



West Park School District

Board Policy Manual

Board Policy Manual

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Policy 3000: Concepts And Roles

Status: ADOPTED

Original Adopted Date: 08/14/2017 | **Last Revised Date:** 09/11/2023 | **Last Reviewed Date:** 09/11/2023

The Governing Board recognizes that the business and other noninstructional operations of the district support the educational program by maximizing and prioritizing resources and providing a safe and healthy environment for students and staff. The Superintendent or designee shall ensure that the district's business and noninstructional operations are efficient and responsive to the needs of students, parents/guardians, staff, and the community.

The district shall maintain high standards of safety in the operation of facilities, equipment, and services. The Superintendent or designee shall establish a risk management program that promotes safety and protects district resources.

In the development of a district budget, the Board and the Superintendent or designee shall establish a calendar that reflects the full budget cycle and a process that satisfies the requirements of law, including opportunities for public input. The Superintendent or designee shall provide fiscal data and prepare a proposed budget document within the budget priorities and parameters set by the Board. The Board shall adopt a budget that is aligned with the district's vision and goals and enables the district to meet its fiscal obligations.

The Board expects sound fiscal management from the administration. The Superintendent or designee shall administer the adopted budget in accordance with Board policies and accepted business practices.

The Board shall monitor financial operations so as to ensure the district's fiscal integrity and accountability to the community. The Superintendent or designee shall complete all required financial reports, facilitate the independent audit process, recommend financial plans for meeting program needs, and keep the Board informed about the district's fiscal and noninstructional operations.

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References

Ed. Code 35035

Description

[Powers and duties of the superintendent; transfer authority](#)

Ed. Code 35160

[Authority of governing boards](#)

Ed. Code 35160.1

[Broad authority of school districts](#)

Ed. Code 35161

[Board delegation of any powers or duties](#)

Management Resources References

Website

Description

[CSBA District and County Office of Education Legal Services](#)

Website

[California Association of School Business Officials](#)

Website

[School Services of California, Inc.](#)

Website

[California Department of Education](#)

Website

[CSBA](#)

Website

[Fiscal Crisis and Management Assistance Team](#)

Cross References

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3550	Food Service/Child Nutrition Program
5030	Student Wellness
9000	Role Of The Board

Policy 3100: Budget

Status: ADOPTED

Original Adopted Date: 08/14/2017 | **Last Revised Date:** 09/11/2023 | **Last Reviewed Date:** 09/11/2023

The Governing Board recognizes its critical responsibility for adopting a sound budget each fiscal year which is aligned with and reflects the district's vision, goals, priorities, local control and accountability plan (LCAP), and other comprehensive plans. The district budget shall guide decisions and actions throughout the year and shall serve as a tool for monitoring the fiscal health of the district.

The district budget shall show a complete plan and itemized statement of all proposed expenditures and all estimated revenues for the following fiscal year. The budget shall also include the appropriations limit and the total annual appropriations subject to limitation as determined pursuant to Government Code 7900-7914. (Education Code 42122)

Budget Development and Adoption Process

In order to provide guidance in the development of the budget, the Board shall annually establish budget priorities based on identified district needs and goals and on realistic projections of available funds.

The Superintendent or designee shall oversee the preparation of a proposed district budget for approval by the Board and shall involve appropriate staff in the development of budget projections.

The Board shall hold a public hearing on the proposed budget in accordance with Education Code 42103 and 42127. The hearing shall occur at the same meeting as the public hearing on the district's LCAP and the local control funding formula (LCFF) budget overview for parents/guardians. (Education Code 42103, 42127, 52062, 52064.1)

The Board shall adopt the district budget at a public meeting held after the date of the public hearing but on or before July 1 of each year. The Board shall adopt the budget following its adoption of the LCAP, or annual update to the LCAP, and the LCFF budget overview for parents/guardians. The budget shall include the expenditures necessary to implement the LCAP or the annual update to the LCAP. (Education Code 42127, 52062)

The budget that is presented at the public hearing as well as the budget formally adopted by the Board shall adhere to the state's Standardized Account Code Structure as prescribed by the Superintendent of Public Instruction (SPI). (Education Code 42126, 42127)

The Superintendent or designee may supplement this format with additional information as necessary to effectively communicate the budget to the Board, staff, and public.

No later than five days after the Board adopts the district budget or by July 1, whichever occurs first, the Board shall file the adopted district budget with the County Superintendent of Schools. The budget and supporting data shall be maintained and made available for public review. (Education Code 42127)

If the County Superintendent disapproves or conditionally approves the district's budget, the Board shall review and respond to the County Superintendent's recommendations at a regular public meeting on or before October 8. The response shall include any revisions to the adopted budget and any other proposed actions to be taken as a result of those recommendations. (Education Code 42127)

Budget Criteria and Standards

The district budget shall be developed in accordance with state criteria and standards specified in 5 CCR 15440-15450 as they relate to projections of average daily attendance (ADA), enrollment, ratio of ADA to enrollment, LCFF revenue, salaries and benefits, other revenues and expenditures, facilities maintenance, deficit spending, fund balance, and reserves. In addition, the Superintendent or designee shall provide the supplemental information specified in 5 CCR 15451 which addresses the methodology and budget assumptions used, contingent liabilities, use of one-time revenues for ongoing expenditures, use of ongoing revenues for one-time expenditures, contingent revenues, contributions, long-term commitments, unfunded liabilities, status of collective bargaining agreements, the LCAP, and LCAP expenditures. (Education Code 33128, 33129, 42127.01; 5 CCR 15440-15451)

The district budget shall provide for increased or improved services for unduplicated students at least in proportion to the increase in funds apportioned on the basis of the number and concentration of unduplicated students in accordance with 5 CCR 15496. Unduplicated students are students who are eligible for free or reduced-price meals,

English learners, and/or foster youth. (Education Code 42238.07; 5 CCR 15496)

The Board may establish other budget assumptions or parameters which may take into consideration the stability of funding sources, legal requirements and constraints on the use of funds, anticipated increases and/or decreases in the cost of services and supplies, program requirements, and any other factors necessary to ensure that the budget is a realistic plan for district revenues and expenditures.

Fund Balance

The district shall classify fund balances in compliance with Governmental Accounting Standards Board (GASB) Statement 54, as follows:

1. Nonspendable fund balance includes amounts that are not expected to be converted to cash, such as resources that are not in a spendable form (e.g., inventories and prepaids) or that are legally or contractually required to be maintained intact.
2. Restricted fund balance includes amounts constrained to specific purposes by their providers or by law.
3. Committed fund balance includes amounts constrained to specific purposes by the Board.

For this purpose, all commitments of funds shall be approved by a majority vote of the Board. The constraints shall be imposed no later than the end of the reporting period (June 30), although the actual amounts may be determined subsequent to that date but prior to the issuance of the financial statements.

4. Assigned fund balance includes amounts which are intended for a specific purpose but do not meet the criteria to be classified as restricted or committed.

The Board delegates authority to assign funds to the assigned fund balance to the Superintendent and authorizes the assignment of such funds to be made any time prior to the issuance of the financial statements. The Superintendent shall have discretion to further delegate the authority to assign funds.

5. Unassigned fund balance includes amounts that are available for any purpose.

When multiple types of funds are available for an expenditure, the district shall first utilize funds from the restricted fund balance as appropriate, then from the committed fund balance, then from the assigned fund balance, and lastly from the unassigned fund balance.

The Board intends to maintain a minimum assigned and unassigned fund balance in an amount the Board deems sufficient to maintain fiscal solvency and stability and to protect the district against unforeseen circumstances.

If the assigned and unassigned fund balance falls below the level set by the Board due to an emergency situation, unexpected expenditures, or revenue shortfalls, the Board shall develop a plan to recover the fund balance which may include dedicating new unrestricted revenues, reducing expenditures, and/or increasing revenues or pursuing other funding sources.

Reserve Balance

The district budget shall include a minimum reserve balance for economic uncertainties that is consistent with the percentage or amount specified in 5 CCR 15450.

In any year following the fiscal year in which the district is notified by the SPI that the amount of monies in the state Public School System Stabilization Account equals or exceeds three percent of the combined total of general fund revenues appropriated for school districts and allocated local proceeds of taxes, the district budget shall not contain a combined assigned or unassigned ending general fund balance that is in excess of 10 percent of these funds, unless the requirement is waived in accordance with Education Code 42127.01. (Education Code 42127.01)

Long-Term Financial Obligations

The district's current-year budget and multiyear projections shall include adequate provisions for addressing the district's long-term financial obligations, including, but not limited to, long-term obligations resulting from collective bargaining agreements, financing of facilities projects, unfunded or future liability for retiree benefits, and accrued workers' compensation claims.

