

POLICY GUIDE

ADMINISTRATION

1648.14/page 1 of 10

Safety Plan For Healthcare Settings In
School Buildings – COVID-19

Oct 21

M

1648.14 SAFETY PLAN FOR HEALTHCARE SETTINGS IN SCHOOL BUILDINGS – COVID-19

A. Purpose and Scope

The Board of Education is committed to providing a safe and healthy workplace for all employees and has adopted this Policy that shall be the school district's COVID-19 Plan (Plan) that includes procedures to minimize the risk of transmission of COVID-19, in accordance with Occupational Safety and Health Act of 1970 (OSHA) COVID-19 Emergency Temporary Standard (ETS) published on June 21, 2021. The ETS, 29 CFR §1910 - Subpart U, applies to all settings where any school district employee or contracted service provider provides healthcare services or health care support services. Public Employees' Occupational Safety and Health (PEOSH), the agency with jurisdiction over public employers in New Jersey, has adopted the ETS in full. However, its applicability for school districts is primarily restricted to the nurse's office and any adjoining clinical areas and not the entire school building.

The Board, administration, and the COVID-19 Safety Coordinator(s) will work collaboratively with all employees in the development, implementation, monitoring, and updating of this Plan.

1. Definitions

- a. "Employee" means any district employee or contracted service provider working in a healthcare setting where people with suspected or confirmed COVID-19 are reasonably expected to be present.

- (1) Therefore, the provisions of the ETS and this Policy only apply to employees or contracted service providers working in a nurse's office or any adjoining clinical areas.



POLICY GUIDE

ADMINISTRATION

1648.14/page 2 of 10

Safety Plan For Healthcare Settings In School Buildings – COVID-19

b. “Healthcare setting” means all settings in the school district where any employee or contracted service provider provides healthcare services or healthcare support services.

(1) Where a healthcare setting is embedded within a non-healthcare setting (i.e. school nurse’s office and any adjoining clinical areas in a school building), the ETS and this Policy only apply to the embedded healthcare setting and not to the remainder of a school building in accordance with 29 CFR §1910.502(a)(3)(i).

c. For the purpose of this Policy, additional definitions shall be those definitions listed in 29 CFR §1910.502(b).

2. The school district has multiple healthcare settings that are substantially similar; therefore; has developed and adopted this single Plan for these substantially similar healthcare settings, with site-specific considerations included in this Plan. The healthcare settings in the school district are listed in Appendix 1.

a. Any school district health care settings that are not substantially similar, the school district shall develop and adopt separate COVID-19 Plans for each healthcare setting and list them in Appendix 1.

B. Roles and Responsibilities for School District Employees

1. The school district’s goal in adopting this Policy is to prevent the transmission of COVID-19 in the school district’s healthcare settings. All staff members are responsible for supporting, complying with, and providing recommendations to further improve this Plan.

2. The Superintendent will designate a COVID-19 Safety Coordinator(s) who shall implement and monitor this Plan. The COVID-19 Safety Coordinator(s) shall have the school district’s full support in implementing and monitoring this Plan, and has authority to ensure compliance with all aspects of this Plan.



POLICY GUIDE

ADMINISTRATION

1648.14/page 3 of 10

Safety Plan For Healthcare Settings In
School Buildings – COVID-19

C. Hazard Assessment and Worker Protections

1. The Superintendent of Schools or designee will conduct a specific hazard assessment of its healthcare settings to determine potential hazards related to COVID-19.
 - a. A hazard assessment will be conducted initially and whenever changes in a healthcare setting in the school district create a new potential risk of employee exposure to COVID-19 (e.g., new work activities in the healthcare setting).
2. The Superintendent has developed and the Board has adopted this Plan that includes the procedures the school district will use to determine an employee's vaccination status as outlined in Appendix 2.
 - a. In the event the Superintendent or designee cannot or does not determine or confirm the vaccination status of an employee, the employee shall be presumed to be unvaccinated.
3. All completed hazard assessment forms and results will be attached to this Plan in Appendix 3 and will be accessible to all employees at each school district facility.
4. The school district will address the hazards identified by the assessment, and have included in this Plan the procedures to minimize the risk of transmission of COVID-19 for each employee. These procedures are included in the following Appendices:
 - a. Patient Screening and Management
 - (1) In healthcare settings in the school district where direct patient care is provided, the school district will include protocols addressing patient screening and management in Appendix 4.



POLICY GUIDE

ADMINISTRATION

1648.14/page 4 of 10

Safety Plan For Healthcare Settings In
School Buildings – COVID-19

- b. Standard and Transmission-Based Precautions
 - (1) The school district will develop and implement procedures to adhere to Standard and Transmission-Based Precautions in accordance with CDC's "Guidelines for Isolation Precautions" which are included in Appendix 5.
- 5. Personal Protective Equipment (PPE)
 - a. The school district will provide and ensure that employees wear approved facemasks or a higher level of respiratory protection.
 - b. The school district will include protocols to address PPE for healthcare settings in Appendix 6.
- 6. Physical Distancing
 - a. The school district will ensure that each employee is separated from all other people in the healthcare setting by at least six feet when indoors, unless it can be demonstrated that such physical distance is not feasible for a specific activity.
 - (1) Where maintaining six feet of physical distance is not feasible, the school district will ensure employees are as far apart from other people as possible.
 - b. Physical distancing will be implemented, along with the other provisions required by the ETS, as part of a multi-layered infection control approach for all healthcare settings.
 - c. The school district will include protocols to address physical distancing for healthcare settings in Appendix 7.



POLICY GUIDE

ADMINISTRATION

1648.14/page 5 of 10

Safety Plan For Healthcare Settings In
School Buildings – COVID-19

7. Physical Barriers

- a. The school district will install physical barriers at each fixed work location outside of direct patient care areas where each employee is not separated from all other people by at least six feet of distance and spacing cannot be increased, unless it can be demonstrated that it is not feasible to install such physical barriers.
- b. Physical barriers will be implemented, along with the other provisions required by the ETS, as part of a multi-layered infection control approach for all healthcare settings.
- c. The school district will include protocols to address physical barriers for healthcare settings in Appendix 8.

8. Cleaning and Disinfecting in the Healthcare Setting

- a. The school district will implement policies and procedures for cleaning, disinfecting, and hand hygiene, along with the other provisions required by the ETS, as part of a multi-layered infection control approach for all healthcare settings.
- b. The school district will include protocols to address cleaning and disinfecting for healthcare settings in Appendix 9.

9. Ventilation

- a. The school district will implement procedures for each facility's heating, ventilation, and air conditioning (HVAC) system and include protocols addressing ventilation for healthcare settings in Appendix 10.
- b. Ventilation policies and procedures will be implemented, along with the other provisions required by the ETS, as part of a multi-layered infection control approach.



POLICY GUIDE

ADMINISTRATION

1648.14/page 6 of 10

Safety Plan For Healthcare Settings In
School Buildings – COVID-19

- c. The Superintendent or designee will identify the building manager, HVAC professional, or maintenance employee who can certify that the HVAC system(s) are operating in accordance with the ventilation provisions of the ETS and list the individual(s) in Appendix 10.

D. Health Screening and Medical Management

1. Health Screening

- a. “Screening” means, for the purpose of this Policy, asking questions to determine whether a person is COVID-19 positive or has symptoms of COVID-19.
- b. The school district will include protocols to address health screening for employees in Appendix 11.

2. Employee Notification to Employer of COVID-19 Illness or Symptoms

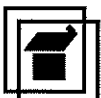
- a. The school district will include protocols to address employee notification to employer of COVID-19 illness or symptoms for employees in Appendix 11.

3. Employer Notification to Employees of COVID-19 Exposure in the Healthcare Setting

- a. The school district will include protocols to address employer notification of COVID-19 exposure to employees in Appendix 11.

4. Medical Removal from the Healthcare Setting

- a. The school district will include protocols to address medical removal from the healthcare setting for employees in Appendix 11.



POLICY GUIDE

ADMINISTRATION

1648.14/page 7 of 10

Safety Plan For Healthcare Settings In
School Buildings – COVID-19

5. Return to Work Criteria

- a. The school district will include protocols to address return to work criteria for employees in Appendix 11.

