

Policy

CONCEPTS AND ROLES IN BUSINESS AND NONINSTRUCTIONAL OPERATIONS;
GOALS AND OBJECTIVES

Fiscal Management

The board of education recognizes that money and money management are a necessary support of the whole school program. To make that support as effective as possible, the board intends:

- A. To encourage financial planning through the best possible budget procedures;
- B. To explore all practical sources of dollar income;
- C. To guide the expenditure of funds so as to extract the greatest educational returns;
- D. To expect top-quality accounting and reporting procedures; to adopt and implement sound fiscal procedures. The school business administrator/board secretary shall prepare a manual of procedures to ensure that all business operations of the district are carried out uniformly, efficiently and in accordance with law and board policy;
- E. To maintain a level of per student expenditure sufficient to provide high quality education.

Internal Controls/Standard Operating Procedures

The board of education is committed to financial integrity and directs the chief school administrator to establish specific regulations and standard operating procedures for business functions which are designed to provide district administrators with reasonable assurance that the district's goals and objectives will be met and that meet the requirements of N.J.A.C. 6A:23A-6.5 through 6.13. Internal controls shall promote operational efficiency and effectiveness, provide reliable financial information, safeguard assets and records, encourage adherence to prescribed policies and comply with law and regulation.

The district may submit a written request to the Commissioner to approve an alternative system, approach or process for implementing the internal controls required in this subchapter. The application must include documented evidence that includes but is not limited to, an independent, third-party written assessment that the alternative system, approach or process will achieve the same safeguards, efficiency and other purposes as the specified internal control requirement(s).

Personnel Tracking and Accounting

The district shall maintain an accurate, complete, and up-to-date automated position control roster to track the actual number and category of employees and the detailed information for each in accordance with N.J.A.C. 6A:23A-6.8.

CONCEPTS AND ROLES IN BUSINESS AND NONINSTRUCTIONAL OPERATIONS; GOALS AND OBJECTIVES (continued)

Financial and Human Resources Management

The district shall maintain an enterprise resource planning (ERP) system which integrates all data and processes of the district into a unified system in compliance with N.J.A.C. 6A:23A-6.7.

Support Services

The board of education expects operation and maintenance of the school plant and equipment to set high standards of safety, to maintain the health of students and staff, to reflect the aspirations of the community, to support environmentally the efforts of the staff to provide a good education and to preserve the community's major investment.

In order to provide services that sufficiently support the educational program, the board establishes as broad goals:

- A. To provide a physical environment for teaching and learning that is safe and pleasant for students, staff, and public;
- B. To provide safe transportation for eligible students;
- C. To make nutritious meals available to students;
- D. To provide resources, facilities and assistance to meet the needs of the educational program as they develop.

Long-Range Plans

In compliance with law, the chief school administrator will develop a five-year comprehensive maintenance plan. The board will review this plan and the district's long-range facilities plan annually, and will revise them as necessary with the advice of the chief school administrator.

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Legal References: N.J.S.A. 2C:30-4

N.J.S.A. 18A:4-14

Disbursement of public moneys, incurrence of obligations in excess of appropriation
Uniform system of bookkeeping for school districts

CONCEPTS AND ROLES IN BUSINESS AND NONINSTRUCTIONAL
OPERATIONS; GOALS AND OBJECTIVES (continued)

<u>N.J.S.A.</u> 18A:17-14.1 through -14.3	Appointment of school business administrator; duties; subcontracting; tenure acquisition
<u>N.J.S.A.</u> 18A:17-24.1	Sharing of superintendent, school business administrator; procedure
<u>N.J.S.A.</u> 18A:18A-1 <u>et seq.</u>	Public School Contracts Law
<u>N.J.S.A.</u> 18A:20-1 <u>et seq.</u>	Title in board of education
<u>N.J.S.A.</u> 18A:33-1 <u>et seq.</u>	Facilities in general
<u>N.J.S.A.</u> 18A:39-1 <u>et seq.</u>	Transportation to and from schools
<u>N.J.S.A.</u> 40A:65-1 <u>et seq.</u>	<u>Uniform Shared Service and Consolidation Act</u>
<u>N.J.A.C.</u> 2:36-1.1 <u>et seq.</u>	Child Nutrition Programs
<u>N.J.A.C.</u> 6A:9B-12.1 <u>et. seq.</u>	Requirements for administrative certification
<u>See particularly:</u>	
<u>N.J.A.C.</u> 6A:9B-12.1, -12.2, -12.3(d), -12.7	
<u>N.J.A.C.</u> 6A:23A-1.1 <u>et seq.</u>	Fiscal accountability, efficiency and budgeting procedures
<u>N.J.A.C.</u> 6A:23A-6.5 through 6.13	Segregation of duties; organization structure
<u>See particularly:</u>	
<u>N.J.A.C.</u> 6A:23A-6.7, -6.8	
<u>N.J.A.C.</u> 6A:26-1.1 <u>et seq.</u>	Educational Facilities
<u>N.J.A.C.</u> 6A:27-1.1 <u>et seq.</u>	Student Transportation

Possible

<u>Cross References:</u>	
*3100	Budget planning, preparation and adoption
3200	Income
3300	Expenditures/expending authority
3400	Accounts
3500	Noninstructional operations
*3510	Operation and maintenance of plant
3530	Insurance management
3541	Transportation
3542	Food service
3452.1	Local Wellness
3543	Office services
3570	District records and reports
3600	Evaluation of business and noninstructional operations
*7110	Long-range facilities planning
9123/9124	Appointment of board secretary; appointment of business official

Regulation

CONCEPTS AND ROLES IN BUSINESS AND NONINSTRUCTIONAL OPERATIONS
GOALS AND OBJECTIVES

The Elizabeth Board of Education recognizes its responsibility to the taxpayers of the district to be sure that public moneys expended by the school district are utilized for the furtherance of student education in a manner that will insure full value to the taxpayers and that adequate constraints and records are established to insure that end.

The board by law holds the authority to fix the budget, approve bids and vote upon each expenditure of the district.

To meet the goals of this policy, the board requires the school business administrator/board secretary to:

- A. Establish sound accounting procedures;
- B. Institute effective business practices;
- C. Recommend suitable office technology and equipment where necessary;
- D. Review the financial operations annually and report to the board on effectiveness and recommended improvements.

Internal Controls – Segregation of Business Duties and Organizational Structure

- A. The school district shall evaluate business processes annually and allocate available resources appropriately in an effort to establish a strong control environment;
- B. The business administrator/board secretary shall identify processes that when performed by the same individuals are a violation of sound segregation of duties. The business administrator/board secretary shall segregate the duties of all such processes among business office staff based on available district resources, assessed vulnerability and the associated cost-benefit, except as required by:
 - 1. The functions of human resources and payroll shall be segregated and completed by different employees in all districts;
 - 2. The functions of purchasing and accounts payable shall be segregated and completed by different employees in all districts.
- C. The district shall include in the Comprehensive Annual Financial Report (CAFR) a detailed organizational chart for the Central Office that tie to the district's position control logs, including but not limited to, the business, human resources, and information management functions.

Standard Operating Procedures (SOPs) for Business Functions

INTERNAL CONTROLS (regulation continued)

- A. The school district shall establish SOPs for each task or function of the business operations the assistant business administrator/board secretary shall regularly review and update the standard operating procedures for business;
- B. The SOP Manual shall include sections on each routine task or function of the following areas:
 - 1. Accounting including general ledger, accounts payable, accounts receivable, payroll and fixed assets, and year-end procedures for each;
 - 2. Cash management;
 - 3. Budget development and administration including tasks such as authorization of transfers and overtime;
 - 4. Position control;
 - 5. Purchasing including such tasks as preparation of requisitions, approval of purchase orders and encumbering of funds, bid and quote requirements, and verification of receipt of goods and services;
 - 6. Facilities including administration of work and health and safety;
 - 7. Security;
 - 8. Emergency preparedness;
 - 9. Risk management;
 - 10. Transportation;
 - 11. Food service;
 - 12. Technology systems; and
 - 13. Information management.
- C. A standard operating procedure shall be established that ensures office supplies are ordered in appropriate quantities, maintained in appropriate storage facilities, and monitored to keep track of inventory.

Financial and Human Resource Management Systems, Access Controls

- A. The Elizabeth School District shall maintain an Enterprise Resource Planning (ERP) System which integrates all data and processes of the school district into a unified system. The ERP system shall use multiple components of computer software and hardware and a unified database to store data for the various system modules to achieve the integration;
- B. Whenever considering financial systems or the automation of other services or functions, the chief school administrator or assistant chief school administrator for business/board secretary shall notify the executive county chief school administrator in writing to see if opportunities for a shared service system exist;
- C. Access controls shall be established for key elements of financial systems to ensure that a single person does not have the ability to make system edits that would violate segregation of duties controls:
 - 1. The process for creating, modifying, and deleting user accounts shall include the use of user access request forms.
 - 2. All requests for financial applications shall be approved and specified by the assistant chief

INTERNAL CONTROLS (regulation continued)

- school administrator for business/board secretary.
- 3. All requests for network access shall be granted by the head of the technology department, if one exists.
- 4. A review of user access shall be conducted yearly at a minimum by the relevant department managers and an audit trail should be maintained to verify the performance of this review.
- 5. Access to the network and key applications within a district shall be restricted to authorized users through the use of unique user names and passwords.
- 6. Proper protocols shall be implemented that appropriately address password expiration and complexity.

Personnel Tracking and Accounting

The school district shall maintain an accurate, complete, and up-to-date automated position control roster to track the actual number and category of employees and the detailed information for each. The district shall maintain a position control roster. The position control roster shall:

- A. Share a common database and be integrated with the district's payroll system;
- B. Agree to the account codes in the budget software;
 - 1. Ensure that the data within the position control roster system includes, at a minimum, the following information:
 - 2. The employee's name;
 - 3. The date of hire;
 - 4. A permanent position tracking number for each employee including:
 - a. The expenditure account codes for the general fund consistent with the State prescribed budget, special revenue fund and enterprise funds;
 - b. The building(s) the position is assigned;
 - c. The certification title and endorsement held, as applicable;
 - d. The assignment position title as follows:
 - 1) Chief school administrator;
 - 2) Assistant chief school administrator;
 - 3) School business administrator;
 - 4) Board secretary;
 - 5) Principal;
 - 6) Vice principal;
 - 7) Director;
 - 8) Supervisor;
 - 9) Facilitator;
 - 10) Instructional coach by subject area;
 - 11) Department chairperson by subject area;
 - 12) Certificated administrator - other;
 - 13) Guidance;
 - 14) Media specialist/librarian;
 - 15) School nurse;

INTERNAL CONTROLS (regulation continued)

- 16) Social worker;
 - 17) Psychologist;
 - 18) Therapist, OT;
 - 19) Therapist, PT;
 - 20) Therapist, speech;
 - 21) Certificated support staff - other;
 - 22) Teacher by subject area;
 - 23) Instructional Assistants;
 - 24) Certificated instructional-other;
 - 25) Aides supported by IEP;
 - 26) Other aides;
 - 27) Maintenance worker;
 - 28) Custodian;
 - 29) Bus driver;
 - 30) Vehicle mechanic;
 - 31) Food service; and
 - 32) Other non-certificated.
- 5. A control number for substitute teachers;
 - 6. A control number for overtime;
 - 7. A control number for extra pay;
 - 8. The status of the position (filled, vacant, abolished, etc.);
 - 9. An indication, when available, of whether the employee is retiring in the budget year or not being renewed including associated costs such as contractual buyouts, severance pay, paid vacation or sick days, etc.;
 - 10. Each of the following: base salary, step, longevity, guide, stipends by type, overtime and other extra compensation;
 - 11. The benefits paid by the district, net of employee reimbursements or co-pays, by type of benefit and for FICA and Medicare;
 - 12. The position's full-time equivalent value by location;
 - 13. The date the position was filled; and
 - 14. The date the position was originally created by the board. If the date the position was originally created is not available, this item shall represent the date the person currently filling that position was approved by the board.

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Policy

BUDGET PLANNING, PREPARATION AND ADOPTION

The budget is the financial reflection of the educational plan for the district. The budget shall be designed to carry out that plan in a thorough and efficient manner and to maintain the facilities and honor the obligations of the district. The budget shall be in accord with statutory and regulatory mandates of the federal government, the state legislature, the state board of education and the board of education.

The budget shall provide sufficient resources for the designed curriculum and instruction. The budget shall be delivered in such a way that all students have the opportunity to achieve the knowledge and skills defined by the New Jersey Student Learning Standards and local standards.

In reviewing budget proposals, the board will consider priorities to be accomplished during the subsequent year, based on the needs identified through the district's planning process. The budget shall be prepared on forms prescribed by the Commissioner of Education and should be considered critically by each board member during its preparation.

In order to ensure adequate time for the preparation and review of the proposed budget, the board directs the chief school administrator to develop a schedule of events associated with the development, presentation and adoption of the budget by the board. This calendar of events shall conform to all dates set out in statute and shall be reviewed and adopted by the board annually. The chief school administrator shall prepare a tentative budget and shall confer with the principals, department heads, board committees and other district personnel, as necessary, to make the tentative budget realistic.

The board may call upon key personnel to discuss those portions of the budget that concern their areas of district operations.

The budget should evolve primarily from the district's goals and schools' current needs, but shall also consider the data collected in long-range budget planning. The district's operating budget, when presented to the board for review, shall contain:

- A. The total expenditure for each item for the preceding school year;
- B. The amount appropriated for the current school year adjusted for transfers as of February 1 of the current school year;
- C. The amount estimated to be necessary to be appropriated for the ensuing school year;
- D. The amount of the surplus account available at the beginning of the preceding school year, at the beginning of the current school year and the amount anticipated to be available for the ensuing school year;
- E. The amount of revenue available for budget purposes for the preceding school year,

BUDGET PLANNING, PREPARATION AND ADOPTION (continued)

the amount available for the current school year as of February 1 of the current school year and the amount anticipated to be available for the ensuing school year in the following categories:

1. Total to be raised by local property taxes;
 2. Total State aid;
 3. Total federal aid;
 4. Other sources;
- F. The proposed expenditure for each line item requested for the ensuing year;
- G. The anticipated expenditure for each existing line item in the current school year;
- H. The actual expenditure for each then-existing line item from the immediately completed school year;
- I. A description of each line item;
- J. An estimate of the student population for the coming school year by grade;
- K. The current student population by grade;
- L. An estimate of the staff needed for the coming school year by grade and/or by subject;
- M. Actual staff for the current year;
- N. Anticipated revenue by sources and amounts;
- O. Amount of surplus anticipated at the end of the current school year including accumulated surplus;
- P. All other expenses projected for the coming year, anticipated for the present year, and incurred in the preceding year, on the district level; and
- Q. Projected impact on tax rate.

Budget Adoption and Submission

Annually, on or before March 20, the board shall adopt and submit to the executive county superintendent for approval, together with such supporting documentation as prescribed by the commissioner, a budget that provides for a thorough and efficient (T&E) education. The board shall submit at the commissioner's request supplemental information such as documents, contracts, reports, and financial records and statements required by law or regulation, or other information

BUDGET PLANNING, PREPARATION AND ADOPTION (continued)

necessary to conduct a review of the school district's annual spending plan. Additional information may include, but need not be limited to:

- A. Contracted services;
- B. Health benefits;
- C. Operation and maintenance of plant services;
- D. Utilities and where applicable, an analysis of savings by not using the Alliance for Competitive Energy Services (ACES) or Alliance for Competitive Telecommunications (ACT);
- E. Purchased professional services;
- F. Textbook adoptions;
- G. Equipment purchases;
- H. A detailed list of efforts to improve administrative efficiency and realize other potential or real cost savings;
- I. An accounting and analysis of:
 - 1. Actual salary breakage in the year prior to the prebudget year for replacement of staff that retired or left district employment before or during the year;
 - 2. Actual or estimated salary breakage, as available, for the prebudget year for replacement of staff that retired or left district employment or are known to be retiring or leaving district employment before the end of the prebudget year; and
 - 3. Estimated salary breakage for the budget year for replacement of staff known to be retiring or leaving district employment at the end of the prebudget year;
- J. A list of budgeted positions and salaries that have been vacant for more than one year;
- K. A list of aides and salaries that are not mandated for preschool and kindergarten or required by IEP for special education;
- L. A list of appropriations to fund deficits in any of the school district's enterprise fund activities; and
- M. Supporting documentation in regard to the employment contracts of the chief school administrator, any assistant chief school administrator, the school business administrator, and any employee with an annual salary that exceeds \$75,000 who is not a member of a collective bargaining unit.

The annual budget proposal must be adopted by a roll call majority vote of the full membership of

BUDGET PLANNING, PREPARATION AND ADOPTION (continued)

the board. Once adopted, the proposal represents the position of the board, and all reasonable means shall be employed by the board to present and explain that position to all community residents and taxpayers.

Budget Hearing

The date of the public hearing shall be advertised in at least one newspaper published in the district not less than 4 days prior to the fixed date. If there is no newspaper published in the district it shall be advertised in at least one newspaper circulated in the district. The notice shall include the hours and place the budget will be on file and open to the examination of the public. The budget shall be open to examination from the date of the notice publication until the date of the holding of the public hearing.

The board of education shall hold such public hearing on the date and at the time and place, fixed annually by the board (see: the Department of Education *School Election and Budget Procedures Calendar* posted by the Office of School Finance at <http://www.state.nj.us/education/finance/>). The date of the hearing shall be fixed between April 24 and May 7. At the public hearing the taxpayers and other interested persons shall have an opportunity to present objections and to be heard with respect to said budget and the amounts of money necessary to be appropriated and the various items and purposes for which the same are to be appropriated for the use of the schools in the district for the ensuing school year.

The budget shall be maintained on the district website and made available in print within 48 hours after the public hearing.

All board members are expected to attend the public hearing on the budget.

Public Notification of the Budget

Since the budget is the legal basis on which the school tax rate is established, the annual school budget process is an important means of communication within the school organization and with district residents. The community shall be notified of and encouraged to attend all board meetings at which preliminary budget discussions will be held. The legally required public hearing on the proposed budget shall be held after the budget has been approved by the executive county superintendent and within the statutorily prescribed timelines.

The budget as adopted for the school year shall be provided for public inspection on the district's Internet site, if one exists, and made available in print in a "user-friendly," plain language budget summary format within 48 hours after the public hearing on the budget.

- A. The budget shall be maintained on the district's website, if one exists, with a visible link off the main page, for the entire budget year and revised, as applicable, when changed as follows:
 - 1. Prior to adoption of a separate proposal(s);
 - 2. Upon voter rejection of a separate proposal(s);

BUDGET PLANNING, PREPARATION AND ADOPTION (continued)

3. Upon municipal action on a voter rejected base budget question; and
4. For any subsequent determination on an application for restoration to the Commissioner.

B. The user-friendly budget shall include:

1. All appropriation line items aggregated by item type;
2. The school tax rate;
3. The equalized school tax rate;
4. Revenues by major category;
5. The amount of available surplus;
6. A description of unusual revenues or appropriations, with a description of the circumstances of the revenues and appropriations; and
7. A list of shared services agreements in which the district is participating.

Appropriation of Funds

The board shall fix and determine by a recorded roll call majority vote of the full board, at or after the public hearing on the budget but not later than May 14, the amount of money to be raised pursuant to the School Funding Reform Act of 2008 and any additional funds to be voted upon by the voters at the November school election. The sum or sums shall be designated in the notice calling the election as required by law.

The board may submit a separate budget proposal or proposals to the voters for additional general fund tax levies which may be in excess to that which has been determined necessary for all students to have an opportunity to achieve the New Jersey Student Learning Standards and a thorough and efficient education.

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<u>Legal References:</u>	<u>N.J.S.A. 18A:7F-43 et seq.</u>	<u>School Funding Reform Act of 2008</u>
	<u>N.J.S.A. 18A:13-17, -19, -23</u>	Submission of budget; annual regional school election
	<u>N.J.S.A. 18A:22-7, -8</u>	Preparation of budgets
	<u>through -8.2 and -9 through -13</u>	
	<u>N.J.S.A. 18A:22-14</u>	Fixing appropriations to be made; notice of intent to appeal (Type I districts)

BUDGET PLANNING, PREPARATION AND ADOPTION (continued)

<u>N.J.S.A.</u> 18A:22-25	Borrowing against appropriations on notes (Type I districts)
<u>N.J.S.A.</u> 18A:22-26	Type II district with board of school estimate; through -31 determination; certification and raising of appropriations; notice of intent to appeal amount of appropriation ...
<u>N.J.S.A.</u> 18A:22-32, -33	Type II districts without board of school estimate; determination of appropriation
<u>N.J.S.A.</u> 18A:39-1.5	Adoption of policy regarding transportation of students along hazardous routes
<u>N.J.S.A.</u> 19:60-1	School elections, adjustments, ballots
<u>N.J.A.C.</u> 6A:8-1.1 <u>et seq.</u>	Standards and Assessment
<u>N.J.A.C.</u> 6A:23A-8.1 <u>et seq.</u>	Budget Submission, support documentation, website publication
<u>N.J.A.C.</u> 6A:23A-15.2	Per student calculation, notification and caps (charter schools)
<u>N.J.A.C.</u> 6A:23A-15.3	Enrollment counts payments process and aid adjustment (charter schools)
<u>N.J.A.C.</u> 6A:23A-22.4	Financial requirements (charter schools)
<u>N.J.A.C.</u> 6A:26-10.1 <u>et seq.</u>	Purchase and lease Agreements
<u>N.J.A.C.</u> 6A:30-1.1 <u>et seq.</u>	Evaluation of the Performance of School Districts

Abbott v. Burke, 149 NJ 195 (1999)

Budget Guidelines and Electronic Data Collection Manual 2016-17, New Jersey Department of Education

Possible

<u>Cross References:</u>	*3160	Transfer of funds between line items/amendments/purchases not budgeted
	*3220/3230	State funds; federal funds
	*3326	Payment for goods and services

TRANSFER OF FUNDS BETWEEN LINE ITEMS/AMENDMENTS/
PURCHASES NOT BUDGETED

Appropriate fiscal controls shall ensure that the board does not spend more than authorized funds. The board secretary shall keep the board informed of the district's financial status according to law.

Except in the case of federal basic skills improvement funds, the board designates the chief school administrator to approve such transfers among line items and programs as are necessary between meetings of the board. Transfers approved by the chief school administrator shall be reported to the board, ratified, and recorded in the minutes at a subsequent meeting of the board, but not less than monthly.

When the necessity arises for an unbudgeted expenditure, and there are no available funds in other line items in the same category, the procedures required by administrative code shall be initiated.

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Legal References: N.J.S.A. 2C:30-4 Disbursing moneys, incurring obligations in excess of appropriations
N.J.S.A. 18A:17-9 Secretary; report of appropriations, etc.; custodial duties, etc.
N.J.S.A. 18A:18A-7 Emergency purchases and contracts
N.J.S.A. 18A:22-8.1 Transfer of amounts among line items and program categories
N.J.S.A. 18A:22-8.2 Prohibited transfers
N.J.S.A. 18A:24-48
through -54 Application of proceeds to new purpose; in districts having boards of school estimate; certification by boards of education
N.J.A.C. 6A:23A-13.3 Transfers during the budget year
N.J.A.C. 6A:23A-16.1 Prescribed system of double-entry bookkeeping and GAAP accounting
See particularly:
N.J.A.C. 6A:23A-16.2, -16.10
N.J.A.C. 6A:30-1.1 et seq. Evaluation of the Performance of School Districts

Hawkins-Stafford Elementary and Secondary School Improvement Act of 1988, (Pub. No. 100-297) amending Elementary and Secondary Education Act of 1965.

L.

Guidelines for Development of Program Plan--Bilingual/ELL Education

TRANSFER OF FUNDS BETWEEN LINE ITEMS/
AMENDMENTS/PURCHASES NOT BUDGETED (continued)

Programs--New Jersey State Department of Education, revised annually

Possible

Cross References:

*3000/3010	Concepts and roles in business and noninstructional operations; goals and objectives
*3100	Budget planning, preparation and adoption
3170	Budget administration
3300	Expenditures/expending authority
*3320	Purchasing procedures
*3570	District records and reports
3571	Financial reports
*6142.2	English as a second language; bilingual/bicultural
*6171.3	At-risk and Title 1
9127	Appointment of auditor
*9325.4	Voting method
*9326	Minutes

Regulation

TRANSFER OF ITEMS BETWEEN LINE ITEMS

Purchases Not Budgeted

Public money shall not be dispersed:

- A. In amounts in excess of the funds provided to this district; and
- B. Exceeding the amount budgeted for each major line item or program category or change the purposes for which amounts were allocated.

Transfer of Funds

When funds allocated to or remaining in a line item account or program category are insufficient for a proposed expenditure, the school business administrator/board secretary shall request board approval for the transfer of sufficient funds to meet the expenditure.

Emergency Purchases

An emergency occurs only when the time required for the board lawfully to convene and take action would endanger life, cause the destruction of property, or seriously disrupt the educational program; it is not intended by this policy that emergencies shall be permitted to occur as the result of inadequate planning or delay.

In the event of emergency:

- A. A purchase order up to the amount required to cover such emergency may be authorized by the chief school administrator; and
- B. Emergency authorization shall be reported to the board at its next meeting.

Over Expenditure of Funds

The business administrator shall inform the Board each month that no line item account or program category/account has been over-expended in violation of law or this policy.

The board shall then:

- A. Review of the business administrator's monthly financial report;
- B. Certify in the minutes or document in the school board business administrator/board secretary report that no major account or fund has been over-expended and that sufficient funds are available to meet the district's financial obligations for the remainder of the fiscal year.

TRANSFER OF ITEMS BETWEEN LINE ITEMS/
PURCHASES NOT BUDGETED (regulation continued)

- C. The board shall eliminate the deficit by approving a resolution that transfers amounts among line item items and/or from the free balance.

The chief school administrator shall:

- A. Report anticipated over-expenditure in the current expense, capital outlay, or debt services accounts will be reported immediately to the executive county superintendent;
- B. Notify the executive county superintendent of the projected amount of the anticipated over-expenditure;
- C. Document the reason or reasons for the over-expenditure;
- D. Document the action being taken by the board to avoid the over-expenditure. Any such corrective action will be recorded in the board minutes.

The board recognizes that it is a crime of the fourth degree for a board member to purposely and knowingly disburse, order, or vote for the disbursement of public funds in excess of appropriation or incur obligations in excess of appropriation and the limit of expenditure set by law.

Date:	June 25, 2009
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Second Reading:	June 25, 2009
NJSBA Review/Update:	December 2008
Readopted:	June 13, 2019

Policy

LOCAL FUNDS

The Elizabeth Board of Education shall not request any more money at any one time than shall be required for its expenditures for a period of 60 days in advance. Twenty percent of the annual total may be requested and granted by August 10 of each year.

The board of education must be informed of the financial condition of the district each month and of the funds needed from district taxes to pay all expenses, including debt service requirements.

If at any time, the governing body of the municipality shall not have on hand sufficient money to pay the amount requested, the municipality is required to borrow the money and forward it to the treasurer of school moneys. All funds due to the board shall have been forwarded on or before June 30 annually.

