

ASSEMBLY, No. 1072

STATE OF NEW JERSEY 213th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2008 SESSION

Sponsored by:

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District 38 (Bergen)

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SYNOPSIS

Requires prompt parental notification of contaminated soil found on school property.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel



(Sponsorship Updated As Of: 12/1/2009)

1 AN ACT concerning soil contamination on school property, and
2 supplementing Title 13 of the Revised Statutes.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6

7 1. As used in this act:

8 "Charter school" means a school established pursuant to
9 P.L.1995, c.426 (C.18A:36A-1 et seq.).

10 "Pesticide" means any substance or mixture of substances
11 labeled, designed, intended for or capable of use in preventing,
12 destroying, repelling, sterilizing or mitigating any insects, rodents,
13 nematodes, predatory animals, fungi, weeds and other forms of
14 plant or animal life or viruses, except viruses on or in living man or
15 other animals. "Pesticide" shall also include any substance or
16 mixture of substances labeled, designed or intended for use as a
17 defoliant, desiccant or plant regulator.

18 "School" means any public or private school as defined in
19 N.J.S.18A:1-1.

20 "School property" means any area inside and outside of the
21 school buildings controlled, managed, or owned by the school or
22 school district.

23 "Staff member" means an employee of a school or school
24 district, including administrators, teachers, and other persons
25 regularly employed by a school or school district.

26

27 2. a. Within 10 days after the discovery of soil contamination
28 caused by pesticides on school property, the local school board, the
29 board of trustees of a charter school, or the principal or chief
30 administrator of a private school, as appropriate, shall provide to
31 each parent or guardian of a student enrolled at the school, and staff
32 member of the school, notice of the soil contamination that
33 includes: (1) a description of the problem and the factors that
34 qualified the problem as an emergency that threatened the health or
35 safety of a student or staff member; and (2) a description of the
36 steps that will be taken to remediate the soil contamination.

37 b. The local school board, the board of trustees of a charter
38 school, or the principal or chief administrator of a private school, as
39 appropriate, may provide the notice required by subsection a. of this
40 section by: (1) written notice sent home with the student and
41 provided to the staff member; (2) a telephone call; (3) direct
42 contact; or (4) electronic mail.

43

44 3. This act shall take effect immediately.

1 STATEMENT

2

3 This bill requires prompt parental notification of contaminated
4 soil found on school property.

5 Specifically, within 10 days of the discovery of soil
6 contamination caused by pesticides on school property, the local
7 school board, the board of trustees of a charter school, or the
8 principal or chief administrator of a private school, as appropriate,
9 must provide to each parent or guardian of a student enrolled at the
10 school, and staff member of the school, notice of the soil
11 contamination that includes: (1) a description of the problem and
12 the factors that qualified the problem as an emergency that
13 threatened the health or safety of a student or staff member; and (2)
14 a description of the steps that will be taken to remediate the soil
15 contamination.

16 The notice may be provided by: (1) written notice sent home
17 with the student and provided to the staff member; (2) a telephone
18 call; (3) direct contact; or (4) electronic mail.