

Amended by R.2013 d.145, effective December 16, 2013.
See: 45 N.J.R. 1026(a), 45 N.J.R. 2557(a).

Substituted "one- or two-year" for "any two-year or one-year", and inserted "shall".

6A:26-10.11 Public hearing for facility leases in excess of five years

(a) A district board of education shall conduct a minimum of one public hearing prior to adoption of a resolution endorsing a facility lease in excess of five years. All provisions of the Open Public Meetings Act, N.J.S.A. 10:4-6 through 21, shall be followed for the public hearing. In addition, notice of the public hearing shall be published not less than seven days prior to the date fixed for each public hearing in at least one newspaper published in the school district, or circulating in the school district if no newspaper is published therein. The notice shall fix a date, place, and time for holding the public hearing and shall include a description of the proposed facilities to be leased, the estimated cost, and the proposed method of funding the lease.

(b) The public hearing shall provide taxpayers and other interested persons an opportunity to present to the district board of education questions or other commentary with respect to the proposed lease, the estimated cost, and the proposed funding method.

(c) After the public hearing, a district board of education shall adopt by affirmative vote of at least two-thirds of its full membership a resolution that includes the following provisions:

1. Approval of the lease concept;
2. Approval of the projected maximum funding level;
3. An assurance that annual lease payments and any operating expenses related to the lease agreement can be included within the school district's net budget spending growth limitations and will not result in the need for approval by the voters, board of school estimate, or capital project review board as appropriate, of additional spending proposals to maintain existing instructional programs or extracurricular activities; and
4. Authorization for the district board of education to request approval of an amendment of the LRFP to reflect the leased facility and request any other approvals needed to enter into the lease.

(d) In the case of an SDA district, the district board of education shall provide the Department with a copy of the proposed lease and a copy of detailed board minutes for the public hearing resolution and vote on the approval of the lease concept.

New Rule, R.2004 d.214, effective June 7, 2004.

See: 36 N.J.R. 243(a), 36 N.J.R. 2733(a).

Amended by R.2007 d.81, effective March 19, 2007.

See: 38 N.J.R. 4533(a), 39 N.J.R. 899(a).

In (a) and (d), inserted "school" preceding "district" throughout; and in (c)3, inserted "school" preceding "district's".

Amended by R.2013 d.145, effective December 16, 2013.

See: 45 N.J.R. 1026(a), 45 N.J.R. 2557(a).

Section was "Public hearing for leases of facilities in excess of five years". Rewrote (a) through the introductory paragraph of (c); in (c)4, substituted "LRFP" for "long-range facilities plan"; and in (d), substituted "SDA" for "Abbott school".

SUBCHAPTER 11. COUNTY VOCATIONAL SCHOOL DISTRICT FACILITIES REHABILITATION FUND

6A:26-11.1 County vocational school district facilities rehabilitation fund

Subject to appropriation and availability of funds, a county vocational school district may apply to the Commissioner for a maximum grant of \$500,000 to be matched dollar for dollar by the school district to fund health and safety school facilities rehabilitation projects. The grant and matching funds shall be maintained by the school district in a special revenue fund as certified by the district board of education and its chief financial officer and shall be subject to annual audit. A project funded through the grant fund shall not require the Commissioner's approval pursuant to N.J.S.A. 18A:7G-5 but shall meet all other requirements of EFCFA and this chapter pertaining to school facilities projects.

Amended by R.2001 d.367, effective October 1, 2001.

See: 33 N.J.R. 1809(a), 33 N.J.R. 3482(a).

Deleted designation and deleted "school" following "vocational".

Amended by R.2007 d.81, effective March 19, 2007.

See: 38 N.J.R. 4533(a), 39 N.J.R. 899(a).

Section was "County vocational district facilities rehabilitation fund". Inserted "school" preceding "district" throughout.

Amended by R.2013 d.145, effective December 16, 2013.

See: 45 N.J.R. 1026(a), 45 N.J.R. 2557(a).

Rewrote the section.

6A:26-11.2 Application for funds

(a) Any county vocational school district seeking a grant from the County Vocational School District Facilities Rehabilitation Fund shall apply to the Commissioner on a Commissioner-provided form. The application shall, at a minimum, contain the following information:

1. A description of the school facilities project to be undertaken with the funds;
2. A schematic drawing of the project or, at the option of the school district, preliminary plans and specifications for the project to be funded;
3. A delineation and description of each of the functional components of the project to be funded;
4. The estimated cost to complete the project as determined by the school district on a form prescribed by the Commissioner; and
5. Any additional information the Commissioner deems relevant for the project's review.

(b) The Division shall review an application for funds. If the project conforms with the requirements of EFCFA and regulations for approval of school facilities projects, the Division shall notify the county vocational school district of the amount of any grant within 90 days of receiving a grant application.

(c) Any county vocational school district that receives grant funding pursuant to N.J.S.A. 18A:7G-32 and N.J.A.C. 6A:26-11.1 shall not be eligible to receive State support pursuant to any other provision of EFCFA for a period of five years from the school district's receipt of the grant, except that the school district may receive debt service aid pursuant to N.J.S.A. 18A:7G-10; and any county vocational school district that receives aid under any provision of EFCFA other than N.J.S.A. 18A:7G-10 shall not receive a grant pursuant to this subsection for five years after approval of a project that is otherwise funded under EFCFA.

