u>Safe Drinking Water Act</u>
<u>N.J.A.C. 5:23-1 et seq.</u>	The uniform construction code
<u>N.J.A.C. 6A:16-5.1</u>	School safety and security plans
<u>N.J.A.C. 6A:19-6.1 et seq.</u>	Safety and Health Standards
<u>N.J.A.C. 6A:26-1.1 et seq.</u>	Educational Facilities
<u>See particularly:</u>	
<u>N.J.A.C. 6A:26-12.1 et seq.</u>	
<u>N.J.A.C. 6A:26-12.4</u>	<u>Safe drinking water</u>
<u>N.J.A.C. 6A:27-12.2</u>	Accident reporting
<u>N.J.A.C. 6A:30-1.1 et seq.</u>	Evaluation of the Performance of School Districts
<u>N.J.A.C. 7:10-1 et seq.</u>	<u>Safe Drinking Water Act</u>

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Possible

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

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

CHESTERFIELD TOWNSHIP BOARD OF EDUCATION
Chesterfield, New Jersey

FILE CODE: 3541.33

 X **Monitored**

 X **Mandated**

 X **Other Reasons**

Policy

TRANSPORTATION SAFETY

The safety and welfare of pupils shall be the first consideration in all matters pertaining to transportation. The Chesterfield Township Board of Education directs the superintendent to oversee development of regulations to govern:

- A. Student conduct on buses;
- B. Inservice education for bus drivers to include:
 - 1. Management of pupils;
 - 2. Safe driving practices; recognition of hazards;
 - 3. Special concerns in transporting pupils with disabilities;
 - 4. Emergency procedures on the road; accident report;
 - 5. Information on required drug and alcohol testing.

Accidents

Forms shall be provided for the immediate reporting of all incidents involving a district owned or contracted vehicle that include any of the following:

- A. Physical injury to anyone concerned, no matter how minor;
- B. Property damage of any kind, even if the financial loss is negligible;
- C. Failure of any mechanical function of a district owned or contracted vehicle during operation, even if no injury or damage results.

It shall be the responsibility of the superintendent to direct an investigation on the report and to comply with the law. The information gained shall be considered in evaluating personnel performances and in scheduling inspection of vehicles.

Training for Interacting with Students with Special Needs

The Chesterfield Township School District shall administer the New Jersey Department of Education developed training program on the proper procedures for interacting with students with special needs to all school bus drivers and school bus aides that it employs. The training program includes appropriate behavior management; effective communication; use and operation of adaptive equipment; and understanding behaviors that may be related to specific disabilities.

The training program shall be administered prior to that individual operating a school bus or serving as an aide on a school bus.

The Chesterfield Township School District requires that a school bus driver or school bus aide file a certification with the Chesterfield Township School District that the individual has completed the training program within five business days of its completion. The Chesterfield Township School District shall retain a copy of the certification for the duration of the individual's employment, and shall forward a copy of the certification to the New Jersey Department of Education.

TRANSPORTATION SAFETY (continued)

The parent or guardian of a student with an individualized education plan shall complete the student information card when the individualized education plan is developed or amended for a student who receives transportation services. The student information card, developed by the New Jersey Department of Education, shall include information that should be readily available to a school bus driver and school bus aide for the purpose of promoting proper interaction with a student with special needs.

Upon receiving consent from a student's parent or guardian, the a copy of the completed student information card shall be provided to the student's assigned school bus driver and school bus aide.

Drills

Emergency evacuation drills shall be conducted regularly throughout the school year to acquaint the student riders thoroughly with emergency situations. An emergency evacuation drill shall be held as soon as possible after the opening day of school and then at least twice a year. Students who do not require busing shall participate in a drill as necessary before a field trip. All students shall receive evacuation instruction at least once within the school year.

Vehicles and Equipment

All district owned or contracted vehicles used to transport children shall be maintained in such condition as to provide safe and efficient transportation service with a minimum of delays and disruption due to mechanical or equipment failure.

All district owned or contracted vehicles used to transport children shall conform to state standards for such vehicles and shall be equipped with all safety devices required by code and statute.

All passengers on buses equipped with seat belts shall wear properly adjusted and fastened seat belts or other child restraint systems at all times while the bus is in operation.

Bus Drivers

Drivers of all Type I and Type II school vehicles used to transport district pupils shall be licensed by the State of New Jersey as bus drivers. They shall comply with all state requirements on physical condition, criminal history clearance, etc. The district shall be in compliance with all drug and alcohol testing requirements of the Omnibus Transportation Employee Testing Act and implementing regulations and shall provide all bus drivers with required information on them (see policy 4219.23 Employee Substance Abuse). Bus drivers are responsible for the safety of pupils entering, riding, and departing their vehicle.

Adopted: March 22, 2004

NJSBA Review/Update: May 2011

Readopted: September 21, 2011

Revised:

Key Words

Safety, Bus Safety, Transportation Safety, Pupil Transportation, Student Transportation

TRANSPORTATION SAFETY (continued)

- Legal References:** N.J.S.A. 18A:6-7.1 Criminal history record; employee in regular contact with pupils; grounds for disqualification from employment; exception
- N.J.S.A. 18A:252 Authority over pupils
- N.J.S.A. 18A:39-1 et seq. Transportation of pupils remote from school
- See particularly:
- N.J.S.A. 18A:39-17, -18, -19.1, -20
- N.J.S.A. 18A:39-19.2 Training program for school bus drivers, bus aides through N.J.S.A. 18A:39-19.4 relative to students with special needs**
- N.J.S.A. 18A:39-26 School Bus Safety Act
- N.J.S.A. 18A:39-27 Bus Driver Presence Required
- N.J.S.A. 18A:39-28 Inspection of School Bus for Pupils
- N.J.S.A. 39:3-10.9 et seq New Jersey Commercial Driver License Act
- N.J.S.A. 39:3B-1.1 et seq. School Buses, Equipment and Regulations
- See particularly:
- N.J.S.A. 39:3B-10 through -12
- N.J.A.C. 6A:27-1.1 et seq. Student Transportation
- See particularly:
- N.J.A.C. 6A:27-11.1, -11.2, -11.3, -11.4, -12.2, -13.3
- 34 CFR Part 85.100 et seq., Governmentwide Debarment and Suspension (nonprocurement) and Governmentwide Requirements for DrugFree Workplace (Grants)
- 49 U.S.C. § 31306 et seq.- Omnibus Transportation Employee Testing Act of 1991
- 49 C.F.R. Part 40.1 et seq. - Procedures for Transportation Workplace Drug Testing Programs
- 49 C.F.R. Part 382.101 -Controlled Substance and Alcohol Use and Testing
- 49 C.F.R. Part 391.1 et seq. - Qualification of drivers
- Policies and Procedures Manual for Pupil Transportation, N.J. State Department of Education
- The Department of Education School Bus Driver and Aide Training for Interacting with Students with Special Need: located on the New Jersey Department of Education website at: <http://www.nj.gov/education/finance/transportation/training/dis/>*

Possible

- Cross References:** *3516 Safety
- *3541.1 Transportation routes and services
- *4211 Recruitment, selection and hiring
- *4119.23/4219.23 Employee substance abuse
- *4231/4231.1 Staff development; inservice education/visitations/conferences
- *5131 Conduct/discipline

TRANSPORTATION SAFETY (continued)

*1531.1	Harassment, intimidation and bullying
*5142	Pupil safety

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

EMERGENCIES AND DISASTER PREPAREDNESS

The superintendent **or his/her designee** shall direct the development of plans, procedures and mechanisms for responding to emergencies and crises in the schools that threaten human life and property. He/she shall consult with law enforcement agencies, health and social services agencies and emergency management planners in developing these plans and shall ensure that they provide for the protection of the health, safety and welfare of the school population as well as supportive services for staff, students and their families.

Plans and procedures shall include these elements:

- A. Cooperation with local government agencies in developing and carrying out a school/community disaster plan that includes procedures for building lockdowns when necessary;
- B. Mechanisms for the orderly evacuation of buildings in case of fire or other emergencies;
- C. Means to provide as much protection as possible for children at school and on their way to and from school;
- D. Training in individual self-protection and survival techniques for pupils and staff;
- E. Communicating specific instructions to pupils and staff so that the school emergency plan may be carried out with the greatest possible speed and safety.

The superintendent **or his/her designee** shall develop and provide an inservice training program for school staff to enable them to recognize and appropriately respond to crises, consistent with the district's plans, procedures and mechanisms for managing crises. The inservice program shall be reviewed and updated annually.

School Safety and Security Plan

The board directs the superintendent or his/her designee to develop and implement comprehensive plans, procedures, and mechanisms that provide for safety and security in the schools. Written plans and procedures and mechanisms shall, at a minimum, provide for:

- A. The protection of the health, safety, security and welfare of the school population;
- B. The prevention of, intervention in, response to and recovery from emergency and crisis situations;
- C. The establishment and maintenance of a climate of civility;
- D. Support services for staff, students and their families; and
- E. Include plans related to changing township conditions which could pose potential safety and security issues for the school district (i.e. pipeline/compressor station)

The superintendent **or his/her designee** shall consult with law enforcement agencies, health and social services provider agencies, emergency management planners, and school and other community resources,

EMERGENCIES AND DISASTER PREPAREDNESS (continued)

as appropriate, in the development of the district's plans, procedures, and mechanisms for school safety and security.

The plans, procedures, and mechanisms shall be consistent with the format and content established by the Domestic Security Preparedness Task Force and the Commissioner. The plans, procedures, and mechanisms shall be reviewed annually and updated as appropriate.

The superintendent **or his/her designee** shall disseminate a copy of the school safety and security plan to its employees. In addition:

- A. New employees shall receive a copy of the school safety and security plan, as appropriate, within **30** days of the effective date of their employment;
- B. All employees shall be notified in writing, as appropriate, regarding updates and changes to the school safety and security plan **within 30 days of such change**;
- C. All employees shall attend an in-service training program designed to allow all district board of education employees to recognize and appropriately respond to safety and security concerns, including emergencies and crises, in a manner consistent with the district board of education's plans, procedures and mechanisms for school safety and security.