Date: November 13, 1986
Revised: June 25, 2009
First Reading: June 11, 2009
Second Reading: June 25, 2009
NJSBA Review/Update: December 2018
Readopted: June 13, 2019

<u>Legal References:</u>	<u>N.J.S.A. 18A:7F-43 et seq.</u>	<u>School Funding Reform Act of 2008</u>
	<u>N.J.S.A. 18A:11-1</u>	General mandatory powers and duties
	<u>N.J.S.A. 18A:17-34</u>	Receipt and disposition of money
	<u>N.J.S.A. 18A:22-45</u>	Moneys transferred from municipality to district
	<u>N.J.S.A. 18A:34-1</u>	Textbooks; selection; furnished free with supplies; a appropriations
	<u>N.J.S.A. 18A:58-37.1 through -37.7</u>	Textbook Aid to Public and Nonpublic Schools
	<u>N.J.S.A. 54:4-75</u>	Payment by municipality of school moneys to board secretary or treasurer
	<u>N.J.A.C. 6A:14-1.1 et seq.</u>	Special Education
	<u>N.J.A.C. 6A:23A-8.1 et seq.</u>	Annual Budget Development, Review and Approval
	<u>N.J.A.C. 6A:30-1.1 et seq.</u>	Evaluation of the Performance of School Districts

Possible

<u>Cross References:</u>	*3100	Budget planning, preparation and adoption
	*3160	Transfer of funds between line items/amendments/purchases not Budgeted
	*3220/3230	State and federal funds
	3500.1	Energy
	*3541.1	Transportation routes and services
	*3542.31	Free or reduced-price lunches/milk
	*3570	District records and reports

LOCAL FUNDS (continued)

*4119.23/4219.23	Employee substance abuse
*6142.2	English as a second language; bilingual/bicultural
*6142.6	Basic skills
*6142.12	Career and technical education
*6171.3	At-risk and Title 1
*6171.4	Special education
*9326	Minutes

STATE FUNDS; FEDERAL FUNDS

Each year, when it is believed that the Elizabeth School District is eligible for federal and/or state assistance under the provisions of public laws, application for said assistance may be submitted so long as acceptance of the funds does not include conditions contrary to the policies of the board of education. The chief school administrator shall inform the board about specific assurances which may be required in addition to those addressed in this policy, and will provide the required language for board adoption.

When the law requires the development and implementation of administrative procedures for submitting state and federal financial reports, with specified time schedules, the chief school administrator and board secretary shall ensure that the staff has properly completed the reports and that in each instance the reports have been submitted within the specified time. In particular, the chief school administrator is responsible for assuring that the district is in compliance with Education Department General Administrative Regulations (EDGAR) and all persons responsible for following those administrative regulations shall be held accountable.

The regular operating budget must include amounts anticipated to be received from state and/or federal sources, and a listing of projects describing how this money will be spent. These recommendations for expenditures will be approved by the board before projects are submitted.

If additional amounts become available during the year, additional projects will be recommended to the board and, with its approval, added to the budget.

Maintenance of Effort

The board of education will maintain a combined fiscal effort per student or aggregate expenditures of state and local funds with respect to the provision of the public education for the preceding fiscal year that is not less than the required amount of the combined fiscal effort per student or the aggregate expenditures for the second preceding fiscal year.

Equivalence

To be in compliance with the requirements of federal law, the board of education directs the chief school administrator to assign staff and distribute curriculum materials and instructional supplies to the schools in such a way that equivalence of personnel and materials is ensured among the schools.

Supplement not Supplant

Federal funds shall be used for supplementary services only and shall not be used to replace services that the district would supply eligible students, if state and federal funds were not available.

STATE FUNDS; FEDERAL FUNDS (continued)

Parent/Guardian Participation

The district shall implement parent/guardian consultation and participation, advisory councils, etc., as mandated for the specific program.

Control of Equipment

Title to and control over equipment and/or property purchased with federal funds shall be maintained in accordance with the pertinent federal regulations. The chief school administrator shall develop written procedures outlining federal ownership and district use, loan, loss and disposal of such equipment/property.

Special Education Medicaid Initiative (SEMI) Program

The chief school administrator or designee shall ensure that the district follows all required procedures to maximize its revenue from reimbursements under the Special Education Medicaid Initiative (SEMI) Program. This program allows the district to recover a portion of the cost of certain health-related services considered medically necessary in a student's Individualized Education Program (IEP), including evaluation services, physical, occupational and speech therapy, and specialized transportation services.

Procedures to be followed are included in the SEMI Provider Handbook, found at <http://www.state.nj.us/treasury/administration/semi-mac/semi-mac.htm>. These procedures include maximizing the return rate of parental consent forms for all SEMI eligible students.

In accord with the Family Education Rights and Privacy Act (FERPA), the district shall obtain the parent/ guardian's informed written consent prior to any disclosures of personally identifiable information from education records, including health information, to the Medicaid program for Medicaid claim submission.

All supporting documentation for Medicaid claims shall be maintained on file and available for state or federal audit for at least seven years from the date of service. Records shall fully document the basis upon which claims for reimbursement are made.

Reimbursement Requests

When the district is a subgrantee of grants awarded by the Federal government to the State of New Jersey, the district shall submit reimbursement requests using the Electronic Web-Enabled Grant (EWEG) System. Expenditures must be supported by documentation at the subgrantee level. Documentation for salary expenditures will be according to the applicable federal circular. Expenditures must be for allowable costs. Expenditures must be related to the subgrantee's cost objectives. Expenditures will be reviewed to determine that:

A. Adequate description of expenditures is provided;

STATE FUNDS; FEDERAL FUNDS (continued)

- B. No new budget category is created; and
- C. Reimbursement does not exceed the allowable threshold for an amendment as a result of cumulative transfers among expenditure categories.

Reimbursement requests will be certified by the board as being in accordance with approved grant applications. EWEG reimbursement requests will meet NJDOE timelines and deadlines. The district shall assume all responsibility for assuring that all funds requested through the EWEG system either have already been expended, or will be expended according the requirements of the Cash Management Improvement Act of 1990 (CMIA) and other applicable federal regulations.

Financial Fraud and Theft Prevention

All district employees, board members, consultants, vendors, contractors and other parties maintaining a business relationship with the district shall act with integrity and due diligence in matters involving state grants, federal grants, and other fiscal resources.

The chief school administrator shall be responsible for developing internal controls designed to prevent and detect fraud, financial impropriety or fiscal irregularities within the district. Every member of the district's administrative team shall be alert for any indication of fraud, financial impropriety or irregularity within his/her areas of responsibility.

As used in this policy, "fraud" refers to intentionally misrepresenting, concealing or misusing information in an attempt to commit fiscal wrongdoing. Fraudulent actions include, but are not limited to:

- A. Behaving in a dishonest or false manner in relation to district assets, including theft of funds, securities, supplies or other properties;
- B. Forging or altering financial documents or accounts illegally or without proper authorization;
- C. Improper handling or reporting of financial transactions;
- D. Personally profiting as a result of insider knowledge;
- E. Disregarding confidentiality safeguards concerning financial information;
- F. Violating board conflict of interest policies;
- G. Mishandling financial records of district assets (destroying, removing or misusing).

The chief school administrator shall investigate reports of fraudulent activity in a manner that protects the confidentiality of the parties and the facts. All employees involved in the investigation shall be advised to keep information about the investigation confidential.

STATE FUNDS; FEDERAL FUNDS (continued)

In the event the concern or complaint involves the chief school administrator, the concern shall be brought to the attention of the board president who is hereby empowered to contact the board's legal counsel, auditing firm and any other agency to investigate the concern or complaint.

Date: November 13, 1986
 Revised: June 25, 2009
 First Reading: June 11, 2009
 Second Reading: June 25, 2009
 Second Revision: August 19, 2010
 First Reading: August 12, 2010
 Second Reading: August 19, 2010
 NJSBA Review/Update: December 2018
 Readopted: June 13, 2019

<u>Legal References:</u>	<u>N.J.S.A. 18A:7F-43 et seq.</u> <u>N.J.S.A. 18A:7G-1</u> through -44 et al. <u>N.J.S.A. 18A:11-1</u> <u>N.J.S.A. 18A:34-1</u> <u>N.J.S.A. 18A:38-7.7</u> through -7.14 <u>N.J.S.A. 18A:54-20</u> <u>N.J.S.A. 18A:58-7.1</u> <u>N.J.S.A. 18A:58-7.2</u> <u>N.J.S.A. 18A:58-11</u> <u>N.J.S.A. 18A:58-11.1</u> <u>N.J.S.A. 18A:58-33.6</u> through -33.21 <u>N.J.S.A. 18A:58-37.1</u> through -37.7 <u>N.J.S.A. 18A:59-1</u> through -3 <u>N.J.A.C. 6A:14-1.1 et seq.</u> <u>N.J.A.C. 6A:23A-5.3</u> <u>N.J.A.C. 6A:23A-8.1</u> <u>N.J.A.C. 6A:23A-19.1</u> <u>N.J.A.C. 6A:26-1.1 et seq.</u> <u>N.J.A.C. 6A:27-8.1 et seq.</u> <u>N.J.A.C. 6A:30-1.1 et seq.</u>	<u>School Funding Reform Act of 2008</u> Educational Facilities Construction and Financing Act General mandatory powers and duties Textbooks; selection; furnished free with supplies; appropriations Legislative findings and declarations (regarding impact aid) Powers of board (county vocational schools) School lunch program School lunch program; additional state aid Emergency aid Loss of tuition to district due to establishment of regional district; state aid for one year Additional State School Building Aid Act of 1970 Textbook Aid to Public and Nonpublic Schools Federal aid Special Education Failure to maximize SEMI Budget submission, support documentation, website publication Emergency aid Educational Facilities State Transportation Aid Evaluation of the Performance of School Districts <u>Abbott v. Burke</u> , 149 N.J. 145 (1997)
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Hawkins-Stafford Elementary and Secondary School Improvement Amendments of 1988 (Pub. L. 100-97)

STATE FUNDS; FEDERAL FUNDS (continued)

20 U.S.C.A. 1401 et seq. - Individuals with Disabilities Education Act

29 U.S.C.A. 794 et seq. - Section 504 of the Rehabilitation Act of 1973

Drug-Free Workplace Act of 1988

34 CFR Part 85, Governmentwide Debarment and Suspension (nonprocurement) and Government wide Requirements for Drug-Free Workplace (Grants)

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

2 CFR 200 uniform requirements for federal awards

Education Department General Administrative Regulations (EDGAR)

Possible

<u>Cross References:</u>	*3100	Budget planning, preparation and adoption
	*3160	Transfer of funds between line items/amendments/purchases not budgeted
	3500.1	Energy
	*3541.1	Transportation routes and services
	*3542.31	Free or reduced-price lunches/milk
	*3570	District records and reports
	*4119.23/4219.23	Employee substance abuse
	*6142.2	English as a second language; bilingual/bicultural
	*6142.6	Basic skills
	*6142.12	Career and technical education
	*6171.3	At-risk and Title 1
	*6171.4	Special education
	*9326	Minutes

SALE AND DISPOSAL OF BOOKS, EQUIPMENT AND SUPPLIES;
SALE, LICENSING AND RENTAL OF PROPERTY

The Elizabeth Board of Education believes that the efficient administration of the district requires the disposition of property and goods no longer necessary for the maintenance of the educational program or the operation of the school district. The board shall direct the chief school administrator to review periodically all district property and shall authorize the disposition by sale, licensing, rental or donation of any property not required for school purposes.

The school business administrator/board secretary shall develop rules for the disposition of property that ensure that all sales are conducted in a fair and open manner consistent with the public interest, and in compliance with law.

Any district property designated for donation or unsold after such offer may be offered without cost to charitable or nonprofit organizations having a use for such property.

Supplies and equipment for specific programs, purchased with funds granted by the state and federal government, shall be disposed of in strict accordance with applicable law and regulations.

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Legal References: N.J.S.A. 18A:7F-7(e) Appropriation by school district of undesignated fund balance; amounts allowable
 N.J.S.A. 18A:18A-45 Manner and method of sale (personal property)
 N.J.S.A. 18A:20-2 Purchase and sale of property in general
 N.J.S.A. 18A:20-5 Disposition of property and title of purchaser
 N.J.S.A. 18A:20-6 Sale at public sale; exceptions
 N.J.S.A. 18A:20-7 Sale at fixed minimum prices; rejection of bids
 N.J.S.A. 18A:20-8.1 Transfer of land for vocational school purposes
 N.J.S.A. 18A:20-8.2 Lease of land, or part or all of school building not necessary for school purpose; resolution; procedure
 N.J.S.A. 18A:20-9 Conveyance of unneeded real estate for nominal consideration; qualified recipients; reversion
 N.J.S.A. 18A:20-9.1 Conveyance of certain sewer lines to a municipality
 N.J.S.A. 18A:20-9.2 Sale of school property to nonprofit schools for the handicapped
 N.J.S.A. 54:4-3.6 Exemption of property of nonprofit organizations
 N.J.A.C. 6A:26-7.4 Approval for the disposal of land

SALE AND DISPOSAL OF BOOKS, EQUIPMENT AND SUPPLIES;
SALE, LICENSING AND RENTAL OF PROPERTY (continued)

Possible

Cross References: *3220/3230 State funds; federal funds
*3280 Gifts, grants and bequests
*3440 Inventories
*6171.3 At-risk and Title 1
*7110 Long-range facilities planning

GIFTS, GRANTS AND BEQUESTS

Only the Elizabeth Board of Education may accept any bequest or gift of money, property or goods deemed suitable for the school district.

The board reserves the right to refuse to accept any gift that does not contribute to the achievement of district goals or could deplete the resources of the district.

Any gift accepted by the board shall become the property of the board, may not be returned without the approval of the board, and is subject to the same controls and regulations as are other properties of the board. The board shall be responsible for the maintenance of any gift it accepts.

The board will make every effort to honor the intent of the donor in its use of the gift, but reserves the right to use any gift it accepts in the best interest of the educational program of the district. In no case shall acceptance of a gift be considered to be an endorsement by the board of a commercial product or business enterprise or institution of learning.

No individuals are empowered to receive gifts or contributions for a school or the school district. However, members of the staff are encouraged to seek out sources of grants and gifts and bring them to the attention of the chief school administrator who shall investigate the conditions of such gifts and grants and make recommendations to the board regarding the advisability of accepting them.

All gifts and contributions shall be given to the school district as a whole and not to a particular school. Upon the recommendation of the chief school administrator, the board of education may assign the gift or contribution to a particular school.

The chief school administrator shall:

- A. Acknowledge the receipt and value of any gift accepted by the school district;
- B. Counsel potential donors on the appropriateness of gifts and encourage such donors to choose as gifts supplies or equipment not likely to be purchased with public funds;
- C. Prepare fitting means of recognizing or memorializing gifts to the district as appropriate;
- D. Encourage individuals and organizations considering a contribution to the schools to consult with him/her before appropriating funds to that end.

Grants

Staff members are encouraged to seek out sources of grants and gifts, and bring them to the attention of the chief school administrator, who shall investigate the conditions of such grants and make

GIFTS, GRANTS AND BEQUESTS (continued)

recommendations to the board regarding the advisability of seeking them.

Date:	November 13, 1986
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<u>Legal References:</u>	<u>N.J.S.A.</u> 18A:6-33.1 through -33.12	Incentive Grants
	<u>N.J.S.A.</u> 18A:18A-15.1	Payment for goods or services; funds received from a bequest, legacy or gift
	<u>N.J.S.A.</u> 18A:20-4	Acceptance and use of gifts
	<u>N.J.S.A.</u> 18A:20-11 through -16	Property devised in trust
	<u>N.J.S.A.</u> 18A:29A-1 through -7	<u>Governor's Annual Teacher Recognition Act</u>
	<u>N.J.S.A.</u> 18A:71A-1 <u>et seq.</u>	Authority Structure and General Provisions
	<u>N.J.S.A.</u> 18A:71B-1 <u>et seq.</u>	Student Financial Aid
	<u>N.J.S.A.</u> 18A:71C-1 <u>et seq.</u>	Student Loans
	<u>N.J.A.C.</u> 6A:26-7.4	Approval of land acquisition

Possible

Cross References:

*1230	School-connected organizations
3200	Income
*3220/3230	State funds; federal funds
*3453	School activity funds
*5126	Awards for achievement
*6163.1	Media center/library

Policy

FUNDS MANAGEMENT/INVESTMENTS

The school business administrator/board secretary shall act as the investment official for the Elizabeth Board of Education. The school business administrator/board secretary shall be responsible for developing the appropriate procedures for the effective implementation of this policy.

All funds received shall be deposited in a savings. account within 48 hours after-receipt. When the board is holding unencumbered cash balances such funds shall be invested a t interest bearing accounts.

Funds of the board may be invested as follows:

- A. In certificates of deposit a t approved public depositories located within the boundaries. of the State of New Jersey provided such depositories secure public, funds in accordance with state law.
- B. In the New Jersey Cash Management Account
- C. In a Board approved joint investment program provided such program complies with state statutes regarding the investment of public funds.

Quotations are to be sought from a minimum of three (3) approved depositories. Investments shall be made to the public depository giving the highest interest rate a t time of quotation. Quotes shall be obtained no less then semi-annually.

The school business administrator/board secretary shall include in the monthly report to the board all cash in all accounts on deposit as well as all investment assets of the board. The board requires that the secretary report to the board monthly the amounts of funds in investments, the interest earned to date, and the transactions occurring since the last report.

The interest earned on investments shall be combined with the general revenues of the Board.

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Second Reading: June 25, 2009
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Readopted: June 13, 2019

Legal References: N.J.S.A. 17:9-41 Financial institutions

INVESTMENTS (continued)

<u>N.J.S.A.</u> 17:12B-241	Insured accounts eligible investment for trust and public funds, and savings banks and as security
<u>N.J.S.A.</u> 18A:7F-43 <u>et seq.</u>	<u>School Funding Reform Act of 2008</u>
<u>N.J.S.A.</u> 18A:4-14	Uniform system of bookkeeping for school districts
<u>N.J.S.A.</u> 18A:17-8	Secretary; collection of tuition and auditing of accounts
<u>N.J.S.A.</u> 18A:17-34	Receipt and disposition of moneys
<u>N.J.S.A.</u> 18A:17-35	Records of receipts and payments
<u>N.J.S.A.</u> 18A:20-37	Purchase of certain types of securities; definitions
<u>N.J.S.A.</u> 18A:22-8	Contents of budget; program budget system
<u>N.J.S.A.</u> 18A:24-47	Payment custodian; application
<u>N.J.S.A.</u> 18A:34-2	Care and keeping of textbooks and accounting
<u>N.J.A.C.</u> 6A:23A-16.1 <u>et seq.</u>	Double-entry bookkeeping and GAAP accounting in local school districts
<u>N.J.A.C.</u> 6A:23A-8.1 <u>et seq.</u>	Budget submission, support documentation, website publication

Handbook 2R2 – Financial Accounting for Local and State School Systems

Possible

<u>Cross References:</u>	*3100	Budget planning, preparation and adoption
	*3326	Payment for goods and services
	*3400	Accounts
	*3450	Money in school buildings
	*3451	Petty cash funds
	*3453	School activity funds
	*3570	District records and reports
	*3571.4	Audit

ELIZABETH BOARD OF EDUCATION
Elizabeth, New Jersey

FILE CODE: 3293

Policy

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

DEPOSITORIES

The Elizabeth Board of Education shall designate one or more banks or bank and trust companies to serve as the depository or depositories for school funds. Such selection shall require an affirmative vote of the majority of the full membership of the board.

The board may change or amend its list of designated depositories thereafter during the school year as necessary.

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Revised: June 25, 2009
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Second Reading: June 25, 2009
NJSBA Review/Update: January 2019
Readopted: June 13, 2019

Legal References: N.J.S.A.18A:10-5 Organization meeting of the board
 N.J.S.A.18A:11-1 General Mandatory Powers and Duties
 N.J.S.A. 18A:17-34 Receipt and disposition of moneys

Possible

Cross References: *3400 Accounts
 *3440 Inventories
 *3451 Petty cash
 *3453 Student activities funds

ELIZABETH BOARD OF EDUCATION
Elizabeth, New Jersey

FILE CODE: 3293.1

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

Policy

SIGNATURES/FACSIMILES

At the time it designates depositories of school funds, the board shall provide the depository with the name and signatures of individuals whose signatures shall be required and honored on orders for payment.

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First Reading: June 11, 2009
Second Reading: June 25, 2009
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Legal References: N.J.S.A. 18A:17-31 Treasurer of school moneys
N.J.S.A. 18A:19-9 Compensation of teachers, etc., payrolls
N.J.S.A. 18A:19-10 Payroll bank accounts; checks for compensation
N.J.S.A. 18A:19-11 Signature of payroll checks by deputy

Possible

Cross References: *3100 Budget planning, preparation and adoption
*3160 Transfer of funds between line items/amendments/purchases not
Budgeted
*3220/3230 State funds/federal funds
3290 Cash management/investing
3293 Depositories
*3400 Accounts
*3440 Inventories
*3570 District records and reports
*3571.4 Audit
*9326 Minutes

PURCHASING PROCEDURES

The Elizabeth Board of Education wishes to establish and carry out a careful system of purchasing and accounting to help provide an effective program of education while guarding against loss due to carelessness, inefficiency, theft, or improper maintenance of records.

The duties of purchasing are to be centralized under the school business administrator/board secretary, who shall be familiar with and perform all his/her activities within the limitations prescribed by law, board policy and legal opinions.

The board of education encourages the administration to seek advantages in savings through joint agreements for the purchase of work, materials or supplies with the governing body(ies) of other contracting units within this county or adjoining counties or by other cooperative pricing arrangements. The administration shall also evaluate any savings which may result from the purchase of any materials, supplies or equipment under contracts entered into by the State Treasury Department, Division of Purchase and Property.

The board may use competitive contracting instead of public bidding for purchasing specialized goods and services, the price of which exceeds the bid threshold, for the purposes and with the conditions specified in law.

All purchases shall be approved by resolution of the board.

Nothing is to be ordered independently by school personnel.

The board of education directs the school business administrator/board secretary to develop regulations and procedures regarding purchasing and ordering.

The board of education shall not knowingly enter into contract with any company that does not subscribe to and implement a policy of non-discrimination. The board secretary shall be responsible for so informing all prospective suppliers of work or materials.

Emergency Purchases and Contracts

The board may negotiate a contract without public advertising for bids and bidding when an emergency affecting the health or safety of occupants of school property requires the immediate delivery of goods or the performance of services (N.J.S.A. 18A:18A-7).

An actual or imminent emergency must exist requiring the immediate delivery of the goods or the performance of the service. Emergency contracts shall not be used unless the need for the goods or services could not have been reasonably foreseen or the need for such goods or services has arisen notwithstanding a good faith effort on the school district to plan for the purchase of any goods or

PURCHASING PROCEDURES (continued)

services required by the school district. Under no circumstance shall emergency purchasing procedures be used to enter into a multi-year contract.

If the school business administrator/board secretary is satisfied that an emergency exists, he/she shall be authorized to award a contract or contracts for such purposes as may be necessary to respond to the emergent needs pursuant to the provisions of N.J.S.A. 18A:18A-7 et seq. and N.J.A.C. 5:34-6.1 et seq.

Emergency purchasing shall be subject to the following requirements (N.J.A.C. 5:34-6.1):

- A. An actual or imminent emergency must exist requiring the immediate delivery of the goods or the performance of the service;
- B. As soon as reasonably possible, but within three days of declaring the emergency, the superintendent shall notify the executive county superintendent of the nature of the emergency and the estimated needs for goods and services necessary to respond to it;
- C. The emergency purchasing procedure may not be used unless the need for the goods or services could not have been reasonably foreseen or the need for such goods or services has arisen notwithstanding a good faith effort on the part of the contracting unit to plan for the purchase of any goods or services required by the contracting unit; and
- D. The contract shall be of such limited duration as to meet only the immediate needs of the emergency.

If conditions permit, the school business administrator/board secretary shall seek quotations from more than once source. If the expenditures are expected to be in excess of the bid threshold, the school business administrator/board secretary shall attempt to obtain no few than three (3) quotations.

As soon as possible, but within three (3) days of declaring the emergency, the chief school administrator shall notify the executive county superintendent of the nature of the emergency and the estimated need for goods or services necessary to respond to it.

When emergency conditions have eased, the school business administrator/board secretary shall utilize the regular purchasing system to obtain estimates from suppliers, vendors, and contractors for materials and/or services that will eliminate the circumstances that created the emergency.

The school business administrator/board secretary shall prepare and submit a final report to the board on every occasion an emergency contract is negotiated or awarded in accordance with the provisions of N.J.S.A. 18A:18A-7 et seq. and N.J.A.C. 5:34-6.1 et seq.

Under no circumstances shall the emergency purchasing procedure be used to enter into a multi-year contract.

PURCHASING PROCEDURES (continued)

Date: November 13, 1986
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 Date: July 21, 2016
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 Readopted: June 13, 2019

Legal References: N.J.S.A. 10:5-1 et seq. Law Against Discrimination
 See particularly:
 N.J.S.A. 10:5-31
 through -35
 N.J.S.A. 18A:18A-1 et seq. Public School Contracts Law
 N.J.S.A. 18A:19-1 et seq. Expenditure of Funds; Audit and Payment of Claims
 N.J.S.A. 52:32-44 Business registration for providers of goods and
 services (definitions)
 N.J.A.C. 6A:7-1.8 Equity in employment and contract practices
 N.J.A.C. 6A:23A-1.2 Definitions
 N.J.A.C. 6A:23A-16.5 Supplies and equipment
 N.J.A.C. 6A:23A-20.4 Ownership and storage of textbooks
 N.J.A.C. 6A:23A-21.1 et seq. Management of Public School Contracts
 N.J.A.C. 6A:27-9.1 et seq. Contracting for Transportation Services
 N.J.A.C. 6A:30-1.1 et seq. Evaluation of the Performance of School Districts

 20 U.S.C.A. 1681 et seq. - Title IX of the Education Amendments of 1972

 42 U.S.C.A. 2000e et seq. - Title VII of the Civil Rights Act of 1964 as amended by the
 Equal Employment Opportunities Act of 1972

 29 U.S.C.A. 794 et seq. - Section 504 of the Rehabilitation Act of 1973

Possible

Cross References: *2224 Nondiscrimination/affirmative action
 3300 Expenditures/expending authority
 *3326 Payment for goods and services
 *3327 Relations with vendors
 *3570 District records and reports
 3571 Financial reports

Regulation

PURCHASING PROCEDURES – EMERGENCY PURCHASES AND CONTRACTS

Emergency purchases and contracts shall be negotiated and/or award in the following manner:

- A. If an emergency develops, it shall be immediately reported, in writing, to the chief school administrator by the employee/supervisor/administrator seeking a declaration of emergency. The aforementioned individual shall also notify the school business administrator/board secretary or his/her designee;
- B. If the school business administrator/board secretary is satisfied that an emergency exists, he/she shall be authorized to award a contract or contracts (the emergency purchase) for such purposes as may be necessary to respond to the emergent needs pursuant to the provisions of N.J.S.A. 18A:18A-7 et seq. and N.J.A.C. 5:34-6.1 et seq.;
- C. If conditions permit, the school business administrator/board secretary or his/her designee shall attempt to obtain no fewer than three quotations for the emergency purchase. If the school business administrator/board secretary or his/her designee is unable to obtain three quotations, the school business administrator/board secretary or his/her designee must report to the board in writing of the conditions which precluded him/her from obtaining three quotations;
- D. The school business administrator/board secretary or his/her designee shall then issue a service request order to the provider(s) of the goods or services to proceed in order to resolve the immediate needs of the emergency;
- E. As soon as possible, but within three days of declaring the emergency, the chief school administrator shall notify the executive county superintendent of the nature of the emergency and the estimated need for goods or services necessary to respond to it;
- F. Upon completion and/or provision of the goods or services, the provider(s) shall submit an invoice to the director of the office of plant, property and equipment;
- G. The director of the office of plant, property and equipment shall review, approve and execute a requisition for a purchase order (the purchase order);
- H. The requisition shall be sent to the purchasing agent to generate a purchase order;
- I. The purchase order shall be sent to accounts payable following approval procedures for inclusion on the monthly claims list;
- J. Accounts payable shall submit the monthly claims list to the board for payment;
- K. The payment shall also be included on the board agenda as part of the finance and accounting report – authorization to pay vouchers;

PURCHASING PROCEDURES (regulation continued)

L. At the next scheduled board meeting following the emergency, the school business administrator/board secretary or his/her designee shall prepare and submit a final report to the board documenting the emergency purchase (the final report). The final report shall set forth the following information in detail:

1. Nature of the emergency;
2. Time of the occurrence;
3. The need for the performance of the contract;
4. The quote solicitation process; and
5. Estimated costs of service.