Amended by R.2001 d.367, effective October 1, 2001.
See: 33 N.J.R. 1809(a), 33 N.J.R. 3482(a).

In (a), deleted "school" following "vocational" in the introductory paragraph; in (b), deleted "school" following "vocational" in the first sentence and deleted the second sentence; rewrote (c).

Amended by R.2007 d.81, effective March 19, 2007.

See: 38 N.J.R. 4533(a), 39 N.J.R. 899(a).

Inserted "school" preceding "district" throughout; in the introductory paragraph of (a), inserted "School"; and in (c), inserted "school" preceding "district's".

Amended by R.2013 d.145, effective December 16, 2013.

See: 45 N.J.R. 1026(a), 45 N.J.R. 2557(a).

In the introductory paragraph of (a), substituted "Commissioner-provided form" for "form provided by the Commissioner"; deleted former (a)4 and (a)5; recodified former (a)6 and (a)7 as (a)4 and (a)5; in (a)5, substituted "project's review" for "Commissioner's review of the project"; in (b), substituted ". If" for "and, if", deleted "these" preceding "regulations", and inserted "the Division shall"; and in (c), substituted "that" for "which" following "school district" twice and following "project"; and deleted a comma following "18A:7G-10".

SUBCHAPTER 12. SAFETY REQUIREMENTS FOR SCHOOL FACILITIES

6A:26-12.1 Facilities maintenance requirements

All facilities and structures and parts thereof shall be maintained in a safe, healthy, and energy-efficient condition. All service equipment, means of egress, devices, and safeguards that are required by the UCC in a building or structure, when erected, altered, or repaired, shall be maintained in good working order.

New Rule, R.2001 d.367, effective October 1, 2001.

See: 33 N.J.R. 1809(a), 33 N.J.R. 3482(a).

Amended by R.2004 d.214, effective June 7, 2004.

See: 36 N.J.R. 243(a), 36 N.J.R. 2733(b).

Rewrote the section.

Amended by R.2007 d.81, effective March 19, 2007.

See: 38 N.J.R. 4533(a), 39 N.J.R. 899(a).

In (c)1, inserted "school" preceding "district's"; in (c)2, substituted "School districts" for "Districts"; and in (d), inserted "school" preceding "district".

Amended by R.2013 d.145, effective December 16, 2013.

See: 45 N.J.R. 1026(a), 45 N.J.R. 2557(a).

Deleted designation (a); deleted "; both in existence as of July 18, 2000 and those constructed thereafter pursuant to EFCFA," following "thereof", substituted "; healthy, and energy-efficient" for "and healthy and energy efficient", inserted a comma following "devices", and substituted "that" for "which"; and deleted (b) through (d).

6A:26-12.2 Policies and procedures for school facility operation

(a) District boards of education shall adopt written policies and procedures regarding the following:

1. Safe and sanitary operation and maintenance of school facilities and grounds according to the provisions of this chapter;
2. Supervision of pupil safety in school facilities that shall include:
 - i. Safe storage and use of potentially hazardous materials on school property;
 - ii. Compliance with community right-to-know requirements;
 - iii. Prevention of accidents, panic, and fire; and
 - iv. Provision and maintenance of suitable and safe equipment;
3. Organization of school safety patrols pursuant to N.J.S.A. 18A:42-1, if the decision is made to organize safety patrols; and
4. Prohibition of smoking in public school buildings pursuant to P.L. 1989, c.96.

Amended by R.2001 d.367, effective October 1, 2001.

See: 33 N.J.R. 1809(a), 33 N.J.R. 3482(a).

Rewrote the section.

Amended by R.2013 d.145, effective December 16, 2013.

See: 45 N.J.R. 1026(a), 45 N.J.R. 2557(a).

In (a)1, substituted "of" for "established in", and deleted "and the regulations to be adopted by the Commissioner pursuant to N.J.S.A. 18A:7G- 9(b)(3)" following "chapter"; and in the introductory paragraph of (a)2, substituted "that" for "in the school district which".

6A:26-12.3 Health facilities, equipment, and supplies

District boards of education shall provide the necessary facilities, equipment, and supplies for the performance of the duties required under State law and rules by health services personnel.

Amended by R.2013 d.145, effective December 16, 2013.

See: 45 N.J.R. 1026(a), 45 N.J.R. 2557(a).

Section was "Health facilities, equipment and supplies". Inserted a comma following "equipment", deleted a comma following "required", substituted "rules" for "rule," and deleted "the" preceding "health".

6A:26-12.4 Safe drinking water

(a) District boards of education shall assure the availability of potable drinking water through sanitary means in school facilities or upon school grounds in accordance with the Safe Drinking Water Act, N.J.S.A. 58:12A-1 et seq., the rules promulgated pursuant thereto, N.J.A.C. 7:10 and 6A:26-6, Planning and Construction Standards for School Facilities.