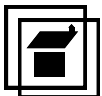


### 8000 OPERATIONS

<u>Number</u>	<u>Title</u>
8130	School Organization (M)
8140	Student Enrollments (M)
8210	School Year
8220	School Day
8310	Public Records
8311	Managing Electronic Mail
8320	Personnel Records
8330	Student Records (M)
8335	Family Educational Rights and Privacy Act
8350	Records Retention
8420	Emergency and Crisis Situations (M)
8431	Preparedness for Toxic Hazard
8441	Care of Injured and Ill Persons (M)
8442	Reporting Accidents
8451	Control of Communicable Disease (M)
8453	HIV/AIDS
8454	Management of Pediculosis
8461	Reporting Violence, Vandalism, Harassment, Intimidation, Bullying, Alcohol, and Other Drug Abuse (M)
8462	Reporting Potentially Missing or Abused Children (M)
8465	Hate Crimes and Bias-Related Acts (M)
8467	Weapons (M)
8468	Crisis Response
8470	Response to Concerted Job Action
8500	Food Services
8505	Local Wellness Policy/Nutrient Standards for Meals and Other Foods (M)
8506	School Lunch Program Biosecurity Plan (M)
8507	Breakfast Offer Versus Serve (OVS) (M)
8508	Lunch Offer Versus Serve (OVS)
8540	School Nutrition Programs
8550	Unpaid Meal Charges/Outstanding Food Service Charges (M)
8561	Procurement Procedures for School Nutrition Programs
8600	Transportation (M)
8601	Student Supervision After School Dismissal (M)
8613	Waiver of Student Transportation



# POLICY

## WEYMOUTH TOWNSHIP BOARD OF EDUCATION

OPERATIONS  
8000/page 2 of 2

<u>Number</u>	<u>Title</u>
8630	Bus Driver/Bus Aide Responsibility (M)
8635	Student Transportation Vehicles and School Buses
8651	Community Use of Transportation (M)
8660	Transportation by Private Vehicle (M)
8670	Transportation of Disabled Students (M)
8710	Property Insurance
8740	Bonding
8750	Employee Indemnification
8760	Student Accident Insurance
8810	Religious Holidays
8820	Opening Exercises/Ceremonies
8860	Memorials



### 8130 SCHOOL ORGANIZATION

The Board of Education directs the organization of the instructional program of this district in the following school and grades:

<u>School</u>	<u>Grades</u>
Weymouth Township School	Pre-Kindergarten - Eight

The Superintendent shall continually monitor the effectiveness of the district organizational plan and recommend to the Board such modifications in the plan as may be in the best interest of students, make most effective use of district resources, and serve the educational goals of the Board.

Adopted: 25 October 2018



### 8140 STUDENT ENROLLMENTS

The Board of Education recognizes that efficient district operations require an accurate and up to date accounting of the number of students resident in this district and enrolled in district classes and programs.

Student attendance shall be recorded in the school register during school hours on each day the school is in session. Separate registers shall be kept for students attending preschool, Kindergarten, grades one through five, grades six through eight, grades nine through twelve, each preschool class for the disabled, each class for the disabled, shared-time classes for regular students, shared-time classes for students with disabilities, full-time bilingual education programs and vocational day programs, summer school operated by the district, and any other programs as required by the New Jersey Department of Education and N.J.A.C. 6A:32-8.1(d).

A student who has been placed on home instruction shall have his or her attendance status recorded on the regular register attendance pages for the program in which the student is enrolled. For the period beginning the first day the student is unable to attend school and ending the day before the first instructional day at the student's place of confinement, the student shall be marked absent. No absences will be recorded for the student while on home instruction, providing the hours of instruction are no less than required by N.J.A.C. 6A:14-4.8 and 4.9. The number of possible days of enrollment for a student on home instruction shall be the same as for other students in the program in which the student is enrolled.

Such records shall be made and maintained as will enable the Board to plan program and facilities development, to make appropriate allocation of district resources, and receive the district's maximum amount of State and Federal aid.

The Superintendent or designee shall annually and in accordance with the timelines established by the Commissioner, file a report with the Commissioner stating the school district's enrollment.

N.J.S.A. 18A:25-4

N.J.A.C. 6A:14-4.8; 6A:14-4.9; 6A:32-8.1; 6A:32-8.2

Adopted: 25 October 2018



OPERATIONS  
8210/page 1 of 2  
School Year  
Mar 20

### 8210 SCHOOL YEAR

The Board of Education recognizes that the preparation of a school calendar is essential to orderly educational planning and to the efficient operation of the school district.

The Board shall annually approve the days when the schools will be in session for instructional purposes. The school calendar will provide no fewer than one hundred eighty days of instruction in accordance with N.J.S.A. 18A:7F-9. Days on which school is closed for holidays, teachers' institutes, and inclement weather shall not be considered as days in session.

A half-day class or shortened school day shall be considered the equivalent of a full day only if school is in session for four or more hours, exclusive of recess periods or lunch periods.

A school day shall consist of not less than four hours, except that one continuous session of two and one-half hours may be considered a full day for Kindergarten in accordance with N.J.A.C. 6A:32-8.3(b).

[Optional for Districts Operating a Kindergarten Program]

An approved Kindergarten shall meet the requirements set forth in N.J.A.C. 6A:32-8.3(c).]

The Commissioner of Education shall annually prescribe a list of religious holidays on which it shall be mandatory to excuse students for religious observance upon the written request signed by the parent or person standing in loco parentis. Staff members shall avoid, whenever possible, scheduling a test on a religious holiday commonly observed by residents of the district.



# POLICY GUIDE

## WEYMOUTH TOWNSHIP BOARD OF EDUCATION

OPERATIONS  
8210/page 2 of 2  
School Year

The Superintendent shall annually prepare and submit to the Board a school calendar for the next school year no later than May 1. The Board reserves the right to alter the school calendar when: such alteration is feasible and serves the best interests of the students of this district; the number of school closings during the school year extend the school year past a reasonable closing date in June; there is an extended school closing during the school year due to an unforeseen circumstance; and/or due to any reason deemed in the best interest of students.

N.J.S.A. 18A:25-3; 18A:36-2; 18A:36-16  
N.J.S.A. 18A:54-25 [vocational districts]  
N.J.A.C. 6A:32-8.3

Adopted: 10/25/2018  
Revised: 08/20/2020



# POLICY GUIDE

## WEYMOUTH TOWNSHIP BOARD OF EDUCATION

OPERATIONS  
8220/page 1 of 1  
School Day  
Mar 20  
M

### 8220 SCHOOL DAY

The Board of Education shall annually approve the times that school(s) will be in session, including the starting and ending time of a shortened day. A school day shall be in accordance with N.J.A.C. 6A:32-8.3.

The schools of the district will be in session for students on those days and times recommended by the Superintendent and annually approved by the Board.

The Superintendent may close schools, delay the opening of school, or dismiss school early when such alteration in the regular session is required for the protection of the health and safety of students and staff members or other good cause. A shortened school day, whether it is planned or emergent (as in the case of inclement weather), must meet certain requirements in order to count toward the one hundred eighty day requirement of N.J.S.A. 18A:7F-9.

The Superintendent shall inform the Board President of any such alteration as soon as possible and shall prepare rules for the proper and timely notification of concerned persons in the event of any delayed opening or emergency school closing.

N.J.A.C. 6A:32-8.3

Adopted: 10/25/2018  
Revised: 08/20/2020



OPERATIONS  
R 8220/page 1 of 3  
School Closings  
Mar 20

### R 8220 SCHOOL CLOSINGS

The following procedures will govern the unscheduled closing of school for the entire school day, the delayed opening of school, and the early closing of school. No single set of rules can anticipate the problems that may be encountered when schools must be closed, and Building Principals may be required to exercise independent judgment in individual circumstances. Any consequent deviation from these rules shall be approved by the Superintendent.

#### A. Notification Provisions

1. The Superintendent or designee shall notify media outlets and/or activate an emergency call system when a decision is made for an unscheduled closing of school for the entire school day, the delayed opening of school, or the early closing of school. The media outlets may include, but not be limited to, radio, television stations, and internet websites as listed below:

[www.weymouthtownshipschool.org](http://www.weymouthtownshipschool.org)  
Community Outreach Notification System  
Local TV Stations

2. Parent(s) will be notified at the beginning of each school year that they will be notified of an emergency school closing day by means of announcements over the media outlets listed above.

#### B. All Day Closing

1. The decision to close schools for the day will be made in accordance with Policy 8220. As soon as the decision is made, the Superintendent or designee will promptly notify:
  - a. The media outlets identified in A.1. above;
  - b. All school staff members;
  - c. As needed (private schools to which transportation is provided for district children);





OPERATIONS  
R 8220/page 2 of 3  
School Closings  
Mar 20

- d. NJSP/WT Municipal Government Police Departments (municipalities that are affected by decision or that provide school crossing guards);
    - e. Board of Education President; and
    - f. Any other individuals or organizations the Superintendent or designee determines the need to be notified.
  - 2. Notwithstanding a provision in a collective bargaining agreement, if applicable, unless the Superintendent determines otherwise, school office personnel and custodial personnel are expected to report for work on an emergency closed day.
- C. Delayed Opening
- 1. The decision to delay the opening of school will be made as soon as practicable. Notice of the delayed opening will be given in accordance with B. above.
  - 2. Notwithstanding a provision in a collective bargaining agreement, unless the Superintendent determines otherwise, school office personnel and custodial personnel are expected to report to work on time if the opening of school is delayed.
  - 3. If weather conditions change after a delayed opening has been announced, the Superintendent may decide to close schools for the day. This decision will be made as soon as practicable. Notice of the closing of schools for the day will be given in accordance with B.1. above.
  - 4. The Principal of each school will modify the school's schedule to accommodate the shorter day. After-school and athletic events may be canceled.



OPERATIONS  
R 8220/page 3 of 3  
School Closings  
Mar 20

### D. Early Dismissal

1. The decision by the Superintendent or designee to close school early will be promptly relayed to the media outlets, school staff members, and the people or organizations listed in B.1. above.
2. Building Principals in the affected schools will promptly notify all school staff members of the early closing, using appropriate building procedures.
3. Parents may be notified of an early dismissal through an emergency call system, district or school website, a telephone communication chain, or any other method or process deemed appropriate.
4. A parent may come to the school and sign out his/her child at any time after the decision to close early has been made. Any removal of a child must be in strict accordance with Policy and Regulation 5230 regarding the person(s) to whom a child may be released.
5. The Principal may designate a safe and secure location in the school building to which may be assigned students whose parent or temporary caretaker could not be reached by telephone or other means or the student was unable to be released from school early for good reason.
  - a. A teaching staff member will be assigned to supervise the students who remain in the school.

Adopted: 10/25/2018  
Revised: 08/20/2020



### 8310 PUBLIC RECORDS

The Board of Education recognizes its responsibility to maintain the public records of this school and to make such records available to residents of New Jersey for inspection and reproduction. The Board designates the School Business Administrator/Board Secretary as the custodian of government records for the school.

Government Record or Record (N.J.S.A. 47:1A-1.1)

“Government records” or “records” pursuant to N.J.S.A. 47:1A-1.1 include any record that has been required by law to be made, maintained, or kept on file by the Board, its officials, or its employees. Except as such records that may be exempted by law or this policy, a “government record” or “record” means any paper, written or printed book, document, drawing, map, plan, photograph, microfilm, data processed or image processed document, information stored or maintained electronically or by sound-recording or in a similar device, or any copy thereof, that has been made, maintained or kept on file in the course of the official business of the Board of Education or that has been received in the course of the official business of the Board of Education.

Board meeting minutes may be inspected and copied as soon as they are prepared; unapproved minutes will be so labeled. Minutes of executive/closed session Board meetings conducted in accordance with the Open Public Meetings Act will be preserved separately and will not be available for immediate public inspection. These minutes will be integrated with minutes of public meetings only after the matter discussed at the executive/closed session meeting has been made public.

A “government record” or “record” does not include inter-agency or intra-agency advisory, consultative, or deliberative material.

A “government record” or “record” does not include excluded information as outlined in N.J.S.A. 47:1A-1.1. The excluded information includes, but is not limited to, information which is deemed to be confidential as per N.J.S.A. 47:1A-1 et seq. Victims’ records; trade secrets and proprietary commercial or financial information; any record within the attorney-client privilege; administrative or technical information regarding computer hardware, software and networks which, if disclosed, would jeopardize computer security; emergency or security information or procedures for any building or facility which, if disclosed, would jeopardize security; security measures and surveillance techniques and information which, if disclosed, would give an advantage to competitors or bidders are examples of excluded government records.



Information generated by or on behalf of the Board or Board employees in connection with any sexual harassment complaint filed within the Board or with any grievance filed by or against an individual or in connection with collective negotiations, including documents and statements of strategy or negotiating position; information which is a communication between the school and its insurance carrier, administrative service organization or risk management office; information which is to be kept confidential pursuant to court order and that portion of any most documents which discloses the social security number, credit card number, unlisted telephone number or driver license number of any person; and personnel and pension records of an individual, except the individual's name, title of position, salary, payroll record, length of service, date of separation and the reason therefore, the amount and type of pension he/she receives, and data, other than detailed medical or psychological information, that shows conformity with qualifications for employment and pensions are examples of excluded government records.

Test questions, scoring keys, and other examination data pertaining to the administration of an examination for employment or academic examination; information concerning individual student records; grievance or disciplinary proceedings against a student to the extent disclosure would reveal the identity of the student; and all other information defined as not being a government record in N.J.S.A. 47:1A-1 et seq. are not government records.

Records of Investigation In Progress (N.J.S.A. 47:1A-3 et seq.)

Records which are sought to be inspected, copied, or examined pertain to an investigation in progress by the Board and/or administration will be inspected, copied and/or examined pursuant to N.J.S.A. 47:1A-3.

Inspection, Examination and Copying (N.J.S.A. 47:1A-5 et seq.)

The custodian will permit the government record to be inspected, examined, and copied pursuant to N.J.S.A. 47:1A-5 et seq. by any person during regular business hours. In the case of a Board of Education having a total school enrollment of 500 or fewer, the custodian will permit the records to be inspected, examined and copied during not less than six regular business hours over not less than three business days per week or the entity's regularly-scheduled business hours, whichever is less, unless the government record is exempt from public access as per N.J.S.A. 47:1A-1 et seq.



### Copy Purchase (N.J.S.A. 47:1A-5 et seq.)

Except as otherwise provided by law or regulation, the fee assessed for the duplication of a government record embodied in the form of printed matter shall be \$.05 per letter size page or smaller, and \$.07 per legal size page or larger. If the school can demonstrate that its actual costs for duplication of a government record exceed the per page rates, the school shall be permitted to charge the actual cost of duplicating the record. The actual cost of duplicating the record, upon which all copy fees are based, shall be the cost of materials and supplies used to make a copy of the record, but shall not include the cost of labor or overhead expenses associated with making the copy except as provided for in N.J.S.A. 47:1A-5.c.

Actual copy costs for special copies, such as color printing or blueprints copied within the school, shall be calculated separately. Access to electronic records and non-printed materials shall be provided free of charge, but the school may charge for the actual costs of any needed supplies such as computer discs.

If the school's calculated per copy actual cost exceeds the enumerated rates set forth in N.J.S.A. 47:1A-5.b. the school, if challenged, must demonstrate its actual costs are indeed higher than those enumerated rates and are therefore justified.

Whenever the nature, format, manner of collation, or volume of a government record embodied in the form of printed matter to be inspected, examined, or copied pursuant to this policy is such that the record cannot be reproduced by ordinary document copying equipment in ordinary business size or involves an extraordinary expenditure of time and effort to accommodate the request, the school will charge, in addition to the actual cost of duplicating the record, a special service charge that will be reasonable and will be based upon the actual direct cost of providing the copy or copies. The custodian will provide the requestor an opportunity to review and object to the charge prior to it being incurred.

A custodian will permit access to a government record and provide a copy thereof in the medium requested if the school maintains the record in that medium. If the school does not maintain the record in the medium requested, the custodian will either convert the record to the medium requested or provide a copy in some other meaningful medium. If a request is for a record in a medium not routinely used by the school; not routinely developed or maintained by the school or requiring a substantial amount of manipulation or programming of information technology, the school will charge, in addition to the actual cost of duplication, a special charge that will be reasonable and based on the cost for any extensive use of information technology, or for the labor cost of personnel providing the service, that is actually incurred by the school or attributable to the school for the programming, clerical, and supervisory assistance required, or both.



Immediate access ordinarily will be granted to budgets, bills, vouchers, contracts, including collective negotiations agreements and individual employment contracts, and public employee salary and overtime information.

The custodian will adopt a form for the use of any person who requests access to a government record held or controlled by the school. The request form will include information in accordance with the requirements of N.J.S.A. 47:1A-5.f. Requests for access to a government record shall be in writing and hand-delivered or mailed to the custodian. The custodian will promptly comply with a request in accordance with N.J.S.A. 47:1A-5.g.

Any officer or employee of the school who receives a request for access to a government record will forward the request to the custodian of the record or direct the requestor to the custodian of the record.

The custodian will grant access to a government record or deny a request for access to a government record in accordance with N.J.S.A. 47:1A-5.i and as soon as possible, but not later than seven business days after receiving the request, provided that the record is currently available and not in storage or archived.

A custodian will post prominently in public view in the part of the office of the custodian that is open to or frequented by the public a statement that sets forth in clear, concise and specific terms the right to appeal a denial of, or failure to provide, access to a government record by any person for inspection, examination, or copying or for purchase of copies thereof and the procedure by which an appeal may be filed.

### Challenge to Access Upon Denial (N.J.S.A. 47:1A-6)

A person who is denied access to a government record by the custodian, at the option of the requestor, may institute a proceeding to challenge the custodian's decision by filing an action in Superior Court or in lieu of filing an action in Superior Court, file a complaint with the Government Records Council established pursuant to Section 8 of P.L.2001, c. 404 (C.47:1A-7). If it is determined that access was improperly denied, the court or agency head shall order that access be allowed. A requestor who prevails in any proceeding shall be entitled to a reasonable attorney's fee. A public official, officer, employee, or custodian who knowingly and willfully violates N.J.S.A. 47:1A-1 et seq. and is found to have unreasonably denied access under the totality of the circumstances, shall be subject to the penalties and disciplinary proceedings in accordance with N.J.S.A. 47:1A-11.



Government Records Council (N.J.S.A. 47:1A-7 et seq.)

The Board and the custodian of records will comply with the requirements and guidelines from the Government Records Council in accordance with N.J.S.A. 47:1A-7.

Common Right Law Right of Access (N.J.S.A. 47:1A-8)

Nothing contained in N.J.S.A. 47:1A-1 et seq. will be construed as limiting the common law right of access to a government record, including criminal investigative records of a law enforcement agency.

Construction with Other Laws (N.J.S.A. 47:1A-9 et seq.)

The provisions of this policy and N.J.S.A. 47:1A-1 et seq. shall not abrogate any exemption of a public or government record from public access heretofore made pursuant to N.J.S.A. 47:1A-1 et seq.; any other statute; resolution of either or both Houses of the Legislature; regulation promulgated under the authority of any statute or Executive Order of the Governor; Executive Order of the Governor; Rules of Court; any Federal law; Federal regulation; or Federal order.

The provisions of this policy and N.J.S.A. 47:1A-1 et seq. shall not abrogate or erode any executive or legislative privilege or grant of confidentiality heretofore established or recognized by the Constitution of this State, statute, court rule or judicial case law, which privilege or grant of confidentiality may duly be claimed to restrict public access to a public or government record.

N.J.S.A. 10:4-14

N.J.S.A. 47:1A-1.1 et seq.

Adopted: 25 October 2018



### 8311 MANAGING ELECTRONIC MAIL

School district e-mail messages, like paper records, must be retained and destroyed according to established records management procedures as required by New Jersey's Division of Archives & Records Management (NJDARM). E-mail messages are electronic documents created and sent or received by a computer system. This definition applies equally to the contents of the communication, the transactional information, and any attachments associated with such communication. Thus, e-mail messages are similar to other forms of communicated messages, such as correspondence and memoranda.

N.J.S.A. 47:3-16, as amended, defines public records as follows:

“Public records” mean any paper, written or printed book, document or drawing, map or plan, photograph, microfilm, data processed or image processed document, sound recording or in a similar device, or any copy thereof, that has been made or required by law to be received for filing, indexing, or reproducing by any officer, commission agency, or authority of the State or any political subdivision thereof, including any subordinate boards thereof, or that has been received in the course of his/her or its official business by such officer, commission, agency, or authority of the State or of any political subdivision thereof, including subordinate boards thereof, in connection with the transaction of public business and has been retained by such recipient or its successor as evidence of its activities or because of the information contained therein.

An e-mail message that meets the criteria of the definition of public records per N.J.S.A. 47:3-16, as amended, whether it is subject to access by the general public or not, must be retained according to records retention and disposition schedules approved by the State Records Committee. No public record e-mail may be destroyed without prior consent of the NJDARM and the State Records Committee, even if the retention period for a record has expired.

Retention or disposition of e-mail messages must be related to the information they contain or the purpose they serve. The content of e-mail messages may vary considerably and therefore, the content must be evaluated to determine the length of time the message must be retained.

For the purposes of this Policy, there are non-record e-mail messages and public record e-mail messages.





Non-record e-mail messages are personal correspondence that do not meet the criteria of public records as per N.J.S.A. 47:3-16, as amended, and may be deleted at any time unless they become part of some official record as a result of a special circumstance. These types of messages may include personal correspondence not received or created in the course of school district business and may be deleted at any time since it is not an official public record. Non-record e-mail messages are also non-governmental publications that are publications, promotional material from vendors, and similar materials that are publicly available to anyone. These e-mail messages are not public records as defined by N.J.S.A. 47:3-16, as amended, unless specifically incorporated into other official public records, and may also be deleted at any time. However, if an e-mail message is used to justify an expenditure or is included in a proposal, the e-mail message becomes an official public record and must be retained according to records retention and disposition schedules in accordance with the appropriate retention schedules.

All public record e-mail messages shall be maintained by the individual who sends the e-mail message and the primary recipient. The sender and primary recipient are encouraged to print a hard copy of a public record e-mail and file the e-mail in school district files for continued access. The district may establish a district-wide system to facilitate public record e-mail management for continued access and retention. All public record e-mails shall be retained according to records retention and disposition schedules approved by the State Records Committee and no public record e-mail may be destroyed without prior consent of the NJDARM and the State Records Committee, even if the retention period for a record has expired.

An e-mail message that meets the criteria of the definition of a “government record” per N.J.S.A. 47:1A-1.1 must be made available to the public upon request under New Jersey’s Open Public Records Act during the required retention period, unless the content of the message falls under one of the exceptions contained in the Act or any other statute, regulation, Executive Order by the Governor, rule of Court, or Federal law, regulation or order.

State of New Jersey – Circular Letter 03-10-ST – Managing Electronic Mail: Guidelines and Best Practices – 7/11/02

Adopted: 25 October 2018



OPERATIONS  
8320/page 1 of 2  
Personnel Records  
June 20  
M

### 8320 PERSONNEL RECORDS

The Board of Education believes that the orderly operation of the school district requires the retention of all records bearing upon an employee's qualifications for employment and employment history.

The Board requires that sufficient records be compiled and maintained to demonstrate an employee's qualifications for the position assigned; compliance with Federal, State, and local benefit programs; conformity to district rules; the proper conduct of evaluations; and the employee's entitlement, as appropriate, to tenure and seniority.

The Superintendent shall be responsible for the custody and maintenance of personnel records. A single, central file of documents shall be maintained; temporary, subsidiary records will be permitted for ease in data gathering only. An employee's personnel file shall be maintained for six years following his/her termination of district service, provided the employment history record card is maintained a minimum of eighty years.

A Board of Education and private agencies that provide educational services by means of public funds shall make employee records and information available for public access pursuant to N.J.S.A. 47:1A-10, the Open Public Records Act, but in accordance with N.J.S.A. 18A:6-120.(d) and 121.(d), and as provided in Policy and Regulation 8320 - Section G.

Personnel records may be inspected by school administrators to the extent that such inspection is required in the performance of the inspector's duties.

Board members may have access to confidential information in the personnel files of only those employees recommended for or subjected to an employment action requiring a vote of the Board or where access to the information is essential for the performance of the Board member's duties. Board member access to personnel files is limited to the relevant portion of the file and is available only through the Superintendent. Board members may freely inspect employment applications filed by candidates for district positions.



# POLICY

OPERATIONS  
8320/page 2 of 2  
Personnel Records

An employee may inspect his/her personnel file provided that the employee requests such access in writing, reviews the record in the presence of the administrator designated to maintain the file, makes no alteration or addition to the file nor removes any material from it, and signs a log attached to the file indicating the date on which it was inspected.

An employee may appeal to the Superintendent the inclusion or exclusion of records or for appropriate administrative review of the accuracy of any record in his/her personnel file.

The Superintendent shall prepare rules enumerating the records to be maintained for each employee of this district, including, as a minimum and as appropriate to the position, the completed application form, employment contract(s), a copy of the employee's qualifying certification, transcripts, report of an employment physical examination, oath of allegiance, criminal background check, income tax forms, retirement registration, hospitalization forms, annuity forms, rate of compensation, attendance record, assignments to positions, completed evaluations, reports of disciplinary incidents, records of special awards or distinctions, and reports of annual or special physical and mental examinations.

N.J.S.A. 18A:18A-14.2; 18A:40-19; 18A:66-32

N.J.S.A. 47:1A-1 et seq.