Fire Drills and School Security Drills

Fire drills shall be held at least once each month for all pupils. **The first emergency evacuation drill of each school year shall be conducted within 10 days of the beginning of classes. Emergency evacuation drills shall be conducted at different hours of the day or evening, during the changing of classes, when the school is at assembly, during the recess or gymnastic periods, or during other times to avoid distinction between drills and actual fires. Outdoor assembly areas shall be designated and shall be located a safe distance from the building being evacuated as to avoid interference with the fire department operations. The assembly areas shall be arranged to keep each class separate to provide accountability of all individuals.**

Regular courses of instruction in accident prevention and fire prevention shall be given and shall be adapted to the understanding of the several grades and classes in the schools.

There shall also be at least one school security drill per month. **This includes any summer months during which the school is open for instructional programs. A school security drill shall be conducted within the first 15 days of the beginning of the school year. A law enforcement officer shall be present at a minimum of one school security drill each school year in order to make recommendations on any improvements or changes to school security drill procedures that the officer may deem advisable.**

A "school security drill" means an exercise, other than a fire drill, to practice procedures that respond to an emergency situation including, but not limited to, a bomb threat, non-fire evacuation, lockdown, or active shooter situation and that is similar in duration to a fire drill.

The building principal shall provide emergency responders with a friendly notification at least 48 hours prior to holding a security drill.

EMERGENCIES AND DISASTER PREPAREDNESS (continued)

The chief school administrator may order a modification of the fire drills so that they may take the form of indoor drills or of rapid dismissals with outdoor clothing when low temperatures prevail.

A written statement of procedures and instructions for fire drills and school security drills shall be formulated by the chief school administrator and disseminated to all staff. All staff **full-time employees** shall also receive training on school safety and security that includes instruction on school security drills. New staff members shall receive this training within 30 days of the commencement of that staff member's employment. **The annual training provided to employees shall be conducted collaboratively by the district and emergency responders, including law enforcement, fire, and emergency medical services personnel, in order to identify weaknesses in school safety and security policies and procedures and to increase the effectiveness of emergency responders.**

Instruction in fire prevention shall be given and emphasized in appropriate courses in the curriculum of the school. A school security drill shall be defined as an exercise to respond to an emergency situation such as a non-fire evacuation, lockdown, bomb threat, or active shooter situation that is similar in duration to a fire drill.

Failure by an employee to comply with the requirements of this policy, including conduct during fire drills, may subject them to disciplinary action in accordance with their contract and/or conditions of their employment.

Required Drills

- A. The district shall be required to conduct a minimum of two drills per year for each of the following drills:
1. Active shooter;
 2. Evacuation (non-fire);
 3. Bomb threats;
 4. Lockdowns.

Students are not required to participate in two of the eight mandated drills.

- B. ~~Within the first 10 days of the new school year each school in the district shall be required to conduct one fire drill;~~
- C. ~~Within the first 15 days of the new school year each school in the district shall be required to conduct one school security drill.~~

Reporting

By June 30th of each year the chief school administrator shall submit to the executive county superintendent an annual "Statement of Assurance" report on the forms provided by the Department of Education.

Emergency Closings; Delayed Openings

The superintendent is authorized by the board to close the schools, open them late or dismiss them early in hazardous weather or in other extraordinary circumstances which might endanger the health or safety of pupils or school employees.

Each year, parents/guardians, pupils, and staff members shall be informed in advance of how they shall be

EMERGENCIES AND DISASTER PREPAREDNESS (continued)

notified in event of emergency closings. Parents/guardians **shall be notified that they are** required to make alternative arrangements for their children in case no one is home to receive a child after an unscheduled early closing.

Adopted: April 9, 2001

Revised: March 22, 2004

NJSBA Review/Update: June 2011

Readopted: September 21, 2011

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Revised:

Key Words

Emergencies and Disaster Preparedness, Civil Defense, Disasters, Fire Drills, Security Drills, Bomb Threats, Safety and Security Plan

<u>Legal References:</u>	<u>N.J.S.A.</u> 18A:62	Instruction in accident and fire prevention
	<u>N.J.S.A.</u> 18A:111	General mandatory powers and duties
	<u>N.J.S.A.</u> 18A:4012	Closing schools during epidemic
	<u>N.J.S.A.</u> 18A:41-1 <u>et seq.</u>	Fire drills and fire protection
	<u>N.J.S.A.</u> 18A:5420	Powers of board (county vocational schools)
	<u>N.J.S.A.</u> App. A:9-64 <u>et seq.</u>	New Jersey Domestic Security Preparedness Act
	<u>N.J.A.C.</u> 6A:16-5.1 <u>et seq.</u>	School Safety and Security
	<u>N.J.A.C.</u> 6A:16-6.3	Reporting students or staff members to law enforcement agencies
	<u>N.J.A.C.</u> 6A:26-12.2	Policies and procedures for school facility operation
	<u>N.J.A.C.</u> 8:57-1.9	Reporting of diseases by health officers

A Uniform State Memorandum of Agreement between Education and Law Enforcement Officials

International Fire Code, New Jersey Edition, 2006; Section 408 Use and Occupancy-Related Requirements (see particularly: Section 408.3.1).

School Safety and Security Plans, Minimum Requirements

Possible

<u>Cross References:</u>	*1410	Local units
	*2210	Administrative leeway in absence of board policy
	*3541.33	Transportation safety
	*4131/4131.1	Staff development; inservice education/visitations/conferences
	*4231/4231.1	Staff development; inservice education/visitations/conferences
	5141.6	Crisis intervention
	*6111	School calendar
	*6112	School day

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

CHESTERFIELD TOWNSHIP BOARD OF EDUCATION
Chesterfield, New Jersey

FILE CODE: 3510

<u>X</u>	Monitored
<u>X</u>	Mandated
<u>X</u>	Other Reasons

Policy

OPERATION AND MAINTENANCE OF PLANT

The Chesterfield Township Board of Education is responsible for providing school facilities that are safe from hazards; sanitary; properly equipped, lighted and ventilated; and aesthetically suited to promoting the goals of the district. School buildings and site accommodations shall include provisions for individuals with disabilities pursuant to law and regulations.

The superintendent shall ensure the development and enforcement of detailed regulations for the safe and sanitary operation of the buildings and grounds. The regulations shall be reviewed and adopted by the board, and provided to all staff annually at the beginning of each school year and when any revisions are formulated.

The superintendent and board secretary shall develop a multiyear comprehensive maintenance plan for board approval, to be updated annually.

The district shall ensure barrier free access for all students, staff and visitors to school facilities.

Safe Drinking Water

The Chesterfield Township 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., N.J.A.C. 6A:26-6, and N.J.A.C. 7:10 et seq.). In accordance with law and board policy 3516 Safety, the board shall test all drinking water outlets, make the results publically available and notify parents/guardians and the New Jersey Department of Education

The board of education directs the superintendent to ensure the development of lead sampling plan with sample collection is consistent with the district's Quality Assurance Project Plan (QAPP) and to ensure that QAPP is signed by the laboratory certified to sample the district's water, the individual responsible for conducting the sampling and is presented to the board for signature.

Within 24-hours after the board has reviewed and verified the final laboratory results of the sampling, the board shall ensure that test results are publicly available at the school facility and on the board's website. If any laboratory results exceed the permissible lead action level, the board shall provide written notification to the parents/guardians of all students attending that facility as well as to the Department of Education. The notice must include measures taken to curtail immediately the use of any drinking water outlet where lead levels exceed the permissible action level, measures taken to ensure that alternate drinking water is available to all students and staff, and information regarding the health effects of lead.

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.

Annually, the board must submit to the Department of Education, a statement of assurance that lead testing was completed in accordance with existing Department of Education regulations and that where required, alternate drinking water is available to students and staff.

Integrated Pest Management

The New Jersey School Integrated Pest Management Act of 2002 requires schools to implement a school integrated pest management policy. As per this policy, the board and the superintendent shall implement Integrated Pest Management (IPM) procedures to control pests and minimize exposure of children, faculty,

OPERATION AND MAINTENANCE OF PLANT (continued)

and staff to pesticides. Chesterfield Township Elementary School shall develop and maintain an IPM plan as part of the school's policy.

Integrated Pest Management Procedures in Schools

Implementation of 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 school 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 school IPM plan is a blueprint of how Chesterfield Township Elementary School will manage pests through IPM methods. The school's IPM plan states the school's goals regarding the management of pests and the use of pesticides. It reflects the school's site-specific needs. The IPM plan shall provide a description of how each component of the school IPM policy will be implemented at the school. The superintendent, in collaboration with the school building administrator, shall be responsible for the development of the IPM plan for this school.

IPM Coordinator

The superintendent shall designate an integrated pest management coordinator, who is responsible for the implementation of the school integrated pest management policy.

Education/Training

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

The IPM coordinator, other school staff and pesticide applicators involved with implementation of the school IPM policy will be trained in appropriate components of IPM as it pertains to the school environment.

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

Record Keeping

Records of pesticide use shall be maintained on site by IPM coordinator to meet the requirements of the state regulatory agency and the school 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 superintendent is responsible for timely notification to students' parents or guardians and the school staff of pesticide treatments pursuant to the School IPM Act.

OPERATION AND MAINTENANCE OF PLANT (continued)Re-entry

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

Pesticide applicators

The IPM coordinator shall ensure that applicators follow state regulations, including licensing requirements and label precautions, and must comply with all components of the School IPM Policy.

Evaluation

Annually, for public schools, the superintendent will report to the board on the effectiveness of the IPM plan and make recommendations for improvement as needed. The board directs the chief school administrator to develop regulations/procedures for the implementation of this policy.