6. Medical Removal Protection Benefits

- a. The school district will continue to pay employees who have been removed from the healthcare setting under the medical removal provisions of the ETS. When an employee has been removed from the healthcare setting and is not working remotely or in isolation, the school district shall pay and provide benefits in accordance with the Plan addressed in Appendix 12.

E. Vaccinations

1. The school district encourages employees to receive the COVID-19 vaccination as a part of a multi-layered infection control approach. The school district will support COVID-19 vaccination for each employee by providing reasonable time and paid leave to each employee for vaccination and any side effects experienced following vaccination.
2. The school district will include protocols to address vaccination for employees in Appendix 13.

F. Training

1. The school district will implement policies and procedures for employee training, along with the other provisions required by the ETS, as part of a multi-layered infection control approach.
2. The school district will include protocols to address training for employees in Appendix 14.



POLICY GUIDE

ADMINISTRATION

1648.14/page 8 of 10

Safety Plan For Healthcare Settings In
School Buildings – COVID-19

G. Anti-Retaliation

1. The school district will inform each employee that employees have a right to the protections required by the ETS, and that employers are prohibited from discharging or in any manner discriminating against any employee for exercising their right to protections required by the ETS, or for engaging in actions that are required by the ETS.
2. The school district will not discharge or in any manner discriminate against any employee for exercising their right to the protections required by the ETS, or for engaging in actions that are required by the ETS.

H. Requirements Implemented at No Cost to Employees

1. The school district will comply with the provisions of ETS at no cost to its employees, with the exception of any employee self-monitoring conducted under D. above.

I. Recordkeeping

1. The school district will retain all versions of this Policy to comply with the ETS while the ETS remains in effect.
2. The school district will establish and maintain a COVID-19 log to record each instance in which an employee is COVID-19 positive, regardless of whether the instance is connected to exposure to COVID-19 at work.
 - a. The COVID-19 log will contain, for each instance, the employee's name, one form of contact information, occupation, location where the employee worked, the date of the employee's last day in the healthcare setting, the date of the positive test for, or diagnosis of, COVID-19, and the date the employee first had one or more COVID-19 symptoms, if any were experienced.



POLICY GUIDE

ADMINISTRATION

1648.14/page 9 of 10

Safety Plan For Healthcare Settings In
School Buildings – COVID-19

3. The school district will record the information on the COVID-19 log within twenty-four hours of learning that the employee is COVID-19 positive.
 - a. The school district will maintain the COVID-19 log as a confidential medical record and will not disclose it except as required by the ETS or other Federal law.
 - b. The school district will maintain and preserve the COVID-19 log while the ETS remains in effect.
4. By the end of the next business day after a request, the school district will provide, for examination and copying:
 - a. All versions of this Policy which is the written Plan for all employees;
 - b. The individual COVID-19 log entry for a particular employee to that employee and to anyone having written authorized consent of that employee; and
 - c. A version of the COVID-19 log that removes the names of employees, contact information, and occupation, and only includes, for each employee in the COVID-19 log, the location where the employee worked, the last day that the employee was in the healthcare setting before removal, the date of that employee's positive test for, or diagnosis of, COVID-19, and the date the employee first had one or more COVID-19 symptoms, if any were experienced, to all employees.

J. Reporting

1. The school district will report to PEOSH:
 - a. Each work-related COVID-19 fatality within eight hours of the school district learning about the fatality;



POLICY GUIDE

ADMINISTRATION

1648.14/page 10 of 10

Safety Plan For Healthcare Settings In
School Buildings – COVID-19

- b. Each work-related COVID-19 in-patient hospitalization within twenty-four hours of the school district learning about the in-patient hospitalization.

K. Monitoring Effectiveness

- 1. The school district and the COVID-19 Safety Coordinator(s) will work collaboratively with employees to monitor the effectiveness of this Plan so as to ensure ongoing progress and efficacy.
- 2. The school district will update this Policy as needed to address changes in specific COVID-19 hazards and exposures in the healthcare setting.

This Policy and its Appendices will be made available upon request.

29 CFR §1910.502

Occupational Safety and Health Administration Fact Sheet Subpart U COVID-19

Healthcare Emergency Temporary Standard

Occupational Safety and Health Administration Model Plan

Adopted:



POLICY GUIDE

Appendix 1 – Identifying the Healthcare Settings in the School District:

Location of healthcare setting in the school district buildings listed below:

Facility Location	Worksite-Specific COVID-19 Considerations
School Nurse's Office in the following locations: Cedar Creek Elementary School Forked River Elementary School Lanoka Harbor Elementary School Mill Pond Elementary School Lacey Township Middle School Lacey Township High School	<ul style="list-style-type: none">• All staff working in a healthcare setting will wear appropriate personal protective equipment, including a properly fitted mask and gloves, when treating patients.• Entry to a healthcare setting will be limited only to patients and staff members who have a genuine need to enter the setting.• Non-essential visitors will be prohibited from entering the healthcare setting.• Appropriate signage will be used to prevent unauthorized visitors to the healthcare setting.



POLICY GUIDE

Appendix 2 – Vaccination Status Plan:

A confidential electronic form will be sent to all district employee's, which requires the disclosure of the employee's vaccination status. If fully vaccinated, staff members will be required to upload the proof of vaccination when submitting the form. A limited number of confidential human resources staff members will have access to the completed forms, which will be individually verified. Once verified, the completed form will be stored in the medical section of the employee's electronic personnel file.



POLICY GUIDE

Appendix 3 – Completed Hazard Forms and Results:

Please see the attached Hazard Assessment Forms and Results below:



POLICY GUIDE

Appendix 4 – Patient Screening and Management:

The parents of all students will complete an annual statement of assurance to properly screen their children for COVID-like illness daily and to adhere to all district health and safety protocols. Appropriate signage will be used at school healthcare facilities for limiting and monitoring points of entry to the setting. Additionally, the district will restrict facility access, such as visitors and non-essential staff, to reduce crowding. Parents who are picking up sick patients, will be asked to remain outside (if possible) until their child is escorted to them.



POLICY GUIDE

Appendix 5 – Standard and Transmission-Based Precautions:

Entry to the school healthcare setting will be limited only to patients and staff members who are wearing appropriate personal protective equipment, including a properly fitted mask, and whom have a genuine need to enter the setting. Each school healthcare setting will screen and assess patients for COVID-like symptoms and triage patients accordingly. Patients who are demonstrating COVID-like illness will be isolated from other patients and staff members, until the patient can be safely transported out of the school facility.



POLICY GUIDE

Appendix 6 – Personal Protective Equipment (PPE):

1. Employees are encouraged to use their own facemasks. However, if an employee does not have a facemask, then the employee will be provided a facemask and instruction about when and how they should be worn or used.
2. When donning PPE, the following procedures should be used:
 - Gown
 - Fully cover torso from neck to knees, arms to end of wrist, and wrap around the back
 - Fasten in back at neck and waist
 - Mask
 - Secure ties or elastic band at middle of head and neck
 - Fit flexible band to nose bridge
 - Fit snug to face and below chin
 - Fit-check mask
 - Goggles/Face Shield
 - Put on face and adjust to fit
 - Gloves
 - Use non-sterile for isolation
 - Select according to hand size
 - Extend to cover wrist of isolation gown

When removing PPE, the following procedures should be used:

- Gloves
 - Outside of gloves are contaminated!
 - Grasp outside of glove with opposite gloved hand; peel off
 - Hold removed glove in gloved hand
 - Slide fingers of ungloved hand under remaining glove at wrist
- Goggles/Face Shield
 - Outside of goggles or face shield are contaminated!
 - To remove, handle by “clean” head band or ear pieces
 - Place in designated receptacle for reprocessing or in waste container
- Gown
 - Gown front and sleeves are contaminated!
 - Unfasten neck, then waist ties
 - Remove gown using a peeling motion; pull gown from each shoulder toward the same hand
 - Gown will turn inside out
 - Hold removed gown away from body, roll into a bundle and discard into waste or linen receptacle



POLICY GUIDE

- Mask
 - Avoid touching the Front of mask if contaminated
 - Grasp ONLY bottom then top ties/elastics and remove
 - Discard in waste container
- Hand Hygiene
 - Perform hand hygiene immediately after removing all PPE

3. Employees will be provided appropriate PPE in accordance with their role.



POLICY GUIDE

Appendix 7 – Physical Distancing:

1. Signs and floor markings will be used to indicate where employees and others should be located, or their direction and path of travel will be adjusted to ensure physical distancing within the healthcare setting.
2. Physical healthcare setting changes, such as increased distance between workstations, electronic check-in and checkout stations, and desk shields, will be implemented to ensure physical distancing.
3. People in the healthcare setting will be prevented from gathering in groups in common areas and “bottlenecks,” including entrances and exits.
4. Aisles, tables, counters, check-in and checkout stations, etc. will be arranged and the flow will be directed to allow for physical distancing between people.



