GREEN SCHOOL OPERATIONS

The Board of Trustees believes everyone has a responsibility to be a steward of the environment and desires to integrate environmental accountability into all district programs and operations. The Superintendent or designee shall develop strategies to promote district use of "green" school principles and practices in order to conserve natural resources, reduce the impact of district operations on the environment, and protect the health of students, staff, and the community.

In developing such strategies and assessing the environmental conditions in district facilities and operations, the Superintendent or designee shall involve staff at all levels and with varying job responsibilities, including administrators, certificated staff, and classified staff. As appropriate, the Superintendent or designee may also consult with health professionals; representatives of local governmental agencies, utilities, solid waste and recycling companies, and community organizations; and/or others with expertise.

In selecting and prioritizing strategies, the Superintendent or designee shall give consideration to long-term potential cost savings, initial costs, feasibility of implementation, quality and performance of the product or service, health impacts, environmental considerations, and potential educational value.

District strategies may include, but are not limited to:

1. Reducing energy and water consumption, and using renewable and clean energy technologies and alternatives when available

2. Establishing recycling programs in district facilities

3. Reducing the consumption of disposable materials by reusing materials and by using electronic rather than paper communications when feasible

4. Using environmentally preferable products and services whenever practical, including, but not limited to, products that:
   a. Minimize environmental impacts, toxins, pollutants, odors, and hazards

(cf. 1220 - Citizen Advisory Committees)
(cf. 1400 - Relations Between Other Governmental Agencies and the Schools)
(cf. 7131 - Relations with Local Agencies)
GREEN SCHOOL OPERATIONS (continued)

b. Contain postconsumer recycled content

c. Are durable and long-lasting

d. Conserve energy and water

e. Reduce waste

(cf. 3514 - Environmental Safety)
(cf. 3514.1 - Hazardous Substances)
(cf. 5141.23 - Asthma Management)

5. Using least toxic, independently certified green cleaning products when feasible, as well as high-efficiency cleaning equipment that reduces the need to use chemicals

6. Providing professional development to maintenance staff in the proper use, storage, and disposal of cleaning supplies

(cf. 4231 - Staff Development)

7. Using effective, least toxic pest management practices for the control and management of pests

(cf. 3514.2 - Integrated Pest Management)

8. Ensuring that any construction of new facilities complies with green building standards pursuant to 24 CCR 101.1-703.1, and focusing on sustainability and student health in the design and implementation of facilities modernization projects

(cf. 7110 - Facilities Master Plan)
(cf. 7111 - Evaluating Existing Buildings)
(cf. 7150 - Site Selection and Development)

9. Reducing vehicle emissions by:

a. Encouraging students to walk or bicycle to school or to use district or public transportation

(cf. 5142.2 - Safe Routes to School Program)

b. Using reduced or zero emission school buses and vehicles and providing accompanying infrastructure such as charging stations

(cf. 3540 - Transportation)
GREEN SCHOOL OPERATIONS (continued)

c. Limiting unnecessary idling of school buses in accordance with 13 CCR 2480

d. Limiting unnecessary idling of personal vehicles by encouraging parents/guardians, through signage or other means of communication, to turn off their vehicles when parked on and around school grounds

10. Implementing green school practices in the district's food service programs by:

a. Providing fresh, locally sourced, unprocessed, organic food, including plant-based options, when available

b. Reducing food packaging and using packaging that is recyclable and/or biodegradable

c. Utilizing reusable products

d. Encouraging zero-waste lunches when food is brought from home

e. Maintaining a system for food waste, such as composting

f. Providing sharing tables where unused cafeteria food items may, in accordance with Health and Safety Code 114079, be returned for student use or donated to a food bank or other nonprofit charitable organization

(cf. 3550 - Food Service/Child Nutrition Program)
(cf. 3551 - Food Service Operations/Cafeteria Fund)

11. Integrating green school practices and activities into the educational program by providing instruction to students on the importance of the environment, involving students in the implementation and evaluation of green school activities and projects as appropriate, and utilizing green school activities and projects as learning tools

(cf. 6142.5 - Environmental Education)

Legal Reference: (see next page)
GREEN SCHOOL OPERATIONS  (continued)

Legal Reference:

EDUCATION CODE
8700-8707 Environmental education
17070.96 Leroy F. Greene School Facilities Act of 1996, consideration of high performance standards
17072.35 New construction grants; use for designs and materials for high performance schools
17608-17614 Healthy Schools Act of 2000
32370-32376 Recycling paper
33541 Environmental education
101012 Kindergarten through 12th grade school facilities program

FOOD AND AGRICULTURAL CODE
13180-13188 Healthy Schools Act of 2000

HEALTH AND SAFETY CODE
114079 General food safety requirements; unused or returned food

PUBLIC CONTRACT CODE
12400-12404 Environmentally preferable purchasing

PUBLIC RESOURCES CODE
25410-25422 Energy conservation assistance
40050-40063 Integrated waste management act
42630-42647 Schoolsite source reduction and recycling assistance program

CODE OF REGULATIONS, TITLE 2
1859.70.4 Funding for high performance incentive grants
1859.71.6 Additional grant for high performance incentive, new construction
1859.77.4 Additional grants for high performance incentive, site and modernization

CODE OF REGULATIONS, TITLE 5
14010 Standards for school site selection

CODE OF REGULATIONS, TITLE 13
2480 Limitation to school bus idling and idling at schools

CODE OF REGULATIONS, TITLE 24
101.1-703.1 Green building standards

Management Resources:

CALIFORNIA AIR RESOURCES BOARD PUBLICATIONS
School Bus Fleet Webinar, April 20, 2018

COLLABORATIVE FOR HIGH PERFORMING SCHOOLS PUBLICATIONS
CHPS Best Practices Manual

GLOBAL GREEN USA PUBLICATIONS
Healthier, Wealthier, Wiser: A Report on National Green Schools

GREEN SCHOOLS INITIATIVE PUBLICATIONS
Green Schools Buying Guide

HEALTHY SCHOOLS CAMPAIGN PUBLICATIONS
The Quick and Easy Guide to Green Cleaning in Schools, 2nd ed., 2008

Management Resources continued: (see next page)
GREEN SCHOOL OPERATIONS  (continued)

Management Resources: (continued)

WEB SITES
CSBA:  http://www.csba.org
California Air Resources Board:  http://www.arb.ca.gov
California Department of General Services, Green California:  http://www.green.ca.gov
California Energy Commission:  http://www.energy.ca.gov
Collaborative for High Performance Schools:  http://www.chps.net
Global Green USA:  http://www.globalgreen.org
Green Schools Initiative:  http://www.greenschools.net
Healthy Schools Campaign:  http://www.healthyschoolscampaign.org/programs/gcs
U.S. Environmental Protection Agency:  http://www.epa.gov
The Board of Trustees recognizes the environmental and financial benefits that can be derived from conserving energy, water, and other natural resources, preparing for extreme weather and other natural events, and providing an environment that promotes the health and well-being of students and staff. To support district goals for energy and water management, the Superintendent or designee shall develop a resource management program which may include strategies for implementing effective and sustainable resource use practices, exploring the use of renewable and clean energy technology and/or sources, reducing energy and water consumption, and promoting conservation principles in the educational program.

The Superintendent or designee may solicit input from staff, students, and parents/guardians regarding the district's resource management program. The Superintendent or designee shall provide staff and students with training and guidance on best practices to achieve the district's goals, and may establish a reward program to recognize outstanding accomplishments.

The Superintendent or designee shall regularly inspect district facilities, monitor operations, and make recommendations for maintenance and repairs which may help the district reach its conservation and management goals and improve efficiency.

The Superintendent or designee shall make every effort to identify funding opportunities and cost-reducing incentive programs to help the district achieve its conservation and management goals. The district may coordinate with other local or regional entities to capitalize on their expertise and maximize the efficient use of resources, such as through joint or shared use agreements.

The Superintendent or designee shall regularly report to the Board on the district's progress in meeting its conservation and resource management goals.
ENERGY AND WATER MANAGEMENT (continued)

Storm Water Management

To the maximum extent practicable, the district shall reduce the discharge of pollutants into the water system in order to minimize the threat to water quality from storm water runoff.

The Superintendent or designee shall ensure that the district complies with storm water discharge standards specified by any applicable General Permit coverage required by law, including all requirements of the Construction General Permit issued by the State Water Resources Control Board for any project that disturbs one acre or more of soil. (40 CFR 122.34).

(cf. 3514 - Environmental Safety)
(cf. 3514.1 - Hazardous Substances)
(cf. 3514.2 - Integrated Pest Management)

The Superintendent or designee shall develop a storm water management plan that complies with the provisions of the applicable permit and describes best management practices, design strategies, measurable goals, and timetables for implementation. The plan and a resolution authorizing its implementation shall be submitted to the Board for approval. (40 CFR 122.34)

For all projects, the district shall comply with any city or county ordinance that regulates drainage improvements and conditions. (Government Code 53097)

Emergency Interruption of Services

The Superintendent or designee shall develop a plan to minimize disruption to the educational program in the event of power outages or other emergency interruption of utility services. The plan shall include actions to be taken to facilitate student and staff safety, administrative control of operations, protection of equipment, effective communications, and coordination with local fire, police, and emergency personnel and utility service providers.

(cf. 0450 - Comprehensive Safety Plan)
(cf. 3516 - Emergencies and Disaster Preparedness Plan)
(cf. 3516.5 - Emergency Schedules)

Legal Reference: (see next page)
ENERGY AND WATER MANAGEMENT  (continued)

Legal Reference:

EDUCATION CODE
17213.1  School sites
17280  Construction of school buildings
35275  Coordination of new facilities with recreation and park authorities
41422  School term or session length, failure to comply due to disaster
46392  Emergency conditions; ADA estimate

GOVERNMENT CODE
53097 Local agencies

PUBLIC RESOURCES CODE
25410-25421  Energy conservation assistance

WATER CODE
189.3  Recommendations for best design and use practices
13383  Compliance with the federal Water Pollution Control Act
13383.5  Storm water discharge monitoring requirements

CODE OF REGULATIONS, TITLE 23
490-495  Model Water Efficient Landscape Ordinance
2200  Discharge permit fees

UNITED STATES CODE, TITLE 33
1342  National pollutant discharge elimination system

CODE OF FEDERAL REGULATIONS, TITLE 40
122.1-122.64  National pollutant discharge elimination system

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Guidance for Stormwater and Dry Weather Runoff CAPTURE (California Practices to Use Runoff Effectively) at Schools, December 2018
A Blueprint for Environmental Literacy: Educating Every Student In, About, and For the Environment, 2015
Average Daily Attendance Credit During Periods of Emergency, Management Advisory 90-01, rev. February 10, 2005

CALIFORNIA STATE WATER RESOURCES CONTROL BOARD PUBLICATIONS


U.S. ENVIRONMENTAL PROTECTION AGENCY PUBLICATIONS

National Management Measures to Control Nonpoint Source Pollution from Urban Areas, 2005

WEB SITES

CSBA: http://www.csba.org
Alliance to Save Energy:  http://www.ase.org
California Department of Education, Facilities: http://www.cde.ca.gov/fsf
California Department of Water Resources: https://water.ca.gov
California Division of State Architect: https://www.dgs.ca.gov/DSA
California Energy Commission: http://www.energy.ca.gov
California State Water Resources Control Board: http://www.swrcb.ca.gov
California Stormwater Quality Association: https://www.casqa.org/resources
Collaborative for High Performance Schools (CHPS): https://chps.net
Green School Yards America: http://www.greenschoolyards.org
U.S. Environmental Protection Agency: http://www.epa.gov

Policy adopted: PALMDALE SCHOOL DISTRICT
             Palmdale, California
In the development of the district's energy and water resource management program, the Superintendent or designee shall analyze the efficiency and environmental impact of, and consider strategies for improving, the following district systems:

1. Lighting
2. Heating, ventilation, and air conditioning
3. Water heaters
4. Electrical equipment and appliances
5. Water use and irrigation, including drains, faucets, and pipes
6. Grounds management

(cf. 7111 - Evaluating Existing Buildings)

In addition, the district's resource management program may include strategies to address the following:

1. Educational programs that focus on environmental literacy and incorporate the Next Generation Science Standards

(cf. 6142.5 - Environmental Education)
(cf. 6142.93 - Science Instruction)

2. Outdoor student facilities that are environmentally sustainable and include increased shaded areas to reduce playground temperatures

(cf. 5141.7 - Sun Safety)

3. Classroom and building management and maintenance
4. Food services and food waste reduction

(cf. 3551 - Food Service Operations/Cafeteria Fund)

5. Landscaping practices, including establishing drought-tolerant habitats
6. Transportation services and maintenance

(cf. 3540 - Transportation)
ENERGY AND WATER MANAGEMENT

7. Inclusion of best practices for water management in new construction projects
   (cf. 7110 - Facilities Master Plan)

8. Administrative operations that focus on cost reduction and conservation
   (cf. 3400 - Management of District Assets/Accounts)

9. Regular equipment maintenance and repair
   (cf. 3512 - Equipment)

Storm Water Management

The Superintendent or designee shall implement a storm water management plan that complies with applicable state and federal law and local ordinances. The plan shall include best practices designed to reduce waste, pollution, environmental degradation, and damage to school facilities and infrastructure by:

1. Incorporating water capture and filtration systems for storm water when necessary
2. Emphasizing school practices and school design that reduce runoff and human pollutants, such as plastics, oils, grease, metals, and pesticides
3. Preserving, creating, and enhancing natural areas and greenspace that aid in storm water and dry weather capture
4. Minimizing impervious surface area and controlling runoff from impervious surfaces
5. Utilizing, when possible, soils that promote infiltration
6. Incorporating storm water design signage features and learning opportunities for public education

Emergency Interruption of Services

The Superintendent or designee shall consult with local law enforcement, emergency personnel, and the county office of emergency services in the development of strategies to be implemented in the event of power outages or other emergency interruptions of utility services. The strategies shall prescribe a means of notifying appropriate agencies to ensure all utilities are properly restored after interruption.

(cf. 3516 - Emergencies and Disaster Preparedness Plan)
ENERGY AND WATER MANAGEMENT (continued)

The Superintendent or designee shall reopen schools and return to normal instructional activities as soon as safe operations can be resumed. If any school will be closed for an extended period of time, the district shall make alternative arrangements for students and staff so as not to interrupt the educational program.

The Superintendent or designee shall communicate with staff, students, and parents/guardians regarding any interruption of educational services due to utility service outages, including any necessary alternative arrangements and the date or time that normal operations of the school are expected to resume.

(cf. 1100 - Communication with the Public)
(cf. 3516.5 - Emergency Schedules)
INTEGRATED WASTE MANAGEMENT

The Board of Trustees believes that the conservation of natural resources and the protection of the environment are connected to the district's educational mission and are essential to the health and well-being of the community. The Superintendent or designee shall develop and/or implement a cost-effective, integrated waste management program that incorporates the principles of green school operations.

(cf. 0100 - Philosophy)
(cf. 3510 - Green School Operations)
(cf. 3511 - Energy and Water Management)
(cf. 3514 - Environmental Safety)
(cf. 3514.2 - Integrated Pest Management)

The district's program shall include strategies designed to help the district reduce solid and hazardous waste generation, improve efficiency in its use of natural resources, and minimize the impact of such use on the environment. The program shall address all areas of the district's operations, including, but not limited to, procurement, resource utilization, and facilities management practices.

(cf. 3300 - Expenditures and Purchases)
(cf. 3517 - Facilities Inspection)

The Superintendent or designee may collaborate with city, county, state agencies and other public or private agencies in developing and implementing the district's integrated waste management program.

(cf. 1400 - Relations Between Other Governmental Agencies and the Schools)
(cf. 7131 - Relations with Local Agencies)

The Superintendent or designee shall make every effort to identify funding opportunities for the district's integrated waste management program including applying for available grants or other cost-reduction incentives.

To the extent that funding permits, the Superintendent or designee shall provide appropriate educational and training opportunities to students and staff regarding the benefits and methods of conserving natural resources and protecting the environment.

(cf. 4131 - Staff Development)
(cf. 4231 - Staff Development)
(cf. 4331 - Staff Development)
(cf. 6142.5 - Environmental Education)
(cf. 6142.93 - Science Instruction)

The Superintendent or designee shall regularly monitor all aspects of the district's integrated waste management program and shall provide an update to the Board on its effectiveness as necessary.

Legal Reference: (see next page)
INTEGRATED WASTE MANAGEMENT (continued)

Legal Reference:

EDUCATION CODE
8700-8707  Environmental education
17070.96  Leroy F. Greene School Facilities Act of 1996, consideration of high performance standards
17072.35  New construction grants; use for designs and materials for high performance schools
32370-32376  Recycling paper
33541  Environmental education

PUBLIC RESOURCES CODE
25410-25421  Energy conservation assistance
40050-40063  Waste management; integrated waste management
41780  Waste diversion
42620-42622  Source reduction and recycling programs
42630-42647  School site source reduction and recycling
42649-42649.7  Recycling of commercial solid waste

CODE OF REGULATIONS, TITLE 14
17225.12  Commercial solid waste

Management Resources:

WEB SITES
CSBA:  http://www.csba.org
California Department of Resources Recycling and Recovery:  http://www.calrecycle.ca.gov/ReduceWaste/Schools
California Division of State Architect:  http://www.dgs.ca.gov/dsa
California Energy Commission:  http://www.energy.ca.gov
California Environmental Protection Agency:  http://www.calepa.ca.gov
U.S. Environmental Protection Agency:  http://www.epa.gov
INTEGRATED WASTE MANAGEMENT

For all applicable areas of district operations, the Superintendent or designee shall design an integrated waste management program that minimizes the generation of waste, encourages the recovery and diversion of reusable materials from the waste stream, improves efficiency in the utilization of natural and material resources, and protects the environment. The program shall implement measures and/or practices to:

1. Reduce the consumption of disposable materials, increase the composting of organic materials, and fully utilize all materials prior to disposal
   (cf. 3510 - Green School Operations)

2. Recycle materials such as paper, glass, plastic, and aluminum
   Any school site or district facility which generates more than four cubic yards of commercial solid waste per week shall take at least one of the following actions: (Public Resources Code 42649.2; 14 CCR 17225.12)
   a. Source separate recyclable materials from solid waste and subscribe to a basic level of recycling service that may include collection, self-hauling, or other arrangement for the pickup of the recyclable materials
   b. Subscribe to a recycling service that may include mixed waste processing that yields diversion results comparable to source separation

3. Prefer recycled and other environmentally preferable products when procuring materials for use in district schools and buildings or contracting for the construction or modernization of any district building
   (cf. 3300 - Expenditures and Purchases)
   (cf. 3311 - Bids)
   (cf. 3312 - Contracts)
   (cf. 7110 - Facilities Master Plan)

4. Work with city, county, or other government agencies to locate markets for the district's reusable and recyclable materials
   (cf. 1400 - Relations Between Other Governmental Agencies and the Schools)
   (cf. 7131 - Relations with Local Agencies)

5. Minimize the use of non-biodegradable materials and work with vendors and contractors to use packaging and delivery materials that generate less waste
District equipment shall be used primarily for educational purposes and/or to conduct district business. The Superintendent or designee shall ensure that all employees, students, and other users understand the appropriate use of district equipment and that any misuse may be cause for disciplinary action or loss of user privilege.

School-connected organizations may be granted reasonable use of the equipment for school-related matters as long as it does not interfere with the use by students or employees or otherwise disrupt district operations.

The Superintendent or designee shall approve the transfer of any district equipment from one work site to another and the removal of any district equipment for off-site use. When any equipment is taken off site, the borrower is responsible for its safe return and shall be fully liable for any loss or damage.

Employees transferred to another work site shall take with them only those personal items that have been purchased with their own funds unless otherwise authorized by the Superintendent or designee or applicable Board policy.

The Superintendent or designee shall maintain an inventory of all equipment currently valued in excess of $500. (Education Code 35168; 5 CCR 3946)

When equipment is unusable or is no longer needed, it may be sold, donated, or disposed of in accordance with Education Code 17540-17555 or 2 CFR 200.313, as applicable.
EQUIPMENT (continued)

Equipment Acquired with Federal Funds

The Superintendent or designee shall obtain prior written approval from the California Department of Education or other awarding agency before purchasing equipment with federal funds. (2 CFR 200.48, 200.313, 200.439)

(cf. 3230 - Federal Grant Funds)
(cf. 3300 - Expenditures and Purchases)

All equipment purchased for federal programs funded through the consolidated application pursuant to Education Code 64000-64001 shall be labeled with the name of the project, identification number, and name of the district. (2 CFR 200.313; 5 CCR 3946)

For any equipment acquired in whole or in part with federal funds, the Superintendent or designee shall develop adequate maintenance procedures to keep the property in good condition. He/she shall also develop adequate safeguards to prevent loss, damage, or theft of the property and shall investigate any loss, damage, or theft. (2 CFR 200.313)

(cf. 3530 - Risk Management/Insurance)
(cf. 4156.3/4256.3/4356.3 - Employee Property Reimbursement)

Equipment purchased for use in a federal program shall be used in that program as long as needed, whether or not the program continues to be supported by federal funds. The equipment may be used in other activities currently or previously supported by a federal agency when such use does not interfere with the work on the project or program for which it was originally acquired or when use of the equipment is no longer needed for the original program. (2 CFR 200.313)

Legal Reference: (see next page)
EQUIPMENT  (continued)

Legal Reference:

EDUCATION CODE
17540-17542  Sale or lease of personal property by one district to another
17545-17555  Sale of personal property
17605  Delegation of authority to purchase supplies and equipment
35160  Authority of governing boards
35168  Inventory of equipment
64000-64001  Consolidated application process

CODE OF REGULATIONS, TITLE 5
3946  Control, safeguards, disposal of equipment purchased with state and federal consolidated
application funds
4424  Comparability of services
16023  Class 1 - Permanent records

UNITED STATES CODE, TITLE 20
6321  Fiscal requirements

CODE OF FEDERAL REGULATIONS, TITLE 2
200.0-200.521  Federal uniform grant guidance

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS
California School Accounting Manual
WEB SITES
California Department of Education: http://www.cde.ca.gov
Office of Management and Budget: https://www.whitehouse.gov/omb

Palmdale, California
EQUIPMENT LOAN FORM

I assume the responsibility for the following district equipment:

<table>
<thead>
<tr>
<th>Description</th>
<th>ID Number</th>
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</tbody>
</table>

School-related purpose: (Note: items are not for personal use)

I will return the above equipment to ____________________________ (administrator or designee) no later than ____________________________ (date).

In borrowing the items listed above, I assume responsibility for any loss of or damage to the equipment or materials. If any items are damaged or lost, I will pay the cost of repairs or replacement.

Signed: ____________________________

Date: ____________________________

Approved: ____________________________

Date: ____________________________

Exhibit version: PALMDALE SCHOOL DISTRICT
Palmdale, California
PERSONAL EQUIPMENT

The Board of Trustees recognizes that occasional use of personal equipment within the workplace is appropriate. The following guidelines with regard to that use are established to ensure the safety of staff and students within our schools and offices.

Personal equipment for the purposes of this policy is divided into two categories as shown below:

1. Comfort/Lifestyle, which includes, but is not limited to, the following:
   - Humidifiers, portable heaters, air purifiers, refrigerators, coffee pots, microwaves, toasters, toaster ovens, cooking appliances such as an electric skillet, curling irons and hair dryers

2. Office/Instructional, which includes, but is not limited to, the following:
   - Computers, projectors, printers, personal digital assistants and/or cell phones that would be synced to a computer, electric staplers, electric hole punches, copiers, and fax machines

No personal equipment can be brought into the workplace without the permission of the Superintendent or designee. It shall be expressly understood that personal equipment, if lost, stolen or damaged, is not covered by the district's property or liability insurance and will not be replaced or repaired by the school district.

The district discourages the regular use of Category I Personal Equipment in the workstation or classroom for the following reasons:

1. Cost of use to the district

2. Safety concerns, including
   a. fire hazard if left on or not functioning properly
   b. accessibility to children
   c. improper maintenance
   d. environmental safety
   e. noise exposure
   f. hygiene
   g. placement and space concerns
PERSONAL EQUIPMENT (continued)

3. Disruption to the learning environment
   a. space
   b. noise
   c. health concerns

Category I Personal Equipment may be approved for use under the following conditions:

1. Temporary use for a classroom lesson or special project when approved by the administrator in charge and proper form is submitted.

2. As a part of a reasonable accommodation when medically necessary through proper procedure as defined under reasonable accommodation policy (cf. AR 4032).

When approved for temporary use or as a part of reasonable accommodation, the employee shall be required to provide proof of personal property insurance sufficient to cover the cost of damage or theft of said equipment; and the employee shall be responsible for proper maintenance and repair as necessary.

Category II Personal Equipment may be used regularly in the workplace with the permission of the supervisor. However, no personal equipment may be attached or hooked into the district's wide area or local area networks, servers or other wires or cables without the written permission of the Director of Technology Services. If he or she does provide permission for personal equipment to be attached to the network, district technology or maintenance staff must install or otherwise provide for the connection.
PERSONAL EQUIPMENT

The district disallows the use of Category I Personal Equipment as prescribed in Board policy 3512.1 in the workplace with the following exceptions:

1. Temporary use (30 days or less)
2. Reasonable accommodation

If an employee requests the use of personal equipment as specified above, all of the following shall occur:

Temporary (use for a special project or lesson)

a. They shall submit the prescribed form 10 days in advance of the use
b. The supervisor shall approve the use before the item is brought in
c. The employee shall provide proof of insurance or financial responsibility

The requested item must be in proper working condition as determined by the district and must meet safety and health regulations as prescribed by the district as well as all code requirements including requirements of CAL/OSHA. The employee must operate the item in the manner for which it was intended and observing all safety guidelines.

Violation of this regulation shall result in the item being removed and may result in disciplinary action.

Reasonable Accommodation

If an employee requests the use of a personal appliance as a reasonable accommodation for a verifiable medical condition, the rules and guidelines of AR 4032 shall first be followed.

All of the following shall occur:

1. They shall submit the prescribed form not less than 10 days in advance of the requested start of use for approval (less than 10 days in cases of urgent medical need as ordered by physician.)
2. Employee shall provide written order verifying medical necessity by a licensed medical doctor stating specific type (not specific make or model) of equipment needed.
3. The accommodations committee shall approve use before the item is brought in
4. The employee shall provide proof of insurance or financial responsibility
PERSONAL EQUIPMENT (continued)

The requested item must be in proper working condition as determined by the district and must meet safety and health regulations as prescribed by the district as well as all code requirements including requirements of Cal/OSHA. The employee must operate the item in the manner for which it was intended and observing all safety guidelines.

Violation of this regulation shall result in the item being removed and may result in disciplinary action.

The district may allow the use of Category II Personal Equipment as prescribed in Board policy 3512.1 if approved by the supervisor.

If an employee requests the use of personal equipment as specified above, all of the following shall occur:

1. They shall submit the prescribed form 10 days in advance of the use
2. The supervisor shall approve the use before the item is brought in
3. The employee shall provide proof of insurance or financial responsibility

The requested item must be in proper working condition as determined by the district and must meet safety and health regulations. The employee must operate the item in the manner for which it was intended and observing all safety guidelines.

Under no circumstances may the employee attach any item of technology to the district's wide area network, local area network, servers or other cables or wires without also receiving the written permission of the Director of Technology Services.

If an employee requests to attach an item of technology to the district's wide area network, local area network, servers or other cables or wires, all of the following shall occur:

1. The employee shall first meet with their supervisor to determine whether or not this request is supported.
2. The supervisor shall contact the Director of Technology Services to discuss the request either in person or by telephone as both parties may agree
3. If the Director is in agreement with the request, the Supervisor shall put the request with all specifics into writing to the attention of the Director who shall then approve the memo. If the Director does not agree, his or her decision shall be final.
4. The supervisor shall then issue the appropriate work orders for the district's technology department to assign staff to perform the installation.
PERSONAL EQUIPMENT  (continued)

Removal of the item of technology shall also be accomplished through a work order process to ensure that it is accomplished appropriately.

Violation of this regulation shall result in the item being removed and may result in disciplinary action.
PERSONAL EQUIPMENT

PALMDALE SCHOOL DISTRICT
REQUEST TO USE PERSONAL EQUIPMENT IN THE WORK PLACE

DATE:____________________________

EMPLOYEE NAME: _______________________ TITLE: _______________________

WORK LOCATION: (Specify Site and Room or Office) __________________________

EQUIPMENT REQUESTED:

COMPLETE DESCRIPTION OF PERSONAL EQUIPMENT: __________________________

________________________________________________________________________

MODEL NO. _______________________ SERIAL NO. _______________________

REASON THIS PERSONAL EQUIPMENT IS NEEDED: __________________________

TIME FRAME FOR WHICH YOU ARE REQUESTING USE:

FROM _____________ TO _____________. (May not exceed one fiscal year)

OWNERSHIP/INSURANCE INFORMATION

NAME OF LEGAL OWNER OF PROPERTY: _________________________________

ADDRESS: ______________________________ PHONE: ________________

INSURANCE COMPANY AND AGENT: _________________________________

POLICY NO. ______________ TYPE OF POLICY (i.e. Home, Renter's) __________

PHONE NUMBER OF INSURANCE AGENT: ____________ Deductible $_________
PERSONAL EQUIPMENT  (continued)

EMPLOYEE CERTIFICATION AND ASSUMPTION OF RISK:

I certify that the above equipment is in proper working order and that I have reviewed all safety precautions provided by the manufacturer with regard to its use. I agree to maintain this equipment properly according to manufacturer's instructions and keep it in a safe, clean condition and only use it as intended by the manufacturer. I agree that the equipment will remain in my possession and not be loaned or transferred to others at any time. I agree to follow the board policy and administrative regulation regarding the use of personal equipment in the workplace. I understand that the district may remove the equipment or instruct me to remove the equipment from district premises at any time for any reason. I agree to hold the Palmdale School District, its officers, employees and agents harmless from any and all damage, losses or injuries, regardless of and however caused that may occur as a result of the use or presence of the personal equipment described above.

________________________________________  __________________________
Employee Signature                          Date

________________________________________  __________________________
Supervisor's Signature                       Date

Please provide this form and proof of insurance to your supervisor in order to apply for approval for the use of this equipment.

__  Approved    __  Disapproved    __  Certificate of insurance not provided.
Owner assumes all liability for loss or damage as stated.

________________________________________  __________________________
District Administrator Signature             Date
When a district employee's position requires frequent use of a cell phone, the Superintendent or designee shall provide either a cell phone for the employee's use or an allowance to the employee for the business use of his/her personally owned cell phone, whichever is the most cost-effective. In determining whether an employee's position requires frequent use of a cell phone, the factors to be considered shall include, but not be limited to, whether the job responsibilities require:

1. An ability to communicate frequently but access to a district landline is not readily available
2. An ability to communicate immediately to ensure the safety of district staff and students or the security of district property
3. A level of accessibility which is impossible because of the employee's frequent job-related absence from the worksite

(cf. 3542 - School Bus Drivers)
(cf. 4156.3/4256.3/4356.3 - Employee Property Reimbursement)

When an employee is paid an allowance for the use of his/her personally owned cell phone for district business, the Superintendent or designee shall, from time to time, verify that the employee's cell phone contract is active.

The Superintendent or designee shall develop a system for reviewing employees' use of district-owned cell phones and the reimbursement of costs for employees' business-related use of their personal cell phones. Employees shall be responsible for fees and charges associated with any misuse or overuse not attributable to district business.

If the Superintendent or designee determines that an employee no longer needs a cell phone or other mobile communications device to perform his/her job responsibilities, any fees or charges associated with cancellation of the service contract shall be the responsibility of the district.

Any employee who is not provided an allowance or a district-owned cell phone may be reimbursed for the actual expenses of business-related calls made on his/her personally owned cell phone, in accordance with the district's expense reimbursement procedures.