N.J.A.C. 6A:32-4.3

Adopted: October 25, 2018

Revised: October 18, 2020



# REGULATION

## WEYMOUTH TOWNSHIP BOARD OF EDUCATION

OPERATIONS  
R 8320/page 1 of 5  
Personnel Records  
June 20  
M

### R 8320 PERSONNEL RECORDS

#### A. Content of Record

1. A personnel file shall be assembled and maintained for each person employed by this district. Each file shall contain the original or copies, as appropriate, of the following documents regarding the employee:
  - a. The employee's current correct name, address, telephone number, and birthdate;
  - b. Application form, including transcripts of all academic work, records of prior military service, and other supporting documents;
  - c. Annual employment contract and/or annual salary notice, signed by the employee;
  - d. Certificates and/or licenses required for employment;
  - e. Documentation of fulfillment of requirements for any change in salary classification;
  - f. Income tax forms;
  - g. Retirement registration;
  - h. Hospitalization forms;
  - i. Annuity forms;
  - j. Rate of compensation;
  - k. Attendance record, including the starting and ending dates of all leaves of absence, whether the leave was paid or unpaid, and the purpose for which such leaves were granted;
  - l. Assignment to positions, including position title and building to which assigned;



# REGULATION

OPERATIONS  
R 8320/page 2 of 5  
Personnel Records

- m. Completed evaluations;
- n. Reports of disciplinary incidents;
- o. Records of special awards, commendations, or distinctions;
- p. Oath of allegiance;
- q. Reports of routine physical examinations; and
- r. Reports of physical and mental examinations required for cause.

- 2. No information will be placed in an employees' file that does not pertain to the employee's position in this district and the performance of the employee's duties.
- 3. The content of personnel files will be reviewed annually and material no longer required will be destroyed.

## B. Custodian of Personnel Records

- 1. The Superintendent is custodian of all personnel records.
- 2. Personnel records shall be maintained in the office of the Superintendent or Business Administrator who shall be records manager responsible for the day-to-day maintenance of the files and for supervising access to the files.

## C. Notice of Content of Files

- 1. Each employee shall be informed of the content of his/her personnel file.
- 2. Each employee will be notified of the inclusion in his/her file of any document that was not received from the employee or at the direction of the employee.
  - a. No evaluation form will be placed in a personnel file until it has been reviewed and signed by the employee.



# REGULATION

OPERATIONS  
R 8320/page 3 of 5  
Personnel Records

- b. No copy of a memorandum or letter sent by an administrator or other school official to an employee will be placed in the employee's file unless the original and copy include the notation "cc: Personnel File" or other clear indication of the author's intention to place the memorandum or letter in the employee's file.
- c. No report or letter or memorandum from any source, other than documents referred to in paragraph C2b above, may be placed in an employee's file until a copy of the same has been delivered to the employee.

## D. Employee Access to Personnel Records

- 1. Each employee shall be granted access to his/her personnel file in accordance with these regulations, except as may have been negotiated with the employee's majority representative.
- 2. Written request for access shall be submitted to the Administrator. Except in unusual circumstances, access shall be granted only during the regular working hours of the office in which the file is kept.
- 3. The employee shall review the record in the presence of the Administrator or his/her designee and, at the employee's request, a representative of the employee.
- 4. No alteration or addition or deletion may be made to the file, except that the employee may append to any document in the file his/her comment on that document.
- 5. The employee may hand copy any portion of his/her file and may receive photocopies of records on payment of the copying fees established for copies of public records.

## E. Appeal of Content of the File

- 1. The employee may appeal to the Superintendent the exclusion or inclusion of any portion of his/her personnel file or the accuracy of any information in the file.



# REGULATION

OPERATIONS  
R 8320/page 4 of 5  
Personnel Records

2. An appeal must be made in writing on a form available in the office of the Superintendent.
3. The Superintendent shall render a decision on the appeal as soon as possible, but not later than ten (10) working days from the time the written appeal is submitted. The Superintendent's decision shall be in writing and shall be delivered to the employee and the records manager responsible for the employee's file.
4. Except as may be otherwise provided by contract negotiated with the employee's majority representative, the appellant may appeal the Superintendent's decision to the Board; a decision of the Board may be appealed to the Commissioner of Education.

## F. Access by Board Members and School Officials

1. Personnel files may be inspected by school officials only as required in the discharge of their professional or statutory duties and to the extent required in the discharge of those duties.
2. Personnel files may be inspected by Board members when such inspection relates to the Superintendent's recommendation of a candidate for employment, promotion, transfer, dismissal, or discipline.
3. Much of the information included in an employee's file is confidential; access to the employee's file for professional reasons necessarily imposes on the person reviewing the file the duty to respect the confidentiality of the record.

## G. Public Access to Employee Records and Information

1. A Board of Education and private agencies that provide educational services by means of public funds shall make employee records and information available for public access, pursuant to N.J.S.A. 47:1A-10, the Open Public Records Act, but in accordance with N.J.S.A. 18A:6-120(d) and 121.(d) in accordance with N.J.A.C. 6A:32-4.3 and as outlined in this Regulation.



# REGULATION

OPERATIONS  
R 8320/page 5 of 5  
Personnel Records

2. In accordance with the provisions of N.J.S.A. 47:1A-10, notwithstanding the provisions of N.J.S.A. 47:1A-1 et seq. or any other law to the contrary, the personnel or pension records of any individual in the possession of a public agency, including but not limited to, records relating to any grievance filed by or against an individual, shall not be considered a government record and shall not be made available for public access, except that:
  - a. An individual's name, title, position, salary, payroll record, length of service, date of separation and the reason therefore, and the amount and type of any pension received shall be a government record;
  - b. Personnel or pension records of any individual shall be accessible when required to be disclosed by another law, when disclosure is essential to the performance of official duties of a person duly authorized by the State of New Jersey or the United States, or when authorized by an individual in interest; and
  - c. Data contained in information which disclose conformity with specific experiential, educational, or medical qualification required for government employment or for receipt of a public pension, but not including any detailed medical or psychological information, shall be a government record.
3. Information related to the evaluation of a particular employee shall be maintained by the school district, be confidential, and not be accessible to the public pursuant to N.J.S.A. 47:1A-1 et seq., as amended and supplemented, in accordance with N.J.S.A. 18A:6-120.d and 18A:6-121.d.

Adopted: October 25, 2018

Revised: October 18, 2020





OPERATIONS  
8330/page 1 of 6  
Student Records  
Jan 21  
M

### 8330 STUDENT RECORDS

The Board of Education believes that information about individual students must be compiled and maintained in the interest of the student's educational welfare and advancement. The Board will strive to balance the student's right to privacy against the district's need to collect, retain, and use information about individual students and groups of students. The Board authorizes the establishment and maintenance of student files that include only those records mandated by law, rules of the State Board of Education, authorized administrative directive, and those records permitted by this Board.

The Superintendent shall prepare, present to the Board for approval, and distribute regulations that implement this Policy and conform to applicable State and Federal law and rules of the State Board of Education.

#### General Considerations

The Board shall compile and maintain student records and regulate access, disclosure, or communication of information contained in educational records in a manner that assures the security of such records in accordance with the provisions of N.J.A.C. 6A:32-7.1 et seq. Student records shall contain only such information as is relevant to the education of the student and is objectively based on the personal observations or knowledge of the certified school personnel who originate(s) the record. The school district shall provide annual, written notification to parents, adult students, and emancipated minors of their rights in regard to student records and student participation in educational, occupational, and military recruitment programs. Copies of the applicable State and Federal laws and local policies shall be made available upon request. The school district shall make every effort to notify parents and adult students in their dominant language.

A nonadult student may assert rights of access only through his or her parent(s). However, nothing in N.J.A.C. 6A:32-7 shall be construed to prohibit certified school personnel from disclosing at their discretion student records to non-adult students or to appropriate persons in connection with an emergency, if such knowledge is necessary to protect the health or safety of the student or other persons.



No liability shall be attached to any member, officer, or employee of the Board permitting access or furnishing student records in accordance with N.J.A.C. 6A:32-7.1 et seq.

### Student Information Directory

A student information directory is a publication of the Board that includes information relating to a student as defined in N.J.A.C. 6A:32-2.1. This information includes: name; grade level; date and place of birth; dates of school attendance; major field of study; participation in officially recognized activities; weight and height relating to athletic team membership; degrees; awards; the most recent educational agency attended by the student; and other similar information. The student information directory shall be used only by authorized school district personnel and for designated official use by judicial, law enforcement, and medical personnel and not for general public consumption.

In the event the school district publishes a student information directory, the Superintendent or designee will provide a parent or adult student a ten-day period to submit to the Superintendent a written statement prohibiting the school district from including any or all types of information about the student in any student information directory before allowing access to such directory to educational, occupational, and military recruiters pursuant to N.J.S.A. 18A:36-19.1 and 20 U.S.C. §8528 - Armed Forces Recruiter Access to Students and Student Recruiting Information of the Elementary and Secondary Education Act (ESEA) of 1965. In accordance with N.J.S.A. 18A:36-19.1, military recruiters will be provided the same access to a student information directory that is provided to educational and occupational recruiters.

### School Contact Directory for Official Use

A school contact directory for official use is a compilation by the school district that includes the following information for each student: name; address; telephone number; date of birth; and school enrollment. The district shall compile and maintain a school contact directory for official use that is separate and distinct from the student information directory. The student contact directory may be provided for official use only to judicial and law enforcement personnel, and to medical personnel currently providing services to the student in question. To exclude any information from the school contact directory for official use the parent, adult student, or emancipated minor shall notify the Superintendent or designee in writing.



### Mandated and Permitted Student Records

Mandated student records are those records school districts have been directed to compile by State statute, regulations, or authorized administrative directive in accordance with N.J.A.C. 6A:32-7.3.

Permitted student records are those student records not mandated pursuant to N.J.A.C. 6A:32-7.3, but authorized by the Board to promote the student's educational welfare. The Board shall authorize the permitted records to be collected by adopting Policy and Regulation 8330, which will list such permitted records.

### Maintenance and Security of Student Records

The Superintendent or designee shall be responsible for the security of student records maintained in the school district. Policy and Regulation 8330 assure that access to such records is limited to authorized persons.

Records for each individual student may be stored electronically or in paper format. When student records are stored electronically, proper security and back-up procedures shall be administered.

Student health records, whether stored on paper or electronically, shall be maintained separately from other student records, until such time as graduation or termination, whereupon the health history and immunization record shall be removed from the student's health record and placed in the student's mandated record. Records shall be accessible during the hours in which the school program is in operation.

Any district internet website shall not disclose any personally identifiable information about a student without receiving prior written consent from the student's parent, in accordance with the provisions of N.J.S.A. 18A:36-35. Personally identifiable information means student names; student photos; student addresses; student e-mail addresses; student phone numbers; and locations and times of class trips.



### Access to Student Records

Only authorized organizations, agencies, or persons as defined in N.J.A.C. 6A:32-7.5 shall have access to student records, including student health records. Access to student records shall be provided to persons authorized such access under N.J.A.C. 6A:32-7.1 et seq. within ten days of a request, but prior to any review or hearing conducted in accordance with N.J.A.C. 6A.

The district shall control access to, disclosure of, and communication regarding information contained in student health records to assure access only to people permitted by Federal and State statute and regulations in accordance with N.J.A.C. 6A:32-7.5.

The district may charge a reasonable fee for reproduction of student records, not to exceed the schedule of costs set forth in N.J.S.A. 47:1A-5, provided that the cost does not effectively prevent the parents or adult students from exercising their rights under N.J.A.C. 6A:32-7 or other Federal and State rules and regulations regarding students with disabilities, including N.J.A.C. 6A:14.

Access to and disclosure of a student's health record shall meet the requirements of the Family Education Rights and Privacy Act, 34 C.F.R. Part 99 (FERPA).

Only authorized organizations, agencies, or persons as defined in N.J.A.C. 6A:32-7.5 shall have access to student records, including student health records.

Nothing in N.J.A.C. 6A:32-7.1 et seq. or in Policy and Regulation 8330 shall be construed to prohibit school personnel from disclosing information contained in the student health record to students or adults in connection with an emergency, if such knowledge is necessary to protect the immediate health or safety of the student or other persons.

In complying with N.J.A.C. 6A:32-7 – Student Records, individuals shall adhere to requirements pursuant to N.J.S.A. 47:1A-10, the Open Public Records Act (OPRA) and 34 CFR Part 99, the Family Educational Rights and Privacy Act (FERPA).



### Conditions for Access to Student Records

All authorized organizations, agencies, and persons defined in N.J.A.C. 6A:32-7.1 et seq. shall have access to the records of a student subject to conditions outlined in N.J.A.C. 6A:32-7.6(a).

### Rights of Appeal for Parents and Adult Students

Student records are subject to challenge by parents and adult students on the grounds of inaccuracy, irrelevancy, impermissive disclosure, inclusion of improper information or denial of access to organizations, agencies, and persons in accordance with N.J.A.C. 6A:32-7.7(a).

To request a change in the record or to request a stay of disclosure pending final determination of the challenged procedure, the parent or adult student shall follow the procedures pursuant to N.J.A.C. 6A:32-7.7(b).

Appeals relating to student records for students with disabilities shall be processed in accordance with the requirements of N.J.A.C. 6A:32-7.7(b).

Regardless of the outcome of any appeal, a parent or adult student shall be permitted to place in the student record a statement commenting upon the information in the student record or setting forth any reasons for disagreement with the decision made in the appeal. Such statements shall be maintained as part of the student record as long as the contested portion of the record is maintained. If the contested portion of the record is disclosed to any party, the statement commenting upon the information shall also be disclosed to that party.

### Retention and Disposal of Student Records

A student record is considered to be incomplete and not subject to the provisions of the Destruction of Public Records Law, N.J.S.A. 47:3-15 et seq., while the student is enrolled in the school district. The school district shall retain the student health record and the health history and immunization record according to the School District Records Retention Schedule, as determined by the New Jersey State Records Committee.



# POLICY GUIDE

## WEYMOUTH TOWNSHIP BOARD OF EDUCATION

OPERATIONS  
8330/page 6 of 6  
Student Records

Student records of currently enrolled students, other than that described in N.J.A.C. 6A:32-7.8(e), may be disposed of after the information is no longer necessary to provide educational services to a student and in accordance with the provisions of N.J.A.C. 6A:32-7.8(b).

Upon graduation or permanent departure of a student from the school district, the parent or adult student shall be notified in writing that a copy of the entire student record will be provided to them upon request. Information in student records, other than that described in N.J.A.C. 6A:32-7.8(e), may be disposed of, but only in accordance with the Destruction of Public Records Law, N.J.S.A. 47:3-15 et seq. Such disposition shall be in accordance with the provisions of N.J.A.C. 6A:32-7.8(c)2.

No additions shall be made to the record after graduation or permanent departure without the prior written consent of the parent or adult student.

In accordance with N.J.A.C. 6A:32-7.8(e), the New Jersey public school district of last enrollment, graduation, or permanent departure of the student from the school district shall keep for 100 years a mandated record of a student's name, date of birth, name of parents, gender, health history and immunization, standardized assessment results, grades, attendance, classes attended, grade level completed, year completed, and years of attendance.

N.J.S.A. 18A:36-19; 18A:36-19.1; 18A:40-4; 18A:40-19  
N.J.A.C. 6A:32-7.1; 6A:32-7.2; 6A:32-7.3; 6A:32-7.4; 6A:32-7.5;  
6A:32-7.6; 6A:32-7.7; 6A:32-7.8  
20 U.S.C. §8528

Adopted: October 25, 2018  
Revised: April 22, 2021



### 8335 FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT

The Board of Education policies and regulations will be in compliance with the requirements of the Family Educational Rights and Privacy Act (FERPA). FERPA affords parents and adult students certain rights with respect to the student's education records. FERPA requires the district to provide parents and adult students the right to inspect and review the student's education records within forty-five days of the day the school district receives a request for access, to request an amendment(s) of the student's education records the parent or adult student believes are inaccurate, and to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent.

FERPA permits disclosure of student records without consent if the disclosure is to school officials with legitimate educational interests. FERPA permits the school district to disclose education records without a parent's or adult student's consent to officials of another school district in which a student seeks or intends to enroll. FERPA requires a school district to make a reasonable attempt to notify the parent or adult student of the records request unless it states in its annual notification that it intends to forward records on request.

The parent or adult student has the right to file a complaint with the U.S. Department of Education concerning alleged failures by the district to comply with the requirements of FERPA. The name and address of the Office that administers FERPA is:

Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, DC 20202-5901

The New Jersey Administrative Code 6A:32-7 – Pupil Records adopted by the New Jersey Department of Education incorporates the requirements of FERPA and Board of Education Policy 8330 ensures parents and adult students are afforded certain rights with respect to the student's education records as required by FERPA.

20 U.S.C. Sec. 1232g. – The Family Educational Rights and Privacy Act  
N.J.A.C. 6A:32-7

Adopted: 25 October 2018



### 8350 RECORDS RETENTION

The New Jersey Department of the Treasury - Records Management Services places all public records on Records Retention Schedules that list the minimum legal and fiscal time periods public records must be retained by State and local governmental and educational agencies. Records Management Services determines these retention periods in conformance with State and Federal codes, regulations, and statutes of limitation. Final approval of the schedules comes from the State Records Committee, which is comprised of representatives of the Attorney General, State Treasurer, State Auditor, Director of Local Government Services, and the director of the division.

Part and parcel to a good records management program is the timely destruction of records once their retention period has expired. This pertains to the destruction of paper records as well as those that are microfilmed, have been imaged, or are electronic. Unique records disposal request (such as the disposal of fire damaged records which have not yet outlived their retention period) require specific authorization from the State Records Committee.

As per the Destruction of Public Records Act of 1953 (P.L. 1953, c. 410), the Board of Education must receive prior written authorization from Records Management Services to dispose of their public records regardless of the medium in which the information is maintained. Authorization to dispose public records shall be submitted electronically by the school district custodian of such records to Records Management Services. Records must be retained in accordance with the Records Retention Schedules and shall not be disposed until approval for such disposal is obtained from Records Management Services.

Adopted: 25 October 2018





# POLICY GUIDE

## WEYMOUTH TOWNSHIP BOARD OF EDUCATION

### OPERATIONS

8420/page 1 of 6

Emergency and Crisis Situations

June 24

M

### 8420 EMERGENCY AND CRISIS SITUATIONS

The Board of Education recognizes its responsibility to provide for the safety and security in each school building in the district. The district shall develop and implement comprehensive plans, procedures, and mechanisms that provide for safety and security in the district's public elementary and secondary schools. Plans and procedures, which shall be in written form, and mechanisms shall provide for, at a minimum: the protection of the health, safety, security, and welfare of the school population; the prevention of, intervention in, response to, and recovery from emergency and crisis situations; the establishment and maintenance of a climate of civility; and support services for staff, students, and their families, in accordance with N.J.A.C. 6A:16-5.1(a).

Pursuant to N.J.S.A. 18A:41-6, "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 Superintendent of Schools or designee shall consult with law enforcement agencies, health and social services provider agencies, emergency management planners, and school and other community resources, as appropriate, in the development of the district's plans, procedures, and mechanisms for school safety and security in accordance with N.J.A.C. 6A:16-5.1(b). The plans, procedures, and mechanisms shall be consistent with the provisions of N.J.A.C. 6A:16-5.1 and the format and content established by the Domestic Security Preparedness Task Force, pursuant to N.J.S.A. App. A:9-64 et seq., and the Commissioner of Education. The plans, procedures, and mechanisms shall be reviewed annually and updated as appropriate.

Pursuant to N.J.S.A. 18A:41-15, in developing its districtwide school safety and security plan, the district shall: demonstrate that it has considered the individual needs of each student with a disability, as enumerated in the students' individualized education programs (IEP), individualized health care plans, 504 plans, or, in the case of students with disabilities enrolled in nonpublic schools, service plans pursuant to N.J.S.A. 18A:46-2.15; and incorporate protocols into the districtwide school safety and security plan for



# POLICY GUIDE

## WEYMOUTH TOWNSHIP BOARD OF EDUCATION

### OPERATIONS

8420/page 2 of 6

#### Emergency and Crisis Situations

communicating the individual needs of each student with a disability, when appropriate and in compliance with the “Family Educational Rights and Privacy Act of 1974,” (20 USC §1232g), to third parties including, but not limited to, first responders and emergency management agencies.

A copy of the school safety and security plan shall be disseminated to all employees pursuant to N.J.A.C. 6A:16-5.1(c). New employees shall receive a copy of the school safety and security plan, as appropriate, within sixty days of the effective date of their employment. All employees shall be notified in writing, as appropriate, regarding updates and changes to the school safety and security plan.

The district shall develop and provide an in-service training program for all employees to enable them to recognize and appropriately respond to safety and security concerns, including emergencies and crises, consistent with the district’s plans, procedures, and mechanisms for school safety and security and the provisions of N.J.A.C. 6A:16-5.1. New employees shall receive the in-service training within sixty days of the effective date of their employment. The in-service training program for all employees shall be reviewed annually and updated as appropriate.

The Board shall ensure individuals employed in the district in a substitute capacity are provided with information and training on the district’s practices and procedures on school safety and security including instruction on school security drills, evacuation procedures, and emergency response protocols in the district and the school building where the individuals are employed in accordance with the provisions of N.J.S.A. 18A:41-7.b. In the event an individual is employed in a substitute capacity in the district at the time the school safety and security training is being provided to full-time employees pursuant to N.J.S.A. 18A:41-7.a., the district shall include the individual in the training.

Any information or training provided pursuant to N.J.S.A. 18A:41-7 shall address the unique needs of students with disabilities in the event of a fire drill, school security drill, or actual emergency situation. All full-time employees and individuals employed in the district in a substitute capacity shall be made aware of any anticipated mobility, sensory, medical, social, communication, emotional, regulatory, and decision-making support needs of students in the care of the employee and any supports, modifications,



# POLICY GUIDE

## WEYMOUTH TOWNSHIP BOARD OF EDUCATION

### OPERATIONS

8420/page 3 of 6

#### Emergency and Crisis Situations

accommodations, and services to be provided to students, as enumerated in their IEPs, individualized health care plans, 504 plans, or service plans pursuant to N.J.S.A. 18A:46-2.15.

The district shall ensure a student's unique mobility, sensory, medical, social, communication, emotional, regulatory, and decision-making needs in the event of a fire drill, school security drill, or an actual emergency situation that may occur on school grounds is maintained in the student record. The documentation maintained in the student record shall indicate whether or not the student is able to safely and fully participate in fire drills or school security drills without the use of supplementary supports, modifications, accommodations, or services, or if any accommodations are needed, including determining areas of refuge during an emergency, in accordance with N.J.S.A. 18A:46-2.15.a.

If it is determined a student requires supplementary supports, modifications, accommodations, or services in order to safely and fully participate in a fire drill or school security drill, a written plan shall be maintained in the student record, pursuant to N.J.S.A. 18A:46-2.15.b. The written plan shall: describe the anticipated mobility, sensory, medical, social, communication, emotional, regulatory, and decision-making support needs of the student during a fire drill or school security drill and during an actual emergency situation; describe the supports, modifications, accommodations, and services to be provided to the student during a fire drill or school security drill and during an actual emergency situation; and describe the role of school employees in supporting the student during a fire drill or school security drill and during an actual emergency situation, including the need for any specific training of school employees. The district shall on a regular basis, but not less than once annually, perform a review of any determinations made pursuant to N.J.S.A. 18A:46-2.15 to evaluate the school security needs of a student.

Every Principal of a school of two or more rooms, or of a school of one room when located above the first story of a building, shall have at least one fire drill and one school security drill each month within the school hours, including any summer months during which the school is open for instructional programs. Employees of the district, whether occupying buildings of one or more stories, shall keep all exterior doors and exits locked at all times except when necessary to comply with the



# POLICY GUIDE

## WEYMOUTH TOWNSHIP BOARD OF EDUCATION

### OPERATIONS

8420/page 4 of 6

#### Emergency and Crisis Situations

requirements set forth in the Uniform Fire Code, including applicable requirements during an emergency lockdown or an emergency lockdown drill. All students and staff shall fully participate in each drill conducted to the greatest extent practicable and, when appropriate, utilize procedures for assisting in the rescue of persons unable to use the general means of egress to ensure that participation does not pose a safety risk. Where school buildings have been provided with fire escapes, they shall be used by a part or all of the students performing every fire drill. An actual school security emergency that occurs at a school during the month that includes activities which are the equivalent of a drill shall be considered a school security drill for the purposes of meeting the requirements of N.J.S.A. 18A:41-1.

Every school in the district shall conduct a school security drill within the first fifteen days of the beginning of the school year. In accordance with N.J.S.A. 18A:41-7a., notwithstanding any other provision of law to the contrary, the district shall ensure that a school security drill that occurs when students are present:

1. Includes clear, developmentally and age-appropriate messaging to students and staff at the conclusion of the drill that the event is a drill and that no current danger exists;
2. Does not expose students to content or imaging that is not developmentally or age-appropriate;
3. Is paired with trauma-informed approaches to address any student inquiries or concerns which may arise as a result of a school security drill;
4. Does not include the use of fake blood, real or prop firearms, or the simulations of gun shots, explosions, or other sounds or visuals that may induce panic or a traumatic response from a student or school district employee;
5. Does not require a student to role play as a victim, but may include first aid training in which students participate; and



# POLICY GUIDE

## WEYMOUTH TOWNSHIP BOARD OF EDUCATION

### OPERATIONS

8420/page 5 of 6

#### Emergency and Crisis Situations

6. Is accessible to students with disabilities and mental health conditions, and provides all necessary accommodations for these students.

The Principal or designee shall provide written notification to the parent of a student enrolled in the school following completion of a school security drill, which notice shall be provided to the parent by no later than the end of the school day on which the school security drill is conducted.

The Principal or designee will provide local law enforcement or other emergency responders, as appropriate, with a friendly notification at least forty-eight hours prior to holding a school security drill. A law enforcement officer shall be present at a minimum of one school security drill in each school year in order to make recommendations on any improvements or changes to school security drill procedures that the officer may deem advisable in accordance with N.J.S.A. 18A:41-1. The district may permit emergency personnel access to the buildings and grounds of its schools for school security drills that are scheduled outside of school hours and during such times as students are not present, pursuant to N.J.S.A. 18A:41-7a.c.

The district shall review and update its school security drill procedures using a process that coincides with the review of the school safety and security plan developed pursuant to N.J.A.C. 6A:16-5.1 and collects input from emergency personnel; parents of students enrolled in the district; teachers and staff employed in the district; mental health professionals; and student government representatives from multiple grade levels, pursuant to N.J.S.A. 18A:41-7a.d.

The district shall annually track data on such measures and information as required by the Commissioner of Education, and shall report the data to the Commissioner, pursuant to N.J.S.A. 18A:41-7a.e.

Such drills and in-service training programs shall be conducted in accordance with a building security drill guide and training materials that educate school employees on proper evacuation and lockdown procedures in a variety of emergency situations on school grounds in accordance with N.J.A.C. 6A:16-5.1.