POLICY GUIDE

Appendix 8 – Physical Barriers:

Desk shields will be used to provide a barrier between the desks of healthcare workers and patients in the healthcare setting.



POLICY GUIDE

Appendix 9 – Cleaning and Disinfecting:

1. Follow standard procedures for routine cleaning and disinfecting with an EPA-registered product for use against SARS-CoV-2. This means at least daily cleaning and disinfecting surfaces and objects that are touched often, such as desks, countertops, doorknobs, computer keyboards, hands-on learning items, faucet handles, phones, and toys.
 - If a person exhibits COVID-19 compatible symptoms or tests positive for COVID-19 within 24 hours of being in the school building, school staff should clean and disinfect the spaces occupied by the person. Once the area has been appropriately disinfected, it can be re-opened for use.
 - Close off areas used by the person who is sick or positive and do not use those areas until after cleaning and disinfecting.
 - Wait as long as possible (at least several hours) after the person has exited a space before cleaning and disinfecting.
 - Open doors and windows and use fans or HVAC settings to increase air circulation in the area.
 - Use products from EPA List according to the instructions on the product label.
 - Wear a mask and gloves while cleaning and disinfecting. The effectiveness of alternative surface disinfection methods, such as ultrasonic waves, high intensity UV radiation, and LED blue light against the virus that causes COVID-19 has not been fully established. The use of such methods to clean and disinfect is discouraged at this time. CDC does not recommend the use of sanitizing tunnels (tunnel that sprays disinfectant when a person walks through it). Currently, there is no evidence that sanitizing tunnels are effective in reducing the spread of COVID-19. Chemicals used in sanitizing tunnels could cause skin, eye, or respiratory irritation or injury. In most cases, fogging, fumigation, and wide-area or electrostatic spraying is not recommended as a primary method of surface disinfection and has several safety risks to consider.
2. All healthcare facilities have access to hand washing and/or sanitizer facilities and employees will be allowed to perform hand hygiene to meet this requirement. Describe how hand washing and/or sanitizer facilities will be provided for use by other persons entering the healthcare setting.



POLICY GUIDE

Appendix 10 - Ventilation:

The following individual(s) is responsible for maintaining the HVAC system(s) and can certify that it is operating in accordance with the ventilation provisions of OSHA's COVID-19 ETS.

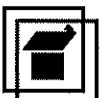
(e.g., Maintenance employee, HVAC service contractor(s))

<u><i>Name/Contact Information:</i></u> John Smith 609-971-2000 x1050	<u><i>Location:</i></u> Facilities Building
<u><i>Name/Contact Information:</i></u> Mike Wessner 856-687-2115	<u><i>Location:</i></u> JJD Electric 705 Mantua Ave. Paulsboro, NJ 08066

The district will, to the extent possible, increase circulation of outdoor air, increase the delivery of clean air, and dilute potential contaminants.

The Heating, Ventilation and Air Conditioning (HVAC) systems throughout the Lacey Township School District are designed to ASHRAE (American Society of Heating, Refrigerating and Air Conditioning Engineers) standards as required by the Department of Education. Additionally, any and all temporary spaces, including modular trailers and portables, must adhere to these same standards. These standards include, but are not limited to, the requirement for air exchange that provides fresh make up air at intervals determined by occupancy, humidity, temperature and other factors. The opening of windows, when HVAC systems are *operating properly, is counterproductive and further creates an unhealthy environment. The HVAC systems filter the make up being exchanged in our spaces through a MERV, (Minimum Efficiency Reporting Value) filter or a HEPA (High Efficiency Particulate Air) filter. These filters are changed three to four times per year depending on weather conditions and other factors. Documentation of filter changes is available for review upon request.

In the event of a system failure, every attempt shall be made to relocate the occupants until necessary repairs are completed and/or repair parts are procured. The opening of windows shall be considered a last resort and a short term solution only.



POLICY GUIDE

Appendix 11 – Health Screening and Medical Management for Employees:

1. Employees will complete an annual statement of assurance to comply with all health related protocols, including the assurance not to report to work if exhibiting symptoms that are consistent with COVID.
2. Employees will communicate with the school district if they are sick or experiencing symptoms while at home or at work by immediately reporting it to the their direct supervisor and to human resources by using the district absence management system.
3. Eligible employees may use sick leave, Family Medical Leave Act, or other accrued personal time (e.g. banked personal days) if they are staying at home when they are sick, when household members are sick, or when required by a healthcare provider to isolate or quarantine themselves or a member of their household. Healthcare employees in this setting whose absence is directly related to an exposure that occurs as a direct result of the employee performing their job will be deemed an “other” paid absence and will not be charged to the employees accrued paid time off.
4. Employees, who are identified as a close contact of a known COVID positive staff member will be notified of COVID-19 exposure by a representative of human resources or by their direct supervisor.
5. Any employee, who has tested positive for COVID-19, or who is exhibiting COVID-like symptoms will be excluded from reporting to work in accordance with the New Jersey Department of Health COVID Exclusion criteria. Any unvaccinated employee, who is identified as a close contact of a known positive case of COVID-19, will be excluded from reporting to work in accordance with the New Jersey Department of Health COVID Exclusion criteria.
6. The school district will only allow employees who have been removed from the healthcare setting to return to work in accordance with guidance from a licensed healthcare provider or in accordance with New Jersey Department of Health guidelines for K-12 schools.



POLICY GUIDE

Appendix 12 – Medical Removal Protection Benefits:

Employees' health benefits will be protected in accordance with all applicable State and Federal laws, in addition to any stipulations outlined in the local collective bargaining agreement.



POLICY GUIDE

Appendix 13 – Vaccinations:

Employees' may use paid leave for vaccinations in accordance with all applicable State and Federal laws, in addition to any stipulations outlined in the local collective bargaining agreement.



POLICY GUIDE

Appendix 14 – Training:

The Lacey Township School District will implement policies and procedures for employee training as part of a multi-layered infection control approach.

At a minimum, the training will include the following:

1. The school district will ensure that each employee receives training, in a language and at a literacy level the employee understands, on the following topics:
 - a. COVID-19, including:
 - (1) How COVID-19 is transmitted (including pre-symptomatic and asymptomatic transmission);
 - (2) The importance of hand hygiene to reduce the risk of spreading COVID-19 infections;
 - (3) Ways to reduce the risk of spreading COVID-19 through proper covering of the nose and mouth;
 - (4) The signs and symptoms of COVID-19;
 - (5) Risk factors for severe illness; and
 - (6) When to seek medical attention.
 - b. The school district's procedures on patient screening and management;
 - c. Tasks and situations in the healthcare setting that could result in COVID-19 infection;
 - d. Healthcare setting-specific procedures to prevent the spread of COVID-19 that are applicable to the employee's duties (e.g., policies on Standard and Transmission-Based Precautions, physical distancing, physical barriers, ventilation, aerosol-generating procedures);
 - e. Employer-specific multi-employer healthcare setting agreements related to infection control policies and procedures, the use of common areas, and the use of shared equipment that affect employees at the healthcare setting;