Legal Reference: (see next page)
CELLULAR PHONE REIMBURSEMENT (continued)

Legal Reference:

EDUCATION CODE
35213 Reimbursement for loss or damage of personal property
44032 Travel expense payment
48901.5 Electronic signaling devices

VEHICLE CODE
23123 Wireless telephones in vehicles
23125 Wireless telephones in school buses

UNITED STATES CODE, TITLE 26
280F Limitation on depreciation for luxury automobiles, etc.

CODE OF FEDERAL REGULATIONS, TITLE 26
1.132-5 Working conditions fringe benefit

Management Resources:

WEB SITES
Internal Revenue Service: http://www.irs.gov
The Board of Trustees recognizes that smoking and other uses of tobacco and nicotine products constitute a serious public health hazard and are inconsistent with district goals to provide a healthy environment for students and staff.

(cf. 3514 - Environmental Safety)
(cf. 4159/4259/4359 - Employee Assistance Programs)
(cf. 5030 - Student Wellness)
(cf. 5131.62 - Tobacco)
(cf. 5141.23 - Asthma Management)
(cf. 6142.8 - Comprehensive Health Education)
(cf. 6143 - Courses of Study)

The Board prohibits smoking and/or the use of tobacco products at any time in district-owned or leased buildings, on district property, and in district vehicles. (Health and Safety Code 104420, 104559)

These prohibitions apply to all employees, students, and visitors at any school-sponsored instructional program, activity, or athletic event held on or off district property. Any written joint use agreement governing community use of district facilities or grounds shall include notice of the district's tobacco-free schools policy and consequences for violations of the policy.

(cf. 1330 - Use of School Facilities)
(cf. 1330.1 - Joint Use Agreements)

*Smoking* means inhaling, exhaling, burning, or carrying of any lighted or heated cigar, cigarette, pipe, tobacco, or plant product intended for inhalation, whether natural or synthetic, in any manner or form, and includes the use of an electronic smoking device that creates aerosol or vapor or of any oral smoking device for the purpose of circumventing the prohibition of smoking. (Business and Professions Code 22950.5; Education Code 48901)

*Tobacco products* include: (Business and Professions Code 22950.5; Education Code 48901)

1. Any product containing, made, or derived from tobacco or nicotine that is intended for human consumption, whether smoked, heated, chewed, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means, including, but not limited to, cigarettes, cigars, little cigars, chewing tobacco, pipe tobacco, or snuff

2. An electronic device that delivers nicotine or other vaporized liquids to the person inhaling from the device, including, but not limited to, an electronic cigarette, cigar, pipe, or hookah

3. Any component, part, or accessory of a tobacco product, whether or not sold separately
TOBACCO-FREE SCHOOLS  (continued)

This policy does not prohibit the use or possession of prescription products and other cessation aids that have been approved by the U.S. Department of Health and Human Services, Food and Drug Administration, such as nicotine patch or gum.

Smoking or use of any tobacco-related product or disposal of any tobacco-related waste is prohibited within 25 feet of any playground, except on a public sidewalk located within 25 feet of the playground. In addition, any form of intimidation, threat, or retaliation against a person for attempting to enforce this policy is prohibited. (Health and Safety Code 104495)

Legal Reference:
EDUCATION CODE
48900 Grounds for suspension/expulsion
48901 Prohibition against tobacco use by students
BUSINESS AND PROFESSIONS CODE
22950.5 Stop Tobacco Access to Kids Enforcement Act; definitions
HEALTH AND SAFETY CODE
39002 Control of air pollution from nonvehicular sources
104350-104495 Tobacco use prevention, especially:
104495 Prohibition of smoking and tobacco waste on playgrounds
104559 Tobacco use prohibition
119405 Unlawful to sell or furnish electronic cigarettes to minors
LABOR CODE
3300 Employer, definition
6304 Safe and healthful workplace
6404.5 Occupational safety and health; use of tobacco products
UNITED STATES CODE, TITLE 20
6083 Nonsmoking policy for children's services
7111-7122 Student Support and Academic Enrichment Grants
CODE OF FEDERAL REGULATIONS, TITLE 21
1140.1-1140.34 Unlawful sale of cigarettes and smokeless tobacco to minors
PUBLIC EMPLOYMENT AND RELATIONS BOARD RULINGS
Eureka Teachers Assn. v. Eureka City School District (1992) PERB Order #955 (16 PERC 23168)
CSEA #506 and Associated Teachers of Metropolitan Riverside v. Riverside Unified School District (1989) PERB Order #750 (13 PERC 20147)

Management Resources:
WEB SITES
California Department of Education, Alcohol, Tobacco and Other Drug Prevention: http://www.cde.ca.gov/ls/he/at
California Department of Public Health, Tobacco Control: http://www.cdph.ca.gov/programs/tobacco
Occupational Safety and Health Standards Board: http://www.dir.ca.gov/OSHSB/oshsb.html
U.S. Environmental Protection Agency: http://www.epa.gov

Policy adopted: July 16, 2018

PALMDALE SCHOOL DISTRICT
Palmdale, California
Business and Noninstructional Operations

AR 3513.3(a)

TOBACCO-FREE SCHOOLS

Notifications

Information about the district's tobacco-free schools policy and enforcement procedures shall be communicated clearly to employees, parents/guardians, students, and the community. (Health and Safety Code 104420)

(cf. 4112.9/4212.9/4312.9 - Employee Notifications)
(cf. 5145.6 - Parental Notifications)

The Superintendent or designee may disseminate this information through annual written notifications, district and school web sites, student and parent handbooks, and/or other appropriate methods of communication.

(cf. 1113 - District and School Web Sites)

The Superintendent or designee shall ensure that signs stating "Tobacco use is prohibited" are prominently displayed at all entrances to school property. (Health and Safety Code 104420, 104559)

Enforcement/Discipline

Any employee or student who violates the district's tobacco-free schools policy shall be asked to refrain from smoking and shall be subject to disciplinary action as appropriate.

(cf. 4118 - Dismissal/Suspension/Disciplinary Action)
(cf. 4218 - Dismissal/Suspension/Disciplinary Action)
(cf. 5144 - Discipline)
(cf. 5144.1 - Suspension and Expulsion/Due Process)

Any other person who violates the district's policy on tobacco-free schools shall be informed of the district's policy and asked to refrain from smoking. If the person fails to comply with this request, the Superintendent or designee may:

1. Direct the person to leave school property
2. Request local law enforcement assistance in removing the person from school premises
3. If the person repeatedly violates the tobacco-free schools policy, prohibit him/her from entering district property for a specified period of time

(cf. 1250 - Visitors/Outsiders)
(cf. 3515.2 - Disruptions)

Regulation approved: July 17, 2018

PALMDALE SCHOOL DISTRICT
Palmdale, California
The Board of Trustees recognizes the need to keep district schools free of drugs and alcohol in order to create a safe and healthy environment conducive to learning and promote student health and well-being. The Board prohibits the possession, use, or sale of drugs and alcohol at any time in district-owned or leased buildings, on district property, and in district vehicles, unless otherwise permitted by law.

(cf. 1325 - Advertising and Promotion)  
(cf. 3513.3 - Tobacco-Free Schools)  
(cf. 4020 - Drug and Alcohol-Free Workplace)  
(cf. 4159/4259/4359 - Employee Assistance Programs)  
(cf. 5030 - Student Wellness)  
(cf. 5131.6 - Alcohol and Other Drugs)  
(cf. 5131.62 - Tobacco)  
(cf. 6142.8 - Comprehensive Health Education)

The following substances are prohibited on all district property:

1. Any substance which may not lawfully be possessed, used, or sold in California
2. Cannabis or cannabis products (Health and Safety Code 11362.3; 21 USC 812, 844)
3. Alcoholic beverages, unless approved by the Superintendent or designee for limited purposes specified in Business and Professions Code 25608

(cf. 1330 - Use of School Facilities)  
(cf. 1330.1 - Joint Use Agreements)

Prescription medication, except for prescribed cannabis, may be administered at school in accordance with law, district policy and regulations, and written statements by the parent/guardian and the student’s authorized health care provider as applicable.

(c.f. 5141.21 - Administering Medications and Monitoring Health Conditions)

Information about the district's drug- and alcohol-free schools policy and the consequences for violations shall be communicated clearly to employees, parents/guardians, students, and the community.

Enforcement/Discipline

The Superintendent or designee shall take appropriate action to eliminate the possession, use, or sale of alcohol and other drugs and related paraphernalia in district facilities, on district property, in district vehicles, or at school-sponsored activities. As appropriate, he/she may direct anyone violating this policy to leave school property and/or refer the matter to law enforcement.
DRUG AND ALCOHOL FREE SCHOOLS  (continued)

(cf. 1250 - Visitors/Outsiders)
(cf. 3515.2 - Disruptions)
(cf. 5145.11 - Questioning and Apprehension by Law Enforcement)
(cf. 5145.12 - Search and Seizure)

Students and employees who violate the terms of this policy may be subject to discipline and/or referred to assistance programs in accordance with law and Board policy.

(cf. 4112.41/4212.41/4312.41 - Employee Drug Testing)
(cf. 4112.42/4212.42/4312.42 - Drug and Alcohol Testing for School Bus Drivers)
(cf. 4117.7/4217.7/4317.7 - Employment Status Reports)
(cf. 4118 - Dismissal/Suspension/Disciplinary Action)
(cf. 4218 - Dismissal/Suspension/Disciplinary Action)
(cf. 5131 - Conduct)
(cf. 5144 - Discipline)
(cf. 5144.1 - Suspension and Expulsion/Due Process)
(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))
(cf. 6145 - Extracurricular and Co-curricular Activities)
(cf. 6145.2 - Athletic Competition)

Legal Reference:  (see next page)
Legal Reference:

EDUCATION CODE
44940  Compulsory leave of absence for certificated persons
44940.5  Procedures when employees are placed on compulsory leave of absence
45123  Employment after conviction of controlled substance offense
45304  Compulsory leave of absence for classified persons
48900  Suspension or expulsion (grounds)
48900.5  Suspension, limitation on imposition; exception
48901  Smoking or use of tobacco prohibited
48901.5  Prohibition of electronic signaling devices
48902  Notification of law enforcement authorities; civil or criminal immunity
48909  Narcotics or other hallucinogenic drugs
48915  Expulsion; particular circumstances

BUSINESS AND PROFESSIONS CODE
25608  Alcohol on school property; use in connection with instruction

GOVERNMENT CODE
8350-8357  Drug-free workplace

HEALTH AND SAFETY CODE
11053-11058  Standards and schedules
11353.6  Juvenile Drug Trafficking and Schoolyard Act
11362.1  Possession and use of cannabis, persons age 21 and over
11362.3  Limitations on possession and use of cannabis
11362.79  Limitations on medical use of cannabis
104559  Tobacco use prohibition

PENAL CODE
13860-13864  Suppression of drug abuse in schools

VEHICLE CODE
13202.5  Drug and alcohol related offenses by person under age of 21, but aged 13 or over;

UNITED STATES CODE, TITLE 20
7101-7122  Student Support and Academic Enrichment Grants

UNITED STATES CODE, TITLE 41
8101-8106  Drug-Free Workplace Act

COURT DECISIONS
ENVIRONMENTAL SAFETY

The Board of Trustees recognizes its obligation to provide a safe and healthy environment at school facilities for students, staff, and community members. The Superintendent or designee shall regularly assess school facilities to identify environmental health risks and shall develop strategies to prevent and/or mitigate environmental hazards. He/she shall consider the proven effectiveness of various options, anticipated short-term and long-term costs and/or savings to the district, and the potential impact on staff and students, including the impact on student achievement and attendance.

Such strategies shall focus on maximizing healthy indoor air quality; monitoring the quality of outdoor air and adjusting outdoor activities as necessary; reducing exposure to vehicle emissions; minimizing exposure to lead and mercury; reducing the risk of unsafe drinking water; inspecting and properly abating asbestos; appropriately storing, using, and disposing of potentially hazardous substances; using effective least toxic pest management practices; reducing the risk of foodborne illness; and addressing any other environmental hazards identified during facilities inspections.

In developing strategies to promote healthy school environments, the Superintendent or designee may consult and collaborate with local environmental protection agencies, health agencies, water boards, and other community organizations.
ENVIRONMENTAL SAFETY  (continued)

The Superintendent or designee shall provide the district's maintenance and facilities staff, bus drivers, food services staff, teachers, and other staff as appropriate with professional development regarding their responsibilities in implementing strategies to improve and maintain environmentally safe and healthy schools.

(cf. 4131 - Staff Development)
(cf. 4231 - Staff Development)
(cf. 4331 - Staff Development)

The Superintendent or designee shall notify the Board, staff, parents/guardians, students, and/or governmental agencies, as appropriate, if an environmental hazard is discovered at a school site. The notification shall provide information about the district's actions to remedy the hazard and may recommend health screening of staff and students.

(cf. 5141.6 - School Health Services)

Legal Reference:  (see next page)
ENVIRONMENTAL SAFETY  (continued)

Legal Reference:

EDUCATION CODE
17002 Definition of "good repair"
17070.75 Facilities inspection
17582 Deferred maintenance fund
17590 Asbestos abatement fund
17608-17614 Healthy Schools Act of 2000, least toxic pest management practices
32080-32081 Carbon monoxide devices
32240-32245 Lead-Safe Schools Protection Act
48980.3 Notification of pesticides
49410-49410.7 Asbestos materials containment or removal

FOOD AND AGRICULTURAL CODE
11401-12408 Pest control operations and agricultural chemicals
13180-13188 Healthy Schools Act of 2000, least toxic pest management practices

GOVERNMENT CODE
3543.2 Scope of representation; right to negotiate safety conditions

HEALTH AND SAFETY CODE
105400-105430 Indoor environmental quality
113700-114437 California Retail Food Code, sanitation and safety requirements
116277 Lead testing of potable water at schools and requirements to remedy

CODE OF REGULATIONS, TITLE 5
14010 Standards for school site selection

CODE OF REGULATIONS, TITLE 8
337-339 Hazardous substances list
340-340.2 Occupational safety and health, rights of employees
1528-1537 Construction safety orders; exposure to hazards
5139-5223 Control of hazardous substances

CODE OF REGULATIONS, TITLE 13
2025 Retrofitting of diesel school buses
2480 Vehicle idling

CODE OF REGULATIONS, TITLE 17
35001-36100 Lead abatement services

CODE OF REGULATIONS, TITLE 22
64670-64679 Lead and copper in drinking water

CODE OF REGULATIONS, TITLE 24
915.1-915.7 California Building Standards Code; carbon monoxide devices

UNITED STATES CODE, TITLE 7
136-136y Use of pesticides

UNITED STATES CODE, TITLE 15
2601-2629 Control of toxic substances
2641-2656 Asbestos Hazard Emergency Response Act

UNITED STATES CODE, TITLE 42
1758 Food safety and inspections

CODE OF FEDERAL REGULATIONS, TITLE 40
141.1-141.723 Drinking water standards
745.61-745.339 Lead-based paint standards
763.80-763.99 Asbestos-containing materials in schools
763.120-763.123 Asbestos worker protections

Management Resources: (see next page)
ENVIRONMENTAL SAFETY (continued)

Management Resources:

CSBA PUBLICATIONS
Indoor Air Quality: Governing Board Actions for Creating Healthy School Environments, Policy Brief, July 2008
Asthma Management in the Schools, Policy Brief, March 2008
Food Safety Requirements, Fact Sheet, October 2007
Sun Safety in Schools, Policy Brief, July 2006
CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS
School Site Selection and Approval Guide, 2000
Indoor Air Quality, A Guide for Educators, 1995
CALIFORNIA DEPARTMENT OF HEALTH SERVICES PUBLICATIONS
Report to the Legislature: Lead Hazards in California’s Public Elementary Schools and Child Care Facilities, April 1998
CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY: AIR RESOURCES BOARD PUBLICATIONS
CALIFORNIA STATE WATER RESOURCES CONTROL BOARD PUBLICATIONS
DIVISION OF THE STATE ARCHITECT PUBLICATIONS
K-12 Occupancy Classification and Load Factors, IRA-26, rev. April 18, 2012
U.S. ENVIRONMENTAL PROTECTION AGENCY PUBLICATIONS
Healthy School Environments Assessment Tool, rev. 2015
Indoor Air Quality Tools for Schools, rev. 2009
Mold Remediation in Schools and Commercial Buildings, September 2008
The ABCs of Asbestos in Schools, rev. August 2003
WEB SITES
CSBA: http://www.csba.org
AirNow: http://www.airnow.gov
American Association of School Administrators: http://www.aasa.org
California Air Resources Board: http://www.arb.ca.gov
California Building Standards: http://www.bsc.ca.gov/codes.aspx
California Department of Education, Health and Safety: http://www.cde.ca.gov/ls/fa/hs
California Department of Pesticide Regulation: http://www.cdpr.ca.gov
California Department of Public Health: http://www.cdph.ca.gov
California State Water Resources Control Board: https://www.waterboards.ca.gov
Centers for Disease Control and Prevention: http://www.cdc.gov
National Center for Environmental Health: http://www.cdc.gov/nceh
Occupational Safety and Health Administration: http://www.osha.gov
U.S. Environmental Protection Agency: http://www.epa.gov

Policy adopted: PALMDALE SCHOOL DISTRICT Palmdale, California
ENVIROMENTAL SAFETY

The Superintendent may designate and train one or more employees to oversee and coordinate the district's environmental safety program(s). The responsibilities of the coordinator(s) shall include, but are not limited to, overseeing assessments of district facilities, recommending strategies for the prevention and mitigation of environmental health risks, ensuring effective implementation of environmental safety strategies, and reporting to the Superintendent regarding the district's progress in addressing environmental safety concerns.

(cf. 3510 - Green School Operations)
(cf. 3511 - Energy and Water Management)
(cf. 3517 - Facilities Inspection)
(cf. 4157/4257/4357 - Employee Safety)
(cf. 5142 - Safety)
(cf. 7111 - Evaluating Existing Buildings)
(cf. 7150 - Site Selection and Development)

Indoor Air Quality

In order to provide proper ventilation, humidity, and temperature in school facilities and to reduce indoor air contaminants, the following strategies shall be implemented:

1. Mechanically driven heating, ventilation, and air conditioning systems shall be operated continuously during working hours except under the circumstances specified in 8 CCR 5142. The systems shall be inspected at least annually and problems corrected within a reasonable time. Where the air supply is filtered, the filters shall be replaced or cleaned regularly to prevent significant reductions in airflow. Documentation of inspections, tests of ventilation rates, and maintenance shall be retained for at least five years. (8 CCR 5142-5143)

(cf. 3580 - District Records)

   Staff shall ensure that airflow is not obstructed by the blocking of ventilators with posters, furniture, books, or other obstacles.

2. School facilities shall be regularly inspected for water damage, spills, leaks in plumbing and roofs, poor drainage, and improper ventilation so as to preclude the buildup of mold and mildew and prevent accidents due to unsafe conditions. Wet building materials and furnishings shall be dried within 48 hours if possible to prevent mold growth. When evidence of mold or mildew is found, maintenance staff shall locate and repair the source of water intrusion and remove or clean moldy materials.

3. Exterior wall and foundation cracks and openings shall be sealed as soon as possible to minimize seepage of radon into buildings from surrounding soils.
ENVIRONMENTAL SAFETY  (continued)

4.  Least toxic pest management practices shall be used to control and manage pests at school sites. (Education Code 17608-17614; Food and Agriculture Code 13182)

(cf. 3514.2 - Integrated Pest Management)

5.  A carbon monoxide detector or alarm shall be installed in all school buildings that contain a fuel-burning appliance, fireplace, or forced-air furnace, unless otherwise exempted by state law or regulations. The device or alarm shall be located in close proximity to the appliance in order to accurately detect and alert school personnel of any leakage of carbon monoxide. (24 CCR 915.1-915.7)

6.  Schedules and practices for routine housekeeping and maintenance shall be designed to effectively reduce levels of dust, dirt, and debris. Plain water, soap and water, or low-emission cleaning products shall be used whenever possible. Aerosols, including air fresheners and other products containing ozone, shall be avoided to the extent possible.

(cf. 5141.23 - Asthma Management)

7.  Painting of school facilities and maintenance or repair activities that require the use of potentially harmful substances shall be limited to those times when school is not in session. Following any such activity, the facility shall be properly ventilated with adequate time allowed prior to reopening for use by any person.

8.  Paints, adhesives, and solvents shall be used and stored in well-ventilated areas. These items shall be purchased in small quantities to avoid storage exposure.

(cf. 3514.1 - Hazardous Substances)

9.  To the extent possible, printing and duplicating equipment that may generate indoor air pollutants, such as methyl alcohol or ammonia, shall be placed in locations that are well ventilated and not frequented by students and staff.

10.  The district's tobacco-free schools policy shall be consistently enforced in order to reduce the health risks caused by second-hand smoke.

(cf. 3513.3 - Tobacco-Free Schools)

11.  Staff and students shall be asked to refrain from bringing common irritants such as furred or feathered animals, stuffed toys that may collect dust mites, scented candles, incense, or air fresheners and from using perfume or cologne, scented lotion or hair spray, nail polish or nail polish remover, or other personal care products that are not fragrance-free in classrooms, school buses, or other enclosed areas or buildings.

(cf. 6163.2 - Animals at School)
ENVIRONMENTAL SAFETY  (continued)

Outdoor Air Quality

The Superintendent or designee may coordinate with the local air resources control board and monitor local health advisories and outdoor air quality alerts to obtain forecasts of ozone levels, particle pollution, ultraviolet radiation levels, and/or temperature and humidity.

Whenever a forecast indicates a significant health risk, the Superintendent or designee shall communicate with each principal so that outdoor activities, especially those requiring prolonged or heavy exertion, may be avoided, limited in duration, or modified as necessary for all persons or for persons who may be particularly susceptible to the health risk involved.

(cf. 3516 - Emergencies and Disaster Preparedness Plan)
(cf. 3516.5 - Emergency Schedules)
(cf. 5141.7 - Sun Safety)
(cf. 6142.7 - Physical Education and Activity)
(cf. 6145 - Extracurricular and Cocurricular Activities)
(cf. 6145.2 - Athletic Competition)

Reduction of Vehicle Emissions

In order to reduce public exposure to toxic air contaminants, school bus drivers and other drivers of commercial motor vehicles shall limit unnecessary idling of vehicles at or near schools in accordance with 13 CCR 2480. The Superintendent or designee may also request parents/guardians to turn off their vehicles when they are idling on school grounds and encourage students to walk and/or bicycle to school.

(cf. 3540 - Transportation)
(cf. 3541.1 - Transportation for School-Related Trips)
(cf. 3542 - School Bus Drivers)
(cf. 5142.2 - Safe Routes to School Program)

Any school bus that is diesel-fueled, dual-fueled, or alternative diesel-fueled and has a gross vehicle weight rating over 14,000 pounds shall be equipped with a particulate filter designed to reduce particulate matter emissions, oxides of nitrogen emissions, and other pollutants. (13 CCR 2025)

Drinking Water Safety

The quality and safety of the district's drinking water sources shall be regularly assessed, and drinking fountains shall be regularly cleaned and maintained, to ensure that drinking water consumed at school does not contain dirt, mold, lead, or other impurities or contaminants that may cause serious health concerns.
ENVIRONMENTAL SAFETY  (continued)

Whenever any contaminants in the drinking water are determined to be a concern, the Superintendent or designee shall take reasonable steps to identify the source and mitigate any potential problem to ensure the availability of safe drinking water. As needed, the Superintendent or designee shall provide alternative sources of drinking water, such as bottled water or on-site water filtration, to ensure that students have access to fresh drinking water at mealtimes and at other times throughout the day.

(cf. 3550 - Food Service/Child Nutrition Program)

Whenever testing of drinking water finds concentrations of lead that exceed federal and state standards, the Superintendent or designee shall notify parents/guardians and take immediate steps to shut down and make inoperable any fountains or faucets where excess lead levels may exist.

Prevention of Lead Exposure

In addition to testing for the presence of lead in drinking water in district schools, the following steps shall be taken to minimize potential exposure to lead in school facilities:

1. School facilities shall be kept as dust-free and clean as possible.

2. Lead-based paint, lead plumbing and solders, or other potential sources of lead contamination shall not be used in the construction of any new school facility or the modernization or renovation of any existing school facility.  (Education Code 32244)

3. Lead exposure hazards shall be evaluated before any renovation or remodeling is begun, and children shall not be allowed in or near buildings in which these activities may create lead dust. Contractors and workers shall comply with state and federal standards related to the handling and disposal of lead debris and the clean-up and containment of dust within the construction area.

4. Lead-based painted surfaces that are in good condition shall be kept intact. If lead-based paint is peeling, flaking, or chalking, contractors or workers shall follow state and federal standards for safe work practices to minimize contamination when removing the paint.

5. Soil with low lead content may be covered with grass, other plantings, concrete, or asphalt. For soil with high lead content, removal and abatement are required.

Any action to abate existing lead hazards shall be taken only by contractors, inspectors, and workers certified by the California Department of Public Health in accordance with 17 CCR 35001-35099.  (Education Code 32243)
ENVIRONMENTAL SAFETY (continued)

The Superintendent or designee shall notify parent/guardians, teachers, and staff members if significant risk factors for lead exposure are found. (Education Code 32243)

Prevention of Mercury Exposure

The Superintendent or designee shall identify any mercury-containing products that are present in district facilities and, to the extent possible, shall replace them with mercury-free alternatives.

Staff shall receive information about proper procedures to follow in the event of a mercury spill. Clean-up instructions, a clearly labeled kit with necessary clean-up supplies, and a list of local resources shall be readily accessible.

In the event of a spill, staff shall evacuate all students from the immediate area of the spill, ensure that any clothing or other items with mercury on them remain in the room, open windows to the outside, and close doors to other parts of the school. Staff who are trained in proper clean-up procedures may carefully clean a small spill. As needed for larger or difficult-to-clean spills, the Superintendent or designee shall use an experienced professional referred by the local health department or environmental agency.

Any products containing mercury shall be properly disposed at an appropriate hazardous waste collection facility.

Asbestos Management

The Superintendent shall designate an employee who shall ensure that the district's responsibilities related to asbestos inspection and abatement are implemented in accordance with federal and state regulations. This employee shall receive adequate training to perform these duties, including, as necessary, training on the health effects of asbestos; detection, identification, and assessment of asbestos-containing building materials; options for controlling asbestos-containing building materials; asbestos management programs; and relevant federal and state regulations. (40 CFR 763.84)

(cf. 4231 - Staff Development)
(cf. 4331 - Staff Development)

The designated employee shall ensure that the district complies with the following requirements:

1. School facilities shall be inspected for asbestos-containing building materials as necessary in accordance with the following:
ENVIRONMENTAL SAFETY (continued)

a. Any school building that is leased, acquired, or otherwise used by the district shall be inspected for asbestos-containing building materials prior to its use as a school building, unless exempted by federal regulations. (40 CFR 763.85, 763.99)

b. At least once every six months, the district shall conduct a periodic surveillance consisting of a visual inspection of each school building that contains or is assumed to contain asbestos-containing building materials. (40 CFR 763.92)

c. At least once every three years, the district shall conduct a re-inspection of all known or assumed asbestos-containing building materials in each school building. (40 CFR 763.85)

2. Based on the results of the inspection, an appropriate response which is sufficient to protect human health and the environment shall be determined from among the options specified in 40 CFR 763.90. The district may select the least burdensome response, taking into consideration local circumstances, including occupancy and use patterns within the school building and economic concerns such as short-term and long-term costs. (40 CFR 763.90)

3. An asbestos management plan for each school site shall be maintained and regularly updated to keep it current with ongoing operations and maintenance, periodic surveillance, inspection, re-inspection, and response action activities. (15 USC 2643; 40 CFR 763.93)

   The asbestos management plan shall be available for inspection in district and school offices during normal business hours. Parent/guardian, teacher, and employee organizations shall be annually informed of the availability of these plans. (40 CFR 763.84, 763.93)

   (cf. 4112.9/4212.9/4312.9 - Employee Notifications)
   (cf. 5145.6 - Parental Notifications)

4. Staff, students, and parents/guardians shall be informed at least once each school year about any inspections, response actions, and post-response actions, including periodic re-inspection and surveillance activities, that are planned or in progress. (40 CFR 763.84)

5. Inspections, re-inspections, periodic surveillance, and response actions, including operations and maintenance, shall be conducted in compliance with state and federal regulations for the protection and safety of workers and all other individuals. (Education Code 49410.5; 40 CFR 763.84, 763.90)
ENVIRONMENTAL SAFETY  (continued)

Asbestos inspection and abatement work, preparation of a management plan, and any maintenance activities that may disturb asbestos-containing building materials, except for emergency repairs or small-scale, short-duration maintenance activities, shall be completed by state-certified asbestos inspectors or contractors. (15 USC 2646; 40 CFR 763.84, 763.85, 763.91)

6. All custodial and maintenance employees shall be properly trained in accordance with applicable federal and/or state regulations. (40 CFR 763.84)

All district maintenance and custodial staff who may work in a building that contains asbestos-containing building materials, regardless of whether they are required to work with such materials, shall receive at least two hours of related asbestos awareness training. New maintenance and custodial staff shall receive such training within 60 days after beginning employment. Any maintenance or custodial staff who conduct activities that will disturb asbestos-containing building materials shall receive 14 hours of additional training. The trainings shall address the topics specified in 40 CFR 763.92. (15 USC 2655; 40 CFR 763.84, 763.92)

7. Short-term workers, such as telephone repair workers, utility workers, or exterminators, who may come in contact with asbestos in a school shall be provided information regarding the locations of known or suspected asbestos-containing building materials. (40 CFR 763.84)

8. Warning labels shall be posted immediately adjacent to any known or suspected asbestos-containing building material located in routine maintenance areas in accordance with 40 CFR 763.95. (40 CFR 763.84)

The district shall maintain, in both the district and school offices and for a period of three years, records pertaining to each preventive measure and response action taken; staff training; periodic surveillances conducted; cleaning, operations, and maintenance activities; and any fiber release episode. (40 CFR 763.94)
HAZARDOUS SUBSTANCES

The Board of Trustees desires to provide a safe school environment that protects students and employees from exposure to any potentially hazardous substances used in the district's educational program and in the maintenance and operation of district facilities and equipment.

(cf. 3514 - Environmental Safety)
(cf. 4119.42/4219.42/4319.42 - Exposure Control Plan for Bloodborne Pathogens)
(cf. 4157/4257/4357 - Employee Safety)
(cf. 5141.22 - Infectious Diseases)
(cf. 5142 - Safety)

Insofar as reasonably possible, the Superintendent or designee shall minimize the quantities of hazardous substances stored and used on school property. When hazardous substances must be used, the Superintendent or designee shall give preference to materials that cause the least risk to people and the environment.

(cf. 3510 - Green School Operations)
(cf. 3514.2 - Integrated Pest Management)

The Superintendent or designee shall ensure that all potentially hazardous substances on district properties are inventoried, used, stored, and regularly disposed of in a safe and legal manner.

The Superintendent or designee shall develop, implement, and maintain a written hazard communication program in accordance with 8 CCR 5194 and shall ensure that employees, students, and others as necessary are fully informed about the properties and potential hazards of substances to which they may be exposed.

(cf. 1240 - Volunteer Assistance)

The Superintendent or designee shall develop specific measures to ensure the safety of students and staff in school laboratories where hazardous chemicals are used. Such measures shall include the development and implementation of a chemical hygiene plan in accordance with 8 CCR 5191 and instruction to students about proper handling of hazardous substances.

