

Millville Board of Education District Policy Manual

Students

Series 5000

Safety: Personal & Property

Policy 5142

Date Adopted: February 18, 1980

Date Revised: September 21, 1998, April 21, 2008

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The Board of Education recognizes the safety of its pupils as a consideration of utmost importance. The Superintendent of Schools shall consult law enforcement agencies, health and social service providers, emergency management planners and other school and community resources in the development of the plans, procedures and mechanisms for school safety. The Superintendent of Schools shall oversee development of a district-wide safety program with emphasis on accident prevention.

Facilities

The Superintendent of Schools shall maintain all facilities and equipment in proper condition to provide a safe learning environment, ensuring compliance with state law on the handling, labeling and storing of hazardous substances. Safety regarding all aspects of playground equipment and activity will be maintained and supervised in compliance to law and code.

Staff Education and Training

All teachers shall be familiar with the provisions of this program that particularly concern them.

The Superintendent of Schools shall inform all newly employed staff of school safety rules and regulations within 60 days of the effective date of their employment. All district employees will receive the appropriate inservice training to recognize and respond appropriately to safety concerns including emergencies and crises, in accordance with the district safety plans, procedures and mechanisms. The district safety plan will be updated annually and all employees will be notified of updates and changes to the safety plan in writing. Regulations concerning use and maintenance of eye protective devices shall be scrupulously enforced by all staff.

Student Supervision

The staff must maintain complete classroom and playground supervision during regular school hours. The Superintendent of Schools shall seek the cooperation of parents/guardians to prevent any children being unsupervised on school property during lunch hour and during morning arrival and afternoon dismissal times. Further, the Superintendent of Schools shall seek the cooperation of the police and other appropriate agencies in providing for the safety of pupils on or around school property. The Board shall adopt the necessary regulations governing supervision of pupil safety.

No pupil shall leave the school before the end of the school day without permission of the Superintendent of Schools/designee.

No pupil shall run errands on school business off the school property.

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The curriculum shall include courses in safety as required by state law. The Superintendent of Schools shall oversee development and implementation of a vocational education safety program correlated with coursework. In development of courses, the safety of participating pupils shall be a primary consideration.

Employers of work/study pupils are required to report to the Superintendent of Schools/designee if a pupil has not reported for work within one hour of the expected arrival time. Other pupils leaving before regular dismissal must be met in the school office and signed out by a parent/guardian or a person authorized to act in his/her behalf.

A record shall be kept indicating the legal custodian of each pupil. Such custodian shall be responsible for informing the Superintendent of Schools of any change in the pupil's custody. If one parent/guardian has been awarded custody of the pupil in a divorce, the other parent/guardian shall present to the Superintendent of Schools/designee a letter authorizing him/her to accompany the child from school before the child may be released. The Superintendent of Schools/designee may take reasonable steps to verify the letter. It is the responsibility of the person or agency having custody to inform the school that such authorization will be required.

Supervision of Pupils During Dismissal

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

- A. Staff assigned to supervise dismissal, and their locations and responsibilities
- B. Where pupils will be retained awaiting appropriate escort and/or designated transportation
- C. Provisions for supervision when a parent/escort is unable to pick up their child at the appropriate dismissal time.
- D. Location and presence of municipal crossing guards

The Board of Education will review the dismissal procedures annually.

Supervision of Non-bused Pupils at Dismissal

The Board of Education shall require that the parent/guardian notify the school in advance of any arrangements for pupils requiring appropriate escort or designated transportation. The Board of Education requires signed permission for a pupil to be dismissed to walk home unescorted.

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

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

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

Notification of Dismissal Protocols

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

- A. School calendar including school closure and early dismissal dates and times; and any adjustments to the calendar
- B. The school dismissal policy
- C. Dismissal protocol for all bused pupils, non-bused pupils and pupils in after-school programs or activities
- D. Supervision arrangements for pupils at dismissal
- E. Emergency plan for supervision of pupils left at school
- F. After school program opportunities
- G. Procedures for enrolling pupils in after school programs

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

The Superintendent of Schools will develop procedures:

- A. For parents/guardians to provide signed acknowledgement of receipt of the school calendar, including all school closure and early dismissal dates, and the school dismissal policy and procedures,
- B. For parents/guardians to indicate and define the circumstances that the pupil is to be released from the school's care at dismissal,
- C. For the collection and retention of all documents pertaining to receipt of calendar and escort/transportation arrangements.