POLICY GUIDE

- f. The school district's procedures for PPE worn to comply with the ETS, including:
 - (1) When PPE is required for protection against COVID-19;
 - (2) Limitations of PPE for protection against COVID-19;
 - (3) How to properly put on, wear, and take off PPE;
 - (4) How to properly care for, store, clean, maintain, and dispose of PPE; and
 - (5) Any modifications to donning, doffing, cleaning, storage, maintenance, and disposal procedures needed to address COVID-19 when PPE is worn to address healthcare setting hazards other than COVID-19.
 - g. Healthcare setting-specific procedures for cleaning and disinfection;
 - h. The school district's procedures on health screening and medical management;
 - i. Available sick leave policies, any COVID-19-related benefits to which the employee may be entitled under applicable Federal, State, or local laws, and other supportive policies and practices;
 - j. The identity of school district's Safety Coordinator(s) specified in this Plan; and
- 2. The school district will ensure that the training is overseen or conducted by a person knowledgeable in the covered subject matter as it relates to the employee's job duties, and that the training provides an opportunity for interactive questions and answers with a person knowledgeable in the covered subject matter as it relates to the employee's job duties.
 - 3. The school district will provide additional training whenever changes occur that affect the employee's risk of contracting COVID-19 at work (e.g., new job tasks), policies or procedures are



POLICY GUIDE

changed, or there is an indication that the employee has not retained the necessary understanding or skill.



POLICY

LACEY TOWNSHIP BOARD OF EDUCATION

Program

2425/Page 1 of 4

Emergency Virtual or Remote Instruction Program

2425 Emergency Virtual or Remote Instruction Program

The Board of Education is committed to providing a high quality educational program, virtually or remotely, in the event a school or the schools of the district are required to close for more than three consecutive school days due to a declared state of emergency, declared public health emergency, or a directive by the appropriate health agency or officer to institute a public health-related closure. The district's virtual or remote program of instruction shall be in accordance with N.J.S.A. 18A:7F-9.

In the event the school district is required to close a school or the schools of the district for more than three consecutive school days due to a declared state of emergency, declared public health emergency, or a directive by the appropriate health agency or officer to institute a public health-related closure, the Commissioner of Education shall allow the district to apply to the 180-day requirement established pursuant to N.J.S.A. 18A:7F-9, one or more days of virtual or remote instruction provided to students on the day or days the schools of the district were closed if the program of virtual or remote instruction meets such criteria as may be established by the Commissioner Education.

The Superintendent of Schools shall submit, with Board approval, the school district's program of virtual or remote instruction to the Commissioner of Education by no later than October 29, 2021 and annually thereafter.

A day of virtual or remote instruction, if instituted under the district's Commissioner of Education's approved program of virtual or remote instruction, shall be considered the equivalent of a full day of school attendance for the purposes of meeting State and local graduation requirements, the awarding of course credit, and other such matters as determined by the Commissioner of Education.

Any district program of virtual or remote instruction implemented for the general education students shall provide the same educational opportunities to students with disabilities. Special education and related services, including speech language services, counseling services, physical therapy, occupational therapy, and behavioral services, may be delivered to students with disabilities through the use of electronic communication or a virtual or online platform and as required by the student's Individualized Education Program (IEP), to the greatest extent practicable.



Emergency Virtual or Remote Instruction Program

In the event the State or local health department determines it is advisable to close or mandates closure of the schools of the district due to a declared state of emergency, declared public health emergency, or a directive by the appropriate health agency or officer to institute a public health-related closure, the Superintendent shall have the authority to implement the school district's program of virtual or remote instruction. The Superintendent shall consult with the Board prior to such decision, if practicable. The Superintendent shall ensure that students, parents, staff, and the Board are informed promptly of the Superintendent's decision.

Nothing in N.J.S.A. 18A:7F-9 and this Policy shall be construed to limit, supersede or preempt rights, privileges, compensation, remedies, and procedures afforded to public employees or a collective bargaining unit under Federal or State law or any provision of a collective bargaining agreement entered into by the school district.

In the event of the closure of a school or the schools of the district due to a declared state of emergency, declared public health emergency, or a directive by the appropriate health agency or officer to institute a public health-related closure for a period longer than three consecutive school days:

1. District employees shall be entitled to compensation, benefits, and emoluments pursuant to the provisions of N.J.S.A. 18A:7F-9.e.(1) and (2).
2. The district shall continue to make payments of benefits, compensation, and emoluments pursuant to the terms of a contract with a contracted service provider in effect on the date of the closure as if the services for such benefits, compensation, and emoluments had been provided, and as if the school facilities had remained open pursuant to the provisions of N.J.S.A. 18A:7F-9.e.(3).
3. The district shall be obligated to make payments for benefits, compensation, and emoluments and all payments required pursuant to N.J.S.A. 18A:6-51 et seq., to an educational services commission, county special services school district, and a jointure commission, and under any shared services agreement and cooperative contract entered into with any other public entity pursuant to the provisions of N.J.S.A. 18A:7F-9.e.(4).



4. An educational services commission, county special services school district, and a jointure commission shall continue to make payments of benefits, compensation, and emoluments pursuant to the terms of a contract with a contracted service provider or a shared services agreement in effect on the date of the closure as if the services for such benefits, compensation, and emoluments had been provided, and as if the school facilities had remained open pursuant to the provisions of N.J.S.A. 18A:7F-9.e.(4).

The provisions of N.J.S.A. 18A:7F-9.e.(1) through (4) shall not apply to any employee whose weekly hours of work are reduced, and to whom unemployment benefits are provided, pursuant to a shared work program approved pursuant to the provisions of N.J.S.A. 43:21-20.3 et seq. A contracted service provider, educational services commission, county special services school district, or jointure commission shall notify the district with which it has entered into a contract to provide services of its intent to reduce the hours of work of its employees pursuant to a shared work program approved pursuant to the provisions of N.J.S.A. 43:21-20.3 et seq.

1. Notwithstanding the provisions of N.J.S.A. 18A:7F-9.e.(3), if a contracted service provider reduces the amount that it pays to its employees providing services to a school district, and that reduction is the result of a reduction of workhours of those employees made pursuant to a shared work program approved pursuant to the provisions of N.J.S.A. 43:21-20.3 et seq., then the amount paid by the district to the contracted service provider shall be reduced by the same amount.
2. Notwithstanding the provisions of N.J.S.A. 18A:7F-9.e.(4), if an educational services commission, county special services school district, or jointure commission reduces the amount that it pays to its employees providing services to a school district, and that reduction is the result of a reduction of workhours of those employees made pursuant to a shared work program approved pursuant to the provisions of N.J.S.A. 43:21-20.3 et seq., then the amount paid by the district to the educational services commission, county special services school district, or jointure commission shall be reduced by the same amount.



POLICY

LACEY TOWNSHIP BOARD OF EDUCATION

Program
2425/Page 4 of 4
Emergency Virtual or Remote Instruction Program

This Policy may be revised as necessary by the Superintendent in accordance with N.J.S.A. 18A:7F-9. The school district's emergency virtual or remote instruction program shall be available on the school district's website.

N.J.S.A. 18A:7F-9

Adopted: January 20, 2022



POLICY

LACEY TOWNSHIP BOARD OF EDUCATION

Students
5751/Page 1 of 4
SEXUAL HARASSMENT (M)

5751 SEXUAL HARASSMENT (M)

The Board of Education will not tolerate sexual harassment of students by school employees, other students, or third parties. Sexual harassment of students is a form of prohibited sex discrimination. In accordance with Title IX of the Education Amendments of 1972 and the Code of Federal Regulations (CFR), 34 CFR §106, the school district adopts this Policy and implement practices to investigate and resolve allegations of sexual harassment of students engaged in by school employees, other students, or third parties pursuant to 34 CFR §106.3(c). In addition, reports of sexual harassment shall also be investigated in accordance with the requirements of New Jersey's Anti-Bullying Bill of Rights Act and Policy 5512.