(cf. 6142.93 - Science Instruction)

The Superintendent or designee shall not order or purchase for use in grades K-6 any arts and crafts materials containing a substance determined by the California Office of Environmental Health Hazard Assessment to be toxic. The Superintendent or designee shall not purchase any such toxic material for use in grades 7-12 unless it includes a warning label as specified in Education Code 32065 that identifies any toxic ingredients, warns of potential adverse health effects, and describes procedures for safe use and storage. (Education Code 32064)
HAZARDOUS SUBSTANCES (continued)

Legal Reference:

EDUCATION CODE
32060-32066 Toxic art supplies in schools
49340-49341 Hazardous substances education
49401.5 Legislative intent; consultation services
49411 Chemical listing; compounds used in school programs; determination of shelf life; disposal

FOOD AND AGRICULTURAL CODE
12981 Regulations re pesticides and worker safety

HEALTH AND SAFETY CODE
25163 Transportation of hazardous wastes; registration; exemptions; inspection
25500-25520 Hazardous materials release response plans; inventory
108100-108515 California Hazardous Substances Act

LABOR CODE
6360-6363 Hazardous Substances Information and Training Act
6380-6386 List of hazardous substances

CODE OF REGULATIONS, TITLE 8
339 List of hazardous substances
3203 Illness and injury prevention program
3204 Records of employee exposure to toxic or harmful substances
5139-5230 Control of hazardous substances, especially
5154.1-5154.2 Ventilation
5161 Definitions
5162 Emergency eyewash and shower equipment
5163 Control of spills
5164 Storage of hazardous substances
5191 Occupational exposure to hazardous chemicals in laboratories; chemical hygiene plan
5194 Hazard communication

CODE OF REGULATIONS, TITLE 22
67450.40-67450.49 School hazardous waste collection, consolidation, and accumulation facilities

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

CALIFORNIA OFFICE OF ENVIRONMENTAL HEALTH HAZARD ASSESSMENT PUBLICATIONS
Art and Craft Materials in Schools: Guidelines for Purchasing and Safe Use, September 17, 2016

WEB SITES
CSBA: http://www.csba.org
California Department of Education: http://cde.ca.gov
California Office of Environmental Health Hazard Assessment: http://www.oehha.ca.gov
Department of Industrial Relations, Cal/OSHA: http://www.dir.ca.gov/dosh

Policy adopted: PALMDALE SCHOOL DISTRICT
Palmdale, California
HAZARDOUS SUBSTANCES

*Hazardous substance* means a substance, material, or mixture which is likely to cause illness or injury by reason of being explosive, flammable, poisonous, corrosive, oxidizing, an irritant, or otherwise harmful. Hazardous substances, as identified by the Department of Industrial Relations, are listed in 8 CCR 339. (8 CCR 339, 5161)

Storage and Disposal of Chemicals

The Superintendent or designee shall adopt measures to ensure that hazardous substances on any district property are stored and disposed of properly in accordance with law. Such measures shall include, but are not limited to, the following: (8 CCR 5164)

1. Substances which react violently or evolve toxic vapors or gases when mixed, or which in combination become toxic, flammable, explosive, or otherwise hazardous, shall be separated from each other in storage by distance, partitions, secondary containment, or otherwise so as to preclude accidental contact between them.

2. Hazardous substances shall be stored in containers which are chemically inert to and appropriate for the type and quantity of the hazardous substance.

3. Containers of hazardous substances shall not be stored in such locations or manner as to result in physical damage to or deterioration of the container or where they are exposed to heat sufficient to rupture the container or to cause leakage.

4. Containers used to package a substance which gives off toxic, poisonous, corrosive, asphyxiant, suffocant, or anesthetic fumes, gases, or vapors in hazardous amounts, excluding small quantities of such materials kept in closed containers or materials kept in tank cars or trucks, shall not be stored in locations where it could be reasonably anticipated that persons would be exposed.

*(cf. 3514 - Environmental Safety)*

The Superintendent or designee shall regularly remove and dispose of all chemicals whose estimated shelf life has elapsed. (Education Code 49411)

Hazard Communication Program

The district's written hazard communication program shall include at least the components listed below and shall be available upon request to all employees and their designated
HAZARDOUS SUBSTANCES (continued)

representatives. The program shall apply to any hazardous substance which is known to be present in the workplace in such a manner that employees may be exposed under normal conditions of use or in a reasonably foreseeable emergency resulting from workplace operations. (8 CCR 5194)

1. Container Labeling

No container of hazardous substance, unless exempted by law, shall be accepted by the district or any district school unless labeled, tagged, or marked by the supplier with the identity of the hazardous substance, hazard warning statements, and the name and address of the chemical manufacturer or importer. No label on an incoming container shall be removed or intentionally defaced unless the container is immediately marked with the required information.

Whenever hazardous substances are transferred from their original containers to other containers, the secondary containers shall likewise be labeled with the identity and hazard warning statement, unless the substances are intended only for the immediate use of the employee who performs the transfer.

2. Safety Data Sheets

Upon receiving a hazardous substance or mixture, the Superintendent or designee shall ensure that the manufacturer or importer has furnished a safety data sheet (SDS) as required by law. If the SDS is missing or obviously incomplete, the Superintendent or designee shall, within seven working days of noting the missing or incomplete information, request a new SDS from the manufacturer or importer. If a response is not received within 25 working days, the Superintendent or designee shall send a copy of the district's written inquiry to the California Occupational Safety and Health Division (Cal/OSHA). (8 CCR 5194)

The Superintendent or designee shall maintain the required SDS for each hazardous substance in the workplace and shall ensure that it is readily accessible to employees in their work area during working hours. The SDS may be maintained in paper copy, electronically, or through other means, provided that employees have immediate access and understand how to use the alternative system.

3. Employee Information and Training

Employees shall receive information and training on hazardous substances in their work area at the time of their initial assignment and whenever a new hazard is introduced into their work area. The information and training shall include, but are not limited to, the following topics: (8 CCR 5194)

a. The requirements of 8 CCR 5194, including employee rights described therein
HAZARDOUS SUBSTANCES (continued)

b. The location and availability of the district's written hazard communication program, including the list of hazardous materials and all SDS

c. Any operations in the work area where hazardous substances are present

d. The physical and health effects of the hazardous substances in the work area

e. Methods and observations that may be used to detect the presence or release of hazardous substances in the work area

f. Measures that employees can take to protect themselves from exposure to hazardous substances, including specific procedures the district has implemented to protect employees, such as appropriate work practices, emergency procedures, and personal protective equipment to be used

g. How to read and use the labels and SDS

(cf. 4112.9/4212.9/4312.9 - Employee Notifications)
(cf. 4131 - Staff Development)
(cf. 4231 - Staff Development)
(cf. 4331 - Staff Development)

4. List of Hazardous Substances

The written hazard communication program shall include a list of the hazardous substances known to be present in the workplace as a whole or for individual work areas. (8 CCR 5194)

5. Hazardous Nonroutine Tasks

When employees are required to perform hazardous nonroutine tasks or to work on unlabeled pipes that contain hazards, they shall first receive information about the specific hazards to which they may be exposed during this activity and the protective/safety measures which must be used, such as ventilation, respirators, other personal protective equipment, and/or the presence of another employee. They shall also receive information about emergency procedures to follow if accidentally exposed to the hazardous substance.

6. Information to Contractors

To ensure that outside contractors and their employees work safely in district facilities, the Superintendent or designee shall inform contractors of hazardous substances which are present on the site and precautions that they may take to lessen the possibility of exposure. It shall be the contractor's responsibility to disseminate this information to his/her employees and subcontractors.
HAZARDOUS SUBSTANCES (continued)

Chemical Hygiene Plan

The district's chemical hygiene plan shall address exposure to hazardous chemicals in school laboratories and shall include the following components: (8 CCR 5191)

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

2. Criteria that the district will use to determine and implement control measures to reduce exposure to hazardous chemicals, including engineering controls, the use of personal protective equipment, and hygiene practices

3. A requirement that protective equipment comply with state regulations and that specific measures be taken to ensure proper and adequate performance of such equipment

4. Provision of specified information at the time of an employee's initial assignment to a work area where hazardous chemicals are present and prior to assignments involving new exposure situations

5. Provision of specified employee training in accordance with the schedule determined by the Superintendent or designee

6. The circumstances under which a particular laboratory operation, procedure, or activity shall require prior approval of the Superintendent or designee before implementation

7. Provisions for medical consultations and examinations whenever there is evidence, as specified, that the employee may have been exposed to a hazardous chemical

8. Designation of an employee, who is qualified by training or experience, to serve as the district's chemical hygiene officer to provide technical guidance in the development and implementation of the chemical hygiene plan

9. Provisions for additional employee protection for work with particularly hazardous substances, as specified

The plan shall be readily available to employees and employee representatives, and, upon request, to Cal/OSHA. (8 CCR 5191)

The Superintendent or designee shall review and evaluate the effectiveness of the chemical hygiene plan at least annually and shall update it as necessary. (8 CCR 5191)

Regulation approved: PALMDALE SCHOOL DISTRICT

Palmdale, California
INTEGRATED PEST MANAGEMENT

Definitions

Integrated pest management (IPM) means a strategy that focuses on long-term prevention or suppression of pest problems through a combination of techniques such as monitoring for pest presence and establishing treatment threshold levels, using nonchemical practices to make the habitat less conducive to pest development, improving sanitation, and employing mechanical and physical controls. (Education Code 17609; Food and Agricultural Code 13181)

(cf. 3510 - Green School Operations)

School site means any facility used as a child day care facility or for kindergarten, elementary, or secondary school purposes and includes the buildings or structures, playgrounds, athletic fields, vehicles, or any other area of property visited or used by students. (Education Code 17609)

Program Components

The Superintendent or designee shall designate an employee at the district office and/or school site to develop, implement, and coordinate an IPM strategy that incorporates effective, least toxic pest management practices.

The IPM coordinator shall prepare and annually update a districtwide or school site IPM plan based on the template provided by the California Department of Pesticide Regulation (DPR).

The IPM plan shall include the name of the district and/or school IPM coordinator, the pesticides expected to be applied at the school site by district employees and/or pest control applicators, and a date that the plan shall be reviewed and, if necessary, updated. (Education Code 17611.5)

The district shall use pesticides that pose the least possible hazard and are effective in a manner that minimizes risks to people, property, and the environment. Such pesticides shall only be used after careful monitoring indicates they are needed according to pre-established guidelines and treatment thresholds. (Food and Agricultural Code 13181)

The IPM plan and this administrative regulation shall not apply to reduced-risk pesticides, including self-contained baits or traps, gels or pastes used for crack and crevice treatments, antimicrobials, and pesticides exempt from registration by law. (Education Code 17610.5; 3 CCR 6147)

The district's program shall include, but not necessarily be limited to, the following components:

1. Identifying and monitoring pest population levels and identifying practices that could affect pest populations. Strategies for managing the pest shall be influenced by the pest species and whether that species poses a threat to people, property, or the environment.
2. Setting action threshold levels to determine when pest populations or vegetation at a specific location might cause unacceptable health or economic hazards that would indicate corrective action should be taken.

3. Modifying or eliminating pest habitats to deter pest populations and minimize pest infestations.

4. Considering a full range of possible alternative cost-effective treatments. Such alternative treatments may include taking no action or controlling the pest by physical, horticultural, or biological methods. Cost or staffing considerations alone will not be adequate justification for the use of chemical control agents.

5. Selecting nonchemical pest management methods over chemical methods whenever such methods are effective in providing the desired control or, when it is determined that chemical methods must be used, giving preference to those chemicals that pose the least hazardous effects to people and the environment.

No pesticide that is prohibited by DPR or the U.S. Environmental Protection Agency, as listed on the DPR web site, shall be used at a school site. (Education Code 17610.1)

6. Limiting pesticide purchases to amounts needed for the year. Pesticides shall be stored at a secure location that is not accessible to students and unauthorized staff. They shall be stored and disposed of in accordance with state regulations and product label directions.

(cf. 3514 - Environmental Safety)
(cf. 3514.1 - Hazardous Substances)

7. Informing parents/guardians and employees regarding pesticide use as described in the sections "Notifications" and "Warning Signs" below.

8. Ensuring that persons applying pesticides follow label precautions and are sufficiently trained in the principles and practices of IPM as described in the section "Training" below.

9. Evaluating the effectiveness of treatments to determine if revisions to the IPM plan are needed.

Training

The IPM coordinator and any employee or contractor who may be designated to apply a pesticide at a school site shall annually complete a DPR-approved training course on IPM and the safe use of pesticides in relation to the unique nature of school sites and children's health. (Education Code 17614; Food and Agricultural Code 13186.5)
INTEGRATED PEST MANAGEMENT (continued)

(cf. 4231 - Staff Development)

Any district employee who handles pesticides shall also receive pesticide-specific safety training prior to applying pesticides and annually thereafter in accordance with 3 CCR 6724.

Notifications

Staff and parents/guardians of students enrolled at a school site shall be annually notified, in writing, regarding pesticide products expected to be applied at the school site in the upcoming year. The notification shall include at least the following: (Education Code 17612)

1. The name of each pesticide product expected to be applied in the upcoming year and the active ingredient(s) in it
2. The Internet address (http://www.cdpr.ca.gov/schoolipm) used to access information on pesticides and pesticide use reduction developed by the DPR pursuant to Food and Agricultural Code 13184
3. If the school has posted its IPM plan, the Internet address where the plan may be found
4. The opportunity to view a copy of the IPM plan in the school office
5. An opportunity for interested persons to register to receive prior notification of each application of a pesticide at the school site
6. Other information deemed necessary by the IPM coordinator

(cf. 1312.4 - Williams Uniform Complaint Procedures)
(cf. 3517 - Facilities Inspection)
(cf. 4112.9/4212.9/4312.9 - Employee Notifications)
(cf. 5145.6 - Parental Notifications)

Whenever a person registers to receive notice of individual pesticide application pursuant to item #5 above, the IPM coordinator shall notify such registered persons of individual pesticide applications at least 72 hours prior to the application. The notice shall include the product name, the active ingredient(s) in the product, and the intended date of application. (Education Code 17612)

If a pesticide product not included in the annual notification is subsequently intended for use at a school site, the IPM coordinator shall provide written notification of its intended use to staff and parents/guardians of students enrolled at the school, at least 72 hours prior to the application. (Education Code 17612)
INTEGRATED PEST MANAGEMENT  (continued)

If a school chooses to use a pesticide not exempted pursuant to Education Code 17610.5, it shall post the school or district IPM plan on the school's web site or, if the school does not have a web site, then on the district web site. If neither the school nor district has a web site, then the IPM plan shall be included with the annual notification sent to staff and parents/guardians pursuant to Education Code 17612 as described above. When not required, the IPM coordinator may post or distribute the IPM plan at his/her discretion. (Education Code 17611.5)

Whenever the IPM coordinator deems that the immediate use of a pesticide is necessary to protect the health and safety of students, staff, or other persons at the school site, he/she shall make every effort to provide the required notifications prior to the application of the pesticide. (Education Code 17612)

Warning Signs

The IPM coordinator shall post a warning sign at each area of the school site where pesticides will be applied that shall be visible to all persons entering the treated area. The sign shall be posted at least 24 hours prior to the application and shall remain posted until 72 hours after the application. The warning sign shall prominently display the following information: (Education Code 17612)

1. The term "Warning/Pesticide Treated Area"
2. The product name, manufacturer's name, and the EPA's product registration number
3. Intended areas and dates of application
4. Reason for the pesticide application

When advance posting is not possible due to an emergency condition requiring immediate use of a pesticide to protect the health and safety of students, staff, or other persons or the school site, the warning sign shall be posted immediately upon application and shall remain posted until 72 hours after the application. (Education Code 17609, 17612)

Records

At the end of each calendar year, the IPM coordinator shall submit to DPR, on a form provided by DPR, a copy of the records of all pesticide use at the school site for that year, excluding any pesticides exempted by law and any pesticide use reported by the pest control operator pursuant to Food and Agricultural Code 13186. The IPM coordinator may submit more frequent reports at his/her discretion. (Education Code 17611)
INTEGRATED PEST MANAGEMENT (continued)

Each school site shall maintain records of all pesticide use at the school for four years, and shall make the information available to the public, upon request, in accordance with the California Public Records Act. A school may meet this requirement by retaining a copy of the warning sign posted for each pesticide application with a recording on that copy of the amount of the pesticide used. (Education Code 17611)

(cf. 1340 - Access to District Records)
(cf. 3580 - District Records)

Pesticide Use near School Site

Upon receiving notification pursuant to 3 CCR 6692 that a grower expects to use agricultural pesticides within one-quarter mile of a school site Monday through Friday from 6:00 a.m. to 6:00 p.m., the principal or designee shall notify the Superintendent or designee, IPM coordinator, staff at the school site, and parents/guardians of students enrolled at the school.

The principal or designee may communicate with any grower within one-quarter mile of the school to request that the grower not apply pesticides during evenings or weekends when school activities are scheduled.

Legal Reference: (see next page)
INTEGRATED PEST MANAGEMENT  (continued)

Legal Reference:

EDUCATION CODE
17366 Legislative intent (fitness of buildings for occupancy)
17608-17614 Healthy Schools Act of 2000
48980 Notice at beginning of term
48980.3 Notification of pesticides

BUSINESS AND PROFESSIONS CODE
8593.2 Licensed pest control operators; training requirements

FOOD AND AGRICULTURAL CODE
11401-12408 Pest control operations and agricultural chemicals
13180-13188 Healthy Schools Act of 2000

GOVERNMENT CODE
3543.2 Scope of representation; right to negotiate safety conditions
6250-6270 California Public Records Act

CODE OF REGULATIONS, TITLE 3
6147 Pesticides exempted from registration requirements
6690-6692 Pesticide use near school sites
6724 Training of employees handling pesticides

CODE OF REGULATIONS, TITLE 8
340-340.2 Employer's obligation to provide safety information

UNITED STATES CODE, TITLE 7
136-136y Insecticide, Fungicide and Rodenticide Act

Management Resources:

CALIFORNIA DEPARTMENT OF PESTICIDE REGULATION PUBLICATIONS
California School IPM Model Program Guidebook
Healthy Schools Act Requirements for Public K-12 Schools
School District Integrated Pest Management Plan Template

U.S. ENVIRONMENTAL PROTECTION AGENCY
Pest Control in the School Environment: Implementing Integrated Pest Management (IPM), May 2017

WEB SITES
California Department of Education: http://www.cde.ca.gov
California Department of Pesticide Regulation, School IPM: http://www.cdpr.ca.gov/schoolipm
U.S. Environmental Protection Agency, Integrated Pest Management at Schools:
https://www.epa.gov/managing-pests-schools
The Board of Trustees is committed to providing a school environment that promotes the safety of students, employees, and visitors to school grounds. The Board also recognizes the importance of protecting district property, facilities, and equipment from vandalism and theft.

The Superintendent or designee shall develop campus security procedures which are consistent with the goals and objectives of the district's comprehensive safety plan and site-level safety plans. Such procedures shall be regularly reviewed to reflect changed circumstances and to assess their effectiveness in achieving safe school objectives.

*(cf. 0450 - Comprehensive Safety Plan)*

**Surveillance Systems**

The Board believes that reasonable use of surveillance cameras will help the district achieve its goals for campus security. In consultation with the safety planning committee and relevant staff, the Superintendent or designee shall identify appropriate locations for the placement of surveillance cameras. Cameras shall not be placed in areas where students, staff, or community members have a reasonable expectation of privacy. Any audio recording capability on the district's surveillance equipment shall be disabled so sounds may not be recorded. This does not preclude the District from utilizing surveillance equipment that has an intercom function.

Cameras shall not be located in areas such as bathrooms, locker rooms, or private offices.

Education Code 51512 prohibits the use of a recording device in a classroom without the prior consent of the teacher and principal.

Cameras may generally be used in common areas such as, but not necessarily limited to hallways, stairwells, playgrounds, parking lots, and cafeterias.

*(cf. 5131.1 - Bus Conduct)*
*(cf. 5145.12 - Search and Seizure)*

Prior to the operation of the surveillance system, the Superintendent or designee shall ensure that signs are posted at conspicuous locations at affected school buildings and grounds. These signs shall inform students, staff, and visitors that surveillance may occur and shall state whether the district's system is actively monitored by school personnel. The Superintendent or designee shall also provide prior written notice to students and parents/guardians about the district's surveillance system, including the locations where surveillance may occur, explaining that the recordings may be used in disciplinary proceedings, and that matters captured by the camera may be referred to local law enforcement, as appropriate and consistent with applicable board policy, law, and regulations.

*(cf. 5144 - Discipline)*
*(cf. 5144.1 - Suspension and Expulsion/Due Process)*
CAMPUS SECURITY  (continued)

To the extent that any images from the district's surveillance system create a student or personnel record, the Superintendent or designee shall ensure that the images are accessed, retained, and disclosed in accordance with law, Board policy, administrative regulation, and any applicable collective bargaining agreements.

(cf. 4112.6/4212.6/4312.6 - Personnel Records)
(cf. 5125 - Student Records)
(cf. 5125.1 - Release of Directory Information)

Legal Reference:
EDUCATION CODE
32020   Access gates
32211   Threatened disruption or interference with classes
32280-32288   School safety plans
35160   Authority of governing boards
35160.1   Broad authority of school districts
38000-38005   Security patrols
49050-49051   Searches by school employees
49060-49079   Student records

PENAL CODE
469   Unauthorized making, duplicating or possession of key to public building
626-626.10   Disruption of schools

CALIFORNIA CONSTITUTION
Article 1, Section 28(c) Right to Safe Schools

UNITED STATES CODE, TITLE 20
1232g   Family Educational Rights and Privacy Act

COURT DECISIONS

ATTORNEY GENERAL OPINIONS

Management Resources:
CSBA PUBLICATIONS
Protecting Our Schools:  Board of Trustees Strategies to Combat School Violence, 1999

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS
Safe Schools:  A Planning Guide for Action, 2002

NATIONAL INSTITUTE OF JUSTICE PUBLICATIONS
The Appropriate and Effective Use of Security Technologies in U.S. Schools:  A Guide for Schools and Law Enforcement Agencies, 1999

WEB SITES
CSBA:  http://www.csba.org
California Department of Education, Safe Schools Office:  http://www.cde.ca.gov/ls/ss
National Institute of Justice:  http://www.ojp.usdoj.gov/nij

Policy  
adopted:  May 7, 2019
The Superintendent or designee shall ensure that the district's campus security procedures are developed which are consistent with the goals and objectives of the district's comprehensive safety plan and site-level safety plans.

(cf. 0450 - Comprehensive Safety Plan)

These procedures shall include strategies and methods to:

1. Secure the campus perimeter and school facilities in order to prevent criminal activity.

   These strategies include a risk management analysis of each campus' security system, lighting system, and fencing. Procedures to ensure unobstructed views and eliminate blind spots caused by doorways and landscaping shall also be considered. In addition, parking lot design may be studied, including methods to discourage through traffic.

2. Secure buildings from outsiders and discourage trespassing.

   These procedures may include requiring visitor registration, requiring staff and student identification tags, and patrolling of places used for congregating and loitering.

   (cf. 1250 - Visitors/Outsiders)
   (cf. 3515.2 - Disruptions)
   (cf. 5112.5 - Open/Closed Campus)

3. Discourage vandalism and graffiti

   These methods may include plans to immediately cover graffiti as well as campus beautification projects and shall also include students and the community in these projects.

   (cf. 3515.4 - Recovery for Property Loss or Damage)
   (cf. 5131.5 - Vandalism, Theft and Graffiti)

4. Control access to keys and other school inventory.

   All keys used in a school shall be the responsibility of the principal or designee. Keys shall be issued only to those employees who regularly need a key in order to carry out normal activities of their position. The superintendent or designee shall establish clear procedures and ensure that these procedures are reviewed annually with administrators charged key control.

   The principal or designee shall create a key control system consistent with district procedure with a record of each key assigned and room(s) or building(s) which the key opens.
CAMPUS SECURITY (continued)

Keys shall be used only by authorized employees and shall never be loaned to students. The master key shall not be loaned.

The person issued a key shall be responsible for its safekeeping. The duplication of school keys is prohibited. If a key is lost, the person responsible shall immediately report the loss to the principal or designee and shall pay for a replacement key.

(cf. 3440 - Inventories)

5. Detect and intervene with school crime.

These procedures may include the creation of a school watch program, an anonymous crime reporting system, analysis of school crime incidents, and collaboration and communication with local law enforcement agencies.

(cf. 3515.3 - District Police/Security Department)

All staff shall receive training in building and grounds security procedures.

(cf. 4131 - Staff Development)
(cf. 4231 - Staff Development)
(cf. 4331 - Staff Development)

KEY PROCEDURES

I. Issuance of keys:

A. Keys to district facilities shall be issued to district employees only. District employees should understand that being issued a key carries with it the responsibility to be accountable for its safekeeping and its use. Issuance of keys shall only occur if necessary for a staff member to carry out his or her job. Keys may not be issued or assigned to non-district staff without specific permission from the superintendent or designee, and only in very rare circumstances. In all cases, the form attached with this procedure shall be used to issue all keys.

B. Each type of key has a specific set of criteria associated with its use, and a listing of those authorized at each level is shown below. District staff in control of keys are expected to adhere to these guidelines.

1. Grand Master: the grand master is a key that opens facilities throughout the district, including multiple schools and offices. A staff member issued a grand master would qualify by virtue of normally visiting several district facilities on a daily basis as a part of his or her job responsibilities; this would include those assigned to emergency call outs after hours to all sites. Staff members authorized to possess a grand master include:
CAMPUS SECURITY  (continued)

a)  Cabinet Officers
b)  Central Office Facilities Administrator
c)  Central Office MIS Administrator
d)  Director of Maintenance & Operations
e)  Assistant Director of Maintenance & Operations
f)  Director and Assistant Director of Transportation
g)  District Risk Manager
h)  Sheriff's Deputies
i)  Technology Technicians
j)  Grounds Workers
k)  Maintenance Workers
l)  *District Inspectors
m)  *Additional Management Positions as necessary whose job scope may in the future meet the requirements of this class of key.

* On a check-out basis only for the duration of the contract or assignment, or until contract or assignment completion.

2. Site Master: the site master key opens multiple doors on a specific school or district facility specific to that facility. A staff member would qualify for a site master by virtue of his or her job requiring access to any door at the facility in order to carry out their job; or must have full access to the site for emergency purposes. Staff members authorized to possess a site master include:

a)  Principal
b)  Assistant Principal(s)
c)  Day Custodian(s)
d)  Night Custodian(s)
**CAMPUS SECURITY** (continued)

e) School Secretary**

f) Media Technicians

** Substitute Custodians shall be issue a key only for the evening on which they work at the particular facility. They shall be required to drop the keys issued to them after each shift in a designated secured drop station identified to them at the time the key is checked out.

3. Pass Key: a pass key opens the door to the assigned room of the employee and associated work rooms if appropriate. Such a key is not meant to provide the staff member with access to all doors within the facility. Staff members authorized to possess a pass key include:

a) Teachers assigned to specific classrooms

b) Staff assigned to specific work areas, offices or room.

C. Staff members who are issued district keys shall complete the attached form and comply with all district guidelines regarding the security and care of such keys. The administrator assigned to control keys at the facility shall maintain a copy of the form on file.

D. Each facility shall have one administrator in charge of key control for that facility. Annually, the administrator shall collect all keys for employees who work less than 12 months. Annually the administrator shall verify that staff who work a full 12-month assignment are still in possession of keys issued to them.

1. Key control includes an accurate accounting of all keys in writing annually to the maintenance department using the approved inventory form.

2. Key control should be integrated into each facility’s annual check-in and check-out process.

3. If a staff member leaves mid-year or is hired mid-year, the facility administrator is responsible to ensure that keys are collected or assigned in compliance with these procedures.

E. Substitutes shall be issued keys in compliance with procedures developed at each facility, whether such keys are masters or pass keys. The purpose of such procedures is to design a system that ensures the security of the facility is maintained, but that allows for substitutes to be given the keys they need to complete their assignment. Substitute keys shall be returned by the end of the shift worked to a designated staff member or to the drop box discussed in #B-2 above.
II. Use and Security of Keys

A. District keys are district property and only district maintenance staff are authorized to duplicate keys.

B. The facility administrator in charge of key control is the only staff member authorized to receive replacement or new keys from the maintenance department and shall maintain an accurate inventory of keys that is verified annually.

C. Staff who are issued key(s) by the district must take care to appropriately safeguard the key(s). This includes:
   1. Keys are to be kept in pockets, on lanyards or by other means secured and within the immediate control of the staff member while at work.
   2. Keys must not be left unattended on counters, desks or other open, unsecured areas; nor should they be left in purses or bags that are not locked away while the staff member is not using the item.
   3. On weekends or other times when the staff member is not at work, the key should not be brought along on trips, shopping or left in cars.
   4. Keys should be kept on a separate ring that can be easily detached from the staff member's normal personal keys and left in a secure location when the staff member is not at work (i.e. vacation, errands).

III. Loss of Keys

A. Lost keys must be reported immediately to the facility administrator in control of keys. It is critical that the report be made as soon as possible so that if there are security issues for the property, actions to ensure illegal entry can be taken before the end of the work day.

B. The facility administrator shall determine the nature of the risk associated with the report of lost keys. A site master or grand master must be reported in all cases immediately to the maintenance department.

C. Keys that are not recovered represent a risk to the district's property and the safety of its students and staff. If a key cannot be found, and the district must change out locks to ensure the security of a facility, the employee shall be responsible to repay the district at the following rates in order to receive a replacement key.
   1. Pass Key - $25
CAMPUS SECURITY  (continued)

2. Kitchen Grand Master - $100

3. Site Master - based on the size of the facility ($3,000 to $5,000 estimated cost)

4. District Grand Master - based on the size of the district at the time

IV. Voluntary Nature of Key Issuance

A. Pass keys and site master keys are issued for the most part on a voluntary basis. If a district staff member who would normally qualify for a key does not wish to have one issued, the facility administrator will make arrangements to accommodate that request.

B. District administrators are expected to accept issuance of keys at district discretion as a part of their assignment.

1. Provide Video Surveillance and Recording.

These procedures shall be regularly reviewed and updated in order to reflect changed circumstances and to assess progress in achieving safe school objectives.

Intent

The intent of the Video Surveillance System is to improve the safety environment for students and staff, reduce the amount of vandalism on each campus, secondarily when school is not in session, assist in the identification and apprehension of perpetrators.

Observation Points

Observation points which may contain a video camera or other similar device shall be placed on each campus to consistently monitor all persons entering and exiting the main campus building areas. This shall include but not be restricted to observation points at each main entrance, areas where students normally congregate and parking lots if necessary. This regulation shall not be construed to mean that all possible areas are to be video recorded; but rather, only those areas more susceptible to problems.

Visitor Notification

Signs shall be posted at each main school entrance informing all visitors of the presence of security cameras.
CAMPUS SECURITY (continued)

Video Surveillance Procedure

This procedure implements the district's Video Surveillance Policy, which promotes the goal of safe and secure schools; to provide guidelines and establish procedures for the District's Video Surveillance System coverage, authorized users, monitoring, system modifications and expansion, maintenance and repairs.

Superintendent

The Superintendent or designee shall ensure compliance with the District's Video Surveillance Policy and Procedure and applicable federal and state laws.

Coverage

1. The District shall generally employ a philosophy of perimeter coverage viewing entrance and egress to school facilities. Placement can also include designated entrance and exit portals to specific buildings.

2. Upon approval of the Superintendent or designee, exceptions to the philosophy of perimeter video camera coverage may be made to provide such coverage within the campus perimeter and in the interior of a site building to monitor areas of high value (e.g., main office, computer labs, media centers, audio visual storage) or of specific concern.

3. Video cameras shall not be placed in areas where there may be a reasonable expectation of privacy by staff or students (e.g., rest rooms, locker rooms, private offices, conference rooms, staff lounges) unless associated with an ongoing law enforcement or criminal investigation. Some incidental capturing of background off-campus images may occur as a result of the District's legitimate recording of its own facilities' perimeters.