The Board may approve a plan for meeting the district's long-term obligations to fund contributions to the California Public Employees' Retirement System (CalPERS) which, to the extent possible, minimizes significant increases in annual general fund expenditures towards pension obligations. The plan may include prefunding required pension contributions through the California Employers' Pension Prefunding Trust Program pursuant to Government Code 21710-21716.

The Board shall approve a plan for meeting the district's long-term obligations to fund nonpension, other postemployment benefits (OPEBs). This plan shall include a specific funding strategy and the method that will be used to finance the district's annual fiscal obligations for such benefits in a manner that continually reduces the deficit to the district to the extent possible. The Board reserves the authority to review and amend the funding strategy as necessary to ensure that it continues to serve the best interests of the district and maintains flexibility to adjust for changing budgetary considerations.

The Superintendent or designee shall annually present a report to the Board on the estimated accrued but unfunded cost of OPEBs. As a separate agenda item at the same meeting, the Board shall disclose whether or not it will reserve a sufficient amount of money in its budget to fund the present value of the benefits of existing retirees and/or the future cost of employees who are eligible for benefits in the current fiscal year. (Education Code 42140)

The Superintendent or designee shall annually present a report to the Board on the estimated accrued but unfunded cost of workers' compensation claims and the actuarial reports upon which the estimated costs are based. As a separate agenda item at the same meeting, the Board shall disclose whether it will reserve in the budget sufficient amounts to fund the present value of accrued but unfunded workers' compensation claims or if it is otherwise decreasing the amount in its workers' compensation reserve fund. The Board shall annually certify to the County Superintendent the amount, if any, that it has decided to reserve in the budget for these costs. The Board shall submit to the County Superintendent any budget revisions that may be necessary to account for this budget reserve. (Education Code 42141)

Budget Amendments

No later than 45 days after the Governor signs the annual Budget Act, the Superintendent or designee shall make available for public review any revisions in budgeted revenues and expenditures which occur as a result of the funding made available by that Budget Act. (Education Code 42127)

Whenever revenues and expenditures change significantly throughout the year, the Superintendent or designee shall recommend budget amendments to ensure accurate projections of the district's net ending balance. When final figures for the prior-year budget are available, this information shall be used as soon as possible to update the current-year budget's beginning balance and projected revenues and expenditures.

In addition, budget amendments shall be submitted for Board approval as necessary when collective bargaining agreements are accepted, district income declines, increased revenues or unanticipated savings are made available to the district, program proposals are significantly different from those approved during budget adoption, interfund transfers are needed to meet actual program expenditures, and/or other significant changes occur that impact budget projections.

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State References

5 CCR 15060
5 CCR 15440-15451
5 CCR 15494-15497
Ed. Code 1240
Ed. Code 33127
Ed. Code 41202
Ed. Code 42103
Ed. Code 42122-42129

Description

[Standardized account code structure](#)
[Criteria and standards for school district budgets](#)
[Local control and accountability plan and spending requirements](#)
[County superintendent of schools; duties](#)
[Standards and criteria for local budgets and expenditures](#)
[Determination of minimum level of education funding](#)
[Budget notification](#)
[Budget requirements](#)

State References

Ed. Code 42130-42134	Financial reports and certifications
Ed. Code 42140-42142	Public disclosure of fiscal obligations
Ed. Code 42238-42251	Apportionments to districts
Ed. Code 42238.01-42238.07	Local control funding formula
Ed. Code 42602	Use of unbudgeted funds
Ed. Code 42610	Appropriation of excess funds and limitation thereon
Ed. Code 45253	Annual budget of personnel commission
Ed. Code 45254	First year budget of personnel commission
Ed. Code 52060-52077	Local control and accountability plan
Gov. Code 21710-21716	California Employer's Pension Prefunding Trust Program
Gov. Code 7900-7914	Appropriations limit

Description**Management Resources References**

California Department of Education Publication	New Requirements for Reporting Fund Balance in Governmental Funds, January 7, 2011
California Department of Education Publication	California School Accounting Manual
Fiscal Crisis & Management Assistance Team Pub.	Fiscal Oversight Guide for AB 1200, AB 2756 and Subsequent Related Legislation, December 2015
Government Finance Officers Association	Best Practice: Fund Balance Guidelines for the General Fund, September 2015
Governmental Accounting Standards Board Statement	Statement 54, Fund Balance Reporting and Governmental Fund Type Definitions, February 2009
Governmental Accounting Standards Board Statement	Statement 75, Accounting and Financial Reporting for Post-employment Benefits Other Than Pensions, June 2015
Website	CSBA District and County Office of Education Legal Services
Website	California Department of Finance
Website	Governmental Accounting Standards Board
Website	California Department of Education, Finance and Grants
Website	Government Finance Officers Association
Website	Association of California School Administrators
Website	School Services of California, Inc.
Website	CSBA
Website	Fiscal Crisis and Management Assistance Team

Description**Cross References**

0000	Vision
0200	Goals For The School District
0400	Comprehensive Plans
0415	Equity
0440	District Technology Plan
0440	District Technology Plan
0460	Local Control And Accountability Plan
0460	Local Control And Accountability Plan

Description

Cross References**Description**

1113	District And School Websites
1113	District And School Websites
1113-E(1)	District And School Websites
1220	Citizen Advisory Committees
1220	Citizen Advisory Committees
1330.1	Joint Use Agreements
1340	Access To District Records
1340	Access To District Records
1400	Relations Between Other Governmental Agencies And The Schools
2210	Administrative Discretion Regarding Board Policy
2230	Representative And Deliberative Groups
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3110	Transfer Of Funds
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3230	Federal Grant Funds
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3300	Expenditures And Purchases
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3460	Financial Reports And Accountability
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3470	Debt Issuance And Management
3540	Transportation
3551	Food Service Operations/Cafeteria Fund
3551	Food Service Operations/Cafeteria Fund
3553	Free And Reduced Price Meals
3553	Free And Reduced Price Meals
3580	District Records
3580	District Records
4131	Staff Development
4131.1	Teacher Support And Guidance
4131.1	Teacher Support And Guidance
4141	Collective Bargaining Agreement
4143	Negotiations/Consultation
4156.2	Awards And Recognition

Cross References**Description**

4231	Staff Development
4241	Collective Bargaining Agreement
4243	Negotiations/Consultation
4256.2	Awards And Recognition
4331	Staff Development
4356.2	Awards And Recognition
6000	Concepts And Roles
6020	Parent Involvement
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6141	Curriculum Development And Evaluation
6141	Curriculum Development And Evaluation
6151	Class Size
6173.1	Education For Foster Youth
6173.1	Education For Foster Youth
6174	Education For English Learners
6174	Education For English Learners
6181	Alternative Schools/Programs Of Choice
6181	Alternative Schools/Programs Of Choice
7160	Charter School Facilities
7160	Charter School Facilities
7210	Facilities Financing
9000	Role Of The Board
9130	Board Committees
9140	Board Representatives
9240	Board Training
9250	Remuneration, Reimbursement And Other Benefits
9250-E(1)	Remuneration, Reimbursement And Other Benefits
9320	Meetings And Notices
9322	Agenda/Meeting Materials
9323	Meeting Conduct

Policy 3110: Transfer Of Funds

Status: ADOPTED

Original Adopted Date: 08/14/2017 | **Last Revised Date:** 09/11/2023 | **Last Reviewed Date:** 09/11/2023

The Governing Board recognizes its responsibility to monitor the district's fiscal practices to ensure accountability regarding the expenditure of public funds and compliance with legal requirements.