In addition, the final report shall attach all documentation produced in connection with the emergency purchase.

M. When emergency conditions have eased, the school business administrator/board secretary or his/her designee shall submit a separate report to the Board which shall detail how the school business administrator/board secretary will utilize the regular purchasing system to obtain estimates from suppliers, vendors, and contracts for materials and/or services that will eliminate the circumstances that created the emergency.

Date:	July 21, 2106
First Reading:	June 16, 2016
Second Reading:	July 21, 2016
NJSBA Review/Update:	December 2018
Readopted:	June 13, 2019

PAYMENT FOR GOODS AND SERVICES

Before warrants signed by the president, board secretary and treasurer of school moneys may be issued in payment of bills or claims, the bill or claim must be properly audited and approved according to law.

In general, bills or claims shall be audited by the board secretary and approved by resolution of the board. However, in order to provide for the prompt payment to which vendors are entitled, and which leads to more effective competitive bidding and provision of services to the district, claims duly audited by the board secretary for items previously approved by the board or provided for in the budget may be approved by the chief school administrator or board president or designee. Such payments shall be reported to the board at the next regular meeting.

Items not previously approved by the board or provided for in the budget must be audited by the board secretary and presented for board approval.

Purchase Orders

The district will carefully monitor payments for invoice amounts that are greater than the approved purchase order, in order to avoid over-payments. A new purchase order will be issued (and the original purchase order voided) when the adjusted amount reasonably exceeds the original purchase order amount. In no instance shall an adjustment be made to a purchase order that changes the purpose or vendor of the original purchase order or the bid award price.

Financial Systems to Avoid Over-Payments

Pursuant to N.J.A.C. 6A:23A-6.10, the district will program its financial systems to avoid over-payments by:

- A. Limiting system access so that only appropriate staff may make purchase order adjustments;
- B. Rejecting adjustments in excess of any established approved thresholds;
- C. Preventing unauthorized changes to be processed;
- D. Rejecting payments where the sum of the invoice amount plus any previous invoices charged to the purchase order exceeds the sum of the original purchase order;
- E. Rejecting duplicate invoice numbers;
- F. Rejecting duplicate purchase order numbers;

PAYMENT FOR GOODS AND SERVICES (continued)

G. Preparing an edit/change report listing all payments made in excess of the approved purchase order amount.

The business administrator shall review on a monthly basis edit/change reports listing all payments made in excess of the originally approved purchase order amount to ensure that all payments are properly authorized.

Date:	November 13, 1986
Revised:	June 25, 2009
First Reading:	June 11, 2009
Second Reading:	June 25, 2009
NJSBA Review/Update:	December 2018
Readopted:	June 13, 2019

Legal References:

<u>N.J.S.A.</u>	18A:19-1	Expenditure of funds on warrant only; requisites
<u>N.J.S.A.</u>	18A:19-2	Requirements for payment of claims; audit of claims in general
<u>N.J.S.A.</u>	18A:19-3	Verification of claims
<u>N.J.S.A.</u>	18A:19-4	Audit of claims, etc., by secretary; warrants for payment
<u>N.J.S.A.</u>	18A:19-4.1	Account or demand; audit; approval
<u>N.J.S.A.</u>	18A:19-9	Compensation of teachers, etc., payrolls
<u>N.J.S.A.</u>	18A:22-8.1	Transfer of amounts among line items and program categories
<u>N.J.A.C.</u>	6A:23A-6.10	Financial system and payment approval process
<u>N.J.A.C.</u>	6A:23A-16.8	Petty cash funds

Possible

Cross References:

*3320	Purchasing procedures
*3451	Petty cash funds
*3453	School activity funds
4142/4242	Salary checks and deductions

RELATIONS WITH VENDORS

The Elizabeth Board of Education wishes to maintain good working relations with vendors who supply materials and services to the school system. Constructive efforts by the administration to seek the advice and counsel of vendors about how to improve such relationships are encouraged.

In the schools, vendors shall be seen by appointment only. Vendors who call upon a school shall be governed by policy 1250 Visitors. Teachers or supervisors of instruction who have invited vendors to call should notify the principal's office in advance so that proper courtesies may be extended.

No agents, canvassers, or vendors shall have access to teachers during their classes. No business concern which solicits or gains business through the school system shall use school facilities for this purpose.

Nondiscrimination

All vendors shall supply assurances that they do not practice discrimination as described in the administrative code. All vendors shall be informed that harassment of any kind of district students or employees by their representatives is prohibited.

Honest and Ethical Relations with Vendors; Pay to Play Restrictions

The district shall maintain honest and ethical relations with vendors and shall guard against favoritism, improvidence, extravagance and corruption in its contracting processes and practices. The school board will not vote upon or award a contract in the amount of \$17,500 or greater to any business entity which has made a reportable contribution to a member of the district board of education during the previous one-year period. Such contributions, to any member of the school board, from any entity doing business with the district are prohibited during the term of the contract, including contributions by a vendor's spouse or child, or contributions by any person having an interest in the business entity. Disclosure of contributions shall be made when contracts are required by law to be publicly bid. However, these limitations do not apply when a district emergency requires the immediate delivery of goods or services.

Disbarred Vendors Will Not Be Used

When acquiring goods and services under federally sponsored programs, the school district will not contract with a vendor who is currently either debarred or suspended from doing business with the Federal government. Prior to contract award, and in accordance with Federal requirements, the school business administrator/board secretary or contracting specialist will check the System for Award Management (SAM) to ensure that the prospective contractor is not found in the SAM. Results from the SAM search shall be made part of the purchase order/contract documentation. Should a prospective vendor be found to be debarred or suspended by the Federal government, the

RELATIONS WITH VENDORS (continued)

business administrator's office will notify the chief school administrator of this finding and will place a hold on the supplier's registration within the school district financial system.

Strategies to Avoid Excessive Professional Services Expenditures

The board will seek to avoid excessive professional services expenditures, such as by:

- A. Establishing a maximum dollar limit, for budgetary purposes;
- B. Following state legal requirements and procedures to obtain the highest quality services at a fair and competitive price or through a shared service arrangement. This may include issuance of such contracts through a request for proposals (RFP) based on cost and other specified factors or other comparable process such as the use of the "fair and open process" as defined in N.J.S.A. 19:44A-20.7; and
- C. Limiting professional services contracts to non-recurring or specialized work for which the district does not possess adequate in-house resources or expertise.

Prudent Use of Legal Services

All contracts for legal services must comply with the payment requirements and restrictions set forth in N.J.S.A. 18A:19-1 as follows:

- A. Advance payments for legal services are prohibited;
- B. Services to be provided shall be described in detail in the contract;
- C. Invoices for payment shall itemize the services provided for billing period; and
- D. Payment shall only be for services actually provided.

If at any time the district's legal costs exceed 130 percent of the Statewide average per student amount, the procedures set forth in N.J.A.C. 6A:23A-5.2(a)3 will be implemented, unless evidence can be provided that such procedures would not result in a reduction of cost.

These procedures require the district to:

- A. Limit and designate the persons with the authority to request services or advice from contracted legal counsel;
- B. Legal counsel will not be used unnecessarily to make management decisions or to obtain readily available information such as district policies;
- C. Requests for legal advice shall be made in writing; and
- D. Contact logs and records shall be kept and reviewed to determine that the requests for legal

RELATIONS WITH VENDORS (continued)

advice are necessary.

Continuing Professional Services

Recognizing the necessity for the board of education to receive continuing professional services, in the event the board is unable to agree upon the appointment of a successor, any existing contract for professional services may be automatically renewed for one year, as long as it complies with the payment requirements and restrictions set forth in N.J.S.A. 18A:19-1.

Date:	July 25, 1996
Revised:	June 25, 2009
First Reading:	June 11, 2009
Second Reading:	June 25, 2009
Revised:	June 24, 2010
First Reading:	June 10, 2010
Second Reading:	June 24, 2010
Revised:	June 30, 2011
First Reading:	June 9, 2011
Second Reading:	June 30, 2011
Revised:	February 21, 2013
First Reading:	January 17, 2013
Second Reading:	February 21, 2013
Revised:	December 11, 2014
First Reading:	November 20, 2014
Second Reading:	December 11, 2014
NJSBA Review/Update:	December 2018
Readopted:	June 13, 2019
Revised:	July 19, 2023
First Reading:	June 14, 2023
Second Reading:	July 19, 2023

Legal References: N.J.S.A. 10:5-1 et seq.
See particularly:
N.J.S.A. 10:5-31
 through -35
N.J.S.A. 18A:6-8
N.J.S.A. 18A:11-1
N.J.S.A. 18A:12-2
N.J.S.A. 18A:12-21 et seq.
N.J.S.A. 18A:18A-1 et seq.
N.J.S.A. 18A:19-1
N.J.S.A. 52:32-44
N.J.A.C. 6A:7-1.8
N.J.A.C. 6A:23A-5.2

Law Against Discrimination

Interest of school officers, etc., in sale of textbooks or supplies, royalties
 General mandatory powers and duties
 Inconsistent interests or office prohibited
School Ethics Act
 Public School Contracts Law
 Expenditures of funds on warrant only; requisites
 Business registration for providers of goods and services
 Equality in employment and contract practices
 Public relations and professional services; board policies; efficiency

RELATIONS WITH VENDORS (continued)

<u>N.J.A.C.</u> 6A:23A-6.3	Contributions to board members and contract awards
<u>N.J.A.C.</u> 6A:28-1.1 <u>et seq.</u>	School Ethics Commission
<u>N.J.A.C.</u> 6A:30-1.1 <u>et seq.</u>	Evaluation of the Performance of School Districts

Comprehensive Equity Plan, New Jersey State Department of Education

Possible

<u>Cross References:</u>	*1250	Visitors
	1313	Gifts to district employees
	*1330	Use of school facilities
	*2224	Nondiscrimination/affirmative action
	*3320	Purchasing procedures
	*4119.21/4219.21	Conflict of interest
	*9270	Conflict of interest

Policy

ACCOUNTS

Generally Accepted Accounting Principles

The chief school administrator shall ensure that generally accepted accounting principles (GAAP) are applied in preparing the budget and keeping all accounts of the district in accordance with code and statute.

Date: November 13, 1986
Revised: June 25, 2009
First Reading: June 11, 2009
Second Reading: June 25, 2009
NJSBA Review/Update: December 2018
Readopted: June 13, 2019

Legal References: N.J.S.A. 18A:4-14 Uniform system of bookkeeping for school districts
N.J.S.A. 18A:17-8 Secretary; collection of tuition and auditing of accounts
N.J.S.A. 18A:17-35 Records of receipts and payments
N.J.S.A. 18A:22-8 Contents of budget; program budget system
N.J.S.A. 18A:34-2 Care and keeping of textbooks and accounting
N.J.A.C. 6A:23A-8.1 et seq. Annual Budget Development, Review and Approval
N.J.A.C. 6A:23A-16.1 et seq. Prescribed system of double-entry bookkeeping and GAAP accounting

Handbook 2R2 – Financial Accounting for Local and State School Systems

Possible

Cross References: *3100 Budget planning, preparation and adoption
*3326 Payment for goods and services
*3450 Money in school buildings
*3451 Petty cash funds
*3453 School activity funds
*3570 District records and reports
3571 Financial reports
*3571.4 Audit

Policy

X Other Reasons

Cross References: 3530 Insurance management
*3570 District records and reports

Policy

MONEY IN SCHOOL BUILDINGS

All funds from athletic events or other activities of student organizations collected by school district employees and by student treasurers under the auspices of the board shall be handled and accounted for pursuant to prudent business procedures and rules of the State Board of Education.

The principal/designee shall be responsible for the receipt and deposit of all funds collected in his/her school and shall administer an accounting system for all such moneys. All receipts shall be deposited in the bank within 48 hours following the fundraiser or event.

In no case shall money be left overnight in schools except in the school safe provided for safekeeping of valuables.

The board shall determine if lost money shall be replaced by the person responsible. Mishandling of money including loss may be cause for disciplinary action.

Date:	November 13, 1986
Revised:	June 25, 2009
First Reading:	June 11, 2009
Second Reading:	June 25, 2009
Revised:	June 28, 2012
First Reading:	June 7, 2012
Second Reading:	June 28, 2012
NJSBA Review/Update:	December 2018
Readopted:	June 13, 2019

<u>Legal References:</u>	<u>N.J.S.A.</u> 18A:17-34	Receipt and disposition of moneys
	<u>N.J.S.A.</u> 18A:19-13	Petty cash funds
	<u>N.J.S.A.</u> 18A:19-14	Funds derived from student activities
	<u>N.J.S.A.</u> 18A:23-2	Scope of audit
	<u>N.J.A.C.</u> 6A:23A-16.8	Petty cash fund
	<u>N.J.A.C.</u> 6A:23A-16.12	Student activity funds
	<u>N.J.A.C.</u> 6A:23A-16.13	School store business practices

Possible

<u>Cross References:</u>	*3250	Income from fees, fines, charges
	3293	Depositories
	*3400	Accounts
	*3451	Petty cash funds
	*3453	School activity funds
	3571	Financial reports
	*3571.4	Audit
	*5136	Fund-raising activities
	6145.4	Public performances and exhibitions

PETTY CASH FUNDS

The Elizabeth Board of Education authorizes establishment of imprest petty cash accounts by resolution. The resolution will include:

- A. The amount or amounts authorized for each petty cash fund;
- B. The maximum expenditure that may be made from each fund; and
- C. The individual designated by the board who shall be responsible for the disposition of each fund.

The designated person(s) shall report to the board the amounts disbursed from each account periodically, as directed by the board, and will return all unused petty cash funds to the depository at the end of the fiscal year. All petty cash funds shall be established by board-approved voucher. Petty cash funds and disbursements will be audited as part of the annual financial audit.

Funds are to be used for emergencies and small purchases only and not to subvert the intent of the regular purchasing procedures or for routine expenditures. No single expenditure shall exceed the amount determined by the board in its resolution, and all expenditures must be authorized by the designated individual.

Date:	November 13, 1986
Revised:	June 25, 2009
First Reading:	June 11, 2009
Second Reading:	June 25, 2009
Second Revision:	October 15, 2009
First Reading:	September 17, 2009
Second Reading:	October 15, 2009
NJSBA Review/Update:	December 2018
Readopted:	June 13, 2019

[illegible]

Possible

<u>Cross References:</u>	*3320	Purchasing procedures
	*3326	Payment for goods and services
	3571	Financial reports
	3571.3	Annual financial statement

SCHOOL ACTIVITY FUNDS

School activity funds (funds derived from students' activities) shall be audited annually along with other district funds and shall be administered, expended, and accounted for according to rules of the State Board of Education.

The student activity funds for each school shall be kept in separate accounts, supervised by the building principal*. Separate and complete records shall be maintained for each student organization. All receipts from student fund-raising projects, athletic events, and other events for which admission is charged will be deposited within 48 hours following the fundraiser or event. Bank deposits shall agree with the receipts in the case receipt book and shall be traceable to definite receipts or groups of receipts.

Disbursements must be made by check signed by the building principal and supported by a claim, bill or written order to persons supervising the fund. Checks shall bear two or more authorized signatures. All disbursements shall be recorded chronologically showing the date, vendor, check number, purpose and amount.

In order to establish a uniform method of receiving and disbursing, the board stipulates that the following requirements are strictly enforced:

- A. Book balances shall be reconciled with bank balances. Cancelled checks and bank statements must be maintained for examination by the auditor as part of the annual audit;
- B. No school employee may open or maintain a separate bank account for school-related transactions;
- C. All fund-raising checks must be made payable to the school's student activity fund and sent to the principal for timely deposit;
- D. There must be an accounting for all refreshments and snack sales at an activity where refreshments are sold. This entails the reconciliation of starting funds, seed money, and a tally of cash receipts. This must be signed by two (2) individuals at the end of the event. Those people are the individuals responsible for the sale(s) and the activity head;
- E. In order to provide an adequate follow-up and closeout of fundraising events, a student activity deposit schedule must be completed for deposits related to each fund-raising activity. Upon completion of this sheet, the total deposits will equal the fundraising fees generated for the event;
- F. All funds disbursed from the student activity fund should be by written check and supported by completion of the student organization fund payment request form. All checks disbursed shall be signed by two authorized signatures (principal and vice principal). If a school has only one

SCHOOL ACTIVITY FUNDS (continued)

administrator, the second signature will be supplied by the school business administrator/board secretary or designee;

- G. Each month a bank reconciliation must be completed and kept on file for review by the board auditor and/or business office representative.

Borrowing from the student activity accounts is prohibited.

An account shall be submitted monthly to the school business administrator/board secretary and shall include a listing of all receipts and disbursements. Book balances shall be reconciled with bank balances. Cancelled checks and bank statements shall be retained for examination as part of the annual audit required by law and code.

The school business administrator/board secretary shall periodically during the school year review the records and documentation. All accounting records, ledgers, bank statements, and supporting documentation are to be submitted to the school business administrator/board secretary at the end of the school year.

Date:	November 13, 1986
Revised:	June 25, 2009
First Reading:	June 11, 2009
Second Reading:	June 25, 2009
Revised:	June 28, 2012
First Reading:	June 7, 2012
Second Reading:	June 28, 2012
Revised:	September 19, 2013
First Reading:	August 15, 2013
Second Reading:	September 19, 2013
NJSBA Review/Update:	December 2018
Readopted:	June 13, 2019

Legal References: N.J.S.A. 18A:19-14 Funds derived from student activities
N.J.S.A. 18A:23-2 Scope of audit
N.J.A.C. 6A:23A-16.1 et seq. Prescribed system of double-entry bookkeeping and
See particularly: GAAP accounting
N.J.A.C. 6A:23A-16.12(c) School activity funds

Possible

Cross References: *3280 Gifts, grants and bequests
 *3400 Accounts
 *3450 Money in school buildings
 3571 Financial reports
 *3571.4 Audit
 *5136 Fund-raising activities

Regulation

STUDENT ACTIVITY ACCOUNT DEPOSIT SCHEDULE

[illegible]

STUDENT ACTIVITY ACCOUNTS (exhibit continued)PAYMENT REQUEST FORMSTUDENT ORGANIZATION FUND

CHECK # _____

DATE: _____

PAYMENT REQUESTED BY: _____

ACCOUNT CHARGED (NAME): _____
(Yearbook, PTO, Social Fund, etc.)CHECK AMOUNT: _____
(Per attached invoice)CHECK PAYABLE TO: _____
(Per attached invoice)**APPROVAL:**_____
Principal (required) DATE_____
Vice Principal (required) DATE

Note: This form must be completed and approved prior to the distribution of funds.

Revised:	June 28, 2012
First Reading:	June 7, 2012
Second Reading:	June 28, 2012
NJSBA Review/Update:	December 2018
Readopted:	June 13, 2019

Policy

NON-INSTRUCTIONAL OPERATIONS

The Elizabeth Board of Education recognizes the importance of supportive services to the operation of the school district and the achievement of district and school educational goals. In the Elizabeth Public Schools the relationship between certified and non-certified staff should be that of partners working together for the best possible learning situation for Elizabeth students.

The Board directs the Business Administrator/ Board Secretary to ensure the provision of sufficient and appropriate supportive services which may include, but are not limited to:

- A. Secretarial and clerical;
- B. Custodial;
- C. Maintenance-Buildings and Grounds;
- D. Food Service;
- E. Pupil Transportation;
- F. Data processing.

Date: November 13, 1986
Revised: June 25, 2009
First Reading: June 11, 2009
Second Reading: June 25, 2009
Readopted: June 13, 2019

<u>Legal References:</u>	<u>N.J.S.A. 18A:33-3</u>	Cafeterias for pupils
	<u>N.J.S.A. 18A:39-1 et seq.</u>	Transportation to and from schools
	<u>N.J.S.A. 18A:58-7.1</u>	School lunch program

OPERATION AND MAINTENANCE OF PLANT

The Elizabeth 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.

Work Order System

The Elizabeth Public School District shall have an automated work order system for prioritizing, performing and recording all maintenance and repair request for all district buildings and grounds.

- A. The chief school administrator or designee shall establish in the standard operating procedures for business functions the approval and prioritization of work order requests which take into account the health and safety of building occupants, priorities and objectives established annually to carry out the district Strategic Plan, the need for the work requested, and other factors the district deems appropriate;
- B. The work order system shall include the following information for a request for work before work begins, except in an emergency where the work is necessary to correct a situation that poses an imminent threat to the health or safety of building occupants:
 - 1. The name of the person making the request;
 - 2. The date of the request;
 - 3. The appropriate approval(s) as established by Standard Operating Procedures (SOP);
 - 4. The date of approval(s);
 - 5. The location of work requested;
 - 6. The priority level (for example, urgent, high, average, low);
 - 7. The scheduled date(s) of service;
 - 8. The trade(s) needed such as general maintenance worker; custodian; carpenter; plumber; electrician; heating, ventilation and air conditioning (HVAC); grounds; roofer; masonry; glazer; other;

OPERATION AND MAINTENANCE OF PLANT (continued)

9. A description of the work requested;
 10. A projection of the materials and supplies needed for the work;
 11. The estimated hours needed to complete task;
 12. The name of the work order assigner; and
 13. The name of the employee(s) working on the order.
- C. The work order system shall include the following close-out information for each request for work:
1. The actual hours worked by date for each assigned staff member;
 2. The actual hourly rate paid, both regular and over-time, for each assigned staff member;
 3. The aggregate cost of labor by regular, over-time and total;
 4. The actual materials and supplies needed to complete the work order;
 5. Actual cost of materials and supplies; and
 6. The name of the employee responsible for attesting that the job was completed satisfactorily.
- D. Except where prohibited by collective bargaining agreement, the SOP shall require for any work, which cannot be completed during regular working hours by the needed completion date, an assessment of the cost-benefit of outsourcing any such work in excess of the quote threshold as determined under N.J.S.A. 18A:18A-37;
- E. Where, according to the assessment, the cost of outsourcing work is less than the in-house estimated cost of labor, at over-time rates, and materials for the same work, the work shall be outsourced provided the work can be contracted in accordance with N.J.S.A. 18A:18A-1 et seq., completed by the projected completion date contained in the prioritized work order system and does not violate the terms of the collective bargaining agreement for maintenance workers and/or custodians;
- F. The business administrator/board secretary in consultation with the supervisor responsible for this work shall conduct an analysis of the information in the work order system no later than February 1 of the prebudget year for consideration during budget preparation. The analysis should include productivity of staff as a whole and individually, significant variations between estimated labor time and materials and actual labor time and materials, unusual trends for like projects and other factors that will improve productivity and efficiency.

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.

OPERATION AND MAINTENANCE OF PLANT (continued)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;
 - 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 once 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;

OPERATION AND MAINTENANCE OF PLANT (continued)

- 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):
 - a. In each classroom (for staff and older children who can safely use hand sanitizer);
 - b. At entrances and exits of buildings;
 - c. Near lunchrooms and toilets.
- G. Supervising children ages 5 and younger when using hand sanitizer;
- 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;

OPERATION AND MAINTENANCE OF PLANT (continued)

- 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.
- 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 publically 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.

OPERATION AND MAINTENANCE OF PLANT (continued)

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

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

OPERATION AND MAINTENANCE OF PLANT (continued)

IPM Coordinator

The chief school administrator 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 building principal of each school is responsible for timely notification to students' parents or guardians and the school staff of pesticide treatments pursuant to the School IPM Act.

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, 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.

OPERATION AND MAINTENANCE OF PLANT (continued)

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Legal References: N.J.S.A. 10:5-1 et seq. Law Against Discrimination
N. J.S.A. 13:1F-19 through -33 School Integrated Pest Management Act
N.J.S.A. 18A:17-49 through -52 Buildings and grounds supervisors to be certified
N.J.S.A. 18A:18A-1 et seq. Public schools contracts law
N.J.S.A. 18A:18A-37 Award of purchases, contracts, agreements
N.J.S.A. 18A:22-8 Contents of budget; format
N.J.S.A. 34:5A-1 et seq. Worker and Community Right to Know Act
N.J.S.A. 34:6A-25 et seq. New Jersey Public Employees Occupational Safety and Health Act
N.J.S.A. 34:11-56a et seq. New Jersey Wage and Hour Law
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:23A-1 et seq. Fiscal accountability, efficiency and budgeting procedures
See Particularly: Facilities maintenance and repair schedule and accounting
N.J.A.C. 6A:26-12.1 et seq. Operation and Maintenance of Facilities
See particularly:
N.J.A.C. 6A:26-12.2(a)1, 2
N.J.A.C. 6A:26-12.4 Safe drinking water
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

 20 U.S.C.A. 4071 et seq. Equal Access Act

 29 U.S.C.A. 201 et seq. Fair Labor Standards Act

 42 U.S.C.A. 12101 et seq. Americans with Disabilities Act (ADA)

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OPERATION AND MAINTENANCE OF PLANT (continued)

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

CDC Guidance: *CDC Activities and Initiatives Supporting the COVID-19 Response and the President's Plan for Opening America Up Again* (May 2020) at:
<https://www.cdc.gov/coronavirus/2019-ncov/downloads/php/CDC-Activities-Initiatives-for-COVID-19-Response.pdf>

CDC Guidance: *Coronavirus Disease 2019 (COVID-19) Considerations for Schools* at:
<https://www.cdc.gov/coronavirus/2019-ncov/community/schools-childcare/schools.html>

CDC Guidance: *What Bus Transit Operators Need to Know about COVID-19* at:
<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**Cross References:**

*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

Policy

EQUIPMENT

Equipment purchased by the Elizabeth Board of Education is intended for support of the educational program.