4. Each campus utilizing a video surveillance system shall be posted with signs stating "Video surveillance in Operation".

Authorized System Users

1. Authorized users of the video surveillance system shall be approved and appointed by the Superintendent or designee who shall be the individual who will have control and oversight of the video surveillance system. The Superintendent or designee shall maintain a list of all District employees and other officials with authorized access to the control of cameras and to any stored recording media to prevent unauthorized access.
CAMPUS SECURITY  (continued)

2. Authorized users shall receive District training regarding proper use of the video surveillance equipment, rules regulating privacy and District Policy appropriate to their level of authorization.

Video Surveillance Monitoring

1. The District's video surveillance system is not actively monitored, but a passive surveillance system used to document incidents or conditions for later retrieval. The District shall have the capability, but not the responsibility for review or monitoring of live video images.

2. Remote video surveillance monitoring may also be conducted via intranet, internet, by wireless data transmission or other means. Any system of remote monitoring shall ensure the security of the video surveillance system and must include individual authorizations utilizing passwords or other identifiers to gain access. Remote monitoring shall only be conducted by authorized school or district administrators, District police officials, or others approved in writing by the Superintendent or designee. Fixed monitors for monitoring should be positioned so as to avoid their accidental or occasional viewing by unauthorized individuals who may otherwise have cause to be in the vicinity.

Video Surveillance System Modifications & Expansion

1. The video surveillance system(s) at any site shall not be modified, cameras moved or relocated, or the system otherwise altered from its approved installed state without prior consultation with the Superintendent or designee to coordinate such changes with the video surveillance system vendor or authorized District employees. Alterations to the video surveillance system from its approved installed state shall be documented in writing with a signature of approval from the Superintendent or designee and the campus Administrator.

2. Insofar as possible, expansion of existing video surveillance systems shall include like or better equipment and technology. Campus-based video surveillance systems shall be designed and installed with the ability to be expanded and upgraded. Expansions shall be installed within the perimeter coverage guidelines outlined in this Policy. Insofar as possible, equipment used in District video surveillance systems shall not be located where it is easily accessed, defeated or damaged. All cameras will be placed in tamper-proof housings or Lexan domes.
3. Video surveillance system(s) used in the District shall be capable of being upgraded to utilize wireless internet technology to monitor real-time images on hand-held digital communication devices. The video surveillance system shall also be installed with and capable of being upgraded to include motion-activated alarms where such needs may exist. In connection with an alarm system or camera image that is activated when an individual crosses a video surveillance camera's field of view, wireless monitoring of such activity may permit District police/security personnel to increase their effectiveness by being alerted to possible intrusion immediately.

4. Any expansion of the installed video surveillance system(s) should be conducted by an approved video surveillance system vendor selected under the guidelines of the District's bidding policies for contracted work.

**Video Surveillance Maintenance & Repairs**

1. The District and individual campus sites shall make every effort to ensure the video surveillance system is monitored on a scheduled basis for the purpose of verifying the functioning status of all elements of the video surveillance system.

2. Only the District's Technology Department can authorize repair of cameras and the video surveillance system. Needed repairs shall be done in a timely fashion. The District's Information Technology Services Department will have the responsibility for maintaining the digital recording equipment and the network infrastructure equipment the video surveillance system is connected to. Any unauthorized maintenance or repair, or modification of the video surveillance camera hardware, software, or related devices by unqualified persons may void system warranties or violate the Video Surveillance Policy or Administrative Regulation.

3. Video surveillance operating system software shall not be altered, downloaded, copied, edited or modified by anyone other than a qualified video surveillance vendor or a District employee authorized to do so. Corrupted software resulting from tampering may void system warranties and incur expense.

4. Any defect in system operation shall be reported in writing to the designated District employees as soon as possible to ensure that any guarantees or warranties are maintained in force. All physical damage to the video surveillance system shall be documented and investigated.

5. A video surveillance system repair log shall be maintained at each site, which records repairs or notices of malfunction. Such system logs shall be maintained on an ongoing basis.
CAMPUS SECURITY (continued)

Video Surveillance Storage & Recall of Recorded Video Surveillance Information

1. The Superintendent or designee shall approve requests for access to recorded and stored video images consistent with applicable Board Policies, laws and regulations. Recorded video surveillance images are only to be viewed by authorized personnel for legitimate purposes. Access to the videos by law enforcement may need to be pursuant to court order or subpoena.

2. All copies of images recorded from the video surveillance system which are to be removed from the District shall be approved by the Superintendent or designee consistent with applicable Board Policy, laws and regulations. Access to the videos by law enforcement may need to be pursuant to court order or subpoena.

3. Original video surveillance media shall never be edited or manipulated in any manner. The original video surveillance recording media shall be protected from accidental overwrite or erasure during the duplicating process. All video surveillance media released to authorized parties must include date and time stamps.

4. Video surveillance media shall be retained for a minimum of 30 days. Full resolution, continuous recordings shall be retained for 14 days. Motion only, reduced frame rate shall be retained for the remaining 16 days. This duration may be reduced in the case of unforeseen equipment or drive failure until such failure can be repaired. To the extent that the video surveillance media constitutes a pupil or personnel record, the Superintendent or designee shall ensure that the images are accessed, retained, and disclosed in accordance with law, Board policy, administrative regulation, and any applicable collective bargaining agreements.

5. A periodic audit by the Superintendent or designee of video surveillance activity and random images from the stored video surveillance recording media shall be conducted to ensure that the video surveillance cameras have not been moved or altered without authorization, that the images captured by the system are not inclusive of areas prohibited by this Policy and of circumstances where campus users may have an expectation of privacy.

Legal Reference: (see next page)
CAMPUS SECURITY  (continued)

Legal Reference:

EDUCATION CODE
32020 Access gates
32211 Threatened disruption or interference with classes
32280-32288 School safety plans
38000-38005 Security patrols

PENAL CODE
469 Unauthorized making, duplicating or possession of key to public building
626-626.10 Disruption of schools

Management Resources:

CDE PUBLICATIONS

CSBA PUBLICATIONS
Protecting Our Schools: Board of Trustees Strategies to Combat School Violence, 1995
DISRUPTIONS

The Board of Trustees is committed to providing a safe and orderly environment for students, staff, and others on district property or while engaged in school activities.

The Superintendent or designee shall remove any individual who, by his/her presence or action, disrupts or threatens to disrupt normal operations at a school campus or any other district facility, threatens the health or safety of anyone on district property, or causes or threatens to cause damage to district property or to any property on school grounds.

(cf. 1250 - Visitors/Outsiders)
(cf. 3515 - Campus Security)
(cf. 4118 - Dismissal/Suspension/Disciplinary Action)
(cf. 4158/4258/4358 - Employee Security)
(cf. 4218 - Dismissal/Suspension/Disciplinary Action)
(cf. 5131.4 - Student Disturbances)

The Superintendent or designee shall establish a plan describing staff responsibilities and actions to be taken when an individual is causing or threatening to cause a disruption. The plan shall address, as appropriate, visitor registration procedures; campus security measures; evacuation procedures; lock-down procedures; possible responses to an active shooter situation; communications within the school and with parents/guardians, law enforcement, and the media in the event of an emergency; and crisis counseling or other assistance for students and staff after a disruption. In developing such a plan, the Superintendent or designee shall consult with law enforcement to create guidelines for law enforcement support and intervention when necessary.

(cf. 0450 - Comprehensive Safety Plan)
(cf. 3515.3 - District Police/Security Department)
(cf. 3515.7 - Firearms on School Grounds)
(cf. 3516 - Emergencies and Disaster Preparedness Plan)

The Superintendent or designee shall provide training to school staff on how to identify and respond to actions or situations that may constitute a disruption.

(cf. 4131 - Staff Development)
(cf. 4231 - Staff Development)
(cf. 4331 - Staff Development)

Any employee who believes that a disruption may occur shall immediately contact the principal. The principal or designee shall notify law enforcement in accordance with Education Code 48902 and 20 USC 7151 and in other situations, as appropriate.

Legal Reference: (see next page)
DISRUPTIONS (continued)

Legal Reference:

EDUCATION CODE
32210 Willful disturbance of public school or meeting, misdemeanor
32211 Threatened disruption or interference with classes; misdemeanor
35160 Authority of governing boards
44810 Willful interference with classroom conduct
44811 Disruption of classwork or extracurricular activities
48902 Notification of law enforcement authorities
51512 Prohibited use of electronic listening or recording device

PENAL CODE
243.5 Assault or battery on school property
415.5 Disturbance of peace of school
626-626.11 Schools, crimes, especially:
626.7 Failure to leave campus or facility; wrongful return; penalties; notice; exceptions
626.8 Disruptive presence at schools
626.81 Misdemeanor for registered sex offender to come onto school grounds
626.85 Misdemeanor for specified drug offender presence on school grounds
626.9 Gun Free School Zone Act
627-627.10 Access to school premises
653b Loitering about schools or public places
12556 Imitation firearms
30310 Prohibition against ammunition on school grounds

UNITED STATES CODE, TITLE 20
7961 Gun-Free Schools Act

COURT DECISIONS
ATTORNEY GENERAL OPINIONS

Management Resources:

U.S. DEPARTMENT OF EDUCATION PUBLICATIONS

WEB SITES
CSBA: http://www.csba.org
California Department of Education, Safe Schools Office: http://www.cde.ca.gov/ls/ss

Policy adopted: PALMDALE SCHOOL DISTRICT
Palmdale, California
DISRUPTIONS

The principal or designee may direct any person, except a student, school employee, or other person required by his/her employment to be on school grounds, to leave school grounds or school activity if:

1. The principal or designee has reasonable basis for concluding that the person is committing or has entered the campus with the purpose of committing an act which is likely to interfere with the peaceful conduct, discipline, good order, or administration of the school or a school activity, or with the intent of inflicting damage to any person or property. (Education Code 44810, 44811; Penal Code 626.7)

2. The person fights or challenges another person to a fight, willfully disturbs another person by loud and unreasonable noise, or uses offensive language which could provoke a violent reaction. (Penal Code 415.5)

3. The person, without lawful business for being present, loiters around a school or reenters a school within 72 hours after he/she was asked to leave. (Penal Code 653b)

4. The person is required to register as a sex offender pursuant to Penal Code 290 and does not have a lawful purpose and written permission from the principal or designee to be on school grounds. (Penal Code 626.81)

(cf. 1250 - Visitors/Outsiders)
(cf. 3515.5 - Sex Offender Notification)

5. The person is a specified drug offender, as defined in Penal Code 626.85, and does not have written permission from the principal or designee to be on school grounds. However, such specified drug offender may be on school grounds during any school activity if he/she is a student or the parent/guardian of a student attending the school. (Penal Code 626.85)

6. The person willfully or knowingly creates a disruption with the intent to threaten the immediate physical safety of students, staff, or others while attending, arriving at, or leaving school. (Penal Code 626.8)

7. The person has otherwise established a continued pattern of unauthorized entry on school grounds. (Penal Code 626.8)

(cf. 1240 - Volunteer Assistance)
(cf. 3515.3 - District Police/Security Department)
(cf. 4158/4258/4358 - Employee Security)
(cf. 6145.2 - Athletic Competition)

The principal or designee shall allow a parent/guardian who was previously directed to leave school grounds to reenter for the purpose of retrieving his/her child for disciplinary reasons, medical attention, or family emergencies, or with the principal or designee's prior written permission. (Penal Code 626.7, 626.85)
DISRUPTIONS (continued)

When directing any person to leave school premises, the principal or designee shall inform the person that he/she may be guilty of a crime if he/she: (Education Code 32211; Penal Code 626.7, 626.8, 636.85)

1. Fails to leave or remains after being directed to leave
2. Returns to the campus without following the school's posted registration requirements
3. Returns within seven days after being directed to leave

(cf. 0450 - Comprehensive Safety Plan)

Whenever an individual is causing or threatening to cause a disruption at any district facility other than a school campus, the Superintendent or designee may direct that individual to leave the facility consistent with this regulation and the accompanying Board policy.

Appeal Procedure

Any person who is asked to leave a school building or grounds may appeal to the Superintendent or designee. This appeal shall be made no later than the second school day after the person has departed from the school building or grounds. After reviewing the matter with the principal or designee and the person making the appeal, the Superintendent or designee shall render his/her decision within 24 hours after the appeal is made, and this decision shall be binding. (Education Code 32211)

The decision of the Superintendent or designee may be appealed to the Board of Trustees. Such an appeal shall be made no later than the second school day after the Superintendent or designee has rendered his/her decision. The Board shall consider and decide the appeal at its next scheduled regular or adjourned regular public meeting. The Board's decision shall be final. (Education Code 32211)

In any circumstance where a person has been directed to leave a school building or ground where the Superintendent's or Board's office is situated, he/she may nevertheless enter the school building or ground solely for the purpose of making the appeal. (Education Code 32211)
UNMANNED AIRCRAFT SYSTEMS (DRONES)

The Board of Trustees recognizes that unmanned aircraft or aerial systems (drones) may be a useful tool to enhance the instructional program and assist with district operations. In order to avoid disruption and maintain the safety, security, and privacy of students, staff, and visitors, any person or entity desiring to use a drone on or over district property shall submit a written request for permission to the Superintendent or designee.

(cf. 1330 - Use of School Facilities)
(cf. 1330.1 - Joint Use Agreements)
(cf. 5142 - Safety)

A small unmanned aircraft system or drone is an aircraft weighing less than 55 pounds that is operated remotely without the possibility of direct human intervention from within or on the aircraft and the associated elements, including communication links and controls, required for the pilot to operate the aircraft safely and efficiently. It does not include model aircraft or rockets such as those which are radio controlled and used only for hobby or recreational purposes.

The Superintendent or designee may grant permission to district employees and students for the use of drones only if the planned activity supports instructional, co-curricular, extracurricular, athletic, or operational purposes. Such uses may include, but are not limited to, instruction in science, technology, engineering, and math (STEM), the arts, or other subjects; maintenance of grounds and facilities; and campus security. When used for instructional purposes, there shall be a clear and articulable connection between drone technology and the course curriculum. Drones shall only operate on or over district property under the supervision of a district employee as part of an authorized activity.

The Superintendent or designee may grant permission to other persons or entities under terms and conditions to be specified in a memorandum of understanding.

Any person or entity requesting to operate a drone on or over district property, including a district employee, shall provide a description of the type of operation requested, flight location, date and time of the planned flight, anticipated duration, and whether photos and/or video will be taken. As applicable, the applicant shall also present a copy of his/her Certificate of Waiver or Authorization or exemption issued by the Federal Aviation Administration.

Any person or entity, other than a district employee or student, who is requesting or operating a drone on or over district property shall agree to hold the district harmless from any claims of harm to individuals or property resulting from the operation of the drone and provide proof of adequate liability insurance covering such use.

(cf. 3530 - Risk Management/Insurance)
UNMANNED AIRCRAFT SYSTEMS (DRONES)  (continued)

In determining whether to grant permission for the requested use of a drone, the Superintendent or designee shall consider the intended purpose of the activity and its potential impact on safety, security, and privacy. The decision of the Superintendent or designees shall be final. Any person authorized to use a drone on district property shall sign an acknowledgment that he/she understands and will comply with the terms and conditions of the district's policy, federal law and regulations, state law, and any local ordinances related to the use of drones.

When any use of drones is authorized, the Superintendent or designee shall notify the drone operator of the following conditions:

1. The operator is responsible for complying with applicable federal, state, and/or local laws and regulations, including federal safety regulations pursuant to 14 CFR 107.15-107.51 which include, but are not limited to, safe flight practices and distances from objects, equipment inspections, requirements that the drone not be flown at night, above 400 feet in altitude, or over any people unless they are in a covered structure or stationary vehicle. The operator shall maintain the visual line of sight with the drone at all times. The B4UFly app (IOS & Android) man be consulted for airports in range.

2. All drones must be registered with the Federal Aviation Administration's Unmanned Aircraft System registry (https://www.faa.gov/uas/getting_started/register_drone/). All drones must be clearly labeled with the District's FAA identification code. This registration process must be completed through the District IT department.

3. The drone shall be kept away from any area reasonably considered private, including, but not limited to, restrooms, locker rooms, and individual homes.

4. Staff supervising students utilizing a drone are responsible for their education, rule compliance and safety during operations.

5. Crashes or Collisions must be reported immediately to the site administrator verbally and in writing the same day.

6. The district reserves the right to rescind the authorization for use of drones at any time.

The Superintendent or designee may remove any person engaged in unauthorized drone use on district property and/or may confiscate the drone. He/she may also shut down the operation of any authorized drone use whenever the operator fails to comply with the terms of the authorization or the use interferes with district activity, creates electronic interference, or poses unacceptable risks to individuals or property.
UNMANNED AIRCRAFT SYSTEMS (DRONES) (continued)

(cf. 3515.2 - Disruptions)

Any student or staff member violating this policy shall be subject to disciplinary action in accordance with district policies and procedures.

(cf. 4118 - Dismissal/Suspension/Disciplinary Action)
(cf. 4218 - Dismissal/Suspension/Disciplinary Action)
(cf. 5144 - Discipline)
(cf. 5144.1 - Suspension and Expulsion/Due Process)

Legal Reference:
UNITED STATES CODE, TITLE 49
40101 Note Unmanned aircraft systems

CODE OF FEDERAL REGULATIONS, TITLE 14
107.1-107.205 Small unmanned aircraft systems, especially:
107.12 Requirement for a remote pilot certificate with a small UAS rating
107.15-107.51 Operating rules; safety
107.53-107.79 Remote pilot certification

Management Resources:
FEDERAL AVIATION ADMINISTRATION PUBLICATIONS
Educational Use of Unmanned Aircraft Systems (UAS), Memorandum, May 4, 2016
WEB SITES
Federal Aviation Administration: https://www.faa.gov/uas
RECOVERY FOR PROPERTY LOSS OR DAMAGE

The Board of Trustees desires to create a safe and secure learning environment and to minimize acts of vandalism and damage to school property. When district property is damaged due to the willful misconduct of a student or other person, the district shall seek reimbursement of damages, within the limitations specified in law, from the parent/guardian of a minor child or from any other responsible individual.

(Cf. 0450 - Comprehensive Safety Plan)
(Cf. 3515 - Campus Security)
(Cf. 4156.3/4256.3/4356.3 - Employee Property Reimbursement)
(Cf. 4158/4258/4358 - Employee Security)
(Cf. 5131 - Conduct)
(Cf. 5131.5 - Vandalism and Graffiti)
(Cf. 5136 - Gangs)
(Cf. 5144.1 - Suspension and Expulsion/Due Process)

The district may collect debt owed by a student or former student as a result of vandalism or to cover the replacement cost of district books, supplies, or property loaned to a student that the student willfully fails to return or that is willfully cut, defaced, or otherwise injured. However, this policy shall not apply to a student who is a current or former homeless or foster child or youth. (Education Code 48904, 49014)

(Cf. 5125.2 - Withholding Grades, Diploma or Transcripts)
(Cf. 6173 - Education for Homeless Children)
(Cf. 6173.1 - Education for Foster Youth)

Rewards

The Board may offer and pay a reward for information leading to the determination of the identity of, and the apprehension of, any person who willfully damages or destroys any district property. (Government Code 53069.5)

The Board shall determine the appropriate amount for the reward.

The Superintendent or designee shall disburse the reward when the guilt of the person responsible for the act has been established by a criminal conviction or other appropriate judicial procedure. If more than one person provides information, the reward shall be divided among them as appropriate.

Legal Reference: (see next page)
RECOVERY FOR PROPERTY LOSS OR DAMAGE  (continued)

Legal Reference:

EDUCATION CODE
19910  Libraries, malicious cutting, tearing, defacing, breaking or injuring
19911  Libraries, willful detention of property
44810  Willful interference with classroom conduct
48904  Liability of parent/guardian for willful misconduct
49014  Public School Fair Debt Collection Act

CIVIL CODE
1714.1  Liability of parent or guardian for act of willful misconduct by a minor

GOVERNMENT CODE
53069.5  Reward for information concerning person causing death, injury, or property damage
53069.6  Actions to recover damages
54951  Local agency, definition

PENAL CODE
484  Theft defined
594  Vandalism
594.1  Aerosol paint and etching cream
640.5  Graffiti; facilities or vehicles of governmental entity
640.6  Graffiti

Management Resources:

WEB SITES
CSBA:  http://www.csba.org
California Department of Education:  http://www.cde.ca.gov
Judicial Council of California:  http://www.courts.ca.gov
RECOVERY FOR PROPERTY LOSS OR DAMAGE

District employees shall report any damage to or loss of school property to the Superintendent or designee immediately after such damage or loss is discovered.

(cf. 3530 - Risk Management/Insurance)
(cf. 5131.5 - Vandalism and Graffiti)

The Superintendent or designee shall conduct a complete investigation of any instance of damage to or loss of school property and shall consult law enforcement officials when appropriate.

(cf. 3515.3 - District Police/Security Department)

When the individual causing the damage or loss has been identified and the costs of repair, replacement, or cleanup determined, the Superintendent or designee shall take all practical and reasonable steps to recover the district's costs and shall consult with the district's legal counsel and/or insurance carrier, as appropriate.

Such steps may include the filing of a civil complaint in a court of competent jurisdiction to recover damages from the responsible person and, if the responsible person is a minor, from the parent/guardian in accordance with law. Damages may include the cost of repair or replacement of the property, the payment of any reward, interest, court costs, and all other damages as provided by law.

If the responsible person is a minor student of the district and the student's parents/guardians are unable to pay for the damages or to return the property, the district shall offer a program of voluntary work for the student in lieu of the payment of monetary damages. The district may offer any other student or former student, with parent/guardian permission, the option to provide service, work, or other alternative, nonmonetary forms of compensation to settle the debt owed as a result of property loss or damage. Service or work exchanged for repayment of a debt shall comply with all provisions of the Labor Code related to youth employment. (Education Code 48904, 49014)

The Superintendent or designee may withhold the student's grades, diploma, and/or transcripts until the student's parents/guardians have paid for the damages or the voluntary work has been completed. Prior to withholding a student's grades, diploma, or transcripts, due process shall be afforded the student in accordance with law. (Education Code 48904)

(cf. 5125.2 - Withholding Grades, Diploma or Transcripts)

In addition, the Superintendent or designee shall initiate appropriate disciplinary procedures against the student.
RECOVERY FOR PROPERTY LOSS OR DAMAGE  (continued)

(cf. 5131 - Conduct)
(cf. 5144 - Discipline)
(cf. 5144.1 - Suspension and Expulsion/Due Process)
(cf. 5145.3 - Nondiscrimination/Harassment)
(cf. 5145.7 - Sexual Harassment)
(cf. 5145.9 - Hate-Motivated Behavior)
Sex Offender Notification

In order to protect students while they are traveling to and from school, or attending school or a school-related activity, the Board of Trustees believes it is important that the district respond appropriately when a law enforcement agency notifies the district about registered sex offenders who may reside or work within district boundaries.

The Superintendent or designee shall establish an ongoing relationship with law enforcement officials to coordinate the receipt and dissemination of such information. To the extent authorized by law, the Superintendent or designee also shall establish procedures for notifying appropriate staff as necessary.

To protect the district and its employees from liability, employees shall disseminate sex offender information in good faith, and only in the manner and to the extent authorized by the law enforcement agency.

The Superintendent or designee may annually notify parents/guardians of the availability of information about registered sex offenders on the Department of Justice's Internet website.

(cf. 0450 - Comprehensive Safety Plan)
(cf. 1240 - Volunteer Assistance)
(cf. 1250 - Visitors/Outsiders)
(cf. 1400 - Relations Between Other Governmental Agencies and the Schools)
(cf. 3515 - Campus Security)
(cf. 5142 - Safety)

Legal Reference: (see next page)
SEX OFFENDER NOTIFICATION (continued)

Legal Reference:

EDUCATION CODE
32211 Threatened disruption or interference with classes; offense
35160 Authority of boards
35160.1 Board authority of school districts
48981 Parent/guardian notifications; methods

PENAL CODE
290 Registration of sex offenders
290.4 Sex offender registration; compilation of information
290.45 Release of sex offender information
290.46 Making information about certain sex offenders available via the Internet
290.9 Addresses of persons who violate duty to register
290.95 Disclosure by person required to register as sex offender
626.8 Disruptive entry or entry of sex offender upon school grounds
626.81 Sex offender; permission to volunteer at school
830.32 School district and community college police
3003 Parole, geographic placement

UNITED STATES CODE, TITLE 42
14071 Jacob Wetterling Crimes Against Children and Sexually Violent Offender
Registration Program Act

ATTORNEY GENERAL OPINIONS

Management Resources:

WEB SITES
California Department of Justice, Megan's Law mapping: http://www.meganslaw.ca.gov

Policy adopted: PALMDALE SCHOOL DISTRICT
Palmdale, California
The Superintendent or designee shall develop a plan for receiving and communicating information about registered sex offenders residing within district boundaries. He/she shall ensure, at a minimum, that the following components are part of the plan:

1. The Superintendent or designee shall appoint a staff member to serve as liaison with law enforcement regarding these matters.

2. The Superintendent or district liaison shall, at the beginning of each school year, contact local law enforcement to coordinate the receipt of information. Law enforcement shall be informed that all notifications and correspondence should be directed to the liaison as well as the individual school sites. A letter shall be sent annually to local law enforcement, identifying the name, phone number, and address of the liaison.

3. The Superintendent or district liaison shall collaborate with law enforcement in order to alert children to the dangers of sex offenders, develop a system for distributing information about sex offenders, and train school staff and parents/guardians about the roles and responsibilities of both the district and law enforcement.

4. The Superintendent or liaison shall, at the beginning of each school year, notify parents/guardians of the district's willingness and intention to work with law enforcement on this matter and shall explain the appropriate roles and responsibilities of both the district and law enforcement.

This communication shall also explain:

a. The reporting requirements pursuant to Penal Code 290 and 290.45, including the fact that law enforcement is the agency best able to assess the relative danger of a sex offender

b. The ability of the parents/guardians to contact law enforcement for additional information and to view the information on the Megan's Law Internet website

5. When law enforcement notifies the district of the residency or employment of a sex offender within district boundaries, the Superintendent or district liaison shall consult with law enforcement about the appropriate scope of the disclosure. When authorized by law enforcement, the Superintendent or liaison may disclose information about a sex offender to the following staff:

a. The principal of the school which is in the attendance area of the sex offender's residence or place of employment

b. Teachers and classified personnel at that school, including staff responsible for visitor registration

(cf. 1250 - Visitors/Outsiders)
SEX OFFENDER NOTIFICATION (continued)

c. Principals and staff at adjacent schools, as appropriate

d. Security staff

e. Bus drivers

f. Yard supervisors

6. Any staff member who receives information directly from law enforcement regarding registered sex offenders shall immediately contact the Superintendent or liaison in order to help ensure that the district is able to respond appropriately.

7. If an identified sex offender is seen on or near school grounds or around any student, staff shall immediately contact the district liaison. A staff member may also inform local law enforcement.

Notification to Parents/Guardians

When law enforcement has determined that parents/guardians should be notified regarding the presence of a sex offender in the community, the Superintendent or district liaison shall collaborate with local law enforcement in order to determine an appropriate response. This response may include:

1. An article in a school or parent council newsletter notifying parents/guardians that law enforcement information about registered sex offenders is available at the local law enforcement agency headquarters and/or at the school office. This article shall encourage parents/guardians to contact local law enforcement and access the Department of Justice's (DOJ) Megan's Law Internet website for additional information.

2. A mailing, at law enforcement's expense, prepared by law enforcement, and printed on law enforcement letterhead and envelopes, notifying parents/guardians of the presence of registered sex offenders. This notification shall encourage parents/guardians to contact local law enforcement and access the DOJ's Megan's Law Internet website for additional information.

3. A mailing of a letter, at district expense, prepared by law enforcement and printed on law enforcement letterhead and envelopes, notifying parents/guardians of the presence of registered sex offenders. This notification shall encourage parents/guardians to contact local law enforcement and access the DOJ's Megan's Law Internet website for additional information.
SEX OFFENDER NOTIFICATION (continued)

Whenever the principal has granted permission to a person who is required to register as a sex offender pursuant to Penal Code 290 to come into a school building or upon school grounds to volunteer at the school, he/she shall notify the parent/guardian of each student at that school, at least 14 days in advance using one of the methods specified in Education Code 48981, that a registered sex offender has been granted such permission, the date(s) and times for which permission has been granted, and the parent/guardian's right to obtain information regarding the person from a designated law enforcement agency. (Penal Code 626.81)

(cf. 1240 - Volunteer Assistance)
(cf. 5145.6 - Parental Notifications)
CRIMINAL BACKGROUND CHECKS FOR CONTRACTORS

When the employees of any entity contracting with the district to provide specified services will have contact with students, the entity shall certify in writing to the Superintendent or designee that none of those employees has been convicted of a violent or serious felony as defined in Education Code 45122.1. In the case of a sole proprietor, the Superintendent or designee shall prepare and submit the employee's fingerprints to the Department of Justice. If any contracting employee who may have contact with students has been convicted of a violent or serious felony as defined, a certificate of rehabilitation and a pardon as required pursuant to Education Code 45125.1 shall be submitted to the Superintendent or designee before the contracting employee is authorized to perform the work for the district. (Education Code 45125.1)

These requirements shall apply to a sole proprietor or entity contracting with the district to provide any of the following services: (Education Code 45125.1, 45125.2)

1. School and classroom janitorial services
2. School site administrative services
3. School site grounds and landscape maintenance services
4. Student transportation services
5. School site food-related services
6. Construction, reconstruction, rehabilitation, or repair of a school facility

(cf. 3540 - Transportation)
(cf. 3551 - Food Service Operations/Cafeteria Fund)
(cf. 3600 - Consultants)
(cf. 7140 - Architectural and Engineering Services)

On a case-by-case basis, the Superintendent or designee may require a contracting entity providing school site services other than those listed above to comply with these requirements. (Education Code 45125.1)

The Superintendent or designee may determine that criminal background checks will not be required if:

1. The contracting entity is providing services in an emergency or exceptional situation, such as when student health or safety is endangered or when repairs are needed to make school facilities safe and habitable. (Education Code 45125.1)
2. The employees of the contracting entity will have limited contact with students. In determining whether a contract employee has limited contact with students, the
CRIMINAL BACKGROUND CHECKS FOR CONTRACTORS  (continued)

Superintendent or designee shall consider the totality of the circumstances, including factors such as the length of time the contractors will be on school grounds, whether students will be in proximity with the site where the contractors will be working, and whether the contractors will be working by themselves or with others. (Education Code 45125.1)

Upon a determination that an employee will have limited contact with students, the Superintendent or designee shall take appropriate steps to protect the safety of any students who may come in contact with this employee. (Education Code 45125.1)

These steps may include, but are not limited to, ensuring that the employee is working during nonschool hours, providing for regular patrols or supervision of the site from district security or personnel, ensuring that the employee is not working alone when students are present, limiting the employee's access to school grounds, and/or providing the employee with a visible means of identification.

(cf. 3515.3 - District Police/Security Department)

3. The contract is for the construction, reconstruction, rehabilitation, or repair of a school facility and either item #1 or #2 above applies or the district uses one or more of the following methods to ensure student safety: (Education Code 45125.2)

   a. The installation of a physical barrier at the worksite to limit contact with students

   b. Continual supervision and monitoring of all employees of the entity by an employee of the entity whom the Department of Justice has ascertained has not been convicted of a violent or serious felony

   c. Surveillance of employees of the entity by school personnel

*Legal Reference: (see next page)*
CRIMINAL BACKGROUND CHECKS FOR CONTRACTORS (continued)

Legal Reference:

**EDUCATION CODE**
- 41302.5 School districts, definition
- 45122.1 Classified employees, conviction of a violent or serious felony
- 45125.1 Criminal background checks for contractors
- 45125.2 Criminal background checks for construction

**PENAL CODE**
- 667.5 Prior prison terms, enhancement of prison terms
- 1192.7 Plea bargaining limitation

Management Resources:

**WEB SITES**
- Department of Justice: https://oag.ca.gov/fingerprints
FIREARMS ON SCHOOL GROUNDS

The Board of Trustees is committed to providing a safe environment for students, staff, and visitors on campus. The Superintendent or designee shall consult with local law enforcement and other appropriate individuals and agencies to address the security of school campuses.