The total amount budgeted by the district for each major classification of expenditures, as listed in the California Department of Education's budget forms, shall be the maximum amount which the district may expend for that classification for the school year. (Education Code 42600)

However, when it is in the best interest of the district, the Board may:

1. At any time, adopt a written resolution providing for transfers from the designated fund balance or the unappropriated fund balance to any expenditure classification or between classifications. The resolution shall be filed with the County Superintendent of Schools and the County Auditor. (Education Code 42600)
2. Direct the temporary transfer of monies held in any district fund or account to another fund or account as necessary for the payment of obligations. Such borrowing shall occur only when the fund or account receiving the money will earn sufficient income during the current fiscal year to repay the amount transferred. No more than 75 percent of the maximum amount held in any fund or account during the current fiscal year may be transferred. Amounts transferred shall be repaid in the same fiscal year, or in the following fiscal year if the transfer takes place within the final 120 calendar days of a fiscal year. (Education Code 42603)
3. At the close of a school year, request that the County Superintendent make transfers between the designated fund balance or the unappropriated fund balance and any expenditure classification(s), or balance any expenditure classifications of the district budget as necessary for the payment of obligations incurred during that school year. (Education Code 42601)
4. If any special reserve funds that are maintained for capital outlay or other purposes pursuant to Education Code 42842 are not actually encumbered for ongoing expenses, transfer those monies into the general fund for the general operating purposes of the district. If any monies remain in the special reserve fund at the conclusion of a project, the Board may submit a written request to the County Superintendent, Auditor, and Treasurer to discontinue the special reserve fund and transfer those monies to the district's general fund. (Education Code 42841-42843)
5. Transfer monies between other funds or accounts when authorized by law.

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References

Description

Ed. Code 16095	Transfer of district funds to district state school building fund
Ed. Code 41301	Section A state school fund allocation schedule
Ed. Code 42125	Designated and unappropriated fund balances
Ed. Code 42238-42251	Apportionments to districts
Ed. Code 42238.01-42238.07	Local control funding formula
Ed. Code 42600	District budget limitation on expenditure
Ed. Code 42601	Transfers between funds to permit payment of obligations at close of year
Ed. Code 42603	Transfer of monies held in any fund or account to another fund; repayment
Ed. Code 42840-42843	Special reserve fund
Ed. Code 5200-5208	Districts governed by boards of education
Ed. Code 52616.4	Expenditures from adult education fund
Ed. Code 78	Definition; governing board

Management Resources References

California Department of Education Publication	California School Accounting Manual
Website	CSBA District and County Office of Education Legal Services
Website	California Department of Education
Website	CSBA
Website	Fiscal Crisis and Management Assistance Team

Description**Cross References**

0460	Local Control And Accountability Plan
0460	Local Control And Accountability Plan
3000	Concepts And Roles
3100	Budget
3300	Expenditures And Purchases
3350	Travel Expenses
3400	Management Of District Assets/Accounts
3400	Management Of District Assets/Accounts
3460	Financial Reports And Accountability
3460	Financial Reports And Accountability
3470	Debt Issuance And Management
3551	Food Service Operations/Cafeteria Fund
3551	Food Service Operations/Cafeteria Fund

Description

Policy 3220.1: Lottery Funds

Status: ADOPTED

Original Adopted Date: 08/14/2017 | **Last Revised Date:** 09/11/2023 | **Last Reviewed Date:** 09/11/2023

The Governing Board intends to use California State Lottery funds for supplemental and nonrecurring expenditures in support of educational programs and activities. In recognition of the yearly fluctuations of lottery funds received by the district, the Board shall not commit lottery funds for any purpose until they have been received.

The Board shall establish funding priorities and approve all allocations in accordance with law.

Lottery funds allocated by the state for the purchase of instructional materials shall be expended on instructional materials as defined in Education Code 60010. Lottery funds shall not be used for the acquisition of real property, construction of school facilities, financing of research, or any other noninstructional purpose. (Government Code 8880.4, 8880.5)

For the receipt and expenditure of lottery funds, the Superintendent or designee shall establish a separate account that shall be clearly identified as a lottery education account. (Government Code 8880.5)

The Board encourages staff and community members to participate in determining how lottery funds will be used. The Superintendent or designee may solicit input through district advisory groups, school site councils, and/or individual students, staff, parents/guardians, and community members.

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State References

	Description
5 CCR 19834	Audits; Proposition 20 lottery funds
5 CCR 19835	Audits; state lottery funds
Ed. Code 14600	Legislative findings and declarations: state control of lottery funds
Ed. Code 14700-14701	Use of lottery funds
Ed. Code 60010	Instructional materials; definition
Ed. Code 60119	Sufficiency of textbooks and instructional materials; hearing and resolution
Gov. Code 8880-8880.5	California State Lottery: general provisions

Management Resources References

	Description
California Department of Education Correspondence	2001.05.10 Proposition 20 - Allocation of Lottery Funds for Instructional Materials
Website	CSBA District and County Office of Education Legal Services
Website	California Department of Education, Finance and Grants
Website	Education Audit Appeals Panel

Cross References

	Description
0420	School Plans/Site Councils
0420	School Plans/Site Councils
1220	Citizen Advisory Committees
1220	Citizen Advisory Committees
3000	Concepts And Roles
3100	Budget
3460	Financial Reports And Accountability
3460	Financial Reports And Accountability

Cross References

6161.1

6161.1

6161.1-E(1)

Description[Selection And Evaluation Of Instructional Materials](#)[Selection And Evaluation Of Instructional Materials](#)[Selection And Evaluation Of Instructional Materials](#)

Policy 3230: Federal Grant Funds

Status: ADOPTED

Original Adopted Date: 08/14/2017 | **Last Revised Date:** 09/11/2023 | **Last Reviewed Date:** 09/11/2023

The Governing Board recognizes the district's responsibility to maintain fiscal integrity and transparency in the use of all funds awarded through federal grants. The district shall comply with all requirements detailed in any grant agreement with an awarding agency and with the federal Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards specified in 2 CFR 200.0-200.521 and any stricter state laws and district policy.

Any goods or services purchased with federal funds shall be reasonable in cost and necessary for the proper and efficient performance or administration of the program.

The Superintendent or designee shall ensure that the district's financial management systems and procedures provide for the following: (2 CFR 200.302)

1. Identification in district accounts of each federal award received and expended and the federal program under which it was received
2. Accurate, current, and complete disclosure of the financial results of each federal award or program in accordance with the reporting requirements of 2 CFR 200.328 and 200.329
3. Records and supporting documentation that adequately identify the source and application of funds for federally funded activities, including information pertaining to federal awards, authorizations, financial obligations, unobligated balances, assets, expenditures, income, and interest
4. Effective control over and accountability for all funds, property, and other assets and assurance that all assets are used solely for authorized purposes
5. Comparison of actual expenditures with budgeted amounts for each federal award
6. Written procedures to implement provisions governing payments as specified in 2 CFR 200.305
7. Written procedures for determining the allowability of costs in accordance with 2 CFR 200.400-200.475 and the terms and conditions of the federal grant award

The Superintendent or designee shall develop and implement appropriate internal control processes to reasonably assure that transactions are properly executed, recorded, and accounted for so that the district can prepare reliable financial statements and federal reports, maintain accountability over assets, and demonstrate compliance with federal laws, regulations, and conditions of the federal award. (2 CFR 200.61, 200.62, 200.303)

Equipment purchased with federal funds shall be properly inventoried and adequately maintained to safeguard against loss, damage, or theft of the property.

All staff involved in the administration or implementation of programs and activities supported by federal funds shall receive information and training on the allowable use of federal funds, purchasing procedures, and reporting processes commensurate with their duties.

The district shall submit financial and performance reports to the awarding agency in accordance with the schedule and indicators required for that federal grant by law and the awarding agency. As required, such reports may include a comparison of actual accomplishments to the objectives of the federal award, the relationship between financial data and performance accomplishments, the reasons that established goals were not met if applicable, cost information to demonstrate cost-effective practices, analysis and explanation of any cost overruns or high unit costs, and other relevant information. The final performance report shall be submitted no later than 120 calendar days after the ending date of the grant. (2 CFR 200.301, 200.328, 200.329)

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References

Ed. Code 42122-42129

Ed. Code 64001

Federal References

2 CFR 180.220

2 CFR 200.0-200.521

2 CFR 200.1-200.99

2 CFR 200.100-200.113

2 CFR 200.317-200.326

2 CFR 200.327-200.329

2 CFR 200.333-200.337

2 CFR 200.400-200.475

2 CFR 200.500-200.521

34 CFR 76.730-76.731

48 CFR 2.101

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3551	Food Service Operations/Cafeteria Fund
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Regulation 3230: Federal Grant Funds

Status: ADOPTED

Original Adopted Date: 08/14/2017 | **Last Revised Date:** 09/11/2023 | **Last Reviewed Date:** 09/11/2023

To ensure the lawful expenditure of any federal formula or discretionary grant funds awarded to the district, the Superintendent or designee shall comply with the requirements of the Office of Management and Budget's Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (the "Uniform Guidance"), as contained in 2 CFR 200.0-200.521 and Appendices I-XII.

