SAFETY

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

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

The notice shall include:

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

SAFETY (continued)

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, which shall be every third school year, beginning with the 2021-2022 school year. 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 three years following the initial testing and every three 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.

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*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, by June 30th 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.

District boards of education may request an exemption from the testing requirements if they can demonstrate that they do not use any drinking water outlets for consumption or food preparation in any of their facilities. District boards of education seeking an exemption pursuant to this provision shall submit an application to the Department of Education documenting that no drinking water outlets are used in their facilities and the provisions for an alternative source of drinking water. A district board of education receiving an exemption from the Department from testing shall make available for public inspection at the school facility and on the district board of education's website, if applicable, confirmation that the district board of education is exempt from testing. By June 30 of each required testing school year a district board of education shall either begin

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testing procedures or reapply for an exemption.

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

Implementation

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

Adopted:	December 17, 2002
NJSBA Review/Update:	August 2008, September 2018
Readopted:	April 27, 2009, September 17, 2018, August 16, 2021, January 2024, September 2026
Revised:	February 2010, September 27, 2016, August 2026

Key Words

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

Resources

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

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

Lead Sampling in Schools Technical Guidance FAQs.
Located at: http://www.nj.gov/dep/watersupply/pdf/leadfaq.pdf

Legal References

QSAC Monitored:

DPR: Governance – 1
SOA: Governance – 1

Mandated:

N.J.A.C. 6A:16-2.1(a)4 requires policies and procedures addressing care of students who are injured or become ill while in the school's care.

N.J.A.C. 6A:26-12.2(a)1 requires boards to adopt policies and procedures regarding safe and sanitary operation and maintenance of school facilities and grounds.

N.J.A.C. 6A:26-12.2(a)2 requires policies and procedures on supervision of student safety to include safe storage and use of hazardous materials on school property; compliance with community right-to-know requirements; prevention of accidents, panic and fire; and provision for and maintenance of suitable and safe equipment.

N.J.A.C. 6A:26-12.2(a)3 requires policy and procedures on organization of safety patrols.

Other Reasons:

N.J.S.A. 34:5A-1 et seq. and implementing regulations (N.J.A.C. 8:59) require boards to identify and label hazardous substances and to provide appropriate education and training programs for employees. Federal and state law requires removal or encapsulation of asbestos.

Recent state law amending N.J.S.A. 34:5A-10.1 et seq. forbids use or storage of hazardous substances at a school when children are present without prior notification. There are notable exceptions. Penalties for violation could be as high as $2,500 a day.

N.J.S.A. 58:10B-24.6 et seq. requires notice to parents/guardians, students and staff of soil contamination found to exceed Department of Environmental Protection or other professional standards, within 10 business days of discovery.

N.J.A.C. 6A:26-12.4 (b) requires district boards of education to 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 requirements for lead sampling and analysis are detailed in N.J.A.C. 6A:26-12.4(d) including the requirement that the district conduct sampling according to a lead sampling plan which includes:

A. A plumbing survey for each facility;

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

C. The procedures for the sampling.

The requirements for safe drinking water apply to New Jersey public school districts, charter schools, renaissance schools, jointure commissions, educational services commissions, approved private schools for students with disabilities acting under contract to provide educational services on behalf of New Jersey public school districts, State-funded early childcare facilities pursuant to N.J.A.C. 6A:13A, and receiving schools as defined by N.J.A.C. 6A:14-7.1(a).

Recommendation:

A comprehensive policy directing the chief school administrator to develop the programs and regulations that the board is required to review and/or adopt concerning various aspects of safety. Details of some may be better addressed under cross references. Details of the program required by N.J.A.C. 6A:19-6.1 et seq. (for vocation-technical education) are better addressed in the board's policy and regulations on career education.

Legal References:

N.J.S.A. 18A:6-2	Instruction in accident and fire prevention
N.J.S.A. 18A:11-1	General mandatory powers and duties
N.J.S.A. 18A:17-42 et seq.	Public School Safety Law
N.J.S.A. 18A:40-12.1, -12.2	Protective eye devices required for teachers, students and visitors in certain cases
N.J.S.A. 18A:41-1 et seq.	Fire, school security drills
See particularly: N.J.S.A. 18A:41-5	
N.J.S.A. 18A:42-1	Safety patrol by students
N.J.S.A. 18A:54-20	Powers of board (county vocational schools)
N.J.S.A. 34:5A-1 et seq.	Worker and Community Right to Know Act
See particularly: N.J.S.A. 34:5A -10.1	

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through -10.5	
N.J.S.A. 34:6A-25 et seq.	New Jersey Public Employees Occupational Safety and Health Act
N.J.S.A. 58:10B-24.6 et seq.	Hazardous discharge site remediation
N.J.S.A. 58:12A-1 et seq.	Safe Drinking Water Act
N.J.A.C. 5:23-1 et seq.	The uniform construction code
N.J.A.C. 6A:16-5.1	School safety and security plans
N.J.A.C. 6A:19-6.1 et seq.	Safety and Health Standards (career and technical programs)
N.J.A.C. 6A:26-1.1et seq.	Educational Facilities
See particularly: N.J.A.C. 6A:26-12.1et seq.	
N.J.A.C. 6A:26-12.4	Safe drinking water
N.J.A.C. 6A:27-12.2	Accident reporting (drivers and aids)
N.J.A.C. 6A:30-1.1 et seq.	Evaluation of the Performance of School Districts
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

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2025-2026 Statement of Assurance Submission for Lead in School Drinking Water

Possible Cross References:

*1330	Use of school facilities
*1410	Local units
*3510	Operation and maintenance of plant
*5141.1	Accidents
*5142	Student safety
*5142.1	Safety patrols
*6114	Emergencies and disaster preparedness
*6142.12	Career education
*7110	Long-range facilities planning

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