Possession of a firearm on or within 1,000 feet of school grounds is prohibited, except under the limited circumstances specified in Penal Code 626.9. School grounds include, but are not limited to, school buildings, fields, storage areas, and parking lots. (Penal Code 626.9)

If a district employee observes or suspects that any unauthorized person is in possession of a firearm on or near school grounds or at a school activity, he/she shall immediately notify the principal or designee and law enforcement.

The prohibition against the possession of firearms on school grounds shall be included in the district's comprehensive safety plan and shall be communicated to district staff, parents/guardians, and the community.

Legal Reference:

EDUCATION CODE
32281 Comprehensive safety plan
38001.5 District security officers; requirements if carry firearm

PENAL CODE
626.9 Gun Free School Zone Act
830.32 District police department; district decision to authorize carrying of firearm
16150 Definition of ammunition
16520 Definition of firearm
26150-26225 Concealed weapons permit
30310 Prohibition against ammunition on school grounds

UNITED STATES CODE, TITLE 18
921 Definitions, firearms and ammunition
922 Firearms, unlawful acts
923 Firearm licensing

UNITED STATES CODE, TITLE 20
7961 Gun-Free Schools Act; student expulsions for possession of firearm
FIREARMS ON SCHOOL GROUNDS  (continued)

Management Resources:
WEB SITES
Office of the Attorney General: https://oag.ca.gov/firearms
The Board of Trustees recognizes that all district staff and students must be prepared to respond quickly and responsibly to emergencies, disasters, and threats of disaster. The district shall take all reasonable steps to prevent and/or mitigate the impact of a disaster on district students, staff, and schools.

The Superintendent or designee shall develop and maintain a disaster preparedness plan which contains routine and emergency disaster procedures, including, but not limited to, earthquake emergency procedures, and adaptations for individuals with disabilities in accordance with the Americans with Disabilities Act. Such procedures shall be incorporated into the comprehensive school safety plan. (Education Code 32282)

In developing the disaster preparedness plan, the Superintendent or designee shall involve district staff at all levels, including administrators, district police or security officers, facilities managers, transportation managers, food services personnel, school psychologists, counselors, school nurses, teachers, classified employees, and public information officers. As appropriate, he/she shall also collaborate with law enforcement, fire safety officials, emergency medical services, health and mental health professionals, parents/guardians, and students.

The plan shall comply with state-approved Standardized Emergency Management System (SEMS) guidelines established for multiple-jurisdiction or multiple-agency operations and with the National Incident Management System.

The Superintendent or designee shall provide training to employees regarding their responsibilities, including periodic drills and exercises to test and refine staff’s responsiveness in the event of an emergency.

The Board shall grant the use of school buildings, grounds, and equipment to public agencies, including the American Red Cross, for mass care and welfare shelters during disasters or other emergencies affecting the public health and welfare. The Board shall cooperate with such agencies in furnishing and maintaining whatever services the district may deem necessary to meet the community’s needs. (Education Code 32282)
EMERGENCIES AND DISASTER PREPAREDNESS PLAN (continued)

District employees are considered disaster service workers and are subject to disaster service activities assigned to them. (Government Code 3100)

(cf. 4112.3/4212.3/4312.3 - Oath or Affirmation)
(cf. 4119.3/4219.3/4319.3 - Duties of Personnel)

Legal Reference:
EDUCATION CODE
32001 Fire alarms and drills
32040 Duty to equip school with first aid kit
32280-32289 School safety plans
32290 Safety devices
39834 Operating overloaded bus
46390-46392 Emergency average daily attendance in case of disaster
49505 Natural disaster; meals for homeless students; reimbursement

CIVIL CODE
1714.5 Release from liability for disaster service workers and shelters

GOVERNMENT CODE
3100-3109 Public employees as disaster service workers; oath or affirmation
8607 Standardized emergency management system

CALIFORNIA CONSTITUTION
Article 20, Section 3 Oath or affirmation

CODE OF REGULATIONS, TITLE 5
550 Fire drills
560 Civil defense and disaster preparedness plans

CODE OF REGULATIONS, TITLE 19
2400-2450 Standardized emergency management system

UNITED STATES CODE, TITLE 42
12101-12213 Americans with Disabilities Act

Management Resources:
CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS
Crisis Response Box, 2000

CALIFORNIA GOVERNOR’S OFFICE OF EMERGENCY SERVICES PUBLICATIONS
Active Shooter Awareness Guidance, February 2018
State of California Emergency Plan, 2017
School Emergency Response: Using SEMS at Districts and Sites, June 1998

FEDERAL EMERGENCY MANAGEMENT AGENCY PUBLICATIONS
National Incident Management System, 3rd ed., October 2017

U.S. DEPARTMENT OF EDUCATION PUBLICATIONS

Management Resources continued: (see next page)
EMERGENCIES AND DISASTER PREPAREDNESS PLAN (continued)

Management Resources: (continued)

WEB SITES
CSBA: http://www.csba.org
American Red Cross: http://www.redcross.org
California Attorney General's Office: https://oag.ca.gov
California Department of Education, Crisis Preparedness: http://www.cde.ca.gov/ls/ss/cp
California Governor's Office of Emergency Services: http://www.caloes.ca.gov
California Seismic Safety Commission: http://www.seismic.ca.gov
Centers for Disease Control and Prevention: http://www.cdc.gov
The Superintendent or designee shall ensure that district and/or school site plans address, at a minimum, the following types of emergencies and disasters:

1. Fire on or off school grounds which endangers students and staff
   (cf. 3516.1 - Fire Drills and Fires)

2. Earthquake, flood, or other natural disasters
   (cf. 3516.3 - Earthquake Emergency Procedure System)

3. Environmental hazards, such as leakages or spills of hazardous materials
   (cf. 3514 - Environmental Safety)
   (cf. 3514.2 - Integrated Pest Management)

4. Attack or disturbance, or threat of attack or disturbance, by an individual or group
   (cf. 3515.2 - Disruptions)
   (cf. 3515.7 - Firearms on School Grounds)
   (cf. 5131.4 - Student Disturbances)

5. Bomb threat or actual detonation
   (cf. 3516.2 - Bomb Threats)

6. Biological, radiological, chemical, and other activities, or heightened warning of such activities

7. Medical emergencies and quarantines, such as a pandemic influenza outbreak
   (cf. 5141.22 - Infectious Diseases)

The Superintendent or designee shall ensure that the district's procedures include strategies and actions for prevention/mitigation, preparedness, response, and recovery, including, but not limited to, the following:

1. Regular inspection of school facilities and equipment, identification of risks, and implementation of strategies and measures to increase the safety and security of school facilities
   (cf. 3513.3 - District Police/Security Department)
   (cf. 3515 - Campus Security)
   (cf. 3517 - Facilities Inspection)
   (cf. 3530 - Risk Management/Insurance)
EMERGENCIES AND DISASTER PREPAREDNESS PLAN (continued)

2. Instruction for district staff and students regarding emergency plans, including:
   a. Training of staff in first aid and cardiopulmonary resuscitation
   b. Regular practice of emergency procedures by students and staff

(cf. 4131 - Staff Development)
(cf. 4231 - Staff Development)
(cf. 4331 - Staff Development)

3. Specific determination of roles and responsibilities of staff during a disaster or other emergency, including determination of:
   a. The appropriate chain of command at the district and, if communication between the district and site is not possible, at each site
   b. Individuals responsible for specific duties
   c. Designation of the site administrator/designee incident commander for the overall control and supervision of activities at each school during an emergency, including authorization to use his/her discretion in situations which do not permit execution of prearranged plans
   d. Identification of at least one person at each site who holds a valid certificate in first aid and cardiopulmonary resuscitation
   e. Assignment of responsibility for identification of injured persons and administration of first aid

4. Personal safety and security, including:
   a. Identification of areas of responsibility for the supervision of students
   b. Procedures for the evacuation of students and staff, including posting of evacuation routes
   c. Procedures for the release of students, including a procedure to release students when reference to the emergency card is not feasible

(cf. 5141 - Health Care and Emergencies)
(cf. 5142 - Safety)
EMERGENCIES AND DISASTER PREPAREDNESS PLAN (continued)

d. Identification of transportation needs, including a plan which allows bus seating capacity limits to be exceeded when a disaster or hazard requires students to be moved immediately to ensure their safety

(cf. 3543 - Transportation Safety and Emergencies)

e. Provision of a first aid kit to each classroom

f. Arrangements for students and staff with special needs

(cf. 4032 - Reasonable Accommodation)
(cf. 6159 - Individualized Education Program)
(cf. 6164.6 - Identification and Education Under Section 504)

g. Upon notification that a pandemic situation exists, adjustment of attendance policies for students and sick leave policies for staff with known or suspected pandemic influenza or other infectious disease

(cf. 4161.1/4361.1 - Personal Illness/Injury Leave)
(cf. 4261.1 - Personal Illness/Injury Leave)
(cf. 5113 - Absences and Excuses)
(cf. 6183 - Home and Hospital Instruction)

5. Closure of schools, including an analysis of:

a. The impact on student learning and methods to ensure continuity of instruction

b. How to provide for continuity of operations for essential central office functions, such as payroll and ongoing communication with students and parents/guardians

(cf. 3516.5 - Emergency Schedules)

6. Communication among staff, parents/guardians, the Board of Trustees, other governmental agencies, and the media during an emergency, including:

a. Identification of spokesperson(s)

(cf. 1112 - Media Relations)

b. Development and testing of communication platforms, such as hotlines, telephone trees, web sites, social media, and electronic notifications
EMERGENCIES AND DISASTER PREPAREDNESS PLAN (continued)

(cf. 1113 - District and School Web Sites)
(cf. 1114 - District-Sponsored Social Media)

c. Development of methods to ensure that communications are, to the extent practicable, in a language and format that is easy for parents/guardians to understand

d. Distribution of information about district and school site emergency procedures to staff, students, and parents/guardians

7. Cooperation with other state and local agencies, including:

a. Development of guidelines for law enforcement involvement and intervention

b. Collaboration with the local health department, including development of a tracking system to alert the local health department of a substantial increase of student or staff absenteeism as indicative of a potential outbreak of an infectious disease

(cf. 1400 - Relations Between Other Governmental Agencies and the Schools)

8. Steps to be taken after the disaster or emergency, including:

a. Exterior and interior survey of school facilities

b. Provision of mental health services for students and staff, as needed

(cf. 6164.2 - Guidance/Counseling Services)
FIRE DRILLS AND FIRES

Fire Drills

The principal shall cause the fire alarm signal to be sounded at least once every month. (Education Code 32001)

The principal shall also hold fire drills at least once a month at the elementary level, and at the intermediate level. (Education Code 32001)

1. The principal shall notify staff as to the schedule for fire drills.
2. Whenever a fire drill is held, all students, teachers and other employees shall be directed to leave the building. (5 CCR 550)
3. Teachers shall ascertain that no student remains in the building.
4. Teachers shall be prepared to select alternate exits and shall direct their classes to these exits whenever the designated escape route is blocked.
5. The principal or designee shall keep a record of each fire drill conducted and file a copy of this record with the office of the Superintendent or designee.

Fires

When a fire is discovered in any part of the school, the following actions shall be taken:

1. The principal or designee shall sound fire signals, unless the school and/or building is equipped with an automatic fire detection and alarm system. (Education Code 32001)
2. The principal or designee shall call 911.
3. All persons shall be directed to leave the building and shall proceed outside to designated assembly areas.
4. Staff shall give students clear direction and supervision and help maintain a calm and orderly response.
5. In outside assembly areas, teachers shall take roll, report missing students, and provide assistance to any injured students.
6. In outside assembly areas, the principal, designee and/or each department head shall account for their staff, report missing staff, and provide assistance to any injured staff.
FIRE DRILLS AND FIRES (continued)

7. If the fire is extensive, students shall be taken to an alternate location as necessary, for protective custody until parents/guardians can pick them up or until they can be safely transported to their homes.

(cf. 0450 - Comprehensive Safety Plan)
(cf. 3516 - Emergencies and Disaster Preparedness Plan)

Legal Reference:
EDUCATION CODE
17074.50-17074.56 Automatic fire detection, alarm and sprinkler systems
32001 Uniform fire signals
32040 Duty to equip school with first aid kit
CODE OF REGULATIONS, TITLE 5
550 Fire drills
EMERGENCY SCHEDULES

In order to provide for the safety of students and staff, the Board of Trustees authorizes the Superintendent or designee to close a school site, change the regular school day schedule, or take any necessary action when hazardous environmental or weather conditions or other emergencies warrant.

(cf. 0450 - Comprehensive Safety Plan)
(cf. 4157/4257/4357 - Employee Safety)
(cf. 5142 - Safety)
(cf. 6112 - School Day)

When an emergency condition causes a school closure, reduction in attendance, or change in schedule pursuant to Education Code 41422 or 46392, thereby preventing the district from complying with the minimum number of instructional days or minutes required by law, the Superintendent or designee shall complete and submit to the Superintendent of Public Instruction the necessary forms for obtaining approval of the days of the closure, reduction in attendance, or change in schedule. The Superintendent or designee shall submit other relevant district records as may be required.

(cf. 3580 - District Records)
(cf. 6111 - School Calendar)

The Superintendent or designee shall establish a system for informing students and parents/guardians when school buses are not operating as scheduled, the school day schedule is changed, or the school is closed. The district's notification system shall include, but is not limited to, notifying local television and radio stations, posting on district web site(s), sending email and text messages, and/or making telephone calls.

(cf. 1112 - Media Relations)
(cf. 1113 - District and School Web Sites)
(cf. 3542 - School Bus Drivers)
(cf. 3543 - Transportation Safety and Emergencies)

Whenever the school day schedule changes after students have arrived at school, the Superintendent or designee shall ensure that students are supervised in accordance with the procedures specified in the district's emergency and disaster preparedness plan.

(cf. 3516 - Emergencies and Disaster Preparedness Plan)

The Superintendent or designee may provide a means to make up lost instructional time later during the year. Students and parents/guardians shall receive timely advanced notice of any resulting changes in the school calendar or school day schedule.

Legal Reference: (see next page)
EMERGENCY SCHEDULES  (continued)

Legal Reference:

EDUCATION CODE
41420  Required length of school term
41422  Schools not maintained for 175 days
46010  Total days of attendance
46100-46192  Attendance: maximum credit; minimum day
46390  Calculation of ADA in emergency
46391  Lost or destroyed ADA records
46392  Decreased attendance in emergency situation

VEHICLE CODE
34501.6  School buses; reduced visibility

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION CORRESPONDENCE
90-01  Average Daily Attendance Credit During Periods of Emergency, February 10, 2005

WEB SITES
California Department of Education:  http://www.cde.ca.gov
FACILITIES INSPECTION

The Superintendent or designee shall inspect school facilities to ensure that they are maintained in good repair. At a minimum, he/she shall assess those facility conditions specified on the facilities inspection tool developed by the Office of Public School Construction, including, but not limited to, the following: (Education Code 17002, 35292.5)


2. Mechanical Systems: Heating, ventilation, and air conditioning systems, as applicable, are functional and unobstructed; appear to supply an adequate amount of air to all classrooms, work spaces, and facilities; and maintain interior temperatures within normally acceptable ranges.

3. Windows and Doors: Windows and doors are intact, functional, and open, close, and lock as designed, unless there is a valid reason they should not function as designed.

4. Fences and Gates: Fences and gates are intact, functional, and free of holes and other conditions that could present a safety hazard to students, staff, or others. Locks and other security hardware function as designed.

5. Interior Surfaces (walls, floors, ceilings): Interior surfaces are free of safety hazards from tears, holes, missing floor and ceiling tiles, torn carpet, water damage, or other cause. Ceiling tiles are intact. Surfaces display no evidence of mold or mildew.

6. Hazardous Materials: Hazardous and flammable materials are stored properly. No evidence of peeling, chipping, or cracking paint is apparent. No indicators of mold, mildew, or asbestos exposure are evident. There does not appear to be evidence of hazardous materials that may pose a threat to the health and safety of students or staff.

(cf. 3514 - Environmental Safety)

7. Structures: Posts, beams, supports for portable classrooms and ramps, and other structures appear intact, secure, and functional as designed. Ceilings and floors are not sloping or sagging beyond their intended design. There is no visible evidence of severe cracks, dry rot, mold, or damage that undermines structural components.

8. Fire Safety and Emergency Equipment: Fire sprinklers, fire extinguishers, emergency alarm systems, and all emergency equipment and systems appear to be functioning properly. Fire alarm pull stations are clearly visible. Fire extinguishers are current and placed in all required areas, including every classroom and assembly area. Emergency exits are clearly marked and unobstructed.
FACILITIES INSPECTION (continued)

9. Electrical Systems: Electrical systems, components, and equipment, including switches, junction boxes, panels, wiring, outlets, and light fixtures, are securely enclosed, properly covered and guarded from student access, and appear to be working properly.

10. Lighting: Interior and exterior lighting appears to be adequate and working properly. Lights do not flicker, dim, or malfunction, and there is no unusual hum or noise from light fixtures.

11. Pest/Vermin Infestation: No visible or odorous indicators of pest or vermin infestation are evident.

12. Drinking Fountains: Interior and exterior drinking fountains are functional, accessible, and free of leaks. Drinking water pressure is adequate. Fountain water is clear and without unusual taste or odor, and moss, mold, or excessive staining is not evident.

13. Restrooms: Restrooms are fully operational, maintained and cleaned regularly, and stocked at all times with supplies (including toilet paper, soap, and paper towels or functional hand dryers) in accordance with Education Code 35292.5. The school keeps all restrooms open during school hours when students are not in classes and keeps a sufficient number of restrooms open during school hours when students are in classes, except when necessary to temporarily close a restroom for student safety or to repair the facility.

In addition, in a school serving any of grades 6-12 in which 40 percent or more of the students in the school or school attendance area are from low-income families, at least 50 percent of the school's restrooms are stocked with feminine hygiene products, for which students are not charged. (Education Code 35292.6; 20 USC 6314)

14. Sewers: The sanitary sewer system controls odors as designed, displays no signs of stoppage, backup, or flooding in school facilities or on school grounds, and appears to be functioning properly.

15. Roofs: Roofs, gutters, roof drains, and downspouts appear to be functioning properly and are free of visible damage and evidence of disrepair when observed from the ground from inside and outside the building.

16. Drainage: School grounds do not exhibit signs of drainage problems, such as visible evidence of flooded areas, eroded soil, water damage to asphalt playgrounds or parking areas, or clogged storm drain inlets.
FACILITIES INSPECTION  (continued)

17. Playground/School Grounds: Playground equipment (exterior fixtures, seating, tables, and equipment), school grounds, fields, walkways, and parking lot surfaces are functional and free of significant cracks, trip hazards, holes, deterioration that affects functionality or safety, and other health and safety hazards.

18. Overall Cleanliness: School grounds, buildings, common areas, and individual rooms appear to have been cleaned regularly and are free of accumulated refuse and unabated graffiti. Restrooms, drinking fountains, and food preparation or serving areas appear to have been cleaned each day that school is in session.

In addition, to ensure the health and safety of students, the Superintendent or designee shall provide for the testing of drinking water on campus and of the soil and painted surfaces of school facilities for the presence of lead and/or other harmful substances, in accordance with state and federal standards.

The Superintendent or designee shall ensure that any necessary repairs or removal of hazards identified during the inspection are made in a timely and expeditious manner.

An assessment of the safety, cleanliness, and adequacy of school facilities, including any needed maintenance to ensure good repair as defined in Education Code 17002, shall be reported on the school accountability report card. (Education Code 33126)

(cf. 0510 - School Accountability Report Card)

Any complaint alleging a school facility condition that poses an emergency or urgent threat to the health or safety of students or staff, or alleging that a school restroom is not clean, maintained, or kept open, shall be addressed in accordance with AR 1312.4 - Williams Uniform Complaint Procedures.

(cf. 1312.4 - Williams Uniform Complaint Procedures)

The Superintendent or designee shall provide the Board with regular reports regarding the district's facility inspection program and updates of any visits to district schools by the County Superintendent of Schools.

Legal Reference:  (see next page)
FACILITIES INSPECTION (continued)

Legal Reference:

EDUCATION CODE
1240 County superintendent of schools, duties
17002 Definitions
17070.10-17077.10 Leroy F. Greene School Facilities Act of 1998
17565-17591 Property maintenance and control
17592.72 Urgent or emergency repairs, School Facility Emergency Repair Account
33126 School accountability report card
35186 Williams uniform complaint procedure
35292.5-35292.6 School maintenance

HEALTH AND SAFETY CODE
116277 Lead testing in drinking water

CODE OF REGULATIONS, TITLE 2
1859.300-1859.330 Emergency Repair Program

UNITED STATES CODE, TITLE 20
6314 Title I schoolwide program

UNITED STATES CODE, TITLE 42
300j-300j-27 Safe Drinking Water Act

Management Resources:

COALITION OF ADEQUATE SCHOOL HOUSING PUBLICATIONS
Facility Inspection Tool Guidebook, February 2008

STATE ALLOCATION BOARD, OFFICE OF PUBLIC SCHOOL CONSTRUCTION PUBLICATIONS
Facility Inspection Tool: School Facility Conditions Evaluation

WEB SITES
CSBA: http://www.csba.org
California County Superintendents Educational Services Association: http://www.ccsesa.org
Coalition of Adequate School Housing: http://www.cashnet.org
State Allocation Board, Office of Public School Construction: http://www.opsc.dgs.ca.gov
U.S. Environmental Protection Agency: http://www.epa.gov

Regulation approved: PALMDALE SCHOOL DISTRICT
Palmdale, California
RISK MANAGEMENT/INSURANCE

The Board of Trustees strongly supports a risk management program that protects district resources and promotes the safety of students, staff and the public.

The Superintendent or designee shall establish a risk management program that uses effective safety and loss control practices. The District shall strive to keep its liability at a minimum and its insurance premiums as low as possible while maintaining adequate protection. To determine the most economical means of insuring the district consistent with required services, the Superintendent or designee shall annually review the district's options for obtaining coverage, including qualified insurance agents, a joint powers agency, self-insurance or a combination of these means.

The Board reserves the right to remove an insurance agent-of-record or a participating agent whenever, in the judgment of the Board, such action becomes desirable for the best interests of the district.

To attempt to minimize the district's exposure to liability, the Board shall adopt clear policies related to discrimination, harassment, safety procedures, and the timely handling of claims. The Superintendent or designee shall ensure that these policies and related procedures are enforced fairly and consistently.

(cf. 0410 - Nondiscrimination in District Programs and Activities)
(cf. 3320 - Claims and Actions Against the District)
(cf. 4030 - Nondiscrimination in Employment)
(cf. 4119.11/4219.11/4319.11 - Sexual Harassment)
(cf. 4132/4232/4332 - Publication or Creation of Materials)
(cf. 4157.1/4257.1/4357.1 - Work-Related Injuries)
(cf. 4158/4258/4358 - Employee Security)
(cf. 5141.4 - Child Abuse Prevention and Reporting)
(cf. 5145.3 - Nondiscrimination/Harassment)
(cf. 5145.7 - Sexual Harassment)
(cf. 6162.6 - Use of Copyrighted Materials)
(cf. 9260 - Legal Protection)

Legal Reference: (see next page)
RISK MANAGEMENT/INSURANCE (continued)

Legal Reference:

EDUCATION CODE
17029.5 Contract funding; board liability
17565-17592 Board duties re property maintenance and control
32350 Liability on equipment loaned to district
35162 Power to sue, be sued, hold and convey property
35200-35214 Liabilities, especially:
35208 Liability insurance
35211 Driver training civil liability insurance
35213 Reimbursement for loss, destruction or damage of personal property
35214 Liability self-insurance
35331 Medical or hospital service for students on field trip
39837 Transportation of pupils to places of summer employment
41021 Requirement for employees' indemnity bonds
44873 Qualifications for physician (liability coverage)
49470-49474 District medical services and insurance

GOVERNMENT CODE
820.9 Board members not vicariously liable for injuries caused by district
989-991.2 Local public entity insurance

LABOR CODE
3200-4855 Workers' compensation
RISK MANAGEMENT/INSURANCE

Risk Management

The Superintendent or designee shall take action to:

1. Identify the risks inherent in the operation of district programs
2. Assess the above risks and keep records of accidents, losses and damage
3. Mitigate risks through loss control and safety-related activities
4. Determine the extent to which risks should be assumed by the district or covered by the purchase of insurance or pooling with other districts

Employees are expected to take reasonable precautions for the care and safety of the school equipment with which they have been entrusted. Employees may be held responsible for recurring damage or losses that occur due to their negligence or lack of supervision. Responsibilities related to safety and loss control shall be included in employee job descriptions.

(cf. 0450 - Comprehensive Safety Plan)
(cf. 1240 - Volunteer Assistance)
(cf. 1330 - Use of School Facilities)
(cf. 3400 - Management of District Assets/Accounts)
(cf. 3430 - Investing)
(cf. 3440 - Inventories)
(cf. 3512 - Equipment)
(cf. 3514 - Environmental Safety)
(cf. 3514.1 - Hazardous Substances)
(cf. 3515.4 - Recovery for Property Loss or Damage)
(cf. 3516 - Emergencies and Disaster Preparedness Plan)
(cf. 3541.1 - Transportation for School-Related Trips)
(cf. 3543 - Transportation Safety and Emergencies)
(cf. 4112.42/4212.42/4312.43 - Drug and Alcohol Testing for School Bus Drivers)
(cf. 4119.42/4219.42/4319.42 - Exposure Control Plan for Bloodborne Pathogens)
(cf. 4157/4257/4357 - Employee Safety)
(cf. 4212.5 - Criminal Record Check)
(cf. 5131.1 - Bus Conduct)
(cf. 5131.61 - Drug Testing)
(cf. 5141 - Health Care and Emergencies)
(cf. 5141.22 - Infectious Diseases)
(cf. 5142 - Safety)
(cf. 6145.2 - Athletic Competition)
(cf. 6153 - School-Sponsored Trips)
(cf. 9260 - Legal Protection)
RISK MANAGEMENT/INSURANCE (continued)

Insurance

Insurance coverage shall include, but may not be limited to:

1. Liability insurance (Education Code 35200-35214)
2. Fire insurance for buildings, equipment and vehicles (Education Code 17565)
3. Workers’ compensation insurance (Labor Code 3700)
4. Fidelity bond insurance (Education Code 41021)

A suitable bond indemnifying the district against loss shall be purchased for employees responsible for handling district funds and may be purchased for employees responsible for handling district property. The district shall bear the cost of this bonding. (Education Code 41021)

(cf. 1330 - Use of School Facilities)
(cf. 4154/4254/4354 - Health and Welfare Benefits)
(cf. 4156.3/4256.3/4356.3 - Employee Property Reimbursement)
(cf. 4157.1/4257.1/4357.1 - Work-Related Injuries)
(cf. 5143 - Insurance)
(cf. 9260 - Legal Protection)
TRANSPORTATION

The Board of Trustees desires to provide for the safe and efficient transportation of students to and from school as necessary to ensure student access to the educational program, promote regular attendance, and reduce tardiness. In determining the extent to which the district will provide transportation services, the Board shall weigh student and community needs against the cost of providing such services.

(cf. 3100 - Budget)
(cf. 3541 - Transportation Routes and Services)
(cf. 3541.1 - Transportation for School-Related Trips)
(cf. 3541.2 - Transportation for Students with Disabilities)
(cf. 5116.1- Intradistrict Open Enrollment)
(cf. 5117 - Interdistrict Attendance)
(cf. 6178.2 - Regional Occupational Center/Program)

The Superintendent or designee shall recommend to the Board economical, environmentally sustainable, and appropriate means of providing transportation services.

(cf. 3510 - Green School Operations)

The Board may purchase, rent, or lease vehicles; contract with a common carrier or municipally owned transit system; contract with responsible private parties including the parent/guardian of the student being transported; and/or contract with the County Superintendent of Schools. (Education Code 35330, 39800, 39801)

In contracting for transportation services, the district shall comply with all applicable laws related to bids and contracts. (Education Code 39802-39803)

(cf. 3311 - Bids)
(cf. 3312 - Contracts)

The Board may charge a transportation fee to parents/guardians of transported students in accordance with Education Code 39807.5 and BP/AR 3250 - Transportation Fees.

(cf. 3250 - Transportation Fees)

No student shall be required to be transported for any reason without the written permission of the student's parent/guardian, except in emergency situations involving illness or injury to the student pursuant to Education Code 35350 or the evacuation of students as necessary for their safety.

(cf. 3516 - Emergencies and Disaster Preparedness Plan)

The Superintendent or designee shall develop procedures to promote safety for students traveling on school buses.

(cf. 3543 - Transportation Safety and Emergencies)
TRANSPORTATION (continued)

(cf. 5131.1 - Bus Conduct)

The district may install a global positioning system (GPS) on school buses and/or student activity buses in order to enhance student safety and provide real-time location data to district and school administrators and parents/guardians.

The Superintendent or designee shall ensure the qualifications of bus drivers and related staff employed by the district, provide for the maintenance and operation of district-owned school buses and other equipment, and ensure adequate facilities for equipment storage and maintenance.

(cf. 3542 - School Bus Drivers)

Legal Reference:
EDUCATION CODE
35330 Excursions and field trips
35350 Authority to transport pupils
39800-39860 Transportation, especially:
39800 Powers of governing board to provide transportation for pupils to and from school; definition of "municipally owned transit system"
39801 Contract with County Superintendent of Schools to provide transportation
39802-39803 Bids and contracts for transportation services
39806 Payments to parents in lieu of transportation
39807 Food and lodging payments in lieu of transportation
39807.5 Transportation fees
39808 District transportation of private school students
41850-41854 Allowances for transportation
41860-41862 Supplemental allowances for transportation
45125.1 Criminal background checks for contractors
52311 Regional occupational centers, transportation
GOVERNMENT CODE
3540-3549.3 Educational Employment Relations Act
PENAL CODE
637.7 Electronic tracking devices
VEHICLE CODE
2807 School bus inspection
CODE OF REGULATIONS, TITLE 5
14100-14103 Use of school buses and school pupil activity buses
15240-15343 Allowances for student transportation, especially:
15253-15272 District records related to transportation
CODE OF REGULATIONS, TITLE 13
2025 Retrofitting of diesel school buses
COURT DECISIONS

Policy adopted: PALMDALE SCHOOL DISTRICT
Palmdale, California
TRANSPORTATION ROUTES AND SERVICES

Routes and Bus Stops

The Superintendent or designee shall design transportation routes and stops within district boundaries that promote student safety, maximum efficiency in the use of buses, and decreased traffic in and around the schools.

Students shall be eligible for transportation service to and from school if the distance between their school-established bus stop and the school is beyond the minimum listed below:

1. For elementary school students:
   Grades K-5: one and one-half miles

2. For middle school students:
   Grades 6-8: two miles

The Superintendent or designee may authorize transportation below these limits when safety problems or hazards exist.

(cf. 5142.2 - Safe Routes to School)

The Superintendent or designee shall communicate in writing to parents/guardians regarding bus routes, schedules and stops. He/she may also arrange for local media to publish such information.