The chief school administrator shall oversee the maintenance of all district educational and noneducational equipment in safe working condition. No employee or student shall use equipment found unsafe. Equipment use during school hours shall be properly supervised by appropriate teaching staff.

Specific items of equipment may be loaned or rented for community use after a written request is made to and approval granted by the chief school administrator. The user of district-owned equipment shall be fully liable for any damage or loss occurring to the equipment during the period of its use. He/she shall be responsible for its safe return.

When equipment authorized for loan requires the services of an operator, the user shall employ the services of a person designated by the district and shall pay such costs as have been set for his/her hire.

The board shall not be responsible for any loss, damage or injury liability or expense that may arise during or be caused in any way by such use of district equipment.

School equipment may be removed from school property by students or staff members only when such equipment is necessary to accomplish tasks arising from their school or job responsibilities. The consent of the principal is required for such removal.

Removal of school equipment from school property for personal use is prohibited.

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Legal References: N.J.S.A. 18A:11-1 General mandatory powers and duties
N.J.S.A. 18A:20-34 Use of schoolhouse and grounds for various purposes
N.J.S.A. 18A:54-20 Powers of board (county vocational schools)
N.J.A.C. 6A:26-12.1 Policies and procedures for school facility operation

Possible

Cross References: *1330 Use of school facilities

EQUIPMENT (continued)

*1410	Local units
*3250	Income from fees, fines, charges
*3510	Operation and maintenance of plant
*3516	Safety
3530	Insurance management
4143	Extra pay for extra work
*4147/4247	Employee safety
4243	Overtime pay
*5142	Student safety

Policy

SMOKING PROHIBITION

To promote the health and safety of all students and staff and to promote the cleanliness of school grounds, the board prohibits all smoking or use of tobacco products in all school facilities and on all school grounds at all times. Definitions of “school facilities” and “school grounds” shall be in accord with definitions in the administrative code.

Notice of this policy shall be given at each school entrance and at appropriate locations on school grounds in accordance with law. Smoking shall not be permitted at any time in classrooms, lecture halls, auditoriums or anywhere else on school grounds.

The principal of each school building is authorized to report violations, in accordance with law, to the board of health. Students and district employees who violate the provisions of this policy shall be subject to appropriate disciplinary measures. The chief school administrator shall prepare, and the board shall adopt regulations prohibiting smoking in all district buildings and on school grounds.

Definition: For purposes of this policy, "smoking" means inhaling the burning or vapor of a lighted cigar, cigarette, pipe, electronic smoking device, or any other matter or substance which contains tobacco. Chewing tobacco and other forms of smokeless tobacco are also specifically prohibited by this policy.

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<u>Legal References:</u>	<u>N.J.S.A. 26:3D-55 et seq.</u> <u>New Jersey Smoke-Free Air Act</u>
	<u>N.J.A.C. 6A:16-1.3</u> Definitions
	<u>N.J.A.C. 6A:16-3.1(a)7</u> Establishment of comprehensive alcohol, tobacco and other drug abuse programs
	<u>N.J.A.C. 6A:26-1.2</u> Definitions
	<u>N.J.A.C. 6A:26-12.2(a)4</u> Policies and procedures for school facility operation
	<u>N.J.A.C. 8:6-7.2</u> Smoking prohibited in school buildings and on school grounds
	<u>N.J.A.C. 8:6-9.1</u> Enforcement against individuals
	<u>N.J.A.C. 8:6-9.2</u> Enforcement against person having control of an indoor public place

SMOKING PROHIBITION (continued)

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

Possible

Cross References:

- *1250 Visitors
- *1330 Use of school facilities
- *4119.23 Employee substance abuse
- *4219.23 Employee substance abuse
- *5131.6 Drugs, alcohol, tobacco (substance abuse)

Regulation

SMOKING PROHIBITION

GENERAL STATEMENT

The following guidelines are established for the protection, health and safety of district students and staff. Additionally, these guidelines are established for compliance with the *New Jersey Smoke Free Air Act* (N.J.S.A. 26:3D-55 et seq.) which prohibits smoking in any area of any building of, or on the grounds of, any public or nonpublic elementary or secondary school, regardless of whether the area is an indoor public place or is outdoors. This policy applies to consumption and/or inhalation of tobacco or any tobacco product, electronic smoking device, or alcohol in any location or at any board approved event, as defined in this regulation.

STAFF RESPONSIBLE

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

Position	Summary of Main Responsibilities
Chief school administrator	<ul style="list-style-type: none">• General policy and procedure oversight within the district• Inclusion of anti-smoking notice in districtwide student or staff handbooks
Building principal/person having control of the public location	<ul style="list-style-type: none">• General procedural oversight within the school• Primary implementation and enforcement responsibilities• Posting and/or publication of anti-smoking notice as specified in this regulation• Student discipline
All school staff	<ul style="list-style-type: none">• Procedure enforcement• Incident reporting• Student supervision• Guest/visitor supervision

DEFINITIONS

"Smoking" means inhaling the burning or vapor of a lighted cigar, cigarette, pipe, electronic smoking device or any other matter or substance which contains tobacco. Chewing tobacco is also specifically prohibited.

SMOKING PROHIBITION (regulation continued)

"Electronic smoking device" means an electronic device that can be used to deliver nicotine or other substances to the person inhaling from the device, including, but not limited to, an electronic cigarette, cigar, cigarillo, or pipe.

"School grounds" as applied to board policy means and includes land, structures, buildings, and vehicles, when used for the provision of academic or extracurricular programs approved for such use by the board of education. School grounds also includes support structures such as service facilities including, but not limited to warehouses, kitchens, service, and maintenance shops. School grounds also includes 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.

"School-sponsored function" means any activity, event or program occurring on or off school grounds, whether during or outside of regular school hours, that is approved by the board of education.

PROCEDURE

Board policies and procedures prohibiting smoking pertain to students, all employees of the school district, and vendors and/or consultants who may from time to time be employed by the board of education, and all visitors, dignitaries, and members of the public. The following procedures shall be observed in order to prevent smoking on school grounds:

- A. The principal or his or her designee shall ensure that smoking is prohibited on school grounds at all times and shall ensure that an appropriate anti-smoking notice is posted at each public entrance to a building or facility on the school's website, and is published in staff and student handbooks (see primary exhibit 1 No Smoking Sign, English and Spanish).
- B. The director of curriculum shall oversee the development of a parent educational program on alcohol, tobacco and other drug abuse to be offered during times and at places convenient to parents of enrolled students. The director of curriculum shall ensure that notice of the educational program is disseminated to parents and shall coordinate dissemination in consultation with each building principal (see board policy and procedure 5131.6 Substance Abuse).
- C. Any person who has reason to believe that policy file code 3515 Smoking Prohibition has been violated shall immediately report that belief to the principal or the person in control of the facility.
- D. The principal/person in charge shall direct an investigation into the reported allegation. If the allegation is substantiated and an individual(s) is actively violating the policy, the principal/person in charge shall order the violator to comply with policy 3515; and may provide the violator with a copy of the Department of Health anti-smoking notice (see exhibit 1).
- E. Where the violator refuses to comply with the order, the principal/person in charge:
 1. Shall order the violator's departure and removal;
 2. May request the assistance of law enforcement to remove the violator;

SMOKING PROHIBITION (regulation continued)

3. May contact the local health department to file a complaint;
 4. May file a complaint in municipal court; or
 5. May file a complaint with the Indoor Environments Program (see exhibit 3).
- F. Any person may file a complaint against the principal/person in charge for failure to enforce the rules or for smoking by the following means:
1. Contact the local health department to file a complaint;
 2. File a complaint in municipal court;
 3. File a complaint with the Indoor Environments Program (see exhibit 3).

Consequences for Violating Board Policy and Procedures Prohibiting Smoking

- A. Students who are found smoking shall be subject to discipline as set forth in the Code of Student Conduct and may also be subject to the penalties listed below.
- B. Adults or any person having control of a school building who violate the policy may be subject to the following penalties:
1. **First offense:** \$250 fine;
 2. **Second offense,** \$500 fine;
 3. **Third offense,** \$1,000 fine.

REGULATION HISTORY

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CROSS REFERENCES

1330	Use of School Facilities
1330	Use of School Facilities, Regulation
5131.6	Substance Abuse
5131.6	Substance Abuse, Regulation

EXHIBITS

Exhibit 1	New Jersey Department of Health – No Smoking Notice (http://web.doh.state.nj.us/apps2/forms/subforms.aspx?pro=ctcp/smokefree)
Exhibit 2	New Jersey Department of Health – Complaint Form (http://web.doh.state.nj.us/apps2/forms/subforms.aspx?pro=ctcp/smokefree)

Policy

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 anyone 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

SAFETY (continued)

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

SAFETY (continued)

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

SAFETY (continued)

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

Water Sample Analysis Results: Notifications

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

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

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

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

Implementation

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

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Legal References: N.J.S.A. 18A:6-2

Instruction in accident and fire prevention

SAFETY (continued)

<u>N.J.S.A.</u> 18A:11-1	General mandatory powers and duties
<u>N.J.S.A.</u> 18A:17-42 <u>et seq.</u>	Public School Safety Law
<u>N.J.S.A.</u> 18A:40-12.1, -12.2	Protective eye devices required for teachers, students and visitors in certain cases
<u>N.J.S.A.</u> 18A:41-1 <u>et seq.</u>	Fire Drills and Fire Protection
<u>See particularly:</u>	
<u>N.J.S.A.</u> 18A:41-5	
<u>N.J.S.A.</u> 18A:42-1	Safety patrol by students
<u>N.J.S.A.</u> 18A:54-20	Powers of board (county vocational schools)
<u>N.J.S.A.</u> 34:5A-1 <u>et seq.</u>	<u>Worker and Community Right to Know Act</u>
<u>See particularly:</u>	
<u>N.J.S.A.</u> 34:5A -10.1 through -10.5	
<u>N.J.S.A.</u> 34:6A-25 <u>et seq.</u>	<u>New Jersey Public Employees Occupational Safety and Health Act</u>
<u>N.J.S.A.</u> 58:10B-24.6 <u>et seq.</u>	Hazardous discharge site remediation
<u>N.J.S.A.</u> 58:12A-1 <u>et seq.</u>	<u>Safe Drinking Water Act</u>
<u>N.J.A.C.</u> 5:23-1 <u>et seq.</u>	The uniform construction code
<u>N.J.A.C.</u> 6A:16-5.1	School safety and security plans
<u>N.J.A.C.</u> 6A:19-6.1 <u>et seq.</u>	Safety and Health Standards
<u>N.J.A.C.</u> 6A:26-1.1 <u>et seq.</u>	Educational Facilities
<u>See particularly:</u>	
<u>N.J.A.C.</u> 6A:26-12.1 <u>et seq.</u>	
<u>N.J.A.C.</u> 6A:26-12.4	Safe drinking water
<u>N.J.A.C.</u> 6A:27-12.2	Accident reporting
<u>N.J.A.C.</u> 6A:30-1.1 <u>et seq.</u>	Evaluation of the Performance of School Districts
<u>N.J.A.C.</u> 7:10-1 <u>et seq.</u>	Safe Drinking Water Act

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Possible

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

Regulation

SAFETY

Provision of a safe learning environment is an essential prerequisite to effective teaching and learning. Prevention of accidents is the primary focus. Contingency preparation is also necessary. The regulations, procedures, and guidelines to follow are designated to insure the safety of the occupants and users of the school facilities through accident prevention and contingency action guidelines. The best protection for the occupants is understanding of and adherence to these procedures. Appropriate training shall be the responsibility of administration for staff and staff for students. Reporting of safety hazards and procedure violations shall be the responsibility of everyone involved: administration, staff, students, and visitors.

Potential Threats to Safety

- A. Fire;
- B. Physical injury other than burns;
- C. Transportation accidents;
- D. Other causes of injuries.

Fire: Potential Hazards

- A. Chemical: combustible fluid or gas near heat;
- B. Electrical: lighting, electrical short near combustible material (Requires combustible material and ignition source and oxygen);
- C. Spontaneous combustion: heat buildup in dry piles of papers or oily rags;
- D. Smoking: match or cigarette in contact with combustible material;
- E. Stove: gas or electric stove left on;
- F. Spark: friction of hard materials near combustible material;
- G. Boiler/Incinerator: combustible material left in contact with hot surface;
- H. Explosion: combustible material in vicinity. Generators, fire extinguishers, boilers, fire alarms must be checked annually.

Fire Preventive Action

SAFETY (regulation continued)

A. Electrical: lighting, electrical short near combustible material (Requires combustible material and ignition source and oxygen)

1. All electrical work shall be done under the supervision of a licensed electrician. All wiring shall be copper and as per code. All wiring shall be enclosed in protective metal tubing;
2. All fuse boxes shall be replaced with circuit breaker panels;
3. Circuit breaker panels shall be checked annually for defects by maintenance staff, and defects referred to by a licensed electrician;
4. No single circuit will be overloaded. Electrical appliances or equipment shall have UAL or equivalent approval;
5. Frayed wires will be replaced immediately. Wiring will be inspected by a licensed electrician no less frequently than every 10 years and replaced as necessary;
6. Extension cords longer than six feet shall not be used and under no circumstances run beneath a rug;
7. All outlets shall be grounded properly;
8. Outside outlets shall have covers;
9. Light switches shall be nonsparking.

B. Chemical: combustible fluid or gas near heat

1. All combustible fluids shall be stored in approved fire resistant cabinets placed away from sources of heat;
2. Chemicals which become volatile in contact with one another shall be stored apart from one another and not mixed;
3. Matches will not be lit in the area of combustible chemicals;
4. Disposal of chemicals shall be made in conformance with Department of Environment Protection regulations.

C. Other

1. Stoves will be operated only when an adult staff member is in the area to supervise;
2. Use of hot plates is forbidden;
3. Combustible material will be kept away from stoves;
4. All stoves shall be equipped with a device indicating when a heating element is on;
5. Science rooms shall have a gas cut-off switch at each station to reduce the chances of gas leakage and explosion and an overall emergency gas shut off switch;
6. Combustible material shall not be stored near any source of sparks (i.e., electric equipment, grinder);
7. Storage of papers shall be arranged to prevent the threat of spontaneous combustion (i.e., closely stacked in a non-ventilated, heat accumulating areas);
8. Incinerators shall be operated only by licensed school custodians. No combustibles shall be stored within three feet of an incinerator;
9. Any combustible storage in boiler rooms must be in fireproof containers;
10. Chimneys and flues shall be cleaned periodically but no less frequently than once every five years.
11. Boilers shall have control devices, kept in good working order, with safety valves which automatically release pressure when it exceeds 15 (steam) or 30 (water) PSI;

SAFETY (regulation continued)

12. Each building boiler shall be managed by an employee with a low pressure boiler license when building is in use and boilers operating;
13. Light devices in painting rooms shall be spark proof;
14. Hot water temperature shall be maintained no lower than 110 degrees and no higher than 125 degrees;
15. Stage and other curtains and stage scenery shall be flame retardant;
16. No smoking signs shall be posted and the rules enforced;
17. Art kilns in use shall be supervised closely with certified staff to insure against burns and combustibles;
18. Students and staff shall be given training annually in preventive and contingency action in event of fire.

D. Preventative Actions: Other

1. Every room shall have posted near the exit door a fire exit diagram illustrating the evacuation route with written explanation;
2. At least one fire drill shall be conducted in school buildings each month within the school hours, including summer months during which the school is open for instructional programs;
3. Fire extinguishers shall be located in full view and accessible in halls, faculty lounge, science rooms, economics rooms, shops, and boiler rooms, and inspected/recharged as needed annually. Emergency lighting shall be operational as per code;
4. Exit lights shall operate both from regular electrical current and from battery or backup power;
5. Fire blankets shall be present and accessible in home economics, industrial arts, and Science rooms and in boiler rooms;
6. Storage areas larger than 200 square feet shall have operational sprinklers (24 square feet for new construction);
7. Smoke alarms shall be operational in halls and in science rooms and storerooms as per code;
8. Heat detectors, electrical not pneumatic, shall be placed in other school spaces as per code;
9. The fire alarm system shall provide for immediate pin pointing of the problem within an area of 2,000 square feet, notification of a sequence of authorities, and exterior indication via flashing exterior lights and horn or bell;
10. Room utilization shall be at or under maximum capacity guidelines. Classroom limits shall be 49 persons;
11. Large group rooms shall have occupancy loads posted at three square feet per person standing, seven square feet per person seated in chairs, and 15 square feet per person seated at tables;
12. Boiler room walls and ceiling shall have minimum fire rating of one hour;
13. Fire doors shall be at least one hour rated and kept closed;
14. All doors opening to the hall must have door handles and locks which release on turning the handle inside the room;
15. Outside exits must be within 120 feet of any point in the school building;
16. Exit capacity must equal or exceed population capacity of area it serves (22" = 100 students or fraction thereof);
17. Exit doors to the outside and from all rooms of 50 capacity or greater shall have panic bars on doors;
18. Manual fire alarm pull stations shall be provided as per code;
19. Nothing shall be stored in corridors (other than in lockers) or stairwells;

SAFETY (regulation continued)

20. The facility shall not impede timely evacuation of physically handicapped persons in event of fire.

Physical Injury Other Than Burns: Preventive Action

- A. Damage to Eyes: caused by sparks, penetration or cuts by foreign objects, computer screen glare, chemicals, blows by others
1. Protective eyewear shall be used at all times by students and instructors and visitors in industrial arts classes, and by maintenance workers using power tools;
 2. Those working at computer terminals shall maintain a distance of at least four inches between eyes and screen;
 3. Protective eyewear shall be used by students and instructors using hazardous chemicals in science classes and by custodians using chemicals potentially hazardous to eyes;
 4. Care shall be taken in home economics classes to see that grease doesn't get hot enough to splatter;
 5. Light bulbs shall be protected by covers which prevent exploding or breaking bulbs from causing injury;
 6. Room shall be lit with lighting as per state candlepower required (50 minimum).
- B. Poisons: Ingestion of toxic chemicals, PCB'S, radon, lead in water or paint, asbestos fibers, medicine incorrectly administered, bee stings, and toxic fumes
1. All hazardous chemicals shall be labeled as per law and employees and employees and students trained to prevent accidental ingestion;
 2. All hazardous chemicals shall be stored securely;
 3. Radon testing shall be completed for foundation level room surfaces and measures taken as necessary to abate the level of radon to less than four picuries per liter;
 4. PCB containing lighting ballasts shall be eliminated by 1999;
 5. Water shall be tested annually for lead content, and immediate corrective action taken if lead is found in drinking water above the level of 0.05MG/l;
 6. Asbestos containing materials shall be maintained in a non-friable state or removed as per law;
 7. Lead-containing paints shall not be used. Testing will be done to identify lead content in painted surfaces;
 8. Medicines shall be administered only by the school nurse or school doctor as per prescription or over the counter medication instructions and as authorized by the legal guardians;
 9. Custodians, maintenance workers, shop teachers, science teachers shall be trained to prevent occurrence of toxic fumes. Adequate ventilation of painting/varnishing rooms shall be required;
 10. Food will be kept in such a way as to prevent poisoning via bad food;
 11. Lavatories shall be disinfected daily and kept in sanitary condition with adequate cleaning supplies;
 12. The industrial arts classroom shall have an approved dust removal system and shall be cleaned daily;
 13. Ventilation shall provide air exchange for building occupants as per code;
 14. Food and nonfood items in kitchens and home economics room shall be separately stored;

SAFETY (regulation continued)

15. Those using corrosive chemicals or doing maintenance work on asbestos containing materials will wear proper protective equipment;
16. Smoking is prohibited;
17. Pesticides shall be disseminated by licensed applicator as per law.

C. Disease and Allergy

1. Students subject to severe reaction from bee/insect stings shall be identified and steps taken to prevent contact with bees/insects;
2. Children with communicable diseases will be isolated from contact with other students until free of the disease;
3. Children shall be examined as necessary by nurse for head lice. When head lice are discovered, the student will be isolated and the affected facilities treated.

D. Electrical shock: Touching live wires, operating electric equipment and water, exposed wires in electric panels, using defective electrical equipment

1. All electrical wiring and wire ends shall be insulated and covered to prevent body contact;
2. Electric panel boxes and rooms shall be kept locked;
3. Use of electric extension cords shall be limited to six foot cords maximum and located so as not to be a tripping hazard;
4. Electric equipment (i.e., audio-visual equipment) shall be properly grounded;
5. Work on electrical equipment shall be done only when power is off to the equipment;
6. Maintenance workers shall wear safety shoes when working.

E. Cuts, Punctures: Broken glass, knives, falling objects, falling on or against objects, assault by others, jagged or sharp edges, rocks on playground, protruding objects, pavement breaks

1. No school facility area with students in attendance shall be left unsupervised by a certified staff member;
2. Knives shall be permitted only in kitchens and home economics, industrial arts, and art rooms. They shall be kept in a secure place. Students using them will be properly instructed;
3. Inspections shall be made regularly to identify and eliminate sharp or jagged edges on equipment and in buildings;
4. Blunt nosed scissors only will be in use in classrooms;
5. All exterior and interior doors and interior window glass shall be one quarter inch wire glass or safety glass;
6. Playfield areas shall be free of rocks and holes;
7. Playground equipment shall have no uncovered bolts or sharp edges and shall be on a surface which will minimize chance of injury. Fighting is prohibited;
8. Students found using knives in school shall have the knives confiscated and parents/guardians shall be notified;
9. Care shall be taken to prevent shelving or sharp objects from falling on individuals. Shelving shall be secured to the wall and storage arranged to prevent top heavy high shelving from collapsing;
10. Shin guards shall be used by employees using weed whackers.

SAFETY (regulation continued)

F. Broken, Dislocated Bones: Falls (stairs, ladders, chairs, or ledges, slippery floor or sidewalk, holes), strains, falling objects, explosion

1. Floors and ramps shall be maintained so as to prevent slipperiness;
2. Stair treads shall be nonskid and kept in good repair;
3. Stairwells shall have railings as per law. Paving breaks and holes will be immediately repaired;
4. Snow and ice on the walkways shall be treated to prevent falls;
5. Use of gym equipment shall be strictly supervised by the P.E. teacher and made accessible to students only as their physical development and training permit;
6. Running in the halls is forbidden;
7. Lowered ceilings shall be anchored so as to prevent collapse of ceilings on room occupants;
8. Maintenance workers shall be sure ladders are secure and stable and never climb above third step from the top;
9. Halls and stairwells shall be clear of tripping hazards;
10. Loose wall or chimney material shall be repaired immediately;
11. Guard rails shall be placed alongside of ramps both inside and out;
12. Classroom furniture shall be kept in good repair;
13. Steps shall be taken to prevent lunch tables in the upright position from falling onto individuals at any time. If possible, they will be stored when upright;
14. Playground equipment and play grounds shall be inspected annually and properly maintained;
15. Exterior lighting shall be sufficient to permit pedestrians to see obstructions and surface changes which might otherwise cause falls.

G. Muscle/Tendon Damage: Falls (stairs, ladders, chairs, or ledges, slippery floor or sidewalk, holes), strains, falling objects, explosion

1. Those who lift objects, including lunch tables, will be trained in proper lifting procedures;
2. Supervisors will make every effort to prevent use of improper procedures during physical activity;
3. Folding gym doors shall have emergency cut-off switch.

H. Damage to Hearing: Due to use of noisy equipment without ear protection

Ear protection will be worn by those using shop or cleaning machinery, power grounds care equipment, or drilling equipment.

I. Loss of Parts of Body Shop: Accidents involving equipment, kitchen equipment, closing doors, science equipment and chemicals

1. Power equipment will be limited to those trained in its use. Students and employees will be strictly supervised to ensure compliance with safety procedures;
2. All shop equipment shall have "off" switches located nearby;
3. All doors shall have door closers to cushion the impact of closing the door;
4. Dangerous equipment in shops will be marked off on the floor to warn those who may wander too near.

SAFETY (regulation continued)

J. General Safety Precautions

1. Eye wash stations in shops, science rooms, and health office will be used as appropriate for eye contamination;
2. The school nurse shall be summoned immediately to administer appropriate first aid and secure additional medical services as needed. Every effort will be made to communicate with parents/guardians or kin immediately;
3. Adequate first aid supplies shall be on hand in every building;
4. Central administration will be notified as early as possible and follow up written documentation provided;
5. The school shall carry adequate accident insurance;
6. All staff personnel shall be familiar with the basics of first aid;
7. Instruction in first aid shall be included in annual staff safety training updates;
8. Immediate steps shall be taken to prevent similar injury to others in vicinity.

Driver and Transportation Safety Prevention

- A. School bus vehicles shall conform to state law and kept in conformance and proper working order;
- B. Drivers shall be licensed as school bus drivers and possess no criminal record;
- C. Drivers shall not drive school bus vehicles under unsafe conditions;
- D. Delayed opening, early closings, and closings shall be used as required to prevent accidents and injury due to unsafe driving conditions;
- E. Drivers shall drive at all times within the limits of road conditions;
- F. Drivers shall enforce discipline on buses to ensure that students use seat belts as appropriate and remain in their seats while being transported;
- G. Transportation routes shall be set up to reduce the likelihood of accidents and injury (see board policy: 3541.1 Transportation);
- H. Children shall be given bus safety instruction at the outset of each school year;
- I. Children shall be trained to evacuate a bus in case of emergency need;
- J. Each child will be dropped only at authorized stop, on the return home, unless authorized otherwise in writing by the parent or legal guardian;
- K. Drivers will not drive vehicles when they are impaired by illness or medication or drugs;
- L. Drivers shall not leave their vehicles unattended while students are on board;
- M. No medications shall be brought to school or taken home from school via school buses;

SAFETY (regulation continued)

- N. Driver with an injured or impaired child shall proceed immediately to a school to secure a school nurse if time permits;
- O. Driver shall contact the first aid squad if unable to proceed to a school and then notify school authorities immediately;
- P. Driver shall, if qualified, administer first aid as necessary;
- Q. Adequate first aid supplies shall be on board the school vehicle;
- R. The driver shall document all such incidents as soon thereafter as possible;
- S. Adequate accommodations for student using crutches.

Other Actions to Prevent Accidents

- A. All visitors to the schools shall be required to sign in upon entering a school facility and receive authorization to remain in the building. No unauthorized person shall be allowed in the building;
- B. Use of school facilities by outside agencies shall be in conformance with rules designed to insure safety of people and security of school property;
- C. All contractors shall be required to sign in where they are to work and shall be apprised before commencing work of any possible working condition hazards;
- D. Maintenance and custodial employees shall be given training annually in health and safety procedures and shall be given proper safety clothing appropriate to assigned tasks.