Allowable Costs

Prior to obligating or spending any federal grant funds, the Superintendent or designee shall determine whether a proposed purchase is an allowable expenditure in accordance with 2 CFR 200.400-200.475 and the terms and conditions of the award. The Superintendent or designee shall also determine whether the expense is a direct or indirect cost as defined in 2 CFR 200.413 and 200.414 and, if the purchase will benefit other programs not included in the grant award, the appropriate share to be allocated to the federal grant.

The Superintendent or designee shall review and approve all transactions involving federal grant funds and shall ensure the proper coding of expenditures consistent with the California School Accounting Manual.

Period of Performance

All obligations of federal funds shall occur on or between the beginning and ending dates of the grant project and shall be paid no later than 120 calendar days after the end of the funding period, unless specifically authorized by the grant award to be carried over beyond the initial term of the grant. (2 CFR 200.77, 200.308, 200.309, 200.344)

Procurement

When procuring goods and services with a federal grant, the Superintendent or designee shall comply with the standards contained in 2 CFR 200.317-200.327 and Appendix II of Part 200, and with any applicable state bidding or procurement law or district policy that is more restrictive.

As appropriate to encourage greater economy and efficiency, the Superintendent or designee shall avoid acquisition of unnecessary or duplicative items, give consideration to consolidating or breaking out procurements, analyze lease versus purchase alternatives, consider entering into an interagency agreement for procurement of common or shared goods and services, and/or use federal excess or surplus property. (2 CFR 200.318)

The procurement of goods or services with federal funds shall be conducted in a manner that provides full and open competition in accordance with state laws and district regulations and the following requirements:

1. Any purchase of supplies or services that does not exceed the "micro-purchase" threshold established by the district in accordance with 48 CFR 2.101 may be awarded without soliciting competitive quotes, provided that the district considers the price to be reasonable and maintains written evidence of this reasonableness in the record of all micro-purchases. (2 CFR 200.67, 200.320)
2. For any purchase that exceeds the micro-purchase threshold but is less than the bid limit required by Public Contract Code 20111, the Superintendent or designee shall utilize "small-purchase" procedures that include obtaining price or rate quotes from an adequate number of qualified sources. (2 CFR 200.320)
3. Contracts for goods or services over the bid limits required by Public Contract Code 20111 shall be awarded pursuant to California law and AR 3311 - Bids, unless exempt from bidding under the law.
4. If a purchase is exempt from bidding and the district's solicitation is by a request for proposals, the award may be made by either a fixed-price or cost-reimbursement type contract awarded to the entity whose proposal is most advantageous to the program, with price and other factors considered. (2 CFR 200.320)
5. Procurement by noncompetitive proposals (sole sourcing) may be used only when the item is available exclusively from a single source, the need or emergency will not permit a delay resulting from competitive solicitation, the awarding agency expressly authorizes sole sourcing in response to the district's request, and/or competition is determined inadequate after solicitation of a number of sources. (2 CFR 200.320)

6. Time and materials type contracts may be used only after a determination that no other contract is suitable and if the contract includes a ceiling price that the contractor exceeds at its own risk. Time and materials type contract means a contract for which the cost is the sum of the actual cost of materials and direct labor hours charged at fixed hourly rates that reflect wages, general administrative expenses, and profit. (2 CFR 200.318)

For any purchase of \$25,000 or more, the Superintendent or designee shall verify that any vendor which is used to procure goods or services is not excluded or disqualified by the federal government. (2 CFR 180.220, 200.214)

All solicitations shall incorporate a clear and accurate description of the technical requirements for the material, product, or service to be procured. Such description shall not, in competitive procurements, contain features which unduly restrict competition. The description shall avoid detailed product specifications to the extent possible, but may include a statement of the qualitative nature of the material, product, or service to be procured and, when necessary, shall set forth those minimum essential characteristics and standards to which it must conform if it is to satisfy its intended use. When it is impractical or not economical to make a clear and accurate description of the technical requirements, a brand name or equivalent description may be used to define the performance or other salient requirements of procurement, clearly stating the specific features of the named brand which must be met by offers. In addition, every solicitation shall identify all requirements which the offer must fulfill and any other factors to be used in evaluating bids or proposals. (2 CFR 200.319)

The Superintendent or designee shall maintain sufficient records to document the procurement, including, but not limited to, the rationale for the method of procurement, selection of the contract type, contractor selection or rejection, and the basis for the contract price. (2 CFR 200.318)

The Superintendent or designee shall ensure that all contracts for purchases using federal grant funds contain the applicable contract provisions described in Appendix II to Part 200 - Contract Provisions for Non-Federal Entity Contracts Under Federal Awards. (2 CFR 200.327)

Capital Expenditures

The Superintendent or designee shall obtain prior written approval from the awarding agency before using federal funds to make capital expenditures, including the acquisition of land, facilities, equipment, and intellectual property and expenditures to make additions, improvements, modifications, replacements, rearrangements, reinstallations, renovations, or alterations to capital assets that materially increase their value or useful life. (2 CFR 200.313, 200.439)

Conflict of Interest

Governing Board members, district employees, and other district representatives shall not participate in the selection, award, or administration of a contract supported by federal funds if they have a real or apparent conflict of interest, such as when they or a member of their immediate family, their partner, or an organization which employs or is about to employ any of them has a financial or other interest in or a tangible personal benefit from a firm considered for a contract. Such persons are prohibited from soliciting or accepting gratuities, favors, or anything of monetary value from contractors or subcontractors unless the gift is an unsolicited item of nominal value. (2 CFR 200.318)

Employees engaged in the selection, award, and administration of contracts shall also comply with BB 9270 - Conflict of Interest.

Persons involved in the selection, award, or administration of a contract supported by federal funds shall be subject to discipline for any violation of conflict of interest standards. (2 CFR 200.318)

Cash Management

The Superintendent or designee shall ensure the district's compliance with 2 CFR 200.305 pertaining to payments and cash management, including compliance with applicable methods and procedures that minimize the time elapsing between the transfer of funds to the district and the district's disbursement of funds. (2 CFR 200.305)

When authorized by law, the district may receive advance payments of federal grant funds, limited to the minimum amounts needed and timed in accordance with the actual immediate cash requirements of the district for carrying out the purpose of the program or project.

Except under specified conditions, the district shall maintain the advance payments in an interest-bearing account.

The district shall remit interest earned on the advanced payment to the awarding agency on an annual basis, but may retain interest amounts specified in 2 CFR 200.305 for administrative expenses. (2 CFR 200.305)

When required by the awarding agency, the district shall instead submit a request for reimbursement of actual expenses incurred. The district may also request reimbursement as an alternative to receiving advance payments. (2 CFR 200.305)

The Superintendent or designee shall maintain source documentation supporting the expenditure of federal funds, such as invoices, time sheets, payroll stubs, or other appropriate documentation.

Personnel

All district employees who are paid in full or in part with federal funds shall document the amount of time they spend on grant activities. Such records shall be incorporated into the official records of the district and shall be subject to a system of internal controls which provides reasonable assurance that the charges are accurate, allowable, and properly allocated in accordance with 2 CFR 200.430. (2 CFR 200.430)

Salaries and wages of employees whose salary is paid with state or local funds but are used to meet a cost-sharing or matching requirement of the federal grant shall be documented in the same manner as salaries and wages claimed for reimbursement under a federal grant. (2 CFR 200.430)

Records

Except as otherwise provided in 2 CFR 200.334, or where state law or district policy requires a longer retention period, financial records, supporting documents, statistical records, and all other district records related to a federal award shall be retained for a period of three years from the date of submission of the final expenditure report or, for a federal award that is renewed quarterly or annually, from the date of the submission of the quarterly or annual financial report. (2 CFR 200.334)

Audits

Whenever the district expends \$750,000 or more in federal grant funds during a fiscal year, it shall arrange for either a single audit or a program-specific audit in accordance with 2 CFR 200.507 or 200.514. (2 CFR 200.501)

The Superintendent or designee shall ensure that the audit meets the requirements specified in 2 CFR 200.500-200.521.