(cf. 1112 - Media Relations)

Transportation Services

With the Board's authorization, transportation services may be provided or arranged by the district for:

1. Students traveling to and from school during the regular school day (Education Code 39800)

2. Field trips and excursions (Education Code 35330)

(cf. 3541.1 - Transportation for School-Related Trips)

3. School activities, expositions or fairs, or other activities determined to be for the benefit of students (Education Code 39860)
TRANSPORTATION ROUTES AND SERVICES  (continued)

4. District employees or parents/guardians traveling to and from educational activities authorized by the district (Education Code 39837.5)

Students who attend a school outside of their school attendance area may be eligible for transportation services in accordance with District policy/regulation.

In cases where a student (for any reason) attends a school outside of their school attendance boundaries, the District may choose to provide transportation or designate a pickup/drop off location at the school the student would attend based on his/her residence and published District attendance boundaries. This is not applicable to students whose individualized education program (IEP) specifies "Special Education Transportation", unless these instructions are expressly written into the IEP document.

The district shall provide home-to-school transportation and additional transportation services as needed for students with disabilities as specified in their individualized education programs. (Education Code 41850, 20 USC 1400-1482, 34 CFR 104.4)

(cf. 3541.2 - Transportation for Students with Disabilities)

The Superintendent or designee shall provide transportation to homeless students in accordance with law, Board policy, and administrative regulation. When the student resides outside of district boundaries, the Superintendent or designee shall consult with the superintendent of the district of residence to apportion the responsibility and costs of transportation. (42 USC 11432)

(cf. 6173 - Education for Homeless Children)

The Superintendent or designee shall collaborate with the local child welfare agency to determine the provision, arrangement, and funding of transportation to enable foster youth to attend their school of origin when it is in the student's best interest to do so. (20 USC 6312)

(cf. 6173.1 - Education for Foster Youth)

Legal Reference: (see next page)
TRANSPORTATION ROUTES AND SERVICES (continued)

Legal Reference:

EDUCATION CODE
10900.5 Use of school buses for community recreation
35330 Excursions and field trips
35350 Authority to transport pupils
39800-39809.5 Transportation, general provisions, especially:
39800 Powers of governing board to provide transportation to and from school
39801.5 Transportation for adults
39808 Transportation for private school students
39830-39842 School buses, especially:
39835 Use of school buses for community recreation
39837 Transportation to summer employment program
39837.5 Transportation of employees and parents/guardians to school activities
39860 Transportation to school activities
41850-41856 Allowances for transportation
41860-41863 Supplementary allowances for transportation

CODE OF REGULATIONS, TITLE 5
15240-15244 Allowances for student transportation

UNITED STATES CODE, TITLE 20
1400-1482 Individuals with Disabilities Education Act

UNITED STATES CODE, TITLE 42
11432 McKinney-Vento Homeless Assistance Act

CODE OF FEDERAL REGULATIONS, TITLE 34
104.4 Equal opportunity under the Rehabilitation Act of 1973, Section 504
300.17 Free appropriate public education
300.34 Special education related services

Management Resources:

CSBA PUBLICATIONS
Special Education Pupil Transportation: Considerations in the Era of LCFF, Governance Brief, April 2014

WEB SITES
California Department of Education, Office of School Transportation:
http://www.cde.ca.gov/bus/index.html
Pupil Transportation Safety Institute: http://www.ptsi.org
TRANSPORTATION FOR SCHOOL-RELATED TRIPS

The district may provide transportation for students, employees, and other individuals for field trips and other school-related trips approved according to Board policy and administrative regulation.

(cf. 3312.2 - Educational Travel Program Contracts)
(cf. 3540 - Transportation)
(cf. 3541 - Transportation Routes and Services)
(cf. 6153 - School-Sponsored Trips)

The Superintendent or designee shall determine the most appropriate and cost-effective mode of transportation for each approved trip. He/she may authorize the use of district vehicles, contract to provide transportation, or arrange transportation by the use of other vehicles.

The Superintendent or designee shall ensure that the district or contractor has sufficient liability insurance for transportation on school-related trips.

(cf. 3530 - Risk Management/Insurance)

When district transportation is provided, students may be released from using district transportation only with the advance written permission of their parents/guardians.

School-related organizations requesting transportation shall be fully responsible for the costs of their trips unless funding has been approved by the Board of Trustees.

(cf. 1230 - School-Connected Organizations)

Transportation by Private Vehicle

Private vehicles shall not be used to provide transportation for school-related trips.

Passenger Restraint Systems

A child who is under age eight years shall be properly secured in a rear seat in an appropriate child passenger restraint system meeting federal safety standards, except under any of the following circumstances: (Vehicle Code 27360, 27363)

1. The child is four feet nine inches or taller, in which case a safety belt may be used.

2. Use of a child passenger restraint system would be impractical by reason of physical unfitness, medical condition, or size and an appropriate special needs child passenger restraint system is not available.
TRANSPORTATION FOR SCHOOL-RELATED TRIPS  (continued)

3. There is no rear seat, the rear seats are side-facing jump seats or rear-facing seats, the child passenger restraint system cannot be installed properly in the rear seat, all rear seats are already occupied by children under age eight years, or medical reasons necessitate that the child not ride in the rear seat.

4. The child is otherwise exempted by law.

Legal Reference:

EDUCATION CODE
35330 Excursions and field trips
35332 Transportation by air
39830 School bus
39830.1 School pupil activity bus
39860 Transportation to special activities by district
44808 Liability when students not on school property

HEALTH AND SAFETY CODE
118947-118949 Prohibition against smoking in motor vehicle with minor

PUBLIC UTILITIES CODE
5384.2 District not liable for charter-party carrier

VEHICLE CODE
545 School bus, definition
12814.6 Limitations of provisional driver's license
27315 Mandatory use of seat belts in private passenger vehicles
27360-27360.5 Child passenger restraint systems
27363 Child passenger restraint systems, exemptions

Management Resources:

WEB SITES
California Department of Motor Vehicles: http://www.dmv.ca.gov
California Highway Patrol: http://www.chp.ca.gov

PALMDALE SCHOOL DISTRICT
Palmdale, California
TRANSPORTATION FOR SCHOOL-RELATED TRIPS

SCHOOL DRIVER REGISTRATION FORM

DRIVER INFORMATION

Driver (circle one): Employee  Parent/Guardian  Volunteer

Name: _______________________________ Date of Birth: ____________
Address: _______________________________
Telephone: (__) ___________________ Cell Phone: (__) ____________
Driver's License No.: ____________________ Expiration Date: ____________

VEHICLE INFORMATION

Name of Owner: _________________________
Address: _______________________________
Make: ____________________________ License Plate No.: __________________
Registration Expiration: ____________ Seating Capacity: ____________

INSURANCE INFORMATION

Insurance Company: ____________________ Telephone: (__) ____________
Policy No.: ____________________________ Expiration Date: ____________
Liability Limits of Policy: ____________________________

DRIVER STATEMENT

I certify that I have not been convicted of reckless driving or driving under the influence of drugs or alcohol within the past five years and that the information given above is true and correct. I understand that if an accident occurs, my insurance coverage shall bear primary responsibility for any losses or claims for damages.

I certify that I have received and will abide by the driver instructions provided by the district.

Name: _______________________________ Date: __________________

Exhibit
version:
TRANSPORTATION FOR SCHOOL-RELATED TRIPS

DRIVER INSTRUCTIONS

When using your vehicle to transport students on field trips or other school activity trips:

1. Be sure that you have registered with the district for such purposes and have a valid driver's license and current liability insurance at or above the minimum amount required by law for each occurrence.

2. Check the safety of your vehicle: tires, brakes, lights, horn, suspension, etc.

3. Carry only the number of passengers for which your vehicle was designed. If you have a pickup truck, carry only as many as can safely sit in the passenger compartment.

4. Require each passenger to use an appropriate child passenger restraint system (child car seat or booster seat) or safety belt in accordance with law.

5. Do not smoke a pipe, cigar, vaping or cigarette while there are minors in the vehicle, as required by law.

6. Obey all traffic laws.

7. Take the most direct route to the destination or event without unnecessary stops.

In case of emergency, keep all students together and call 911 and the district office.
TRANSPORTATION FOR STUDENTS WITH DISABILITIES

The Board of Trustees desires to meet the transportation needs of students with disabilities to enable them to benefit from special education and related services. The district shall provide appropriate transportation services for a student with disabilities when the district is the student's district of residence and the transportation services are required by his/her individualized education program (IEP) or Section 504 accommodation plan.

The specific needs of the student shall be the primary consideration when an IEP team is determining the student's transportation needs. Considerations may include, but are not limited to, the student's health needs, travel distances, physical accessibility and safety of streets and sidewalks, accessibility of public transportation systems, midday or other transportation needs, extended-year services, and, as necessary, implementation of a behavioral intervention plan.

The Superintendent or designee shall provide IEP teams with information about district transportation services in order to assist them in making decisions as to the mode, schedule, and location of transportation services that may be available to each student with disabilities. The IEP team may communicate with district transportation staff and/or invite transportation staff to attend IEP team meetings where the student's transportation needs will be discussed.

Transportation services specified in a student's IEP or Section 504 plan shall be provided at no cost to the student or his/her parent/guardian.

If a student whose IEP or accommodation plan specifies transportation needs is excluded from school bus transportation for any reason, such as suspension, expulsion, or other reason, the district shall provide alternative transportation at no cost to the student or parent/guardian. (Education Code 48915.5)

When contracting with a nonpublic, nonsectarian school or agency to provide special education services, the Superintendent or designee shall ensure that the contract includes general administrative and financial agreements related to the provision of transportation services if specified in the student's IEP. (Education Code 56366)
TRANSPORTATION FOR STUDENTS WITH DISABILITIES  (continued)

The Superintendent or designee shall arrange transportation schedules so that students with disabilities do not spend an excessive amount of time on buses compared to other students. Arrivals and departures shall not reduce the length of the school day for these students except as may be prescribed on an individual basis.

(cf. 0410 - Nondiscrimination in District Programs and Activities)
(cf. 3541 - Transportation Routes and Services)

The Superintendent or designee shall ensure that any mobile seating devices used on district buses are compatible with bus securement systems required by 49 CFR 571.222. (Education Code 56195.8)

(cf. 3542 - School Bus Drivers)

As necessary, a student with disabilities may be accompanied on school transportation by a service animal, as defined in 28 CFR 35.104, including a specially trained guide dog, signal dog, or service dog. (Education Code 39839; Civil Code 54.1-54.2; 28 CFR 35.136)

(cf. 6163.2 - Animals at School)

When transportation is not specifically required by the IEP or Section 504 plan of a student with disabilities, the student shall be subject to the rules and policies regarding regular transportation offerings within the district.

Legal Reference: (see next page)
TRANSPORTATION FOR STUDENTS WITH DISABILITIES  (continued)

Legal Reference:

EDUCATION CODE
39807.5  Payment of transportation cost
39839  Guide dogs, signal dogs, and service dogs on bus
41850-41854  Allowances for transportation
48300-48315  Alternative interdistrict attendance program
48915.5  Expulsion of students with exceptional needs
56040  No cost for special education and related services
56195.8  Adoption of policies
56327  Assessment for special education and related services
56345  Individualized education program
56365-56366.1  Nonpublic nonsectarian schools or agencies

CIVIL CODE
54.1-54.2  Service animals

CODE OF REGULATIONS, TITLE 5
15243  Physically handicapped minors
15271  Exclusion from report

UNITED STATES CODE, TITLE 20
1400-1482 Individuals with Disabilities Education Act

UNITED STATES CODE, TITLE 29
794 Section 504 of the Rehabilitation Act of 1973

CODE OF FEDERAL REGULATIONS, TITLE 28
35.104  Definitions
35.136  Service animals

CODE OF FEDERAL REGULATIONS, TITLE 34
104.4  Equal opportunity under the Rehabilitation Act of 1973, Section 504
300.1-300.818  Individuals with Disabilities Education Act, especially:
300.34  Transportation defined as related service

CODE OF FEDERAL REGULATIONS, TITLE 49
571.222  Federal requirements for bus securement systems

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS
Special Education Transportation Guidelines
Pupil Fees, Deposits and Other Charges, Fiscal Management Advisory 12-02, April 24, 2013
U.S. DEPARTMENT OF EDUCATION PUBLICATIONS
Questions and Answers on Serving Children with Disabilities Eligible for Transportation, 2009
WEB SITES
California Department of Education: http://www.cde.ca.gov

Policy adopted:  PALMDALE SCHOOL DISTRICT  Palmdale, California
SCHOOL BUS DRIVERS

Authority

Students transported in a school bus or student activity bus shall be under the authority of, and responsible directly to, the driver of the bus. The driver shall be held responsible for the orderly conduct of the students while they are on the bus or being escorted across a street, highway or road. (5 CCR 14103)

(cf. 5131.1 - Bus Conduct)

A bus driver shall have the authority to discontinue the operation of a school bus or student activity bus whenever he/she determines that it is unsafe to continue.

This regulation and AR 5131.1 - Bus Conduct shall be made available to parents/guardians, students, teachers and other interested parties. (5 CCR 14103)

(cf. 3516.5 - Emergency Schedules)
(cf. 3543 - Transportation Safety and Emergencies)

Qualifications, Training and Monitoring

All drivers employed to operate school buses or student activity buses shall possess, and shall retain in their immediate possession while operating the bus, the following documents: (Vehicle Code 12517, 12517.4)

1. A valid driver's license issued by the California Department of Motor Vehicles (DMV) for the appropriate class of vehicle to be driven and endorsed for school bus and/or passenger transportation

2. A certificate issued by the California Highway Patrol (CHP) which permits the operation of school buses or student activity buses, as applicable

(cf. 3540 - Transportation)
(cf. 3541.1 - Transportation for School-Related Trips)
(cf. 4200 - Classified Personnel)
(cf. 4111/4211/4311 - Recruitment and Selection)

The Superintendent or designee may use an electronic fingerprinting system, managed by the California Department of Justice, to fingerprint an applicant for an initial certificate to drive a school bus or student activity bus. (Vehicle Code 12517.3)

(cf. 4212.5 - Criminal Record Check)

When initially applying for or renewing a license or certificate to drive a school bus or student activity bus, and annually upon reaching age 65 years, the driver shall submit to the
SCHOOL BUS DRIVERS (continued)

DMV and to the Superintendent or designee a report of a medical examination conducted in accordance with the timelines and procedures specified in Vehicle Code 12517.2. (Vehicle Code 12517.2; 13 CCR 1234)

The Superintendent or designee shall notify each driver of the expiration date of his/her driver's license, certificate, and medical certificate and shall ensure each document is renewed prior to expiration. (13 CCR 1234)

(cf. 4112.9/4212.9/4312.9 - Employee Notifications)

Training

In addition to any other training required to obtain or renew the certificate authorizing operation of a school bus or student activity bus, the Superintendent or designee shall ensure that school bus drivers receive training which includes, but is not limited to:

1. First aid practices deemed necessary for school bus drivers, through a course of instruction that prepares drivers to pass the related DMV examination (Vehicle Code 12522)

2. The proper actions to be taken in the event that a school bus is hijacked (Education Code 39831)

3. The proper installation of mobile seating devices in the bus securement systems (Education Code 56195.8)

(cf. 3541.2 - Transportation for Students with Disabilities)

To determine any other needs for professional development, the Superintendent or designee shall periodically review accident reports involving district drivers and may seek input from drivers, district and school administrators, students, and/or other stakeholders on desired topics for professional development.

(cf. 4131 - Staff Development)
(cf. 4231 - Staff Development)
(cf. 4331 - Staff Development)

School bus and student activity bus drivers shall be subject to drug and alcohol testing in accordance with Board of Trustees policy and the requirements of federal law.

(cf. 4112.42/4212.42/4312.42 - Drug and Alcohol Testing for School Bus Drivers)
The Superintendent or designee shall notify the DMV within five days whenever any school bus driver refuses, fails to comply, or receives a positive test result on a drug or alcohol test; is dismissed for a cause related to student transportation safety, or is reinstated after being dismissed for a cause related to student transportation safety. (Vehicle Code 1808.8, 13376)

(cf. 4218 - Dismissal/Suspension/Disciplinary Action)

Responsibilities

The school bus driver's primary responsibility is to safely transport students to and from school and school activities. He/she shall follow procedures contained in district plans and regulations pertaining to transportation safety.

The driver shall not require any student to leave the bus en route between home and school or other destinations. (5 CCR 14103)

The driver shall stop to load or unload students only at a school bus stop designated by the Superintendent or designee, or authorized by the Superintendent or designee for school activity trips. (Vehicle Code 22112)

(cf. 3541 - Transportation Routes and Services)

The driver shall activate the amber warning light system, flashing red signal lights, and stop arm signal and shall escort students in accordance with Vehicle Code 22112.

The driver shall not drive a school bus or student activity bus while using a wireless telephone or using a wireless communications device for text-based communication, except when otherwise authorized by law and AR 3543 - Transportation Safety and Emergencies.

The driver shall report the following to the Superintendent or designee:

1. The condition of the bus at the completion of each work day (13 CCR 1215)

2. His/her duty status for each 24-hour period, including, but not limited to, the number of hours on and off duty (13 CCR 1213)

3. Any traffic accident involving the bus (13 CCR 1219)

   In addition to notifying the Superintendent or designee, the driver shall immediately notify the CHP of any traffic accident and, if the bus is operated under contract, his/her employer. (13 CCR 1219)

4. Recurring and serious student misbehavior
SCHOOL BUS DRIVERS  (continued)

5. Parent/guardian and student complaints
6. Traffic violations
7. Consistently late school dismissals which cause transportation delays
8. Overload runs

**Vehicle Idling**

The driver of a school bus or student activity bus shall: (13 CCR 2480)

1. Turn off the bus engine upon stopping at a school or within 100 feet of a school and not restart the engine more than 30 seconds before beginning to depart
2. Not cause or allow the bus to idle at any location greater than 100 feet from a school for more than five consecutive minutes or for an aggregated period of more than five minutes in any one hour

(cf. 3514 - Environmental Safety)

However, vehicle idling may be allowed under limited conditions, including, but not limited to, occasions when idling is necessary to: (13 CCR 2480)

1. Stop for an official traffic control signal or device, for traffic conditions under which the driver has no control, or at the direction of law enforcement
2. Ascertain that the bus is in safe operating condition and properly equipped
3. Operate equipment designed to safely load, unload, or transport students with disabilities
4. Operate a heater, air conditioner, defroster, or other equipment as necessary to ensure the safety or health of passengers
5. Cool down a turbo-charged diesel engine before turning off the engine
6. Recharge a battery or other energy storage unit of a hybrid electric bus or vehicle

The Superintendent or designee shall notify all drivers, upon employment and at least once per year thereafter, of the requirements specified above and the potential legal and employment consequences of failure to comply. All complaints of noncompliance shall be reviewed and remedial action taken as necessary. The Superintendent or designee shall retain records of the training and of any complaints and enforcement actions for at least three years. (13 CCR 2480)
SCHOOL BUS DRIVERS (continued)

Reports

The Superintendent or designee shall retain records of: (13 CCR 1234)

1. Each driver's duty status and supporting documents provided pursuant to 13 CCR 1201 and 1213. Such records shall be retained for six months and made available to the CHP upon request.

2. The different types of vehicles and vehicle combinations each driver has demonstrated capability to operate.

3. Records of each driver's license, certificate, medical certificate, first aid certificate, and training as specified in 13 CCR 1234.

4. Daily vehicle inspection reports prepared by drivers pursuant to 13 CCR 1215.

(cf. 3580 - District Records)

Legal Reference: (see next page)
SCHOOL BUS DRIVERS (continued)

Legal Reference:

EDUCATION CODE
39800.5 Qualifications of driver of 15-passenger van
39830-39842 School buses
40080-40090.5 Training required to obtain or renew bus driver certificate
45125.1 Criminal background checks for contractors
56195.8 Training in installation of mobile seating devices

HEALTH AND SAFETY CODE
39640-39642 Vehicle idling, penalties

PENAL CODE
241.3 Assault against school bus driver
243.3 Battery against school bus driver

VEHICLE CODE
415 Definition of motor vehicle
545 Definition of school bus
546 Definition of student activity bus
1808.8 Dismissal for safety-related cause
2570-2574 Contracts with private school bus contractors
12516-12517.4 Certification requirements
12522 First aid training for school bus drivers
13370-13371 Suspension or revocation of bus driver certificate
13376 Driver certificates; revocation or suspension; sex offense prosecution
22112 School bus signals; roadway crossings
23123-23125 Prohibitions against use of wireless telephone and text communications while driving; exceptions
25257-25257.7 School bus equipment
34501.6 School buses; reduced visibility

CODE OF REGULATIONS, TITLE 5
14103 Authority of the driver
14104 School bus driver instructor

CODE OF REGULATIONS, TITLE 13
1200-1202.2 Motor carrier safety
1212-1228 School bus driver requirements
1234 Reports regarding school buses and bus drivers
2480 Vehicle idling

CODE OF FEDERAL REGULATIONS, TITLE 49
40.1-40.413 Transportation drug and alcohol testing programs
382.101-382.605 Controlled substance and alcohol use and testing
571.222 Federal motor vehicle safety standard #222

Management Resources: (see next page)
SCHOOL BUS DRIVERS (continued)

Management Resources:

DEPARTMENT OF MOTOR VEHICLES PUBLICATIONS
California Commercial Driver Handbook

NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION PUBLICATIONS
School Bus Driver In-Service Safety Series, October 2011

WEB SITES
California Air Resources Board: http://www.arb.ca.gov
California Department of Education, Office of School Transportation: http://www.cde.ca.gov/ls/tn
California Highway Patrol: http://www.chp.ca.gov
California Department of Motor Vehicles: http://www.dmv.ca.gov
California Department of Justice: http://oag.ca.gov
National Transportation Safety Board: http://www.ntsb.gov

Regulation approved: March 4, 2014
revised: January 20, 2015

PALMDALE SCHOOL DISTRICT
Palmdale, California
Cautionary Notice:  Government Code 17581.5 relieves districts from the obligation to perform specified mandated activities when the Budget Act does not provide reimbursement during that fiscal year. The Budget Act of 2018 (SB 840, Ch. 29, Statutes of 2018) extends the suspension of these requirements through the 2018-19 fiscal year. As a result, certain provisions of the following administrative regulation related to transportation safety plans and safety instruction for students may be suspended.

Each day, prior to driving a school bus, each school bus driver shall inspect the bus to ensure that it is in safe operating condition and equipped as required by law and that all equipment is in good working order. At the completion of each day's work, the driver shall prepare and sign a written report of the condition of the equipment specified in 13 CCR 1215. The report shall indicate any defect or deficiency discovered by or reported to the driver which would affect safe operation or result in mechanical breakdown of the bus. If no defect or deficiency is discovered or reported, the driver shall so indicate on the report. Any defect or deficiency that would affect safe operation shall be repaired prior to operating the bus. (13 CCR 1215)

(cf. 3540 - Transportation)
(cf. 3541.1 - Transportation for School-Related Trips)
(cf. 3542 - School Bus Drivers)

Passenger Restraint Systems

The Superintendent or designee shall ensure that any school bus or student activity bus which is purchased or leased by the district is equipped with a combination pelvic and upper torso passenger restraint system at all designated seating positions if that bus: (Vehicle Code 27316, 27316.5; 13 CCR 1201)

1. Is a Type 1 school bus designed for carrying more than 16 passengers and the driver, and was manufactured on or after July 1, 2005

2. Is a Type 2 school bus or student activity bus designed for carrying 16 or fewer passengers and the driver, or for carrying 20 or fewer passengers and the driver if the bus has a manufacturer's vehicle weight rating of 10,000 pounds or less, and was manufactured on or after July 1, 2004

The Superintendent or designee shall prioritize the allocation of school buses purchased, leased, or contracted to ensure that elementary students receive first priority for new school buses equipped with passenger restraint systems whenever feasible.

When a school bus or student activity bus is equipped with a passenger restraint system, all passengers shall use the passenger restraint system. (5 CCR 14105)

Bus drivers shall be instructed regarding procedures to enforce the proper use of the passenger restraint system. Students who fail to follow instructions of the bus driver may be subject to discipline, including suspension of riding privileges, in accordance with Board policy and administrative regulations.
TRANSPORTATION SAFETY AND EMERGENCIES  (continued)

(cf. 5131.1 - Bus Conduct)
(cf. 5144 - Discipline)

Fire Extinguishers

Each school bus shall be equipped with at least one fire extinguisher, located in the driver's compartment, which meets the standards specified in law. In addition, a wheelchair school bus shall have another fire extinguisher placed at the wheelchair loading door or emergency exit. All fire extinguishers shall be regularly inspected and serviced in accordance with regulations adopted by the State Fire Marshal. (Education Code 39838; 13 CCR 1242; 19 CCR 574-575.3)

Child Safety Alert System

In accordance with Vehicle Code 28160, each school bus or student activity bus shall be equipped with an operational child safety alert system at the interior rear of the bus that requires the driver to either manually contact or scan the device, thereby prompting the driver to inspect the entirety of the interior of the vehicle before exiting.

A student activity bus that does not have a child safety alert system may be used only if all of the following apply: (Vehicle Code 28160)

1. The student activity bus is not used exclusively to transport students.

2. When the student activity bus is used to transport students, the students are accompanied by at least one adult chaperone selected by a school official. If an adult chaperone is not a school employee, the chaperone shall meet the requirements for a school volunteer.

(cf. 1240 - Volunteer Assistance)

3. One adult chaperone has a list of every student and adult chaperone, including a school employee, who is on the student activity bus at the time of departure.

4. The driver has reviewed all safety and emergency procedures before the initial departure, and the driver and adult chaperone have signed a form, with the time and date, acknowledging that the safety plan and procedures were reviewed.

5. Immediately before departure from any location, the adult chaperone shall account for each student on the list of students, verify the number of students to the driver, and sign a form indicating that all students are present or accounted for.
TRANSPORTATION SAFETY AND EMERGENCIES (continued)

6. After students have exited a student activity bus, and before driving away, the driver shall check all areas of the bus, including, but not limited to, overhead compartments and bathrooms, to ensure that the bus is vacant.

7. The driver shall sign a form with the time and date verifying that all required procedures have been followed.

8. The information required to be recorded pursuant to items #4, 5, and 7 may be recorded on a single form and shall be retained by the district for a minimum of two years.

Electronic Communications Devices

A bus driver is prohibited from driving a school bus or student activity bus while using a wireless telephone or other electronic wireless communications device except for work-related or emergency purposes, including, but not limited to, contacting a law enforcement agency, health care provider, fire department, or other emergency service agency or entity. In any such permitted situation, the driver shall only use a wireless telephone or device that is specifically designed and configured to allow voice-operated and hands-free operation or a function that requires only a single swipe or tap of the driver's finger provided the device is mounted on the windshield, dashboard, or center console of the bus. (Vehicle Code 23123.5, 23125)

Safe Bus Operations

School buses and student activity buses shall not be operated whenever the number of passengers exceeds bus seating capacity, except when necessary in emergency situations which require that individuals be transported immediately to ensure their safety. (Education Code 39834)

(cf. 3516 - Emergencies and Disaster Preparedness Plan)

School bus operations shall be limited when atmospheric conditions reduce visibility on the roadway to 200 feet or less during regular home-to-school transportation service. Bus drivers for school activity trips may discontinue bus operation whenever they determine that it is unsafe to continue operation because of reduced visibility. (Vehicle Code 34501.6)

Unauthorized Entry

The Superintendent or designee may place a notice at bus entrances that warns against unauthorized entry. The driver or another school official may order any person to disembark if that person enters a bus without prior authorization. (Education Code 39842; 13 CCR 1256.5)
TRANSPORTATION SAFETY AND EMERGENCIES  (continued)

(cf. 3515.2 - Disruptions)

Transportation Safety Plan for Boarding and Exiting Buses

The Superintendent or designee shall develop a transportation safety plan containing procedures for school personnel to follow to ensure the safe transport of students. The plan shall address all of the following: (Education Code 39831.3)

1. Determination of whether students in grades prekindergarten through 8 require an escort to cross a private road or highway at a bus stop pursuant to Vehicle Code 22112

2. Procedures for all students in grades prekindergarten through 8 to follow as they board and exit the bus at their bus stops

3. Boarding and exiting a school bus at a school or other trip destination

4. Procedures to ensure that a student is not left unattended on a school bus, student activity bus, or, if applicable, youth bus

5. Procedures and standards for designating an adult chaperone, other than the driver, to accompany students on a school activity bus

A copy of the plan shall be kept at each school site and made available upon request to the California Highway Patrol (CHP).  (Education Code 39831.3)

Parental Notifications

The Superintendent or designee shall provide written safety information to the parents/guardians of all students in grades prekindergarten through 6 who have not previously been transported in a district school bus or student activity bus. This information shall be provided upon registration and shall contain: (Education Code 39831.5)

1. A list of school bus stops near each student's home

2. General rules of conduct at school bus loading zones

3. Red light crossing instructions

4. A description of the school bus danger zone

5. Instructions for safely walking to and from school bus stops
TRANSPORTATION SAFETY AND EMERGENCIES  (continued)

(cf. 5145.6 - Parental Notifications)

Student Instruction

Students who are transported in a school bus or student activity bus shall receive instruction in school bus emergency procedures and passenger safety as follows:  (Education Code 39831.5; 5 CCR 14102)

1.  Each year, all students who receive home-to-school transportation in a school bus shall be provided appropriate instruction in safe riding practices and emergency evacuation drills.

2.  At least once each school year, all students in grades prekindergarten through 8 who receive home-to-school transportation shall receive safety instruction which includes, but is not limited to:
   a.  Proper loading and unloading procedures, including escorting by the driver
   b.  How to safely cross the street, highway, or private road
   c.  In school buses with passenger restraint systems, instruction in the use of such systems as specified in 5 CCR 14105, including, but not limited to, the proper fastening and release of the passenger restraint system, acceptable placement of passenger restraint systems on students, times at which the passenger restraint systems should be fastened and released, and acceptable placement of the passenger restraint systems when not in use
   d.  Proper passenger conduct
   e.  Bus evacuation procedures
   f.  Location of emergency equipment

As part of this instruction, students shall evacuate the school bus through emergency exit doors.  Instruction also may include responsibilities of passengers seated next to an emergency exit.

Each time the above instruction is given, the following information shall be documented:

a.  District name
b.  School name and location
TRANSPORTATION SAFETY AND EMERGENCIES (continued)

c. Date of instruction
d. Names of supervising adults
e. Number of students participating
f. Grade levels of students
g. Subjects covered in instruction
h. Amount of time taken for instruction
i. Bus driver's name
j. Bus number
k. Additional remarks

This documentation shall be kept on file at the district office or the school for one year and shall be available for inspection by the CHP.

(cf. 3580 - District Records)

3. Before departing on a school activity trip, all students riding on a school bus or student activity bus shall receive safety instruction which includes, but is not limited to, the location of emergency exits and the location and use of emergency equipment. This instruction also may include responsibilities of passengers seated next to an emergency exit.

Bus Accidents

In the event of a school bus accident, the driver shall immediately notify the CHP and the Superintendent or designee. The driver shall not leave the immediate vicinity of the bus to seek aid unless necessary. (13 CCR 1219)

The Superintendent or designee shall maintain a report of each accident that occurred on public or private property involving a school bus with students aboard. The report shall contain pertinent details of the accident and shall be retained for 12 months from the date of the accident. If the accident was not investigated by the CHP, the Superintendent or designee shall forward a copy of the report to the local CHP within five work days of the date of the accident. (13 CCR 1234)

The Superintendent or designee shall review all investigations of bus incidents and accidents to develop preventative measures.