Voluntary Fingerprinting Program

The Board of Education shall provide a voluntary fingerprinting program for the protection of its pupils. This program shall be carried out in cooperation with the county sheriff's office and local law enforcement officials in accordance with the requirements of law.

All pupils in grades kindergarten through nine shall be eligible to participate with written authorization of their parent/guardian. Completed fingerprint cards shall be given to the parent/guardian and shall not be retained by the school district or the law enforcement agency.

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The Superintendent of Schools is directed to provide an orientation program for those pupils for whom fingerprinting has been authorized, and to develop appropriate administrative regulations for the implementation of the voluntary fingerprinting program in the district.

Potentially Missing Children

Attendance practices, the dismissal precautions addressed in this policy and voluntary fingerprinting are part of the district's effort toward early identification of potentially missing children.

The Superintendent of Schools will develop procedures that ensure cooperation with law enforcement for substances, weapons and safety. This may include cooperation with law enforcement in the activation of an "Amber Alert" which provides for the rapid dissemination of information, including a description of the missing child through broadcast media.

Release to an Individual Impaired by Drugs/Alcohol Prohibited

The Board believes that allowing a child to be released into the custody of a parent/guardian or other authorized individual who appears to be impaired by drugs or alcohol can have tragic consequences. Therefore, the Board prohibits release of a pupil into the custody of any person who appears to be physically and/or emotionally impaired to the extent that harm could come to the pupil if released to such a person. The Superintendent of Schools/designee shall make the final determination as to whether an individual is impaired.

Possessions

Parents/guardians are requested not to permit their children to bring expensive or fragile objects to school and to label or otherwise identify clothing, books and personal items. The Board is not responsible for items destroyed or stolen from lockers.

Megan's Law

Only law enforcement agencies in the community receive notification of the presence of Tier One offenders. The Superintendent of Schools and his/her designees in affected schools shall receive notification from the county prosecutor's office or local law enforcement officials when Tier Two or Tier Three sex offenders move into the district. The Superintendent of Schools/designee shall inform those employees/ volunteers whose duties regularly put them in a position to observe unauthorized persons on or near the property of the school. Superintendent of Schools/designee shall determine who to notify on the basis of this definition, as well as on specific job duties carried out in their schools. If private vendors perform any of these functions, the Superintendent of Schools/designee shall inform the vendor. Notification may include, but is not limited to:

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- A. Aides
- B. Bus drivers
- C. Coaches
- D. Maintenance staff
- E. Professional support staff
- F. School level administrative staff
- G. Security personnel
- H. Teachers' aides
- I. Teachers

School personnel are notified only in their capacity as such and shall not disseminate information about an offender to anyone not specifically identified by the county prosecutor or Attorney General. Any school employee who does so may be disciplined. If a school employee has reason to believe that an offender who has been the subject of a notification is a danger to someone outside the school environs, he/she shall immediately contact the local law enforcement agency or the county prosecutor.

District personnel shall not notify the following of the presence of Tier Two or Tier Three offenders:

- A. Members of PTO, PTA, HSA, etc.
- B. Organizations using school facilities
- C. Other schools
- D. Press

The Superintendent of Schools/designee shall provide registration forms to any organization that uses the school facilities, including a parent-teacher organization that wishes to be notified by the county prosecutor's office of the presence of a Tier Two or Tier Three offender in the community.

In addition to the school personnel identified by the Superintendent of Schools/designee, students and parents/guardians shall be notified of the presence of Tier Three offenders. The prosecutor's office and local law enforcement shall supply the school with notices for them when a school is located in the area where a vulnerable population is likely to encounter a Tier Three offender. Dissemination of these notices shall be in accord with law and accomplished in cooperation with the county prosecutor's office.

When a student has been identified as a sex offender, all procedures of notification shall apply. When a parent/guardian has been identified as an offender, he/she may continue to participate in all appropriate parent/guardian activities, unless prohibited by legal constraint.

Newly hired staff and newly enrolled students and their parents/guardians shall be trained and informed of the presence of Tier Two and Tier Three offenders, unless the county prosecutor has notified the Superintendent of Schools that notice cannot be given.

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Students and district employees shall not be liable in any civil or criminal action for providing or failing to provide information relevant to notification. The Superintendent of Schools shall prepare regulations to implement this policy and all directives of the county prosecutor's office to ensure careful adherence to Megan's Law.