Specified records pertaining to the audit of federal funds expended by the district shall be transmitted to the clearinghouse designated by the federal Office of Management and Budget and shall be made available for public inspection. Such records shall be transmitted within 30 days after receipt of the auditor's report or within nine months after the end of the audit period, whichever is sooner, unless a longer period is agreed to in advance by the federal agency or a different period is specified in a program-specific audit guide. (2 CFR 200.512)

In the event that the audit identifies any deficiency, the Superintendent or designee shall promptly act to either correct the identified deficiency, produce recommended improvements, or demonstrate that the audit finding is invalid or does not warrant action. (2 CFR 200.26, 200.508, 200.511)

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State References

Ed. Code 42122-42129

Ed. Code 64001

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[School plan for student achievement; consolidated application programs](#)

Federal References

2 CFR 180.220

2 CFR 200.0-200.521

2 CFR 200.1-200.99

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[Amount of contract subject to suspension and debarment rules](#)

[Federal uniform grant guidance](#)

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2 CFR 200.100-200.113
 2 CFR 200.317-200.326
 2 CFR 200.327-200.329
 2 CFR 200.333-200.337
 2 CFR 200.400-200.475
 2 CFR 200.500-200.521
 34 CFR 76.730-76.731
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Policy 3250: Transportation Fees

Status: ADOPTED

Original Adopted Date: 09/11/2023 | **Last Reviewed Date:** 09/11/2023

Whenever the cost of providing student transportation exceeds funding provided by the state, the Governing Board may charge fees for home-to-school student transportation and other transportation services as expressly authorized by law.

The Superintendent or designee shall annually submit proposed transportation fee schedules for Board approval.

The transportation fee shall be waived for any student who is eligible for free or reduced-price meals, who is an English learner, or who is a foster youth. (Education Code 39807.5)

At the recommendation of the Superintendent or designee, the Board may also approve a waiver of a transportation fee for any group of district students.

In addition, no charge shall be made for any transportation of a student with a disability. (Education Code 39807.5)

Students receiving free transportation shall not be identified by the use of special bus passes, tickets, lines, seats, or any other means. They shall in no way be treated differently from other students, nor shall their names be published, posted, or announced in any manner or used for any purpose other than the transportation program.

The Board shall certify to the County Superintendent of Schools that the district has levied fees in accordance with law and that, in the event that excess fees have been charged, the fees have been reduced and excess fee revenue eliminated. (Education Code 39809.5)

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References

3 CCR 6724	Training of employees handling pesticides
Ed. Code 10900-10914.5	Community recreation programs
Ed. Code 10913	Fees for uses of school buses for community recreation purposes
Ed. Code 35330	Field trips and excursions; student fees
Ed. Code 39800-39860	Transportation services
Ed. Code 39801.5	Transportation for adults
Ed. Code 39807.5	Payment of transportation costs by parents
Ed. Code 39809.5	Excess fees; adjustments
Ed. Code 39837	Transportation to summer employment program
Ed. Code 41850	Transportation to regional occupational center or program
Ed. Code 42238.02	Local Control Funding Formula
Ed. Code 49014	Public School Fair Debt Collection Act
Ed. Code 49557-49558	Applications for free and reduced-price meals
Ed. Code 56026	Individual with exceptional needs

Management Resources References

Description	
Pupil Fees, Deposits, and Other Charges, Fiscal Management Advisory 20-01, July 23, 2020	California Department of Education Publication
Hartzell v. Connell, 35 Cal.3d 899 (1984)	Court Decision
Arcadia Unified School District v. California Department of Education (1992) 2 Cal. 4th 251	Court Decision

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Regulation 3250: Transportation Fees

Status: ADOPTED

Original Adopted Date: 09/11/2023 | **Last Reviewed Date:** 09/11/2023

When approved by the Governing Board, the district may charge transportation fees for students traveling to and from school. (Education Code 39807.5)

With Board approval, the district may also charge transportation fees for:

1. Participants in a community recreation program offered pursuant to Education Code 10900-10914.5 (Education Code 10913, 39835)
2. Students traveling between the regular full-time schools of attendance and regular full-time occupational classes provided by a regional occupational center or program (Education Code 39807.5)
3. Matriculated or enrolled adults traveling to and from school, or adults pursuing other educational purposes (Education Code 39801.5)
4. Students traveling to and from a place of employment during summer in connection with a summer employment program for youth (Education Code 39837)

The total amount received by the district from the state and parent/guardian fees shall not exceed the actual operating cost of home-to-school transportation during the fiscal year. If excess fees are collected due to errors in estimated costs, fees shall be reduced in succeeding years. (Education Code 10913, 39801.5, 39809.5, 39837)

Bus passes and tickets shall be sold, electronically, if available, and at all district schools and at the district office. No money shall be collected on school buses.

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State References

	Description
3 CCR 6724	Training of employees handling pesticides
Ed. Code 10900-10914.5	Community recreation programs
Ed. Code 10913	Fees for uses of school buses for community recreation purposes
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Ed. Code 39800-39860	Transportation services
Ed. Code 39801.5	Transportation for adults
Ed. Code 39807.5	Payment of transportation costs by parents
Ed. Code 39809.5	Excess fees; adjustments
Ed. Code 39837	Transportation to summer employment program
Ed. Code 41850	Transportation to regional occupational center or program
Ed. Code 42238.02	Local Control Funding Formula
Ed. Code 49014	Public School Fair Debt Collection Act
Ed. Code 49557-49558	Applications for free and reduced-price meals
Ed. Code 56026	Individual with exceptional needs

Management Resources References

	Description
California Department of Education Publication	Pupil Fees, Deposits, and Other Charges, Fiscal Management Advisory 20-01, July 23, 2020
Court Decision	Hartzell v. Connell, 35 Cal.3d 899 (1984)

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Policy 3260: Fees And Charges

Status: ADOPTED

Original Adopted Date: 08/14/2017 | **Last Revised Date:** 09/11/2023 | **Last Reviewed Date:** 09/11/2023

The Governing Board recognizes its responsibility to ensure that books, materials, equipment, supplies, and other resources necessary for student participation in the district's educational program are made available to students at no cost.

No student shall be required to pay a fee, deposit, or other charge for participation in an educational activity which constitutes an integral fundamental part of the district's educational program, including curricular and extracurricular activities. (Education Code 49010, 49011; 5 CCR 350)

Complaints

A complaint alleging district noncompliance with the prohibition against requiring student fees, deposits, or other charges shall be filed in accordance with the district's procedures in BP/AR 1312.3 - Uniform Complaint Procedures. (Education Code 49013)

If, upon investigation, the district finds merit in the complaint, the Superintendent or designee shall recommend and the Board shall adopt an appropriate remedy to be provided to all affected students and parents/guardians in accordance with 5 CCR 4600.

Information related to the prohibition against requiring students to pay fees for participation in an educational activity shall be included in the district's annual notification of uniform complaint procedures to be provided to all students, parents/guardians, employees, and other interested parties pursuant to 5 CCR 4622. (Education Code 49013)

Collection of Debt

The Superintendent or designee shall, in accordance with law, recover any debt owed to the district as a result of unpaid permissible student fees approved by the Board. However, the district shall not bill a current or former student for accumulated debt, nor take negative action against a student or former student because of such debt, including, but not limited to, any of the following: (Education Code 49014)

1. Denying full credit for any class assignment
2. Denying full and equal participation in any classroom activity
3. Denying access to the library or other on-campus educational facilities
4. Denying or withholding grades or transcripts
5. Denying or withholding a diploma
6. Limiting or barring participation in an extracurricular activity, club, or sport
7. Limiting or excluding the student from participation in an educational activity, field trip, or school ceremony

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State References

3 CCR 6724

5 CCR 4680-4687

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Ed. Code 17453.1

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Ed. Code 19910-19911
Ed. Code 32033
Ed. Code 32221
Ed. Code 32390
Ed. Code 35330-35332
Ed. Code 35335
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Ed. Code 38120
Ed. Code 39801.5
Ed. Code 39807.5
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Ed. Code 42238.02
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Ed. Code 8252-8254
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[Grades; effect of physical education class apparel](#)
[Parental review of curriculum](#)
[California Universal Meals Program](#)
[Child Hunger Prevention and Fair Treatment Act of 2017](#)
[Community service classes](#)
[Tuition for adult classes](#)
[Nonimmigrant foreign nationals](#)
[School records; students with disabilities](#)
[Books for adult classes](#)
[Priority for full-day programs](#)
[Income eligible; definition](#)
[Early childhood education family fees](#)
[Eligibility and priorities for subsidized child development services](#)
[21st Century High School After School Safety and Enrichment Program for Teens](#)
[Outdoor science, conservation, and forestry programs](#)
[Request for a Public Record](#)

Description

[Foreign students](#)