(cf. 4112.42/4212.42/4312.42 - Drug and Alcohol Testing for School Bus Drivers)
TRANSPORTATION SAFETY AND EMERGENCIES (continued)

Legal Reference:

EDUCATION CODE
39830-39843 Transportation, school buses
39860 Contract for transportation; requirement that student not be left unattended
51202 Instruction in personal and public health and safety

PENAL CODE
241.3 Assault against school bus driver
243.3 Battery against school bus driver

VEHICLE CODE
415 Definition of motor vehicle
545-546 Definition of school bus and student activity bus
22112 Loading and unloading passengers
23123.5 Use of wireless telephone or communications device while driving; exceptions
23125 Use of wireless telephone prohibited while driving school bus
27316-27316.5 Passenger restraint systems
28160 Child safety alert system
34500 California Highway Patrol responsibility to regulate safe operation of school buses
34501.5 California Highway Patrol responsibility to adopt rules re: safe operation of school buses
34501.6 School buses; reduced visibility
34508 California Highway Patrol responsibility to adopt rules re: equipment and bus operations

CODE OF REGULATIONS, TITLE 5
14100-14105 School buses and student activity buses

CODE OF REGULATIONS, TITLE 13
1200-1294 Motor carrier safety
2480 Airborne toxic control measure; limitation on bus idling

CODE OF REGULATIONS, TITLE 19
574-575.3 Inspection and maintenance of fire extinguishers

CODE OF FEDERAL REGULATIONS, TITLE 49
571.1-571.500 Motor vehicle standards, including school buses

Management Resources: (see next page)

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS
Passenger Restraints Frequently Asked Questions

WEB SITES
American School Bus Council: http://www.americanschoolbuscouncil.org
California Association of School Business Officials: http://www.casbo.org
California Association of School Transportation Officials: http://www.castoways.org
California Department of Education, Office of School Transportation: http://www.cde.ca.gov/ls/sm
California Highway Patrol: http://www.chp.ca.gov
National Transportation Safety Board: http://www.ntsb.gov

PALMDALE SCHOOL DISTRICT
Palmdale, California
Foods and beverages available through the district's food service program shall:

1. Be carefully selected so as to contribute to students' nutritional well-being and the prevention of disease

(cf. 5141.27 - Food Allergies/Special Dietary Needs)

2. Meet or exceed nutrition standards specified in law and administrative regulation

(cf. 3552 - Summer Meal Program)
(cf. 3554 - Other Food Sales)
(cf. 5030 - Student Wellness)
(cf. 5148 - Child Care and Development)
(cf. 5148.2 - Before/After School Programs)
(cf. 5148.3 - Preschool/Early Childhood Education)

3. Be prepared in ways that will appeal to students, retain nutritive quality, and foster lifelong healthful eating habits

4. Be served in age-appropriate portions

5. Be available to all students.

(cf. 3551 - Food Service Operations/Cafeteria Fund)
(cf. 3553 - Free and Reduced Price Meals)

The district's food service program shall give priority to serving unprocessed foods and fresh fruits and vegetables.

District schools are encouraged to establish school gardens and/or farm-to-school projects to increase the availability of safe, fresh, seasonal fruits and vegetables for school meals and to support the district's nutrition education program.

(cf. 6142.8 - Comprehensive Health Education)

To encourage student participation in school meal programs, schools may offer multiple choices of food items within a meal service, provided all food items meet nutrition standards and all students are given an opportunity to select any food item.
FOOD SERVICE/CHILD NUTRITION PROGRAM (continued)

The Superintendent or designee may invite students and parents/guardians to participate in the selection of foods of good nutritional quality for school menus.

The Board desires to provide students with adequate time and space to eat meals. To the extent possible, school, recess, and transportation schedules shall be designed to encourage participation in school meal programs.

To accomplish this, the District shall provide 25 minutes for student meals period and shall provide a seat for each student during the meal period.

The Superintendent or designee shall periodically review the adequacy of school facilities for cafeteria eating and food preparation.

(cf. 1312.4 - Williams Uniform Complaint Procedures)
(cf. 3517 - Facilities Inspection)
(cf. 7110 - Facilities Master Plan)

In accordance with law, the Superintendent or designee shall develop and maintain a food safety program in order to reduce the risk of foodborne hazards at each step of the food preparation process, from receiving to service.

The Superintendent or designee shall annually report to the Board on student participation in the district's nutrition programs and the extent to which the district's food services program meets state and federal nutrition standards for foods and beverages. In addition, the Superintendent or designee shall provide all necessary and available documentation required for the Administrative Review conducted by the California Department of Education (CDE) to ensure the food service program's compliance with federal requirements related to nutrition standards, meal patterns, provision of drinking water, school meal environment, food safety, and other areas as required by the CDE.

(cf. 0500 - Accountability)
(cf. 3555 - Nutrition Program Compliance)

Legal Reference: (see next page)
LEGAL REFERENCE:

EDUCATION CODE
35182.5 Contracts, non-nutritious beverages
38080-38103 Cafeteria, establishment and use
45103.5 Contracts for management consulting services; restrictions
49430-49434 Pupil Nutrition, Health, and Achievement Act of 2001
49490-49494 School breakfast and lunch programs
49500-49505 School meals
49510-49520 Nutrition
49530-49536 Child Nutrition Act
49540-49546 Child care food program
49547-49548.3 Comprehensive nutrition services
49550-49562 Meals for needy students
49570 National School Lunch Act
51795-51797 School gardens

HEALTH AND SAFETY CODE
113700-114437 California Retail Food Code
CODE OF REGULATIONS, TITLE 5
15510 Mandatory meals for needy students
15530-15535 Nutrition education
15550-15565 School lunch and breakfast programs
15575-15578 Requirements for foods and beverages outside federal meal programs

UNITED STATES CODE, TITLE 42
1751-1769j National School Lunch Program, including:
1758b Local wellness policy
1761 Summer Food Service Program and Seamless Summer Feeding Option
1769a Fresh Fruit and Vegetable Program
1771-1793 Child nutrition, especially:
1772 Special Milk Program
1773 National School Breakfast Program

CODE OF FEDERAL REGULATIONS, TITLE 7
210.1-210.31 National School Lunch Program
215.1-215.18 Special Milk Program
220.1-220.22 National School Breakfast Program
245.1-245.13 Eligibility for free and reduced-price meals and free milk

MANAGEMENT RESOURCES:

CSBA PUBLICATIONS

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS
School Meals Initiative Summary

Management Resources continued: (see next page)
FOOD SERVICE/CHILD NUTRITION PROGRAM (continued)

Management Resources: (continued)

CALIFORNIA PROJECT LEAN PUBLICATIONS
Policy in Action: A Guide to Implementing Your Local School Wellness Policy, October 2006

U.S. DEPARTMENT OF AGRICULTURE PUBLICATIONS
School Breakfast Toolkit
Fresh Fruit and Vegetable Program: Handbook for Schools, December 2010
Food Buying Guide for Child Nutrition Programs, December 2007
Civil Rights Compliance and Enforcement - Nutrition Programs and Activities, FNS Instruction 113-1, November 2005
Guidance for School Food Authorities: Developing a School Food Safety Program Based on the Process Approach to HACCP Principles, June 2005
Dietary Guidelines for Americans, 2005

WEB SITES
CSBA: http://www.csba.org
California Department of Education, Nutrition Services Division: http://www.cde.ca.gov/ls/nu
California Department of Public Health: http://www.cdph.ca.gov
California Farm Bureau Federation: http://www.cfbf.com
California Food Policy Advocates: http://www.cfpa.net
California Healthy Kids Resource Center: http://www.californiahealthykids.org
California Project LEAN (Leaders Encouraging Activity and Nutrition): http://www.californiaprojectlean.org
California School Nutrition Association: http://www.calsna.org
Centers for Disease Control and Prevention: http://www.cdc.gov
National Alliance for Nutrition and Activity: http://www.cspinet.org/nutritionpolicy/nana.html
Business and Noninstructional Operations

FOOD SERVICE/CHILD NUTRITION PROGRAM

Nutrition Standards for School Meals

Meals, food items, and beverages provided through the district's food services program shall:
(Education Code 49531, 49553; 42 USC 1758, 1773)

1. Comply with National School Lunch and/or Breakfast Program standards for meal patterns, nutrient levels, and calorie requirements for the ages/grade levels served, as specified in 7 CFR 210.10 or 220.8 as applicable

2. Not be deep fried, par fried, or flash fried, as defined in Education Code 49430 and 49430.7

Drinking Water

The district shall provide access to free, fresh drinking water during meal times in food service areas at all district schools, including, but not limited to, areas where reimbursable meals under the National School Lunch or Breakfast Program are served or consumed. (Education Code 38086; 42 USC 1758)

Food Safety

The Superintendent or designee shall ensure that the district's food service program meets the applicable sanitation and safety requirements of the California Retail Food Code as set forth in Health and Safety Code 113700-114437.

For all district schools participating in the National School Lunch and/or School Breakfast Program, the Superintendent or designee shall implement a written food safety program for the storage, preparation, and service of school meals which complies with the national Hazard Analysis and Critical Control Point (HACCP) system. The district's HACCP plan shall include, but is not limited to, a determination of critical control points and critical limits at each stage of food production, monitoring procedures, corrective actions, and recordkeeping procedures. (42 USC 1758; 7 CFR 210.13, 220.7)

The Superintendent or designee shall provide ongoing staff development on food safety to food service managers and employees. Each new employee, including a substitute, or volunteer shall
complete initial food safety training prior to handling food. The Superintendent or designee shall document the date, trainer, and subject of each training.

(cf. 4231 - Staff Development)

The Superintendent or designee shall assign staff to maintain records and logs documenting food safety activities, including, but not limited to, records of food deliveries, time and temperature monitoring during food production, equipment temperature (freezer, cooler, thermometer calibration), corrective actions, verification or review of safety efforts, and staff training.

**Inspection of Food Facilities**

All food preparation and service areas shall be inspected in accordance with Health and Safety Code 113725-113725.1 and applicable county regulations.

Each school participating in the National School Lunch and/or Breakfast Program shall, during each school year, request a minimum of two food safety inspections conducted by the county environmental health agency. (42 USC 1758; 7 CFR 210.13, 220.7)

The Superintendent or designee shall retain records from the most recent food safety inspection. All schools shall post a notice indicating that the most recent inspection report is available to any interested person upon request. (Health and Safety Code 113725.1; 42 USC 1758; 7 CFR 210.13, 210.15, 220.7)

(cf. 1340 - Access to District Records)
(cf. 3580 - District Records)
The Board of Trustees intends that school food services shall be a self-supporting, nonprofit program. To ensure program quality and increase cost effectiveness, the Superintendent or designee shall centralize and direct the purchasing of foods and supplies, the planning of menus, and the auditing of all food service accounts for the district.

(cf. 3100 - Budget)
(cf. 3300 - Expenditures and Purchases)
(cf. 3311 - Bids)
(cf. 3550 - Food Service/Child Nutrition Program)
(cf. 3552 - Summer Meal Program)
(cf. 5030 - Student Wellness)

The Superintendent or designee shall ensure that all food service director(s) possess the qualifications required by 7 CFR. 210.30 and California Department of Education (CDE) standards.

(cf. 4231 - Staff Development)
(cf. 4331 - Staff Development)

At least once each year, food service administrators, other appropriate personnel who conduct or oversee administrative procedures, and other food service personnel shall receive training provided by the (CDE). (42 USC 1776)

Meal Sales

Meals may be sold to students, district employees, Board members, and employees or members of the fund or association maintaining the cafeteria. (Education Code 38082)

In addition, meals may be sold to nonstudents, including parents/guardians, volunteers, students' siblings, or other individuals, who are on campus for a legitimate purpose. Any meals served to nonstudents shall not be subsidized by federal or state reimbursements, food service revenues, or U.S. Department of Agriculture (USDA) foods.

Meal prices, as recommended by the Superintendent or designee and approved by the Board, shall be based on the costs of providing food services and consistent with Education Code 38084 and 42 USC 1760. All students shall receive meals free of charge in accordance with law, Board policy, and administrative regulation.

Cafeteria Fund

The Superintendent or designee shall establish a cafeteria fund independent of the district's general fund.
FOOD SERVICE OPERATIONS/CAFETERIA FUND (continued)

The wages, salaries, and benefits of food service employees shall be paid from the cafeteria fund. (Education Code 38103)

The Superintendent or designee shall ensure that state and federal funds provided through school meal programs are allocated only for purposes related to the operation or improvement of food services and reasonable and necessary indirect program costs as allowed by law.

(cf. 3230 - Federal Grant Funds)
(cf. 3400 - Management of District Assets/Accounts)
(cf. 3460 - Financial Reports and Accountability)

Contracts with Outside Services

With Board approval, the district may enter into a contract for food service consulting services or management services in one or more district schools. (Education Code 45103.5; 42 USC 1758; 7 CFR 210.16)

(cf. 3312 - Contracts)
(cf. 3600 - Consultants)

Procurement of Foods, Equipment and Supplies

To the maximum extent practicable, foods purchased for use in school meals by the district or by any entity purchasing food on its behalf shall be domestic commodities or products. Domestic commodity or product means an agricultural commodity that is produced in the United States and a food product that is processed in the United States substantially using agricultural commodities that are produced in the United States. (42 USC 1760; 7 CFR 210.21)

A nondomestic food product may be purchased for use in the district's food service program only as a last resort when the product is not produced or manufactured in the United States in sufficient and reasonable quantities of a satisfactory quality, or when competitive bids reveal the costs of a United States product are significantly higher than the nondomestic product. In such cases, the Superintendent or designee shall retain documentation justifying the use of the exception.

Furthermore, the district shall accept a bid or price for an agricultural product grown in California before accepting a bid or price for an agricultural product grown outside the state, if the quality of the California-grown product is comparable and the bid or price does not exceed the lowest bid or price of a product produced outside the state. (Food and Agriculture Code 58595)
**FOOD SERVICE OPERATIONS/CAFETERIA FUND** (continued)

Bid solicitations and awards for purchases of equipment, materials, or supplies in support of the district's child nutrition program, or for contracts awarded pursuant to Public Contract Code 2000, shall be consistent with the federal procurement standards in 2 CFR 200.318-200.326. Awards shall be let to the most responsive and responsible party. Price shall be the primary consideration, but not the only determining factor, in making such an award. (Public Contract Code 20111)

**Program Monitoring and Evaluation**

The Superintendent or designee shall present to the Board, at least annually, financial reports regarding revenues and expenditures related to the food service program.

The Superintendent or designee shall provide all necessary documentation required for the Administrative Review conducted by the CDE to ensure compliance of the district's food service program with federal requirements related to maintenance of the nonprofit school food service account, meal charges, paid lunch equity, revenue from nonprogram goods, indirect costs, and USDA foods.

*(cf. 3555 - Nutrition Program Compliance)*

*Legal Reference: (see next page)*
Legal Reference:

EDUCATION CODE
38080-38086 Cafeteria, establishment and use
38090-38095 Cafeterias, funds and accounts
38100-38103 Cafeterias, allocation of charges
42646 Alternate payroll procedure
45103.5 Contracts for management consulting services; restrictions
49490-49493 School breakfast and lunch programs
49500-49505 School meals
49554 Contract for services
49550-49564.5 Meals for needy students
49580-49581 Food recovery program

FOOD AND AGRICULTURE CODE
58595 Preference for California-grown agricultural products

HEALTH AND SAFETY CODE
113700-114437 California Retail Food Code

PUBLIC CONTRACT CODE
2000-2002 Responsive bidders
20111 Contracts

CODE OF REGULATIONS, TITLE 5
15550-15565 School lunch and breakfast programs

UNITED STATES CODE, TITLE 42
1751-1769j School lunch programs
1771-1791 Child nutrition, including:
1773 School breakfast program

CODE OF FEDERAL REGULATIONS, TITLE 2
200.56 Indirect costs, definition
200.318-200.326 Procurement standards
200.400-200.475 Cost principles
200 Appendix VII Indirect cost proposals

CODE OF FEDERAL REGULATIONS, TITLE 7
210.1-210.31 National School Lunch Program
220.1-220.21 National School Breakfast Program
250.1-250.70 USDA foods

Management Resources: (see next page)
FOOD SERVICE OPERATIONS/CAFETERIA FUND (continued)

Management Resources:

**CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS**
- California School Accounting Manual
- Food Distribution Program Administrative Manual
- Unpaid Meal Charges: Local Meal Charge Policies, Clarification on Collection of Delinquent Meal Payments, and Excess Student Account Balances, NSD Management Bulletin, SNP-03-2017, April 2017
- Adult and Sibling Meals in the National School Lunch and School Breakfast Programs, NSD Management Bulletin 00-111, July 2000

**U.S. DEPARTMENT OF AGRICULTURE PUBLICATIONS**
- FAQs About School Meals
- Unpaid Meal Charges: Guidance and Q&A, SP 23-2017, March 2017
- Indirect Costs: Guidance for State Agencies and School Food Authorities SP 60-2016, September 2016
- Overcoming the Unpaid Meal Challenge: Proven Strategies from Our Nation's Schools, September 2016
- Unpaid Meal Charges: Local Meal Charge Policies, SP 46-2016, July 2016
- Compliance with and Enforcement of the Buy American Provision in the National School Lunch Program, SP 24-2016, February 2016
- Discretionary Elimination of Reduced Price Charges in the School Meal Programs, SP 17-2014, January 2014

**WEB SITES**
- California Department of Education, Nutrition Services Division: http://www.cde.ca.gov/ls/nu
- California School Nutrition Association: http://www.calsna.org

Policy adopted: PALMDALE SCHOOL DISTRICT
Palmdale, California
In order to avoid potential misuse of a student's food service account by someone other than the students in whose name the account has been established, the Superintendent or designee shall verify a student's identity when setting up the account and when charging to the account. The Superintendent or designee shall investigate any claim that a bill does not belong to a student or is inaccurate, and shall open a new account as appropriate for a student whose account appears to have been misused.

**Donation of Leftover Food**

To minimize waste and reduce food insecurity, the district may provide sharing table where students and staff may return appropriate unused cafeteria food items to be made available to students during the course of a regular school meal time. If food on the sharing tables is not taken by a student, the school cafeteria may donate the food to a food bank or any other nonprofit charitable organization. (Health and Safety Code 114079)

*(cf. 3510 - Green School Operations)*

Food that may be donated includes prepackaged, nonpotentially hazardous food with the packaging still intact and in good condition, whole uncut produce, unopened bags of sliced fruit, unopened containers of milk that are immediately stored in a cooling bin maintained at 41 degrees Fahrenheit or below, and perishable prepackaged food if it is placed in a proper temperature-controlled environment. The preparation, safety, and donation of food shall be consistent with Health and Safety Code 113980. (Health and Safety Code 114079)

**Cafeteria Funds**

All proceeds from food sales and other services offered by the cafeteria shall be deposited in the cafeteria fund as provided by law. The income and expenditures of any cafeteria revolving account established by the Board of Trustees shall be recorded as income and expenditures of the cafeteria fund. (Education Code 38090, 38091, 38093)

The cafeteria fund shall be used only for Board-authorized expenditures necessary for the operation of school cafeterias as defined in the California School Accounting Manual or appropriately reported to the California Department of Education. (Education Code 38091, 38101)

*(These expenditures may include, but are not limited to, expenditures for the following: (Education Code 38091)*

1. Construction, alteration, or improvement of a central food processing plant

2. Lease, purchase or installation of additional cafeteria equipment of the central food processing plant
FOOD SERVICE OPERATIONS/CAFETERIA FUND (continued)

3. Vending machines and their installation and housing
4. Computer equipment and related software
5. Lease or purchase of vehicles used primarily in connection with the central food processing plant

Any charges to, or transfers from, a food service program shall be dated and accompanied by a written explanation of the expenditure's purpose and basis. (Education Code 38101)

Any funds derived from the sale of cafeteria food and deposited in a Board-established cafeteria equipment reserve shall be used only for the purchase, lease, maintenance or replacement of cafeteria equipment. (Education Code 38102)

Indirect cost charged to the food service program shall be based on either the district's prior year indirect cost rate as approved by CDE or statewide average approved indirect cost rate for the second prior fiscal year, whichever is less. (Education Code 38101)

Net cash resources in the nonprofit school food service shall not exceed three months average expenditures. (7 CFR 210.14, 220.7) Unless with prior approval from the California Department of Education.
SUMMER MEAL PROGRAM

The Board of Trustees recognizes that child nutrition programs have a positive and direct impact upon children's well-being and achievement. To help students and other children in the community remain well nourished throughout the summer vacation, the district shall sponsor a summer meal program as approved by the California Department of Education (CDE).

(cf. 3550 - Food Service/Child Nutrition Program)  
(cf. 3553 - Free and Reduced Price Meals)  
(cf. 5030 - Student Wellness)  
(cf. 5141.27 - Food Allergies/Special Dietary Needs)

The district may apply to the CDE to provide meals to children during any extended break in a year-round school schedule. (42 USC 1761; 7 CFR 225.2, 225.6, 225.14)

(cf. 6117 - Year-Round Schedules)

Between October and April, or at any time or school on a year-round schedule, the district may serve meals at a nonschool site in cases of unanticipated school closures, such as a natural disaster, unscheduled major building repair, court order related to school safety or other issues, labor-management dispute, or similar cause as approved by the CDE. (42 USC 1761; 7 CFR 225.6)

The Superintendent or designee shall recommend to the Board one or more sites for meal services based on state and federal program criteria and an assessment of family and community needs. When feasible, the Superintendent or designee shall involve local governmental agencies, food banks, and/or community organizations in identifying suitable site locations. The site(s) shall be approved by the CDE before meal service is initiated.

The summer meal program may be offered in conjunction with educational enrichment or recreational activities in order to encourage participation in other wellness and learning opportunities.

(cf. 1330.1 - Joint Use Agreements)  
(cf. 1400 - Relations Between Other Governmental Agencies and the Schools)  
(cf. 5148 - Child Care and Development)  
(cf. 5148.2 - Before/After School Programs)  
(cf. 6142.7 - Physical Education and Activity)  
(cf. 6177 - Summer Learning Programs)

The Superintendent or designee shall develop and coordinate outreach and promotional activities to inform parents/guardians and the community about the availability of the summer meal program and its location(s) and hours.

(cf. 1100 - Communication with the Public)  
(cf. 1112 - Media Relations)  
(cf. 1113 - District and School Web Sites)
SUMMER MEAL PROGRAM (continued)

The Superintendent or designee shall maintain accurate records of all meals served and shall ensure the timely submission of reimbursement claims in accordance with state procedures.

(cf. 3551 - Food Service Operations/Cafeteria Fund)

The Superintendent or designee shall regularly report to the Board regarding program implementation, number of participants at each site, feedback from participating children and their parents/guardians regarding menus and service, and program costs. As needed, the Board shall direct the Superintendent or designee to identify program modifications to increase program quality or children's access to meal services.

(cf. 0500 - Accountability)
(cf. 3555 - Nutrition Program Compliance)

Legal Reference: (see next page)
SUMMER MEAL PROGRAM  (continued)

Legal References:
  EDUCATION CODE
  49430-49434  Pupil Nutrition, Health, and Achievement Act of 2001
  49490-49494  School breakfast and lunch programs
  49500-49505  School meals
  49510-49520  Nutrition
  49530-49536  Child Nutrition Act
  49547-49548.3  Comprehensive nutrition services
  49550-49562  Meals for needy students
  49570  National School Lunch Act
  CODE OF REGULATIONS, TITLE 5
  15510  Mandatory meals for needy students
  15550-15565  School lunch and breakfast programs
  UNITED STATES CODE, TITLE 42
  1751-1769j  School lunch programs, including:
    1758b  Local wellness policy
  1761  Summer Food Service Program and Seamless Summer Feeding Option
  1771-1792  Child nutrition, especially:
    1773  School breakfast program
  CODE OF FEDERAL REGULATIONS, TITLE 7
  210.1-210.31  National School Lunch Program
  220.1-220.22  National School Breakfast Program
  225.1-225.20  Summer Food Service Program

Management Resources:
  CSBA PUBLICATIONS
  Providing Access to Nutritious Meals During Summer, Policy Brief, June 2010
  CALIFORNIA DEPARTMENT OF EDUCATION MANAGEMENT BULLETINS
  USDA-SFSP-06-2008 Summer Food Service Program Outreach Requirement Clarification, October 2008
  U.S. DEPARTMENT OF AGRICULTURE PUBLICATIONS
  The Summer Food Service Program: Food That's In When School is Out, 2010, Nutrition Guidance for Sponsors, rev. March 2010
  The Summer Food Service Program: Food That's In When School is Out, 2010 Site Supervisor's Guide, rev. January 2010

Management Resources:  (continued on next page)
SUMMER MEAL PROGRAM (continued)

Management Resources: (continued)

U.S. DEPARTMENT OF AGRICULTURE PUBLICATIONS (continued)
The Summer Food Service Program: Food That's In When School is Out, 2010 Administrative
National School Lunch Program's Seamless Summer Option Questions and Answers, 2009

WEB SITES
CSBA: http://www.csba.org
California Center for Research on Women and Families, Summer Meal Program Coalition:
http://www.ccrwf.org
California Department of Education, Nutrition: http://www.cde.ca.gov/ls/nu
California Food Policy Advocates: http://www.cfpa.net
California School Nutrition Association: http://www.calsna.org
Child Nutrition Information and Payment System: https://www.cnips.ca.gov
SUMMER MEAL PROGRAM

Site Selection

In identifying locations where summer meals may be provided, the Superintendent or designee shall document site eligibility according to the following criteria: (7 CFR 225.2, 225.15)

1. **Open Site:** The site provides meals to all children in the area and is located at a school or nonschool site within the geographical boundaries of a school attendance area where at least 50 percent of the children are eligible for free or reduced-price meals.

(cf. 3553 - Free and Reduced Price Meals)

2. **Restricted Open Site:** The site initially meets the criteria of an "open site," but the district must restrict or limit participation on a first-come, first-served basis due to security, safety, or control concerns.

3. **Closed Enrolled Site:** The site is open only to enrolled children, as opposed to the community at large, and at least 50 percent of the enrolled children at the site are eligible for free or reduced price school meals, as determined by approval of applications in accordance with 7 CFR 225.15(f).

Whenever the district offers the summer meal program at a site that provides summer school sessions, it shall ensure that the site is open to students enrolled in summer school and to all children residing in the area served by the site. (7 CFR 225.14)

(cf. 3555 - Nutrition Program Compliance)
(cf. 6177 - Summer Learning Programs)

Meal Service

In accordance with the district's agreement with the California Department of Education (CDE), the summer meal program may offer breakfast, morning snack, lunch, afternoon snack, and/or supper. The program may provide up to two meals/snacks per day in any combination, except that lunch and supper shall not be provided by the same site on the same day. Sites that primarily serve children from migrant families may apply to serve up to three meals, or two meals and one snack, per day. All meals/snacks shall be provided within the time periods specified in 7 CFR 225.16. (42 USC 1761; 7 CFR 225.16)

(cf. 3551 - Food Service Operations/Cafeteria Fund)
(cf. 5030 - Student Wellness)
SUMMER MEAL PROGRAM (continued)

Meals provided through the district's summer meal program shall be available at no cost to: (42 USC 1761; 7 CFR 225.2)

1. Children age 18 or younger
2. Persons over age 18 who meet the CDE's definition of having a physical or mental disability and who are participating in a public or nonprofit private school program established for individuals with a disability

(cf. 6164.4 - Identification of Individuals for Special Education)

The Superintendent or designee shall designate a person at each participating site to serve as the program's site supervisor. The site supervisor shall oversee the order or preparation of meals, ensure the site is cleaned before and after the meal, and record the number of complete meals served to eligible children each day.

Additional Requirements for Seamless Summer Feeding Option

All meals offered through the summer meal program shall meet menu planning requirements for the National School Lunch or Breakfast Program pursuant to 7 CFR 210.10 or 7 CFR 220.8. (42 USC 1761)

(cf. 3550 - Food Service/Child Nutrition Program)
(cf. 5141.27 - Food Allergies/Special Dietary Needs)

Whenever the district operates an open site as defined in the section entitled "Site Selection" above, the Superintendent or designee shall advertise the availability of summer meal services to the neighborhood community. A large banner or marquee shall be prominently displayed at each site before and during the meal service. Other outreach strategies may include, but are not limited to, sending a news release to the local media, distributing a flyer to parents/guardians of district students, posting information on the district or school web site, and placing posters throughout the community.

(cf. 1100 - Communication with the Public)
(cf. 1112 - Media Relations)
(cf. 1113 - District and School Web Sites)

At the point of service, on-site staff shall count the number of eligible meals served. Reimbursement claims shall be submitted using the same procedure used during the school year for the National School Lunch or Breakfast Program.
SUMMER MEAL PROGRAM  (continued)

Each year the Superintendent or designee shall conduct at least one review of each site to ensure its compliance with meal counting, claiming, menu planning, and food safety requirements. For newly established sites, such reviews shall be conducted within three weeks of the start of operation.

Additional Requirements for Summer Food Service Program

The district shall annually submit to the CDE a program application and budget for anticipated operational and administrative costs.

The Superintendent or designee shall annually send a notice to the media serving the area from which the district draws its attendance regarding the availability of free meals. (7 CFR 225.15)

(cf. 1112 - Media Relations)

In addition, the district and each open site shall:

1. Make program information available to the public upon request
2. Make reasonable efforts to provide information in the appropriate translation concerning the availability and nutritional benefits of the program
3. Display, in a prominent place at the site and in the district office, the nondiscrimination poster developed or approved by the U.S. Department of Agriculture's Food and Nutrition Service
4. Include the nondiscrimination statement and instructions for filing a complaint in the public release and in any program information directed to parents/guardians of participants and potential participants

(cf. 0410 - Nondiscrimination in District Programs and Activities)
(cf. 1100 - Communication with the Public)
(cf. 1113 - District and School Web Sites)

5. Post signage, such as a banner, marquee, poster, or other large display on the exterior of the building facing the street nearest the entrance of the meal service area at each site, before the meal service begins and throughout the service time

All meals offered through the summer meal program shall meet U.S. Department of Agriculture minimum meal patterns as specified in 7 CFR 225.16 or the meal patterns required for the National School Lunch and Breakfast Programs. (42 USC 1761; 7 CFR 225.16)
SUMMER MEAL PROGRAM  (continued)

(cf. 3550 - Food Service/Child Nutrition Program)
(cf. 5141.27 - Food Allergies/Special Dietary Needs)

The Superintendent or designee shall submit to the CDE monthly reimbursement claims based on the number of eligible meals served.

Program administrative personnel shall annually attend mandatory training provided by the CDE. In addition, the Superintendent or designee shall annually hold program training sessions for administrative and site personnel and shall allow no site to operate until personnel have attended at least one of these training sessions. Training of site personnel shall include, but not be limited to, the purpose of the program, site eligibility, record keeping, site operations, meal pattern requirements, and the duties of a program monitor. The Superintendent or designee shall provide training throughout the summer to ensure that administrative personnel are thoroughly knowledgeable in all required areas of program administration and operation and are provided with sufficient information to carry out their program responsibilities. Each site shall have present at each meal service at least one person who has received this training. (42 USC 1761; 7 CFR 225.15, 225.7)

(cf. 4231 - Staff Development)
(cf. 4331 - Staff Development)

The Superintendent or designee shall monitor program operations by conducting site visits prior to opening a new site, during the first week of operation, during the first four weeks of operation, and then at a reasonable level thereafter. (7 CFR 225.15)

The Superintendent or designee shall retain all records pertaining to the program for a period of three years after the end of the fiscal year to which they pertain. (7 CFR 225.6, 225.15)

(cf. 3580 - District Records)
MEALS

The Board of Trustees recognizes that adequate nutrition is essential to the development, health, and learning of all students. The Superintendent or designee shall facilitate and encourage the participation of all students in the district's food service program.

The district shall provide at least one nutritionally adequate meal each school day, free of charge, for students whose families meet federal eligibility criteria. (Education Code 49550, 49552)

(cf. 3551 - Food Service Operations/Cafeteria Fund)
(cf. 3552 - Summer Meal Program)
(cf. 5030 - Student Wellness)
(cf. 5148 - Child Care and Development)
(cf. 5148.2 - Before/After School Programs)
(cf. 6177 - Summer School)

The Superintendent or designee shall ensure that meals provided through the federal meal program meet applicable state and/or federal nutritional standards in accordance with law, Board policy, and administrative regulation.