# POLICY GUIDE

## WEYMOUTH TOWNSHIP BOARD OF EDUCATION

### OPERATIONS

8420/page 6 of 6

#### Emergency and Crisis Situations

The district will be required to annually submit a security drill statement of assurance attesting to the completion of monthly school security drills to the New Jersey Department of Education/County Office of Education by June 30 of each school year, in accordance with N.J.A.C. 6A:30 App.A. Each school in the district will be required to complete and retain a security drill record form as required by the New Jersey Department of Education.

N.J.S.A. 2C:33-3

N.J.S.A. App.A.:9-86

N.J.S.A. 18A:41-1; 18A:41-2; 18A:41-6; 18A:41-7; 18A:41-7a.;  
18A:41-15; 18A:46-2.15

N.J.A.C. 6A:16-5.1; 6A:30 App.A.

Adopted: October 25, 2018

Revised: October 17, 2024



### 8431 PREPAREDNESS FOR TOXIC HAZARD

The Board of Education is concerned for the safety of the students and staff members assigned to the district school and will take reasonable steps to protect students and staff members from hazards that may result from industrial accidents beyond the control of school officials.

The Board will appoint an employee to serve as Toxic Hazard Preparedness (THP) Officer. The THP Officer will, in accordance with procedures prepared by the Superintendent, identify potential sources of toxic hazard and develop a plan that includes preventive and remedial measures to be followed in the event students and staff members are exposed to a toxic hazard. The plan will also include a system for the periodic evaluation of school environments.

The THP Officer will enlist the aid of county and municipal authorities and, if possible, the owners or operators of identified potential sources of toxic hazard. The Board may, in its discretion, appoint and charge an ad hoc committee of community representatives to assist the THP Officer.

The plan for toxic hazard preparedness developed by the THP Officer and approved by this Board will be disseminated to the public. Teaching staff members will be instructed in the specific measures to be taken when toxic hazard is present and in the recognition of toxic hazards in the environment. A teaching staff member who detects a toxic hazard in school shall immediately notify the school Principal and the school nurse or, in the absence of either, the person authorized to perform that office.

Nothing in this policy should be construed in any way as an assumption of liability by the Board of Education for any death, injury, or illness that is the consequence of an accident or equipment failure or negligent or deliberate act beyond the control of the Board or its officers and employees.

N.J.S.A. 13:1K-19 et seq.

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

N.J.A.C. 6A:16-1.4

N.J.A.C. 7:1G-2.1

N.J.A.C. 8:59-1.4

Adopted: 25 October 2018



### 8441 CARE OF INJURED AND ILL PERSONS

The Board of Education will provide the prompt and appropriate medical attention for students, staff members, or visitors who are injured or become ill on school grounds or during a school sponsored event, activity, or field trip.

Any injury or illness shall be reported immediately to the school nurse or, in the absence of the school nurse, the Building Principal or designee. Immediate steps may be taken as necessary to remove the injured or ill person from danger and/or to prevent exacerbation of the injury or illness. Basic first aid may be administered by district personnel to ensure the safety and comfort of the injured or ill person until the school nurse or other medical professional arrives on the scene.

The parent of an injured or ill student and, if necessary, the family of an injured or ill staff member or visitor will be notified promptly of the injury or illness and the ongoing health status of the injured or ill person. If the school nurse or school physician or, in the absence of both, the Principal or designee determines the injured or ill person should receive a medical examination from their medical professional, the parent or family member will be required to remove the injured or ill person from the school or school event or activity. In the event a serious health emergency occurs on school grounds or during a school sponsored event, activity, or field trip, emergency medical assistance will be contacted.

In the event it is determined by the school nurse and/or a medical professional that a student shall be immediately transported to a hospital or other emergency medical facility, a school staff member, if a parent or their designee is not on the scene, shall accompany the student to a hospital or other emergency medical facility.

The school nurse(s), in consultation with the school physician, will develop basic emergency first aid procedures for the emergency treatment of an injury or illness in the event a school staff member may be in the position to provide emergency first aid until the school nurse or other medical professional arrives on the scene.

Injuries and disabilities that occur in the course of the athletic program are subject to the provisions of Policy 2431 and implementing regulations. Student disabilities attributable to substance abuse will be handled in accordance with Policy 5530. Injuries that occur in the course of school bus transportation will be handled in accordance with regulations implementing Policy 8630.

N.J.A.C. 6A:16-2.1(a)4

Adopted: 25 October 2018





### 8442 REPORTING ACCIDENTS

The Board of Education directs that all reasonable efforts be made to ensure a safe learning and working environment for the students and employees of this district. To that end and to the end that legitimate employee claims for worker's compensation be expedited, the Board requires that accidents be reported and evaluated. Any accident that results in an injury, however slight, to a student, an employee of the Board, or a visitor to the school must be reported promptly and in writing to the district business office. Injured persons shall be referred immediately to the school nurse for such medical attention as may be appropriate.

The injured employee or visitor or the staff member responsible for an injured student shall complete a form, available in the office of the Building Principal, that includes the date, time and place of the incident; the names of persons involved; the nature of the injury, to the extent that it is known; and a description of all relevant circumstances.

A copy shall be retained by the Building Principal and a copy shall be sent to the business office.

Any employee of the Board who suffers a job-related injury must report the injury and its circumstances to the Building Principal or job supervisor, as appropriate, no later than twenty-four hours following the occurrence of the injury. The failure of an employee to comply with this mandate may result in disciplinary action.

Adopted: 25 October 2018



# POLICY

## WEYMOUTH TOWNSHIP BOARD OF EDUCATION

**Legal References:** N.J.S.A. 18A:16-6

Indemnity of officers and employees  
against civil actions

N.J.S.A. 18A:16-6.1

Indemnity of officers and employees  
in certain criminal actions

N.J.S.A. 18A:40-3

Lectures to teachers

N.J.S.A. 18A:40-7

Exclusion of pupils who are ill

N.J.S.A. 18A:40-8

Exclusion of pupils whose presence  
is detrimental to health and  
cleanliness

N.J.S.A. 18A:40-10

Exclusion of teachers and pupils  
exposed to disease

N.J.S.A. 18A:40-11

Exclusion of pupils having  
communicable tuberculosis

N.J.S.A. 18A:40-12

Closing schools during epidemic

N.J.S.A. 18A:40-25

Boards of education to provide  
nursing care to students in  
nonpublic schools

N.J.S.A. 26:2T-1

Newly diagnosed Hepatitis C case;  
information, reports

N.J.S.A. 26:4-6

Prohibiting attendance of teachers or  
pupils

N.J.S.A. 26:4-15

Reporting of communicable  
diseases by physicians

N.J.S.A. 26:5C-1 et seq.

AIDS Assistance Act

N.J.A.C. 6A:16-1.1 et seq.

Programs to Support Student  
Development

See particularly:

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

-2.1 et seq.

N.J.A.C. 8:57-1.1 et seq.

Reportable Communicable Diseases

See particularly:

N.J.A.C. 8:57-1.3, -1.7, -2

N.J.A.C. 8:61-1.1

Attendance at school by pupils or  
adults infected by Human  
Immunodeficiency Virus (HIV)

Plainfield Board of Education v. Cooperman, 105 NJ 587 (1987)

The NJDOE Guidance: *The Road Back: Restart and Recovery* at:  
<https://www.nj.gov/education/reopening/>

N.J.S.A. 18A:40-3; 18A:40-7 et seq. N.J.S.A. 26:4-4; 26:4-6 N.J.A.C. 6A:16-1.4  
N.J.A.C. 8:57-1.3; 8:57-1.6; 8:57-2.1 et seq. Adopted: 25 October 2018

Adopted: 10/25/2018

Revised: 08/20/2020



### 8451 CONTROL OF COMMUNICABLE DISEASE

The Board of Education recognizes that control of the spread of communicable disease is essential to the well-being of the school community and to the efficient operation of the school.

The Board shall be bound by the statutes and by rules of the State Board of Education for the exclusion and readmission of students who have contracted a communicable disease and of teachers and students who have been exposed to a communicable disease and for the instruction of teachers in health and the prevention of disease. The Board shall comply with regulations of the New Jersey Department of Health and the local and county Board of Health governing the prevention, control, and reporting of communicable disease.

The teacher may exclude from the classroom and the Principal may exclude from the school building any student who appears to be ill or has been exposed to a communicable disease. A student may be isolated in school to await the arrival of or instructions from an adult member of his/her family. If the school medical inspector or the school nurse is present in the building, his/her recommendation shall be sought before any such exclusion or isolation is ordered.

Any student retained at home or excluded from school by reason of having or being suspected of having a communicable disease shall not be readmitted to his/her classroom until he/she presents written evidence of being free of communicable disease. That evidence may be supplied by the school medical inspector or another qualified physician who has examined the student.

Any student or adult who has weeping skin lesions that cannot be covered shall be excluded from school.

The Superintendent shall develop procedures for the control of communicable disease that include the instruction of teaching staff members in the detection of disease and measures for its prevention and control; the removal from school premises to the care of a responsible adult for students identified and excluded in accordance with this policy; the preparation of standards for the readmission of students who have recovered from communicable disease; the provision of appropriate home instruction to excluded students in accordance with law; and the filing of reports as required by law.



### Contact Tracing

Contact tracing is the process used to identify those who come into contact with people who have tested positive for many contagious diseases, including COVID-19. Contact tracing is used by health departments to prevent the spread of infectious disease. In general, contact tracing involves identifying people who have an infectious disease (cases) and their contacts (people who may have been exposed) and working with them to interrupt disease transmission. For COVID-19, this includes asking cases to isolate and contacts to quarantine at home voluntarily.

All procedures will adhere to applicable federal and state law and regulations regarding privacy and the confidentiality of records.

Contact tracing for COVID-19 typically involves:

- A. Interviewing people with COVID-19 to identify everyone with whom they had close contact during the time they may have been infectious;
- B. Notifying contacts of their potential exposure;
- C. Referring contacts for testing;
- D. Monitoring contacts for signs and symptoms of COVID-19; and
- E. Connecting contacts with services they might need during the self-quarantine period.

To prevent the further spread of disease, COVID-19 contacts are encouraged to stay home and maintain social distance (at least 6 feet) from others until 14 days after their last exposure to a person with COVID-19. Contacts should monitor themselves by checking their temperature twice daily and watching for symptoms of COVID-19.

The school nurse shall consult with the local health department in the development, review and revision of the district contact tracing policy and procedures. The school nurse and the building principal are the designated staff liaisons responsible for providing notifications and carrying out other components of the board's contact tracing policy.

The school nurse in consultation with the building principal shall establish measures for a system of open communication that allows staff, students, and families to self-report symptoms and/or suspected exposure.

A staff member shall immediately notify the principal and the school nurse when he/she observes symptoms consistent with COVID 19 or becomes aware that an individual who has spent time in a district facility tests positive for COVID-19. The school nurse shall immediately notify local health officials, staff, and families of a confirmed case while maintaining confidentiality when the COVID-19 test is positive.



When the individual exhibits symptoms the school nurse will ensure that the student is taken to the designated isolation area. The nurse will examine the individual and may refer them for testing and treatment. A student exhibiting symptoms of COVID 19 may be required to submit to a COVID 19 test. The school nurse shall require the certification of a physician that the student is contagion free before readmitting a student to school. The nurse shall report all students testing positive for COVID 19 to the health department. The health department shall conduct the contact tracing.

Symptoms of COVID 19 include:

- A. A fever of 100° F or greater;
- B. Cough;
- C. Shortness of breath or difficulty breathing;
- D. Chills;
- E. Repeated shaking with chills;
- F. Muscle pain;
- G. Headache;
- H. Sore throat;
- I. New loss of taste or smell;
- J. Fatigue;
- K. Congestion or runny nose;
- L. Nausea or vomiting;
- M. Diarrhea

All school and district administrators, school safety specialists, counselors, and any other staff deemed appropriate by the school and district, shall be provided information regarding the role of contact tracing in keeping school communities safe from the spread of contagious disease.

The school nurse or his or her designee shall make information available and/or conduct virtual information sessions to educate the broader school community on the importance of contact tracing.

#### Handling Blood and Body Fluids

The chief school administrator and medical inspector shall develop detailed routine procedures based on New Jersey administrative code and guidelines from the Centers for Disease Control for proper handling of blood and body fluids resulting from illness/accidents in the schools. These procedures shall be disseminated to all district staff and volunteers.

The medical inspector shall report all cases of communicable disease to the local board of health as required by law.



# POLICY

## WEYMOUTH TOWNSHIP BOARD OF EDUCATION

OPERATIONS  
8451/page 4 of 5

Adopted:  
NJSBA Review/Update:  
Readopted:

Key Words: Illness, Sickness, Body Fluids

<b><u>Legal References:</u></b>	<u>N.J.S.A.</u> 18A:16-6	Indemnity of officers and employees against civil actions
	<u>N.J.S.A.</u> 18A:16-6.1	Indemnity of officers and employees in certain criminal actions
	<u>N.J.S.A.</u> 18A:40-3	Lectures to teachers
	<u>N.J.S.A.</u> 18A:40-7	Exclusion of pupils who are ill
	<u>N.J.S.A.</u> 18A:40-8	Exclusion of pupils whose presence is detrimental to health and cleanliness
	<u>N.J.S.A.</u> 18A:40-10	Exclusion of teachers and pupils exposed to disease
	<u>N.J.S.A.</u> 18A:40-11	Exclusion of pupils having communicable tuberculosis
	<u>N.J.S.A.</u> 18A:40-12	Closing schools during epidemic
	<u>N.J.S.A.</u> 18A:40-25	Boards of education to provide nursing care to students in nonpublic schools
	<u>N.J.S.A.</u> 26:2T-1	Newly diagnosed Hepatitis C case; information, reports
	<u>N.J.S.A.</u> 26:4-6	Prohibiting attendance of teachers or pupils
	<u>N.J.S.A.</u> 26:4-15	Reporting of communicable diseases by physicians
	<u>N.J.S.A.</u> 26:5C-1 <u>et seq.</u>	<u>AIDS Assistance Act</u>
	<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:16-1.3, -2.1 <u>et seq.</u>	
	<u>N.J.A.C.</u> 8:57-1.1 <u>et seq.</u>	Reportable Communicable Diseases
	<u>See particularly:</u> <u>N.J.A.C.</u> 8:57-1.3, -1.7, -2	
	<u>N.J.A.C.</u> 8:61-1.1	Attendance at school by pupils or adults infected by Human Immunodeficiency Virus (HIV)

Plainfield Board of Education v. Cooperman, 105 NJ 587 (1987)



# POLICY

## WEYMOUTH TOWNSHIP BOARD OF EDUCATION

OPERATIONS  
8451/page 5 of 5

The NJDOE Guidance: *The Road Back: Restart and Recovery* at:  
<https://www.nj.gov/education/reopening/>

N.J.S.A. 18A:40-3; 18A:40-7 et seq. N.J.S.A. 26:4-4; 26:4-6 N.J.A.C. 6A:16-1.4  
N.J.A.C. 8:57-1.3; 8:57-1.6; 8:57-2.1 et seq. Adopted: 25 October 2018

Adopted: 10/25/2018

Revised: 08/20/2020



### OPERATIONS

8452/page 1 of 9

Operation and Maintenance of Plant

**M**

#### 8452 OPERATION AND MAINTENANCE OF PLANT

The 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 chief school administrator 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 chief school administrator 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.

#### Ventilation Systems

Schools and districts must ensure that their indoor facilities have adequate ventilation, including operational heating, and ventilation systems where appropriate. Recirculated air must have a fresh air component. Open windows must be available if air conditioning is not provided and filter(s) for A/C units must be maintained and changed according to manufacturer recommendations.

#### Facilities Cleaning Procedures to Reduce the Spread of Contagion

The building principal in consultation with the maintenance supervisor shall develop a procedure for increased, routine cleaning and disinfection. The procedure shall include cleaning/disinfecting schedules, targeted areas to be cleaned, and methods and materials to be used, and shall address:

- A. Routinely cleaning and disinfecting surfaces and objects that are frequently touched. This may include cleaning objects/surfaces not ordinarily cleaned daily (e.g., doorknobs, light switches, classroom sink handles, countertops). Examples of frequently touched areas in schools:
  - 1. Classroom desks and chairs;
  - 2. Lunchroom tables and chairs;
  - 3. Door handles and push plates;
  - 4. Handrails;





# POLICY

8452/page 2 of 9  
Operation and Maintenance of Plant

5. Kitchens and bathrooms;
  6. Light switches;
  7. Handles on equipment (e.g. athletic equipment);
  8. Buttons on vending machines and elevators;
  9. Shared telephones;
  10. Shared desktops;
  11. Shared computer keyboards and mice;
  12. Drinking fountains;
  13. School bus seats and windows; and
  14. Playground equipment.
- B. Using all cleaning products in accordance with directions on the label. For disinfection most common EPA-registered household disinfectants should be effective. Whenever possible the list of products that are EPA-approved for use against the virus that causes COVID-19 (available on the EPA's website) shall be used. The manufacturer's instructions for all cleaning and disinfection products (e.g., concentration, application method and contact time, etc.) shall be used.
- C. Sanitizing bathrooms daily, or between use as much as possible, using protocols outlined by the Environmental Protection Agency (EPA). Additional considerations regarding bathrooms include:
1. Limiting the number of students who can enter at one in order to avoid crowds;
  2. Designating staff members to enforce limited capacity and avoid overcrowding;
  3. Installing no-touch foot pedal trash cans, if possible;
  4. Propping doors open to avoid touching handles; and
  5. Including appropriate signage about the benefits of handwashing.
- D. Cleaning and sanitizing drinking fountains and encouraging staff and students to bring their own water to minimize the use and touching of water fountains;
- E. Making hand sanitizer available at the school bus entrance for each student to use when boarding. Similarly, students must be required to wear face coverings while riding on the bus if social distancing or physical barriers cannot be maintained;
- F. Maintaining hand-sanitizing stations with alcohol-based hand sanitizers (at least 60% alcohol):
1. In each classroom (for staff and older children who can safely use hand sanitizer);
  2. At entrances and exits of buildings;
  3. Near lunchrooms and toilets.
- G. Supervising children ages 5 and younger when using hand sanitizer;



# POLICY

## 8452/page 3 of 9 Operation and Maintenance of Plant

- H. For classrooms with existing handwashing facilities, preparing stations with soap, water and alcohol-based hand sanitizers (at least 60% alcohol);
- I. Reminding bus drivers to take certain personal hygiene actions (e.g., frequent hand washing) and affording them the opportunity to do so (such as having sufficient time between routes);
- J. Cleaning and sanitizing district vehicles including seats, rails, and any highly touched surfaces before each run.
- K. Requiring contracted transportation providers to clean and sanitize seats, rails and highly touched surfaces touched before each run. The district shall collaborate with the contracted service provider to develop these procedures and ensure that they are consistently followed; a checklist may be developed to ensure compliance. The contracted service provider shall collaborate with the district in establishing cleaning/sanitation protocols that are consistent with social distancing practices. The contracted service provider shall ensure that employees are fully trained in the implementation of the established protocols:
  - 1. All personnel responsible for cleaning school buses shall document the cleaning/sanitizing measures taken. Personnel are required to:
    - a. Demonstrate an understanding of the established protocols that must be taken to properly clean and sanitize the bus; and
    - b. Provide a certification that, before the route commenced, the required was process completed as required.
  - 2. The procedures will identify sanitizing agents that may be used and will be limited to products included on the U.S. Environmental Protection Agency's list of products that have shown to be effective against COVID-19.
  - 3. These procedures will likely include two stages: cleaning, which removes dirt and germs from surfaces, and disinfecting, which kills germs on surfaces that remain after cleaning.
- L. Routinely cleaning and disinfecting furniture, recognizing the varying materials used in furniture in each school building;
- M. Providing EPA-registered disposable wipes to teachers and staff so that commonly used surfaces (e.g., keyboards, desks, remote controls) can be wiped down before use;
- N. On a regular basis, ordering and stocking adequate supplies to support cleaning and disinfection practices.



# POLICY

## 8452/page 4 of 9 Operation and Maintenance of Plant

- O. Ensuring that cleaning and disinfection supplies are used and stored correctly and safely. This includes storing products securely away from children, while ensuring appropriate ventilation so students and staff are not exposed to toxins or fumes.
- P. Placing physical barriers, such as plastic flexible screens, in classrooms, school buses, restrooms and other areas where social distancing cannot be maintained.
- Q. Cleaning and disinfecting a school building after a person has been identified as COVID-19 positive:

The district may need to implement short-term closure procedures in a school regardless of community spread if an infected person has been in a school building. If this happens, the CDC-recommended procedures shall be followed:

1. Close off areas used by a sick person and do not use before cleaning and disinfection;
2. Wait 24 hours before cleaning and disinfecting. If it is not possible to wait 24 hours, wait as long as possible;
3. Open outside doors and windows to increase air circulation in the area; and
4. Cleaning staff will clean and disinfect all areas (e.g., offices, bathrooms, and common areas) used by the ill persons, focusing especially on frequently touched surfaces.

Additional training shall be provided to the personnel responsible for cleaning and sanitizing school buses and facilities, as necessary. Topics may include proper use of cleaning and disinfecting agents, the cleaning schedule for various surfaces, and safety precautions that need to be taken (e.g., ensuring adequate ventilation while cleaning and sanitizing).

### 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., 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 publicly available and notify parents/guardians and the New Jersey Department of Education.

The board of education directs the chief school administrator 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.



# POLICY

## 8452/page 5 of 9 Operation and Maintenance of Plant

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 chief school administrator shall implement Integrated Pest Management (IPM) procedures to control pests and minimize exposure of children, faculty, and staff to pesticides. Weymouth Township School District 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.

Each 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



# POLICY

8452/page 6 of 9  
Operation and Maintenance of Plant

The school IPM plan is a blueprint of how Weymouth Township School District 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 chief school administrator, in collaboration with the school building administrator, shall be responsible for the development of the IPM plan for this school.

## IPM Coordinator

The **Chief School Administrator** (insert as appropriate, either local school board, chief school administrator or principal) 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 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 Chief School Administrator (insert as appropriate, either local school board, board of trustees, chief school administrator, or principal) of Chief School Administrator (insert school name), is responsible for timely notification to students' parents or guardians and the school staff of pesticide treatments pursuant to the School IPM Act.



# POLICY

8452/page 7 of 9  
Operation and Maintenance of Plant

## 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 chief school administrator 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:

NJSBA Review/Update:

Readopted:

Key Words Operation and Maintenance of Plant, Buildings and Grounds, Maintenance

<b><u>Legal References:</u></b>	<u>N.J.S.A.</u> 10:5-1 <u>et seq.</u> <u>N.J.S.A.</u> 13:1F-19 through -33  <u>N.J.S.A.</u> 18A:17-49 through -52  <u>N.J.S.A.</u> 18A:18A-1 <u>et seq.</u> <u>N.J.S.A.</u> 18A:18A-37  <u>N.J.S.A.</u> 18A:22-8 <u>N.J.S.A.</u> 34:5A-1 <u>et seq.</u>  <u>N.J.S.A.</u> 34:6A-25 <u>et seq.</u>  <u>N.J.S.A.</u> 34:11-56a <u>et seq.</u> <u>N.J.S.A.</u> 58:12A-1 <u>et seq.</u> <u>N.J.A.C.</u> 5:23-1 <u>et seq.</u>	Law Against Discrimination  <u>School Integrated Pest Management Act</u>  Buildings and grounds supervisors to be certified Public schools contracts law Award of purchases, contracts, agreements Contents of budget; format <u>Worker and Community Right to Know Act</u> <u>New Jersey Public Employees Occupational Safety and Health Act</u> <u>New Jersey Wage and Hour Law</u> <u>Safe Drinking Water Act</u> The uniform construction code
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# POLICY

8452/page 8 of 9  
Operation and Maintenance of Plant

	<u>N.J.A.C.</u> 6A:23A-1 <u>et seq.</u> Fiscal accountability, efficiency and budgeting <u>See</u> <u>Particularly:</u> procedures Facilities maintenance and repair schedule and accounting Operation and Maintenance of Facilities
	<u>N.J.A.C.</u> 6A:23A-6.9
	<u>N.J.A.C.</u> 6A:26-12.1 <u>et seq.</u>
	<u>See particularly:</u> <u>N.J.A.C.</u> 6A:26-12.2(a)1, 2 <u>N.J.A.C.</u> 6A:26-12.4 <u>N.J.A.C.</u> 6A:30-1.1 <u>et seq.</u>
School Districts	Safe drinking water Evaluation of the Performance of
	<u>N.J.A.C.</u> 7:10-1 <u>et seq.</u> <u>N.J.A.C.</u> 7:30-13.1 <u>et seq.</u>
	Safe Drinking Water Act Integrated Pest Management
	20 <u>U.S.C.A.</u> 4071 <u>et seq.</u> 29 <u>U.S.C.A.</u> 201 <u>et seq.</u>
	<u>Equal Access Act</u> <u>Fair Labor Standards Act</u>
(ADA)	42 <u>U.S.C.A.</u> 12101 <u>et seq.</u> <u>Americans with Disabilities Act</u>
Printing: September 2015;	<u>International Building Code 2015, New Jersey Edition</u> ; First ISBN: 978-1-60983-156-1; Copyright 2015, International Code Council, Inc.
	The NJDOE Guidance: <i>The Road Back: Restart and Recovery</i> at: <a href="https://www.nj.gov/education/reopening/">https://www.nj.gov/education/reopening/</a>
	CDC Guidance: <i>CDC Activities and Initiatives Supporting the COVID-19 Response and the President's Plan for Opening America Up Again</i> (May 2020) at: <a href="https://www.cdc.gov/coronavirus/2019-ncov/downloads/php/CDC-Activities-Initiatives-for-COVID-19-Response.pdf">https://www.cdc.gov/coronavirus/2019-ncov/downloads/php/CDC-Activities-Initiatives-for-COVID-19-Response.pdf</a>
	CDC Guidance: <i>Coronavirus Disease 2019 (COVID-19) Considerations for Schools</i> at: <a href="https://www.cdc.gov/coronavirus/2019-ncov/community/schools-childcare/schools.html">https://www.cdc.gov/coronavirus/2019-ncov/community/schools-childcare/schools.html</a>
	CDC Guidance: <i>What Bus Transit Operators Need to Know about COVID-19</i> at:



# POLICY

8452/page 9 of 9  
Operation and Maintenance of Plant

<https://www.cdc.gov/coronavirus/2019-ncov/community/organizations/bus-transit-operator.html>

CDC Guidance: *Schools During the COVID-19 Pandemic* at  
<https://www.cdc.gov/coronavirus/2019-ncov/community/schools-childcare/Schools-Decision-Tree.pdf>

## Possible

<b><u>Cross References:</u></b>	*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 New Jersey School Board Association Critical Policy Reference Manual

Adopted: 10/25/2018

Revised: 8/20/2020





### 8453 HIV/AIDS

The Board of Education will comply with rules of the State Board of Education and the State Department of Health and Senior Services with regard to the admission and employment of persons who may be diagnosed with Acquired Immune Deficiency Syndrome (AIDS) or infected with Human Immunodeficiency Virus (HIV). "AIDS" means a condition affecting a person who has a reliably diagnosed disease that meets the criteria for AIDS specified by the Center for Disease Control of the United States Public Health Services. "HIV infection" means infection with the human immunodeficiency virus or any other related virus identified as a probable causative agent of AIDS. Laboratory results indicative of infection with HIV shall mean laboratory results showing the presence of HIV or components of HIV, or laboratory results showing the presence of antibodies to HIV, or results from laboratory tests conducted to measure the presence of HIV RNA (viral load tests), such as quantitative PCR tests.