Chemical HygieneEmployee Exposure

The Elizabeth Board of Education will provide for initial and periodic monitoring of any employees if there is reason to believe that exposure levels to an OSHA regulated substance will exceed permissible limits as specified in 29 CFR part 1910 subpart Z. Monitoring may only be terminated in accordance with the relevant standard. The Chemical Hygiene Officer will notify in writing affected employees within fifteen (15) working days of the results of monitoring either individually or by posting the results in a location accessible to all employees.

Chemical Hygiene Plan

The business administrator or his or her designee shall oversee the development of a Chemical Hygiene Plan by which will include at least the following elements and indicate specific measures to ensure employee protection:

- A. Standard operating procedures relevant to safety and health considerations to be followed when laboratory work involves the use of hazardous chemicals;

SAFETY (regulation continued)

- B. Criteria to determine and implement control measures to reduce employee exposure to hazardous chemicals including engineering controls, the use of personal protective equipment and hygiene practices; particular attention will be given to the selection of control measures for chemicals that are known to be extremely hazardous;
- C. A requirement that fume hoods and other protective equipment are functioning properly and specific measures that will be taken to ensure proper and adequate performance of such equipment;
- D. Provisions for employees to receive information and training on the prevention and treatment of chemical exposure as required by law;
- E. The circumstances under which a particular laboratory operation, procedure or activity will require prior approval from the superintendent or the superintendent's designee before implementation;
- F. Provisions for medical consultation and medical examinations in accordance with 29 CFR Part 1910;
- G. Designation of personnel responsible for implementation of the Chemical Hygiene Plan including the assignment of a Chemical Hygiene Officer and, if appropriate, establishment of a Chemical Hygiene Committee; and
- H. Provisions for additional employee protection for work with particularly hazardous substances. These include "select carcinogens", reproductive toxins and substances which have a high degree of acute toxicity. Specific consideration will be given to the following provisions which will be included where appropriate:
 - 1. Establishment of a designated area;
 - 2. Use of containment devices such as fume hoods or glove boxes;
 - 3. Procedures for safe removal of contaminated waste; and
 - 4. Decontamination procedures.
- I. The plan will be capable of protecting employees from health hazards associated with hazardous chemicals in laboratories and keeping exposure below specified limits.
- J. The Science Department Chairperson is responsible for the implementation and continuance of the Chemical Hygiene Plan.

Employee Information and Training

The Chemical Hygiene Officer and Science Department Chairperson will provide employees with information and training to ensure that they are apprised of the hazards of chemicals present in their work area. The information will be provided at the time of the employees initial assignment to the work area and whenever new exposure situations arise. Refresher information will be provided as the situation with regard to hazardous chemicals changes. Employees will be informed of:

- A. The contents of federal standards relating to hazardous chemicals;

SAFETY (regulation continued)

- B. The location and availability of the chemical hygiene plan;
- C. The permissible exposure limits as established by OSHA;
- D. Signs and symptoms associated with exposure to hazardous chemicals used in the laboratory and (5) the location and availability of known references on the hazards, safe handling, storage and disposal of hazardous chemicals. Employee training will include:
 - 1. Methods and observations used to detect the presence or release of hazardous chemicals;
 - 2. The physical and health hazards of chemicals in the work area;
 - 3. The measures employees can use to protect themselves, including specific procedures to protect employees; Training on the applicable details of the Board's Chemical Hygiene Plan.

Medical Consultation

All employees who work with hazardous chemicals shall receive medical attention as needed, including follow-up examinations the physician deems necessary under the following circumstances:

- A. Whenever an employee develops signs or symptoms associated with a hazardous chemical to which the employee may have been exposed in the laboratory, the employee will be provided an opportunity to receive an appropriate medical examination.
- B. Where exposure monitoring reveals an exposure level routinely above the action level (or in the absence of an action level, the PEL) for an OSHA regulated substance for which there are exposure monitoring and medical surveillance requirements, medical surveillance will be established for the affected employee as prescribed by the particular standard.
- C. Whenever an event takes place in the work area such as a spill, leak, explosion or other occurrence resulting in the likelihood of a hazardous exposure, the affected employee will be provided an opportunity for a medical consultation. Such consultation will be for the purpose of determining the need for a medical examination.

Information Provided to the Physician

- A. The physician shall receive the following information:
 - 1. The identity of the hazardous chemicals(s) to which the employee may have been exposed;
 - 2. A description of the conditions under which the exposure occurred including quantitative exposure data, if available; and
 - 3. A description of the signs and symptoms of exposure that the employee is experiencing, if any.
- B. The physician's written opinion will include:
 - 1. Any recommendation for further medical follow-up;
 - 2. The results of the medical examination and any associated tests;

SAFETY (regulation continued)

3. Any medical condition which may be revealed in the course of the examination which may place the employee at increased risk as a result of exposure to a hazardous chemical found in the workplace; and
4. A statement that the employee has been informed by the physician of the results of the consultation or medical examination and any medical condition that may require further examination or treatment.

Hazard Identification

With respect to labels and material data sheets, the Chemical Hygiene Officer will:

- A. Ensure that labels on incoming containers of hazardous materials are not removed or defaced;
- B. Maintain material safety data sheets and ensure they are available to employees, and
- C. Comply with federal regulations with regard to chemical substances produced within the laboratory, assuming that if a substance is produced whose composition is not known that it will be assumed it is hazardous.

Use of Respirators

Where respirators are required to maintain exposure below permissible limits, they will be provided to the employee at no cost and will comply with the requirements of 29 CFR 1910.134.

Recordkeeping

The School Nurse will establish and maintain for each employee exposed to hazardous chemicals an accurate record of any measurements taken to monitor employee exposures and any medical consultation and examinations including tests or written opinions required by federal standards. The Board will assure that records are kept, transferred and made available in accordance with 29 CFR 1910.1020.

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NJSBA Review/Update:	December 2018
Readopted:	June 13, 2019

SECURITY AND ELECTRONIC SURVEILLANCE

Security

The security of the Elizabeth Public School District buildings and grounds for protecting the safety of the students, staff and the school community is essential for creating an environment where student achievement can be fostered.

Security means all buildings shall be locked when not in use, and safe practices shall be employed in the use of electrical, plumbing, and heating equipment for protection from fire hazards and faulty equipment. The board requires close cooperation with local police and fire departments and with building inspectors.

An adequate key control system shall be established to control access to school buildings. Funds and valuable records shall be kept in a safe place and securely locked. The superintendent shall oversee the development of procedures to provide for the security of the students, the staff, and of school facilities and property.

Electronic Surveillance

The Elizabeth Board of Education authorizes the use of electronic surveillance equipment in school buildings, on school property and on school buses to ensure the health, welfare, and safety of all staff, students, and visitors to district property and to safeguard district buildings, grounds, and equipment. The superintendent will approve appropriate locations for surveillance equipment.

The superintendent will notify staff and students, through staff and student handbooks or by other means that surveillance equipment may record school activity in school buildings, on school property and on school buses. A statement shall be posted in a prominent, public place in buildings and on school grounds where electronic surveillance equipment to alert the school community and the public that electronic surveillance monitoring devices are used in school buildings, on school grounds and on school buses and all school buildings and school grounds may be monitored.

Live Streaming

District video surveillance equipment has the capability to live stream the video wirelessly to remote locations. In accordance with law (N.J.S.A. 18A:41-9) the district shall establish a Memorandum of Understanding with local law enforcement which provides local law enforcement with the capacity to activate the equipment and view the live streaming video. The Memorandum of Understanding shall include, but need not be limited to:

- A. The designation of individuals who shall be authorized to view live streaming video;
- B. The circumstances under which the designated individuals would view live streaming video; and

SECURITY AND ELECTRONIC SURVEILLANCE (continued)

C. A detailed plan for preventing and detecting unauthorized access to live streaming video.

Records

The content of the surveillance recordings may become a part of a student's educational record or of a staff member's personnel record. Content added to student and staff records shall be confidential according to law and board policies (see 4112.6/4212.6 Personnel Records, 5125 Student Records). Content related to disciplinary proceedings shall be subject to rules for all the forms of evidence. Surveillance footage used as evidence shall be permitted only when it is in a legitimate educational interest. The district will comply with all applicable state and federal laws related to record maintenance and retention.

NJSBA Review/Update: April 2019
Adopted: June 13, 2019

Legal

References: N.J.S.A. 18A:11-1 General mandatory powers and duties
N.J.S.A. 18A:41-9 Access to school surveillance equipment by law enforcement authorities
N.J.A.C. 6A:16-5.1 School safety and security plans
N.J.A.C. 6A:26-1.1 et seq. Facilities

Possible

Cross References: *1330 Use of school facilities
*1410 Local units
*3510 Operation and maintenance of plant
*3516 Safety
*4112.6/4212.6 Personnel records
*4147/4247 Employee safety
*5125 Student records
*5131 Conduct and discipline
*5131.1 Harassment, intimidation and bullying
*5142.2 Student identification cards
*6114 Emergencies and disaster preparedness
*7110 Long-Range Facilities Planning

Regulation

ELECTRONIC SURVEILLANCE

The superintendent shall determine the placement and location of surveillance devices.

Recording and Notice

- A. Surveillance devices may include, but are not limited to, sound/video cameras, audio recording devices, and other appropriate devices;
- B. Recordings may be used to monitor and observe the conduct of school district staff, students, community members, and other person(s) in school buildings and on school grounds;
- C. Notice regarding the use of surveillance devices will be posted in school buildings where the devices may be used;

Live Streaming

The chief school administrator or his or her designee shall develop a Memorandum of Understanding with the local law enforcement offices of each school in which the surveillance equipment has the capability to live stream the video wirelessly to remote locations. The Memorandum of Understanding shall include, but need not be limited to:

- A. The designation of individuals who shall be authorized to view live streaming video;
- B. The circumstances under which the designated individuals would view live streaming video; and
- C. A detailed plan for preventing and detecting unauthorized access to live streaming video.

The chief school administrator may at his or her discretion consult with and/or require the participation of the building principal, other administrators, teaching staff and/or security personnel in the development of the Memorandum of Understanding.

School Furnished Electronic Devices

The district may furnish students electronic devices such as laptop computers, tablets, notebooks, cellular telephones, or other electronic devices. When a student is furnished with an electronic device the district shall provide the student with written or electronic notification that the electronic device may record or collect information on the student's activity or the student's use of the device if the electronic device is equipped with a camera, global positioning system, or other feature capable of recording or collecting information on the student's activity or use of the device. The notification shall also include a statement that the district shall not use any of the capabilities in a manner that would violate the privacy rights of the student or any individual residing with the student. The parent

ELECTRONIC SURVEILLANCE (regulation continued)

or guardian of the student furnished an electronic device shall acknowledge receipt of the notification. The district shall retain the acknowledgement as long as the student retains the use of the electronic device.

Student and Staff Records and Notice

- A. School district personnel will comply with the provisions of applicable law regarding student record requirements including the Family Education and Privacy Act and the Individual with Disabilities Education Improvement Act. Recordings considered for retention, as a part of a student's behavioral record, will be maintained in accordance with established student record procedures governing access, review, and release of student records (see board policy 5125 Student Records).
- B. Recordings considered for retention as part of the employee's personnel record will be maintained in accordance with established board personnel policies, administrative regulations, applicable law, and any labor agreements governing access, review, and release of employee personnel records (see board policy 4112.6/4212.6 Personnel Records).
- C. The district will provide notice to students, parent(s) or legal guardian(s), and school staff members that surveillance devices may be used in school buildings, on school grounds and on school buses.

Storage/Security

All recordings will be stored by the superintendent or his or her designee, and secured to ensure confidentiality. Recordings will be stored for ninety calendar days after initial recording, whereupon such recordings will be erased or discarded, unless there is a legitimate reason for retaining such recording for review.

Viewing or Listening

- A. Only the superintendent and the building principal shall review/audit newly recorded surveillance footage;
- B. The superintendent shall approve all requests to view/audit surveillance content. Authorization shall be limited to persons with a direct interest in any proceedings, disciplinary or otherwise, resulting from the recordings;
- C. Only the portion of the recording concerning a specific incident will be made available;
- D. Viewing or listening to the recording will be permitted on school property or as otherwise required by law.
- E. Access to surveillance recording shall be directly supervised and reviewed in the presence of the building principal and/or the superintendent;
- F. The building principal and/or the superintendent shall maintain a written log including date of viewing, reason for viewing, the date the recording was made, and the signature of the viewer;

ELECTRONIC SURVEILLANCE (regulation continued)

G. Video recordings shall remain the property of the district and may be reproduced only in accordance with law, including district student records policy and procedures (5125) and district personnel records policy, procedures (4112.6/4212.6) and applicable labor agreements.

Purchase, Maintenance, Replacement of Equipment/Supplies

The building principal shall be responsible for the purchase, maintenance, and replacement of all electronic surveillance devices.

Tampering with or otherwise interfering with surveillance equipment is prohibited. Any individual found tampering with equipment shall be subject to discipline.

NJSBA Review/Update: April 2019

Adopted: June 13, 2019

Policy

INSURANCE MANAGEMENT

The business administrator/board secretary shall manage the insurance program of the school district to provide complete property and liability coverage, secured at an economical cost consistent with sound insurance principles. Quotations shall be received annually for the desired coverages. The board shall take advantage of cost-effective means and shall select agent(s) capable of rendering the desired quality of service who are readily available to do so. The program shall include, but not be limited to, loss or damage due to fire, vandalism or theft.

The board shall maintain sufficient liability insurance for all board and staff members while they are conducting official school business. The board shall insure against any civil action that might be brought against any staff or board member for any act or omission arising out of, and in the course of, the performance of the duties of his/her office or position or employment.

All school property shall be insured at the current replacement value. The appraisal shall be updated annually.

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 of education 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 of education 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 be against expenses, including attorney's fees (not to exceed \$125.00 per hour), judgments, penalties, fines, and amounts in settlement actually and reasonably incurred by the individual in connection with the action, suit, or proceeding, 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.

INSURANCE MANAGEMENT (continued)

The board of education 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 of education 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 of education 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.

Employee and Officer Bonds

All Elizabeth School District officers and employees who handle funds shall be covered under a fidelity bond in the amount to be set by the Board of Education.

Date:	November 13, 1986
Date:	March 19, 2008
First Reading:	February 21, 2008
Second Reading:	March 19, 2008
Revised:	June 25, 2009
First Reading:	June 11, 2009
Second Reading:	June 25, 2009
NJSBA Review/Update:	January 2019
Readopted:	June 13, 2019

<u>Legal References:</u>	<u>N.J.S.A.</u> 18A:12-20	Indemnity of board members against cost of defense
	<u>N.J.S.A.</u> 18A:16-6 through -6.1	Indemnity of officers and employees against action, proceeding; exceptions
	<u>N.J.S.A.</u> 18A:18A-42	Duration of certain contracts
	<u>N.J.S.A.</u> 18A:18A-43	Supervision of school building repairs
	<u>N.J.S.A.</u> 18A:18B-1 <u>et seq.</u>	Self-insurance
	<u>N.J.S.A.</u> 18A:20-25	Insurance of property
	<u>N.J.S.A.</u> 50:10-4	Local public entities; authority to indemnify

Possible

Cross References: *1330 Use of school facilities

INSURANCE MANAGEMENT (continued)

*3510	Operation and maintenance of plant
*4147/4247	Employee safety
*5141.1	Accidents
*5142	Student safety
*6114	Emergencies and disaster preparedness
*9270	Conflict of interest
*9271	Code of ethics

TRANSPORTATION ROUTES AND SERVICES

The Elizabeth Board of Education directs the chief school administrator to supervise development of bus routes to provide safe, economical and reasonably expeditious transportation for:

- A. Students who live remote from the schoolhouse as defined by New Jersey law;
- B. Educationally disabled students in accordance with their IEP;
- C. Students participating in board-approved extracurricular activities or field trips;
- D. Students whose route to the school is deemed hazardous by the board;
- E. Other students as required by law.

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

- A. The distance to be traveled to and from school;
- B. The age and state of health of the child;
- C. The requirements of the instructional program;
- D. 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.

Waiver of Eligible Transportation Services

TRANSPORTATION ROUTES AND SERVICES (continued)

Each school year a parent/guardian of a student who is eligible for transportation services under the law may sign a written statement waiving the student'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 student's transportation service rights, the district will make provisions to provide transportation to the student during this hardship.

Courtesy Transportation Along Hazardous Routes

The Elizabeth Board of Education is concerned with the safety of students who walk to and from school along roadways determined to be hazardous routes. The chief school administrator 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 chief school administrator shall develop rules and regulations to supply courtesy transportation for students who must walk to and from school along routes designated by the Elizabeth School District to be hazardous routes. The criteria used to determine hazardous routes may include but shall not be limited to the following:

- A. Population density;
- B. Traffic volume;
- C. Average vehicle velocity;
- D. Existence or absence of sufficient sidewalk space;
- E. Roads and highways that are winding or have blind curves;
- F. Roads or highways with steep inclines and declines;
- G. Drop-offs that are close proximity to a sidewalk;
- H. Bridges or overpasses that must be crossed to reach the school;
- I. Train tracks or trestles that must be crossed to reach the school;
- J. 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.

Date:	November 13, 1986
Revised:	June 25, 2009
First Reading:	June 11, 2009

TRANSPORTATION ROUTES AND SERVICES (continued)

Second Reading: June 25, 2009
 Revised: November 17, 2011
 First Reading: October 13, 2011
 Second Reading: November 17, 2011
 NJSBA Review/Update: December 2018
 Readopted: June 13, 2019

Legal References: N.J.S.A. 18A:7F-57 Calculation of state aid for transportation
N.J.S.A. 18A:36A-13 Transportation services (charter schools)
N.J.S.A. 18A:39-1 et seq. Transportation To and From Schools
See particularly:
N.J.S.A. 18A:39-1.2
 through -1.9
N.J.S.A. 18A:39-1c Parents right to waive eligible transportation rights
N.J.S.A. 18A:46-19.6 Transportation to location or maintenance of vehicular
 classrooms to obtain services; payment of cost
N.J.S.A. 18A:46-23 Transportation of students; special classes; handicapped
 children; state aid
N.J.S.A. 39:3-10.9 et al. New Jersey Commercial Drivers License Act
N.J.S.A. 39:3-27 Free registration of certain vehicles; transfer to other
 motor vehicles
N.J.A.C. 6A:27-1.1 et seq. Student Transportation
See particularly:
N.J.A.C. 6A:27-1.1(b), -2.1,
 -3.1, -5.1, -6.2, -6.3, -6.4,
 -9.2(e), -11.1, -13.3
N.J.A.C. 6A:30-1.1 et seq. Evaluation of the Performance of School Districts

Parents for Student Safety, Inc., v. Morris Bd. of Ed., 1986 S.L.D. (February 5), St. Bd.
 rev'g 1984 S.L.D. (August 24), aff'd App. Div., unreported decision (docket no. A-3257-
 85-T7, decided February 17, 1987) certif. den. 108 N.J. 180 (1987)

Wayne Board of Education v. Kraft et al., 139 NJ 597 (1995)

Policies and Procedures Manual for Student Transportation, N.J. State Department of
 Education

Possible

Cross References: *3220/3230 State funds; federal funds
 *3516 Safety
 *3541.31 Privately owned vehicles
 *3541.33 Transportation safety
 *4211 Recruitment, selection and hiring
 *5200 Nonpublic school students
 *6145 Extracurricular activities
 *6153 Field trips

Regulation

TRANSPORTATION ROUTES AND SERVICES

Walkers and Riders

Students in grades nine through 12 who live more than two and one-half miles from their school and students in grades pre-kindergarten through eight who live more than two miles from their school shall be eligible for bus transportation.

Exceptions

- A. The board is required to provide transportation to physically or otherwise disabled children who live within the mileage limit if it is determined that the disability is such that transportation is necessary or advisable;
- B. Transportation may be furnished to a student who lives within the mileage limit in cases where the Board determines that safety hazards relative to the age of the child exist.

School Bus Scheduling and Routing

In the preparation of bus routes and schedules, consideration shall be given to the following:

- A. The most efficient use of buses in order to provide safe and economical transportation for students;
- B. The length of time a student must ride on the bus;
- C. The designation of bus stops to meet safety requirements of the State Board of Education .

Bus routes and schedules shall be reviewed during the school year and may be revised if the safety of students is in question.

Students Assigned to Alternative Magnet Programs

Procedures to be followed in the event a student attending pre-kindergarten through eighth grade alternative magnet program misses the school bus in the morning.

The principals are to inform their students and parents/guardians of these procedures annually:

- A. Any student who is not at the proper bus pickup station for any reason and misses the bus is to report to the local neighborhood school and principal;
- B. The neighborhood school principal or designated staff member will notify the appropriate alternative school principal giving the name of the reporting student;

TRANSPORTATION ROUTES AND SERVICES (regulation continued)

- C. The alternative school principal will call the student's parents/guardians and advise them that their child has missed the bus and has reported to the appropriate neighborhood school. The parents/guardians will be asked to provide the necessary transportation to the respective alternative school. The neighborhood school principal will be advised of the parental response and plan;
- D. If the parents/guardians cannot provide the necessary transportation, the student is to be retained at the neighborhood school for the entire day and phased into appropriate programs.

The safety and welfare of any late student must be maintained at all times.

Students who willfully miss the bus on a regular basis must receive guidance and direction to alter their conduct.

Date:	November 13, 1986
Revised:	March 16, 1987
Second Revision:	June 25, 2009
First Reading:	June 11, 2009
Second Reading:	June 25, 2009
NJSBA Review/Update:	December 2018
Readopted:	June 13, 2019

NONSCHOOL USE OF DISTRICT VEHICLES

The Elizabeth Board of Education has made the buildings and grounds of the district's public schools available for nonprofit use, provided that in the opinion of the chief school administrator such use would not conflict with, impede or negatively affect the operation of any school-related activities. The board will also make school-owned vehicles available to transport groups of qualified senior or disabled citizens to civic, social, cultural, educational, recreational, nutritional and health programs and activities within the district, or in the immediately surrounding districts, provided the distance does not exceed 60 miles. "Qualified" senior citizens are persons over 60 residing in the area served by this school district and their spouses of less than 60 if they are accompanying them.

Further, the board will make district buses available to groups of children and adults for transportation to and from municipal programs or events.

The chief school administrator shall formulate administrative regulations in conformity with N.J.A.C. 6A:27-7.8 and all other pertinent law. These regulations shall provide for payment by the group of all or part of the costs incurred by the district in such use of its vehicles. The regulations will also refer to, without duplicating, all current regulations governing conduct of the public on and/or using school facilities.

The board shall approve the use of buses for all non-school purposes.

Date: June 25, 2009
First Reading: June 11, 2009
Second Reading: June 25, 2009
NJSBA Review/Update: December 2018
Readopted: June 13, 2019

Legal References: N.J.S.A. 18A:20-34 Use of schoolhouse and grounds for various purposes
N.J.S.A. 18A:39-22 School buses; use by senior citizens, handicapped, and children and adults in certain municipal programs
N.J.S.A. 18A:39-22.1 Use of school buses owned, leased or contracted by school district for transportation of certain handicapped adults
N.J.A.C. 6A:27-7.2 Capacity
N.J.A.C. 6A:27-7.8 Use of school buses other than to and from school and school related activities

Possible

Cross References: *1330 Use of school facilities
*3515 Smoking prohibition

Regulation

NONSCHOOL USE OF DISTRICT VEHICLES

- A. The Elizabeth Board of Education may permit, upon prior written approval and in accordance with the procedure set forth below, the school buses owned or leased by the Elizabeth School District to be used by other than school persons for only the following purposes and in accordance with the law and rules of the State Board of Education:
1. The transportation of senior citizens' groups based in Elizabeth to destinations or events that are within the district or any contiguous school district;
 2. The transportation of disabled citizens of Elizabeth within any district;
 3. The transportation of children and adults participating in a recreation or other program operated by the municipality of Elizabeth; and
 4. The transportation of disabled adult citizens of Elizabeth who are clients of the Division of Developmental Disabilities in the Department of Human Services and who are continuing their education and training following graduation from a secondary school. Transportation pursuant to this section shall be limited to space availability on vehicles engaged in the transportation of school-age students along established routes.
- B. Events for which the above transportation shall be made available include, but shall not be limited to, civic, social, cultural, educational, recreational, and nutritional events as well as health programs and activities. No transportation will be supplied for the purpose of attendance at political activities;
- C. All uses of transportation as set forth above shall be subject to the following conditions:
1. A request for transportation must be submitted to the school business administrator/board secretary of the district at least sixty (60) days prior to the planned trip. The use of the school buses by the above designated groups requires the prior approval of the board;
 2. The transportation of the above-designated groups under board policy shall be limited to those hours and days when vehicles are not required for the transportation of students. At no time shall the use of transportation interfere with the transportation of the district's students;
 3. Buses must only be operated by a person employed by the district transportation department and holding a valid commercial driver's license with appropriate endorsement(s) required by the New Jersey Department of Transportation;
 4. School bus warning lamps shall not be used when transporting the above designated groups.
 5. A school bus, when transporting the above-designated groups, shall load and unload its passengers off the public roadway so as not to interfere with traffic;
 6. The above groups, individuals and/or parents or guardians of such individuals seeking use of the school buses for non-school-related activities are required to pay all costs incurred by the

NONSCHOOL USE OF DISTRICT VEHICLES (regulation continued)

district in permitting such use, including but not limited to, the costs of fuel, driver salaries, insurance, and depreciation.

- D. Any transportation arrangements may be refused at any time in the interests of the educational program or the efficient operation of the district;
- E. The board will not permit the use of school buses for any purpose not expressly authorized by law and this board policy.

The school business administrator/board secretary shall maintain proof of insurance coverage for the transportation set forth above on record at the main office. Insurance coverage shall include liability for bodily injury and property damage in the minimum amount of \$1,000,000 combined single limit per occurrence for all school vehicles used for transportation.

Date:	June 25, 2009
First Reading:	June 11, 2009
Second Reading:	June 25, 2009
NJSBA Review/Update:	December 2018
Readopted:	June 13, 2019

PRIVATELY OWNED VEHICLES

In recommending arrangements for student transportation to and from school- related activities, the chief school administrator shall consider the type of activity, the total number of students involved, and the availability of appropriate vehicles. Groups of students too small in number to make economical use of Type I or Type II vehicles may be transported in privately owned passenger vehicles driven by qualified school personnel, state employees and parents/guardians.

Transportation by Volunteer Drivers

The school business administrator/board secretary shall supplement the transportation resources of the district by identifying qualified school personnel, state employees and parents/guardians who are willing to provide transportation for district students to and from school-related activities.

Qualifications shall include:

- A. A valid New Jersey (or other) driver's license with no convictions for moving violations;
- B. A private passenger vehicle of eight or fewer capacity, with a current New Jersey or other inspection sticker; and
- C. Evidence of at least the statutorily required insurance coverage.

The school business administrator/board secretary shall develop and the board shall adopt detailed regulations to ensure:

- A. District approval of activities involved;
- B. District determination of drivers and assignment of students to them;
- C. Student safety in pickup, transit and drop-off;
- D. Adequate supervision of students at the activity.