Adopted: March 2004

Revised: April 26, 2004

NJSBA Review/Update: May 2011, March 2015

Readopted: September 21, 2011

Revised: August 30, 2017

Revised:

Key Words

Operation and Maintenance of Plant, Buildings and Grounds, Maintenance

Legal References: N.J.S.A. 13:1F-19

through -33

N.J.S.A. 18A:17-49

through -52

N.J.S.A. 18A:18A-1 et seq.

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

N.J.S.A. 18A:22-8

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

N.J.S.A. 34:6A-25 et seq.

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

N.J.A.C. 5:23-1 et seq.

N.J.A.C. 6A:23A-1 et seq.

See Particularly:

N.J.A.C. 6A:23A-6.9

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

See particularly:

N.J.A.C. 6A:26-12.2(a)1, 2

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

N.J.A.C. 6A:30-1.1 et seq.

N.J.A.C. 7:10-1 et seq.

N.J.A.C. 7:30-13.1 et seq.

20 U.S.C.A. 4071 et. seq.

School Integrated Pest Management Act

Buildings and grounds supervisors to be certified

Public schools contracts law

Award of purchases, contracts, agreements

Contents of budget; format

Worker and Community Right to Know Act

New Jersey Public Employees Occupational Safety and Health Act

Safe Drinking Water Act

The uniform construction code

Fiscal accountability, efficiency and budgeting procedures

Facilities maintenance and repair schedule and accounting

Operation and Maintenance of Facilities

Safe drinking water

Evaluation of the Performance of School Districts

Safe Drinking Water Act

Integrated Pest Management

Equal Access Act

OPERATION AND MAINTENANCE OF PLANT (continued)

International Building Code 2015, New Jersey Edition; First Printing: September 2015;
ISBN: 978-1-60983-156-1; Copyright 2015, International Code Council, Inc.

Possible

<u>Cross References:</u>	*1410	Local units
	*2240	Research, evaluation and planning
	*3000/3010	Concepts and roles in business and noninstructional operations; goals and objectives
	*3516	Safety
	*5141	Health
	6161	Equipment, books and materials
	*7110	Long-Range facilities planning
	*9130	Committees

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

CHESTERFIELD TOWNSHIP BOARD OF EDUCATION
Chesterfield, New Jersey

FILE CODE: 4211

<u>X</u>	Monitored
<u>X</u>	Mandated
<u>X</u>	Other Reasons

Policy

RECRUITMENT, SELECTION AND HIRING

The Chesterfield Township Board of Education guarantees equal employment, advancement opportunity and equal pay for equal work for all people regardless of race, creed, color, national origin, nationality, ancestry, age, sex, affectional or sexual orientation, gender identity or expression, marital status, domestic partnership status, familial status, liability for service in the Armed Forces of the United States, atypical hereditary cellular or blood trait of any individual, disability or because of genetic information or refusal to submit to or make available the results of a genetic test, pregnancy or other conditions not related to the duties and responsibilities of the job.

The superintendent shall have the responsibility of locating and recruiting the best qualified candidates to provide for the identified needs of the district. Recruiting practices shall include measures for targeting underrepresented populations in every category of employment.

The superintendent or his or her designee shall ensure that the district's employment application process and pre-employment inquiry and interview process conform to the guidelines of the New Jersey Division on Civil Rights and the Law Against Discrimination.

The board of education shall appoint all staff members only from nominations made by the superintendent. All appointments shall be by recorded roll call majority vote of the full membership of the board. The superintendent shall adhere to the following in recruiting and interviewing candidates:

- A. There will be no discrimination in the employment process in regard to race, creed, color, national origin, ancestry, age, sex, affectional or sexual orientation, gender identity or expression, marital status, domestic partnership status, familial status, pregnancy, liability for service in the Armed Forces of the United States, atypical hereditary cellular or blood trait of any individual, nationality, disability, or because of genetic information or refusal to submit to or make available the results of a genetic test, or other conditions not related to the duties and responsibilities of the job;
- B. All candidates must have training and/or actual work experience in the vacant position, and an acceptable level of proficiency; and
- C. It shall be the duty of the superintendent to see that persons nominated for employment shall meet all qualifications established by state or federal law, including the completion of a criminal history check and proof of citizenship or eligible alien status.

The superintendent is responsible for the preparation and maintenance of job descriptions that define the duties, responsibilities and qualifications required for each support position. The board shall adopt those job descriptions required by law or code and others as appropriate.

The employment of any candidate is not official until the contract is approved by the board of education and signed by the candidate. It shall be the responsibility of the superintendent to communicate this fact to all candidates.

Residency Requirements

Every employee hired by the board shall have their principal residence within the State of New Jersey. For the purposes of this policy an employee may have only one principal residence which shall be defined as:

RECRUITMENT, SELECTION AND HIRING (continued)

- A. Where the employee spends the majority of their nonworking time;
- B. Is most clearly the center of the employee's domestic life; and
- C. The employee's designated legal address and legal residence for voting.

The fact that an employee is either domiciled or owns a home or property in the State of New Jersey shall not by itself satisfy the requirement of principal residence.

Exemptions

- A. An employee hired on or after September 1, 2011 who is not a resident when hired shall receive one year to establish residency in New Jersey. If the employee fails to establish residency within that year, he/she shall be deemed unqualified for employment and shall be removed pursuant to N.J.S.A. 52:14-7(d);
- B. An existing employee who was not a resident of New Jersey on or prior to September 1, 2011 is exempted from this policy. However if he/she has had a break in public service for a period of time greater than seven days this exemption shall not apply;
- D. A break in public service shall be defined as an actual separation from employment for more than seven calendar days due to such causes as resignation, retirement, layoff, or disciplinary removal. But a leave of absence caused by accepting a new appointment within the district shall not be considered a break in public service.
- E. An employee may request an exemption to the State committee formed under N.J.S.A. 52:14-7 on a basis of critical need or hardship. The decision on whether to approve an application of the employee shall be made by a majority vote of this committee. If this committee fails to act within 30 days after receipt of the employee's application, no exemption shall be granted and the residency requirements set forth in this policy shall be in effect.

Reporting of Arrests, Charges and Indictments

All staff members who are charged, arrested or indicted for a crime or offense must submit a report to the superintendent of the charge, arrest or indictment, including (but not limited to) disorderly persons offenses and drunk driving arrests. This reporting requirement pertains to both in-state and out-of-state offenses and crimes. The employee will make the report within fourteen (14) days. The staff member shall also report the disposition of any charges within seven (7) days of the disposition. Failure to report arrests, charges and indictment may result in disciplinary action up to and including termination of employment.

The superintendent will make these requirements known to all new employees and to all employees on an annual basis.

Adopted:	March 22, 2004
NJSBA Review/Update:	May 2011, May 2012, March 2017
Readopted:	September 21, 2011
Revised:	September 19, 2012
Revised:	May 14, 2014
Revised:	

RECRUITMENT, SELECTION AND HIRING (continued)Key Words

Recruitment, Selection and Hiring; Hiring; Nondiscrimination; Affirmative Action, Background Check, Personnel Background Check, Domestic Partnership Act, Residency Requirements

- Legal References:** N.J.S.A. 10:5-1 et seq. Law Against Discrimination
N.J.S.A. 18A:3-15.2 Fraudulently issued, obtained, forged or altered degree or certification; use in connection with business or occupation
N.J.S.A. 18A:6-5 Inquiry as to religion and religious tests prohibited
N.J.S.A. 18A:6-6 No sex discrimination
N.J.S.A. 18A:6-7.1, -7.5 Criminal history record; employee in regular contact with students; grounds for disqualification from employment; exception
N.J.S.A. 18A:6-76.1 Deadline for notification to students of requirements of provisional certificate and induction program
N.J.S.A. 18A:11-1 General mandatory powers and duties
N.J.S.A. 18A:13-40 General powers and duties of board of newly created regional districts
N.J.S.A. 18A:16-1 Officers and employees in general
N.J.S.A. 18A:26-1, -1.1, -2 Citizenship of teachers, etc.
N.J.S.A. 18A:27-1 et seq. Employment and Contracts
See particularly:
N.J.S.A. 18A:27-4.1
N.J.S.A. 18A:54-20 Powers of board (county vocational schools)
N.J.S.A. 26:8A-1 et seq. Domestic Partnership Act
N.J.S.A. 52:14-7 Residency Requirements
N.J.A.C. 6A:7-1.1 et seq. Managing for Equality and Equity in Education
See particularly:
N.J.A.C. 6A:7-1.4, -1.8
N.J.A.C. 6A:9B-6.1 et seq. Types of Certificates
N.J.A.C. 6A:9B-8.1 et seq. Requirements for Instructional Certification
N.J.A.C. 6A:9B-10.1 et seq. Exceptions for the Requirements for the Instructional Certificate
N.J.A.C. 6A:9B-12.1 et seq. Requirements for Administrative Certification
N.J.A.C. 6A:10:1.1 et seq. Educator effectiveness
N.J.A.C. 6A:30-1.1 et seq. Evaluation of the Performance of School Districts
N.J.A.C. 6A:32-4.1 Employment of teaching staff
N.J.A.C. 6A:32-5.1 Standards for determining seniority
- 42 U.S.C.A. 2000e et seq. - Title VII of the Civil Rights Act of 1964 as amended by the Equal Employment Opportunities Act of 1972
- 29 U.S.C.A. 794 et seq. - Section 504 of the Rehabilitation Act of 1973
- 8 U.S.C.A. 1100 et seq. - Immigration Reform and Control Act of 1986
- 42 U.S.C.A. 12101 et seq. - Americans with Disabilities Act (ADA)
- Every Student Succeeds Act of 2015, Pub. L. 114-95, 20 U.S.C.A. 6301 et seq.
- Old Bridge Education Association v. Old Bridge Township Bd. of Ed., 1986 S.L.D. 1917
- Taxman v. Piscataway Bd. of Ed., 91 F. 3d 1547 (3d Cir. 1996)

RECRUITMENT, SELECTION AND HIRING (continued)

The Comprehensive Equity Plan, New Jersey Department of Education

Possible

<u>Cross References:</u>	2130	Administrative staff
	*2131	Superintendent
	4000	Concepts and roles in personnel
	*4111.1/4211.1	Nondiscrimination/affirmative action
	*4112.2	Certification
	*4112.4/4212.4	Employee health
	4112.5/4212.5	Criminal history check
	*4112.6/4212.6	Personnel records
	*4112.8/4212.8	Nepotism
	*4121	Substitute teachers
	*4222	Noninstructional aides
	*5120	Assessment of individual needs
	*6010	Goals and objectives

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

CHESTERFIELD TOWNSHIP BOARD OF EDUCATION
Chesterfield, New Jersey

FILE CODE: 4231/4231.1

Policy

<u>X</u>	Monitored
<u> </u>	Mandated
<u>X</u>	Other Reasons

STAFF DEVELOPMENT: INSERVICE EDUCATION/VISITATIONS/CONFERENCES

The Chesterfield Township Board of Education recognizes that the skills required of support staff members change with changing technology. In order to ensure both optimum efficiency in district operations, and the continued growth in professional knowledge, the superintendent shall ensure that appropriate programs of inservice training shall be developed for support staff as necessary.