AIDS or HIV infection shall not be considered a communicable disease for purposes of admission to or attendance in a school or for eligibility for educational transportation.

In accordance with N.J.A.C. 6A:16-1.4(a)8, no person, student or employee, will be excluded from school solely because he/she is infected with HIV or lives with or is related to a person infected with HIV. Students infected with HIV, including those who may be symptomatic or diagnosed with AIDS, may be excluded from school only as a student not infected with HIV or diagnosed with AIDS may be excluded from school. A school employee infected with HIV may be restricted in his/her employment only if the employee has another illness that would affect his/her employment.

Any student excluded from the regular school program will be provided with home instruction in accordance with rules of the State Board of Education and Policy No. 2412.

No student, staff member, or visitor may attend or visit school if he/she has an uncoverable and/or uncovered weeping skin lesion, whether or not the person has been screened for HIV.

It is not required that anyone in the school be especially notified that an HIV-infected student or employee is present. School employee physicals, student physicals and athletic physicals do not require disclosure of HIV status. Records of health and medical examinations should not include information about an individual's infection with HIV. Therefore, HIV/AIDS status is an exception to records required pursuant to student physical examinations, N.J.A.C. 6A:16-2.2, and school employee physical examinations, N.J.A.C. 6A:32-6.1 et seq. In the event the school nurse or a school official is apprised that a student or employee is HIV-infected, the fact of the infection will be held in strict confidence and will not be classified as a communicable disease for admission, local health reporting or educational transportation.



Information that identifies a student as having an HIV infection or AIDS shall be shared only with prior written informed consent of the student age twelve or greater, or of the student's parent(s)/legal guardian(s) as required by N.J.S.A. 26:5C-1 et seq. and only for the purpose of determining an appropriate educational program for the student. The person who receives such information shall not reveal it to any other person without the express written consent of the minor student's parent(s) or legal guardian(s), or the adult student.

The Board shall annually provide students, parent(s) or legal guardian(s), staff members, school volunteers, and members of the community with information intended to increase awareness of HIV and AIDS, including information regarding the nature of the disease and its prevention. The Board will cooperate with other agencies to provide HIV/AIDS awareness information to the community.

N.J.S.A. 26:5C-5; 26:5C-6; 26:5C-7; 26:5C-8;

26:5C-9; 26:5C-10; 26:5C-11;

26:5C-12; 26:5C-13; 26:5C-14

N.J.A.C. 6A:16-1.3; 6A:16-1.4; 6A:16-1.5; 6A:16-3.2; 6A:32-9.1

N.J.A.C. 8:57-2.1 et seq.

Adopted: 25 October 2018



### 8454 MANAGEMENT OF PEDICULOSIS

The Board of Education recognizes the need to maintain a healthy learning environment for all children in the school district. One way to maintain this healthy learning environment is to manage pediculosis, a condition of a person having head lice. Head lice are very small insects that have claws that cling to hair and spend their entire life cycle on the heads of people. Head lice do not spread any diseases and having head lice is not prevented by personal or household cleanliness, use of shampoos, or length of hair. All social and economic groups can be affected by head lice. Because it is very difficult to totally prevent head lice infestations in the school where children come into close head-to-head contact with each other frequently, the Board of Education authorizes appropriate steps to manage pediculosis.

A student who is found to have active head lice will not be permitted to attend school until there are no active lice in the student's hair, proof of treatment has been provided to the nurse, and until all live and/or dead head lice are removed from the student's hair as confirmed by an examination by the school nurse.

The presence of nits (the eggs of lice) without active head lice will not prohibit a child from attending school provided proof of treatment has been provided to the nurse and there is no evidence of active head lice in the student's hair.

The Board recognizes parents have the primary responsibility for the detection and treatment of head lice and school staff members will work in a cooperative and collaborative manner to assist all families in managing pediculosis. The school nurse will compile a Management of Pediculosis Information Packet. The Board of Education's Management of Pediculosis Information Packet and this Policy will be provided to parents of children identified with active head lice or nits and be made available to all parents upon request. The Information Packet will include information about identifying, treating, and managing pediculosis.

If the school nurse determines a student has active head lice or nits, the parent shall be notified by the school nurse as soon as reasonably possible. The parent will be provided a copy of the district's Management of Pediculosis Information Packet and this Policy. The school nurse will advise the parent that prompt treatment of active head lice and/or nits is in the best interest of their child and treatment shall be required before the student can return to school. The school nurse will determine to send the child home or have the child remain at school for the remainder of the school day based on the comfort of the child, the degree of the infestation, and the likelihood of the spread of head lice to other students. If the school nurse cannot contact the parent a letter from the school nurse informing the parent of the presence of active head lice or nits will be sent home with the student. In the event the parent cannot be reached on the day it is determined their child has active head lice or nits, the parent will be required to contact the school nurse the next school day to review the Board Policy, the Management of Pediculosis Information Packet, and treatment options.



The following action will be taken to prevent the spread of head lice in the district:

1. Grades Kindergarten through Four – When a single case of active head lice has been identified by the school nurse, parents of all children in a class will be notified by the school nurse. The Principal will send home a copy of a Head Lice Alert Notice, the school district's Management of Pediculosis Information Packet, and this Policy to all parents of children in the class.
  - a. The information provided to parents will clearly notify parents that treatment should only be performed on their child if active head lice or nits are found in their child's scalp and treatment should not be applied as a preventative measure. This notification will inform parents they are expected to notify the school nurse if they find active head lice or nits in their child's scalp. The school nurse will perform a head check of any student if requested by the parent.
  - b. The school nurse will perform head checks of all students in a classroom where there are three or more active head lice cases or nits in the same classroom within a two week period.
2. Grades Five through Eight – When a single case of active head lice has been identified by the school nurse, parents of children in a class or on a team may be sent a Head Lice Alert Notice, the school district's Management of Pediculosis Information Packet, and this Policy at the discretion of the Principal or designee and the school nurse. Parents may request information regarding head lice from the school nurse. The school nurse will perform a head check of any student if requested by the parent.

When a case of active head lice has been identified by the school nurse, the school nurse shall perform a head check of any of the infested student's siblings in the school. If a sibling(s) attends a different school in the district, the school nurse in the sibling's school will be notified and the school nurse may conduct a head check of the sibling(s). In addition, anytime the school nurse has identified active head lice, the school nurse may conduct a head check of other students in the school who are most likely to have had head-to-head contact with the infested child. All other students to be checked shall be identified by the school nurse in consultation with the school administration. Parental approval shall be obtained by the Principal or designee or school nurse.



The school will make available to parents the district's Management of Pediculosis Policy.

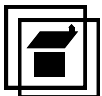
All school staff members will maintain a sympathetic attitude and will not stigmatize and/or blame families who experience difficulty with control measures. All school staff members will act responsibly and respectfully when dealing with members of the school and broader community regarding issues of head lice.

The school will educate and encourage children and parents to learn about head lice in an attempt to remove any stigma or to prevent any harassment, intimidation, and bullying associated with this issue. Any instances of harassment, intimidation, and bullying shall be reported and investigated in accordance with the provisions of the district's Harassment, Intimidation, and Bullying Policy.

A student excluded from school for reasons outlined in this Policy shall be re-admitted only upon the examination and approval of the Principal or designee and the school nurse. The examination for re-admittance to school by the school nurse may be, but is not required to be, in the presence of the student's parent.

Cases of active head lice will be recorded by the school nurse for the purpose of tracking incident rates and mandatory reporting of outbreaks will be done according to the New Jersey Department of Health criteria for reporting outbreaks.

Adopted: 25 October 2018



# POLICY

## WEYMOUTH TOWNSHIP BOARD OF EDUCATION

OPERATIONS

8461/page 1 of 3

Reporting Violence, Vandalism, Harassment, Intimidation,  
Bullying, Alcohol, and Other Drug Offenses

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### 8461 REPORTING VIOLENCE, VANDALISM, HARASSMENT, INTIMIDATION, BULLYING, ALCOHOL, AND OTHER DRUG OFFENSES

The Board of Education shall observe "School Violence Awareness Week" during the week beginning with the third Monday in October of each year by organizing activities to prevent school violence. Activities shall include, but are not limited to, age-appropriate opportunities for student discussion on conflict resolution, issues of student diversity, and tolerance. The Board shall invite law enforcement personnel to join members of the teaching staff in the discussions and provide programs for school employees that are designed to help them recognize warning signs of school violence and to instruct them on recommended conduct during an incident of school violence. The Board of Education shall disseminate to students' parents an informational pamphlet prepared by the New Jersey Department of Education (NJDOE) on how a parent can limit a child's exposure to violence on television, cell phones, computers, and other electronic devices, on an annual basis pursuant to N.J.S.A. 18A:40-44.

In accordance with N.J.A.C. 6A:16-5.3 any school employee who observes or has direct knowledge from a participant or victim of an act of violence; including harassment, intimidation, and bullying; or the possession or distribution of alcohol or other drugs on school grounds, and any school employee who reports a student for being under the influence of alcohol or other drugs, according to the requirements of N.J.S.A. 18A:40A-12 and N.J.A.C. 6A:16-4.3, shall file a report describing the incident to the school Principal, in accordance with N.J.S.A. 18A:17-46. The report shall be on a form adopted by the Board to include all of the incident detail and offender and victim information that are reported on the Student Safety Data System (SSDS).

A report alleging an incident of harassment, intimidation, or bullying shall be made in accordance with the provisions of N.J.S.A. 18A:37-13.1 and Policy 5512.

The Building Principal, for each incident of violence; including harassment, intimidation, and bullying, vandalism, and alcohol and other drug offenses, shall review the incident report for accuracy; forward a copy of the incident report to the Superintendent; and notify the Superintendent of the action taken regarding the incident. The Board shall not discharge or subject to any manner of discrimination any school employee who files a report pursuant to N.J.A.C. 6A:16-5.3.

The majority representative of the school employees' bargaining units shall have access monthly to the number and disposition of all reported acts of school violence, including harassment, intimidation, and bullying, and vandalism, pursuant to N.J.S.A. 18A:17-46. Personally identifying information may be provided to the majority representative of the school employees' bargaining units only in instances when school administrators have reason to believe that the safety of a school staff member is at risk.



# POLICY

## WEYMOUTH TOWNSHIP BOARD OF EDUCATION

OPERATIONS  
8461/page 2 of 3

### Reporting Violence, Vandalism, Harassment, Intimidation, Bullying, Alcohol, and Other Drug Offenses

Twice each school year, once between September 1 and January 1 and once between January 1 and June 30, the Superintendent shall report to the Board at a public meeting all acts of violence, including harassment, intimidation, and bullying, vandalism, and alcohol and other drug offenses that occurred during the previous reporting period, according to the provisions of N.J.S.A. 18A:17-46 and N.J.A.C. 6A:16-5.3. The report shall include the number of reports of harassment, intimidation, or bullying, the status of all investigations, the nature of the bullying based on one of the protected categories identified in section 2 of P.L.2002, c.83 (C.18A:37-14), the names of the investigators, the type and nature of any discipline imposed on any student engaged in harassment, intimidation, or bullying, and any other measures imposed, training conducted, or programs implemented, to reduce harassment, intimidation, or bullying. The information shall also be reported once during each reporting period to the NJDOE. The report must include data broken down by the enumerated categories as listed in section 2 of P.L.2002, c.83 (C.18A:37-14), and data broken down by the school in the district, in addition to district-wide data. It shall be a violation to improperly release any confidential information not authorized by Federal or State law for public release.

The report shall be used to grade the school for the purpose of assessing its effort to implement policies and programs consistent with the provisions of P.L. 2002, c.83 (C.18A:37-13 et seq.). The district shall receive a grade determined by averaging the grades of all the schools in the district. The Commissioner shall promulgate guidelines for a program to grade schools for the purposes of N.J.S.A. 18A:17-46. The grade received by a school and the district shall be posted on the homepage of the school's website. The grade for the district and the school of the district shall be posted on the homepage of the district's website. A link to the report shall be available on the district's website. The information shall be posted on the websites within ten days of the receipt of a grade by the school and district.

Whenever it is alleged a school employee has knowingly falsified reported information on acts of violence or vandalism, or any incident included in the annual report on violence and vandalism required under N.J.S.A. 18A:17-46, the Board shall make a determination regarding whether the employee committed the act. The Board shall provide written notice of the allegations to the employee and the employee shall be entitled to a hearing before the Board in accordance with the provisions of N.J.A.C. 6A:16-5.3(f). Upon a determination by the Board that an employee has knowingly falsified reported information, the Board may take appropriate action.

The Board of Education shall submit and implement corrective action plans for high incidences of violence, vandalism, or alcohol or other drug abuse upon notification by the Commissioner of Education.



# POLICY

## WEYMOUTH TOWNSHIP BOARD OF EDUCATION

OPERATIONS

8461/page 3 of 3

Reporting Violence, Vandalism, Harassment, Intimidation,  
Bullying, Alcohol, and Other Drug Offenses

The Board shall provide ongoing staff training, in cooperation with the NJDOE, in fulfilling the reporting requirements of N.J.S.A. 18A:17-46.

N.J.S.A. 18A:17-46; 18A:36-5.1; 18A:40-44

N.J.A.C. 6A:16-5.2; 6A:16-5.3

Adopted: October 25, 2018  
Revised: September 19, 2019





OPERATIONS

8462/page 1 of 3

Reporting Potentially Missing or Abused Children

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### 8462 REPORTING POTENTIALLY MISSING OR ABUSED CHILDREN

The Board of Education recognizes early detection of missing, abused, or neglected children is important in protecting the health, safety, and welfare of all children. In recognition of the importance of early detection of missing, abused, or neglected children, the Board of Education adopts this Policy pursuant to the requirements of N.J.S.A. 18A:36-24 and 18A:36-25. The Board provides this Policy for its employees, volunteers, or interns for the early detection of missing, abused, or neglected children through notification of, reporting to, and cooperation with the appropriate law enforcement and child welfare authorities pursuant to N.J.S.A. 18A:36-24 and 18A:36-25 et seq., N.J.A.C. 6A:16-11.1, N.J.S.A. 9:6-8.10, and N.J.A.C. 6A:22-4.1(d).

Employees, volunteers, or interns working in the school district shall immediately notify designated child welfare authorities of incidents of alleged missing, abused, and/or neglected children. Reports of incidents of alleged missing, abused, or neglected children shall be reported to the New Jersey State Central Registry (SCR) at 1-877 NJ ABUSE or to any other telephone number designated by the appropriate child welfare authorities. If the child is in immediate danger a call shall be placed to 911 as well as to the SCR.

The school district shall prominently display information about the Department of Children and Families' State Central Registry, a toll-free hotline for reporting child abuse, in each school of the district. The information shall give instructions to call 911 for emergencies and shall include directions for accessing the Department of Children and Families' website or social media platforms for more information on reporting abuse, neglect, and exploitation.

The information shall be in a format and language that is clear, simple, and understandable. The information shall be on a poster and displayed at each school in at least one high-traffic, highly and clearly visible public area that is readily accessible to and widely used by students, pursuant to N.J.S.A. 18A:33.28.



### OPERATIONS

8462/page 2 of 3

#### Reporting Potentially Missing or Abused 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 official(s) prior to notifying designated child welfare authorities if the action will not delay immediate notification. The person notifying designated child welfare authorities shall inform the Principal or other designated school official(s) of the notification, if such had not occurred prior to the notification. Notice to the Principal or other designated school official(s) need not be given when the person believes that such notice would likely endanger the reporter or student involved or when the person believes that such disclosure would likely result in retaliation against the student or in discrimination against the reporter with respect to his or her employment.

The Principal or other designated school official(s) upon being notified by a person having reason to believe that a child may be missing or may have been abused or neglected, must notify appropriate law enforcement authorities. Notification to appropriate law enforcement authorities shall be made for all reports by employees, volunteers, or interns working in the school district. Confirmation by another person is not required for a school district employee, volunteer, or intern to report the suspected missing, abused, or neglected child situation.

School district officials will cooperate with designated child welfare and law enforcement authorities in all investigations of potentially missing, abused, or neglected children in accordance with the provisions of N.J.A.C. 6A:16-11.1(a)5.

The district designates Helene Fullmer as the school district's liaison to designated child welfare authorities to act as the primary contact person between the school district and child welfare authorities with regard to general information sharing and the development of mutual training and other cooperative efforts. The district designates the Superintendent or designee as the school district's liaison to law enforcement authorities to act as the primary contact person between the school district and law enforcement authorities, pursuant to N.J.A.C. 6A:16-6.2(b)1, consistent with the Memorandum of Agreement, pursuant to N.J.A.C. 6A:16-6.2(b)13.

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, including those rights defined in N.J.A.C. 6A:16-11.1(a)9.



# POLICY GUIDE

## WEYMOUTH TOWNSHIP BOARD OF EDUCATION

### OPERATIONS

8462/page 3 of 3

#### Reporting Potentially Missing or Abused Children

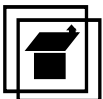
The Superintendent or designee shall provide training to school district employees, volunteers, or interns on the district's policy and procedures for reporting allegations of missing, abused, or neglected child situations. All new school district employees, volunteers, or interns working in the district shall receive the required information and training as part of their orientation.

There shall be no reprisal or retaliation against any person who, in good faith, reports or causes a report to be made of a potentially missing, abused, or neglected child situation pursuant to N.J.S.A. 9:6-8.13.

N.J.S.A. 18A:33-28; 18A:36-24; 18A:36-25 et seq.  
N.J.A.C. 6A:16-11.1

Adopted: 10/25/2018

Revised: 08/20/2020



### 8465 HATE CRIMES AND BIAS-RELATED ACTS

The Board of Education is committed to providing a safe and healthy environment for all children in the school district. Hate crimes and bias-related acts involving students can lead to further violence and retaliation. Hate crimes and bias-related acts, by their nature are confrontational, inflame tensions, and promote social hostility and will not be tolerated by the school district. The school district employees will work closely with local law enforcement and the county prosecutor's office to report or eliminate the commission of hate crimes and bias-related acts.

#### Definitions

A "hate crime" is any criminal offense where the person or persons committing the offense acted with a purpose to intimidate an individual or group of individuals because of race, color, disability, religion, sexual orientation, or ethnicity.

A "bias-related act" is an act directed at a person, group of persons, private property, or public property that is motivated in whole or part by racial, gender, disability, religion or sexual orientation, or ethnic prejudice. A bias-related act need not involve conduct that constitutes a criminal offense. All hate crimes are also bias-related acts, but not all bias-related acts will constitute a hate crime.

#### Required Actions

Whenever any school employee in the course of his/her employment develops reason to believe that (1) a hate crime has been committed or is about to be committed on school property, or has been or is about to be committed by any student, whether on or off school property and whether or not such offense was or is about to be committed during operating school hours, or (2) a student enrolled in the school has been or is about to become the victim of a hate crime, whether committed on or off school property or during operating school hours, the school employee shall immediately notify the Building Principal and Superintendent, who in turn shall notify the designated police department and Bias Investigation Officer for the county prosecutor's office. The Principal shall notify the designated police department and the county prosecutor's office immediately if there is reason to believe that a hate crime that involves an act of violence has been or is about to be physically committed against a student or there is otherwise reason to believe that a life has been or will be threatened.



Whenever any school employee in the course of his/her employment has reason to believe that a bias-related act has been committed or is about to be committed on school property, or has been or is about to be committed by any student, whether on or off school property and whether or not such bias-related act was or is to be committed during operating school hours, the school employee should immediately notify the Building Principal and Superintendent, who in turn should promptly notify the designated police department.

In deciding whether to refer the matter of a bias-related act to the designated police department or the county prosecutor's office, the Building Principal and the Superintendent, should consider the nature and seriousness of the conduct and the risk that the conduct posed to the health, safety and well-being of any student, school employee or member of the general public. The Building Principal and Superintendent should also consider the possibility that the suspected bias-related act could escalate or result in some form of retaliation which might occur within or outside school property.

It is understood a referral to the designated police department or county prosecutor's office is only a transmittal of information that might be pertinent to a law enforcement investigation and is not an accusation or formal charge.

Unless the designated police department or the county prosecutor's office request otherwise, the school district may continue to investigate a suspected hate crime or bias-related act occurring on school property and may take such actions as necessary and appropriate to redress and remediate any such acts.

School officials will secure and preserve any such graffiti or other evidence of a suspected hate crime or bias-related act pending the arrival of the designated police department or the county prosecutor's office. The school officials, when feasible, will cover or conceal such evidence until the arrival of the designated police department or county prosecutor's office.

N.J.A.C. 6A:16-6.1 et seq.; 6A:16-6.3(e)

State Memorandum of Agreement approved by the Department  
of Law & Public Safety and the Department of Education

Adopted: 25 October 2018



# POLICY GUIDE

## WEYMOUTH TOWNSHIP BOARD OF EDUCATION

OPERATIONS  
8467/page 1 of 4  
Firearms and Weapons  
June 24  
M

### 8467 FIREARMS AND WEAPONS

The Board of Education prohibits the possession, use, or exchange of any firearm or weapon in any school building, on school grounds, at any school-sponsored event, and on school sanctioned transportation except as the possession and use of a firearm or weapon is authorized by law and required in the performance of the possessor's duty.

For the purpose of this Policy, "weapon" means items enumerated in N.J.S.A. 2C:39-1(r), except a firearm as defined by N.J.S.A. 2C:39-1(f). For the purpose of this Policy, "firearm" means those items enumerated in N.J.S.A. 2C:39-1(f) and 18 USC §921.

Pursuant to N.J.A.C. 6A:16-6.3(b), whenever a school employee develops reason to believe a firearm, as defined in N.J.S.A. 2C:39-1(f) and 18 USC §921, or other deadly weapon, whether enumerated in N.J.S.A. 2C:39-1(r), except a firearm as defined in N.J.S.A. 2C:39-1(f) and 18 USC §921, has unlawfully been brought onto school grounds or a student or other person is in unlawful possession of a firearm or other deadly weapon on or off school grounds, or a student or other person has committed an offense with or while in possession of a firearm on or off school grounds or during school operating hours, the matter shall be reported as soon as possible to the Principal or designee, or in the absence of the Principal or designee, to the staff member responsible at the time of the alleged violation. Either the Principal or designee or the responsible staff member shall notify the Superintendent, who in turn shall notify as soon as possible the county prosecutor or other law enforcement official designated by the county prosecutor to receive such information. The Superintendent or designee shall provide to the county prosecutor or designee all known information concerning the matter, including the identity of the student or staff member involved.



# POLICY GUIDE

## WEYMOUTH TOWNSHIP BOARD OF EDUCATION

OPERATIONS  
8467/page 2 of 4  
Firearms and Weapons

The Principal or designee shall conduct an appropriate search in accordance with Policy 5770 – Student Right of Privacy and, if appropriate and feasible, confiscate any firearm or weapon discovered in the course of the search. The Principal or designee may summon the aid of law enforcement officials in the conduct of the search. Any school employee who confirms the presence of a firearm or weapon under circumstances that place persons at serious risk may confiscate the firearm or weapon immediately and may use such force as is reasonable and necessary to obtain possession.

Unless the firearm or weapon has been taken into custody by a law enforcement official, the Principal or designee shall immediately secure the confiscated firearm or weapon in a secure and locked location and report the presence of the firearm or weapon to the Superintendent. Pursuant to N.J.A.C. 6A:16-6.3(b), the Superintendent shall promptly notify local law enforcement that a firearm or weapon is present on school premises and request removal of the firearm or weapon by an authorized law enforcement official. The Superintendent shall obtain and file a receipt for any firearm or weapon removed by a law enforcement official.

Any student who possesses, uses, or exchanges a firearm or weapon in violation of this Policy shall be subject to stringent discipline. Any student or school employee who suspects or knows of the presence of a firearm or weapon in violation of this Policy and fails to report the same shall be subject to discipline. Pursuant to N.J.A.C. 6A:16-6.3(b), any person who possesses a firearm or weapon on school premises or school transportation or at a school-sponsored function shall be reported to the appropriate law enforcement agency.

The Board shall immediately remove a student who is convicted or adjudicated delinquent for possession of a firearm on school grounds; convicted or adjudicated delinquent for committing a crime while in possession of a firearm on school grounds; or found knowingly in possession



# POLICY GUIDE

## WEYMOUTH TOWNSHIP BOARD OF EDUCATION

OPERATIONS  
8467/page 3 of 4  
Firearms and Weapons

of a firearm on school grounds from the school's general education program for a period of not less than one calendar year, in accordance with N.J.A.C. 6A:16-5.5(a) and Policy and Regulation 5611 – Removal of Students for Firearms Offenses.