Management Resources References

	Description
California Department of Education Publication	Summer School, Third Parties, and Tuition Fees, Fiscal Management Advisory 22-01, September 1, 2022
California Department of Education Publication	Pupil Fees, Deposits, and Other Charges, Fiscal Management Advisory 20-01, July 23, 2020
Court Decision	CTA v. Glendale School District Board of Education (1980) 109 Cal. App. 3d 738
Court Decision	Driving School Assn of CA v. San Mateo Union HSD (1992) 11 Cal. App. 4th 1513
Court Decision	Hartzell v. Connell (1984) 35 Cal. 3d 899
Court Decision	Steffes v. California Interscholastic Federation (1986) 176 Cal. App. 3d 739
Court Decision	Arcadia Unified School District v. California Department of Education (1992) 2 Cal. 4th 251
Website	CSBA District and County Office of Education Legal Services
Website	California Department of Education
Website	CSBA

Cross References

	Description
0410	Nondiscrimination In District Programs And Activities
0415	Equity
0440	District Technology Plan
0440	District Technology Plan
1230	School-Connected Organizations
1230	School-Connected Organizations
1312.3	Uniform Complaint Procedures
1312.3	Uniform Complaint Procedures
1312.3-E(1)	Uniform Complaint Procedures
1312.3-E(2)	Uniform Complaint Procedures
1321	Solicitation Of Funds From And By Students
1321	Solicitation Of Funds From And By Students
3100	Budget
3250	Transportation Fees
3250	Transportation Fees
3290	Gifts, Grants And Bequests
3452	Student Activity Funds
3514.1	Hazardous Substances
3514.1	Hazardous Substances
3515.4	Recovery For Property Loss Or Damage
3515.4	Recovery For Property Loss Or Damage
3550	Food Service/Child Nutrition Program
3550	Food Service/Child Nutrition Program
3551	Food Service Operations/Cafeteria Fund
3551	Food Service Operations/Cafeteria Fund

Cross References**Description**

3552	Summer Meal Program
3552	Summer Meal Program
3553	Free And Reduced Price Meals
3553	Free And Reduced Price Meals
3554	Other Food Sales
3554	Other Food Sales
4112.9	Employee Notifications
4131	Staff Development
4212.9	Employee Notifications
4231	Staff Development
4312.9	Employee Notifications
4331	Staff Development
5020	Parent Rights And Responsibilities
5020	Parent Rights And Responsibilities
5111.1	District Residency
5111.1	District Residency
5125	Student Records
5125	Student Records
5142	Safety
5142	Safety
5142.1	Identification And Reporting Of Missing Children
5143	Insurance
5143	Insurance
5145.6	Parent/Guardian Notifications
5145.6-E(1)	Parent/Guardian Notifications
5148.2	Before/After School Programs
5148.2	Before/After School Programs
5148.3	Preschool/Early Childhood Education
5148.3	Preschool/Early Childhood Education
6142.4	Service Learning/Community Service Classes
6145	Extracurricular And Cocurricular Activities
6145	Extracurricular And Cocurricular Activities
6145.2	Athletic Competition
6145.2	Athletic Competition
6153	School-Sponsored Trips
6153	School-Sponsored Trips
6158	Independent Study
6158	Independent Study
6161.2	Damaged Or Lost Instructional Materials
6163.1	Library Media Centers

Cross References

6163.4
6163.4-E(1)
6173
6173
6173-E(1)
6173-E(2)
6173.1
6173.1
6177
6178.2
9323.2
9323.2-E(1)
9323.2-E(2)

Description

[Student Use Of Technology](#)
[Student Use Of Technology](#)
[Education For Homeless Children](#)
[Education For Homeless Children](#)
[Education For Homeless Children](#)
[Education For Homeless Children](#)
[Education For Foster Youth](#)
[Education For Foster Youth](#)
[Summer Learning Programs](#)
[Regional Occupational Center/Program](#)
[Actions By The Board](#)
[Actions By The Board](#)
[Actions By The Board](#)

Policy 3270: Sale And Disposal Of Books, Equipment And Supplies

Status: ADOPTED

Original Adopted Date: 08/14/2017 | **Last Revised Date:** 09/11/2023 | **Last Reviewed Date:** 09/11/2023

The Governing Board recognizes its fiscal responsibility to maximize the use of district equipment, supplies, instructional materials, and other personal property while providing up-to-date resources that facilitate student learning and effective district operations. When the Board, upon recommendation of the Superintendent or designee, declares any district-owned personal property unusable, obsolete, or no longer needed, the Board shall determine the estimated value of the property and shall decide whether the property will be donated, sold, or otherwise disposed of as prescribed by law and administrative regulation.

The Board shall approve the price and terms of any sale or lease of personal property of the district.

If the Board members who are in attendance at a meeting unanimously agree that the property, whether one or more items, does not exceed \$2,500 in value, the property may be sold without advertising for bids. (Education Code 17546)

If the Board members who are in attendance at a meeting unanimously find that the value of the property is insufficient to defray the costs of arranging a sale, the property may be donated to a charitable organization deemed appropriate by the Board or may be disposed of in the local public dump. (Education Code 17546)

Instructional materials shall be considered obsolete or unusable by the district if they have been replaced by more recent editions or new materials selected by the Board, are not aligned with the district's academic standards or course of study, and have no foreseeable value in other instructional areas. Such materials may be sold or donated if they continue to serve educational purposes that would benefit others outside the district. Instructional materials are not appropriate for sale or donation if they meet any of the following criteria:

1. Contain information rendered inaccurate or incomplete by new research or technologies
2. Contain demeaning, stereotyping, or patronizing references to any group of persons protected against discrimination by law or Board policy
3. Are damaged beyond use or repair

The Superintendent or designee shall establish procedures to be used whenever the district sells equipment or supplies originally acquired under a federal grant or subgrant. Such procedures shall be designed to ensure the highest possible return. (2 CFR 200.313)

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References

5 CCR 3944	Consolidated categorical programs; district title to equipment
5 CCR 3946	Control, safeguards, disposal of equipment purchased with consolidated application funds
Ed. Code 17540-17542	Sale or lease of personal property by one district to another
Ed. Code 17545-17555	Sale of personal property
Ed. Code 35168	Inventory of equipment
Ed. Code 60510-60530	Sale, donation, or disposal of instructional materials
Gov. Code 25505	District property; disposition; proceeds

Federal References

	Description
2 CFR 200.0-200.521	Federal uniform grant guidance
40 USC 549	Surplus property

Management Resources References

California Department of Education Publication	Standards for Evaluating Instructional Materials for Social Content, 2013
California Department of Education Publication	California School Accounting Manual
Website	CSBA District and County Office of Education Legal Services
Website	California Department of Education
Website	School Services of California, Inc.

Description**Cross References**

0410	Nondiscrimination In District Programs And Activities
0440	District Technology Plan
0440	District Technology Plan
1312.4	Williams Uniform Complaint Procedures
1312.4-E(1)	Williams Uniform Complaint Procedures
1312.4-E(2)	Williams Uniform Complaint Procedures
3100	Budget
3230	Federal Grant Funds
3230	Federal Grant Funds
3311	Bids
3311	Bids
3440	Inventories
3512	Equipment
3512-E(1)	Equipment
6011	Academic Standards
6143	Courses Of Study
6143	Courses Of Study
6161.1	Selection And Evaluation Of Instructional Materials
6161.1	Selection And Evaluation Of Instructional Materials
6161.1-E(1)	Selection And Evaluation Of Instructional Materials
6161.11	Supplementary Instructional Materials
6163.1	Library Media Centers
9323	Meeting Conduct
9323.2	Actions By The Board
9323.2-E(1)	Actions By The Board
9323.2-E(2)	Actions By The Board

Description

Regulation 3270: Sale And Disposal Of Books, Equipment And Supplies

Status: ADOPTED

Original Adopted Date: 08/14/2017 | **Last Revised Date:** 09/11/2023 | **Last Reviewed Date:** 09/11/2023

Instructional Materials

Surplus or undistributed obsolete instructional materials that are usable for educational purposes may be sold by the district. Alternatively, such materials may be donated to: (Education Code 60510)

1. Another district, county free library, or other state institution
2. A United States public agency or institution
3. A nonprofit charitable organization
4. Children or adults in California or foreign countries for the purpose of increasing the general literacy of the people(cf. 0440 - District Technology Plan)

Any organization, agency, or institution receiving obsolete instructional materials donated by the district shall certify to the Governing Board that it agrees to make no charge to any persons to whom it gives or lends these materials. (Education Code 60511)

At least 60 days before selling or donating surplus or undistributed obsolete instructional materials, the Superintendent or designee shall notify the public of the district's intention to do so through a public service announcement on a local television station, in a local newspaper, or by other means that will most effectively reach the entities described above. Representatives of those entities and members of the public also shall be notified of the opportunity to address the Board regarding the distribution of these materials.