The superintendent may recommend to the board the granting of leave for attendance of personnel at state, regional, and national job-related meetings without pay deduction and with expenses paid by the school system according to established allowances.

The board reserves the right to require any staff member attending a board approved professional development experience outside the school district, to present an overview of that experience at a board of education meeting.

Achievement Gap and Inequity

The board shall on a continuing basis, provide professional development training for all school personnel (certified and noncertified) to identify and resolve problems associated with the student achievement gap and other inequities arising from prejudice. Parents/guardians and other community members shall be invited to participate in the professional development training. Newly hired certified and noncertified staff shall be provided professional development training on educational equity issues within the first year of employment.

Mandated Inservice Programs

The superintendent shall arrange development of appropriate inservice presentations, seminars and/or workshops on equity issues, special education, child abuse and neglect, drug/alcohol abuse awareness, harassment, intimidation and bullying, handling blood and body fluids, possible hazardous substances in the workplace, crisis response, school violence and other topics specifically required by federal or New Jersey law.

Adopted:	March 22, 2004
NJSBA Review/Update:	May 2011, March 2017
Readopted:	September 21, 2011
Revised:	

Key Words

Staff Development; Inservice; Visitations; Conferences

<u>Legal References:</u>	<u>N.J.S.A.</u> 18A:11-1	General mandatory powers and duties
	<u>N.J.S.A.</u> 18A:17-46	Act of violence; report by school employee; notice of action taken; annual report
	<u>N.J.S.A.</u> 18A:30-7	Power of boards of education to pay salaries
	<u>N.J.S.A.</u> 18A:31-2	Attendance at conventions of New Jersey Education Association
	<u>N.J.S.A.</u> 18A:40A-3	Initial inservice training programs; curriculum;
	<u>See particularly:</u>	availability

STAFF DEVELOPMENT; INSERVICE EDUCATION/
VISITATIONS/CONFERENCES (continued)

<u>N.J.S.A.</u> 18A:40A-3a, -18c	
<u>N.J.S.A.</u> 18A:54-20	Powers of board (county vocational schools)
<u>N.J.S.A.</u> 34:5A-10	Retention or workplace surveys
<u>N.J.S.A.</u> 34:5A-13	Employee education and training program; certification of instructors
<u>N.J.A.C.</u> 6A:7-1.6	Professional development
<u>N.J.A.C.</u> 6A:16-1.1 <u>et seq.</u>	Programs to Support Student Development
<u>See particularly:</u>	
<u>N.J.A.C.</u> 6A:16-3.1(a)4, -5.1(d), -6.2(b)12	
<u>N.J.A.C.</u> 6A:16-11.1 <u>et seq.</u>	Reporting Allegations of Child Abuse and Neglect
<u>N.J.A.C.</u> 6A:30-1.1 <u>et seq.</u>	Evaluation of the Performance of School Districts

Comprehensive Equity Plan, New Jersey State Department of Education

Possible

Cross References:

*2224	Nondiscrimination/affirmative action
*4215	Supervision
*4216	Evaluation
4233	Travel/reimbursement
*5131	Conduct and discipline
*5131.1	Harassment, intimidation and bullying
*5141	Health
*5141.4	Child abuse and neglect

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

MISSING, ABUSED AND NEGLECTED CHILDREN

The Chesterfield Township Board of Education believes that a child's physical and mental well-being must be maintained as a prerequisite to the achievement of the New Jersey Student Learning Standards. The board therefore believes that it is important to identify and investigate suspected incidents involving missing, abused and neglected children immediately. The school district will cooperate with the New Jersey Division of Child Protection and Permanency (DCP&P) and law enforcement authorities in identifying and reporting all such cases, whether institutional or noninstitutional.

In order to increase awareness of the symptoms of missing, abused and neglected children and cause them to be better informed on all aspects of abuse and neglect, the board directs the superintendent to provide information and inservice training on these subjects to all school employees. Specifically, this training shall include information on the district's policies and procedures for reporting allegations of missing, abused, or neglected child situations. All new employees, volunteers and interns shall receive the required information and training as part of their orientation.

Liaisons to DCP&P and Law Enforcement Authorities

The superintendent shall designate a staff member or staff members who shall act as liaison between DCP&P and the district. The liaison shall facilitate communication and cooperation between the district and/or the school and DCP&P and act as primary contact between the schools and DCP&P.

The superintendent shall also designate a staff member or staff members who shall act as liaison between law enforcement authorities and the district. The liaison shall facilitate communication and cooperation between the district and law enforcement authorities and act as primary contact between the school and law enforcement.

Reporting Procedures

The superintendent is directed to develop procedures for compliance with statutory requirements that suspected incidents of potentially missing, abused and neglected children be reported. The following procedures shall apply:

- A. All staff members, volunteers and interns having contact with pupils are required to report directly and immediately to DCP&P all incidents of alleged missing, abused and neglected children. The person having reason to believe that a child may be missing or may have been abused or neglected may inform the principal or other designated school officials prior to notifying DCP&P if the action will not delay immediate notification. Employees, volunteers and interns shall not be required to obtain confirmation by another person to report a suspected missing, abused or neglected child situation;
- B. The person notifying DCP&P shall inform the principal or other designated school officials of the notification, if this was not done prior to notifying DCP&P. The principal or other school designated school officials should not be given this notification if the person making the notification believes that it would likely endanger the reporter or student involved or result in retaliation against the student or in discrimination against the reporter with respect to his or her employment;
- C. The principal shall notify the law enforcement authorities of incidents of potentially missing, abused, or neglected child situations. Law enforcement authorities shall be notified about all reports by employees, volunteers, or interns working in the school district. Procedures for the notification of the law enforcement authority shall be consistent with the district Memorandum of Agreement (see board policy 1410 Local Units);

MISSING, ABUSED AND NEGLECTED CHILDREN (continued)

- D. The principal shall ensure that all involved staff cooperate with DCP&P and law enforcement authorities in all investigations of potential missing, abused, or neglected children including facilitating:
1. Accommodations permitting investigators to interview the student in the presence of the school principal or other designated school official. If the student is intimidated by the presence of the school representative, the student shall be requested to name an employee, volunteer, or intern he or she feels will be supportive to be present during the interview;
 2. Interviews by scheduling time with any employee, volunteer, or intern who may have information relevant to the investigation;
 3. The release of all records of the student who is the subject of the investigation that are deemed relevant to the assessment or treatment of a potentially missing, abused, or neglected child;
 4. The maintenance, security, and release of all confidential information about potential missing, abused, or neglected child situations;
 5. The release of the student to child welfare authorities while school is in session when it is necessary to protect the student or take the student to a service provider. This removal shall take place only after the principal or his or her designee has been provided, either in advance or at the time removal is sought, with appropriate documentation that DCP&P has already removed, or has appropriate authority to remove, the student from his or her home;
 6. The transfer to another school of a student who has been removed from his or her home by DCP&P for proper care and protection (see board policy 5118.2 Foster Care and Educational Stability).

Due Process

Due process rights will be provided to school personnel, volunteers or interns who have been reassigned or suspended as a result of an accusation of child abuse or neglect. Temporary reassignment or suspension of an employee, with pay, volunteer or intern named as a suspect in an act of child abuse or neglect shall occur if there is reasonable cause to believe that the life or health of the alleged victim or other student is in jeopardy due to continued contact between the employee, volunteer or intern and a student. Due process rights shall include notice of the proposed suspension and a pre-suspension opportunity to respond.

If abuse is found, resulting from a single incident occurring in the school district, the superintendent shall be available to meet with the Department of Children and Families, which may request that the superintendent create a corrective action plan. The plan may include, but shall not be limited to, action to be taken with respect to a teacher, intern, employee, volunteer or other staff member to assure the health and safety of the alleged victim and other children and to prevent future acts of abuse or neglect. Within 30 days of the date the Department requested the remedial plan, the superintendent shall notify the Department in writing of the progress in preparing the plan. The superintendent shall complete the plan within 90 days of the date the Department requested the plan.

If the child abuse or neglect is the result of several incidents occurring in the school district, within 30 days of receipt of the report of child abuse or neglect, the Department of Children and Families may request that the superintendent make administrative, personnel or structural changes within the district.

Records

All information regarding allegations of potentially missing, abused, or neglected children reported to authorities about an employee, volunteer, or intern working in the school district shall be considered confidential and may be disclosed only as required to cooperate in investigations. These confidential matters are not to be discussed beyond the immediate staff members involved. Any staff found to have breached this confidentiality may be subject to disciplinary action. Records pertaining to such information shall be maintained in a secure location separate from other employee personnel records and accessible only to the school district chief school administrator or his or her designee.