(cf. 3550 - Food Service/Child Nutrition Program)
(cf. 0410 - Nondiscrimination in District Programs and Activities)
(cf. 3555 - Nutrition Program Compliance)
(cf. 5145.3 - Nondiscrimination/Harassment)

Confidentiality/Release of Records

If a student transfers from the district to another district, charter school, county office of education program, or private school, the Superintendent or designee may share the student's meal eligibility information to the other educational agency to assist in the continuation of the student's meal benefits.

The Superintendent or designee may release the name and eligibility status of a student participating in the CEP meal program to another school district, charter school, or county office of education that is serving a student living in the same household for purposes related to program eligibility and data used in local control funding formula calculations. (Education Code 49558)

The Superintendent or designee may release the name and eligibility status of a student participating in the free or reduced-price meal program to the Superintendent of Public Instruction for purposes of determining allocations under the local control funding formula and for assessing accountability of that funding. (Education Code 49558)

(cf. 5141.6 - School Health Services)

Legal Reference: (see next page)
MEALS (continued)

Legal Reference:

**EDUCATION CODE**
48980 Notice at beginning of term
49430-49434 Pupil Nutrition, Health, and Achievement Act of 2001
49490-49494 School breakfast and lunch programs
49500-49505 School meals
49510-49520 Nutrition
49530-49536 Child Nutrition Act of 1974
49547-49548.3 Comprehensive nutrition service
49550-49562 Meals for needy students

**CODE OF REGULATIONS, TITLE 5**
15510 Mandatory meals for needy students
15530-15535 Nutrition education
15550-15565 School lunch and breakfast programs

**UNITED STATES CODE, TITLE 20**
1232g Federal Educational Rights and Privacy Act
6301-6514 Title I programs

**UNITED STATES CODE, TITLE 42**
1751-1769j School lunch program
1771-1791 Child nutrition, especially:
1773 School breakfast program

**CODE OF FEDERAL REGULATIONS, TITLE 7**
210.1-210.31 National School Lunch Program
220.10-220.21 National School Breakfast Program
245.1-245.13 Determination of eligibility for free and reduced-price meals and free milk

**WELFARE AND INSTITUTIONS CODE**
14005.41 Basic health care

Legal Reference: (see next page)
MEALS (continued)

Management Resources:

CSBA PUBLICATIONS

CALIFORNIA DEPARTMENT OF EDUCATION MANAGEMENT BULLETINS
NSD SNP-12-2015 Updated Guidance on Sharing of School Meal Applications and the Passing of Assembly Bill 1599, July 2015
USDA-SNP-07-2010 Change in Free and Reduced-Price Meal Application Approval Process, September 2010

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS
Feed More Kids, Improve Program Participation
Direct Certification Implementation Checklist, May 2008

U.S. DEPARTMENT OF AGRICULTURE PUBLICATIONS

WEB SITES
CSBA: http://www.csba.org
California Department of Education, Nutrition Services Division: http://www.cde.ca.gov/ls/nu
California Healthy Kids Resource Center: http://www.californiahealthykids.org
California Project LEAN (Leaders Encouraging Activity and Nutrition): http://www.californiaprojectlean.org
The Board of Trustees believes that sales of foods and beverages at school during the school day should be aligned with the district's goals to promote student wellness. Any food sales conducted outside the district's food service program shall meet nutritional standards specified in law, Board policy, and administrative regulation and shall not reduce student participation in the district’s food service program.

(cf. 3550 - Food Service/Child Nutrition Program)
(cf. 3551 - Food Service Operations/Cafeteria Fund)
(cf. 3553 - Free and Reduced Price Meals)
(cf. 5030 - Student Wellness)
(cf. 5141.27 - Food Allergies/Special Dietary Needs)

The Board authorizes the Superintendent or designee to approve the sale of foods and beverages outside the district's food service program, including sales by student or school-connected organizations, sales through vending machines, and/or sales at secondary school student stores for fundraising purposes.

(cf. 1230 - School-Connected Organizations)
(cf. 1321 - Solicitations of Funds from and by Students)

When vending machines are sponsored by the district or a student or adult organization, the Superintendent or designee shall determine how and where vending machines may be placed at school sites, district offices, or other school facilities.

(cf. 3312 - Contracts)

Legal Reference: (see next page)
OTHER FOOD SALES (continued)

Legal Reference:

EDUCATION CODE
35182.5 Contracts, non-nutritious beverages
48931 Authorization and sale of food
49430-49434 Pupil Nutrition, Health, and Achievement Act of 2001
51520 School premises; prohibited solicitations

CODE OF REGULATIONS, TITLE 5
15500 Food sales in elementary schools
15501 Sales in high schools and junior high schools
15575-15578 Requirements for foods and beverages outside federal meals program

HEALTH AND SAFETY CODE
113700-114437 California Retail Food Code

UNITED STATES CODE, TITLE 42
1751-1769 National School Lunch Act, including:
1758b Local wellness policy
1771-1791 Child nutrition, School Breakfast Program

CODE OF FEDERAL REGULATIONS, TITLE 7
210.1-210.31 National School Lunch Program
220.1-220.21 National School Breakfast Program

Management Resources:

CSBA PUBLICATIONS

CALIFORNIA DEPARTMENT OF EDUCATION MANAGEMENT BULLETINS
06-110 Restrictions on Food and Beverage Sales Outside of the School Meal Program, August 2006

FISCAL CRISIS AND MANAGEMENT ASSISTANCE TEAM PUBLICATIONS
Associated Student Body Accounting Manual and Desk Reference, 2002

NATIONAL ASSOCIATION OF STATE BOARDS OF EDUCATION PUBLICATIONS
Fit, Healthy and Ready to Learn, 2000

WEB SITES
CSBA: http://www.csba.org
California Department of Education, Nutrition Services Division: http://www.cde.ca.gov/ls/nu
California Department of Public Health: http://www.cdph.ca.gov
California Healthy Kids Resource Center: http://www.californiahealthykids.org
California Project LEAN (Leaders Encouraging Activity and Nutrition): http://www.californiaprojectlean.org
Centers for Disease Control and Prevention: http://www.cdc.gov
Fiscal Crisis and Management Assistance Team: http://www.fcmat.org
U.S. Dept. of Agriculture, Food and Nutrition Information Center: http://www.nal.usda.gov/fnic

Policy adopted: PALMDALE SCHOOL DISTRICT
Palmdale, California
Business and Noninstructional Operations

OTHER FOOD SALES

Requirements for Schools Not Participating in Federal Meal Program

Food and beverage sales outside the district's food service program shall comply with applicable nutritional standards specified in Education Code 49431-49431.7 and 5 CCR 15500-15501 and 15575-15578.

(cf. 3550 - Food Service/Child Nutrition Program)
(cf. 5030 - Student Wellness)
(cf. 5141.27 - Food Allergies/Special Dietary Needs)

The sale of foods or beverages that do not comply with the standards in Education Code 49431-49431.5 may be permitted in either of the following circumstances: (Education Code 49431-49431.5)

1. The sale takes place off and away from school premises.

2. The sale takes place on school premises at least one-half hour after the end of the school day.

(cf. 1230 - School-Connected Organizations)
(cf. 1321 - Solicitations of Funds from and by Students)
(cf. 6145 - Extracurricular and Cocurricular Activities)

Requirements for Schools Participating in Federal Meal Program

For any district school participating in the National School Lunch and/or Breakfast Program, food and beverage sales conducted outside the district's food service program on school campuses during the school day shall comply with applicable nutritional standards specified in 7 CFR 210.11 and 220.12 or with state nutrition standards in Education Code 49431-49431.7 and 5 CCR 15500-15501 and 15575-15578, whichever rule is stricter.

These standards shall apply to all competitive foods and beverages sold from midnight before the school day to one-half hour after the end of the school day. (7 CFR 210.11)

In a school with any of grades K-8 that is participating in the National School Lunch and/or Breakfast Program, the Superintendent or designee shall not permit the sale of foods by a student organization except when all of the following conditions are met: (5 CCR 15500)

1. The student organization sells only one food item per sale.

2. The specific nutritious food item is approved by the Superintendent or designee in accordance with Board policy.

3. The sale does not begin until after the close of the regularly scheduled midday food service period.
OTHER FOOD SALES (continued)

4. The sale during the regular school day is not of food items prepared on the premises.

5. There are no more than four such sales per year per school.

6. The food sold is not one sold in the district's food service program at that school during that school day.

In any middle or high school, a student organization may be approved to sell food items during or after the school day if all of the following conditions are met: (5 CCR 15501)

1. Only one student organization conducts a food sale on a given school day and the organization sells no more than three types of food or beverage items, except that up to four days during the school year may be designated on which any number of organizations may conduct the sale of any food items.

2. The specific nutritious food items are approved by the Superintendent or designee in accordance with Board policy.

3. Food items sold during the regular school day are not prepared on the premises.

4. The food items sold are not those sold in the district's food service program at that school during that school day.

The Superintendent or designee shall maintain records, or shall require organizations selling foods and beverages to maintain records, to document compliance with federal nutrition standards for all competitive foods and beverages sold through and outside the district's food services program. At a minimum, these records shall include receipts, nutrition labels, and/or product specifications. (7 CFR 210.11)
NUTRITION PROGRAM COMPLIANCE

The Board of Trustees recognizes the district's responsibility to comply with state and federal nondiscrimination laws as they apply to the district's nutrition programs. The district shall not deny any individual the benefits or service of any nutrition program or discriminate against him/her on any basis prohibited by law.

(cf. 0410 - Nondiscrimination in District Programs and Activities)
(cf. 3550 - Food Service/Child Nutrition Program)
(cf. 3552 - Summer Meal Program)
(cf. 3553 - Free and Reduced Price Meals)
(cf. 5030 - Student Wellness)

Coordinator

The Board designates the compliance officer(s) specified in AR 1312.3 - Uniform Complaint Procedures as the district's civil rights coordinator to ensure compliance with the laws governing its nutrition programs and to investigate any related complaints.

The responsibilities of the compliance officer/coordinator include, but are not limited to:

1. Providing the name of the civil rights coordinator, Section 504 coordinator, and Title IX coordinator, if different from the civil rights coordinator, to the California Department of Education and other interested parties

(cf. 6164.6 - Identification and Education Under Section 504)

2. Annually providing mandatory civil rights training to all frontline staff who interact with program applicants or participants and to those who supervise frontline staff

The subject matter of such training shall include, but not be limited to, collection and use of data, effective public notification systems, complaint procedures, compliance review techniques, resolution of noncompliance, requirements for reasonable accommodation of persons with disabilities, requirements for language assistance, conflict resolution, and customer service.

3. Establishing admission and enrollment procedures that do not restrict enrollment of students on the basis of race, ethnicity, national origin, or disability, including preventing staff from incorrectly denying applications and ensuring that such persons have equal access to all programs

(cf. 6159 - Individualized Education Program)

4. Sending a public release announcing the availability of the child nutrition programs and/or changes in the programs to public media and to community and grassroots organizations that interact directly with eligible or potentially eligible participants
NUTRITION PROGRAM COMPLIANCE  (continued)

5. Communicating the program's nondiscrimination policy and applicable complaint procedures, as provided in the section "Notifications" below

6. Providing appropriate translation services when a significant number of persons in the surrounding population have limited English proficiency

7. Ensuring that every part of a facility is accessible to and usable by persons with disabilities and that participants with disabilities are not excluded from the benefits or services due to inaccessibility of facilities

8. Ensuring that special meals are made available to participants with disabilities who have a medical statement on file documenting that their disability restricts their diet

(cf. 5141.27 - Food Allergies/Special Dietary Needs)

9. Implementing procedures to process and resolve civil rights (discrimination) complaints and program-related complaints, including maintaining a complaint log and working with the appropriate person to resolve any complaint

10. Developing a method, which preferably uses self-identification or self-reporting, to collect racial and ethnic data for potentially eligible populations, applicants, and participants

(cf. 5022 - Students and Family Privacy Rights)
(cf. 5125 - Student Records)

Notifications

The U.S. Department of Agriculture's (USDA) "And Justice for All" civil rights poster or a substitute poster approved by the USDA's Food and Nutrition Service shall be displayed in areas visible to the district's nutrition program participants, such as food service areas and school offices.

The coordinator shall notify the public, all program applicants, participants, and potentially eligible persons of their program rights and responsibilities and steps necessary for participation. Applicants, participants, and the public also shall be advised of their right to file a complaint, how to file a complaint, the complaint procedures, and that a complaint may be file anonymously or by a third party.

(cf. 5145.6 - Parental Notifications)
NUTRITION PROGRAM COMPLIANCE (continued)

In addition, all forms of communication available to the public regarding program availability shall contain, in a prominent location, the following statement:

"In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, sex, disability, age, or reprisal or retaliation for prior civil rights activity in any program or activity conducted or funded by USDA.

Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotape, American Sign Language, etc.), should contact the Agency (State or local) where they applied for benefits. Individuals who are deaf, hard of hearing or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, (AD-3027) found online at: http://www.ascr.usda.gov/complaint_filing_cust.html, and at any USDA office, or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by:

(1) mail: U.S. Department of Agriculture
    Office of the Assistant Secretary for Civil Rights
    1400 Independence Avenue, SW
    Washington, D.C. 20250-9410;

(2) fax: (202) 690-7442; or

(3) email: program.intake@usda.gov.

This institution is an equal opportunity provider."

Forms of communication requiring this nondiscrimination statement include, but are not limited to, web sites, public information releases, publications, and posters, but exclude menus. The nondiscrimination statement need not be included on every page of program information on the district's or school's web site, but the statement or a link to the statement shall be included on the home page of the program information.
NUTRITION PROGRAM COMPLIANCE  (continued)

A short version of the nondiscrimination statement, stating "This institution is an equal opportunity provider," may be used on pamphlets, brochures, and flyers in the same print size as the rest of the text.

Complaints

Any complaint concerning the district's nutrition programs shall be investigated using the process identified in AR 1312.3 - Uniform Complaint Procedures.

(cf. 1312.3 - Uniform Complaint Procedures)

When a complaint alleging discrimination of the basis of race, color, national origin, sex, age, or disability is unresolved at the district level, the coordinator shall notify the complainant of the option to contact and/or forward his/her complaint to one of the following agencies:

1. Child Nutrition Program Civil Rights and Program Complaint Coordinator, California Department of Education, Nutrition Services Division, 1430 N Street, Room 4503, Sacramento, CA 95814-2342 or call (916) 323-8531 or (800) 952-5609


Legal Reference:  (see next page)
NUTRITION PROGRAM COMPLIANCE  (continued)

Legal Reference:

EDUCATION CODE
200-262.4 Prohibition of discrimination
48985 Notices to parents in language other than English
49060-49079 Student records
49490-49590 Child nutrition programs

PENAL CODE
422.6 Interference with constitutional right or privilege

CODE OF REGULATIONS, TITLE 5
3080 Application of section
4600-4670 Uniform complaint procedures
4900-4965 Nondiscrimination in elementary and secondary education programs

UNITED STATES CODE, TITLE 20
1400-1482 Individuals with Disabilities in Education Act
1681-1688 Discrimination based on sex or blindness, Title IX

UNITED STATES CODE, TITLE 29
794 Section 504 of the Rehabilitation Act of 1973

UNITED STATES CODE, TITLE 42
2000d-2000d-7 Title VI, Civil Rights Act of 1964
2000e-2000e-17 Title VII, Civil Rights Act of 1964 as amended
2000h-2000h-6 Title IX
12101-12213 Americans with Disabilities Act

CODE OF FEDERAL REGULATIONS, TITLE 7
210.23 National School Lunch Program, district responsibilities
215.7 Special Milk Program, requirements for participation
215.14 Special Milk Program, nondiscrimination
220.7 School Breakfast Program, requirements for participation
225.3 Summer Food Service Program, administration
225.7 Summer Food Service Program, program monitoring

CODE OF FEDERAL REGULATIONS, TITLE 28
35.101-35.190 Americans with Disabilities Act
36.303 Auxiliary aids and services

CODE OF FEDERAL REGULATIONS, TITLE 34
100.1-100.13 Nondiscrimination in federal programs, effectuating Title VI
104.1-104.39 Section 504 of the Rehabilitation Act of 1973
106.1-106.61 Discrimination on the basis of sex, effectuating Title IX, especially:
106.9 Dissemination of policy

Management Resources: (see next page)
NUTRITION PROGRAM COMPLIANCE  (continued)

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

U.S. DEPARTMENT OF AGRICULTURE, FOOD AND NUTRITION SERVICE PUBLICATIONS
Civil Rights Compliance and Enforcement - Nutrition Programs and Activities, FNS Instruction 113-1, November 2005

U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS PUBLICATIONS
Notice of Non-Discrimination, August 2010

WEB SITES
California Department of Education, Nutrition Services Division: http://www.cde.ca.gov/ls/nu
U.S. Department of Education, Office for Civil Rights: http://www2.ed.gov/ocr
DISTRICT RECORDS

The Board of Trustees recognizes the importance of securing and retaining district documents. The Superintendent or designee shall ensure that district records are developed, maintained, and disposed of in accordance with law, Board policy, and administrative regulation.

(cf. 1340 - Access to District Records)
(cf. 3440 - Inventories)
(cf. 4112.6/4212.6/4312.6 - Personnel Files)
(cf. 5125 - Student Records)

The Superintendent or designee shall consult with district legal counsel, site administrators, district information technology staff, personnel department staff, and others as necessary to develop a secure document management system that provides for the storage, retrieval, archiving, and destruction of district documents, including electronically stored information such as email. This document management system shall be designed to comply with state and federal laws regarding security of records, record retention and destruction, response to "litigation hold" discovery requests, and the recovery of records in the event of a disaster or emergency.

(cf. 0440 - District Technology Plan)
(cf. 3516 - Emergencies and Disaster Preparedness Plan)
(cf. 4040 - Employee Use of Technology)
(cf. 9011 - Board Member Electronic Communications)

The Superintendent or designee shall ensure the confidentiality of records as required by law and shall establish regulations to safeguard data against damage, loss, or theft.

(cf. 5125.1 - Release of Directory Information)

The Superintendent or designee shall ensure that employees receive information about the district's document management system, including retention and confidentiality requirements and an employee's obligations in the event of a litigation hold established on the advice of legal counsel.

(cf. 4131 - Staff Development)
(cf. 4231 - Staff Development)
(cf. 4331 - Staff Development)

If the district discovers or is notified that a breach of security of district records containing unencrypted personal information has occurred, the Superintendent or designee shall notify every individual whose personal information was, or is reasonably believed to have been, acquired by an unauthorized person. Personal information includes, but is not limited to, a social security number, driver's license or identification card number, medical information, health insurance information, or an account number in combination with an access code or password that would permit access to a financial account. (Civil Code 1798.29)
DISTRICT RECORDS (continued)

The Superintendent or designee shall provide the notice in a timely manner either in writing or electronically, unless otherwise provided in law. The notice shall include the material specified in Civil Code 1798.29, be formatted as required, and be distributed in a timely manner, consistent with the legitimate needs of law enforcement to conduct an uncompromised investigation or any measures necessary to determine the scope of the breach and restore reasonable integrity of the data system. (Civil Code 1798.29)

(cf. 1112 - Media Relations)
(cf. 1113 - District and School Web Sites)
(cf. 4112.9/4212.9/4312.9 - Employee Notifications)
(cf. 5145.6 - Parental Notifications)

Safe at Home Program

District public records shall not include the actual addresses of students, parents/guardians, or employees when a substitute address is designated by the Secretary of State pursuant to the Safe at Home program. (Government Code 6206, 6207)

When a substitute address card is provided pursuant to this program, the confidential, actual address may be used only to establish district residency requirements for enrollment and for school emergency purposes.

(cf. 5111.1 - District Residency)
(cf. 5141 - Health Care and Emergencies)

Legal Reference: (see next page)
DISTRICT RECORDS  (continued)

Legal Reference:
- **EDUCATION CODE**
  35145  Public meetings
  35163  Official actions, minutes and journal
  35250-35255  Records and reports
  44031  Personnel file contents and inspection
  49065  Reasonable charge for transcripts
  49069  Absolute right to access
- **CIVIL CODE**
  1798.29  Breach of security involving personal information
  1985.8  Electronic Discovery Act
  2031.010-2031.060  Civil Discovery Act, scope of discovery demand
  2031.210-2031.320  Civil Discovery Act, response to inspection demand
- **GOVERNMENT CODE**
  6205-6210  Confidentiality of addresses for victims of domestic violence, sexual assault or stalking
  6252-6265  Inspection of public records
  12946  Retention of employment applications and records for two years
- **PENAL CODE**
  11170  Retention of child abuse reports
- **CODE OF REGULATIONS, TITLE 5**
  430  Individual student records; definition
  432  Varieties of student records
  16020-16022  Records, general provisions
  16023-16027  Retention of records
- **UNITED STATES CODE, TITLE 20**
  1232g  Family Educational Rights and Privacy Act
- **CODE OF FEDERAL REGULATIONS, TITLE 34**
  99.1-99.8  Family Educational Rights and Privacy Act

Management Resources:
- **WEB SITES**
  California Secretary of State:  http://www.sos.ca.gov/safeathome

Policy adopted:  PALMDALE SCHOOL DISTRICT
Palmdale, California
DISTRICT RECORDS

Classification of Records

*Records* means all records, maps, books, papers, and documents of a school district required by law to be prepared or retained as necessary or convenient to the discharge of official duty. (5 CCR 16020)

(cf. 1340 - Access to District Records)

Before January 1, the Superintendent or designee shall review the prior year's records and shall classify them as either a Class 1 (Permanent), Class 2 (Optional), or Class 3 (Disposable) record. (5 CCR 16022)

*Records of continuing nature* (active and useful for administrative, legal, fiscal, or other purposes over a period of years) shall not be classified until such usefulness has ceased. (5 CCR 16022)

An inventory of equipment shall be a continuing record and shall not be classified until the inventory is superseded or until the equipment is removed from district ownership. (5 CCR 16022)

(cf. 3440 - Inventories)

A student's cumulative record is a continuing record until the student ceases to be enrolled in the district. (5 CCR 16022)

(cf. 5125 - Student Records)

When an electronic or photographed copy of a Class 1 (Permanent) record has been made, the copy may be classified as Class 1 (Permanent) and the original classified as either Class 2 (Optional) or Class 3 (Disposable). However, no original record that is basic to any required audit may be destroyed prior to the second July 1st succeeding the completion of the audit. (Education Code 35254)

Class 1 - Permanent Records

The original of each of the following records, or one exact copy of it when the original is required by law to be filed with another agency, is a Class 1 (Permanent) record and shall be retained indefinitely unless microfilmed in accordance with 5 CCR 16022: (5 CCR 16023)

1. Annual Reports

   a. Official budget

   b. Financial reports of all funds, including cafeteria and student body funds
DISTRIBUTED RECORDS  (continued)

c. Audit of all funds
d. Average daily attendance, including Period 1 and Period 2 reports
e. Other major annual reports, including:

(1) Those containing information relating to property, activities, financial condition, or transactions

(2) Those declared by Board of Trustees minutes to be permanent

(cf. 3100 - Budget)
(cf. 3452 - Student Activity Funds)
(cf. 3460 - Financial Reports and Accountability)
(cf. 3551 - Food Service Operations/Cafeteria Fund)

2. Official Actions

a. Minutes of the Board or Board committees, including the text of rules, regulations, policies, or resolutions included by reference only

b. The call for and the result of any elections called, conducted, or canvassed by the Board

c. Records transmitted by another agency pertaining to its action with respect to district reorganization

(cf. 7214 - General Obligation Bonds)
(cf. 9324 - Minutes and Recordings)

3. Personnel Records

Class 1 (Permanent) records include all detailed records relating to employment; assignment; amounts and dates of service rendered; termination or dismissal of an employee in any position; sick leave record; rate of compensation, salaries, or wages paid; and deductions or withholdings made and the person or agency to whom such amounts were paid. In lieu of the detailed records, a complete proven summary payroll record for each employee containing the same data may be classified as a Class 1 (Permanent) record and the detailed records may then be classified as Class 3 (Disposable) records.

Information of a derogatory nature as defined in Education Code 44031 shall be retained as a Class 1 (Permanent) record only when the time for filing a grievance has passed or the document has been sustained by the grievance process.
**DISTRICT RECORDS** (continued)

(cf. 4112.5/4212.5/4312.5 - Criminal Record Check)
(cf. 4112.6/4212.6/4312.6 - Personnel Files)

4. Student Records

The records of enrollment and scholarship for each student required by 5 CCR 432 and all records pertaining to any accident or injury involving a minor for which a claim for damages had been filed as required by law shall be classified as Class 1 (Permanent) records. These include any related policy of liability insurance, except that these records cease to be Class 1 (Permanent) records one year after the claim has been settled or the statute of limitations has expired.

(cf. 5111.1 - District Residency)
(cf. 5141 - Health Care and Emergencies)
(cf. 5143 - Insurance)

5. Property Records

Class 1 (Permanent) records include all detailed records relating to land, buildings, and equipment. In lieu of detailed records, a complete property ledger may be classified as a Class 1 (Permanent) record. The detailed records may then be classified as Class 3 (Disposable) records if the property ledger includes all fixed assets; an equipment inventory; and, for each piece of property, the date of acquisition, name of previous owner, a legal description, amount paid, and comparable data if the unit is disposed of.

(cf. 3280 - Sale or Lease of District-Owned Real Property)

**Class 2 - Optional Records**

Any records considered temporarily worth keeping, but which are not Class 1 records, may be classified as Class 2 (Optional) records and shall be retained until reclassified as Class 3 (Disposable) records. If, by agreement of the Board and Superintendent or designee, classification of the prior year records has not been made before January 1 as specified in 5 CCR 16022, all records of the prior year may be classified as Class 2 (Optional) records pending further review and classification within one year. (5 CCR 16024)

**Class 3 - Disposable Records**

All records not classified as Class 1 (Permanent) or as Class 2 (Optional) records shall be classified as Class 3 (Disposable) records. These include, but are not limited to, detailed records basic to audit, including those relating to attendance, average daily attendance, or business or financial transactions; detailed records used in preparing another report; teachers'
DISTRICT RECORDS (continued)

registers if all information required by 5 CCR 432 is retained in other records or if the General Records pages are removed from the register and classified as Class 1 (Permanent) records; and periodic reports, including daily, weekly, and monthly reports, bulletins, and instructions. (5 CCR 16025)

All Class 3 (Disposable) records shall be destroyed during the third school year after the school year in which the records originated. In addition, Class 3 (Disposable) records shall not be destroyed until after the third school year following the completion of any legally required audit or the retention period required by any agency other than the State of California, whichever is later. A continuing record shall not be destroyed until the fourth year after it has been classified as a Class 3 (Disposable) record. (5 CCR 16026, 16027)

(cf. 5113.2 - Work Permits)

Electronically Stored Information

All electronically stored information related to the conduct of district business, including information created, saved, sent, or received on a district employee's or Board member's personal account or device, shall be saved as an electronic file to a district-provided account or device and retained in accordance with the section "Classification of Records" above. Such information includes, but is not limited to, email, text messages, instant messages, computer files, and other electronic communications related to district business. In addition, when appropriate, the information may be printed and physically filed in a way that allows it to be easily retrieved when needed.

(cf. 9012 - Board Member Electronic Communications)

Employees shall be required to regularly purge their email accounts and district-issued computers, cell phones, and other communication devices of personal electronically stored information and other information unrelated to district business. The Superintendent or designee may check for appropriate use of any district-owned equipment at any time.

(cf. 4040 - Employee Use of Technology)

Any person to whom a district-owned computer, cell phone, or other electronic communication device is provided shall be notified about the district's electronic information management system and, as necessary, provided training on the effective use of the device.
CONSULTANTS

The Board of Trustees authorizes the use of consultants and other independent contractors to provide expert professional advice or specialized technical or training services which are not needed on a continuing basis and which cannot be provided by district staff because of limitations of time, experience or knowledge. Individuals, firms or organizations employed as independent contractors may assist management with decisions and/or project development related to financial, economic, accounting, engineering, legal, administrative, instructional or other matters.

(cf. 3551 – Food Service Operations/Cafeteria Fund)

As part of the contract process, the Superintendent or designee shall determine that the individual firm, or organization is properly classified as an independent contractor. A person, firm, or organization shall be considered an employee rather than an independent contractor unless the district is able to demonstrate that all of the following conditions have been met:

1. The person or entity is free from the control and direction of the district in connection with the performance of the work.

2. The person or entity is performing work that is outside the usual course of the district providing educational services.

3. The person or entity is customarily engaged in an independently established trade, occupation, or business of the same nature as the work to be performed.

Specific statutory exceptions to this analysis for the determination of whether a person, firm, or organization is an independent contractor may apply. (Labor Code 2750.3)

All consultant contracts shall be brought to the Board for approval.

(cf. 3311 - Bids)
(cf. 3312 - Contracts)
(cf. 4132/4232/4332 - Publication or Creation of Materials)

The district shall not contract for consulting services that can be performed without charge by a public agency or official unless these services are unavailable from the public source for reasons beyond the district's control.

All qualified independent contractors shall be accorded equal opportunity for contracts regardless of actual or perceived race, color, national origin, ancestry, age, religious creed, marital status, pregnancy, physical or mental disability, medical condition, genetic information, military and veteran status, sex, sexual orientation, gender, gender identity, gender expression, immigration status, or association with a person or group with one or more of these actual or perceived characteristics. (Education Code 220; Government Code 12940)
CONSULTANTS (continued)

Independent contractors shall submit a written conflict of interest statement disclosing financial interests as determined necessary by the Superintendent or designee, depending on the range of duties to be performed by the consultant. The Superintendent or designee shall consider this statement when deciding whether to recommend approval of the contract.

Any consultant hired by the district who is subject to the filing requirements in the district's conflict of interest code shall file a Statement of Economic Interests within the time period required by law. (Government Code 87302)

When employees of a public university, county office of education or other public agency serve as consultants or independent contractors in other capacities for the district, they shall certify as part of the agreement that they will not receive salary or remuneration other than vacation pay from any other public agency for the specific days when they work for this district.

The Board prohibits the harassment of an independent contractor by any district employee or by any other person with whom the independent contractor comes in contact during the course of employment with the district. Additionally, the Board prohibits the harassment of a district employee by an independent contractor. Any complaint of harassment shall be investigated and resolved in accordance with applicable district complaint procedures. (Government Code 12940)

Legal Reference: (see next page)
CONSULTANTS (continued)

Legal Reference:
EDUCATION CODE
220 Prohibition of discrimination
10400-10407 Cooperative improvement programs
17596 Limit on continuing contracts
35010 Control of districts; prescription and enforcement of rules
35172(a) Promotional activities
35204 Contract with attorney
44925 Part-time readers employed as independent contractors
45103 Classified service in districts not incorporating the merit system
45103.5 Contracts for food service consulting services
45134-45135 Employment of retired classified employee
45256 Merit system districts; classified service; positions established for professional experts on a temporary basis
GOVERNMENT CODE
12940 Unlawful employment practices
53060 Contract for special services and advice
82019 Designated employee
87302 Conflict of interest code
LABOR CODE
2750.3 ABC three-part test: employees and independent contractors
UNEMPLOYMENT INSURANCE CODE
606.5 Determination of employment status
621 Employer and employee defined
CODE OF REGULATIONS, TITLE 2
18700.3 Consultant
COURT DECISIONS
Dynamex Operations West, Inc. v. Superior Court of Los Angeles (2018) 4 Cal. 5th 903
S.G. Borello & Sons, Inc. v. Department of Industrial Relations (1989) 48 Cal. 3d 341