The Board shall immediately remove a student who commits an assault, as defined under N.J.S.A. 2C:12-1a(1), with a weapon, which includes, but is not limited to, items enumerated in N.J.S.A. 2C:39-1(r), except a firearm as defined by N.J.S.A. 2C:39-1(f) and 18 USC §921, upon a teacher, administrator, other school board employee, district Board of Education member, or another student on school grounds, pursuant to N.J.S.A. 18A:37-2.2 through 2.5, from the school's general education program for a period not exceeding one calendar year, in accordance with N.J.A.C. 6A:16-5.6(a) and (b) and Policy and Regulation 5613 – Removal of Students for Assaults with Weapons Offenses.

Students with disabilities violating the provisions of this Policy shall be addressed in accordance with the provisions of N.J.A.C. 6A:14-2.8.

Nothing in this Policy shall be construed to prohibit the reporting of a crime committed by a child with a disability to the appropriate law enforcement or judicial authorities, or to prevent such authorities from exercising their responsibilities with regard to the application of Federal or State law to crimes committed by a child with disabilities.





# POLICY GUIDE

## WEYMOUTH TOWNSHIP BOARD OF EDUCATION

OPERATIONS  
8467/page 4 of 4  
Firearms and Weapons

The procedures for removal from and return to the general education program of a student for firearms offenses and assaults with weapons offenses shall be in accordance with Policy and Regulation 5611 – Removal of Students for Firearms Offenses and Policy and Regulation 5613 – Removal of Students for Assaults with Weapons Offenses.

The Superintendent or designee shall prepare regulations to implement this Policy for the guidance of school staff in dealing with incidents involving firearms or weapons in the school district.

The school district's reporting requirements to law enforcement officials and the handling of firearms and weapons outlined in this Policy and Regulation 8467 and in accordance with N.J.A.C. 6A:16-3 and N.J.A.C. 6A:16-4 shall be in addition to any reporting and handling requirements included in the current Memorandum of Agreement Between Education and Law Enforcement Officials.

N.J.S.A. 2C:12-1(a)1; 2C:39-1; 2C:58-6.1; 2C:58-15

N.J.S.A. 18A:6-1; 18A:37-2.2; 18A:37-2.3; 18A:37-2.4; 18A:37-2.5

N.J.S.A. 23:4-16

N.J.A.C. 6A:14-2.8 et seq.; 6A:16-5.5; 6A:16-5.6; 6A:16-6.3; 6A:16-6.4

Chapters 127 and 128 of 1995, The Zero Tolerance for Guns Act

18 USC 921

20 USC 1415

Adopted: October 25, 2018

Revised: October 17, 2024



# REGULATION GUIDE

WEYMOUTH TOWNSHIP  
BOARD OF EDUCATION

## OPERATIONS

R 8467/page 1 of 3  
Firearms and Weapons  
June 24  
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### R 8467 FIREARMS AND WEAPONS

#### A. Definitions – N.J.A.C. 6A:16-1.3

1. “Weapon” means items enumerated in N.J.S.A. 2C:39-1(r), except a firearm as defined by N.J.S.A. 2C:39-1(f).
2. “Firearm” means items enumerated in N.J.S.A. 2C:39-1(f) and 18 USC §921.
3. “School grounds” means and includes land, portions of land, structures, buildings, and vehicles, when used for the provision of academic or extracurricular programs sponsored by the school district or community provider. School grounds also includes school buses, school-sponsored functions, structures that support the buildings, such as school district wastewater treatment facilities; generating facilities; and other central service facilities including, but not limited to, kitchens and maintenance shops. School grounds also includes other facilities as defined in N.J.A.C. 6A:26-1.2, playgrounds, and recreational places owned by municipalities, private entities, or other individuals during times when the school district has exclusive use of a portion of the land.

#### B. Reporting to Law Enforcement – N.J.A.C. 6A:16-6.3

1. Whenever a school employee develops reason to believe a firearm, as defined in N.J.S.A. 2C:39-1(f) and 18 USC §921, or other deadly weapon, whether enumerated in N.J.S.A. 2C:39-1(r), except a firearm as defined by N.J.S.A. 2C:39-1(f) and 18 USC §921, has unlawfully been brought onto school grounds or a student or other person is in unlawful possession of a firearm or other deadly weapon on or off school grounds, or a student or other person has committed an offense with or while in possession of a firearm on or off school grounds or during school operating hours, the matter shall be reported as soon as possible to the Principal or designee, or in the absence of the Principal or designee, to the staff member responsible at the time of the alleged violation.



OPERATIONS  
R 8467/page 2 of 3  
Firearms and Weapons

- a. Either the Principal or designee or the responsible staff member shall notify the Superintendent, who in turn shall notify as soon as possible the county prosecutor or other law enforcement official designated by the county prosecutor to receive such information.
- b. The Superintendent or designee shall provide to the county prosecutor or designee all known information concerning the matter, including the identity of the student or staff member involved.
- c. All incidents shall be reported under N.J.A.C. 6A:16-6.3 utilizing the Student Safety Data System, pursuant to N.J.A.C. 6A:16-5.3(e)1, where appropriate.

C. Handling of Firearms and Dangerous Weapons – N.J.A.C. 6A:16-6.4

1. In accordance with N.J.A.C. 6A:16-6.4(b), whenever a school employee seizes or comes upon a firearm or dangerous weapon, school officials shall:
  - a. In the case of a firearm, immediately advise the county prosecutor or appropriate law enforcement official, and secure the firearm pending the response by law enforcement to retrieve and take custody of the firearm; and
  - b. In the case of a dangerous weapon other than a firearm, immediately advise the county prosecutor or appropriate law enforcement official, and secure the dangerous weapon pending the response by law enforcement to retrieve and take custody of the dangerous weapon.
2. School employees in custody of a firearm or dangerous weapon shall take reasonable precautions, according to Board procedures, to prevent the theft, destruction, or unlawful use of the firearm or dangerous weapon by any person, pursuant to N.J.A.C. 6A:16-6.4(c).



# REGULATION GUIDE

WEYMOUTH TOWNSHIP  
BOARD OF EDUCATION

## OPERATIONS

R 8467/page 3 of 3  
Firearms and Weapons

- a. The Principal shall place the firearm or dangerous weapon in a secure and locked location.
  - b. In the event any person other than the Principal is permitted access to the firearm or dangerous weapon prior to its retrieval by a law enforcement official, that person shall enter their name and signature on the record along with the time and date of inspection and the reason for the access. Access to the firearm or dangerous weapon will be permitted only in the presence of the Principal.
  - c. The law enforcement official who takes custody of the firearm or dangerous weapon shall be required to sign and date the record to indicate their receipt of the firearm or dangerous weapon.
3. The Principal shall provide to the law enforcement official who takes custody of the firearm or dangerous weapon:
    - a. All information concerning the manner in which the firearm or dangerous weapon was confiscated;
    - b. The identity of all persons who had custody of the firearm or dangerous weapon following its confiscation; and
    - c. The identity of any student or staff member believed to have been in possession of the firearm or dangerous weapon.
  4. Any person employed or engaged in a school or educational institution may, within the scope of their employment, use and apply such amounts of force as is reasonable or necessary to obtain possession of weapons or other dangerous objects upon the person or within the control of a student, pursuant to N.J.S.A. 18A:6-1.

Adopted: October 25, 2018

Revised: October 17, 2024



### 8468 CRISIS RESPONSE

The Board of Education recognizes its responsibility to be prepared to confront circumstances in which the physical and/or mental well-being of students, staff and other individuals on school grounds is threatened or overtly impacted upon by an individual or group of individuals. Situations at issue include, but are not limited to, acts of terrorism, hostage situations and other threats or acts of a violent nature. The Board further recognizes there is a need to deal with the aftermath of such events and circumstances, and to contend with the psychological trauma, pain and confusion which may ensue as the result of these events.

The Board establishes through the person of the Superintendent or his/her designee, a Crisis Team whose responsibility it shall be to act:

1. As a source of information;
2. As a vehicle through which direct services may be delivered;
3. In an advisory capacity to the Superintendent, or his/her designee, and/or other agents or agencies dealing with the crisis situation.

The Crisis Team may consist of the following membership:

1. The Superintendent, or his/her designee;
2. An administrator;
3. A Child Study Team member;
4. Teacher representative(s);
5. School Nurse; and
6. Others as deemed appropriate to the function of the Crisis Team; e.g., a fire department representative, EMT specialist, other school or community representatives.

The Crisis Team shall be convened at least on an annual basis:

1. To review established policy and procedures;
2. To orient new members as to their responsibilities;
3. To maintain and reinforce lines of communication between the various disciplines and specialists who make up the Crisis Team.

Adopted: 25 October 2018



### 8470 RESPONSE TO CONCERTED JOB ACTION

In the event of an emergency brought about by a job action, including a strike, by any employee group, it shall be the policy of the Board of Education to make every effort to keep schools open and to carry out its obligation under New Jersey State law; Title 18A, to educate the children of the community.

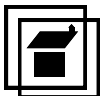
Since there is no authorization in law for job actions, and since actions are constitutionally prohibited, including strikes, by public employees, it shall be the policy of the Board, in the event of any job action, including a strike or any other act that withholds employee services from the Board, to take appropriate legal action to deal with such a matter.

In emergency situations under this Policy, all usual policy adoption procedures shall be suspended for the duration of the emergency, and the Board may adopt policies on first reading to enable the Board to maintain operation of the schools and the safety and welfare of the community, students and employees.

The Superintendent or his/her designee shall have the authority to take such immediate emergency steps as he/she deems necessary to ensure the safety and well being of students and employees and to protect the property of the district.

N.J.S.A. 18A:11-1

Adopted: 25 October 2018



### 8505 LOCAL WELLNESS POLICY/NUTRIENT STANDARDS FOR MEALS AND OTHER FOODS

The Board of Education recognizes child and adolescent obesity has become a major health concern in the United States. The Healthy, Hunger Free Kids Act of 2010 (HHFKA), funds child nutrition programs and establishes required nutrition standards for school lunch and breakfast programs. In accordance with the requirements of the HHFKA the school of this district shall implement this Wellness Policy that includes goals for nutrition promotion, nutrition education, physical activity, and other school-based activities that promote student wellness.

The Principal or a School Wellness Policy Coordinator designated by the Principal will be responsible to ensure the school complies with the requirements in this Policy. The Superintendent will designate a District Wellness Policy Coordinator who will have the authority and responsibility to ensure the school of this district complies with the requirements outlined in this Policy.

#### A. Wellness Policy Goals

The goals as outlined below shall apply to the school of this district.

1. Goals for Nutrition Promotion – The following activities will be coordinated in the district:
  - a. Age-appropriate posters will be posted on the walls where food and beverages are served to students highlighting and encouraging the value of good nutrition.
  - b. The school lunch program will have promotional days during the school year where at least one new nutritional alternative menu item will be featured as part of the menu pattern meal component. The food service staff members will promote this nutritional alternative during meal service with posters, flyers, and/or hand-outs regarding the nutritional menu item alternative.
  - c. The Principal or School Wellness Policy Coordinator will encourage food products that meet the nutrition standards of the HHFKA when used as an incentive or reward for student accomplishments, club or activity achievements, and/or success in competitions within the school.



# POLICY

## WEYMOUTH TOWNSHIP BOARD OF EDUCATION

OPERATIONS

8505/page 2 of 8

Local Wellness Policy/Nutrient Standards for  
Meals and Other Foods

- d. Food service staff, in consultation with the Principal or School Wellness Policy Coordinator, will coordinate obtaining student input on menu planning that will include taste testing of new nutritional food, satisfaction surveys, and other activities that will promote nutrition awareness.
  - e. Food service staff will place the healthier food items in the service line where students are more likely to choose them.
  - f. Parents will be provided the nutritional standards of the HHFKA and encourage parents to pack lunches and snacks that meet the HHFKA nutritional standards.
2. Goals for Nutrition Education – The following activities will be coordinated in the district:
- a. The Principal or School Wellness Policy Coordinator will ensure each student receives at least one presentation per school year that promotes good nutrition and nutrition education. These presentations may be provided through classroom visits from school staff members trained in nutrition, school-wide or group assembly programs, during health/physical education classes during the school year, or any other presentation manner. This requirement may be provided as part of nutrition education provided to students as part of the district's curriculum.
  - b. The Principal or School Wellness Policy Coordinator will post the nutritional guidelines of the HHFKA in the area of the school building where food and beverages are served.
  - c. The school lunch menu will include nutritional information, activities, recipes, and/or any other information that encourages the selection of healthy food items and for students to make informed choices about nutrition, health, and physical activity.
3. Goals for Physical Activity
- a. The following activities will be coordinated in each elementary school in the district:





# POLICY

## WEYMOUTH TOWNSHIP BOARD OF EDUCATION

OPERATIONS

8505/page 3 of 8

Local Wellness Policy/Nutrient Standards for  
Meals and Other Foods

- (1) All students shall receive health/physical education under the supervision of a properly certified teaching staff member as required by the New Jersey Department of Education.
  - (2) The Principal or designee will ensure there is age-appropriate equipment and supplies available during recess time for students to participate in physical activities.
  - (3) Students will be encouraged by school staff members supervising student recess time to participate in some type of physical activity, which may include, but not be limited to: walking; playing games that require physical activity, such as kick ball, volleyball, baseball, basketball, etc.; rope jumping; and/or using playground equipment.
  - (4) The Principal will encourage classroom teachers to incorporate brief, physical activity breaks into the school day to establish an environment that promotes regular physical activity throughout the school day.
  - (5) The Principal or designee will coordinate special events that highlight physical activity, which may include field days, walk-a-thons, and activity tournaments or competitions. The Principal or designee may involve parents, community members, and students in the planning of these events.
- b. The following activities will be coordinated in each middle school in the district:
- (1) All students shall receive health/physical education under the supervision of a properly certified teaching staff member as required by the New Jersey Department of Education.
  - (2) The Board of Education may offer middle school students opportunities to participate in after-school intramural and/or interscholastic team activities coordinated and under the supervision of school staff members.



# POLICY

## WEYMOUTH TOWNSHIP BOARD OF EDUCATION

OPERATIONS

8505/page 4 of 8

Local Wellness Policy/Nutrient Standards for  
Meals and Other Foods

- (3) The Board of Education will support after-school activities and clubs where physical activity for students is included as a key component to the activity's or club's purpose. These clubs may include, but not be limited to, gardening clubs, walking clubs, and exercise classes.
4. Goals for Other School-Based Activities - The following activities will be coordinated in the district:
  - a. The district will establish a District Wellness Committee (DWC). The DWC will:
    - (1) Be comprised of a Principal, at least one health/physical education teacher, a school nurse, at least two parents, at least two students, at least one food service staff member representing all school levels in the district, and the District Wellness Policy Coordinator; and
    - (2) Meet at least two times per year to establish goals for and oversee school health and safety policies and programs, including development, implementation, and periodic review and update of the district-wide Wellness Policy.
  - b. The Principal or School Wellness Policy Coordinator will coordinate information being disseminated to students and parents promoting the school lunch program, nutrition, and nutrition education.
  - c. The school district will celebrate a School Wellness Week, as determined by the Superintendent, where schools will have special activities throughout the week to promote nutrition and physical activity. These special activities will be planned and coordinated by the Principal and/or School Wellness Policy Coordinator.
  - d. The Principal and/or School Wellness Policy Coordinator will encourage fund-raising activities that promote physical activity such as walk-a-thons, teacher-student activity competitions, family activity nights, and school dances.



# POLICY

## WEYMOUTH TOWNSHIP BOARD OF EDUCATION

OPERATIONS

8505/page 5 of 8

Local Wellness Policy/Nutrient Standards for  
Meals and Other Foods

5. Annual School Progress Report

- a. The goals for nutrition promotion, nutrition education, physical activity, and other school-based activities that promote student wellness shall be evaluated annually by the Principal or designee and the School Wellness Policy Coordinator in an Annual School Progress Report provided to the Superintendent before May 1.
- b. The Annual School Progress Report shall present the extent to which the school is in compliance with this Policy, the progress made in attaining the goals of this Policy, any recommended changes to this Policy, and an action plan for the following school year to achieve the school's annual goals and objectives.

6. Annual District Summary Progress Report

- a. Upon receiving the Annual School Progress Report from the school, the District Wellness Policy Coordinator will compile an Annual District Summary Progress Report to be presented to the Superintendent and Board of Education at a public meeting before May 30 of the current school year. The public will be provided an opportunity to review and comment on the Annual District Summary Progress Report at the Board meeting.
- b. Revisions to this Policy will be recommended by the Superintendent or designee to be approved by the Board of Education before September 30 of each school year.

7. Additional Wellness Policy Goals

- a. Nothing in this Policy shall prevent an individual school in the district from developing and implementing additional activities, approved by the Superintendent or designee, to those required in this Policy.

B. Nutrition Guidelines for All Foods and Beverages

1. The Board of Education requires the school in this district to comply with the Federal school meal nutrition standards and the Smart Snacks in accordance with the requirements HHFKA. The nutritional standards shall apply to all foods and beverages sold in the school in this district as part of the menu pattern meal, a la carte, in school stores, snack bars, or vending machines. The requirements for any food or beverages sold in schools must meet a range of calorie and nutrient requirements as outlined in the HHFKA and a smart snack calculator shall be on file in the school for each product sold.



# POLICY

## WEYMOUTH TOWNSHIP BOARD OF EDUCATION

### OPERATIONS

8505/page 6 of 8

#### Local Wellness Policy/Nutrient Standards for Meals and Other Foods

2. The school district will comply with the HHFKA beverage requirements and beverage portion requirements for each appropriate grade level. The school will make potable water available to children at no charge in the place where breakfast, lunch, and afterschool snacks are served during meal service.
3. On-campus fundraisers involving food or beverage items must meet the Smart Snack standards of the HHFKA. The nutrition standards of the HHFKA do not apply to non-school hours, weekends, and off-campus fundraising events. The United States Department of Agriculture defines school day as starting from midnight to thirty minutes after the end of the school day. Fundraisers involving the sale of food or beverages must be pre-approved by the Principal or designee and the District Wellness Policy Coordinator.
4. The Board of Education will permit food in the school that is not sold to students to be brought into school by parents, students, or staff members for classroom activities, parties, or snacks, or other food provided to students as an incentive. Any occasion where food is brought into the school for such purposes must be approved by the Principal or designee, who will ensure safeguards are in place to protect students who may have a food or related allergy.

#### C. District Coordinator

1. The District Wellness Policy Coordinator shall be available to consult with school-based administrators, staff members, and the School Wellness Policy Coordinator(s) on the district's Wellness Policy.
2. The District Wellness Policy Coordinator shall also be responsible to ensure parents, students, representatives of the school food authority, teachers of physical education, school health professionals, the Board of Education, school administrators, and the general public are permitted to participate in the development, implementation, review, and update of this Wellness Policy.
3. The District Wellness Policy Coordinator shall be responsible to inform and update the public (including parents, students, and others in the community) about the content, implementation, updates and implementation status of the district's Wellness Policy through the district's website, school publications, and/or other school communications made available to the public.



# POLICY

## WEYMOUTH TOWNSHIP BOARD OF EDUCATION

OPERATIONS

8505/page 7 of 8

Local Wellness Policy/Nutrient Standards for  
Meals and Other Foods

- a. The information and update shall provide as much information as possible about the school nutrition environment, including a summary of the events and activities related to the Wellness Policy implementation in the school district.

### D. Wellness Policy Assessment

1. The District Wellness Policy Coordinator will prepare an assessment of the district's Wellness Policy in accordance with the requirements of the United States and New Jersey Departments of Agriculture on the extent to which the school(s) in the district are in compliance with the district's Wellness Policy, the extent to which the district's Wellness Policy compares to model school wellness policies, and a description of the progress made in attaining the goals outlined in the district's Wellness Policy.
2. The District Wellness Policy Coordinator will present this assessment to the Board of Education at a public Board meeting, make such assessment available to the public, and recommend any updates to the Policy accordingly.

### E. Records

1. The District Wellness Policy Coordinator shall ensure records are maintained to document compliance with the requirements of the District Wellness Policy. Such records will include, but not be limited to:
  - a. The Board-approved Wellness Policy;
  - b. Documentation demonstrating the Policy has been made available to the public;
  - c. Documentation of the efforts made in the school district to review and update the Policy;
  - d. Documentation demonstrating compliance with the annual public notification requirements;
  - e. Documentation demonstrating the most recent assessment on Policy implementation; and
  - f. Documentation demonstrating the most recent assessment on the implementation of the School Wellness Policy has been made available to the public.



# POLICY

## WEYMOUTH TOWNSHIP BOARD OF EDUCATION

OPERATIONS

8505/page 8 of 8

Local Wellness Policy/Nutrient Standards for  
Meals and Other Foods

F. Publication/Dissemination

This Policy and Assessment will be made available to staff members, students, and parents by being posted on the school district and/or school websites.

The Healthy, Hunger-Free Kids Act of 2010

Adopted: 25 October 2018



### 8506 SCHOOL LUNCH PROGRAM BIOSECURITY PLAN

The Board of Education is committed to protecting the health of the children and adults in the school building by strengthening the safety of foodservice operations. Therefore, the Board requires the creation and implementation of a School Lunch Program Biosecurity Plan that will keep school meals free from intentional contamination and enable the foodservice to respond to threats or incidents of bioterrorism.

The School Lunch Program Biosecurity Plan shall be a document that spells out school lunch program policies and procedures that minimize the risk of intentional contamination of food and reduce the risk of illness or death in the school community. The Plan shall describe strategies for preventing threats and incidents of product tampering and food contamination. The Plan shall also include appropriate response actions to be taken should an incident occur. There may be a general Plan for the school; however, the Plan will address the specific roles and responsibilities for the school or locations where food is served.

The School Lunch Program Biosecurity Plan shall be prepared, revised, and updated in accordance with the requirements of N.J.A.C. 2:36-1.13 - Biosecurity for School Food Service and the U.S. Department of Agriculture, "A Biosecurity Checklist for School Food Service Programs," March 2004 version, as amended and supplemented, as New Jersey's Biosecurity Policy for Child Nutrition Programs.

N.J.A.C. 2:36-1.13

Adopted: 25 October 2018



### 8507 BREAKFAST OFFER VERSUS SERVE (OVS)

The Board of Education, to be in compliance with the Healthy Hunger Free Kids Act (HHFKA) of 2010, adopts this Offer Versus Serve (OVS) Policy. Offer Versus Serve is a Policy for Federally reimbursable meals that allows students to decline a certain number of food components in the meal to reduce plate waste and food cost. Board of Education approval to implement a Breakfast OVS Policy is optional at all grade levels. The provisions of the Breakfast OVS Policy shall be in accordance with the requirements of the HHFKA of 2010.

A school breakfast eligible for Federal reimbursement shall offer four food items from the three food components in the appropriate amounts per grade grouping:

- Fruit (including optional vegetable)
- Grains (including optional meat/meat alternate)
- Milk

Students are allowed to decline one of the four food items offered, but must select at least a half cup of either fruit or half cup of vegetable or half cup of a fruit/vegetable combination.

After taking the half cup fruit or half cup of vegetable or half cup of a fruit/vegetable combination, students must select at least two additional food items in the full amounts (per grade group requirements) to count toward the reimbursable offer versus serve meal.

A student's decision to accept all four food items or to decline one food item shall not affect the price charged for the meal as the breakfast is priced as a unit. If students do not choose enough food items to comprise a reimbursable meal, a la carte prices will be charged.

School staff members cannot make exceptions to the Policy, such as requiring every student to take a particular food component. It is the student's choice to select any three or all four food items of the reimbursable meal.

A school implementing this OVS Policy, school food service staff members will be trained annually on the provisions of the district's Breakfast OVS Policy.

Breakfast OVS will be implemented in the district.

Adopted: 25 October 2018





### 8508 LUNCH OFFER VERSUS SERVE (OVS)

The Board of Education, to be in compliance with the Healthy Hunger Free Kids Act (HHFKA) of 2010, adopts this Offer Versus Serve (OVS) Policy. Offer Versus Serve is a Policy for Federally reimbursable meals that allows students to decline a certain number of food components in the meal to reduce plate waste and food cost. Board of Education approval to implement a Lunch OVS Policy is required at the high school level and is optional at all other grade levels. The provisions of the Lunch OVS Policy shall be in accordance with the requirements of the HHFKA of 2010.

A school lunch eligible for Federal reimbursement shall offer five food components in the appropriate amounts per grade grouping:

- Fruit;
- Vegetable;
- Milk;
- Grain; and
- Meat/Meat Alternate.

Students are allowed to decline two of the five required food components, but must select at least a half cup of either fruit (or fruit combination) or a half cup of vegetable (or vegetable combination) or half cup of a fruit/vegetable combination.

After selecting the half cup fruit or vegetable requirement, students must select at least two additional full components in the full amounts (per age/grade grouping required amounts) to count toward the reimbursable offer versus serve meal.

The student's decision to accept all five food components or to decline two food components shall not affect the price charged for the meal as the lunch is priced as a unit. If students do not choose enough food items to comprise a reimbursable meal, a la carte prices will be charged.

School staff members cannot make exceptions to the Policy, such as requiring every child to take a particular food component. It is the student's choice to select any three, four, or all five components of the reimbursable meal.



The school implementing this Lunch OVS Policy, food service staff members will be trained annually on the provisions of the district's Lunch OVS Policy.

Lunch OVS will be implemented in the district.

Adopted: 25 October 2018



### 8540 SCHOOL NUTRITION PROGRAMS

The Board of Education recognizes the importance of a child receiving a nutritious, well-balanced meal to promote sound eating habits, to foster good health and academic achievement, and to reinforce the nutrition education taught in the classroom. Therefore, the Board of Education may participate in the school nutrition programs of the New Jersey Department of Agriculture in accordance with the eligibility criteria of the program. These programs may include the National School Lunch Program, the School Breakfast Program, the After-School Snack Program, and the Special Milk Program.

The Board of Education shall sign an Agreement with the Division of Food and Nutrition, School Nutrition Programs, New Jersey Department of Agriculture for every school nutrition program operated within the school district. Any child nutrition program operated within the school district shall be operated in accordance with the provisions of the Agreement and all the requirements of the program.

Students may be eligible for free or reduced pricing in accordance with the requirements of the program operating in the school district. Prices charged to paying children shall be established by the Board of Education, but must be within the maximum prices established by the Division of Food and Nutrition, School Nutrition Programs, New Jersey Department of Agriculture. Prices charged to adults shall be in accordance with the requirements of the program.