All references to a notification to the designated DCP&P caseworker of a potential missing, abused, or neglected child situation involving a school district employee shall be removed from employee personnel

MISSING, ABUSED AND NEGLECTED CHILDREN (continued)

records immediately following the receipt of an official notice from DCP&P that such allegations were unfounded.

Suicide Reporting

The board is committed to supporting State efforts to improve the information available to both professionals, who are in contact with youth at risk of suicide, and families at risk; identify and provide suitable intervention services to reduce the incidence of suicide; and educate youths and families at risk about the resources available for suicide prevention and intervention about youths who attempt suicide.

Therefore, in compliance with law (N.J.S.A. 30-9A-24 and N.J.A.C. 6A:11-1) school district employees, volunteers, or interns with reasonable cause to suspect or believe that a student has attempted or completed suicide, shall report the information to the Department Children and Families. The information shall be reported in the form and manner prescribed by the Department Children and Families.

The information contained in the report to the Department Children and Families shall not be considered a public record, but the division may aggregate the data for the purpose of preparing an annual report. The reporter shall not be required to identify the student or youth by name or other unique identifier, but may be required to supply non-identifying demographic information about the student or youth, other attempts made by the student or youth and the response or referral made to deal with the incident.

Any person who reports an attempted or completed suicide shall have immunity from any civil or criminal liability on account of that report, unless the person has acted in bad faith or with malicious purpose.

Protection from Reprisal or Retaliation

The board assures all school personnel and volunteers that no one will be discharged from employment or discriminated against in any way as a result of making in good faith any reports of child abuse and neglect. Reprisal or retaliation against any person who, in good faith, reports or causes a report to be made of a potential missing, abused or neglected child situation is prohibited.

Staff members, volunteers or interns shall not be required to disclose, or be penalized for the failure to disclose, any information which would be privileged according to law (N.J.S.A. 2A:84A-18 through -23).

Adopted: March 18, 2002
NJSBA Review/Update: June 2011
Readopted: September 21, 2011
Revised:

Key Words

Pupil Safety, Child Abuse, Child Neglect, Student Safety

<u>Legal References:</u>	<u>N.J.S.A. 2A:4A-60.2</u>	Disclosure, use of juvenile's statement made in course of screening
	<u>N.J.S.A. 2A:84A-18</u> through -23	Self-incrimination
	<u>N.J.S.A. 2C:11-6.</u>	Aiding suicide
	<u>N.J.S.A. 2C:58-8.</u>	Certain wounds and injuries to be reported
	<u>N.J.S.A. 9:6-1 et seq.</u>	Abuse, abandonment, cruelty and neglect of child; what constitutes
	<u>See particularly:</u>	
	<u>N.J.S.A. 9:6-3.1; -8.9</u> through -8.14; -8.21; -8.27 through -8.30; -8.34 through -8.36; -8.40;	

MISSING, ABUSED AND NEGLECTED CHILDREN (continued)

-8.46; -8.56	
<u>N.J.S.A.</u> 18A:6-7a, -10, -11, -13, -14, -18.1, -30, -30.1	Removal from personnel files of reference to complaint of child abuse or neglect determined to be unfounded
<u>N.J.S.A.</u> 18A:6-111	Findings, declarations relative to instruction in suicide prevention in public schools
<u>N.J.S.A.</u> 18A:6-112	Instruction in suicide prevention for public school teaching staff.
<u>N.J.S.A.</u> 18A:6-113	Provision for instruction in suicide prevention in school curriculum
<u>N.J.S.A.</u> 30:9A-22	Findings, declarations relative to youth suicide
<u>N.J.S.A.</u> 30:9A-23	Definitions relative to youth suicide
<u>N.J.S.A.</u> 30:9A-24	Report by teacher of attempted, completed suicide by student
<u>N.J.S.A.</u> 18A:36-19	Pupil records; creation; maintenance and retention, security and access; regulations; nonliability
<u>N.J.S.A.</u> 18A:36-19a	Newly enrolled students; records and identification
<u>N.J.S.A.</u> 18A:36-24 <u>et seq.</u>	Missing children; legislative findings and declarations
<u>N.J.S.A.</u> 52:17B-9.8a <u>et seq.</u>	Marking of missing child's school record
<u>N.J.A.C.</u> 6A:16-5.1	School safety plans
<u>N.J.A.C.</u> 6A:16-11.1 <u>et seq.</u>	Reporting Allegations of Child Abuse and Neglect
<u>N.J.A.C.</u> 6A:32-7.1	Student records

Possible

<u>Cross References:</u>	*5113	Absences and excuses
	*5125	Pupil records
	*5141.1	Accidents
	*5142	Pupil safety

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

CHESTERFIELD TOWNSHIP BOARD OF EDUCATION
Chesterfield, New Jersey

FILE CODE: 5141.4

 X **Monitored**
 X **Mandated**
 Other Reasons

Regulation

MISSING, ABUSED AND NEGLECTED CHILDREN

GENERAL STATEMENT

The Chesterfield Township Board of Education shall foster with its community of parents a sense of wellbeing and confidence that each child is valued and will be protected from any form of threat or danger to their safety and wellbeing. The board of education adopts the New Jersey Legislature's determination that removal of children from school constitutes a deprivation in itself and may be an indicator of even more grievous abuses. The board believes that it is important to identify and investigate suspected incidents involving missing, abused or neglected children immediately. Moreover, the public schools can and should provide an early warning to the appropriate authorities when a child appears to be missing from the educational system.

Therefore, the school district will cooperate with the New Jersey Division Child Protection and Permanency (DCP&P) and law enforcement authorities in identifying and reporting all such cases of missing, abused and neglected students whether institutional or noninstitutional.

The board further believes that as required by law, school staff, volunteers and interns have the responsibility to report attempted or completed suicide. Reporting enables the district to plan supportive measures for the school community and facilitates the state's initiatives regarding suicide prevention and intervention. Therefore, school staff, volunteers and interns shall report the information to the New Jersey Department New Jersey Department of Children and Families (DCF).

STAFF RESPONSIBLE

The following chart lists the staff members responsible for the implementation of the regulation and summarizes their responsibilities:

Position	Summary of Main Responsibilities
Superintendent	<ul style="list-style-type: none">• General policy and procedure oversight within the district• Designation of the liaison(s)• Maintain contact information for police and DCP&P
Building principal	<ul style="list-style-type: none">• General procedure oversight within the school• Development and implementation of reporting and notification procedures for the school• Contacting and being the liaison with law enforcement• Maintaining confidential records and oversee the transfer and release of relevant records as required by law• Maintain contact information for police and DCP&P• Contact parents/guardians or emergency contact as appropriate• In conjunction with superintendent, oversight of student enrollment and documentation of attendance• Review procedures for maintenance and access to student records
District liaisons (Building principal & school nurse)	<ul style="list-style-type: none">• Primary contact with Law enforcement, the DCP&P case manager, and DCF as assigned• Facilitates all aspects of the report, investigation and follow-up for reported incidents• Coordinates school services with CST, I&RS, school nurse, EMS, or other services as necessary

MISSING, ABUSED AND NEGLECTED CHILDREN (regulation continued)

Board Secretary	<ul style="list-style-type: none"> • Manage policy adoption and revision cycle • Oversight of student records and access to same
Director of Student Services	<ul style="list-style-type: none"> • Default liaison between the school district and DCP&P
Director of Curriculum	<ul style="list-style-type: none"> • In conjunction with the superintendent, oversight and implementation of instruction in suicide prevention • In conjunction with the superintendent, coordinate with Commissioner of the Department of Human Services to provide in-service & classroom instruction re: suicide prevention
Medical Inspector	<ul style="list-style-type: none"> • In conjunction with the superintendent, notify licensed and medical staff of immunity from civil liability for professional services
Attendance Officer	<ul style="list-style-type: none"> • Investigate and report certain student absences

DEFINITIONS

"Abandonment" is defined in N.J.S.A. 9:6-1, as any of the following acts committed by anyone having the custody or control of the child:

1. Willfully forsaking a child;
2. Allowing the child to be exposed to physical or moral risk without proper and sufficient protection;
3. Failing to care for a child to the extent that the child must be supported and maintained at the expense of the public or by private persons who are not legally responsible for the child.

"Abuse" is defined by the above statute as any of the following:

1. Disposing or resolving the custody of a child in ways contrary to law;
2. Employing the child in a position that is dangerous to the child's health, or in violation of the child employment laws of New Jersey;
3. Employing the child in a position that would endanger the morals of the child;
4. Parental/guardian's subjection of the child to the habitual use of profane language;
5. Performing an indecent act or deed, in the presence of a child, where the act may degrade the morals of the child or allowing another person to perform such an act;
6. The use of excessive physical restraint on the child under circumstances which do not indicate that the child's behavior is harmful to himself, others or property;
7. Willfully isolating the child from ordinary social contact under circumstances which indicate emotional or social deprivation.

"Abused child" is defined by N.J.S.A. 9:6-8.9 as a child under the age of 18 years whose parent, guardian, or other person having his custody and control:

1. Inflicts or allows non-accidental physical injury which causes or creates a substantial risk of death, or serious or protracted disfigurement, or protracted impairment of physical or emotional health or protracted loss or impairment of the function of any bodily organ;
2. Creates or allows a non-accidental and substantial or ongoing risk of physical injury to a child which would be likely to cause death or serious or protracted disfigurement, or protracted loss or impairment of the function of any bodily organ; or
3. Commits or allows to be committed an act of sexual abuse against the child;
4. Or a child whose physical, mental, or emotional condition has been impaired or is in imminent danger of becoming impaired as the result of the failure of his/her parent/guardian to exercise a minimum degree of care:
 - a. In supplying the child with adequate food, clothing, shelter, education, medical or surgical care though financially able to do so or though offered financial or other reasonable means to do so; or
 - b. In providing the child with proper supervision or guardianship, by unreasonably inflicting or allowing to harm, or substantial risk thereof, including the infliction of excessive corporal

MISSING, ABUSED AND NEGLECTED CHILDREN (regulation continued)

punishment or using excessive physical restraint under circumstances which do not indicate that the child's behavior is harmful to himself, others or property; or by any other act of a similarly serious nature requiring the aid of the court; or

5. A child who has been willfully abandoned by his parent or guardian, or such other person having his custody and control; or
6. A child who is in an institution as defined in N.J.S.A. 9:6-8.21 and (1) has been so placed inappropriately for a continued period of time with the knowledge that the placement has resulted and may continue to result in harm to the child's mental or physical well-being or (2) has been willfully isolated from ordinary social contact under circumstances which indicate emotional or social deprivation.