For the purposes of Policy 5751 and in accordance with 34 CFR §106:

1. "Sexual harassment" (34 CFR §106.30(a)) means conduct on the basis of sex that satisfies one or more of the following:
 - a. An employee of the school district conditioning the provision of an aid, benefit, or service of the school district on a student's participation in unwelcome sexual conduct;
 - b. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a student equal access to the school district's education program or activity; or
 - c. "Sexual assault" as defined in 20 U.S.C. §1092(f)(6)(A)(v), "dating violence" as defined in 34 U.S.C. §12291(a)(10), "domestic violence" as defined in 34 U.S.C. §12291(a)(8), or "stalking" as defined in 34 U.S.C. §12291(a)(30).

Sexual harassment may take place electronically or on an online platform used by the school, including, but not limited to, computer and internet networks; digital platforms; and computer hardware or software owned or operated by, or used in the operations of the school.

In accordance with 34 CFR §106.8(a), any person may report sex discrimination, including sexual harassment using the contact information listed for the Title IX



POLICY

LACEY TOWNSHIP BOARD OF EDUCATION

Students
5751/Page 2 of 4
SEXUAL HARASSMENT (M)

Coordinator, or by any other means that results in the Title IX Coordinator receiving the person's verbal or written report.

A school district with "actual knowledge" of sexual harassment in the educational program or activity of the school district against a student, must respond promptly in a manner that is not "deliberately indifferent".

Any school employee who receives a complaint of sexual harassment or is aware of behavior that could constitute sexual harassment is required to report that information to the Title IX Coordinator in accordance with the provisions of 34 CFR §106.8(a) and B.1. of Regulation 5751. The district must report any potential child abuse in accordance with N.J.S.A. 18A:36-24; N.J.S.A. 18A:36-25; N.J.A.C. 6A:16-11.1; and Policy and Regulation 8462.

The Title IX Coordinator shall notify persons entitled to a notification pursuant to 34 CFR §106.8(a)(1) that the school district does not discriminate on the basis of sex in the education program or activity that it operates, and that it is required by Title IX and Policy and Regulation 5751 not to discriminate in such a manner in accordance with 34 CFR §106.8(b)(1).

The Title IX Coordinator shall prominently display the contact information required to be listed for the Title IX Coordinator pursuant to 34 CFR §106.8(b)(2)(i) on the school district's website and in each handbook or catalog the school district makes available to persons entitled to a notification in accordance with 34 CFR §106.8(a). Policy and Regulation 5751 shall be prominently displayed on the district's website and accessible to anyone.

Supportive measures shall be available to the Complainant, Respondent, and as appropriate, witnesses or other impacted individuals.

The school district shall use the grievance process outlined in 34 CFR §106.45 and Regulation 5751 to address formal complaints of sexual harassment. The school district shall offer both parties an appeal process as outlined in 34 CFR §106.45 and Regulation 5751 from a determination regarding responsibility for sexual harassment and from the Title IX Coordinator's dismissal of a formal complaint or any allegations of sexual harassment.

The Title IX Coordinator shall be responsible for effective implementation of any remedies in accordance with 34 CFR §106.45(b)(7)(iv). The appropriate school official designated by the Superintendent, after consultation with the Title IX Coordinator, will determine sanctions imposed and remedies provided, if any.



POLICY

LACEY TOWNSHIP BOARD OF EDUCATION

Students
5751/Page 3 of 4
SEXUAL HARASSMENT (M)

Consistent with the laws of New Jersey a student's parent must be permitted to exercise the rights granted to their child under this Policy, whether such rights involve requesting supportive measures, filing a formal complaint, or participating in a grievance process.

The Superintendent or designee shall ensure that Title IX Coordinators, investigators, decision-makers, appeal officer, and any person who facilitates an informal resolution process, receive training in accordance with 34 CFR §106.45(b)(1)(iii).

The school district or any employee of the school district shall not intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX or Policy 5751, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this Policy, in accordance with 34 CFR §106.71(a).

For each school district response to sexual harassment required under 34 CFR §106.44, the school district shall create and maintain for a period of seven years, records in accordance with 34 CFR §106.45(b)(10).

The Superintendent or designee shall consult with the Board Attorney to ensure the school district's response to allegations of sexual harassment and the school district's grievance process are in accordance with 34 CFR §106.44 and 34 CFR §106.45.

Any time a report is made to the Title IX Coordinator or formal complaint is filed pursuant to this Policy and in accordance with 34 CFR §106, the Title IX Coordinator shall forward the report or complaint to the Principal of the school building attended by the alleged victim for the Principal to follow the requirements of New Jersey's Anti-Bullying Bill of Rights Act and Policy 5512.

34 CFR §106

United States Department of Education, Office for Civil Rights – Questions and Answers on the Title IX Regulations on Sexual Harassment (July 20, 2021)

Adopted: 21 November 2005

Revised: January 20, 2022



POLICY

LACEY TOWNSHIP
BOARD OF EDUCATION

Students
5751/Page 4 of 4
SEXUAL HARASSMENT (M)



REGULATION

LACEY TOWNSHIP BOARD OF EDUCATION

STUDENTS
R 5751/Page 1 of 13
SEXUAL HARASSMENT OF PUPILS (M)

R 5751 SEXUAL HARASSMENT OF PUPILS (M)

The Board of Education will not tolerate sexual harassment of students by school employees, other students, or third parties. The school district shall investigate and resolve allegations of sexual harassment of students engaged in by school employees, other students, or third parties pursuant to 34 CFR §106.3(c) and Policy and Regulation 5751. In addition, reports of sexual harassment shall also be investigated in accordance with the requirements of New Jersey's Anti-Bullying Bill of Rights Act and Policy 5512.

A. Definitions

1. For the purpose of Policy and Regulation 5751 and in accordance with 34 CFR §106:
 - a. "Sexual harassment" (34 CFR §106.30(a)) means conduct on the basis of sex that satisfies one or more of the following:
 - (1) An employee of the school district conditioning the provision of an aid, benefit, or service of the school district on a student's participation in unwelcome sexual conduct;
 - (2) Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a student equal access to the school district's education program or activity; or
 - (3) "Sexual assault" as defined in 20 U.S.C. §1092(f)(6)(A)(v), "dating violence" as defined in 34 U.S.C. §12291(a)(10), "domestic violence" as defined in 34 U.S.C. §12291(a)(8), or "stalking" as defined in 34 U.S.C. §12291(a)(30).
 - b. "Complainant" (34 CFR §106.30(a)) means a student currently enrolled who is alleged to be the Complainant of conduct that could constitute sexual harassment.
 - (1) A parent may act on behalf of the Complainant in accordance with State law, court orders, child custody arrangements, or other sources granting legal rights to parents.



REGULATION

LACEY TOWNSHIP BOARD OF EDUCATION

STUDENTS
R 5751/Page 2 of 13
SEXUAL HARASSMENT OF PUPILS (M)

- (2) A parent has a legal right to act on a Complainant's behalf, this right applies throughout all aspects of the Title IX matter, including throughout the grievance process.
- c. "Decision-maker" (34 CFR §106.45(b)(7)) means a staff member(s) who is not the Title IX Coordinator or the school staff member who conducted the investigation, designated by the Superintendent of Schools, to objectively evaluate the relative evidence and reach conclusions about whether the Respondent is responsible for the alleged sexual harassment in accordance with the provisions of 34 CFR. §106.
- d. "Education program or activity" (34 CFR §106.44(a)) includes locations, events, or circumstances over which the school district exercises substantial control over both the Respondent and the context in which the sexual harassment occurs.
- e. "Formal complaint" (34 CFR §106.30(a)) means a document filed by a Complainant or signed by the Title IX Coordinator alleging sexual harassment against a Respondent and requesting that the school district investigate the allegation of sexual harassment. As used in this definition paragraph, the phrase "document filed by a Complainant" means a document or electronic submission (such as by electronic mail or through an online portal provided for this purpose by the school district) that contains the Complainant's physical or digital signature, or otherwise indicates that the Complainant is the person filing the formal complaint.
- f. "Investigator" (34 CFR §106.45(b)(5)) means a staff member or staff members who may be the Title IX Coordinator and who is not a decision-maker, designated by the Superintendent of Schools, to investigate alleged sexual harassment in accordance with 34 CFR §106. The investigator may be the school district's Affirmative Action Officer only if the Affirmative Action Officer is not the decision-maker.
- g. "Program or activity" and "program" (34 CFR §106.2(h)(2)(ii)) means all of the operations of a local educational agency (as



REGULATION

LACEY TOWNSHIP BOARD OF EDUCATION

STUDENTS
R 5751/Page 3 of 13
SEXUAL HARASSMENT OF PUPILS (M)

defined in 20 U.S.C. §8801), system of vocational education, or other school system.

h. “Respondent” (34 CFR §106.30(a)) means an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.