Rights of Parents

The Board of Education recognizes that the parents of each child are ultimately responsible for the care and custody of that child, and that both parents share that responsibility equally. The Board recognizes as well that, where only one parent has legal custody of a child, the custodial rights and responsibilities of the other parent may be limited. The Board believes that the interests of each child are best served by the continuing involvement of both parents in the child's life and well-being.

The Board will presume that each natural or adoptive parent or legal guardian of a pupil enrolled in this district possesses full parental rights of access to the pupil and to information about the pupil, notwithstanding any separation of the parents or dissolution of their marriage.

Accordingly and in the absence of notice to the contrary, the Board directs that school administrators accommodate the needs of both parents for access to their child, to their child's teachers, and to information about their child.

The Board's presumption of the equal rights and responsibilities of parents may be set aside only upon the presentation to the Superintendent of Schools of proper notice that custody of a pupil resides in only one parent and that the custodial rights of the other parent have been limited.

When such notice is duly presented, the Superintendent of Schools will be directed by the terms of that notice to limit the access of the non-custodial parent to the child or to information about the child. Proper notice consists of the custodial parent's sworn affidavit or certification supported by a copy of the pertinent portion of a legal agreement or court order that awards custody and establishes the rights and limitations of the non-custodial parent or terminates the parental rights of the non-custodial parent.

Nothing in this policy shall be construed as limiting in any way the rights of the non-custodial parent whose parental rights have not been terminated to full access to his/her child's records and to full participation, in accordance with law, in the decisions regarding his/her handicapped child's evaluation, classification and placement.

Personal Property

Parents are requested not to permit their children to bring expensive or fragile objects to school and to label or otherwise identify clothing, books and personal items. The Board is not responsible for items destroyed or stolen.

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School Violence Awareness Week and Annual Public Hearing

The school shall observe "School Violence Awareness Week". This week will include discussions, presentations, and training for both students and staff, focused on the topic of preventing violence in school. Law enforcement personnel will be invited to join school teaching staff presenting age appropriate opportunities for students to discuss issues including but not limited to conflict resolution, student diversity and tolerance.

The Board of Education shall hold a public hearing on violence and vandalism pursuant to N.J.S.A. 18A: 17-46 and N.J.A.C. 6A: 16-5.3. The requirements of the public hearing are covered in greater detail in file code 5131.5 of this manual.

Legal References

NJSA 2C:7-2 et seq. Registration and Notification of Release of Certain Offenders
2C:39-5 Unlawful possession of weapons
18A:6-2 Instruction in accident and fire prevention
18A:16-2 Physical examinations; requirement
18A:17-42, -43 and -45 through -48 Public School Safety Law
18A:20-21 Supervisors and other employees
18A:35-5 Maintenance of physical training courses; features
18A:35-5.1 through -5.3 Lyme disease prevention; public school health curriculum
18A:36-24 through -25 Missing children; legislative findings and declarations...
18A:36-29 et seq. Voluntary fingerprinting ...
18A:40-12.1, -12.2 Protective eye devices required for teachers, pupils and visitors in certain cases ...
18A:41-1 et seq. Fire drills and fire protection
30:5B-26 through -29 Child care before and after school hours ...
34:5A-1 et seq. Worker and Community Right to Know Act
39:4-183.1a Traffic control devices
52:27D-123.9 et seq. Definitions relative to playground safety

NJAC 5:23-11 to 11.4 Playground Safety Subcode
6A:8-5.1 Graduation requirements
6A:16-1.1 et seq. Programs to Support Student Development
6A:19-10.1 et seq. Safety and Health Standards
6A:26-12.1 et seq. Operation and Maintenance of Facilities
6A:27-11.1 et seq. Safety

Jerkins v. Anderson, 191 N.J. 285 (June 14, 2007)
Manual for the Evaluation of Local School Districts
New Jersey Quality Single Accountability Continuum (NJQSAC)

Possible Cross References

1250, 1410, 3333/3010, 3516, 3530, 3541.33, 4112.4, 4131/4131.1, 4212.4, 4231/4231.1, 5020, 5113, 5124, 5125, 5131, 5131.5, 5131.6, 5131.7, 5141.1, 5141.2, 5141.4, 5141.21, 5145.12, 5142, 6114, 6142.12