"Child Cruelty" is defined as:

1. Inflicting unnecessarily severe corporal punishment;
2. Inflicting unnecessary suffering or pain, either mental or physical;
3. Habitually tormenting, vexing or afflicting a child;
4. Any willful act of omission or commission causing or permitting unnecessary pain and suffering; or
5. Exposing a child to unnecessary hardship, fatigue or mental or physical strains that may tend to injure the health or physical or moral well-being of such child.

"Missing child" is defined in N.J.S.A. 52:17B-9.8a as a person under 18 years of age reported to a law enforcement agency as being abducted, enticed away, taken, missing or a runaway. A missing child is also defined in N.J.S.A. 52:17B-212 as a person 13 years of age or younger whose whereabouts are not currently known.

"Neglect" is defined as any of the following acts committed by a person having the custody or control of the child:

1. Willfully failing to provide proper and sufficient food, clothing, maintenance, regular school education as required by law, medical attendance or surgical treatment, and a clean and proper home, or
2. Failure to do or permit any act necessary for the child's physical or moral well-being. Neglect includes the continued inappropriate placement of a child in an institution, knowing that the placement has resulted and may continue to result in harm to the child's mental or physical well-being.

"Parent or guardian" means any natural parent, adoptive parent, resource family parent, stepparent, paramour of a parent, or any person, who has assumed responsibility for the care, custody, or control of a child or upon whom there is a legal duty for such care. "Parent" includes the adoptive or resource family parent. The term also includes any person who has assumed the care of a child, or any person with whom a child is living at the time an offense is committed. Parent, as used in this regulation and attendant policy shall include this definition as well as the legal guardian of the child.

In all cases, the right of a parent/guardian to provide treatment for an ill child in accordance with the religious tenets of any church as authorized by other statutes of New Jersey shall be maintained, provided that laws, rules, and regulations relating to communicable diseases and sanitary matters are not violated. No child, who in good faith, is under treatment by spiritual means alone through prayer in accordance with the tenets and practices of a duly accredited practitioner of that recognized church or religious denomination, shall for this reason alone, be considered to be abused or neglected.

"New Jersey State Department of Children and Families (DCF)" was created in July 2006 as New Jersey's first Cabinet agency devoted exclusively to serving and safeguarding the most vulnerable children and families in the state. DCF includes:

1. Child Protection and Permanency (DCP&P);
2. Children's System of Care;
3. Family and Community Partnerships;
4. Office of Adolescent Services;

MISSING, ABUSED AND NEGLECTED CHILDREN (regulation continued)

5. Office of Education;
6. Child Welfare Training Academy;
7. Centralized Child Abuse/Neglect Hotline;

"Non-institutional child abuse and neglect" is abuse and/or neglect alleged to have taken place in the home or community by a parent/guardian or any other person having custody or control of the child, and should be reported in person or by telephone to the local DCP&P office.

"Institutional child abuse and neglect" is abuse alleged to have taken place in a school or other institutional setting by school personnel, compensated and uncompensated (volunteer) and should be reported in person or by telephone to the Institutional Abuse Investigation Unit (IAIU) of the local DCP&P office.

INDICATORS OF CHILD ABUSE/NEGLECT

(from: <http://www.nj.gov/dcf/reporting/indicators/>)

Physical Abuse

Physical Indicators	Behavioral Indicators
Unexplained bruises and welts: <ul style="list-style-type: none"> • On face, lips, mouth • On torso, back, buttocks, thighs • In various stages of healing • Cluster, forming regular patterns • Reflecting shape of article used to inflict (electric cord, belt buckle) • On several different surface areas • Regularly appear after absence, weekend or vacation Unexplained burns: <ul style="list-style-type: none"> • Cigar, cigarette burns, especially on soles of the feet, palms, back or buttocks • Immersion burns (sock-like, glove-like doughnut shaped on buttocks or genitalia) • Patterned like electric burner, iron, etc. • Rope burns on arms, legs, neck or torso Unexplained fractures: <ul style="list-style-type: none"> • To skull, nose, facial structure • In various stages of healing • Multiple or spiral fractures Unexplained laceration or abrasions: <ul style="list-style-type: none"> • To mouth, lips, gums, eyes • To external genitalia 	Wary of adult contacts Apprehensive when other children cry Behavioral extremes: <ul style="list-style-type: none"> Aggressiveness Withdrawal Frightened of parents Afraid to go home Reports injury by parents

Physical Neglect

Physical Indicators	Behavioral Indicators
Consistent hunger, poor hygiene, inappropriate dress Consistent lack of supervision, especially in dangerous activities or long periods Constant fatigue or listlessness Unattended physical problems or medical needs Abandonment	Begging, stealing food Extended stays at school (early arrival and late departure) Constantly falling asleep in class Alcohol or drug abuse Delinquency (e.g. thefts) States there is no caregiver

MISSING, ABUSED AND NEGLECTED CHILDREN (regulation continued)**Sexual Abuse**

Physical Indicators	Behavioral Indicators
Difficulty in walking or sitting Torn, stained or bloody underclothing Pain or itching in genital area Bruises or bleeding in external genitalia, vaginal or anal areas Venereal disease, especially in pre-teens Pregnancy	Unwilling to change for gym or participate in PE Withdrawn, fantasy or infantile behavior Bizarre, sophisticated or unusual sexual behavior or knowledge Poor peer relationships Delinquent or run away Reports sexual assault by caregiver

Emotional Maltreatment

Physical Indicators	Behavioral Indicators
Habit disorders (sucking, biting, rocking, etc.) Conduct disorders (antisocial, destructive, etc.) Neurotic traits (sleep disorders, speech disorders, inhibition of play)	Behavior extremes: • Compliant, passive • Aggressive, demanding Overly adoptive behavior: • Inappropriately adult • Inappropriately infant

HOTLINE INFORMATION

All reports of child abuse and neglect, including those occurring in institutional settings such as child care centers, schools, foster homes and residential treatment centers, must be reported to the State Central Registry (SCR). This is a toll-free, 24-hour, seven-days-a-week hotline.

Child Abuse Hotline (State Central Registry)
1-877 NJABUSE
(1-877-652-2873)
TTY 1-800-835-5510

PROCEDURESChild Protection and Permanency Liaison

- A. The superintendent designates the school nurse as a liaison to the Division of Child Protection and Permanency (DCP&P).
- B. The roles and functions of this liaison are to:
 1. Facilitate communication and cooperation between DCP&P and the district including the sharing or transfer of records;
 2. Identify issues or problems that arise in the implementation of district policy and procedures related to missing, abused and neglected children and facilitate the resolution of any such problems;
 3. Act as the primary contact with DCP&P with regard to training, general information sharing and the maintenance and development of cooperative efforts;
 4. Coordinate intervention and prevention efforts.

Law Enforcement Liaison

- A. The superintendent designates the building principal as a liaison to the county prosecutor's office and to the local law enforcement agency.

MISSING, ABUSED AND NEGLECTED CHILDREN (regulation continued)

B. The roles and functions of this liaison are to:

1. Facilitate communication and cooperation;
2. Identify issues or problems that arise in the implementation of this Agreement and facilitate the resolution of any such problems;
3. Act as the primary contact person between the schools and the affected law enforcement agencies;
4. Act together in developing joint training and other cooperative efforts, including information exchanges and joint speaking engagements;
5. Coordinate drug and alcohol abuse and violence intervention and prevention efforts; and
6. Consult on the review of school safety and security plans, pursuant to N.J.A.C. 6A:16-5.1, and the review of approved model policies of the School Security Task Force.

Note: see board policy and regulation 1410 Local Units

Incident Reporting

Any person having reasonable cause to believe that a child has been subjected to child abuse shall report the same immediately to the Division of Child Protection and Permanency by telephone or otherwise. Such reports, where possible, shall contain the names and addresses of the child and his parent, guardian, or other person having custody and control of the child and, if known, the child's age, the nature and possible extent of the child's injuries, abuse or maltreatment, including any evidence of previous injuries, abuse or maltreatment, and any other information that the person believes may be helpful with respect to the child abuse and the identity of the perpetrator.

Any person who, in good faith, makes a report of child abuse or neglect or testifies in a child abuse hearing resulting from such a report is immune from any criminal or civil liability as a result of such action. Calls can be placed to the hotline anonymously. Any such person who is discharged from employment or is subject to employment discrimination may file a cause of action in the family part of the Chancery Division of the Superior Court in the county in which the discharge or alleged discrimination occurred or in the county of the person's primary residence.

Any person who, in good faith, makes a report of child abuse or neglect or testifies in a child abuse hearing resulting from such a report shall be free from any type of retaliation.

When a complaint made against a school employee alleging child abuse or neglect is determined by the Department of Children and Families to be unfounded, the school district shall remove any references to the complaint and investigation by the department from the employee's personnel records. A complaint made against a school employee that has been classified as unfounded by the department shall not be used against the employee for any purpose relating to employment, including but not limited to, discipline, salary, promotion, transfer, demotion, retention or continuance of employment, termination of employment or any right or privilege relating to employment.

Any person who knowingly fails to report suspected abuse or neglect according to the law or to comply with the provisions of the law is a disorderly person.