The Superintendent or designee shall annually notify parents of all children in the school district of the availability, eligibility requirements, and application procedures for free or reduced price meals or free milk in accordance with the notification requirements and procedures of the Division of Food and Nutrition, School Nutrition Programs, New Jersey Department of Agriculture.

The Superintendent will designate in the annual notification to parents, the person who will determine, in accordance with standards issued by the Division of Food and Nutrition, School Nutrition Programs, New Jersey Department of Agriculture, a student's eligibility for free or reduced price meals or free milk depending on the programs operated in the school district.

A parent may request a household application and instructions from the Principal of their child's school. A household application must be completed before eligibility is determined. Where necessary, the Principal or designee shall assist the applicant in the preparation of the household application.



Applications shall be reviewed in a timely manner. An eligibility determination will be made, the family will be notified of its status, and the status will be implemented as soon as possible within ten operating days of the receipt of the completed application. Any student found eligible shall be offered free or reduced price meals or free milk immediately upon the establishment of his/her eligibility and shall continue to receive such meals during the pendency of any inquiry regarding his/her eligibility in accordance with the requirements of the Division of Food and Nutrition, School Nutrition Programs, New Jersey Department of Agriculture. Carry-over of previous year's eligibility for students shall be in accordance with the requirements of the Division of Food and Nutrition, School Nutrition Programs, New Jersey Department of Agriculture.

A denial of eligibility for free or reduced price meals or free milk shall be in writing and shall include the reasons for which eligibility was denied, notice of the parent's right to appeal the denial, the procedures for an appeal, and a statement reminding parents that they may reapply at any time during the school year. Appeal procedures shall include: a hearing, if requested by the parent, held with reasonable promptness and convenience of the parent before a hearing officer other than the school official who denied the application; the parent's opportunity to be represented by counsel; a decision rendered promptly and in writing; and an opportunity to appeal the decision of the hearing officer to the School Business Administrator/Board Secretary. The appeal hearing will be conducted in accordance with the provisions as outlined by the Division of Food and Nutrition, School Nutrition Programs, New Jersey Department of Agriculture.

There shall be no overt identification of any child(ren) who may be eligible to receive free or reduced price school meals or free milk. The identity of students who receive free or reduced price meals will be protected. Eligible students shall not be required to work in consideration for receiving such meals or milk. Eligible children shall not be required to use a separate dining area, go through a separate serving line, enter the dining area through a separate entrance, or consume their meals or milk at a different time. A student's eligibility status will not be disclosed at any point in the process of providing free or reduced price meals or free milk in accordance with the requirements of the Division of Food and Nutrition, School Nutrition Programs, New Jersey Department of Agriculture.

The School Business Administrator/Board Secretary or designee will verify applications of those eligible for free or reduced price meals in accordance with the requirements of the, Division of Food and Nutrition, School Nutrition Programs, New Jersey Department of Agriculture.



The Board of Education will comply with all the requirements of the Division of Food and Nutrition, School Nutrition Programs, New Jersey Department of Agriculture Local Education Agency (LEA) Agreement and all requirements outlined in the School Nutrition Electronic Application Reimbursement System (SNEARS).

7 C.F.R. 210.1 et seq.  
N.J.S.A. 18A:33-5; 18A:58-7.2  
N.J.A.C. 2:36

Adopted: 25 October 2018



### 8550 UNPAID MEAL CHARGES/OUTSTANDING FOOD SERVICE CHARGES

While the Board of Education understands that there may be occasions when students fail to bring the required lunch money to school, the cafeteria personnel are not empowered to extend unlimited credit to students. In the event that a student does not bring money to purchase lunch, the following procedures will be followed:

- **First Occurrence:** Lunch will be provided and the student will be reminded that he/she must bring lunch or lunch money to school. The student will be advised that he/she is expected to bring payment for the charged lunch the following day.
- **Second Occurrence:** Lunch will be provided and a note will be sent home by the cafeteria manager indicating that lunch or lunch money must be brought to school every day and that students will be allowed to receive a regular lunch on credit only twice. The note will also state that payment must be made the next day for the charged lunches.
- **Third or More Occurrences:** Students will receive a substitute lunch consisting of a nutritious alternate meal.
- If charges have not been paid after the third charged meal, a letter will be mailed to the student's parents from the cafeteria manager indicating that lunch or lunch money must be brought to school every day and that the student has received two regular lunches on credit. The letter will list the amount due and state that payment must be made the next day for the charged lunches and that failure to pay for school lunches may result in court action taken by the district against the parents.
- The district may initiate legal action against parents three weeks after the written notification of charges in excess of \$50. The parents will be responsible for the lunch charges and applicable court expenses after legal papers are filed.
- Students may not charge snacks at any time.
- All charged lunches must be paid prior to receiving the regular school lunch.

Students charging lunch may be asked to stand at the end of the serving line in order to keep the line moving quickly, and to provide time for the cashier to complete any forms required to prepare a record of students charging lunch.



### Unpaid Meal Charges/Outstanding Food Service Charges

#### Procedures

In accordance with the provisions of State law, if any money is owed for a student's school meals, the designated administrator shall contact the student's parent and provide notice of the debt before discontinuing meal service.

The designated administrator shall allow a period of ten school days for the parent to pay the amount due.

If the parent does not make full payment by the end of the ten school days, a second letter will be sent by the designated administrator, stating that the student will not be served a school meal beginning five school days from the date of the second notice, unless payment is made in full.

Students may receive an alternate meal during the period that regular meals have been suspended. This alternative meal shall provide adequate nutritional-benefits to the student and will be prepared in consideration of any food allergies the student may have.

Provided the designated administrator has sent the required letters to parents, as noted above, after three meal charges, students will not be permitted to participate in the school breakfast program until meal charges are paid in full.

Any and all payments submitted by parents to cover charged meals shall be accounted for by the designated employee.

#### Notification

A copy of this Policy shall be provided in writing to all households at the start of each school year and to households whose children transfer into the district during the school year. It is recommended that a copy of the policy be included in student handbooks and/or online. Multiple methods of communication with parents should be used whenever possible.

Additionally, all staff members shall be provided with a copy of this Policy to ensure proper enforcement.

The food service program will comply with all meal charge policy requirements of the United States and New Jersey Department of Agriculture and N.J.S.A. 18A:33-21.

N.J.S.A. 18A:33-21

United States Department of Agriculture SP 23-2017 – March 23, 2017

Adopted: 25 October 2018



# POLICY

## WEYMOUTH TOWNSHIP BOARD OF EDUCATION

OPERATIONS

8561/page 1 of 13

Procurement Procedures for School Nutrition Programs  
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**[SCHOOL DISTRICTS NOT PARTICIPATING IN A UNITED STATES DEPARTMENT OF AGRICULTURE'S (USDA) SCHOOL NUTRITION PROGRAMS ARE NOT REQUIRED TO ADOPT POLICY 8561.]**

### 8561 PROCUREMENT PROCEDURES FOR SCHOOL NUTRITION PROGRAMS

The Board of Education adopts this Policy to identify their procurement plan for the United States Department of Agriculture's (USDA) School Nutrition Programs. School Nutrition Programs include, but are not limited to: the National School Lunch Program (NSLP); School Breakfast Program (SBP); Afterschool Snack Program (ASP); Special Milk Program (SMP); Fresh Fruit and Vegetable Program (FFVP); Seamless Summer Option (SSO) of the NSLP; Summer Food Service Program (SFSP); the At-Risk Afterschool Meals component of the Child and Adult Care Food Program (CACFP); and the Schools/Child Nutrition USDA Foods Program.

The Board of Education is ultimately responsible for ensuring all procurement procedures for any purchases by the Board of Education and/or a food service management company (FSMC) comply with all Federal regulations, including but not limited to: 7 CFR Parts 210, 220, 225, 226, 245, 250; 2 CFR 200; State procurement statutes and administrative codes and regulations; local Board of Education procurement policies; and any other applicable State and local laws.

The procurement procedures contained in this Policy will be implemented beginning immediately, until amended. All procurements must maximize full and open competition. Source documentation will be maintained by the School Business Administrator/Board Secretary or designee and will be available to determine open competition, the reasonableness, the allowability, and the allocation of costs.

The Board of Education intentionally seeks to prohibit conflicts of interest in all procurement of goods and services.

#### A. General Procurement

The procurement procedures will maximize full and open competition, transparency in transactions, comparability, and documentation of all procurement activities. The school district's plan for procuring items for use in the School Nutrition Programs is as follows:

1. The School Business Administrator/Board Secretary will ensure all purchases will be in accordance with the Federal Funds Procurement Method Selection Chart – State Agency Form #358 - Appendix. Formal procurement procedures will be





# POLICY

## WEYMOUTH TOWNSHIP BOARD OF EDUCATION

OPERATIONS

8561/page 2 of 13

### Procurement Procedures for School Nutrition Programs

used as required by 2 CFR 200.318 through .326 and any State and local procurement code and regulations. Informal procurement procedures (small purchase) will be required for purchases under the most restrictive small purchase threshold.

2. The following procedures will be used for all purchases:

Product/ Services	Estimated Dollar Amount	Procurement Method	Evaluation	Contract Award Type	Contract Duration/ Frequency

#### Micro-Purchases (2 CFR 200.67):

Non-Public Schools Only - Purchases of supplies or services, within the micro-purchase threshold (the aggregate amount does not exceed the Federal micro-purchase threshold as set by 48 CFR 2.101) will be awarded without soliciting competitive price quotations if the price is reasonable. Purchases will be distributed equitably among qualified suppliers with reasonable prices. Records will be kept for micro-purchases.

3. Formal bid procedures will be applied on the basis of:

#### [Choose one or more of the following:

- ☐ centralized system;
- ☐ individual school;
- ☐ multi-school system; and/or
- ☐ State contract.]

4. Because of the potential for purchasing more than public or non-public informal/small purchase threshold amount, or the Board approved threshold if less, it will be the responsibility of the School Business Administrator/Board Secretary to document the amounts to be purchased so the correct method of procurement will be followed.



### B. Formal Procurement

When a formal procurement method is required, the following competitive sealed bid or an Invitation for Bid (IFB) or competitive proposal in the form of a Request for Proposal (RFP) procedures will apply:

1. An announcement of an IFB or a RFP will be placed in the Board designated official newspaper to publicize the intent of the Board of Education to purchase needed items. The advertisement for bids/proposals or legal notice will be published in the official newspaper for at least one day in accordance with the provisions of N.J.S.A. 18A:18A-21.
2. An advertisement in the official newspaper for at least one day is required for all purchases over the school district's small purchase threshold as outlined in Appendix – Federal Funds Procurement Method Section Chart. The advertisement will contain the following:
  - a. A general description of items to be purchased;
  - b. The deadline for submission of questions and the date written responses will be provided, including addenda to bid specifications, terms, and conditions as needed;
  - c. The date of the pre-bid meeting, if provided, and if attendance is a requirement for bid award;
  - d. The deadline for submission of sealed bids or proposals; and
  - e. The address of the location where complete specifications and bid forms may be obtained.
3. In an IFB or RFP, each vendor will be given an opportunity to bid on the same specifications.
4. The developer of written specifications or descriptions for procurements will be prohibited from submitting bids or proposals for such products or services.
5. The IFB or RFP will clearly define the purchase conditions. The following list includes requirements, not exclusive, to be addressed in the procurement document:



# POLICY

## WEYMOUTH TOWNSHIP BOARD OF EDUCATION

OPERATIONS

8561/page 4 of 13

### Procurement Procedures for School Nutrition Programs

- a. Contract period;
- b. The Board of Education is responsible for all contracts awarded (statement);
- c. Date, time, and location of IFB/RFP opening;
- d. How the vendor is to be informed of bid acceptance or rejection;
- e. Delivery schedule;
- f. Requirements (terms and conditions) the bidder must fulfill in order for bid to be evaluated;
- g. Benefits to which the Board of Education will be entitled if the contractor cannot or will not perform as required;
- h. Statement assuring positive efforts will be made to involve minority and small business;
- i. Statement regarding the return of purchase incentives, discounts, rebates, and credits to the Board of Education's nonprofit school food service account;
- j. Contract provisions as required in Appendix II to 2 CFR 200;
- k. Contract provisions as required in 7 CFR 210.21(f) for all cost reimbursable contracts;
- l. Contract provisions as required in 7 CFR 210.16(a)(1-10) and 7 CFR 250.53 for food service management company contracts;
- m. Procuring instrument to be used are purchase orders from firm fixed prices after formal bidding;
- n. Price adjustment clause for renewal of multi-year contracts as defined in N.J.S.A. 18A:18A-42. The "index rate" means the annual percentage increase rounded to the nearest half percent in the implicit price deflator for State and local government purchases of goods and services computed and published quarterly by the U.S. Department of Commerce, Bureau of Economic Analysis;



### Procurement Procedures for School Nutrition Programs

- o. Method of evaluation and type of contract to be awarded (solicitations using an IFB are awarded to the lowest responsive and responsible bidder; solicitations using a RFP are awarded to the most advantageous bidder/offeror with price as the primary factor among factors considered);
- p. Method of award announcement and effective date (if intent to award is required by State or local procurement requirements);
- q. Specific bid protest procedures including contact information of person and address and the date by which a written protest must be received;
- r. Provision requiring access by duly authorized representatives of the Board of Education, New Jersey Department of Agriculture (NJDA), United States Department of Agriculture (USDA), or Comptroller General to any books, documents, papers, and records of the contractor which are directly pertinent to all negotiated contracts;
- s. Method of shipment or delivery upon contract award;
- t. Provision requiring contractor to maintain all required records for three years after final payment and all other pending matters (audits) are closed for all negotiated contracts;
- u. Description of process for enabling vendors to receive or pick up orders upon contract award;
- v. Provision requiring the contractor to recognize mandatory standards/policies related to energy efficiency contained in the Energy Policy and Conservation Act (PL 94-163);
- w. Signed statement of non-collusion;
- x. Signed Debarment/Suspension Certificate, clause in the contract or a copy of search results from the System for Award Management (SAM);
- y. Provision requiring "Buy American" as outlined in 7 CFR Part 210.21(d) and USDA Guidance Memo SP 38-2017; and
- z. Specifications and estimated quantities of products and services prepared by the school district and provided to potential contractors desiring to submit bids/proposals for the products or services requested.



6. If any potential vendor is in doubt as to the true meaning of specifications or purchase conditions, interpretation will be provided in writing to all potential bidders by the School Business Administrator/Board Secretary or designee and will specify the deadline for all questions.
  - a. The School Business Administrator/Board Secretary will be responsible for securing all bids or proposals.
  - b. The School Business Administrator/Board Secretary will be responsible to ensure all Board of Education procurements are conducted in compliance with applicable Federal, State, and local procurement regulations.
  - c. The following criteria will be used in awarding contracts as a result of bids/proposals. Price must be the highest weighted criteria. Examples of other possible criteria include quality, service, delivery, and availability.
7. In awarding a RFP, a set of award criteria in the form of a weighted evaluation sheet will be provided to each bidder in the initial bid document materials. Price alone is not the sole basis for award, but remains the primary consideration among all factors when awarding a contract. Following evaluation and negotiations, a firm fixed price or cost reimbursable contract is awarded.
  - a. The contracts will be awarded to the responsible bidder/proposer whose bid or proposal is responsive to the invitation and is most advantageous to the Board of Education, price as the primary, and other factors considered. Any and all bids or proposals may be rejected in accordance with the law.
  - b. The School Business Administrator/Board Secretary or designee is required to sign on the bid tabulation of competitive sealed bids or the evaluation criterion score sheet of competitive proposals signifying a review and approval of the selections.
  - c. The School Business Administrator/Board Secretary shall review the procurement system to ensure compliance with applicable laws.
  - d. The School Business Administrator/Board Secretary or designee will be responsible for documentation that the actual product specified was received.



- e. Any time an accepted item is not available, the School Business Administrator/Board Secretary will select the acceptable alternate. The contractor must inform the School Business Administrator/Board Secretary within one workday if a product is not available. In the event a nondomestic agricultural product is to be provided to the Board of Education, the contractor must obtain, in advance, written approval for the product. The School Business Administrator/Board Secretary must comply with the Buy American Provision.
- f. Full documentation regarding the reason an accepted item was unavailable, and the procedure used in determining acceptable alternates, will be available for audit and review. The person responsible for this documentation is the School Business Administrator/Board Secretary.
- g. The School Business Administrator/Board Secretary is responsible for maintaining all procurement documentation.

### C. Small Purchase Procedures

If the amount of purchases for items is less than the school district's small purchase threshold as outlined in the Federal Funds Procurement Method Selection Chart – See Appendix, the following small purchase procedures including quotes will be used. Quotes from a minimum number of three qualified sources will be required.

1. Written specifications will be prepared and provided to all vendors.
2. Each vendor will be contacted and given an opportunity to provide a price quote on the same specifications. A minimum of three vendors shall be contacted.
3. The School Business Administrator/Board Secretary or designee will be responsible for contacting potential vendors when price quotes are needed.
4. The price quotes will receive appropriate confidentiality before award.
5. Quotes/Bids will be awarded by the School Business Administrator/Board Secretary. Quotes/Bids will be awarded on the following criteria. Quote/Bid price must be the highest weighted criteria. Examples of other possible criteria include quality, service, delivery, and availability.



### Procurement Procedures for School Nutrition Programs

6. The School Business Administrator/Board Secretary will be responsible for documentation of records to show selection of vendor, reasons for selection, names of all vendors contacted, price quotes from each vendor, and written specifications.
7. The School Business Administrator/Board Secretary or designee will be responsible for documentation that the actual product specified is received.
8. Any time an accepted item is not available, the School Business Administrator/Board Secretary will select the acceptable alternate. Full documentation will be made available as to the selection of the acceptable item.
9. The School Business Administrator/Board Secretary or designee is required to sign all quote tabulations, signifying a review and approval of the selections.

#### D. Noncompetitive Proposal Procedures

If items are available only from a single source when the award of a contract is not feasible under small purchase, sealed bid or competitive negotiation, noncompetitive proposal procedures will be used:

1. Written specifications will be prepared and provided to the vendor.
2. The School Business Administrator/Board Secretary will be responsible for the documentation of records to fully explain the decision to use the noncompetitive proposal. The records will be available for audit and review.
3. The School Business Administrator/Board Secretary or designee will be responsible for documentation that the actual product or service specified was received.
4. The School Business Administrator/Board Secretary will be responsible for reviewing the procedures to be certain all requirements for using single source or noncompetitive proposals are met.
5. Non-Public Schools Only - The noncompetitive micro-purchase method shall be used for one-time purchases of a new food item if the amount is less than the Federal micro-purchase threshold (2 CFR 200.67) to determine food acceptance by students and provide samples for testing purposes. A record of noncompetitive negotiation purchase shall be maintained by the School Business Administrator/Board Secretary or designee. At a minimum, the record of noncompetitive purchases shall include: item name; dollar amount; vendor; and reason for noncompetitive procurement.



# POLICY

## WEYMOUTH TOWNSHIP BOARD OF EDUCATION

OPERATIONS

8561/page 9 of 13

### Procurement Procedures for School Nutrition Programs

6. A member or representative of the Board of Education will approve, in advance, all procurements that result from noncompetitive negotiations.

#### E. Miscellaneous Provisions

1. New product evaluation procedures will include a review of product labels and ingredients; an evaluation of the nutritional value; taste tests and surveys; and any other evaluations to ensure the new product would enhance the program.
2. The Board of Education agrees the reviewing official of each transaction will be the School Business Administrator/Board Secretary.
3. Payment will be made to the vendor when the contract has been met and verified and has met the Board of Education's procedures for payment. (If prompt payment is made, discounts, etc., are accepted.)
4. Specifications will be updated as needed.
5. If the product is not as specified, the following procedure, including, but not limited to, will take place: remove product from service; contact vendor for approved alternate product; or remove product from bid.

#### F. Emergency Purchases

1. If it is necessary to make a one-time emergency procurement to continue service or obtain goods, and the public exigency or emergency will not permit a delay resulting from a competitive solicitation, the purchase must be authorized using a purchase order signed by the School Business Administrator/Board Secretary. The emergency procedures to be followed for such purchases shall be those procedures used by the school district for other emergency purchases consistent with N.J.S.A. 18A:18A-7. All emergency procurements shall be approved by the School Business Administrator/Board Secretary. At a minimum, the following emergency procurement procedures shall be documented to include, but not be limited to: item name; dollar amount; vendor; and reason for emergency.

#### G. Purchasing Goods and Services – Cooperative Agreements, Agents, and Third-Party Services (Piggybacking)

1. When participating in intergovernmental and inter-agency agreements the Board of Education will ensure that competitive procurements are conducted in accordance with 2 CFR Part 200.318 through .326 and applicable program regulations and guidance.





2. When utilizing the services of a co-op, agent, or third party the Board of Education will ensure that the following conditions have been met:
  - a. All procurements were subject to full and open competition and were made in accordance with Federal/State/local procurement requirements;
  - b. The existing contract allows for the inclusion of additional Board of Educations that were not contemplated in the original procurement to purchase the same supplies/equipment through the original award;
  - c. The specifications in the existing contract meets their needs and that the items being ordered are in the contract;
  - d. The awarded contract requires all the Federally required certifications; e.g. Buy American, debarment, restrictions on lobbying, etc.;
  - e. The agency will confirm the addition of their purchasing power (goods or services) to the procurement in scope or services does not create a material change, resulting in the needs to re-bid the contract;
  - f. Administrative costs (fees) for participating in the agreement are adequately defined, necessary and reasonable, and the method of allocating the cost to the participating agencies must be specified;
  - g. The Buy American provisions are included in the procurement of food and agricultural products; and
  - h. The agreement includes the basis for and method of allocating each discount, rebate, or credit and how they will be returned to each participating agency when utilizing a cost-reimbursable contract.

### H. Records Retention

1. The Board of Education shall agree to retain all books, records, and other documents relative to the award of the contract for three years after final payment. If there are audit findings that have not been resolved, the records shall be retained beyond the three-year period as long as required for the resolution of the issues raised by the audit. Specifically, the Board of Education shall maintain, at a minimum, the following documents:



# POLICY

## WEYMOUTH TOWNSHIP BOARD OF EDUCATION

OPERATIONS

8561/page 11 of 13

### Procurement Procedures for School Nutrition Programs

- a. Written rationale for the method of procurement;
- b. A copy of the original solicitation;
- c. The selection of contract type;
- d. The bidding and negotiation history and working papers;
- e. The basis for contractor selection;
- f. Approval from the State agency to support a lack of competition when competitive bids or offers are not obtained;
- g. The basis for award cost or price;
- h. The terms and conditions of the contract;
- i. Any changes to the contract and negotiation history;
- j. Billing and payment records;
- k. A history of any contractor claims;
- l. A history of any contractor breaches; and
- m. Any other documents as required by N.J.S.A. 18A:18A – Public School Contracts Law.

#### I. Code of Conduct for Procurement

1. All procurements must ensure there is open and free competition and adhere to the most restrictive Federal, State, and local requirements. The Board of Education seeks to conduct all procurement procedures in compliance with stated regulations and to prohibit conflicts of interest and actions of employees engaged in the selection, award, and administration of contracts. All procurements will be in accordance with this Policy and all applicable provisions of N.J.S.A. 18A:18A – Public School Contracts Law.
2. No employee, officer, or agent may participate in the selection, award, or administration of a contract supported by a Federal, State, or local award if he or she has a real or apparent conflict of interest. Such a conflict of interest would arise when the employee, officer, or agent; any member of his or her immediate family, his or her partner; or an organization which employs or is about to employ any of the parties indicated herein has a financial or other interest in or a tangible personal benefit from a firm considered for a contract.



3. The officers, employees, and agents of the non-Federal entity may neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to subcontracts. However, non-Federal entities may set standards for situations in which the financial interest is not substantial or the gift is an unsolicited item of nominal value.
  4. The standards of conduct must provide for disciplinary actions to be applied for violations of such standards by officers, employees, or agents of the non-Federal entity. Based on the severity of the infraction, the penalties could include a written reprimand to their personnel file, a suspension with or without pay, or termination.
  5. All questions and concerns regarding procurement solicitations, contract evaluations, and contract award, shall be directed to the School Business Administrator/Board Secretary.
- J. Food Service Management Company (FSMC)
1. In the operation of the school district's food service program, the school district shall ensure that a FSMC complies with the requirements of the Program Agreement, the school district's Free and Reduced School Lunch Policy Statement, all applicable USDA program policies and regulations, and applicable State and local laws. In order to operate an a la carte food service program, the FSMC shall agree to offer free, reduced price, and full price reimbursable meals to all eligible children.
  2. The school district shall monitor the FSMC billing invoices to ensure compliance with Federal and State procurement regulations.
  3. In accordance with N.J.S.A. 18A:18A-5a.(22), RFPs are required in all solicitations for a FSMC.