(1) A parent may act on behalf of the Respondent in accordance with State law, court orders, child custody arrangements, or other sources granting legal rights to parents.

(2) If a parent has a legal right to act on a Respondent’s behalf, this right applies throughout all aspects of the Title IX matter, including throughout the grievance process.

i. “Title IX Coordinator” (34 CFR §106.8(a)) means an individual designated and approved by the Board to coordinate its efforts to comply with its responsibilities under 34 CFR §106 and this Policy. The individual must be referred to as the “Title IX Coordinator” and may also be the investigator but cannot be the decision-maker.

B. Reporting and Notification Requirements

1. Sexual harassment may take place electronically or on an online platform used by the school, including, but not limited to, computer and internet networks; digital platforms; and computer hardware or software owned or operated by, or used in the operations of the school.

2. In accordance with 34 CFR §106.8(a), any person may report sex discrimination, including sexual harassment (whether or not the person reporting is the person alleged to be the victim of conduct that could constitute sex discrimination or sexual harassment), in person, by mail, by telephone, or by electronic mail, using the contact information listed for the Title IX Coordinator, or by any other means that results in the Title IX Coordinator receiving the person’s verbal or written report.

a. Such a report may be made at any time (including during non-business hours) by using the telephone number or electronic mail



REGULATION

LACEY TOWNSHIP BOARD OF EDUCATION

STUDENTS
R 5751/Page 4 of 13
SEXUAL HARASSMENT OF PUPILS (M)

address, or by mail to the office address listed for the Title IX Coordinator.

3. A school district with “actual knowledge” of sexual harassment in the educational program or activity of the school district against a student, must respond promptly in a manner that is not “deliberately indifferent”.
 - a. The school district has “actual knowledge” when an employee receives a complaint of sexual harassment or an employee is aware of behavior that could constitute sexual harassment.
 - (1) Any school employee who receives a complaint of sexual harassment or is aware of behavior that could constitute sexual harassment is required to report that information to the Title IX Coordinator in accordance with the provisions of B.1. above.
 - (2) In addition to the district’s response in accordance with this Regulation, the district must report any potential child abuse to appropriate law enforcement and child welfare authorities in accordance with N.J.S.A. 18A:36-24; N.J.S.A. 18A:36-25; N.J.A.C. 6A:16-11.1; and Policy and Regulation 8462.
 - b. A school district is “deliberately indifferent” only if the response to sexual harassment is clearly unreasonable in light of the known circumstances, pursuant to 34 CFR §106.44(a).
4. The district is required to offer supportive measures to the Complainant even if the Respondent ceased being enrolled or employed by the district prior to the filing of a formal complaint.
 - a. If the Respondent ceases to be enrolled in or employed by the district after a formal complaint is filed, the district may dismiss the complaint, but must still offer supportive measures to the Complainant pursuant to 34 CFR §106.45(b)(3)(ii).
5. The Title IX Coordinator shall notify persons entitled to a notification pursuant to 34 CFR §106.8(a) that the school district does not discriminate on the basis of sex in the education program or activity it operates and it is



REGULATION

LACEY TOWNSHIP BOARD OF EDUCATION

STUDENTS
R 5751/Page 5 of 13
SEXUAL HARASSMENT OF PUPILS (M)

required by Title IX and Policy and Regulation 5751 not to discriminate in such a manner in accordance with 34 CFR §106.8(b)(1).

6. The Title IX Coordinator shall prominently display the contact information required to be listed for the Title IX Coordinator pursuant to 34 CFR §106.8(b)(2)(i) on the school district's website and in each handbook or catalog the school district makes available to persons entitled to a notification in accordance with 4 CFR §106.8(a).

- a. Policy 5751 and this Regulation shall be prominently displayed on the district's website and accessible to anyone.

C. Supportive Measures

1. "Supportive measures" mean non-disciplinary, non-punitive, individualized services offered as appropriate, as reasonably available, and without fee or charge to the Complainant or the Respondent before or after the filing of a formal complaint or where no formal complaint has been filed pursuant to 34 CFR §106.30(a).
2. Supportive measures shall be available to the Complainant, Respondent, and as appropriate, witnesses or other impacted individuals.
3. The Title IX Coordinator shall maintain consistent contact with the parties to ensure that safety, emotional and physical well-being are being addressed.
4. Generally, supportive measures are meant to be short-term in nature and will be re-evaluated on a periodic basis.
 - a. To the extent there is a continuing need for supportive measures after the conclusion of the resolution process, the Title IX Coordinator will work with appropriate school district resources to provide continued assistance to the parties.

D. Grievance Process

1. The school district will use the grievance process outlined in 34 CFR §106.45 and this Regulation to address formal complaints of sexual harassment.



REGULATION

LACEY TOWNSHIP BOARD OF EDUCATION

STUDENTS
R 5751/Page 6 of 13
SEXUAL HARASSMENT OF PUPILS (M)

2. Parents, students, unions and associations, and staff members shall receive notice of the grievance procedures and the Title IX Coordinator's name or title, office, address, email address, and telephone number in accordance with 34 CFR §106.8(a).
3. The school district's grievance process may, but need not, provide for a hearing pursuant to 34 CFR §106.45(b)(6)(ii).
4. The school district may not require as a condition of enrollment or continuing enrollment, or employment or continuing employment, or enjoyment of any other right, waiver of the right to an investigation and adjudication of formal complaints of sexual harassment consistent with 34 CFR §106.45(b)(9).
5. The school district may not require the parties to participate in an informal resolution process regarding a Title IX claim and may not offer an informal resolution process unless a formal complaint is filed pursuant to 34 CFR §106.45(b)(9).
6. The Title IX Coordinator must promptly contact the Complainant in accordance with 34 CFR §106.44(a).
7. In response to a formal complaint, the school district will follow a grievance process that complies with 34 CFR §106.45.
 - a. Upon receipt of a formal complaint, the Title IX Coordinator shall provide written notice to the parties who are known in accordance with 34 CFR §106.45(b)(2)(i).
 - b. The Title IX Coordinator shall provide the investigator with a copy of the formal complaint if the Title IX Coordinator is not the investigator.
 - c. The investigator shall investigate the allegations contained in a formal complaint pursuant to 34 CFR §106.45(b).
8. The investigator shall create an investigative report in accordance with the provisions of 34 CFR §106.45(b)(5)(vii).



REGULATION

LACEY TOWNSHIP BOARD OF EDUCATION

STUDENTS
R 5751/Page 7 of 13
SEXUAL HARASSMENT OF PUPILS (M)

- a. The investigator will attempt to collect all relevant information and evidence.
 - b. While the investigator will have the burden of gathering evidence, it is crucial that the parties present evidence and identify witnesses to the investigator so that they may be considered during the investigation.
 - c. While all evidence gathered during the investigative process and obtained through the exchange of written questions will be considered, the decision-maker may in their discretion grant lesser weight to last minute information or evidence introduced through the exchange of written questions that was not previously presented for investigation by the investigator.
 - d. To the greatest extent possible, and subject to Title IX, the school will make reasonable accommodations in an investigation to avoid potential re-traumatization of a student.
 - e. The investigative report shall be provided to the decision-maker in accordance with the provisions of 34 CFR §106.45(b)(6)(ii).
9. The decision-maker, who cannot be the same person as the Title IX Coordinator or the investigator, shall issue a written determination regarding responsibility pursuant to 34 CFR §106.45(b)(7).
- a. To reach this determination, the decision-maker will apply clear and convincing evidence standard, which shall be the same standard of evidence for formal complaints against students as for formal complaints against employees, including faculty, and apply the same standard of evidence to all formal complaints of sexual harassment pursuant to 34 CFR §106.45(b)(1)(vii).
 - b. The decision-maker will facilitate a written question and answer period between the parties.
 - (1) Each party may submit their written questions for the other party and witnesses to the decision-maker for review.