Reporting Procedures

The superintendent has developed these procedures in compliance with statutory requirements that suspected incidents of potentially missing, abused and neglected children be reported. If a student is reasonably believed to be missing, abused or neglected, the following procedures shall apply:

- A. Any person having reasonable cause to believe that a child has been subjected to child abuse shall report the same immediately to the Division of Child Protection and Permanency by contacting 1-877 NJABUSE (1-877-652-2873) or TTY 1-800-835-5510 or otherwise. Such reports, where possible, shall contain the following:

MISSING, ABUSED AND NEGLECTED CHILDREN (regulation continued)

1. Name, title and position of individual reporting the alleged abuse;
 2. Date, time and location that the report of alleged abuse is being submitted to the district;
 3. Names and addresses of the child and his parent, guardian, or other person having custody and control of the child;
 4. If known, the child's age;
 5. The nature and possible extent of the child's injuries, abuse or maltreatment;
 6. Any evidence of previous injuries, abuse or maltreatment, and any other information that the person believes may be helpful with respect to the child abuse and the identity of the perpetrator.
- B. All staff members, volunteers and interns having contact with pupils are required to report directly and immediately to DCP&P all incidents of alleged missing, abused and neglected children. The person having reason to believe that a child may be missing or may have been abused or neglected may inform the principal or other designated school officials prior to notifying DCP&P if the action will not delay immediate notification. The employee making a report to DCP&P shall inform the principal or other designated school officials that a report was made. Employees, volunteers and interns shall not be required to obtain confirmation by another person to report a suspected missing, abused or neglected child situation;
- C. If a student attendance investigation demonstrates reasonable cause to believe a child is missing or has been abused or neglected, the investigator shall immediately notify the building principal who shall then notify the superintendent. The superintendent shall then notify the Division of Child Protection and Permanency in the Department of Children and Families for its determination of whether the division is or has been involved with the child and whether action, as appropriate, is warranted (pursuant to N.J.S.A. 18A:36-25.2);
- D. The person notifying DCP&P shall inform the principal or other designated school officials of the notification if this was not done prior to notifying DCP&P. The principal or other school designated school official should not be given this notification if the person making the notification believes that it would likely endanger the reporter or student involved or result in retaliation against the student or in discrimination against the reporter with respect to his or her employment. In the event that the person notifying DCP&P believes that making such a report to the principal or other designated school official would endanger the reporter or student involved or result in retaliation against the student or in discrimination against the reporter with respect to his or her employment, the reporter should document reasons for that belief in writing to the superintendent or other appropriate school official.
- E. The principal shall notify the superintendent and law enforcement authorities of incidents of potentially missing, abused, or neglected child situations. Procedures for the notification of the law enforcement authority shall be consistent with the district Memorandum of Agreement (see board policy 1410 Local Units);
- F. The principal shall ensure that all involved staff cooperate with DCP&P and law enforcement authorities in all investigations of potential missing, abused, or neglected children including facilitating:
1. Accommodations permitting investigators to interview the student in the presence of the school principal or other designated school official. If the student is uncomfortable in the presence of the school representative, the student shall be requested to name an employee, volunteer, or intern he or she feels will be supportive to be present during the interview;
 2. Interviews by scheduling time with any employee, volunteer, or intern who may have information relevant to the investigation;
 3. The release of all records of the student who is the subject of the investigation that are deemed relevant to the assessment or treatment of a potentially missing, abused, or neglected child;
 4. The maintenance, security, and release of all confidential information about potential missing, abused, or neglected child situations;
 5. The release of the student to child welfare authorities while school is in session when it is necessary to protect the student or take the student to a service provider. This removal shall take place only after the principal or his or her designee has been provided, either in advance or at the time removal is sought, with appropriate documentation that DCP&P has already removed, or has appropriate

MISSING, ABUSED AND NEGLECTED CHILDREN (regulation continued)

- authority to remove, the student from his or her home;
- 6. The transfer to another school of a student who has been removed from his or her home by DCP&P for proper care and protection (see board policy 5118.2 Foster Care and Educational Stability);
- 7. Notification to the student's parents or guardians shall not be made by school officials or employees when it is suspected that either parent or guardian is responsible for the suspected abuse.

Administrative Responsibilities

The principal shall:

- A. Immediately notify the law enforcement authorities of incidents of potentially missing, abused, or neglected child situations reported by employees, volunteers, or interns. Procedures for the notification of the law enforcement authority shall consistent with the district Memorandum of Agreement (see board policy 1410 Local Units). If the student is attending pursuant to a send-receive or other type of shared services agreement, immediate notice shall also be provided to the law enforcement authorities of the receiving districts. The administration shall consider providing notice to the law enforcement authorities of the sending district where circumstances warrant.
- B. In timely fashion, notify the superintendent of incidents of potentially missing, abused, or neglected child situations reported by employees, volunteers, or interns;
- C. Document in writing any reported incident of a missing, abused or neglected student. There may be one report or multiple reports depending on the actions taken at the school and the time frame within which the actions were taken. Reports shall include at a minimum:
 - 1. The date, time and location the incident was reported;
 - 2. The name of the staff member, volunteer or intern who reported the incident;
 - 3. The date and time the principal notified the law enforcement authorities;
 - 4. The date and time the principal notified the superintendent;
 - 5. A description of the facts reported which may include the reason the report was made, statements and/or observations that caused the suspicion inciting the report, and who was involved;
 - 6. The date and time of any investigative interviews conducted with school students and staff, including the names, contact information and title of the professional or professionals conducting the interview;
 - 7. A description of any physical evidence that may have been provided or reported by witnesses.

All records of child abuse reports, all information obtained by the Department of Children and Families in investigating such reports, and all reports of findings forwarded to the child abuse registry shall be kept confidential.

Interviews and Investigations

When DCP&P and/or law enforcement officials investigate allegations of missing, abused or neglected students on school grounds the principal shall:

- A. Check the credentials of the DCP&P caseworker or law enforcement official requesting the interview or information;
- B. Arrange for any necessary accommodations permitting authorized investigators to interview the student in the presence of the principal or designated school official;
- C. If necessary, arrange for a school representative of the student's preference to be present during the interview, when the student is not comfortable with the principal or the other designated school official;
- D. As requested by DCP&P and/or the law enforcement official, schedule interview times and locations with any employee, volunteer, or intern who may have information relevant to the investigation;
- E. Prepare and release the records of the student who is the subject of the investigation that are deemed

MISSING, ABUSED AND NEGLECTED CHILDREN (regulation continued)

relevant to the assessment or treatment of the potentially missing, abused, or neglected student, to the extent permitted by N.J.S.A. 18A:36-19 and 9:6-8.40 and allowable under the Family Education Rights and Privacy Act (FERPA), 34 CFR Part 99;

F. Cooperate with the maintenance, security, and release of all confidential information:

1. All information regarding allegations of potentially missing, abused, or neglected children reported to authorities about an employee, volunteer, or intern shall be considered confidential and may be disclosed only as required to cooperate in investigations or as required by court order;
2. Records pertaining to such information about an employee, volunteer, or intern shall be maintained in a secure location separate from other employee personnel records and accessible only to the superintendent or his or her designee;

G. Facilitate the release of the student to DCP&P while school is in session when it is necessary to protect the student or take the student to a service provider. This removal shall take place only after the principal or his or her designee has been provided, either in advance or at the time removal is sought, with appropriate documentation that DCP&P has already removed, or has appropriate authority to remove, the student from his or her home;

H. Cooperate with and facilitate any transfer arrangements made to another school of a student who has been removed from his or her home by DCP&P for proper care and protection according to the provisions of board policy and procedure 5118.2 Foster Care and Educational Stability.

Due Process Rights of a School Employee, Volunteer, or Intern Named As a Suspect

- A. An employee, volunteer, or intern working in the school district who has been named as a suspect in a notification to child welfare and law enforcement authorities regarding a missing, abused, or neglected child situation shall be entitled to due process rights;
- B. Temporary reassignment or suspension of an employee, volunteer, or intern working in the school district named as a suspect shall occur only if there is reason to believe that the life or health of the alleged victim or other pupil is in imminent danger due to continued contact between the employee, volunteer, or intern and the pupil;
- C. All references to a notification to DCP&P of a potential missing, abused, or neglected child situation involving a school district employee, shall be removed from the employee's personnel records immediately following the receipt of an official notice from DCP&P that the allegation was unfounded.
- D. Any employee who is licensed in the State of New Jersey to practice psychology, psychiatry, medicine, nursing, clinical social work or marriage counseling, is immune from any civil liability for a patient's violent act against another person or against himself unless the practitioner has incurred a duty to warn and protect the potential victim and fails to discharge that duty. Both the duty to warn and exceptions to that duty are located at N.J.S.A. 2A:62A-16.

Suicide Reporting

- A. Any employee, volunteer, or intern with reasonable cause to suspect or believe that a student has attempted or completed suicide, shall report the information to the Department Children and Families. The information shall be reported immediately and in the form and manner prescribed by the Department of Children and Families;
- B. Any person who has reported attempted or completed suicide, shall notify the principal of the reported suspicion, if they did not notify the principal prior to filing the initial report;
- C. The principal or his or her designee may assist the staff member, volunteer or intern in making the report to the Department Children and Families (DCF). Assistance may include:

MISSING, ABUSED AND NEGLECTED CHILDREN (regulation continued)

1. Distributing the board policy and procedure 5141.4 Missing, Abused and Neglected Children;
 2. Directing the staff member, volunteer or intern to the DCF website and the electronic reporting form at <http://www.nj.gov/dcf/adolescent/prevention/suicidereportingform.html>;
 3. Provide information regarding confidentiality of reporting;
- D. The principal shall notify the superintendent of any incident where a staff member, volunteer or intern has reported to the principal and/or DCF that a student has attempted or completed suicide;
- E. The principal or his or her designee shall keep a written record of any reported incidents of attempted or completed suicide including:
1. The date and time the incident was reported;
 2. The name of the staff member, volunteer or intern who reported the incident.