N.J.S.A. 18A:18A – Public School Contracts Law  
New Jersey Department of Agriculture  
“Procurement Procedures for School Food  
Authorities” Model Policy – September 2018



# POLICY

## WEYMOUTH TOWNSHIP BOARD OF EDUCATION

OPERATIONS

8561/page 13 of 13

Procurement Procedures for School Nutrition Programs

### APPENDIX

FEDERAL FUNDS PROCUREMENT METHOD SELECTION CHART		
THERE ARE TWO (2) PROCUREMENT METHODS, FORMAL AND INFORMAL. THE METHOD THE SCHOOL FOOD AUTHORITIES (SFA) NEEDS TO USE DEPENDS ON TWO (2) FACTORS, THE AMOUNT OF THE CONTRACT AND WHETHER THE SFA IS A PUBLIC/CHARTER OR NON-PUBLIC SCHOOL.		
NEW JERSEY PUBLIC/CHARTER SCHOOLS PURCHASING THRESHOLDS		
AMOUNT	ACTIVITY	PROCUREMENT METHOD
INFORMAL PROCUREMENT		
Below \$4,350 without QPA	N.J.S.A 18A:18A-3	Sound Business Practice *
Below \$6,000 with QPA	APPLIES TO PURCHASES BELOW THE QUOTATION THRESHOLDS	
SMALL PURCHASE QUOTATION PROCEDURES		
\$4,351 OR \$6,001 up to \$29,000 or \$40,000	N.J.S.A. 18A:18A-37 ANY PURCHASE EXCEEDING QUOTATION THRESHOLDS REQUIRES A QUOTE UP TO THE APPLICABLE N.J.S.A. BID THRESHOLDS OF \$29,000 (without a QPA*) OR \$40,000 (with a QPA*)	Quotation using SFA Internal Procurement Procedures
NOTE: ANNUAL AGGREGATE AMOUNTS		
FORMAL PROCUREMENT		
\$29,000 or \$40,000 and above	N.J.S.A. 18A:18A-37 Bid Threshold without a QPA* - \$29,000 Bid Threshold with a QPA* - \$40,000	Bid - Invitation for Bid (IFB) OR Request for Proposal (RFP)
* QUALIFIED PURCHASING AGENT		
NEW JERSEY NON-PUBLIC SCHOOL PURCHASING THRESHOLDS		
AMOUNT	ACTIVITY	PROCUREMENT METHOD
INFORMAL PROCUREMENT		
Below \$10,000 *	Micro - purchases 2 CFR 200.320(a) Single Transaction aggregate cost less than \$10,000	Sound Business Practice *
* Or LESS than \$10,000 if local SFA Procurement Policies are more restrictive		
\$10,001 - \$249,999	Small purchase procedures 2 CFR 200.320(b)	Quotation using SFA Internal Procurement Procedures
FORMAL PROCUREMENT		
\$250,000 and above	As per Federal requirements in 2 CFR Parts 200.317 - 200.326	Bid - Invitation for Bid (IFB) OR Request for Proposal (RFP)

Note: The Federal Funds Procurement Method Selection Chart is subject to change in accordance with the schedule set forth in N.J.S.A. 18A:18A-3 "Public School Contracts Law". A "Qualified Purchasing Agent" must be qualified in accordance with N.J.S.A. 40A:11-9. In order to track updates to this Chart, the source document can be located on the New Jersey Department of Agriculture's website under "Forms and Publications" it is titled, "State Agency Form #358."

Adopted: October 25, 2018

Revised: September 19, 2019



### 8600 TRANSPORTATION

The Board of Education directs the Superintendent to supervise development of bus routes to provide safe, economical, and reasonable expeditious transportation for:

1. Students who live remote from the schoolhouse as defined by New Jersey law;
2. Educationally disabled students in accordance with their IEP;
3. Students participating in Board-approved extracurricular activities or field trips;
4. Students whose route to the school is deemed hazardous by the Board;
5. Other students as required by law.

The criteria to be used in designing routes and assigning students to them shall include:

1. The distance to be traveled to and from school;
2. The age and state of health of the child;
3. The requirements of the instructional program;
4. The hazards involved on the route to be traveled.

Transportation to and from school shall be provided as required by law to eligible nonpublic school students and to students attending charter schools. All students riding on district buses shall be required to observe the district's bus conduct regulations or risk loss of the privilege of such transportation.

On a space-available basis, the Board may transport both public and nonpublic students who live within statutory limits (courtesy busing). The Board or a cooperative transportation services agency may charge for this service. The charge shall be equitable and shall include, but not be limited to, the cost of fuel, driver salaries and insurance.



Buses, whether contracted or district-owned, shall be kept in optimum condition and shall conform to all State safety regulations.

Bus routes must be acted upon by the Board and submitted to the county office.

### **Unsafe Conditions**

It shall be the policy of the Board of Education that no transportation service shall be provided to any public or private schools to which resident students attend on such days as it is deemed unsafe to operate the district school due to inclement weather, unsafe road conditions, or other circumstances. It shall be the duty of the Superintendent to determine when these conditions exist.

### **Courtesy Transportation Along Hazardous Routes**

The Weymouth Township Board of Education is concerned with the safety of students who walk to and from school along roadways determined to be hazardous routes. The Superintendent shall work in conjunction with municipal officials to determine the criteria necessary for the classification of a hazardous route and shall maintain a list of all hazardous routes in the district. The Superintendent shall develop rules and regulations to supply courtesy transportation for students who must walk to and from school along routes designated by the Weymouth Township school District to be hazardous routes. The criteria used to determine hazardous routes may include but shall not be limited to the following:

1. Population density;
2. Traffic volume;
3. Average vehicle velocity;
4. Existence or absence of sufficient sidewalk space;
5. Roads and highways that are winding or have blind curves;
6. Roads or highways with steep inclines and declines;
7. Drop-offs that are close proximity to a sidewalk;
8. Bridges or overpasses that must be crossed to reach the school;
9. Train tracks or trestles that must be crossed to reach the school;
10. Busy roads and highways that must be crossed to reach the school.



Students who would otherwise be required to walk to and from school along routes designated as hazardous shall be included in the calculation of the district's regular vehicle capacity utilization.

### **Bus Procedures to Reduce the Spread of Contagion**

- A. To the maximum extent practicable, bus drivers will ensure that students and adults comply with appropriate social distancing practices (at least six feet between riders) while on the school bus. Hand sanitizer will be made available at the school bus entrance for use when boarding.
- B. Drivers should practice all safety actions and protocols as indicated for other staff, including hand hygiene and face coverings.
- C. Students must wear face coverings while riding on the bus if social distancing or physical barriers cannot be maintained. Accommodations for students who are unable to wear face coverings should be consistent with the student's IEP. For adults, accommodations shall be consistent with those provided by the school district for staff and others;
- D. Bus drivers will be reminded to implement certain personal hygiene actions (e.g., frequent hand washing) and be afforded the opportunity to do so (such as having sufficient time between routes);
- E. District vehicles will be cleaned and sanitized including seats, rails, and highly touch surfaces before each run.
- F. Contracted transportation providers shall be required to clean and sanitize seats, rails and highly touched surfaces before each run. The district shall collaborate with the contracted service provider to develop these procedures and ensure that they are consistently followed. The contracted service provider shall collaborate with the district in establishing cleaning/sanitation protocols that are consistent with social distancing practices. The contracted service provider shall ensure that employees are fully trained in the implementation of the established protocols:
- G. All personnel responsible for cleaning school buses shall document the cleaning/sanitizing measures taken. Personnel are required to:
  - 1. Demonstrate an understanding of the established protocols that must be taken to properly clean and sanitize the bus; and
  - 2. Provide a certification that, before the route commenced, the required process was completed as required.



- H. These procedures will include a minimum of two stages: cleaning, which removes dirt and germs from surfaces; and disinfecting, which kills germs on surfaces that remain after cleaning.
- I. The procedures will identify sanitizing agents that may be used and will be limited to products included on the U.S. Environmental Protection Agency's list of products that have been shown to be effective against COVID-19;

### **Waiver of Eligible Transportation Services**

Each school year a parent/guardian of a pupil who is eligible for transportation services under the law may sign a written statement waiving the pupil's right to those services. This written statement shall be in the form that is determined by the Department of Education.

If there is a case of a family or economic hardship during the school year in which the parent/guardian has waived the pupil's transportation service rights, the district will make provisions to provide transportation to the pupil during this hardship.

<u>N.J.S.A.</u> 18A:6-7.1	Criminal history record; employee in regular contact with pupils; grounds for disqualification from employment; exception
<u>N.J.S.A.</u> 18A:25-2	Authority over pupils
<u>N.J.S.A.</u> 18A:39-1 <u>et seq.</u>	Transportation of pupils remote from school <u>See particularly:</u>
<u>N.J.S.A.</u> 18A:39-17, -18, 19.1, -20	
<u>N.J.S.A.</u> 18A:39-19.2	Training program for school bus drivers, bus aides through <u>N.J.S.A.</u> 18A:39-19.4 relative to students with special needs
<u>N.J.S.A.</u> 18A:39-26	School Bus Safety Act
<u>N.J.S.A.</u> 18A:39-27	Bus Driver Presence Required
<u>N.J.S.A.</u> 18A:39-28	Inspection of School Bus for Pupils
<u>N.J.S.A.</u> 27:15-16	
<u>N.J.S.A.</u> 39:3-10.9 <u>et seq.</u>	New Jersey Commercial Driver License Act
<u>N.J.S.A.</u> 39:3B-1.1 <u>et seq.</u>	School Buses, Equipment and Regulations <u>See particularly:</u>
<u>N.J.S.A.</u> 39:3B-10 through -12	
<u>N.J.A.C.</u> 6A:27-1.1 <u>et seq.</u>	Student Transportation <u>See particularly:</u>
<u>N.J.A.C.</u> 6A:27-11.1, -11.2, -11.3, -11.4, -12.2, -13.3	

Adopted: 10/25/2018 Revised: 08/20/2020





### 8601 STUDENT SUPERVISION AFTER SCHOOL DISMISSAL

The Board of Education adopts this Student Supervision After School Dismissal Policy as a result of the New Jersey Supreme Court's decision in *Joseph Jerkins, an infant by his Guardian Ad Litem, Charles Jerkins; Charles Jerkins and Toni Jerkins, individually, v. Soweto Anderson; Kemba N. Anderson; John Does 1-10 (fictitious individuals) and ABC Corporations 1-10 (fictitious entities), and Board of Education of Pleasantville Public Schools and Rosemay Clarke*.

The Weymouth Township Board of Education shall provide transportation for all students attending the Weymouth Township School. Parents must provide written notification if their child will not be using the district provided transportation.

#### Supervision of Students During Dismissal

Dismissal will be supervised. District staff will be assigned to specific locations and given defined responsibilities to supervise student dismissal. Regular and early dismissal will be supervised according to the same protocol unless otherwise specified. The Superintendent is responsible for overseeing the development of protocols that are tailored to the age and needs of the students. At a minimum these protocols shall include:

1. Staff assigned to supervise dismissal, and their locations and responsibilities;
2. Where students will be retained awaiting appropriate escort and/or designated transportation;
3. Provisions for supervision when a parent/escort is unable to pick up their child at the appropriate dismissal time;
4. Location and presence of municipal crossing guards.

The Board of Education will review the dismissal procedures annually.

#### Supervision of Non-bused Students at Dismissal

The Board of Education shall require that the parent notify the school in advance of any arrangements for students requiring appropriate escort or designated transportation.

All documented arrangements will be considered permanent for the entire school year. Parents may alter arrangements upon prior written notification to the Superintendent or designee.



Parents leaving students at school that are to be escorted home will be reported to the proper authorities.

The Superintendent or designee is responsible for the collection of all dismissal arrangements requested by the parents. The Superintendent or designee is responsible for keeping a record of the dismissal arrangements and implementing the appropriate dismissal supervision in accommodation of these arrangements.

### Notification of Dismissal Protocols

The Superintendent or designee shall ensure that parents are notified of the following:

1. School calendar including school closure and early dismissal dates and times; and any adjustments to the calendar;
2. The school dismissal policy;
3. Dismissal protocol for all bused students, non-bused students and students in after-school programs or activities;
4. Supervision arrangements for students at dismissal;
5. Emergency plan for supervision of students left at school;
6. After school program opportunities;
7. Procedures for enrolling students in after school programs.

The parent is responsible for reviewing the school calendar and complying with all school dismissal times and procedures. It is the parent's responsibility to resume the custody of their child at the end of each school day.

The Superintendent will develop procedures:

1. For parents to receive the school calendar, including all school closure and early dismissal dates, and the school dismissal policy and procedures;
2. For parents to indicate and define the circumstances that the student is to be released from the school's care at dismissal;
3. For the collection and retention of all documents pertaining to receipt of calendar and escort/transportation arrangements.

Adopted: 25 October 2018



### 8613 WAIVER OF STUDENT TRANSPORTATION

The Board of Education is required to provide transportation services for the school year to an elementary student living more than two miles from the public school of attendance or to a secondary school student living more than two and one-half miles from the public school of attendance in accordance with the provisions of N.J.S.A. 18A:39-1 et seq.

The Board shall determine student transportation needs and approve student transportation routes based on all students eligible for transportation in accordance with the provisions of N.J.S.A. 18A:39-1 et seq. and any less than remote, courtesy busing, and/or hazardous route transportation determined by the Board of Education. However, while providing school bus seats for those students eligible for transportation each school year, the Board recognizes certain students eligible for transportation services voluntarily elect not to use the transportation services offered by the Board resulting in empty seats on school buses going to and from school. To assist the Board in operating the school district's transportation system in the most cost-effective manner, the Board may provide a student's parent/guardian the option of waiving transportation services for that school year in accordance with the provisions of N.J.S.A. 18A:39-1c. In the event the Board provides this option, a student's parent/guardian will be required to sign a written statement indicating the student waives transportation services for that school year. The written statement shall be in such form as determined by the New Jersey Department of Education.

In the event a parent/guardian of a student eligible for transportation services waives transportation services for that school year and circumstances change during that school year due to a family or economic hardship, the school district will reinstate the student's eligibility for transportation to and from school.

N.J.S.A. 18A:39-1; 18A:39-1c

Adopted: 25 October 2018



# POLICY GUIDE

## WEYMOUTH TOWNSHIP BOARD OF EDUCATION

OPERATIONS

8630/page 1 of 4

Bus Driver/Bus Aide Responsibility

Aug 19

M

### 8630 BUS DRIVER/BUS AIDE RESPONSIBILITY

The Board of Education requires all school bus drivers and bus aides employed by the district or employed by a contracted school bus company to be reliable persons of good moral character who possess the qualifications necessary to perform the duties of the position. Anyone driving a school bus used to transport students to and from school and school related activities must meet all requirements of N.J.S.A. 18A, N.J.A.C. 6A, and all New Jersey Motor Vehicle Commission (NJMVC) rules governing school bus drivers. All school bus drivers must possess the appropriate license and endorsement(s) to drive a school bus in the State of New Jersey and are subject to all the Federal and State requirements to maintain the appropriate license.

“Employer” for the purposes of this Policy and Regulation means a Board of Education or a contractor that provides student transportation services under contract with the Board of Education. In the event the school district employs school bus drivers and bus aides and/or uses a contractor for transportation services, the “employer” for school district employed school bus drivers and bus aides shall be the Board of Education and the “employer” for contracted school bus drivers and bus aides shall be the contractor that provides student transportation under contract with the Board of Education.

School bus drivers and bus aides shall meet criminal history background check requirements pursuant to N.J.S.A. 18A:6-7.1(c) and tuberculin testing requirements pursuant to applicable State statutes and administrative codes. School bus drivers and bus aides shall be considered under the Federal Family Educational Rights and Privacy Act (FERPA) to be school officials who have a legitimate educational interest to parts of a student’s record relating to transportation, without parental consent, as outlined in N.J.A.C. 6A:27-12.1(j)1.

In addition to the medical examination required of every holder of a special license issued for the transporting of children to and from schools pursuant to N.J.S.A. 39:3-10.1 et seq., any school bus driver who is seventy years of age or older shall annually furnish, to the employer for review by the NJMVC at the NJMVC’s biannual inspection, satisfactory evidence of continuing physical fitness in the form of a medical examination by a licensed medical doctor or licensed osteopathic physician. In addition, any school bus driver who is seventy-five years of age or older shall every six months furnish, to the employer for review by the NJMVC at the NJMVC’s biannual inspection, satisfactory evidence of continuing physical fitness in the form of a medical examination by a licensed



# POLICY GUIDE

## WEYMOUTH TOWNSHIP BOARD OF EDUCATION

### OPERATIONS

8630/page 2 of 4

#### Bus Driver/Bus Aide Responsibility

medical doctor or licensed osteopathic physician. In addition, any person applying for a special license and any person who is the holder of a special license for the transporting of children to and from schools, pursuant to N.J.S.A. 18A:39-1 et seq., shall comply with the provisions of Section 2 of N.J.S.A. 39:3-10.1a and Section 6 of N.J.S.A. 18A:39-19.1. The Chief Administrator of the NJMVC may suspend or revoke a license pursuant to N.J.S.A. 39:3-10.1.

All drivers of buses or other vehicles used by the Board for the transportation of students to and from school shall, in addition to any exam required by law, submit to a medical exam for the presence of alcohol, narcotics, or habit-producing drugs within the scope of the "New Jersey Controlled Dangerous Substances Act," (N.J.S.A. 24:21-1 et seq.).

All drivers of buses or other vehicles used by the Board for the transportation of students to and from school shall, in addition to any exam required by law, submit to a medical exam that includes hearing and visual acuity tests that are in accordance with the provisions of the "Motor Carrier Safety Improvement Act of 1999," 49 U.S.C. § 113.

A Commissioner of Education-developed training program on proper procedures for interacting with students with special needs shall be administered by the employer to all school bus drivers and bus aides in accordance with the requirements of N.J.S.A. 18A:39-19.2. This training program must be administered in accordance with the provisions of N.J.S.A. 18A:39-19.3.a. and all school bus drivers and bus aides must file a certification with their employer that the individual has completed the training program within five business days of its completion. The employer shall retain a copy of the certificate for the duration of the individual's employment and shall file a copy of the certification to the New Jersey Department of Education (NJDOE) in accordance with the provisions of N.J.S.A. 18A:39-19.3.b.

School bus drivers and bus aides shall receive training in the use of a student's educational records and in their responsibility to ensure the privacy of the student and his or her records N.J.A.C. 6A:27-12.1(j)2. In addition, permanent and substitute school bus drivers and bus aides shall be trained for the functions of their positions and in a safety education program as outlined in N.J.A.C. 6A:27-11.1 et seq.

In accordance with the provisions of N.J.S.A. 18A:39-28, school bus drivers must visually inspect the school bus they are assigned at the end of the transportation route to determine that no student has been left on the bus.



# POLICY GUIDE

## WEYMOUTH TOWNSHIP BOARD OF EDUCATION

### OPERATIONS

8630/page 3 of 4

#### Bus Driver/Bus Aide Responsibility

The school bus driver shall be in full charge of the school bus at all times and shall be responsible for maintaining order. The school bus driver will never exclude a student from the school bus, but if unable to manage a student, the school bus driver will report the unmanageable student to the Principal or designee of the school in which the student attends.

The Principal or designee, upon such report from the school bus driver, may assign appropriate discipline. The discipline may include excluding the student from the bus. The student's parent shall provide for the student's transportation to and from school during the time of exclusion.

Upon notification from the NJDOE that a school bus driver employed by the Board has had his or her bus driver's license suspended or revoked, the Board, within one business day of the notification, shall provide a statement to the NJDOE verifying that the school bus driver no longer operates a school bus for the Board in accordance with N.J.S.A. 18A:39-19.6.

In the event of an emergency, school bus drivers shall follow procedures established by this Board. School administrators shall organize and conduct emergency exit drills at least twice within the school year for all students who are transported to and from school. All other students shall receive school bus evacuation instruction at least once per year. School bus drivers and bus aides shall participate in the emergency exit drills, which shall be conducted on school property and shall be supervised by the Principal or person assigned to act in a supervisory capacity. Drills shall be documented in the minutes of the Board of Education at the first meeting following completion of the emergency exit drill in accordance with the provisions of N.J.A.C. 6A:27-11.2(d).

In accordance with the provisions of N.J.S.A. 18A:39-19.4, a Commissioner-developed student information card shall be completed by a parent of a student with an Individualized Education Plan (IEP), who receives transportation services, when the IEP is developed or amended. Upon receiving consent from the parent, the student information card shall be provided to a school bus driver and bus aide for each student on the bus route to which the school bus driver or bus aide is assigned for whom a student information card has been completed by the parent.

The school bus driver will immediately inform the Principal of the receiving school and the School Business Administrator or designee of the district providing the transportation following an accident that involves injury, death, or property damage. The school bus driver must also complete and file within ten



# POLICY GUIDE

## WEYMOUTH TOWNSHIP BOARD OF EDUCATION

### OPERATIONS

8630/page 4 of 4

#### Bus Driver/Bus Aide Responsibility

days of the accident the Preliminary School Bus Accident Report prescribed by the Commissioner of Education. In addition to the Preliminary School Bus Accident Report, the driver of a school bus involved in an accident resulting in injury or death of any person, or damage to property of any one person in excess of \$500, shall complete and file within ten days after such accident a motor vehicle accident report in accordance with N.J.S.A. 39:4-130.

School bus drivers are prohibited from using a cellular telephone or other electronic communication device while operating a school bus unless the school bus is parked in a safe area off a highway or in an emergency situation pursuant to N.J.S.A. 39:3B-25. A school bus driver who violates this Policy provision is subject to fines pursuant to N.J.S.A. 39:3B-25.

School bus drivers are responsible for the safety of their students and shall rigorously observe all motor vehicle laws and regulations and State Board of Education rules in the operation of their school bus pursuant to N.J.S.A. 39:3B-27.

N.J.S.A. 18A:6-7.1 et seq.; 18A:25-2; 18A:39-17; 18A:39-18;  
18A:39-19.1; 18A:39-19.2; 18A:39-19.3; 18A:39-19.4;  
18A:39-19.6; 18A:39-28

N.J.S.A. 39:3-10.1 et seq.

N.J.S.A. 39:3B-25; 39:3B-27

N.J.A.C. 6A:27-11.1 et seq.; 6A:27-12.1 et seq.

Adopted: October 25, 2018  
Revised : February 13, 2020



# REGULATION GUIDE

## WEYMOUTH TOWNSHIP BOARD OF EDUCATION

OPERATIONS

R 8630/page 1 of 12

Emergency School Bus Procedures

Aug 19

M

### R 8630 EMERGENCY SCHOOL BUS PROCEDURES

#### A. Staff Training

1. The employer shall administer a safety education program for all permanent and substitute school bus drivers and school bus aides that it employs. At a minimum, the training shall include:
  - a. Student management and discipline;
  - b. School bus accident and emergency procedures;
  - c. Conducting school bus emergency exit drills;
  - d. Loading and unloading procedures;
  - e. School bus stop loading zone safety;
  - f. Inspecting the school vehicle for students left on board the bus at the end of a route; and
  - g. The use of student's educational records, including the employee's responsibility to ensure the privacy of the student and his or her records, if applicable.
2. The employer shall administer a safety education program to school bus drivers that includes defensive driving techniques and railroad crossing procedures.
3. The employer shall administer the safety education program, as set forth in A.1. and 2. above, twice per calendar year to all permanent and substitute school bus drivers and school bus aides it employs in accordance with N.J.S.A. 18A:39-19.1a.
4. The employer shall be responsible to administer a Commissioner of Education-developed training program on proper procedures for interacting with students with special needs in accordance with the provisions of N.J.S.A. 18A:39-19.2 and 18A:39-19.3 for all school bus drivers and school bus aides:





# REGULATION GUIDE

## WEYMOUTH TOWNSHIP BOARD OF EDUCATION

### OPERATIONS

R 8630/page 2 of 12

#### Emergency School Bus Procedures

- a. In the case of a school bus driver or aide who is employed prior to the development and availability of the training program, the employer shall administer the training program to the individual no later than one hundred and eighty days after the training program is made available by the Commissioner;
- b. In the case of a school bus driver or aide who is employed after the development and availability of the training program, the employer shall administer the training program to the individual prior to that individual operating a school bus or serving as an aide on a school bus;
- c. In accordance with the provisions of N.J.S.A. 18A:39-19.3.b., the employer shall require a school bus driver or school bus aide to file a certification with the employer that the individual has completed the training program required as per N.J.S.A. 18A:39-19.2 within five business days of its completion. The employer 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 (NJDOE); and/or
- d. Contractors that provide student transportation services under a contract with the Board of Education shall comply with the requirements of N.J.S.A. 18A:39-19.2 and 19.3 and N.J.A.C. 6A:27-11.1 et seq.

#### B. Emergency Bus Evacuation Drills

1. The Principal or designee of each school shall organize and conduct emergency bus exit drills at least twice within the school year for students who are transported to and from school and all other students shall receive school bus evacuation instruction at least once within the school year.
2. School bus drivers and bus aides shall participate in the emergency exit drills.



# REGULATION GUIDE

WEYMOUTH TOWNSHIP  
BOARD OF EDUCATION

## OPERATIONS

R 8630/page 3 of 12

### Emergency School Bus Procedures

3. Bus exit drills will be conducted on school property and shall be supervised by the Principal or by a person assigned to act in a supervisory capacity. The drills will be conducted when weather is conducive to safety and preferably when the bus arrives at school with a full complement of students.
4. The portion of the drill involving the use of the rear emergency door, which requires students to jump from the bus to the ground does need not to be performed by every student and may be demonstrated by others.
5. The school bus driver or supervisor of the drill shall:
  - a. Describe and demonstrate the use of kick-out windows and split-sash windows;
  - b. Describe the location and use of flares, flags, fire ax, and other emergency equipment;
  - c. Give instruction in the opening and closing of front and rear doors, turning off the ignition switch, and setting and releasing the emergency brake;
  - d. Explain that the bus will be evacuated by the front door when the bus is damaged in the rear and by the rear door when the front door is blocked;
  - e. Demonstrate the use of the emergency exit door;
  - f. Instruct students that lunches and books should be left on the bus in the evacuation procedure;
  - g. Encourage older, bigger students to assist younger, smaller students in their exit from the bus;
  - h. Have students leave the bus one row at a time, left and right sides alternating, in a prompt and orderly fashion;



# REGULATION GUIDE

## WEYMOUTH TOWNSHIP BOARD OF EDUCATION

### OPERATIONS

R 8630/page 4 of 12

#### Emergency School Bus Procedures

- i. Instruct students to group a safe distance away from the bus and to wait in that place until directed by the driver, a police officer, or other adult in authority;
  - j. Tolerate no student misbehavior in the conduct of the drill; the failure of any student to follow directions must be reported to the Principal; and
  - k. Provide any other training required by Federal and State law or as deemed appropriate by the Board that will protect the safety of the students in the event the bus needs to be exited due to an emergency.
6. In accordance with the provisions of N.J.A.C. 6A:27-11.2(d), emergency bus evacuation drills shall be documented in the minutes of the Board at the first meeting following completion of the emergency exit drill. The minutes shall include, but are not limited to, the following:
- a. The date of the drill;
  - b. The time the drill was conducted;
  - c. The school name;
  - d. The location of the drill;
  - e. The route number(s) included in the drill; and
  - f. The name of the Principal or assigned person(s) who supervised the drill.

#### C. Additional Precautions

- 1. School bus drivers may, depending on the age of the students on a bus route, discuss with the students additional safety precautions that may be taken in the event of a bus emergency. The safety precautions to be discussed shall be approved by the Transportation Supervisor or Principal or designee.



