MERCHANTVILLE BOARD OF EDUCATION **130 South Centre Street** **Merchantville, New Jersey 08109**	**File Code: 3516** **Proposed: 08/23/88** **Adopted: 09/27/88** **Revised: 10/24/17** **Reviewed: 04/08/2024**

Safety

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

Use and Storage of Hazardous Substances

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

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

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

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

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

A. Notice of any construction or other activities involving hazardous substances will be posted on the bulletin board of their children's school;

B. Hazardous substances may be stored at the school at various times throughout the year;

C. Hazardous substance fact sheets for any of the hazardous substances being used or stored are available at the school.

Soil Contamination on School Property

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

The notice shall include:

A. A description of the soil contamination and the conditions under which a student or staff member may be exposed to the contamination;

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

C. A description and timetable of the steps that have been taken and will be taken to remediate the soil contamination.

The notice may be provided by:

A. Written notice sent home with the student and provided to the staff member;

B. Telephone call;

C. Direct contact;

D. Electronic mail.

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

Safe Drinking Water

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

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

A. A plumbing survey for each facility that identifies how water enters and flows through each facility, the types of plumbing materials used in the facility, such as the service line, piping, solder, fixtures, drinking water outlets where students or staff have or may have access, and point of use treatment, such as drinking water filters;

B. The names and responsibilities of all individuals involved in sampling; and

C. The following sampling procedures:

1. Samples shall be taken after water has sat, undisturbed in the school pipes for at least eight hours but no more than 48 hours before the sample is taken;

2. At least eight hours prior to sampling, signs shall be posted to indicate that water shall not be used and access to the buildings subject to the sampling shall be restricted to all but authorized staff members;

3. Existing aerators, screens, and filters shall not be replaced or removed prior to or during sampling; and

4. All samples shall be collected in pre-cleaned high-density polyethylene (HDPE) 250 milliliter (mL) wide-mouth single-use rigid sample containers that are properly labeled.

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

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

Drinking Water Sample Analysis

Analysis of water samples shall be conducted by a certified laboratory to analyze for lead in drinking water. The laboratory shall use an approved analytical method pursuant to the Federal Safe Drinking Water Act at 40 CFR 141.23(k)(1). Sample analysis shall be conducted in accordance with a Quality Assurance Project Plan

(QAPP)**, which shall be signed by the board of education, the certified laboratory, and the individual responsible for conducting sampling. The QAPP shall include:

A. Identification of analytical methods:

B. Chain of custody procedures;

C. Data validation and reporting processes;

D. Detection limits;

E. Reporting to three significant figures;

F. Field blanks; and

G. Quality control measures required by the certified method

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

Water Sample Analysis Results: Notifications

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

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

B. Ensure that alternate drinking water has been made available to all students and staff members, and information regarding the health effects of lead is provided.

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

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

Key Words

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

Resources

New Jersey Department of Environmental Protection webpage for Lead Sampling in School Facilities.
Located at: http://www.nj.gov/dep/watersupply/dwc-lead-schools.html

New Jersey Department of Environmental Protection, Overview: Lead in Drinking Water at School Facilities
This document contains a link to the School District Lead Sampling Plan and the Quality Assurance Project Plan (QAPP) templates located at: http://www.nj.gov/dep/watersupply/pdf/techguide.pdf

Lead Sampling in Schools Technical Guidance FAQs.

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

Legal References

- N.J.S.A. 18A 6-2: Instruction in accident and fire prevention
- N.J.S.A. 18A 11-1: General mandatory powers and duties
- N.J.S.A. 18A 17-42 Preamble; purpose of article
- N.J.S.A. 18A 40-12.1 Protective eye devices required for teachers, pupils and visitors in certain cases
- N.J.S.A. 18A 40-12.2 Rules prescribing kinds, types and quality of devices
- N.J.S.A. 18A 41-1 et seq: Fire, school security drills
- N.J.S.A. 18A 41-5: Notification
- N.J.S.A. 18A 42-1: Safety patrol by pupils
- N.J.S.A. 18A 54-20: Powers of board
- N.J.S.A. 34 5A-1 et seq: Worker and Community Right to Know Act
- N.J.S.A. 34 5A-10.1: Definitions relative to use, storage of hazardous substances in schools, child care centers.
- N.J.S.A. 34 5A-10.2: Use of hazardous substance prohibited when children are expected to be present; exceptions.
- N.J.S.A. 34 5a-10.3: Posting of notice of construction, activity involving hazardous substance
- N.J.S.A. 34 5a-10.4: Responsibility for enforcement; violations, penalties
- N.J.S.A. 34 5a-10.5: Regulations
- N.J.S.A. 34 6A-25 et seq: New Jersey Public Employees' Occupational Safety and Health Act
- N.J.S.A. 58 10B-24.6 et seq: Definitions relative to procedures concerning soil contamination on school property.
- N.J.S.A. 58 12A-1: Safe Drinking Water Act
- N.J.A.C. 5 23-1.1 et seq. Uniform Construction Code
- N.J.A.C. 6A 16-5.1 School safety and security plans
- N.J.A.C. 6A 19-6.1 Applicability and implementation of safety and health standards for career and technical education
- N.J.A.C. 6A 26-1.1 et seq Purpose and applicability of rules
- N.J.A.C. 6A 26-12.4 Safe drinking water
- N.J.A.C. 6A 26-12.1 Facilities maintenance requirements
- N.J.A.C. 6A 27-12.2 Accident reporting
- N.J.A.C. 6A 30-1.1 Purpose and scope
- N.J.A.C. 7 10-1 et seq. Safe Drinking Water Act
- N.J.A.C. 7 30-13.1 et seq. Integrated Pest Management
- International Building Code 2015, New Jersey Edition; Frist Printing: September 2015; ISBN: 978-1-60983-156-1; Copyright 2015, International Code Council, Inc.

Cross References

- 1330 - Sample Policy: Use of School Facilities
- 1410 - Sample Policy: Local Units
- 3510 - Sample Policy: Operation and Maintenance of Plant
- 5141. 1 - Sample Policy: Accidents
- 5142 - Sample Policy: Pupil Safety
- 5142.1 - Sample Policy: Safety Patrols
- 6114 - Sample Policy: Emergencies and Disaster Preparedness
- 6142.12 - Sample Policy: Career and Technical Education
- 7110 - Sample Policy: Long Range Facilities Planning

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