REGULATION

LACEY TOWNSHIP BOARD OF EDUCATION

STUDENTS
R 5751/Page 8 of 13
SEXUAL HARASSMENT OF PUPILS (M)

- (2) The questions must be relevant to the case and the decision-maker will determine if the questions submitted are relevant and will then forward the relevant questions to the other party or witnesses for a response.
- (3) The decision-maker shall then review all the responses, determine what is relevant or not relevant, and issue a decision as to whether the Respondent is responsible for the alleged sexual harassment.
- (4) The decision-maker will issue a written determination following the review of evidence. The written determination will include:
 - (a) Identification of allegations potentially constituting sexual harassment as defined in Policy and Regulation 5751 and 34 CFR §106.30;
 - (b) A description of the procedural steps taken from the receipt of the complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, and methods used to gather evidence;
 - (c) Findings of fact supporting the determination, conclusions regarding the application of this formal grievance process to the facts; and
 - (d) A statement of and rationale for the result as to each allegation, including any determination regarding responsibility, any disciplinary sanctions the decision-maker imposed on the Respondent that directly relate to the Complainant, and whether remedies designed to restore or preserve equal access to the school's education program or activity will be provided to the Complainant; and procedures and permissible bases for the parties to appeal the determination.



REGULATION

LACEY TOWNSHIP BOARD OF EDUCATION

STUDENTS
R 5751/Page 9 of 13
SEXUAL HARASSMENT OF PUPILS (M)

- (5) The written determination will be provided to the parties simultaneously.
- (6) Notwithstanding a temporary delay of the grievance procedure or the limited extension of the grievance procedure time frames with good cause, the written determination shall be provided within sixty calendar days from receipt of the Complaint.
 - (a) The sixty calendar day time frame does not include the appeal process.
- (7) Remedies and supportive measures that do not impact the Respondent should not be disclosed in the written determination; rather the determination should simply state that remedies will be provided to the Complainant.

E. Appeals

- 1. The school district will offer both parties an appeal from a determination regarding responsibility, and from the Title IX Coordinator's dismissal of a formal complaint or any allegations therein in accordance with 34 CFR §106.45(b)(8)(i).
- 2. As to all appeals, the school district will comply with the requirements of 34 CFR §106.45(b)(8).
- 3. The Superintendent shall designate an appeal officer for each appeal filed.
 - a. The appeal officer shall not be the same person as the decision-maker that reached the determination regarding responsibility or dismissal, the investigator, or the Title IX Coordinator in accordance with 34 CFR §106.45(b)(8)(iii)(B).
- 4. The Complainant and Respondent shall have an equal opportunity to appeal the policy violation determination and any sanctions.
- 5. The school district shall administer the appeal process, but is not a party and will not advocate for or against any appeal.

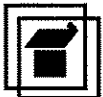


REGULATION

LACEY TOWNSHIP BOARD OF EDUCATION

STUDENTS
R 5751/Page 10 of 13
SEXUAL HARASSMENT OF PUPILS (M)

6. A party may appeal only on the following grounds and the appeal shall identify the reason(s) why the party is appealing:
 - a. There was a procedural error in the hearing process that materially affected the outcome;
 - (1) Procedural error refers to alleged deviations from school district policy, and not challenges to policies or procedures themselves;
 - b. There is new evidence that was not reasonably available at the time of the hearing and that could have affected the outcome;
 - c. The decision-maker had a conflict of interest or bias that affected the outcome;
 - d. The determination regarding the policy violation was unreasonable based on the evidence before the decision-maker;
 - (1) Appealing on this basis is available only to a party who participated in the hearing; and
 - e. The sanctions were disproportionate to the hearing officer's findings.
7. The appeal must be submitted in writing to the Title IX Coordinator within ten calendar days following the issuance of the notice of determination.
8. The appeal must identify the ground(s) for appeal and contain specific arguments supporting each ground for appeal.
9. The Title IX Coordinator shall notify the other party of the appeal, and that other party shall have an opportunity to submit a written statement in response to the appeal, within ten calendar days.
10. The Title IX Coordinator shall inform the parties that they have an opportunity to meet with the appeal officer separately to discuss the proportionality of the sanction.



REGULATION

LACEY TOWNSHIP BOARD OF EDUCATION

STUDENTS
R 5751/Page 11 of 13
SEXUAL HARASSMENT OF PUPILS (M)

11. The appeal officer shall decide the appeal considering the evidence presented at the hearing, the investigation file, and the appeal statements of both parties.
12. In disproportionate sanction appeals, input the parties provided during the meeting may also be considered.
13. The appeal officer shall summarize their decision in a written report that will be sent to the Complainant and Respondent within twenty calendar days of receiving the appeal.

F. Remedies

1. The Title IX Coordinator shall be responsible for effective implementation of any remedies in accordance with 34 CFR §106.45(b)(7)(iv).
2. Following receipt of the written determination from the decision-maker, the Title IX Coordinator will facilitate the imposition of sanctions, if any, the provision of remedies, if any, and to otherwise complete the formal resolution process.
3. The appropriate school official designated by the Superintendent, after consultation with the Title IX Coordinator, will determine the sanctions imposed and remedies provided, if any.
 - a. The imposition of sanctions or provisions of remedies will be revisited by the Title IX Coordinator following the appeal officer's decision, as appropriate.
4. The Title IX Coordinator must provide written notice to the parties simultaneously.
5. The school district must disclose to the Complainant the sanctions imposed on the Respondent that directly relate to the Complainant when such disclosure is necessary to ensure equal access to the school district's education program or activity.
6. It is important to note that conduct that does not meet the criteria under Title IX may violate other Federal or State laws or school district policies regarding student misconduct or may be inappropriate and require an



REGULATION

LACEY TOWNSHIP BOARD OF EDUCATION

STUDENTS
R 5751/Page 12 of 13
SEXUAL HARASSMENT OF PUPILS (M)

immediate response in the form of supportive measures and remedies to prevent its recurrence and address its effects.

G. Parent Rights

1. Consistent with the laws of New Jersey, a student's parent must be permitted to exercise the rights granted to their child under Policy and Regulation 5751, whether such rights involve requesting supportive measures, filing a formal complaint, or participating in a grievance process.
2. A student's parent must also be permitted to accompany the student to meetings, interviews, and hearings, if applicable, during a grievance process in order to exercise rights on behalf of the student.
3. The student may have an advisor in addition to the parent.

H. Training

The Superintendent or designee shall ensure that Title IX Coordinators, investigators, decision-makers, appeal officers, and any person who facilitates an informal resolution process, receive training in accordance with 34 CFR §106.45(b)(1)(iii).

I. Compliance

The Superintendent or designee shall consult with the Board Attorney to ensure the school district's response to any allegations of sexual harassment and the school district's grievance process are in accordance with 34 CFR §106.44 and 34 CFR §106.45.

J. Requirements of New Jersey's Anti-Bullying Bill of Rights Act

Any time a report is made to the Title IX Coordinator or formal complaint is filed pursuant to Policy and Regulation 5751 and in accordance with 34 CFR §106, the Title IX Coordinator shall forward the report or complaint to the Principal of the school building attended by the alleged victim for the Principal to follow the requirements of New Jersey's Anti-Bullying Bill of Rights Act and Policy 5512.



REGULATION

LACEY TOWNSHIP
BOARD OF EDUCATION

STUDENTS
R 5751/Page 13 of 13
SEXUAL HARASSMENT OF PUPILS (M)

Adopted: November 21, 2005

Revised: January 20, 2022



POLICY

LACEY TOWNSHIP BOARD OF EDUCATION

Property
7432/Page 1 of 2
EYE PROTECTION (M)

7432 EYE PROTECTION (M)

M

The Board of Education requires each student, staff member, and school visitor, including individuals present for evening adult-school programs, to wear appropriate eye protective devices while participating in educational activities and programs as defined in N.J.A.C. 6A:7-1.3. Appropriate eye protective devices must be worn by anyone engaged in a process or activity where exposure to which might have a tendency to cause damage to the eyes pursuant to N.J.A.C. 6A:26-12.5(a) and N.J.S.A. 18A:40-12.1.