Surplus or undistributed obsolete instructional materials which are unusable or which cannot be distributed as specified above may be disposed of by either of the following: (Education Code 60530)

1. Mutilated as not to be salable as instructional materials and sold for scrap or for use in the manufacture of paper pulp or other substances at the highest obtainable price
2. Destroyed by any economical means, provided that the materials are not destroyed until at least 30 days after the district has given notice to all persons who have filed a request for such notice

Equipment/Supplies Acquired with Federal Funds

When the district has a need to replace equipment originally purchased with funds from a federal grant or subgrant, it may, subject to the approval of the agency that awarded the grant, trade in the original equipment or sell the property and use the proceeds to offset the cost of the replacement property. (2 CFR 200.313)

When any original or replacement equipment or supplies acquired under a federal grant or subgrant are no longer needed for the original project or program or for other federally supported activities, the district may retain or sell such items or, if the item has a current fair market value of less than \$5,000, may otherwise dispose of the item in a manner approved by the Board. Whenever the district sells equipment or supplies that have a current fair market value of \$5,000 or more, it shall provide an amount to the federal agency equal to the agency's share of the current market value of the equipment or the proceeds from the sale of the equipment or supplies. (2 CFR 200.313, 200.314)

In the event that the district is provided equipment that is federally owned, the district shall request disposition instructions from the federal agency when it no longer needs the equipment. (2 CFR 200.313)

Other Personal Property

The district may sell other surplus or obsolete district-owned personal property through any of the following methods:

1. The Superintendent or designee may advertise for bids by posting a notice in at least three public places in the district for at least two weeks, or by publishing a notice at least once a week for at least two weeks in a newspaper having a general circulation in the district and, if possible, publishing within the district. The district

shall sell the property to the highest responsible bidder or shall reject all bids. (Education Code 17545, 17548)

Property for which no qualified bid has been received may be sold, without further advertising, by the Superintendent or designee. (Education Code 17546)

2. The property may be sold by means of a public auction conducted by district employees, employees of other public agencies, or by contract with a private auction firm. (Education Code 17545)
3. The district may sell the property without advertising for bids under any of the following conditions:
 - a. The Board members in attendance at a meeting have unanimously determined that the property does not exceed \$2,500 in value. (Education Code 17546)
 - b. The district sells the property to agencies of the federal, state, or local government, to any other school district, or to any agency eligible under the federal surplus property law and the sale price equals the cost of the property plus the estimated cost of purchasing, storing, and handling. (Education Code 17540; 40 USC 549)
 - c. The district sells or leases the property to agencies of the federal, state, or local government or to any other school district and the price and terms of the sale or lease are fixed by the Board and approved by the County Superintendent of Schools. (Education Code 17542)

Money received from the sale of surplus personal property shall be either deposited in the district reserve or general fund or credited to the fund from which the original purchase was made. (Education Code 17547)

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References

	Description
5 CCR 3944	Consolidated categorical programs; district title to equipment
5 CCR 3946	Control, safeguards, disposal of equipment purchased with consolidated application funds
Ed. Code 17540-17542	Sale or lease of personal property by one district to another
Ed. Code 17545-17555	Sale of personal property
Ed. Code 35168	Inventory of equipment
Ed. Code 60510-60530	Sale, donation, or disposal of instructional materials
Gov. Code 25505	District property; disposition; proceeds

Federal References

	Description
2 CFR 200.0-200.521	Federal uniform grant guidance
40 USC 549	Surplus property

Management Resources References

	Description
California Department of Education Publication	Standards for Evaluating Instructional Materials for Social Content, 2013
California Department of Education Publication	California School Accounting Manual
Website	CSBA District and County Office of Education Legal Services
Website	California Department of Education
Website	School Services of California, Inc.

Cross References

	Description
0410	Nondiscrimination In District Programs And Activities
0440	District Technology Plan

Cross References

0440

1312.4

1312.4-E(1)

1312.4-E(2)

3100

3230

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3311

3311

3440

3512

3512-E(1)

6011

6143

6143

6161.1

6161.1

6161.1-E(1)

6161.11

6163.1

9323

9323.2

9323.2-E(1)

9323.2-E(2)

Description[District Technology Plan](#)[Williams Uniform Complaint Procedures](#)[Williams Uniform Complaint Procedures](#)[Williams Uniform Complaint Procedures](#)[Budget](#)[Federal Grant Funds](#)[Federal Grant Funds](#)[Bids](#)[Bids](#)[Inventories](#)[Equipment](#)[Equipment](#)[Academic Standards](#)[Courses Of Study](#)[Courses Of Study](#)[Selection And Evaluation Of Instructional Materials](#)[Selection And Evaluation Of Instructional Materials](#)[Selection And Evaluation Of Instructional Materials](#)[Supplementary Instructional Materials](#)[Library Media Centers](#)[Meeting Conduct](#)[Actions By The Board](#)[Actions By The Board](#)[Actions By The Board](#)

Policy 3290: Gifts, Grants And Bequests

Status: ADOPTED

Original Adopted Date: 08/14/2017 | **Last Revised Date:** 09/11/2023 | **Last Reviewed Date:** 09/11/2023

The Governing Board may accept any gift, grant, or bequest of money, property, or service to the district from any individual, organization, foundation, or public or private agency that desires to support the district's educational program. While greatly appreciating suitable donations, the Board shall reject any gift which may directly or indirectly impair its authority to make decisions in the best interest of district students or its ability or commitment to provide equitable educational opportunities.

Before accepting any gift, grant, or bequest, the Board shall carefully consider any conditions or restrictions imposed by the donor to ensure their consistency with the district's vision, philosophy, and operations. If the Board believes the district will be unable to fully satisfy the donor's conditions, the gift shall not be accepted.

In addition, the Board shall ensure that acceptance of the gift, grant, or bequest does not:

1. Involve creation of a program which the Board would be unable to sustain when the donation is exhausted
2. Entail undesirable or excessive costs
3. Promote the use of violence, drugs, tobacco, or alcohol
4. Advertise or endorse the use of non-nutritious food or beverages during the school day
5. Encourage or enable the violation of any law or district policy
6. Imply endorsement of any business or product or unduly commercialize or politicize the school environment

Any gift of books or instructional materials may only be accepted if they meet district criteria for selection of instructional materials.

All gifts, grants, and bequests shall become district property. Donors are encouraged to donate all gifts to the district rather than to a particular school, classroom, or teacher. At the Superintendent or designee's discretion, a gift may be used at a particular school or classroom.

When any gift of money received by the district is not immediately used, it shall be placed in the county treasury in accordance with law. (Education Code 41030-41031)

The Superintendent or designee shall annually provide a report to the Board indicating the gifts, grants, and/or bequests received on behalf of the district in the preceding fiscal year. The report shall include a statement of account and expenditure of all gifts of money and an inventory of all gifts of physical assets.

Corporate Sponsorship

The Board may enter into an agreement or arrangement with an outside entity for the sponsorship of an educational, athletic, or other program or activity. When appropriate, the agreement may allow the outside entity to advertise or promote its business, product, or service in district publications or on district property or web sites.

Every sponsorship agreement shall be in writing and shall be approved by the Board. The Board shall ensure that the district's relationship and arrangement with the sponsor are consistent with the district's mission, values, and goals. Any advertising or promotional message, image, or other depiction to be used by the sponsor shall meet the standards set for commercial advertising on district property and in district-sponsored publications in accordance with BP 1325 - Advertising and Promotion.

Each sponsorship agreement shall contain statements including, but not limited to:

1. The purpose of the relationship with the sponsor, details of the benefits to the district, and how the benefits will be distributed
2. The duration of the agreement and the roles, expectations, rights, and responsibilities of the district and the sponsor, including whether and to what extent the sponsor is allowed to advertise or promote its products and/or services

3. The authority of the Board to retain exclusive right over the use of the district's name, logo, and other proprietary information and the requirement that the sponsor obtain prior approval of the Board before using such information
4. The prohibition against the collection or distribution of students' personal information except as allowed by law
5. The authority of the Board to terminate the agreement without any penalty or sanction to the district if the sponsor's message, business, or product becomes inconsistent with the district's vision, mission, or goals or the sponsor engages in any prohibited activity

Appreciation

The Board may show appreciation for any donation to the district in any manner it deems appropriate. Such appreciation may take the form of letters of recognition or Board resolutions; plaques, commendations, or awards; planting of commemorative trees or gardens; or naming or renaming of buildings, grounds, or facilities. Conferment of any such honor shall be in accordance with applicable Board policy.