Transportation of Students by District Employees as Part of Assigned Duties

District employees who transport students in a private vehicle during working hours as part of their assigned duties shall:

- A. Have a current New Jersey (or other) driver's license with no convictions for moving violations;
- B. Use a privately owned passenger vehicle of eight or fewer capacity with evidence of at least the

PRIVATELY OWNED VEHICLES (continued)

statutorily required insurance coverage. The vehicle must have a current inspection sticker;

C. Conform to all safety practices set forth in the regulations to this policy.

Implementation of this section shall be in conformity with applicable negotiated agreement.

NOTE: Employees who use district-owned vehicles must conform to A, B and C. The district is responsible for maintenance of the vehicle and adequate insurance. a district is not obligated to negotiate over actual assignments. It must bargain upon demand over compensation related to such assignments.

Date:	October 14, 1982
Revised:	November 13, 1986
Second Revision:	June 25, 2009
First Reading:	June 11, 2009
Second Reading:	June 25, 2009
NJSBA Review/Update:	December 2018
Readopted:	June 13, 2019

<u>Legal References:</u>	<u>N.J.S.A.</u> 18A:16-6	Indemnity of officers and employees against civil actions
	<u>N.J.S.A.</u> 18A:39-20.1	Transportation to and from related school activities in private vehicle with capacity of eight or less; authorization of qualified school personnel, state employees or parents
	<u>N.J.A.C.</u> 6A:27-1.7	Insurance
	<u>N.J.A.C.</u> 6A:27-7.6	Transportation to and from related school activities
	<u>N.J.A.C.</u> 6A:27-7.7	Parent transporting his or her own child or children

Possible

<u>Cross References:</u>	*5020	Role of parents/guardians
	*6145	Extracurricular activities
	*6145.1/6145.2	Intramural competition; interscholastic competition
	*6153	Field trips

Regulation

PRIVATELY OWNED VEHICLES

Volunteer Driver Pool

- A. By September 30 of each school year, the chief school administrator or his or her designee will send home to parents/guardians a form on which to indicate willingness to provide school-related transportation. The form should be accompanied by a brief explanation of the pattern of liability under New Jersey's No Fault Law.

The form shall include spaces for:

1. Name, address, phone number and willingness to drive;
2. Driver's license number and statement that the driver has received no moving violations;
3. Make, model, year and mileage of car to be used;
4. Insurance coverage and name of carrier;
5. Hours during which the parent/guardian is generally available;
6. Schools and grades of children, their activities or other interests;
7. Any particular interests of the parents/guardians not reflected in their children's participation;
8. Restrictions, such as number of children or grade levels that the parent/guardian is willing to transport.

Forms are to be returned to the homeroom teacher and forwarded to the chief school administrator or his or her designee to be sorted and collated.

- B. By September 30 of each school year, forms will be put in each teacher's and administrator's mailbox.

Form will include:

1. Name, address, home phone, willingness to drive;
2. Driver's license number and statement that the driver has received no moving violations;
3. Make, model, year and mileage of car to be used;
4. Insurance coverage and name of carrier;
5. Times at which teacher/administrator will be available;
6. Activities supervised or in which teacher/administrator has an interest;
7. Restrictions, such as number of children or grade levels the staff member is willing to transport.

Forms will be returned to the chief school administrator or his or her designee to be sorted and collated.

Transportation of Students by District Personnel as Part of Assigned Duties

PRIVATELY OWNED VEHICLES (regulation continued)

A card shall be kept on file in the chief school administrator's office for each employee who transports students in a passenger vehicle as part of his/her assigned duties. Information on the card shall include:

- A. Name, address, home phone number;
- B. Driver's license number and statement that the driver has received no moving violations;
- C. Make, model, year and mileage of car to be used;
- D. Insurance coverage and name of carrier.

NOTE: FOR A NEW JERSEY REGISTERED VEHICLE TO BE OPERATED AT ALL, THE OWNER MUST PROVIDE EVIDENCE OF AUTOMOBILE LIABILITY INSURANCE FOR BODILY INJURY AND PROPERTY DAMAGE IN A MINIMUM AMOUNT OF \$1,000,000 COMBINED SINGLE LIMIT PER OCCURRENCE.

Approval of Activities; Supervision of Students at Activities

- A. Board approval is required for all interscholastic competitions, field trips, and special away-from-school activities, either as a listing or item by item as they occur;
- B. At the time of approval, a determination should be made as to whether volunteer transportation will be used.

All volunteers must be from the chief school administrator's master list.

NOTE: LAST MINUTE RECRUITMENT OF DRIVERS WITHOUT PROPER SAFEGUARDS COULD BE CONSTRUED AS NEGLIGENCE. WHATEVER PROVISIONS ARE MADE HERE SHOULD ALLOW TIME TO ASCERTAIN THE DRIVERS' QUALIFICATIONS.

- C. Supervision of students at activity:
 - 1. When the students will become part of a larger group on arrival at their destination, the driver will deliver them to the faculty member or other chaperone in charge, who will be responsible for the students at the activity. If the driver is one of the faculty members or chaperones, he/she will assume those duties on joining the group.
 - 2. When the driver is the sole adult, he/she shall remain with the group for the entire period.

Students shall be informed that the driver has the same authority over them as a member of the teaching staff, and that appropriate penalties will be imposed for infractions of the district's code of conduct or student discipline policy.

Selection of Volunteer Drivers and Assignment of Students

PRIVATELY OWNED VEHICLES (regulation continued)

When the chief school administrator or his or her designee has confirmed the date of the event and the number of students, he/she will designate a staff member who will attempt to secure drivers for the event. If it is impossible to provide transportation for all interested students through some combination of district resources and the volunteer pool, a lottery will be held to randomly select the students who may attend.

In assigning students to volunteer drivers, the chief school administrator or his or her designee will take into account:

- A. Grade level and number of students if driver has expressed limitations;
- B. Location of student residences in relation to driver if students are to be delivered home.

Safety in Pickup, Transit and Drop-off

When the students are assigned to their drivers, each driver will be given in writing: a list of all the students' names riding in their vehicle, the pickup time and place, the activity time and place, directions to the activity, arrangements for drop-off, arrangements for supervision of the students at the activity, arrangements for picking up the students after the activity, instructions as to time and place of final drop-off, and a copy of the district's policy/regulations on student bus conduct. This written document shall include emergency telephone numbers at which the driver can reach an administrator of the school, and, if possible, other persons at the activity, should it become necessary.

- A. Pickup place will in most instances be the school. It will be the responsibility of the students' parents/ guardians to deliver the students to the assigned pickup place at the proper time. Parents/guardians are responsible for supervision of their children until the driver arrives, unless the children are being loaded during school hours, in which case appropriate faculty will be responsible until the vehicle departs. When children are being transported in more than one private vehicle or a combination of district and private vehicles, the faculty member in charge of the expedition is responsible for accounting for all the children. No child shall enter a vehicle on the traffic side;
- B. In transit, the driver shall keep the doors locked and the windows at a safe level. All students shall use seat belts. General rules of student conduct will be those of the district's regular policy on bus conduct:
 - 1. On arrival at the activity, the driver will drop off the students according to directions. In no event shall a student exit from a vehicle on the traffic side;
 - 2. On leaving the activity, the driver shall be sure he/she has all of the same children he/she started with. At activities where faculty and chaperones are in charge of a large group, the faculty member in charge shall be responsible for ensuring that all students are accounted for at time of departure;
- C. Final drop-off place shall usually be the school. Parents/guardians will have been informed of

PRIVATELY OWNED VEHICLES (regulation continued)

the time of the drop-off, and will be responsible for providing transportation home for their own child. In the event that students are to be delivered to their door, the driver should wait until the student has entered the outer door before driving off.

Reimbursement

All tolls for highways, bridges, tunnels, etc., will be reimbursable on presentation of a receipt. Parking charges are reimbursable on presentation of either the lot ticket or a voucher, if a meter was used. The district will not reimburse for mileage or activity entrance fees on volunteer trips.

Date:	June 25, 2009
First Reading:	June 11, 2009
Second Reading:	June 25, 2009
NJSBA Review/Update:	December 2018
Readopted:	June 13, 2019

DISTRICT OWNED VEHICLES

For efficiency of operations, the board directs the chief school administrator to oversee school district vehicles and to develop regulations to govern vehicle tracking, maintenance, accounting, assignment and usage.

Vehicle Tracking, Maintenance, and Accounting

The school district will maintain records of the following information:

A. Vehicle inventory control record including:

1. Vehicle make, model and year;
2. Vehicle identification numbers (VIN);
3. Original purchase price;
4. Date purchased;
5. License plate number;
6. Person assigned or pool if not individually assigned;
7. Driver license number of person assigned and expiration date;
8. Insurer and policy number of person assigned; and
9. Usage category such as regular business, maintenance, security or student transportation.

B. Driving record of operators of district vehicles including:

1. Name of driver;
2. Driver license number and expiration date;
3. Insurer and policy number of person assigned;
4. Motor vehicle code violations;
5. Incidents of improper or non-business usage;
6. Accidents; and
7. Other relevant information.

C. Record of maintenance, repair and body work for each district vehicle including:

1. Vehicle make, model and year;
2. Vehicle identification numbers (VIN);
3. Original purchase price;
4. Date purchased;
5. License plate number;
6. Usage category such as regular business, maintenance, security or student transportation;
7. Manufacturer's routine maintenance schedule;
8. Category of work performed (routine maintenance, repair or body work);

DISTRICT OWNED VEHICLES (continued)

9. Purchase order number;
10. Date work was performed;
11. Detailed description of work performed;
12. Mileage on date work was performed; and
13. Cost of work performed.

District Vehicle Assignment and Use

- A. District vehicles will be assigned in accordance with OMB Circular 08-16-ADM or any superseding circulars;
- B. The board upon the recommendation of the chief school administrator may authorize, by an affirmative vote of the board's full membership, the lease, lease-purchase or purchase and assignment of district vehicles for the conduct of official district business. The vehicles may be assigned either to individuals or to units within the district for pool use according to the following classifications:
 1. Vehicles may be assigned permanently and individually to the chief school administrator, school business administrator, head of facilities services, head of security services or other supervisory employees who, based on their job duties, may be called upon on a 24 hour, seven-day a week basis. No individual assignment shall be made for the primary purpose of commuting; and
 2. A unit may be permanently assigned one or more district pool vehicles only if employees of the unit will collectively use the vehicle or each vehicle for more than an average of 750 miles per month on official district business. Pool vehicles shall not be used for the purpose of commuting and shall remain at a district facility when not in official use.
- C. Board members or employees may be temporarily assigned a district vehicle for travel events;
- D. The chief school administrator shall ensure that an employee, such as the school business administrator, insurance or risk management staff member, head of facilities or other appropriate employee is assigned the functions of district vehicle coordinator;
- E. Vehicle use logs shall be maintained for all individual and pool assignments in order to accurately record all usage of each vehicle, including the driver, mileage, and starting and destination points;
- F. All complaints of a potential misuse shall be investigated and appropriate disciplinary action taken;
- G. All changes to vehicle assignment, whether pool or individual, shall require prior written approval of the chief school administrator and the authorization of an affirmative majority vote of the full board;

DISTRICT OWNED VEHICLES (continued)

- H. No luxury vehicle, one which exceeds the greater of \$30,000 or any current dollar limit established in IRS law or regulation, shall be purchased, lease-purchased or leased by the district. If a vehicle is assigned to the chief school administrator, it may be a full size or intermediate, four-door sedan of the non-luxury class. All other vehicles shall be compact sedans, unless special passenger, cargo, equipment, or use requirements make the standard vehicle unsuitable for documented district needs;
- I. The district vehicles shall be used primarily for business purposes, however, incidental and reasonable personal use is permitted;
- J. All damage to district vehicles, regardless of cause, shall be reported within 24 hours to the vehicle coordinator and the employee assigned to file insurance claims;
- K. No physical alterations shall be made to a vehicle without prior board approval;
- L. Drivers of district vehicles shall possess a valid driver's license to operate a vehicle in New Jersey;
- M. When a vehicle is due for routine maintenance in accordance with the manufacturer's schedule, the driver of an individually assigned vehicle or, in the case of a pool vehicle, the vehicle coordinator shall be responsible for ensuring that the vehicle receives the scheduled service;
- N. A driver assigned a district vehicle shall be responsible for the security of the vehicle and its contents;
- O. Drivers shall be personally responsible for all fines accrued as a result of traffic violations related to operation of district vehicles;
- P. The driver, or the driver's supervisor, if the driver is incapacitated, of a district vehicle involved in an accident resulting in damage to the district vehicle or other vehicle shall file, within 24 hours of the accident, a detailed written report with the vehicle coordinator and the district staff member responsible for making insurance claims;
- Q. Police shall be immediately notified of an accident by the driver or vehicle coordinator, if the driver is incapacitated. A copy of the police report shall be submitted to the vehicle coordinator and the district staff member responsible for making insurance claims as soon as possible;
- R. If a district vehicle is misused in any of the following ways, the driver's driving privileges for district vehicles shall be suspended or revoked, and additional disciplinary action shall be taken as appropriate:
 - 1. Frequent violation of traffic laws;
 - 2. Flagrant violation of the traffic laws;
 - 3. Operation of a vehicle which the police or insurance company determined was the cause of an accident;

DISTRICT OWNED VEHICLES (continued)

4. Use of a vehicle for unauthorized use whether personal use, business use, or commuting;
5. Violation of these rules or district policy governing the assignment, use, operation, repair, and/or maintenance of vehicles. This includes the failure to submit a vehicle for routine maintenance as called for in the manufacturer's routine maintenance schedule;
6. Operation of a vehicle while impaired to any degree, or under the influence of alcohol or narcotics as defined by State statutes;
7. Use of a district vehicle by an unauthorized individual while assigned to an employee;
8. Use of a district vehicle to transport any person or child, other than in the course of their assigned duties and responsibilities; and
9. Use of radar detectors in district vehicles.

S. The board shall apply progressive, uniform, and mandatory disciplinary actions to violations of these requirements.

Date: June 25, 2009
 First Reading: June 11, 2009
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 NJSBA Review/Update: December 2018
 Readopted: June 13, 2019

Legal References: N.J.S.A. 18A:20-34 Use of schoolhouse and grounds for various purposes
N.J.S.A. 18A:39-22 School buses; use by senior citizens, handicapped, and children and adults in certain municipal programs
N.J.S.A. 18A:39-22.1 Use of school buses owned, leased or contracted by school district for transportation of certain handicapped adults
N.J.A.C. 6A:27-7.2 Capacity
N.J.A.C. 6A:27-7.8 Use of school buses other than to and from school and school related activities
N.J.A.C. 6A:23A-6.11 Vehicle tracking, maintenance and accounting
N.J.A.C. 6A:23A-6.12 District vehicle assignment and use

Possible

Cross References: *1330 Use of school facilities
 *3515 Smoking prohibition

TRANSPORTATION SAFETY

The safety and welfare of students shall be the first consideration in all matters pertaining to transportation. The board directs the chief school administrator to oversee development of regulations to govern:

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

Accidents

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

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

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

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.

TRANSPORTATION SAFETY (continued)

- 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.

Training for Interacting with Students with Special Needs

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

TRANSPORTATION SAFETY (continued)

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

The board requires that a school bus driver or school bus aide file a certification with the board that the individual has completed the training program within five business days of its completion. The board 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.

Any board contractor that provides student transportation services shall require that a school bus driver or school bus aide file a certification with the contractor that the individual has completed the training program within five business days of its completion. The contractor 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.

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

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

Drills

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

Vehicles and Equipment

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

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

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

TRANSPORTATION SAFETY (continued)Bus Drivers

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

Date: November 13, 1986
 Revised: June 25, 2009
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 Revised: November 20, 2017
 First Reading: October 19, 2017
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 NJSBA Review/Update: December 2018
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Revised: September 17, 2020
 First Reading: August 20, 2020
 Second Reading: September 17, 2020

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

TRANSPORTATION SAFETY (continued)

34 CFR Part 85.100 et seq., Governmentwide Debarment and Suspension (nonprocurement) and Governmentwide Requirements for Drug-Free Workplace (Grants)

49 U.S.C. § 31306 et seq.- Omnibus Transportation Employee Testing Act of 1991

49 C.F.R. Part 40.1 et seq. - Procedures for Transportation Workplace Drug Testing Programs

49 C.F.R. Part 382.101 - Controlled Substance and Alcohol Use and Testing

49 C.F.R. Part 391.1 et seq. - Qualification of drivers

Policies and Procedures Manual for Student Transportation, N.J. State Department of Education

The Department of Education School Bus Driver and Aide Training for Interacting with Students with Special Need: located on the New Jersey Department of Education website at: <http://www.nj.gov/education/finance/transportation/training/dis/>

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

Possible**Cross References:**

*3516	Safety
*3541.1	Transportation routes and services
*4211	Recruitment, selection and hiring
*4119.23/4219.23	Employee substance abuse
*4231/4231.1	Staff development; inservice education/visitations/conferences
*5131	Conduct/discipline
*1531.1	Harassment, intimidation and bullying
*5142	Student safety

**New Jersey Department of Education
Office of Special Education Programs
STUDENT BUS INFORMATION CARD**

Name:	Date:
Age:	School:
Please use the space below to provide information to the school bus driver and/or bus aide that will assist them in ensuring your child rides the bus successfully.	
Does your child utilize any adaptive equipment, including a communication device, that the school bus driver and/or aide should be familiar with?	
Additional Comments/Suggestions:	
Parent/Guardian Signature:	Date:

Regulation

TRANSPORTATION SAFETY

Procedure for Emergencies

In the event of a school bus accident, it is incumbent upon all divisions of the Elizabeth Board of Education to coordinate and cooperate in gathering the facts and communicating with school personnel and parents/guardians.

Should an accident occur, the following procedure will take effect:

- A. Driver will, if possible, move the bus to side of the road and activate four-way flashers;
- B. Driver and bus aide will immediately assess the physical welfare of student and adult passengers. Should any of the passengers be injured, they are not to be moved, but made comfortable until assistance arrives;
- C. Drivers are to use bus radio to report accident to supervisor immediately:
 - 1. Requesting police radio car;
 - 2. Requesting an ambulance, if necessary.
- D. Bus supervisor will notify coordinator of transportation immediately about the accident.
- E. The Coordinator of Transportation will notify:
 - 1. Building principal;
 - 2. Director of plant and property;
 - 3. School business administrator/board secretary;
 - 4. Assistant superintendent for schools;
- F. The coordinator of transportation will dispatch a bus and driver to the scene of the accident, if necessary;
- G. The division of teaching and learning will dispatch a nurse to the scene of the accident, if necessary;
- H. The director of plant and property, in cooperation with the coordinator of transportation, and building principal and division of teaching and learning will contact parents/guardians via telephone to notify them of the accident;
- I. Injured students will be transported to the Trinitas Medical Center for examination and may be accompanied by board personnel;
- J. The school nurse will follow up on the physical condition of students the following day.

Conduct on School Buses

Students eligible for bus transportation to district schools are picked up daily at designated stations throughout the city.

TRANSPORTATION SAFETY (regulation continued)

In the interest of safety, orderly behavior on the bus is of paramount importance. Guidelines for student conduct on buses are provided annually to students and parents/guardians.

The driver shall be in full charge of the school bus at all times and shall be responsible for maintaining order. If unable to manage any student, the driver shall report the unmanageable student to the principal of the school.

A student may be excluded from the bus for disciplinary reasons by the principal and the parent/guardian shall provide for transportation to and from school during the period of exclusion.

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Policy

FOOD SERVICE

The school lunch program shall make a nutritionally adequate lunch available to every student and shall operate on the most economically feasible basis.

It shall be operated in strict compliance with all laws and regulations pertaining to health, sanitation and safety; internal accounting; employment practices; nutritional standards; costs of lunches; and periodic reporting required by New Jersey law.

The chief school administrator is responsible for the administration and operation of the school lunch program in keeping with federal and state laws and the policies and directives of the board.

Date: November 13, 1986
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Second Reading: June 25, 2009
NJSBA Review/Update: December 2018
Readopted: June 13, 2019

Legal References: N.J.S.A. 18A:11-1 General mandatory powers and duties
N.J.S.A. 18A:18A-5 Exceptions to requirement for advertising
See particularly:
N.J.S.A. 18A:18A-5a(6)
N.J.S.A. 18A:18A-6 Standards for purchase of fresh milk; penalties; rules and regulations
N.J.S.A. 18A:33-3
through -5 Cafeterias for students
N.J.S.A. 18A:54-20 Powers of board (county vocational schools)
N.J.S.A. 18A:58-7.1
through -7.2 School lunch program ...
N.J.A.C. 2:36-1.1 et seq. Child Nutrition Programs
N.J.A.C. 6A:23A-16.5 Supplies and equipment
N.J.A.C. 6A:30-1.1 et seq. Evaluation of the Performance of School Districts

Possible

Cross References: *1200 Participation by the public
*1220 Ad hoc advisory committees
*3000/3010 Concepts and roles in business and noninstructional operations; goals and objectives
*3220/3230 State funds; federal funds
*3450 Money in school buildings
*3510 Operation and maintenance of plant
*3542.1 Local wellness/Nutrition

FOOD SERVICE (continued)

*3542.31	Free or reduced-price lunches/milk
*3542.44	Purchasing
*4222	Noninstructional aides
*5131	Conduct/discipline
9123	Appointment of board secretary
9124	Appointment of business official

WELLNESS AND NUTRITION

The Elizabeth Board of Education is committed to the optimal development of every student. The district believes that for students to have the opportunity to achieve personal, academic, developmental and social success, we need to create positive, safe and health-promoting learning environments at every level, in every setting, throughout the school year.

Research shows that two components, good nutrition and physical activity before, during and after the school day, are strongly correlated with positive student outcomes. For example, student participation in the U.S. Department of Agriculture’s (USDA) School Breakfast Program is associated with higher grades and standardized test scores, lower absenteeism and better performance on cognitive tasks.^{1 2 3 4 5 6 7} Conversely, less-than adequate consumption of specific foods including fruits, vegetables and dairy products, is associated with lower grades among students.^{8 9 10} In addition, students who are physically active through active transport to and from school, recess, physical activity breaks, high-quality physical education and extracurricular activities – do better academically.^{11 12 13 14} Finally, there is evidence that adequate hydration is associated with better cognitive performance.¹⁵

This policy outlines the district’s approach to ensuring environments and opportunities for all students to practice healthy eating and physical activity behaviors throughout the school day while minimizing commercial distractions. Specifically, this policy establishes goals and procedures to ensure that:

- A. Students in the district have access to healthy foods throughout the school day – both through reimbursable school meals and other foods available throughout the school campus– in accordance with Federal and state nutrition standards;
- B. Students receive quality nutrition education that helps them develop lifelong healthy eating behaviors;
- C. Students have opportunities to be physically active before, during and after school;
- D. Schools engage in nutrition and physical activity promotion and other activities that promote student wellness;
- E. School staff are encouraged and supported to practice healthy nutrition and physical activity behaviors in and out of school;
- F. The community is engaged in supporting the work of the district in creating continuity between school and other settings for students and staff to practice lifelong healthy habits; and
- G. The district establishes and maintains an infrastructure for management, oversight,

WELLNESS AND NUTRITION (continued)

implementation, communication about and monitoring of the policy and its established goals and objectives.

This policy applies to all students, staff and schools in the district. Specific measureable goals and outcomes are identified within each section below.

The district will coordinate the wellness policy with other aspects of school management, including the district's school improvement plan, when appropriate.

School Meals

The Elizabeth Public School District will serve healthy meals to children, with plenty of fruits, vegetables, whole grains, and fat-free and low-fat milk; that are moderate in sodium, low in saturated fat, and have zero grams transfat per serving (nutrition label or manufacturer's specification); and to meeting the nutrition needs of school children within their calorie requirements. The school meal programs aim to improve the diet and health of school children, help mitigate childhood obesity, model healthy eating to support the development of lifelong healthy eating patterns and support healthy choices while accommodating cultural food preferences and special dietary needs.

All district schools shall participate in USDA child nutrition programs, including the National School Lunch Program (NSLP), the School Breakfast Program (SBP), the Fresh Fruit and Vegetable Program (FFVP), Special Milk Program (SMP), Summer Food Service Program (SFSP), and Supper programs. The district to the extent possible shall also operate additional nutrition-related programs and activities including Farm to School programs, school gardens, Breakfast in the Classroom, Mobile Breakfast carts, Grab 'n' Go Breakfast. All district schools shall offer school meals through the NSLP and SBP programs, and other applicable Federal child nutrition programs, that:

- A. Are accessible to all students;
- B. Are appealing and attractive to children;
- C. Are served in clean and pleasant settings;
- D. Meet or exceed current nutrition requirements established by local, state, and Federal statutes and regulations;
- E. Promote healthy food and beverage choices using at least ten of the following Smarter Lunchroom techniques:
 - 1. Whole fruit options are displayed in attractive bowls or baskets (instead of chaffing dishes or hotel pans);
 - 2. Sliced or cut fruit is available daily;
 - 3. Daily fruit options are displayed in a location in the line of sight and reach of students;
 - 4. All available vegetable options have been given creative or descriptive names;
 - 5. Daily vegetable options are bundled into all grab-and-go meals available to students;

WELLNESS AND NUTRITION (continued)

6. All staff members, especially those serving, have been trained to politely prompt students to select and consume the daily vegetable options with their meal;
7. White milk is placed in front of other beverages in all coolers;
8. Alternative entrée options (e.g., salad bar, yogurt parfaits, etc.) are highlighted on posters or signs within all service and dining areas;
9. A reimbursable meal are created in any service area available to students (e.g., salad bars, snack rooms, etc.);
10. Student surveys and taste testing opportunities are used to inform menu development, dining space decor and promotional ideas;
11. Student artwork is displayed in the service and/or dining areas;
12. Daily announcements are used to promote and market menu options.

Menus will be posted on the school websites, and will include nutrient content and ingredients. In addition, the menus will be created/reviewed by a Registered Dietitian or other certified nutrition professional.

The nutrition program will accommodate students with special dietary needs.

Students will be allowed at least 10 minutes to eat breakfast and at least 20 minutes to eat lunch, counting from the time they have received their meal and are seated (meets Healthy Schools Program Gold-level criteria). Students are served lunch at a reasonable and appropriate time of day. Lunch will follow the recess period to better support learning and healthy eating.

Participation in Federal child nutrition programs will be promoted among students and families to help ensure that families know what programs are available in their children's school.

The district will implement at least four of the following five Farm to School activities (meets Healthy Schools Program Gold-level criteria; mark/circle the four activities the District plans to do):

- A. Local and/or regional products are incorporated into the school meal program;
- B. Messages about agriculture and nutrition are reinforced throughout the learning environment;
- C. School hosts a school garden;
- D. School hosts field trips to local farms; and
- E. School utilizes promotions or special events, such as tastings, that highlight the local/ regional products.

Staff Qualifications and Professional Development

All school nutrition program directors, managers and staff will meet or exceed hiring and annual continuing education/training requirements in the USDA professional standards for child nutrition

WELLNESS AND NUTRITION (continued)

professionals. These school nutrition personnel will refer to USDA's Professional Standards for School Nutrition Standards website to search for training that meets their learning needs.