# REGULATION GUIDE

## WEYMOUTH TOWNSHIP BOARD OF EDUCATION

### OPERATIONS

R 8630/page 5 of 12

#### Emergency School Bus Procedures

2. In accordance with the provisions of N.J.S.A. 18A:39-19.4, the Commissioner of Education shall develop a student information card that includes 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. The parent of a student with an Individualized Education Plan (IEP) shall complete the student information card when the IEP is developed or amended for a student who receives transportation services.
  - a. Upon receiving consent from a student's parent, the school district shall provide a copy of the completed student information card to a school bus driver and school bus aide for each student on the bus route to which the school bus driver or school bus aide is assigned for whom a student information card has been completed by the parent.
3. School bus drivers shall attend training workshops offered by the NJDOE and this school district and shall be trained in first aid.
4. Each school bus shall be equipped with:
  - a. A list of the students assigned to that bus;
  - b. A basic first aid kit;
  - c. Several emergency notice cards on which are printed the telephone numbers of the appropriate police department, the receiving school, and an emergency medical service and on which is provided a space for writing the location of a disabled school bus and the name of the bus driver;
  - d. Flags or flares or other warning devices; and
  - e. Any other equipment or supplies determined to be included on the school bus by the administration.
5. Each school bus driver shall:
  - a. Inspect his/her bus for possible hazards or safety concerns before driving the bus each day;



# REGULATION GUIDE

## WEYMOUTH TOWNSHIP BOARD OF EDUCATION

### OPERATIONS

R 8630/page 6 of 12

#### Emergency School Bus Procedures

- b. Keep aisles and passageways clear at all times;
- c. Maintain student discipline on the bus;
- d. Prohibit the presence of any non-service animal, firearm, ammunition, weapon, explosive, or any other dangerous or illegal material or object on the school bus;
- e. Report promptly to the Principal, Transportation Supervisor, Other any potential driving hazard on his/her route, such as construction, road work, etc.;
- f. Report promptly to the Principal, Transportation Supervisor, Other any deviation in the bus route or schedule;
- g. Drive within speed limits at all times and exercise extraordinary care in inclement weather;
- h. Know and obey all motor vehicle laws and regulations and State Board of Education regulations;
- i. Not smoke, eat, or drink while in or operating the bus at any time or perform any act or behave in any manner that may impair the safe operation of the school bus;
- j. Inspect the school vehicle for students left on board the bus at the end of a route; and
- k. Not allow a student on board a school bus unless the bus driver or other employee of the Board or school bus contractor is also on board the bus. This shall not apply when a school bus driver leaves the bus to assist in the boarding or exiting of a disabled student or in the case of an emergency.



# REGULATION GUIDE

## WEYMOUTH TOWNSHIP BOARD OF EDUCATION

### OPERATIONS

R 8630/page 7 of 12

#### Emergency School Bus Procedures

#### D. General Emergency Rules

1. School bus drivers are responsible for the safety of the students on their bus. In the event of an emergency, school bus drivers must exercise responsible leadership. The safety and well-being of students must be the drivers' paramount consideration. School bus drivers shall stay with their students until another school staff member, law enforcement officer, or a first responder can assume responsibility for the safety of the students.
2. School bus drivers may not leave the school bus when children are aboard except in an emergency and, then, only after they have turned off the engine, removed the ignition key, and safely secured the school bus.
3. A school bus must be evacuated when:
  - a. There is a fire in the engine or any other portion of the bus;
  - b. There is a danger of fire because the bus is near an existing fire or a quantity of gasoline or other highly combustible material and is unable to move away;
  - c. The bus is disabled for any reason and:
    - (1) Its stopping point is in the path of a train or is adjacent to a railroad track;
    - (2) A potential exists for the position of the bus to shift thus endangering students; or
    - (3) The stopping point (e.g., on a hill, curve, or near an obstruction) fails to provide oncoming traffic with at least 300 feet visibility of the bus, thus creating the danger of a collision.
  - d. The risk of remaining in the bus poses a greater safety risk than evacuating the bus.



# REGULATION GUIDE

## WEYMOUTH TOWNSHIP BOARD OF EDUCATION

### OPERATIONS

R 8630/page 8 of 12

#### Emergency School Bus Procedures

4. When a school bus is evacuated, students shall leave the bus by the exit(s) and in the manner that affords maximum safety in the circumstances.
  5. Students who have been evacuated from a school bus shall be moved to a safe place and distance from the bus and remain there until the driver or, if the driver is incapacitated, another person in authority has determined that no danger remains or until other alternative safety provisions can be made.
  6. No student shall be allowed to request a ride with a passerby or proceed to walk home or leave the scene without the specific approval of the bus driver, a police officer, or other person in authority.
  7. In the event a school bus is disabled in the course of providing student transportation, the driver, or a responsible person designated by the driver, will notify the Principal of the receiving school, Transportation Supervisor, School Business Administrator/Board Secretary, Other of the number and location of the bus and the circumstances of the disability. The Principal of the receiving school, Transportation Supervisor, School Business Administrator/Board Secretary, Other will make arrangements for the safety of the students.
- E. Specific Emergency Situations
1. In the event of an accident or vehicle failure the following procedures will be implemented:
    - a. The school bus driver shall, in person or through a responsible designee, summon the police and emergency medical services, if necessary, and notify the Principal of the receiving school and the School Business Administrator/Board Secretary or designee, of the district providing the transportation.



# REGULATION GUIDE

WEYMOUTH TOWNSHIP  
BOARD OF EDUCATION

## OPERATIONS

R 8630/page 9 of 12

### Emergency School Bus Procedures

- b. The school bus driver will attempt to make all students as safe and comfortable as possible. If possible and necessary, the driver will administer emergency first aid to injured students.
- c. In the event of an accident with no apparent or actual injuries and when law enforcement officials permit the bus to continue on its route after investigating the accident the school nurse will:
  - (1) If the accident occurred on the way to school or during school hours, examine any student who is feeling or displaying any symptoms of any injuries from the accident when the bus arrives at school; or
  - (2) If the accident occurred on the way home from school, examine any student who is feeling or displaying any symptoms of any injuries from the accident the next school day or if the parent of a student requests the school nurse examine their child the next school day.
- d. In the event of an accident where students are injured, a student(s) may be transported to a hospital if it is determined by law enforcement, medical, and/or first aid staff at the accident scene additional medical treatment is required.
  - (1) If the accident occurred on the way to school or during school hours, the school nurse will examine any student not transported to the hospital who is feeling or displaying any symptoms of any injuries from the accident when the bus arrives at school.
  - (2) If the accident occurred on the way home from school, the nurse will examine any student feeling or displaying any symptoms of any injuries from the accident the next school day or if the parent of a student requests the school nurse examine their child the next school day.





# REGULATION GUIDE

## OPERATIONS

R 8630/page 10 of 12

### Emergency School Bus Procedures

- e. If another vehicle(s) is involved, the bus driver will obtain the following information from the driver(s) of that vehicle(s) or from law enforcement officers at the accident scene: driver's name, driver's license number, vehicle owner's name and address, vehicle registration number, owner's insurance company and policy number, and a description of the vehicle (color, make, year, body type).
- f. The following notifications must be provided:
  - (1) The school bus driver must report immediately to the Principal of the receiving school and the School Business Administrator/Board Secretary or designee of the district providing the transportation, any accident that involves an injury, death, or property damage. In addition, the bus driver must complete and file the Preliminary School Bus Accident Report prescribed by the Commissioner of Education.
  - (2) The Principal of the receiving school shall retain a copy of the Report and forward other copies of the Report as prescribed by the NJDOE.
  - (3) In addition, a school bus driver involved in an accident resulting in injury or death of any person, or damage to property of any one person in excess of \$500 shall complete and file within ten days after such accident a Motor Vehicle Accident Report in accordance with N.J.S.A. 39:4-130.
  - (4) The parent of students involved in a school bus accident shall be notified as quickly as possible commensurate with the severity of the accident and injuries, if any, and hospital placement of their child if transported to a hospital by ambulance or by other emergency personnel.



# REGULATION GUIDE

## WEYMOUTH TOWNSHIP BOARD OF EDUCATION

### OPERATIONS

R 8630/page 11 of 12

#### Emergency School Bus Procedures

2. In the event the school bus driver is incapacitated, the following procedures will be implemented:
  - a. A school bus driver is incapacitated when he/she is unable to operate the school bus safely or when his/her driving ability is significantly impaired by the driver's physical or mental condition.
  - b. If there is a bus aide on the bus, the bus aide will take steps necessary to have the bus pulled off the road to a safe location and shall contact school officials or emergency services for assistance. If a bus aide is not on the bus, the bus driver shall pull the bus off the road to a safe location and contact school officials or emergency services for assistance.
  - c. The bus shall be stopped, with due consideration for the safety of its passengers, the motor turned off, the ignition key removed, and safely secure the bus.
  - d. The Principal of the receiving school, Transportation Supervisor, School Business Administrator/Board Secretary, Other shall immediately arrange for the transportation of the students by substitute driver, substitute bus, or other means.
3. In the event of an injury to a student on the bus, at a bus stop, or along a transportation route, not incurred as the result of a school bus accident, the following procedures will be implemented.
  - a. In the absence of another responsible adult in authority, the school bus driver will take charge of a student who has been injured or disabled on a school bus, at a school bus stop, or along the transportation route traveled by the school bus.
  - b. If necessary, first aid will be administered.



# REGULATION GUIDE

## WEYMOUTH TOWNSHIP BOARD OF EDUCATION

### OPERATIONS

R 8630/page 12 of 12

#### Emergency School Bus Procedures

- c. If the student's injury is serious, emergency medical services will be summoned; the school bus driver or a responsible adult appointed by the bus driver will remain with the student until emergency medical help arrives.
- d. If the student's injury:
  - (1) Occurs on the way to the school, the school bus driver will deliver the injured student to the school nurse for examination and such treatment or referral as may be required. The school nurse will notify the student's parent;
  - (2) Occurs on the way to the student's home, the school bus driver or another school district staff member will deliver the injured student to his/her parent or to a responsible adult at the student's home or if no one is home the injured student will be transported back to a school district location until a parent or another responsible adult can be contacted. If it is determined the student may need medical treatment and a parent or responsible adult cannot be contacted, the child may be transported to the school physician's office or to the nearest hospital emergency room; or
  - (3) Occurs on the way to or from an extracurricular event, the school bus driver will notify a professional staff member assigned to the activity, who will take charge of the student and notify the student's parent.
- e. The school bus driver will immediately report the incident and any injuries to the Principal or designee of the school in which the student is enrolled.

Issued: October 25, 2018

Revised: February 13, 2020



### 8635 STUDENT TRANSPORTATION VEHICLES AND SCHOOL BUSES

All student transportation vehicles and school buses will be scheduled to maximize their use while ensuring all routes are scheduled in a safe manner for drivers and passengers.

Student transportation vehicles and school buses will have time periods during the day between scheduled bus routes when they are not in use. These time periods may vary from route to route and vehicle to vehicle depending on issues such as a school's opening and ending times and the location of students transported to and from the school. Based on scheduling issues and the amount of time between transportation routes, the school bus driver may be required to return the school vehicle/bus to the school district transportation facility during the school day. In the event the schedule does not provide adequate time or it is not practical for the vehicle/bus to be returned to the school district's transportation facility between routes during the school day, the school bus driver may be required to park the vehicle/bus at another school building or location in the school district designated by the School Business Administrator/Board Secretary.

If the transportation route is for student transportation to and from a school building out-of-district, the driver may be required to return the transportation vehicle/bus to the district's transportation facility or to a school building or location designated by the School Business Administrator/Board Secretary for the time period between routes. In the event there is not adequate time or it is not practical for a vehicle/bus to return to the school district between out-of-district transportation routes, the School Business Administrator/Board Secretary will authorize the vehicle/bus remain at an approved location between such routes. The School Business Administrator/Board Secretary, in consultation with the driver and the out-of-district school, will designate a location for the driver to maintain the vehicle/bus in between the scheduled routes.

The safety and security of the transportation staff and the school vehicle/bus will be the most important consideration in designating an out-of-district location for vehicles that may not return to the transportation facility during the school day.

Adopted: 25 October 2018



### 8651 COMMUNITY USE OF TRANSPORTATION

The Board of Education will permit the school busing vehicles owned or leased by this district to be used for the purpose of transporting senior citizens' groups, disabled citizens, and children and adults participating in a recreation or other program operated by the municipality in accordance with law and rules of the State Board of Education. The Board will not permit the use of school busing vehicles for any purpose not expressly authorized by law and Board policy.

The transportation of senior citizens shall be restricted to destinations that are within this school district or any contiguous school district. The transportation of disabled citizens may be within any district. The transportation of children and adults participating in a recreation or other program shall be limited by the location of the program.

The transportation of community members under this policy shall be limited to those hours and days when vehicles are not required for the transportation of students. No transportation will be supplied for weekends, holidays, summer vacation time, or for the purpose of attendance at political activities. The Board reserves the right to refuse or cancel any community transportation in the interests of the educational program or the efficient operation of the district.

Vehicles must be operated by the holder of a valid New Jersey bus driver's license who has been approved by this Board.

The costs of community transportation may be reimbursed to the Board.

A request for community transportation must be submitted to the School Business Administrator/Board Secretary no less than two weeks prior to the planned trip and must be approved by the School Business Administrator/Board Secretary.

N.J.S.A. 18A:39-22 et seq.

N.J.S.A. 39:3B-5.4

N.J.A.C. 6A:27-7.8 et seq.

Adopted: 25 October 2018



### 8660 TRANSPORTATION BY PRIVATE VEHICLE

The Board of Education authorizes the transportation by private vehicle of students of this district upon approval of the Superintendent in an emergency situation.

N.J.S.A. 18A:16-6; 18A:25-2; 18A:39-20.1

N.J.A.C. 6A:27-7.6; 6A:27-7.7

Adopted: 25 October 2018



# POLICY GUIDE

## WEYMOUTH TOWNSHIP BOARD OF EDUCATION

OPERATIONS

8670/page 1 of 2

Transportation of Special Needs Students

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### 8670 TRANSPORTATION OF SPECIAL NEEDS STUDENTS

The Board of Education shall provide transportation services for students with special needs in accordance with N.J.S.A. 18A:39-1 et seq., N.J.A.C. 6A:27-5.1, and with their Individualized Education Program (IEP). The Board will provide transportation in accordance with N.J.A.C. 6A:27-5.1 as a related service for a student with special needs pursuant to N.J.A.C. 6A:14-3.9(a)7. Such transportation services may include, but are not limited to, special transportation equipment, transportation aides, and special arrangements for other assistance to and from school.

When an out-of-district placement for educational reasons is made, transportation shall be provided consistent with the school calendar of the receiving school. A copy of the school calendar shall be submitted to the resident district by May 15 preceding the year in which transportation is required, or at the time of placement if it occurs after May 15.

When necessary, the student's case manager shall provide the transportation coordinator or responsible staff member and the bus driver with specific information about the student including safety concerns, mode of communication, and health and behavioral characteristics of a student for whom transportation services are to be provided.

Students with special needs below the age of five shall be transported in vehicles equipped with safety belts or other child restraint systems, in accordance with applicable Federal and State regulations.

The transportation of students with special needs to special education programs approved by the Board and located outside the State will conform to guidelines established by the New Jersey State Department of Education pursuant to N.J.A.C. 6A:27-2.2(c)1.

State aid will be sought for the services provided in accordance with law and this Policy. The Board directs that appropriate records be maintained and all relevant documentation be preserved in order that the district be properly reimbursed for the costs of transportation.



# POLICY GUIDE

## WEYMOUTH TOWNSHIP BOARD OF EDUCATION

### OPERATIONS

8670/page 2 of 2

#### Transportation of Special Needs Students

N.J.S.A. 18A:39-1 et seq.; 18A:39-2.1; 18A:46-19.6; 18A:46-23

N.J.A.C. 6A:14-3.9(a)7; 6A:27-2.2; 6A:27-5.1

Adopted: October 25, 2018

Revised: February 13, 2020





### 8710 PROPERTY INSURANCE

The Board of Education recognizes its responsibility under law to insure the replacement value of the property of this school district, both real and personal, against loss or damage by fire and expressly extends such insurance coverage to loss or damage caused by theft, water, glass breakage, explosion, boiler failure, smoke, windstorm, vandalism, and other hazards.

In placing property insurance coverage, the Board shall be guided by the price of the coverage, the ability of the insurer to meet obligations promptly and fully, the reputation and past performance of the insurer's agent, and the goal of distributing the insurance coverage of the district through an insurance broker(s).

The Board shall annually appoint an insurance advisor who shall review the insurance program of the district, consider alternatives, and report recommendations to the Board; recommend specific insurance placement and prepare specifications; assist the Board in the establishment and maintenance of property valuation and insurance records; provide annual safety and fire inspections; process all claims; provide workshops and lectures on fire safety and prevention and safety precautions to the appropriate staff members; and recommend such measures as may reduce the cost of insurance premiums.

To be eligible to represent this Board an insurance agent must write all insurance through a company whose minimum financial status, so far as loss paying ability is concerned, is rated by A.M. Best and Company to be no less than A+; and must derive over fifty percent of his/her income from insurance premium commissions or receive no less than \$100,000 annually in premium income from sources other than this school district.

The Board may, in accordance with law, enter a joint contract for the purchase of property insurance.

N.J.S.A. 18A:18A-42(e); 18A:20-25  
N.J.S.A. 40A:10-52 et seq.

Adopted: 25 October 2018



### 8740 BONDING

The Board of Education recognizes that the prudent trusteeship of the resources of this district dictates that employees responsible for the safekeeping of district moneys and property be bonded.

The Board directs the indemnification of the district against loss of money and property by the bonding of the Treasurer of School Moneys in accordance with the requirements of N.J.A.C. 6A:23A-16.4 and by the bonding of the Board Secretary in accordance with the requirements of N.J.S.A. 18A:17-6. If the district does not have a Treasurer of School Moneys, the Board will ensure surety bonds are obtained in accordance with the rules of the State Board of Education. All other employees may be covered under a blanket bond in an amount to be determined by the Board or as required by the rules of the State Board of Education.

The Board shall bear the cost of bonding each employee required to be bonded by law or by this policy.

N.J. Consti., Art. 7, §1, 4

N.J.S.A. 18A:6-58; 18A:17-6; 18A:17-26; 18A:17-32

N.J.A.C. 6A:23A-16.4

Adopted: 25 October 2018



### 8750 EMPLOYEE INDEMNIFICATION

The Board of Education recognizes that officers and employees of this district are exposed to certain risks in the course of the performance of their duties and will provide insurance coverage against losses that may be incurred by such risks.

The Board shall in accordance with law, insure employees of the school district against injury and death arising out of or in the course of their employment.

The Board shall provide indemnification to any person holding any office, position or employment under the jurisdiction of the Board, including any student teacher/intern, or person assigned to other professional pre-teaching field experience, for damages, losses, and costs incurred as a result of a civil or administrative action or other legal proceeding brought against any such persons for any acts or omissions arising out of and in the course of their employment, student teaching, or other assignment to professional field experience with this Board. This indemnification will include all costs of defending such action, including reasonable counsel fees and expenses, together with costs of appeal, if any, and will hold harmless and protect such person from any financial loss resulting from such action. No employee will be held harmless or have his/her defense costs defrayed in a disciplinary proceeding instituted against him/her by the Board or when the employee is appealing an action taken by the Board. Indemnification for exemplary or punitive damages is not required and will be governed by the standards and procedures set forth in N.J.S.A. 59:10-4. The Board may arrange for and maintain appropriate insurance to cover all such damages, losses and expenses.

The Board shall provide indemnification to any person holding any office, position or employment under the jurisdiction of the Board, including any student teacher/intern, or person assigned to other professional pre-teaching field experience, for the costs of defense against any criminal or quasi-criminal action for any such act or omission when such prosecution is dismissed or results in a final disposition favorable to the officer or employee. This indemnification will include the cost of defending such proceeding, including reasonable counsel fees and expenses of the original hearing or trial and all appeals. No employee will be held harmless or have his/her defense costs defrayed as a result of a criminal or quasi-criminal complaint filed against the employee by or on behalf of the Board. The Board may arrange for and maintain appropriate insurance to cover all such damages, losses and expenses.

The Board shall insure against any liability arising out of the use of motor vehicles in the course of the conduct of automobile driver training courses and against any liability arising from the use of a motor vehicle by a person duly appointed by the Board to transport students and while in the course of such transportation.



The Board may insure against any major liability arising from the use of a motor vehicle by an employee or student of the district in the performance of district business.

The Board may, in accordance with law, enter a joint contract for the purchase of liability insurance.

N.J.S.A. 18A:16-6; 18A:16-6.1; 18A:18A-3.2;  
18A:18A-42(e); 18A:18B-1; 18A:18B-2;  
18A:39-6; 18A:39-6.1; 18A:39-20.1  
N.J.S.A. 40A:10-52

Adopted: 25 October 2018



### 8760 STUDENT ACCIDENT INSURANCE

The Board of Education recognizes injuries to students may occur from accidents occurring in the course of attendance at school and participation in the athletic and co-curricular programs of the school district.

In accordance with the provisions of N.J.S.A. 18A:43-1, the Board is not required to, but may arrange for, maintain, and may pay the premiums for insurance coverage by a qualified insurer for loss sustained by students through accidental means while participating in those school activities insured by the Board's insurance provider. This insurance coverage, if purchased by the Board, will not cover all school activities and will be secondary insurance requiring all claims be submitted to the student's parent's or legal guardian's insurance provider before being submitted to the school district's insurance provider. All claim decisions and payment amounts will be made by the school district's insurance provider in accordance with the terms of the insurance policy purchased by the Board. The insurance coverage provided under this program will be based on a payment schedule and may not provide for full payment of such claims.

The Board, if such insurance is provided, may require payment to the Board by students to whom the benefit of such insurance is extended, of a proportional share of premiums or any part thereof in accordance with the provisions of N.J.S.A. 18A:43-2. In the event the Board requires such payment, the amount to be paid by students shall be established by a schedule determined by the Board, but no student electing not to participate in the accident insurance coverage shall be required to make any payment toward the cost of the premiums.

The Board may provide parent(s) or legal guardian(s) the opportunity to purchase insurance coverage, at no cost to the Board, for injury resulting from accidents sustained by students occurring in the course of attendance at school and participation in the athletic and co-curricular programs of the school district.

The Superintendent and/or designee will recommend suitable and qualified insurance providers for Board consideration and approval. Parent(s) or legal guardian(s) of students who may be eligible for such insurance coverage will be notified of its availability.

In accordance with the provisions of N.J.S.A. 18A:43-3, in the event the Board elects to provide this student accident insurance, it shall not be construed to impose any liability on the part of the Board for an injury sustained by a student as a result of or in connection with any activities outlined in N.J.S.A. 18A:43-1 or as a result of or in connection with the conduct of the physical education program of the school district.

N.J.S.A. 18A:43-1; 18A:43-2; 18A:43-3

Adopted: 25 October 2018



### 8810 RELIGIOUS HOLIDAYS

The Board of Education recognizes the acknowledgment of religious holidays in the public school may be a source of community concern. It is a goal of the district educational program to teach mutual understanding and brotherhood and respect for group differences. In pursuing this goal, the educational program may recognize that various religious groups celebrate different holidays with different practices.

In the acknowledgment or observance of any religious holiday, the Superintendent shall ensure the school and/or school officials do not mandate, organize, participate in an official capacity, endorse, persuade, compel, prevent or deny participation in constitutionally protected prayer or religion in violation of the governing principles of the First Amendment of the United States Constitution. Consistent with these principles, the Superintendent shall ensure:

1. No worship or religious service of any kind is sponsored by the school district and conducted during the school day, whether or not conducted by a clergyman;
2. Religious exhibits or displays include only materials that are a necessary or integral part of the curriculum;
3. Any religious music played is selected primarily for its artistic content; and
4. Any acknowledgment of a religious holiday neither advances nor inhibits any particular religious sect or religion consistent with the governing principles of the First Amendment of the United States Constitution.

U.S. Const., First Amendment

N.J. Const., Art. 1, Paragraph 4

United States Department of Education - Guidance on Constitutionally Protected Prayer in Public Elementary and Secondary Schools

N.J.S.A. 18A:36-16

N.J.A.C. 6:20-1.3(j)

Adopted: 25 October 2018



### 8820 OPENING EXERCISES/CEREMONIES

The Board of Education requires the students in the school district to salute the United States flag and repeat the pledge of allegiance to the flag of the United States in accordance with the provisions of N.J.S.A. 18A:36-3. The pledge of allegiance shall be rendered with the right hand over the heart, except that students who have a conscientious objection against such pledge or salute, or are children of accredited representatives of foreign governments to whom the United States government extends diplomatic immunity, shall not be required to render such salute and pledge or stand during such pledge or salute, but shall be required to show full respect to the flag while the pledge is being given.

The Board of Education authorizes observance of Commodore John Barry Day as required by N.J.S.A. 18A:36-10 through 12 and appropriate exercises for the development of a higher spirit of patriotism on the last day of school preceding Washington's Birthday (also celebrated as President's Day), Decoration of Memorial Day, Columbus Day, and Veterans Day as required by N.J.S.A. 18A:36-13. In accordance with N.J.S.A. 18A:36-13.1, the district may conduct a course of exercises or instruction in accordance with the Core Curriculum Content Standards to observe holidays, including, but not limited to, Martin Luther King Jr.'s Birthday, Lincoln's Birthday, Thanksgiving Day, Arbor Day, and other holidays as determined by the Board of Education.

N.J.S.A. 18A:36-3; 18A:36-10; 18A:36-11; 18A:36-12; 18A:36-13; 18A:36-13.1

Adopted: 25 October 2018



### 8860 MEMORIALS

The Board of Education recognizes that each officer and employee is important to the school district and the community at large. The loss of any officer or employee of this Board by death is a loss that the Board and the school district will share with the community and memorialize in an appropriate manner.

The Superintendent shall recommend to the Board and the Board may approve appropriate recognition measures when the deceased Board officer or employee has especially distinguished his/her service to this school district.

The Superintendent may, in his/her discretion, grant an employee of the school district a brief absence without loss of pay or personal leave for the purpose of attending the funeral of his/her direct supervisor or subordinate provided that no disruption in the educational program will be caused by any such absence.

Adopted: October 25, 2018  
Revised: September 19, 2019