The term “appropriate eye protective device” shall include plain or prescription lenses provided the lenses and other portions of the device meet or exceed the prescribed specifications for the device. Specifications for appropriate eye protection for various activities shall meet or exceed standards described in the American National Standard Practice for Occupational and Educational Eye and Face Protection, ANSI Z87.1-1989; American National Standard Practice for the Safe Use of Lasers, ANSI Z136.1-1986; and eye protective procedures recommended by the manufacturer of the laser device.

The Superintendent or designee shall be responsible for the continual monitoring of the school program, including, but not limited to, all vocational education, industrial arts education, science education, technology education and arts education, for conditions under which students, staff members, or visitors are exposed to a process or activity that might have a tendency to cause damage to the eyes.

The appropriate eye protective device shall be supplied by the Board, except that the student, staff member, or visitor, including individuals present for evening adult-school programs, may wear personal eye wear that is appropriate to the activity and certified, in writing, by a licensed optician or other qualified licensed eye professional to meet or exceed those standards. District-owned appropriate eye protective devices shall be inspected regularly by the appropriate staff member, and defective or poorly fitting devices shall be returned to the Principal for repair or discard. Any shared appropriate eye protective devices shall be disinfected between uses by the method prescribed by the school medical inspector.

Each classroom, shop, laboratory, and other area of the school in which students or staff members are exposed to caustic materials that can cause damage to the eyes shall be equipped with an emergency eye wash fountain in accordance with standards established by the New Jersey Department of Education.



POLICY

LACEY TOWNSHIP BOARD OF EDUCATION

Property
7432/Page 2 of 2
EYE PROTECTION (M)

The Building Principal or designee shall ensure that each area in the school identified as housing an activity hazardous to the eyes shall be posted with conspicuous signs that warn participants that an appropriate eye protective device must be worn during the activity. Staff members of such activities are responsible for instructing students in appropriate eye safety practices and for serving as exemplary models in the implementation of such practices.

The Board authorizes each staff member responsible for an activity or process hazardous to the eyes to compile and maintain, for the duration of the course of study, a list of students in the course who wear contact lenses.

The school district shall provide annual training and appropriate supplies and equipment to all school personnel responsible for implementing the eye-safety policies and program. The training shall cover all aspects of eye protection in schools as described in N.J.A.C. 6A:26-12.5(a) through (f).

N.J.S.A. 18A:40-12.1; 18A:40-12.2

N.J.A.C. 6A:7-1.3

N.J.A.C. 6A:26-12.5

Adopted: 21 November 2005

Revised: January 20, 2022



REGULATION

LACEY TOWNSHIP BOARD OF EDUCATION

PROPERTY
R 7432/Page 1 of 4
EYE PROTECTION PRACTICES (M)

R 7432 EYE PROTECTION PRACTICES (M)

M

A. Eye Protection Devices

1. The following types of eye protective devices must be worn by all pupils, staff members, and visitors (including persons attending evening adult school programs) participating in the activity or process designated wherever it may occur on school premises:

<u>Potential eye hazard</u>	<u>Protective devices</u>
Caustic or explosive	Goggle, flexible fitting materials, hooded ventilation; add plastic window face shield for severe exposure
Dust producing operations	Goggle, flexible fitting, hooded ventilation
Electric arc welding	Welding helmet in combination with spectacles with eye cup or semi- or flat-fold side shields
Oxy-acetylene welding	Welding goggle, eye cup type with tinted lenses; welding goggle, coverspec type with tinted lenses or tinted plate lens
Hot liquids and gases	Goggle, flexible fitting, hood ventilation; add plastic window face shield for severe exposure
Hot solids	Clear or tinted goggles or spectacles with side shields
Molten materials	Clear or tinted goggles and plastic or mesh window face shield



REGULATION

LACEY TOWNSHIP BOARD OF EDUCATION

PROPERTY
R 7432/Page 2 of 4
EYE PROTECTION PRACTICES (M)

Heat treatment or tempering	Clear or tinted goggles or clear or tinted spectacles with side shields
Glare operations	Tinted goggles; tinted spectacles with side shields or welding goggles, eye cup or coverage type with tinted lenses or plate lens
Shaping solid materials	Clear goggles, flexible or rigid body; clear spectacles with side shields; add plastic window face shield for severe exposure
Laser device operation or experimentation	Appropriate for specific hazard
Repair or servicing of vehicles	Clear goggles, flexible or rigid body; clear spectacles with side shields
Other potentially hazardous processes or activities	Appropriate for specific hazard

-
2. The supplier of any eye protective device to this district shall certify in writing that the device meets or exceeds ANSI standards. All spectacle type eye protective devices shall have side shields of the eye cup, semi-, or flat-fold type.
3. Staff members shall regularly and frequently inspect the eye protective devices used in their classes and shall report to the Principal devices that are defective or poorly fitting. All eye protective devices shall be identified with the name(s) of the user(s) and shall be properly stored when not in use.
4. An eye protective device that is shared shall be disinfected between uses by a method prescribed by the local school medical inspector.



REGULATION

LACEY TOWNSHIP BOARD OF EDUCATION

PROPERTY
R 7432/Page 3 of 4
EYE PROTECTION PRACTICES (M)

5. The use of contact lenses shall be restricted in learning environments which entail exposure to chemical fumes, vapors or splashes, intense heat, molten metals, or highly particulate atmospheres. Staff members in these learning environments shall identify the pupils in his/her class who wear contact lenses. A list of such pupils shall be kept by the staff member in order that appropriate emergency eye care may be given; the list shall be destroyed at the end of the course of study.

When permitted, contact lenses may be worn only in conjunction with appropriate eye protective devices. The contact lens wearer shall be identified for appropriate emergency eye care in hazardous learning environments.

6. A pupil who wears prescription glasses shall be provided with an appropriate eye protective device that fits over his/her glasses. A pupil or staff member may wear his/her personal corrective eye wear in the course of an activity hazardous to the eyes provided that the eye wear has been certified in writing by a licensed optician to meet or exceed ANSI standards as defined in N.J.A.C. 6:29-1.7(b)1 and 2 for the appropriate eye protective device required.
7. The responsible staff member will provide each visitor to an area in which an activity hazardous to eyes is conducted with an appropriate eye protective device.

B. Eye Wash Fountains

1. Eye wash fountains or similar devices, capable of a minimum of fifteen minutes of continuous flow of eye wash solution shall be provided in accordance with Policy No. 7432 and the standards of the State Department of Education and N.J.A.C. 6:29-1.7(d).
2. Eye wash fountains shall be routinely checked by the responsible staff member and any fountain that does not operate properly shall be promptly reported to the Principal.

C. Enforcement

1. Staff members shall not permit pupils to engage in an activity potentially hazardous to the eyes without appropriate eye protection and shall dismiss



REGULATION

LACEY TOWNSHIP BOARD OF EDUCATION

PROPERTY
R 7432/Page 4 of 4
EYE PROTECTION PRACTICES (M)

from the class period a pupil who refuses or persistently neglects to wear eye protection or to observe established eye protection practices. Any such dismissed pupil shall be reported absent for the class.

2. Staff members shall report to the Building Principal a visitor who refuses or persistently neglects to wear eye protection or observe established eye protection practices.
3. The Principal shall annually inspect the school premises for the existence of conditions potentially hazardous to the eyes, for the placement of signs requiring appropriate eye protective devices, and for an adequate supply of appropriate eye protective devices in satisfactory condition. Conditions potentially hazardous to the eyes include, in addition to the activities listed in paragraph A1 above, the likelihood of flying objects and spilled liquids and the presence of protruding and sharp objects.

D. Training and Supplies

The school district shall provide annual training and appropriate supplies and equipment to all school personnel responsible for implementing the eye safety policies and program. The training shall include all aspects of eye protection as defined in this regulation.

Issued: 21 November 2005
Revised: January 20, 2022