Water

To promote hydration, free, safe, unflavored drinking water will be available to all students throughout the school day and throughout every school campus. Drinking water shall be available where school meals are served during mealtimes.

Water cups/jugs will be available in the cafeteria if a drinking fountain is not present. All water sources and containers will be maintained on a regular basis to ensure good hygiene and health safety standards. Such sources and containers may include drinking fountains, water jugs, hydration stations, water jets and other methods for delivering drinking water.

Students will be allowed to bring and carry (approved) water bottles filled with only water with them throughout the day.

School Wellness Committee

The chief school administrator or his or her designee shall endeavor to engage parents, students, and representatives of the school food authority, members of the school board, school administrators, teachers, health professionals, and members of the public for the purpose of developing, implementing, monitoring, reviewing, and, as necessary, revising the school nutrition and physical activity initiatives. A wellness committee be convened to annually review and when necessary recommend revisions to school policies related to wellness and nutrition. The wellness committee shall meet at a minimum four times a year and may meet more to oversee that the district wellness and nutrition policy and programs are being implemented effectively in the schools of the district. The Supervisor of Athletics in consultation with the school principal shall select the chairperson of the wellness committee.

- A. The chairperson of the wellness committee shall be the chairperson of the wellness committee and shall keep an updated list of the committee members and their contact information. The committee may include: Parents/guardians;
- B. Students;
- C. School teaching staff members;
- D. Board members;
- E. Community members;
- F. Representatives from the school food services provider;
- G. Others at the committee chair deems appropriate.

WELLNESS AND NUTRITION (continued)

The names and contact information of the committee chair and the members shall be posted on the district website annually.

The district wellness committee will have a staff wellness subcommittee that focuses on staff wellness issues, identifies and disseminates wellness resources and performs other functions that support staff wellness in coordination with human resources staff.

Strategies shall be implemented in each school that support staff in actively promoting and modeling healthy eating and physical activity behaviors. These strategies may include:

- A. Staff lead extracurricular activities related to health cooking, gardening, exercise, yoga;
- B. Staff lead fundraising activities for charitable causes that involve walking, running, dancing and other physical activities;
- C. Incorporating physical activity in the lesson plan during lessons;
- D. Incorporating healthy nutrition instruction in classroom lessons and celebrations.

The committee will annually report to the board on the implementation of programs and initiatives related to student wellness and nutrition. The board shall annually review and consider recommendations of the wellness committee.

Wellness Policy Implementation, Monitoring, Accountability and Community Engagement

The chief school administrator or his or her designee shall develop and maintain a plan for implementation to manage and coordinate the execution of this wellness policy. The plan shall delineate roles, responsibilities, actions and timelines specific to each school; and shall include information about who will be responsible to make what change, by how much, where and when; as well as specific goals and objectives for nutrition standards for all foods and beverages available on the school campus, food and beverage marketing, nutrition promotion and education, physical activity, physical education and other school-based activities that promote student wellness. It is recommended that the school use the Healthy Schools Program online tools to complete a school level assessment based on the Centers for Disease Control and Prevention's School Health Index, create an action plan that fosters implementation and generate an annual progress report.

This wellness policy 3542.1 Wellness and Nutrition may be found at: <https://www.epsnj.org/>

Recordkeeping Requirements

The chief school administrator or his or her designee shall maintain records to document compliance with the requirements of the wellness policy at the district main. Documentation maintained in this location will include but will not be limited to:

WELLNESS AND NUTRITION (continued)

- A. Board policy 3542.1 Wellness and Nutrition;
- B. Documentation demonstrating that the policy has been made available to the public;
- C. Documentation of efforts to review and update the board policy 3542.1 Wellness and Nutrition; including an indication of who is involved in the update and methods the district uses to make stakeholders aware of their ability to participate on the district Wellness Committee;
- D. Documentation to demonstrate compliance with the annual public notification requirements;
- E. The most recent assessment on the implementation of the local school wellness policy;
- F. Documentation demonstrating the most recent assessment on the implementation of the board policy 5342.1 Wellness and Nutrition has been made available to the public.

Triennial Assessment

The board shall ensure that a triennial (once every three years) assessment of the district wellness and nutrition policy and programs is completed. The recommendations of the committee shall be reviewed and considered as part of the triennial assessment. The assessment shall measure the implementation of the wellness and nutrition policy, and include:

- A. The extent to which each school is in compliance with the school wellness and nutrition policy;
- B. The extent to which the board wellness and nutrition policy compares to the federal and state model school wellness policies; and
- C. A description of the progress made in attaining the goals of the wellness and nutrition policy.

The board shall update or modify the policy and programs as necessary based on the results of triennial assessment.

Nutrition Education

The district educational program shall include instruction in wellness and nutrition in all grades as required as part of the New Jersey Student Learning Standards (see: NJSLs, Comprehensive Health and Physical Education, 2.1 Wellness). Student proficiency all areas of the New Jersey Student Learning Standards including wellness and nutrition shall be assessed and measured. Instruction shall enable students to:

- A. Develop the knowledge and skills necessary to make nutritious food choices promotes healthy habits;
- B. Choose a balanced variety of nutritious foods that contribute to wellness;

WELLNESS AND NUTRITION (continued)

- C. Develop an understanding that eating patterns are influenced by a variety of factors;
- D. Apply basic nutritional and fitness concepts to lifestyle behaviors impacts wellness.

Physical Activity

For students to receive the nationally-recommended amount of daily physical activity (i.e., at least 60 minutes per day) and for students to fully embrace regular physical activity as a personal behavior, the board is committed to providing opportunities for physical activity beyond physical education class. Activities that may be implemented include but shall not be limited to:

- A. Health education will complement and reinforce physical education. Students may be taught self-management skills that promote and help maintain a physically active lifestyle and reduce time spent on sedentary activities, such as watching television;
- B. As initiated and determined by the teacher, opportunities for physical activity may be incorporated into subject area lessons;
- C. Classroom teachers will make an effort to provide short physical activity breaks between lessons or classes, as appropriate;
- D. The daily schedule shall allow for periods of physical activity before or after meal periods and minimum of 20 minutes for recess daily; and
- E. The code of student conduct shall prohibit withholding recess or other periods of physical activity as a consequence or a disciplinary option.

This does not include participation on sports teams that have specific academic requirements.

Recess

All elementary schools will offer at least 20 minutes of recess on all days during the school year. This requirement may be waived on early dismissal or late arrival days. When recess is offered before lunch, the principal shall ensure that the school is equipped with the appropriate handwashing facilities and/or hand-sanitizing mechanisms located just inside/outside the cafeteria to ensure proper hygiene prior to eating and students are required to use these mechanisms before eating. Hand-washing time, as well as time to put away coats/hats/gloves, will be built in to the recess transition period/timeframe before students enter the cafeteria.

Recess may be held indoors at the discretion of the principal based on his/her best judgment of safety conditions (conditions of rain, snow, storms, cold temperatures, lightening, etc.). When recess is held indoors, teachers and staff will follow the indoor recess guidelines that promote physical activity for students, established by the principal or his or her designee to the extent practicable.

WELLNESS AND NUTRITION (continued)Before and After School Activities

School sponsored extracurricular activities and athletic shall be offered before and/or after school through a variety of methods. The schools shall offer intramurals or interscholastic sports and support other extracurricular physical activities and clubs such as exercise classes, weightlifting, and yoga within the confines of the district budget.

Transportation

When environmental conditions such as traffic and other safety considerations permit, active transport options such as walking or biking shall be permitted. The following activities may be permitted to encourage students utilize active transportation to and from school and in general including but not limited to:

- A. Principal may dissemination board approved safe or preferred routes to school;
- B. Activities such as participation in International Walk to School Week, National Walk and Bike to School Week and other charitable walk-a-thons shall be publicized and promoted at school;
- C. Within the confines of the district budget storage facilities for bicycles and helmets (e.g., shed, cage, fenced area) shall be provided at schools where students are permitted to ride bicycles to school;
- D. Instruction on walking/bicycling safety provided to students in school;
- E. Within the confines of the district budget crossing guards shall be employed monitor safe crossing at busy intersections;
- F. Principals may document and track the number of children walking and or biking to and from school.

Staff members may propose and the principal shall approve other activities involving students such as walking buses and class or school participation in walk-a-thons or races that promote charitable causes.

Marketing

The board is committed to ensuring that all foods and beverages available to students on the school campus during the school day support healthy eating. The foods and beverages sold and served outside of the school meal programs (e.g., “competitive” foods and beverages) will meet the USDA Smart Snacks in School nutrition standards, at a minimum. Smart Snacks aim to improve student health and well-being, increase consumption of healthful foods during the school day and create an environment that reinforces the development of healthy eating habits. A summary of the standards and information, as well as a Guide to Smart Snacks in Schools are available at:

WELLNESS AND NUTRITION (continued)

<http://www.fns.usda.gov/healthierschoolday/tools-schools-smart-snacks>. The Alliance for a Healthier Generation provides a set of tools to assist with implementation of Smart Snacks available at: <http://www.fns.usda.gov/healthierschoolday/tools-schools-smartsnacks>. The Alliance for a Healthier Generation provides a set of tools to assist with implementation of Smart Snacks available at www.foodplanner.healthiergeneration.org.

The marketing of food or beverages shall only be permitted on the school campus during the school day for foods and beverages that meet the competitive foods requirements.

For purposes of this policy, marketing is defined as advertising and other promotions in schools. Food marketing commonly includes oral, written, or graphic statements made for the purpose of promoting the sale of a food or beverage product made by the producer, manufacturer, seller, or any other entity with a commercial interest in the product.

The marketing of products on the exterior of vending machines, through posters, menu boards, coolers, trash cans, and other food service equipment, as well as cups used for beverage dispensing are all subject to board policy, and the logos and products marketed in these areas and items are required to meet the competitive foods standards for foods sold in schools. This restriction shall not apply to marketing that occurs at events outside of school hours such as after school sporting or any other events, including school fundraising events.

General Requirements

The district's curriculum shall incorporate nutrition education and physical activity consistent with the New Jersey Student Learning Standards.

Food and beverages that are not sold such as foods and beverages served during special school celebrations or during curriculum related activities shall be exempt from this policy. However, on such occasions healthy food choices such as fruits, vegetable, fruit juice and water shall be made available to all students participating in such activities.

This policy does not apply to: medically authorized special needs diets pursuant to federal regulations; school nurses using food or beverages during the course of providing health care to individual students; or special needs students whose Individualized Education Program (IEP) indicates their use for behavior modification.

Adequate time shall be allowed for student meal service and consumption. Schools shall provide a pleasant dining environment. The board recommends that physical education or recess be scheduled before lunch whenever possible.

The chief school administrator will specifically address the issue of biosecurity for the school food service. Biosecurity may be part of the plans, procedures and mechanism for school safety.

The board is committed to promoting the nutrition policy with all food service personnel, teachers, nurses, coaches and other school administrative staff so they have the skills they need to implement

WELLNESS AND NUTRITION (continued)

this policy and promote healthy eating practices. The board will work toward expanding awareness about this policy among students, parents, teachers and the community at large.

The chief school administrator shall develop regulations consistent with this policy, including a process for measuring the effectiveness of its implementation, and designating personnel within each school with operational responsibility for ensuring the school is complying with the policy.

Annual Notification of Policy

The chief school administrator or his or her designee will ensure that the district policy is available on the district website and that programs and activities related to school and district wellness and nutrition initiatives are posted on district and school websites and announces through other school and district communications.

Annually, the name and contact information of the district/school officials leading and coordinating the Wellness Committee, as well as information on how the public can get involved with the school wellness committee shall be disseminated. Any updates to this policy and its implementation status shall be announced on the district website.

Date:	September 14, 2006
Revised:	June 25, 2009
First Reading:	June 11, 2009
Second Reading:	June 25, 2009
Revised:	November 20, 2014
First Reading:	October 23, 2014
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First Reading:	October 19, 2017
Second Reading:	November 20, 2017
Revised:	September 20, 2018
NJSBA Review/Update:	December 2018
Readopted:	June 13, 2019

<u>Legal References:</u>	<u>N.J.S.A.</u> 18A:11-1	General mandatory powers and duties	
	<u>N.J.S.A.</u> 18A:18A-4.1 f.,h.	Use of competitive contracting in lieu of public bidding; boards of education	
	<u>N.J.S.A.</u> 18A:18A-5	Exceptions to requirement for advertising	
	<u>See particularly:</u>		
	<u>N.J.S.A.</u> 18A:18A-5a(6)		
	<u>N.J.S.A.</u> 18A:18A-6	Standards for purchase of fresh milk; penalties; rules and regulations	
	<u>N.J.S.A.</u> 18A:33-3 through -5	Cafeterias for students	
	<u>N.J.S.A.</u> 18A:33-9 through -14	Findings, declarations relative to school breakfast	

WELLNESS AND NUTRITION (continued)

	programs
<u>See particularly:</u>	
<u>N.J.S.A.</u> 18A:33-10	
<u>N.J.S.A.</u> 18A:33-15 through -19	<u>Improved Nutrition and Activity Act (IMPACT Act)</u>
<u>N.J.S.A.</u> 18A:54-20	Powers of board (county vocational schools)
<u>N.J.S.A.</u> 18A:58-7.1 through -7.2	School lunch program
<u>N.J.A.C.</u> 2:36-1.1 <u>et seq.</u>	Child Nutrition Programs
<u>See particularly:</u>	
<u>N.J.A.C.</u> 2:36-1.7	Local school nutrition policy
<u>N.J.A.C.</u> 6A:16-5.1(b)	School safety plans
<u>N.J.A.C.</u> 6A:23A-1 <u>et seq.</u>	Fiscal accountability, efficiency and budgeting procedures
<u>See particularly:</u>	
<u>N.J.A.C.</u> 6A:23A-16.5	Supplies and equipment
<u>N.J.A.C.</u> 6A:30-1.1 <u>et seq.</u>	Evaluation of the Performance of School Districts
Sec. 204 at the <u>Federal Child Nutrition and WIC Reauthorization Act of 2004</u> (P.L. 108-265)	
42 <u>U.S.C.</u> 1751 <u>et seq.</u>	<u>Richard B. Russell National School Lunch Act</u>
42 <u>U.S.C.</u> 1771 <u>et seq.</u>	<u>Child Nutrition Act of 1966</u>
7 <u>CFR</u> Part 210 and 220	Healthy, Hunger-Free Kids Act of 2010
7 <u>CFR</u> Part 210	Medically authorized special needs diets

Possible

<u>Cross References:</u>	*1200	Participation by the public
	*1220	Ad hoc advisory committees
	*3000/3010	Concepts and roles in business and noninstructional operations; goals and objectives
	*3220/3230	State funds; federal funds
	*3450	Money in school buildings
	*3510	Operation and maintenance of plant
	*3542	Food Service
	*3542.31	Free or reduced-price lunches/milk
	*3542.44	Purchasing
	*4222	Noninstructional aides
	*5131	Conduct/discipline
	9123	Appointment of board secretary
	9124	Appointment of business official

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WELLNESS AND NUTRITION (continued)

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**United States Department of Agriculture
Nutrition Standards for All Foods Sold in School**

(see: <http://www.usda.gov/wps/portal/usda/usdahome>; and
http://www.fns.usda.gov/sites/default/files/allfoods_summarychart.pdf)

Food/Nutrient	Standard	Exemptions to the Standard
General Standard for Competitive Food.	<p>To be allowable, a competitive FOOD item must:</p> <ol style="list-style-type: none"> 1. meet all of the proposed competitive food nutrient standards; and 2. be a grain product that contains 50% or more whole grains by weight or have whole grains as the first ingredient*; or 3. have as the first ingredient* one of the non-grain main food groups: fruits, vegetables, dairy, or protein foods (meat, beans, poultry, seafood, eggs, nuts, seeds, etc.); <i>or</i> 4. be a combination food that contains at least 1/4 cup fruit and/or vegetable; or 5. contain 10% of the Daily Value (DV) of a nutrient of public health concern (i.e., calcium, potassium, vitamin D, or dietary fiber). Effective July 1, 2016 this criterion is obsolete and may not be used to qualify as a competitive food. <p>*If water is the first ingredient, the second ingredient must be one of items 2, 3 or 4 above.</p>	<ul style="list-style-type: none"> • Fresh fruits and vegetables with no added ingredients except water are exempt from all nutrient standards. • Canned and frozen fruits with no added ingredients except water, or are packed in 100% juice, extra light syrup, or light syrup are exempt from all nutrient standards. • Canned vegetables with no added ingredients except water or that contain a small amount of sugar for processing purposes to maintain the quality and structure of the vegetable are exempt from all nutrient standards.
NSLP/SBP Entrée Items Sold A la Carte.	Any entrée item offered as part of the lunch program or the breakfast program is exempt from all competitive food standards if it is sold as a competitive food on the day of service or the day after service in the lunch or breakfast program.	
Sugar-Free Chewing Gum	Sugar-free chewing gum is exempt from all competitive food standards.	
Grain Items	Acceptable grain items must include 50% or more whole grains by weight, or have whole grains as the first ingredient.	
Total Fat	Acceptable food items must have $\leq 35\%$ calories from total fat as served.	<ul style="list-style-type: none"> • Reduced fat cheese (including part-skim mozzarella) is exempt from the

WELLNESS AND NUTRITION (*Federal Nutritional Standards for All Foods Sold in Schools* summary chart continued)

		<p>total fat standard.</p> <ul style="list-style-type: none"> • Nuts and seeds and nut/seed butters are exempt from the total fat standard. • Products consisting of only dried fruit with nuts and/or seeds with no added nutritive sweeteners or fats are exempt from the total fat standard. • Seafood with no added fat is exempt from the total fat standard. <p>Combination products are not exempt and must meet all the nutrient standards.</p>
Saturated Fat	Acceptable food items must have < 10% calories from saturated fat as served.	<ul style="list-style-type: none"> • Reduced fat cheese (including part-skim mozzarella) is exempt from the saturated fat standard. • Nuts and seeds and nut/seed butters are exempt from the saturated fat standard. • Products consisting of only dried fruit with nuts and/or seeds with no added nutritive sweeteners or fats are exempt from the saturated fat standard. <p>Combination products are not exempt and must meet all the nutrient standards</p>
Trans Fats	Zero grams of trans fat as served (≤ 0.5 g per portion).	
Sugar	Acceptable food items must have $\leq 35\%$ of weight from total sugar as served.	<ul style="list-style-type: none"> • Dried whole fruits or vegetables; dried whole fruit or vegetable pieces; and dehydrated fruits or vegetables with no added nutritive

WELLNESS AND NUTRITION (Federal Nutritional Standards for All Foods Sold in Schools summary chart continued)

		<p>sweeteners are exempt from the sugar standard.</p> <ul style="list-style-type: none"> Dried whole fruits, or pieces, with nutritive sweeteners that are required for processing and/or palatability purposes (i.e. cranberries, tart cherries, or blueberries) are exempt from the sugar standard. <p>Products consisting of only exempt dried fruit with nuts and/or seeds with no added nutritive sweeteners or fats are exempt from the sugar standard</p>
Sodium	<p>Snack items and side dishes sold a la carte: ≤ 230 mg sodium per item as served. Effective July 1, 2016 snack items and side dishes sold a la carte must be: ≤ 200 mg sodium per item as served, including any added accompaniments.</p> <p>Entrée items sold a la carte: ≤ 480 mg sodium per item as served, including any added accompaniments.</p>	
Calories	<p>Snack items and side dishes sold a la carte: ≤ 200 calories per item as served, including any added accompaniments.</p> <p>Entrée items sold a la carte: ≤ 350 calories per item as served including any added accompaniments.</p>	Entrée items served as an NSLP or SBP entrée are exempt on the day of or day after service in the program meal.
Accompaniments	Use of accompaniments is limited when competitive food is sold to students in school. The accompaniment must be included in the nutrient profile as part of the food item served and meet all proposed standards.	
Caffeine	<p>Elementary and Middle School: foods and beverages must be caffeine-free with the exception of trace amounts of naturally occurring caffeine substances.</p> <p>High School: foods and beverages may contain caffeine.</p>	
Beverages		

WELLNESS AND NUTRITION (Federal Nutritional Standards for All Foods Sold in Schools summary chart continued)

	<p>Elementary School</p> <ul style="list-style-type: none"> • Plain water or plain carbonated water (no size limit); • Low fat milk, unflavored (≤ 8 fl. oz.); • Nonfat milk, flavored or unflavored (≤ 8 fl. oz.), including nutritionally equivalent milk alternatives as permitted by the elementary school • 100% fruit/vegetable juice (≤ 8 fl. oz.); • 100% fruit/vegetable juice diluted with water (with or without carbonation) and no added sweeteners (≤ 8 fl. oz.). <p>Middle School</p> <ul style="list-style-type: none"> • Plain water or plain carbonated water (no size limit); • Low-fat milk, unflavored (≤ 12 fl. oz.); • Non-fat milk, flavored or unflavored (≤ 12 fl. oz.), including nutritionally equivalent milk alternatives as permitted by the school meal requirements; • 100% fruit/vegetable juice (≤ 12 fl. oz.); and • 100% fruit/vegetable juice diluted with water (with or without carbonation), and no added sweeteners (≤ 12 fl. oz.). <p>High School</p> <ul style="list-style-type: none"> • Plain water or plain carbonated water (no size limit); • Low-fat milk, unflavored (≤ 12 fl. oz.); • Non-fat milk, flavored or unflavored (≤ 12 fl. oz.), including nutritionally equivalent milk alternatives as permitted by the school meal requirements; • 100% fruit/vegetable juice (≤ 12 fl. oz.); • 100% fruit/vegetable juice diluted with water (with or without carbonation), and no added sweeteners (≤ 12 fl. oz.); • Other flavored and/or carbonated beverages (≤ 20 fl. oz.) that are labeled to contain ≤ 5 calories per 8 fl. oz., or ≤ 10 calories per 20 fl. oz.; and • Other flavored and/or carbonated beverages (≤ 12 fl. oz.) that 	
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WELLNESS AND NUTRITION (*Federal Nutritional Standards for All Foods Sold in Schools* summary chart continued)

	are labeled to contain ≤ 40 calories per 8 fl. oz., or ≤ 60 calories per 12 fl. oz.	
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SCHOOL MEAL PROGRAM ARREARS

The school meal program shall make a nutritionally adequate meal (breakfast and/or lunch) available to every student and shall operate on the most economically feasible basis. It shall be operated in strict compliance with all laws and regulations pertaining to health; sanitation and safety; internal accounting; employment practices; nutritional standards; costs of meals; and periodic reporting required by New Jersey law.

The Elizabeth Board of Education believes that regularly consumed nutrition helps maintain the students' energy and facilitates concentration, supporting student achievement (see board policy 3542.1 Wellness and Nutrition). Therefore, it is the expectation of the board that students with the assistance of their parents/guardians come prepared for school each day with lunch/breakfast or meal money. Students repeatedly forgetting their breakfast or lunch meal or their meal money may be subject to consequences including parent/guardian conference, loss of privileges and detention according to the school code of student conduct.

Qualified students whose families have a financial hardship may apply for assistance according to policy 3542.31 Free or Reduced Price Lunches, Milk. The procedures for the administration of the free and reduced price meal program of this school district will be the same as those prescribed in current state and federal laws and regulations.

The board shall strive to make affordable meals available to all students. Students who do not qualify for free or reduced price meals or milk may receive school lunch through the school meal program for a fee that is approved by the board. Any student who has a hardship but does not qualify for free and reduced price lunches or milk, may be considered for other assistance on a case by case basis.

The purchase of meals through the school program shall be optional and shall not prevent any student from bringing their own lunch or breakfast to school.

The school business administrator shall be responsible for the accounting and tracking of revenues and expenses generated by the school meal program. The principal or his or her designee shall oversee the notification of parents/guardians for the payment of charges and arrears associated with the school meal program. Being in arrears shall be defined as being behind in meal payments due, resulting in debt or liability to the district.

Procedures for Charging Lunch

In the event a student's school lunch or breakfast bill is in arrears, the principal or his or her designee shall contact the student's parent/guardian to provide notice of the amount in arrears and shall provide the parent/guardian a period of ten school days to pay the full amount due. If the student's parent/guardian does not make full payment to the school by the end of the ten school days, the

SCHOOL MEAL PROGRAM ARREARS (continued)

principal or his or her designee shall again contact the student's parent/guardian to provide a second notice that their child's lunch or breakfast bill is in arrears. If payment in full is not made within one week from the date of the second notice, the student may not be served school breakfast or lunch, as applicable, beginning the eighth calendar day from the date of the second notice (N.J.S.A. 18A:33-21).

The building principal or his or her designee shall implement appropriate measures that ensure that students who cannot pay for a school breakfast or a school lunch or whose school breakfast or school lunch bill is in arrears shall not be publicly identified or stigmatized.

Students without breakfast/lunch or meal money may receive a meal through the school meal program according to the following rules:

- A. Students without breakfast/lunch or meal money shall be allowed to select a meal from a limited menu not to exceed the reimbursable meal allowance and shall not be permitted ala carte items, or other food charges during the school day;
- B. Payment on the charge should be made by the student the following school day;
- C. The school business administrator shall notify the principal when the student has accumulated three (3) unpaid meal charges;
- D. The principal or his or her designee shall notify parents/guardians of the breakfast/lunch arrears. This shall constitute the first notification in accordance with law (N.J.S.A. 18A:33-21). The notification shall include:
 - 1. The board policy 3542.2 School Meal Program Arrears;
 - 2. The requirement that payment be made within ten school days;
 - 3. A statement of the meal charges, that includes instructions for payment;
 - 4. A description and price list for the school breakfast/lunch program;
 - 5. Information regarding participation in the federal free or reduced price lunches, milk program;
 - 6. A request to schedule a conference to investigate and address the problem and to ascertain to what degree the student is responsible or if there are mitigating circumstances or financial hardship that are contributing to the problem;
- E. Following the first notice the district shall continue to provide the student with a meal (lunch and/or breakfast). When payment is not received within ten school days following the first notice, the principal or his or her designee shall provide the second notification of the arrears. The second notice shall be mailed/mailed to the student and the parents/guardians and include:
 - 1. A statement that if payment in full is not made within one week from the date of the second notice, the student may not be served school breakfast or lunch, as applicable, beginning the eighth calendar day from the date of the second notice;
 - 2. The board policy 3542.2 School Meal Program Arrears;
 - 3. A statement of the meal charges, that includes instructions for payment;
 - 4. A request to schedule a conference with the principal to discuss the arrears;

SCHOOL MEAL PROGRAM ARREARS (continued)

5. As necessary and appropriate notification that the district shall make a report to the Division of Child Protection and Permanency;
 6. As necessary and appropriate notification that the district will enforce collection efforts and related fees, including filing a cause of action in small claims court.
- F. Qualified students receiving assistance according to policy 3542.31 Free or Reduced Price Lunches, Milk who accumulate arrears shall continue to receive a meal not to exceed the reimbursable meal allowance regardless of a bill in arrears. The student shall not, however, be permitted ala carte items, or other food charges during the school day;
- G. A meal from a limited menu not to exceed the reimbursable meal allowance shall always be provided to students who do not have breakfast/lunch or meal money. The student shall not be permitted ala carte items, or other food charges during the school day.