The staff member, volunteer or intern that reports attempted or completed suicide shall have immunity from any civil or criminal liability on account of that report, unless the person has acted in bad faith or with malicious purpose.

Staff members, volunteers or interns shall not be required to disclose, or be penalized for the failure to disclose, any information which would be privileged according to law (N.J.S.A. 2A:84A-18 through -23).

Professional Development

The superintendent shall require each teaching staff member to complete at least two hours of instruction in suicide prevention during each professional development cycle. The instruction must be provided by a licensed health care professional with training and experience in mental health issues. The instruction in suicide prevention shall include information on the relationship between the risk of suicide and incidents of harassment, intimidation, and bullying and information on reducing the risk of suicide in students who are members of communities identified as having members at high risk of suicide.

REGULATION HISTORY

Effective Date:

CROSS REFERENCES

5131.6	Substance Abuse
5131.7	Weapons and Dangerous Instruments
5141	Health
5141.1	Accidents
5141.2	Illness
5141.4	Child Abuse and Neglect
5142	Safety (covers missing children)
5145.11	Questioning and Apprehension
5145.12	Search and Seizure

CHESTERFIELD TOWNSHIP BOARD OF EDUCATION
Chesterfield, New Jersey

FILE CODE: 4119.23/4219.23

Policy

<u> </u>	Monitored
<u> X </u>	Mandated
<u> X </u>	Other Reasons

EMPLOYEE SUBSTANCE ABUSE

General - All Employees

The use of alcoholic beverages in school worksites is prohibited. Violations of this prohibition may subject an employee to disciplinary action which may include but is not limited to nonrenewal, suspension, or termination at the discretion of the board.

The unlawful manufacture, distribution, dispensing, possession of, use of or sale of any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana or any other controlled substance on or in school worksites is prohibited. Any violation may subject an employee to participation in a drug rehabilitation program and disciplinary action including but not limited to nonrenewal, suspension, or termination at the discretion of the board of education.

For the purposes of this policy "worksite" shall include any school building, or any school premises and any school-owned vehicles or any other school-approved vehicle used to transport students to and from school or school activities. Worksite also includes off-school property during any school-sponsored or school-approved activity, event or function such as a field trip or athletic event, where students are under the jurisdiction of the school district.

The board of education, as a result of criminal convictions of any criminal drug statute violation by an employee occurring outside of the worksite, may discipline said employee. Disciplinary action may include, but is not limited to nonrenewal, suspension, or termination at the discretion of the board.

Illegal gambling is not permitted in or on the school worksite.

Smoking by employees in school buildings or on school grounds is prohibited. For purposes of this policy, "smoking" means inhaling the burning or vapor of a lighted cigar, cigarette, pipe, electronic smoking device or any other matter or substance which contains tobacco. Chewing tobacco is also specifically prohibited by this policy.

The superintendent shall establish a drug-free awareness program which includes notice of the dangers of drug abuse in the workplace and available drug counseling programs and shall distribute this policy to all employees annually. New employees shall be provided with a copy of this policy prior to beginning work assignments.

Work Performance in Connection with a Federal Grant

In order for the school district to qualify for any direct federal grant, the district must certify that it will provide a drug-free workplace and maintain a good faith effort to continue to maintain a drug-free workplace. To this end, employees engaged in school worksites as a result of federal grant moneys shall in addition to complying with requirements of the programs shall also be in strict compliance with this policy.

The superintendent shall notify all employees whose work performance is done in connection with a federal grant that they are to notify their respective supervisors of convictions of any criminal drug statute violation occurring in the workplace. Employees must notify their supervisors no later than five days after such conviction. To be in compliance, the district must notify the federal grant program of such conviction within 10 days of receipt of said conviction.

EMPLOYEE SUBSTANCE ABUSE (continued)Drug and Alcohol Testing

Chesterfield Township Elementary School District is committed to the establishment of a drug and alcohol misuse prevention program among school bus drivers that meets all applicable requirements of the Omnibus Transportation Employee Testing Act of 1991. The purpose of the testing program shall be to help prevent accidents and injuries resulting from the misuse of alcohol and controlled substances by employees performing safety-sensitive functions.

In addition to all prohibitions in the first sections of this policy, all employees with commercial drivers' licenses shall be prohibited from:

- A. The use of any controlled substance on or off duty, unless a written prescription from a licensed doctor or osteopath is provided along with a written statement from the doctor or osteopath that the substance does not adversely affect the employee's ability to safely operate a motor vehicle or perform other safety-sensitive functions; and
- B. The misuse of alcohol that could affect performance on the job including use on the job, use during the four hours before performing a safety-sensitive function, having prohibited concentrations of alcohol in their systems while performing a safety-sensitive function and use during eight hours following an accident.

"Controlled substance" in this policy refers to those covered by the Omnibus Act, including, but not limited to, marijuana, cocaine, opiates, amphetamines and phencyclidine (PCP).

All covered applicants and employees shall be subjected to pre-employment or pre-duty, reasonable suspicion, random, post-accident, return-to-duty and follow-up alcohol and drug testing pursuant to procedures set out in the federal regulations. These procedures use an evidential breath testing device for alcohol testing. For controlled substances testing, urine specimen collection and testing by a laboratory certified by the U.S. Department of Health and Human Services shall be required.

Pre-employment testing shall be administered to an applicant offered a position in the district prior to the first time the employee performs any safety-sensitive function for the district. An applicant who tests positive will not be hired for any safety-sensitive position.

Random alcohol testing shall be limited to the time period surrounding the performance of safety-related functions which includes just before or just after the employee performs the safety-related function. Controlled substances testing may be performed at anytime while the employee is at work.

An employee covered by the federal regulations may not refuse to take a required test. Consequences for an employee's refusal shall be the same as for a positive result of the test.

If the testing confirms prohibited alcohol concentration levels or the presence of a controlled substance, the employee shall be removed immediately from safety-related functions in accordance with the federal regulations. Before an employee is reinstated, if at all, the employee shall undergo an evaluation by a substance abuse professional, comply with any required rehabilitation and undergo a return-to-duty test with verified test results.

The board retains the authority consistent with federal law to discipline or discharge any employee who is an alcoholic or chemically dependent and whose current use of alcohol or drugs affects the employee's qualifications for and performance of the job.

The district is not required under federal law requiring drug and alcohol testing to provide rehabilitation, pay for substance abuse treatment or to reinstate the employee. All employment decisions involving reinstatement,

EMPLOYEE SUBSTANCE ABUSE (continued)

termination or dismissal shall be made in accordance with applicable state law, board policies and negotiated agreements.

The district shall maintain records in compliance with the federal regulations in a secure location with controlled access. With the employee's consent, the district may obtain any of the information concerning drug and alcohol testing from the employee's previous employer. An employee shall be entitled upon written request to obtain copies of any records pertaining to the employee's use of alcohol or controlled substances including information pertaining to alcohol or drug tests. Statistical records and reports shall be maintained and made available to the Federal Highway Administration for inspection or audit in accordance with federal regulations.

Records shall be made available to a subsequent employer upon receipt of a written request from an employee, and only on the expressly authorized terms of the employee.

The superintendent shall ensure that supervisors receive proper training to administer the drug and alcohol testing program and those employees receive the notifications required by federal regulations.

Transportation contracts approved by the board shall contain assurance that the contractor will establish a drug and alcohol testing program that meets the requirements of federal regulations and this policy and will actively enforce the regulations of this policy as well as federal requirements.

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 Revised:

Key Words

Smoking; Drinking; Drugs; Smoking Prohibition; Employee Smoking, Drinking, Use of Drugs on School Premises; Drug Testing; Alcohol Testing

Legal References:	<u>N.J.S.A. 2C:33-16</u>	Alcoholic beverages; bringing or possession on school property by person of legal age; penalty
	<u>N.J.S.A. 2C:35-1 et seq.</u>	<u>Comprehensive Drug Reform Act of 1987</u>
	<u>N.J.S.A. 18A:11-1</u>	General mandatory powers and duties
	<u>N.J.S.A. 18A:16-2</u>	Physical examinations; requirement
	<u>N.J.S.A. 18A:27-4</u>	Power of boards of education to make rules governing employment of teacher, etc.
	<u>N.J.S.A. 18A:36-32</u>	Cigarette coin-operated vending machines; operation, installation or maintenance on property used for school purposes; fine
	<u>N.J.S.A. 18A:54-20</u>	Powers of board (county vocational schools)
	<u>N.J.S.A. 26:3D-55 et seq.</u>	<u>New Jersey Smoke-Free Air Act</u>
	<u>N.J.A.C. 6A:16-6.3</u>	Reporting students or staff members to law enforcement authorities
	<u>N.J.A.C. 6A:16-6.5</u>	Confidentiality of student or staff member involvement in substance abuse intervention and treatment programs
	<u>N.J.A.C. 6A:26-12.2(a)4</u>	Policies and procedures for school facility operation
	<u>New Jersey Constitution</u> , Art. IV, § VII, <u>par. 2</u>	

EMPLOYEE SUBSTANCE ABUSE (continued)

Anti-Drug Abuse Act of 1988

Drug-Free Workplace Act of 1988

A Uniform State Memorandum of Agreement Between Education and Law Enforcement Officials

Every Student Succeeds Act of 2015, Pub. L. 114-95, 20 U.S.C.A. 6301 et seq.

Possible

<u>Cross References:</u>	*1330	Use of school facilities
	*1410	Local units
	*3220/3230	State funds; federal funds
	*3515	Smoking prohibition
	*3541.33	Transportation safety
	*4119.23/4219.23	Employee substance abuse
	*4112.4/4212.4	Employee health
	*4112.6/4212.6	Personnel records
	*5131.6	Drugs, alcohol, tobacco (substance abuse)

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