Restrictions related to the purchase of ala carte items or other foods that are offered as part of the school meal program shall cease upon payment of the charges in arrears.

Payment of Charges

The school business administrator shall be responsible for tracking and billing all lunch accounts in arrears. The following guidelines shall apply:

- A. Charges will show a negative account balance on the student's school meal program account, and billed, at a minimum, quarterly to the parent/guardian;
- B. Payments on charges shall be brought directly to the main office or mailed to the main office;
- C. The payment shall be recorded and a receipt generated and given or mailed in acknowledgement of payment received according to the established district business procedures.

Implementation

The policy shall be communicated in writing at the start of the school year to the families of enrolled students and students whose families are transferring into the district. The policy may be distributed in writing, posted in the student handbook, and/or posted on the school and/or district website to meet this communication requirement.

The policy shall be reviewed regularly and updated as necessary.

NJSBA Review/Update: December 2018

Adopted: June 13, 2019

Legal References: N.J.S.A. 18A:11-1 General mandatory powers and duties
N.J.S.A. 18A:18A-5 Exceptions to requirement for advertising
See particularly:
N.J.S.A. 18A:18A-5a(6)

SCHOOL MEAL PROGRAM ARREARS (continued)

<u>N.J.S.A.</u> 18A:18A-6	Standards for purchase of fresh milk; penalties; rules and regulations
<u>N.J.S.A.</u> 18A:33-3 through -5	Cafeterias for students
<u>N.J.S.A.</u> 18A:33-21	Schools meals, notification to parent of payment in arrears before denying to student
<u>N.J.S.A.</u> 18A:54-20	Powers of board (county vocational schools)
<u>N.J.S.A.</u> 18A:58-7.1 through -7.2	School lunch program ...
<u>N.J.A.C.</u> 2:36-1.1 <u>et seq.</u>	Child Nutrition Programs
<u>N.J.A.C.</u> 6A:23A-16.5	Supplies and equipment
<u>N.J.A.C.</u> 6A:30-1.1 <u>et seq.</u>	Evaluation of the Performance of School Districts

Healthy, Hunger-Free Kids Act of 2010 (Section 143), P.L. 111-296; December 13, 2010.

Federal policy guidance and resources guidance at <https://www.fns.usda.gov/school-meals/policy>. See:

SP 17-2014, January 22, 2014	<i>Discretionary Elimination of Reduced Price Charges in the School Meal Program</i>
SP 46-2016, July 8, 2016.	<i>Unpaid Meal Charges: Local Meal Charge Policies</i>
SP 46-2016, July 8, 2016	<i>Unpaid Meal Charges: Clarification on Collection of Delinquent Meal Payments</i>
SP 23-2017, March 23, 2017.	<i>Unpaid Meal Charges: Guidance and Q&A</i>

Possible

<u>Cross References:</u>	*1200	Participation by the public
	*1220	<u>Ad hoc</u> advisory committees
	*3000/3010	Concepts and roles in business and noninstructional operations; goals and objectives
	*3220/3230	State funds; federal funds
	*3250	Income from fees, fines and charges
	*3450	Money in school buildings
	*3510	Operation and maintenance of plant
	*3542.1	Wellness and nutrition
	*3542.31	Free or reduced-price lunches/milk
	*3542.44	Purchasing
	*4222	Noninstructional aides
	*5131	Conduct/discipline
	9123	Appointment of board secretary
	9124	Appointment of business official

Policy

FREE OR REDUCED-PRICE LUNCHES/MILK

It is the policy of the Elizabeth Board of Education that this school district shall participate in any federal or state subsidized food program for the benefit of eligible students. Student eligibility shall be as determined by the guidelines of the subsidizing agency. The board requires that all regulations of the subsidizing agency be observed including and especially those which preserve the privacy of eligible students.

The board hereby adopts as its own the free and reduced-price policy developed by the bureau of child nutrition programs pursuant to federal regulations.

Breakfast After the Bell

If seventy percent or more of the students enrolled in any school within the district on or before the last school day before October 16 of the preceding school year are eligible for free or reduced price meals under the National School Lunch Program or the Federal School Breakfast Program, the district shall establish a “Breakfast After the Bell” program for that school in accordance with N.J.S.A. 18A:33-11.3

A school within the district may request a one-year waiver from their requirements to provide “Breakfast After the Bell” under certain circumstances set forth N.J.S.A. 18A:33-12.

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Revise:	June 25, 2009
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First Reading:	June 14, 2023
Second Reading:	July 19, 2023

<u>Legal References:</u>	<u>N.J.S.A. 18A:33-3</u>	Cafeterias for students
	<u>N.J.S.A. 18A:33-4</u>	School lunch; availability to all children
	<u>N.J.S.A. 18A:33-5</u>	Exemptions
	<u>N.J.S.A. 18A:33-10</u>	Establishment of school breakfast program in certain schools
	<u>N.J.S.A. 18A:33-11</u>	Implementation of school breakfast program by district
	<u>N.J.S.A. 18A:58-7.1</u> through -7.2	School lunch program
	<u>N.J.A.C. 2:36-1.2</u>	Policy and agreement for school nutrition programs

Possible

<u>Cross References:</u>	*2224	Affirmative action/nondiscrimination
	*3000/3010	Concepts and roles in business and noninstructional operations; goals and objectives
	*3220/3230	State funds; federal funds
	*3450	Money in school buildings
	*3510	Operation and maintenance of plant
	*3542	Food Service
	*3542.1	Wellness and nutrition
	*3542.44	Purchasing
	*4222	Noninstructional aides
	9123	Appointment of board secretary
	9124	Appointment of business official

Regulation

FREE OR REDUCED –PRICE LUNCH/MILK

Determination of Eligibility

Eligibility for free or reduced priced lunches/milk is determined according to guidelines promulgated by the state and federal governments. See:

<http://www.state.nj.us/agriculture/divisions/fn/pdf/form63.pdf>. This process is managed by the Department of Food and Nutrition Services.

Parents/guardians who do not complete the necessary information as required by law will not receive approval of free or reduced-price meals until they have complied with the requirement of the law. Applications that are not completed with the information required are to be denied, or returned with an indication that they cannot be acted upon without the required information. Therefore, until determined eligible, these students must pay full price for meals. An appeals process for denied applications is encompassed within the above Guidelines.

The application for free and/or reduced-price meals is confidential in nature and such confidentiality is required by law. It is, therefore, not appropriate that persons other than professional staff and/or clerical personnel who normally work with student records should make determinations with regard to eligibility. Non-certified, non-professional personnel should not be assigned this responsibility or have access to these applications or the school lunch data base. Records of applications for the free meals program must receive the respect and protection of the same confidentiality that is assigned to all school records.

Verification Requirements

Incomes of families who are determined to be eligible for the free and reduced program by application (rather than by direct certification), are subject to verification by the Department of Food and Nutrition Services, which is required to verify a sampling of the approved applications. The verification process, which consists of requiring production of certain income and other documentation, is set forth by federal and state regulation in “Guidance for the Verification Process” that can be found at www.nj.gov/agriculture/pdf/form273.doc.

In addition to this verification, and random verifications made annually by the District’s auditors, Elizabeth Board of Education employees who have successfully filed applications for their children in the program and who earn more than the minimum threshold amounts to qualify for the program will also be asked for verification documentation. A similar verification process will be required for Board of Education members with children in the program.

Protocol for Verifying for Cause School Meal Applications of Elizabeth Board of Education Employees

Summary: On or about October 1 of each year during the verification period, the Department of Food and Nutrition Services will Verify for Cause the incomes of Elizabeth Board of Education employees who are parents or guardians of children receiving free and reduced lunch benefits and earning more than the threshold for a two person household.

Specifically:

1. The Elizabeth Board of Education Technology Department will create a list of all dependents from EDUMET (the HR software) using the following query and save to spread sheet:
 - a. Export a list of all students (SSN and Student number) who have lunch status Free/Reduced from Power School and save to spread sheet.
 - b. Match the two spread sheets for duplicate SSN's, creating a list of students whose parent/guardian work at the Board.
 - c. Review the two spread sheets to eliminate duplicate factors (such as address and guardian).
 - d. Review to assure that no employee subject to this verification is simultaneously receiving a random or "error prone" Verification for Cause.
2. Check the list for income over the threshold for a two-person household (approximately \$28,000.00 in 2012-2013). Those over the threshold will be sent Verification for Cause letters.
3. Once transmitted, the process for verification for cause under this protocol shall be identical to those verified under the random verification process.

Protocol for Verifying for Cause School Meal Applications of Elizabeth Board of Education Members

Summary: On or about October 1 of each year during the verification period, the Office of the School business administrator/board secretary and the department of food and nutrition services will verify for cause the incomes of Elizabeth Board of Education members who are parents or guardians of children receiving free and reduced lunch benefits and earning more than the threshold for a two person household.

Specifically:

- A. The Elizabeth Board of Education technology department will create a list of all dependents from EDUMET (the HR software) using the following query and save to spread sheet:
 1. Export a list of all students (SSN and student number) who have lunch status Free/Reduced from Power School and save to spread sheet.
 2. The office of the school business administrator/board secretary shall create a list of Board members and obtain their addresses and the names of spouses from the mandatory New Jersey School Ethics Commission Disclosure Forms (www.nj.gov/education/ethics/fds/Local5.pdf) and create a spreadsheet.
 3. Match the two spread sheets for duplicate names and addresses, creating a list of students whose parent/guardian are members of the Elizabeth Board of Education.

4. Review the two spread sheets to eliminate duplicate factors (such as address and guardian).
5. Review to assure that no board member subject to this verification is simultaneously receiving a random or “error prone” verification for cause.

B. The process for verification for cause under this protocol shall be identical to those verified under the random verification process.

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NJSBA Review/Update:	December 2018
Readopted:	June 13, 2019

Policy

PURCHASING

The board of education authorizes and directs the chief school administrator or designee to execute contracts with proper vendors in accordance with state law to purchase subsistence amounts of perishable foods without competitive bids. This policy shall be published annually as required by law, along with the procedures by which authorized vendors may become eligible to submit quotations.

The school business administrator/board secretary is authorized to purchase not more than \$500 worth of food supplies in any month for the cafeterias or food preparation classes without soliciting quotations. Such purchases must be documented according to law.

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Legal References: N.J.S.A. 18A:18A-5(a)6 Exceptions to requirements for advertising
 N.J.S.A. 18A:18A-6 Standards for purchase of fresh milk; penalties; rules and regulations
 N.J.A.C. 6A:23A-16.5(d)(3)Supplies and equipment

Possible

Cross References: *3320 Purchasing procedures
 3571 Financial reports

DISTRICT RECORDS AND REPORTS

The operation of a school district results in the generation of numerous documents and official records. These must be maintained in compliance with the New Jersey Open Public Records Act and other laws and regulations. Members of the public have the right under law to inspect and copy (with certain exceptions) the public records of the district.

The district plans to preserve these records by:

- A. Appointing the school business administrator as records custodian;
- B. Periodically reviewing records retention with the chief school administrator and the school board or a committee thereof; and
- C. Retaining records according to the schedule for educational institutions promulgated by New Jersey Department of Treasury, Division of Revenue and Enterprise Service, Records Management Services (RMS). A partial schedule, for key classes of records, is shown at the end of this policy.

Availability to the Public

For the protection of the public interest, the board believes that members of the community have a right to inspect, copy or examine district records, with certain exemptions as specifically described in statute. Any limitations on this right shall be construed in favor of the public's right to access. Requests for district records shall be submitted to the records custodian (or designee) in writing on the appropriate form. The custodian shall reply to all requests promptly and shall grant access or deny the request as soon as possible, but within seven days, provided that the record is currently available and not in storage or archived.

The custodian shall permit district records to be inspected, examined or copied during the hours that the board office is open. Immediate access ordinarily must be granted for budgets, bills, contracts and collective negotiations agreements. Copies may be made at fees not to exceed those set by statute. Anonymous requests for government records are permitted by law. If an anonymous request is made and the estimated cost of producing copies exceeds \$5.00, a deposit may be required. Anonymous requests for personal information will not be fulfilled.

Access shall be granted in the medium requested or some other meaningful medium, unless the request is for a record in a medium not routinely used by the district; not routinely developed or maintained by the district; or requiring a substantial amount of manipulation or programming of information technology. In these cases, the board may add a special reasonable charge. The custodian shall ensure that statements are prominently posted in district offices that describe the specific terms of the public's right to appeal a denial of access and procedures for filing an appeal.

DISTRICT RECORDS AND REPORTS (continued)Records Exempted from Public Access

Records exempted by law include: security and emergency response procedures; purchase, lease or acquisition of real property; pending or anticipated litigation; reports of investigations in progress; matters for which disclosure would impair the right to receive federal funds; pending negotiations toward a collective bargaining agreement; most personnel and pension records of an individual; questions and answer keys (for personnel or academic examinations and job interviews); records concerning individual students and staff, their home addresses and telephone numbers (unless waived by the individual); reports and recommendations that involve unwarranted invasion of privacy; medical and psychological records. The records custodian will keep confidential and edit out information in records that disclose social security numbers, credit card information and drivers' license numbers.

Record Retention

Record retention periods in conformance with state and federal codes, regulations, and statutes of limitation may be accessed through the New Jersey Department of Treasury, Division of Revenue and Enterprise Service, Records Management Services (RMS) at <http://www.nj.gov/treasury/revenue/rms/retention.shtml>. The records custodian will ensure that records are retained and appropriately stored in accordance with state and federal statute and regulation. A partial schedule of retention periods for pertinent school record categories is listed below (Note: the School District Records Retention and Disposition Schedule should be consulted before any record is destroyed).

Partial Record Retention Schedule

- A. *Financial records*: 7 (seven) years
- B. *Agendas and minutes*: Permanent for originals; 1 year for copies
- C. *Resolutions of the school board*: Permanent
- D. *Administrative policy and advisory statements*: Permanent
- E. *Correspondence, including emails*: 3 (three) years for general external correspondence; one year for internal correspondence
- F. *Official public meeting notice*: 3 (three) years
- G. *Legal notice in newspaper*: 7 (seven) years
- H. *Publisher's affidavits*: 10 (ten) years
- I. *Tape recordings of school board meetings (audio tape and video)*: 45 (forty-five) days or until

DISTRICT RECORDS AND REPORTS (continued)

summary or verbatim transcripts have been approved as minutes

- J. *Election file*: 5 (five) years for bonding election report, certificate and voting authority
- K. *Other election materials*: 1 (one) year
- L. *Master publications file of school newsletters, yearbooks, student handbooks, etc.*: Permanent
- M. *School monitoring file (with school monitoring annual plan)*: Permanent
- N. *Internal monitoring guide and action plan*: 14 (fourteen) years
- O. *Academic master plan (updated every seven years)*: Permanent
- P. *Support file for the academic master plan, including school evaluations*: 10 (ten) years.
- Q. *Fall and statistical report file*: 5 (five) years
- R. *Settlements (original)*: Permanent
- S. *Agency copy of routine settlements*: 3 (three) years after final settlement

School District Retention Schedule: Active Records – Administration, can be found at RMS School District Records Retention and Disposition Schedule reference number M7000101-001. For all other items the district will consult RMS Individual Educational Records Series Description and Series Number for retention and disposal information.

Implementation

The chief school administrator shall periodically review the work of the records custodian with the school board or a committee thereof, to ensure that necessary steps are being taken to gather, record, disseminate, copy, store and ultimately to destroy school district records in accordance with applicable laws. Particular attention shall be paid to implementing the public's right to access records and to protecting from public access those records specifically exempted by law. If deemed necessary, the board will adopt additional rules, regulations and procedures to implement this policy.

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Second Reading:	November 18, 2010
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DISTRICT RECORDS AND REPORTS (continued)

First Reading: June 16, 2016
 Second Reading: July 21, 2016
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Legal References: N.J.S.A. 10:4-6 et seq. Open Public Meetings Act
N.J.S.A. 18A:4-14 Uniform system of bookkeeping for school districts
N.J.S.A. 18A:7A-11 Reports by local school district, commissioner; interim review
N.J.S.A. 18A:11-2 Power to sue and be sued; reports; census of school children
See particularly:
N.J.S.A. 18A:11-2(b)
N.J.S.A. 18A:17-7 Secretary to give notices and keep minutes, etc.
 through -12 Duties of business manager
N.J.S.A. 18A:17-28(e) Records of receipts and payments
N.J.S.A. 18A:17-35 Accounting; monthly and annual reports
N.J.S.A. 18A:17-36 Act of violence; report by school employee; notice of action taken; annual report
N.J.S.A. 18A:17-46 Student records; creation, maintenance and retention, security and access; regulations; nonliability
N.J.S.A. 18A:36-19 Examination and copies of public records (Open Public Records Act)
N.J.S.A. 47:1A-1 et seq.
See particularly:
N.J.S.A. 47:1A-1.1, -5 Destruction of Public Records Law
N.J.S.A. 47:3-15 et seq. Child Nutrition Programs
N.J.A.C. 2:36-1.1 et seq. Incident reporting of violence, vandalism and substance abuse
N.J.A.C. 6A:16-5.3
N.J.A.C. 6A:23A-16.1 et seq. Prescribed system of double-entry bookkeeping and GAAP accounting
N.J.A.C. 6A:27-7.9 Vehicle records
N.J.A.C. 6A:30-1.1 et seq. Evaluation of the Performance of School Districts
N.J.A.C. 6A:32-7.1 et seq. Student Records
See particularly:
N.J.A.C. 6A:32-7.1(g), -7.8
N.J.A.C. 15:3-2.1 et seq. Records Retention

Annual Data Collection Plan, New Jersey State Department of Education

Records Retention Schedule, New Jersey State Department of Education

Matawan Regional Teachers Association v. Matawan-Aberdeen Bd. of Ed., 212 N.J. Super. 328 (Law Div. 1986)

Laufgas v. Barnegat Twp. Bd. of Ed., 1987 S.L.D. 2442, aff'd St. Bd. 1988 S.L.D. 2496

Horner v. Kingsway Regional, 1990 S.L.D. 752

DISTRICT RECORDS AND REPORTS (continued)

Beatty v. Chester Bd of Ed, 1999 S.L.D. (Sept.)

Possible

<u>Cross References:</u>	3543	Office services
	3571	Financial reports
	*4112.6/4212.6	Personnel records
	*5125	Student records
	*5131.5	Vandalism/violence
	*6142.2	English as a second language; bilingual/bicultural
	*6171.3	At-risk and Title 1
	*6171.4	Special education
	*9322	Public and executive sessions
	*9326	Minutes

Regulation

DISTRICT RECORDS AND REPORTS

Custodians of Public Records

The public records of this district will be collected and maintained by or under the immediate direction of the school business administrator who shall serve as custodian of records.

Public Access to Records

- A. Public records are available for inspection and copying in the office of the custodian of the record. No public record may be removed from the office in which it is kept;
- B. Public records may be assessed during the regular business hours of the office in which the record is kept, except that the custodian of the record may delay access a maximum of one working day when immediate inspection or copying will unduly burden the custodian or frustrate the administration of his or her office;
- C. Inspection and/or copying must be conducted under the supervision of the custodian or his or her designee and may, at the custodian's discretion, be limited to a reasonable length of time;
- D. No more than three members of the public may inspect a public record at the same time;
- E. No person shall deface, amend, mark, destroy, obliterate, or alter in any way a public record or portion of a public record of this district. A person who violates this rule will be immediately denied further access to any public records and will be reported to the board.

Copies of Public Records

- A. A person inspecting a public record may make handwritten notes at any time. He or she shall not be required to surrender such notes or to reveal their content to the custodian or any other school official;
- B. Where feasible, and not destructive to the record, copies of a public record may be made by xerographic process and retained by the person inspecting the record;
- C. Copies of records will be made available upon the payment of such price as established below:
 - 1. \$0.05 per page for letter sized pages and smaller;
 - 2. \$0.07 per page for legal sized pages and larger;
 - 3. When the actual cost to produce paper copies exceed the \$0.05 and \$0.07 rates may charge the actual cost of duplication;
 - 4. Electronic records (via e-mail and fax), must be provided free of charge;

DISTRICT RECORDS AND REPORTS (regulation continued)

5. Actual cost must be charged when providing records in another medium (computer disk, CD-ROM, DVD);
- D. Copies may be requested and delivered by mail, provided the requester identifies the record accurately and submits payment in advance. Payment must include actual cost of postage;
- E. Copies of public records are not returnable.

Appeals

- A. A decision of the custodian of a public record may be appealed to the chief school administrator;
- B. An appeal of a decision must be made in writing to the chief school administrator. The appeal must set forth:
 1. The name and address of the appellant;
 2. The specific record sought;
 3. The custodian of the record;
 4. The decision appealed from;
 5. The date of that decision; and
 6. The appellant's reasons for believing that the decision should be reversed;
- C. The chief school administrator shall render a decision on the appeal as soon as possible, but not later than ten days from the time the written appeal is submitted. The chief school administrator's decision shall be in writing and shall be delivered to the appellant and the custodian of the subject record;
- D. The appellant may appeal the chief school administrator's decision to the board; a decision of the board may be appealed to the Commissioner of Education.

Confidential Records

- A. Custodians of public records shall be cognizant of the portion of the record, if any, that must be exempted from public inspection in accordance with law and policy 3570. Exempted records are:
 1. 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 or she receives, and data, other than detailed medical or psychological information, that shows conformity with qualifications for employment and pensions;
 2. Questions on examinations required to be conducted by the board;
 3. Records concerning morbidity, mortality, and reportable diseases;
 4. Records concerning individual students;
 5. Election tally sheets and ballots;
 6. Reports of investigations in progress;
 7. Records regarding matters the disclosure of which would impair a right to receive

DISTRICT RECORDS AND REPORTS (regulation continued)

8. federal funds;
9. Records regarding pending negotiations toward a collective bargaining agreement;
10. Records regarding the contemplated purchase, lease, or acquisition of real property;
11. Records regarding tactics and techniques utilized in protecting the safety and property of the public where such disclosure would impair such protection;
12. Records regarding pending or anticipated litigation, contract negotiations (other than in the collective bargaining process), and other issues that may fall within the privileged relationship between the board and its attorney;
13. Rosters of employees and students;
14. The home address and telephone number of any student or employee of the board, except as the individual student or employee may wish such information to be released. Notations and tape recordings made and temporarily retained by an individual solely as an administrative convenience in the performance of assigned duties, except that tape recordings of public meetings may not be exempted from public inspection; and
15. Records made and privately retained by an individual that express personal impressions, opinions, and conclusions, and the disclosure of which would tend to violate the recorder's privacy.

B. The custodian will take such measures as may be appropriate and effective in separating exempted records and preserving their confidentiality.

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Policy

FINANCIAL REPORTS, ANNUAL STATEMENT

The school business administrator/board secretary shall maintain district books and records except those kept by the treasurer of school moneys pursuant to law. The business administrator/board secretary shall prepare or caused to be prepared all fiscal reports, keep necessary records to control adequately the financial transactions of the district, and prepare financial statements.

The school business administrator/board secretary shall report to the board of education at each regular monthly meeting the amount of total appropriations and the cash receipts for each account, the amount for which warrants have been drawn against each account, and the amounts of orders or contractual obligations incurred and chargeable against each account since the date of his/her last report.

The treasurer of school moneys shall render to the board monthly a report giving detailed account of all receipts, the amounts of all warrants signed by him/her since the date of his/her last report, the accounts against which, and the purposes for which, the warrants were drawn, and the balance to the credit of each account.

In the event that the business administrator/board secretary's report and the treasurer's report differ with regard to cash receipts or expenditures, the business administrator/board secretary shall take all possible actions within his/her authority to resolve the difference, but if said difference cannot be rectified by the next regular board meeting, the matter shall be referred to the district auditor.

Annual Financial Statement

The school business administrator/board secretary shall present annually to the board of education a detailed report of its financial transactions during the preceding year, and file a copy thereof with the executive county superintendent of schools.

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Legal References: N.J.S.A. 18A:11-2(b)

N.J.S.A. 18A:17-10

N.J.S.A. 18A:17-8

N.J.S.A. 18A:17-9

N.J.S.A. 18A:17-12

N.J.S.A. 18A:17-35

N.J.S.A. 18A:17-36

Report of the condition of the public schools and school Property

Secretary; annual report

Secretary; collection of tuition and auditing of accounts

Secretary; report of appropriations, etc., treasurer's duties

Secretary; annual financial report to the commissioner

Records of receipts and payments

Accounting; monthly and annual reports

FINANCIAL REPORTS, ANNUAL STATEMENT (continued)

<u>N.J.S.A.</u> 54:4-75	Persons and Property Subject to Taxation
<u>N.J.A.C.</u> 6A:23A-16.10	Budgetary controls and over-expenditure of funds

Cross References:

*2224	Nondiscrimination/affirmative action
*3000/3010	Concepts and Roles in Business and Non-Instructional Operations; Goals and Objectives
*3100	Budget planning, preparation and adoption
*3320	Purchasing procedures
*3326	Payment for goods and services
*3327	Relations with vendors
*3570	District records and reports
3571.4	Audit
9123/9124	Appointment of the Board Secretary; Appointment of the Business Administrator
9125	Appointment of the Treasurer of School Moneys

Policy

AUDIT

An audit of the accounts of the school district shall be made annually by a public school accountant selected by the board of education. The audit examination shall be conducted in accordance with statute and generally accepted auditing standards and shall include all funds over which the board has direct or supervisory control.

An auditor's fee shall be established in each fiscal year. The board of education shall select an auditing firm experienced in school accounting and willing to perform the required services for the established fee.

Within 30 days following the receipt of the annual audit, the board of education will, at a regular meeting, cause the recommendations of the auditor to be read and to be discussed, and the discussion noted in the minutes of the meeting. The board will direct the implementation of the auditor's recommendations.

In the event there are repeated audit findings from a prior year, within 30 days of audit submission, the district shall submit a specific corrective action plan for addressing the repeat findings to the Executive County Superintendent or State fiscal monitor.

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<u>Legal References:</u>	<u>N.J.S.A.</u> 18A:6-68	Bookkeeping and accounting system (educational services commission)
	<u>N.J.S.A.</u> 18A:18A-1 <u>et seq.</u>	Public School Contracts Law
	<u>N.J.S.A.</u> 18A:23-1 <u>et seq.</u>	Audits and auditors
	<u>N.J.A.C.</u> 6A:23A-1 <u>et seq.</u>	Fiscal accountability, efficiency and budgeting procedures
	<u>N.J.A.C.</u> 6A:23A-1.2	Definitions
	<u>N.J.A.C.</u> 6A:23A-16.2	Principles and directives for accounting and reporting
	<u>N.J.A.C.</u> 6A:30-1.1 <u>et seq.</u>	Evaluation of the Performance of School Districts

Possible

Cross References: *1100 Communicating with the public
*1120 Board of education meetings
*3570 District records and reports
3571 Financial reports
9127 Appointment of auditor