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References

	Description
Ed. Code 35160	Authority of governing boards
Ed. Code 35162	Power to sue, be sued, hold and convey property
Ed. Code 41030	School district may invest surplus monies from bequest or gifts
Ed. Code 41031	Special fund or account in county treasury
Ed. Code 41032	Authority of school board to accept gift or bequest; investments; gift of land requirements
Ed. Code 41035	Advisory committee
Ed. Code 41036	Function of advisory committee
Ed. Code 41037	Rules and regulations
Ed. Code 41038	Applicability of other provisions of chapter

Management Resources References

	Description
Website	CSBA District and County Office of Education Legal Services
Website	California Consortium of Education Foundations

Cross References

	Description
0000	Vision
0100	Philosophy
0200	Goals For The School District
0415	Equity
1113	District And School Websites
1113	District And School Websites
1113-E(1)	District And School Websites
1150	Commendations And Awards
1321	Solicitation Of Funds From And By Students
1321	Solicitation Of Funds From And By Students
1325	Advertising And Promotion

Cross References

1700

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5125

5126

5126

5131.6

5131.6

5131.62

5131.62

6142.6

6161.1

6161.1

6161.1-E(1)

6161.11

6163.1

7310

Description[Relations Between Private Industry And The Schools](#)[Fees And Charges](#)[Contracts](#)[Investing](#)[Investing](#)[Inventories](#)[Student Activity Funds](#)[Financial Reports And Accountability](#)[Financial Reports And Accountability](#)[Student And Family Privacy Rights](#)[Student And Family Privacy Rights](#)[Student Wellness](#)[Student Records](#)[Student Records](#)[Awards For Achievement](#)[Awards For Achievement](#)[Alcohol And Other Drugs](#)[Alcohol And Other Drugs](#)[Tobacco](#)[Tobacco](#)[Visual And Performing Arts Education](#)[Selection And Evaluation Of Instructional Materials](#)[Selection And Evaluation Of Instructional Materials](#)[Selection And Evaluation Of Instructional Materials](#)[Supplementary Instructional Materials](#)[Library Media Centers](#)[Naming Of Facility](#)

Policy 3300: Expenditures And Purchases

Status: ADOPTED

Original Adopted Date: 08/14/2017 | **Last Revised Date:** 09/11/2023 | **Last Reviewed Date:** 09/11/2023

The Governing Board recognizes its fiduciary responsibility to oversee the prudent expenditure of district funds. In order to best serve district interests, the Superintendent or designee shall develop and maintain effective purchasing procedures that are consistent with sound financial controls and that ensure the district receives maximum value for items purchased. He/she shall ensure that records of expenditures and purchases are maintained in accordance with law.

Expending Authority

The Superintendent or designee may purchase supplies, materials, apparatus, equipment, and services up to the amounts specified in Public Contract Code 20111, beyond which a competitive bidding process is required. The Board shall not recognize obligations incurred contrary to Board policy and administrative regulations.

The Board shall review all transactions entered into by the Superintendent or designee on behalf of the Board every 60 days. (Education Code 17605)

The Superintendent or designee may authorize an expenditure which exceeds the budget classification allowance against which the expenditure is the proper charge only if an amount sufficient to cover the purchase is available in the budget for transfer by the Board.

District funds shall not be expended for the purchase of alcoholic beverages. (Education Code 32435)

Purchasing Procedures

Insofar as possible, goods and services purchased shall meet the needs of the person or department ordering them at the lowest price consistent with standard purchasing practices. Maintenance costs, replacement costs, and trade-in values shall be considered when determining the most economical purchase price. When price, fitness, and quality are equal, recycled products shall be preferred when procuring materials for use in district schools and buildings.

All purchases shall be made by formal contract or purchase order or shall be accompanied by a receipt. In order to eliminate the processing of numerous small purchase orders, the Superintendent or designee may create a "blanket" or "open" purchase order system for the purchase of minor items as needed from a vendor. He/she shall ensure that the "open" purchase order system details a maximum purchase amount, the types of items that can be purchased under this order, the individuals authorized to approve purchases, and the expiration date of the "open" order.

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References

Description

Ed. Code 17604

[Delegation of powers to agents](#)

Ed. Code 17605

[Delegation of authority to purchase supplies and equipment](#)

Ed. Code 32370-32376

[Recycling paper](#)

Ed. Code 32435

[Prohibited use of public funds; alcoholic beverages](#)

Ed. Code 35010

[Control of district; prescription and enforcement of rules](#)

Ed. Code 35035

[Powers and duties of the superintendent; transfer authority](#)

Ed. Code 35160

[Authority of governing boards](#)

Ed. Code 35250

[Duty to keep certain records and reports](#)

Ed. Code 38083

[Purchase of perishable foodstuffs and seasonal commodities](#)

Ed. Code 41010

[California School Accounting Manual](#)

Ed. Code 41014

[Requirement of budgetary accounting](#)

Gov. Code 4330-4334

[California made materials](#)

State References

Pub. Cont. Code 20111

Pub. Cont. Code 3410

Description

[Contracts over \\$50,000; contracts for construction; award to lowest responsible bidder](#)

[U.S. produce and processed foods](#)

Management Resources References

Website

Website

Website

Website

Description

[CSBA District and County Office of Education Legal Services](#)

[CSBA, Financial Services](#)

[California Department of Education](#)

[California Association of School Business Officials](#)

Cross References

3000

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3314.2

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3400

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3512-E(1)

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4156.2

4236

4256.2

4336

4356.2

6162.6

6162.6

9270

Description

[Concepts And Roles](#)

[Budget](#)

[Transfer Of Funds](#)

[Federal Grant Funds](#)

[Federal Grant Funds](#)

[Bids](#)

[Bids](#)

[Contracts](#)

[Payment For Goods And Services](#)

[Payment For Goods And Services](#)

[Revolving Funds](#)

[Travel Expenses](#)

[Management Of District Assets/Accounts](#)

[Management Of District Assets/Accounts](#)

[Inventories](#)

[Financial Reports And Accountability](#)

[Financial Reports And Accountability](#)

[Equipment](#)

[Equipment](#)

[Food Service Operations/Cafeteria Fund](#)

[Food Service Operations/Cafeteria Fund](#)

[Nonschool Employment](#)

[Awards And Recognition](#)

[Nonschool Employment](#)

[Awards And Recognition](#)

[Nonschool Employment](#)

[Awards And Recognition](#)

[Use Of Copyrighted Materials](#)

[Use Of Copyrighted Materials](#)

[Conflict Of Interest](#)

Cross References

9270-E(1)

Description

[Conflict Of Interest](#)

Policy 3311: Bids

Status: ADOPTED

Original Adopted Date: 08/14/2017 | **Last Revised Date:** 09/11/2023 | **Last Reviewed Date:** 09/11/2023

The Governing Board is committed to promoting public accountability and ensuring prudent use of public funds. When leasing, purchasing, or contracting for equipment, materials, supplies, or services for the district, including when contracting for public projects involving district facilities, the Board shall explore lawful opportunities to obtain the greatest possible value for its expenditure of public funds. When required by law, or if the Board determines that it is in the best interest of the district, such contracts shall be made using competitive bidding.

No work, project, service, or purchase shall be split or separated into smaller work orders or projects for the purpose of evading legal requirements for competitive bidding. (Public Contract Code 20116)

The Superintendent or designee shall establish comprehensive bidding procedures for the district in accordance with law. The procedures shall include a process for advertising bids, instructions and timelines for submitting and opening bids, and other relevant requirements.

For award of contracts which, by law or Board policy, require prequalification, the procedures shall identify a uniform system for rating bidders on the basis of a completed questionnaire and financial statements.

When calling for bids, the Superintendent or designee shall ensure that the bid specifications clearly describe in appropriate detail the quality, delivery, and service required and include all information which the district knows, or has in its possession, that is relevant to the work to be performed or that may impact the cost of performing the work.

Except as authorized by law, contracts shall be let to the lowest responsible bidder who shall give such security as the Board requires, or else all bids shall be rejected. (Public Contract Code 20111)

When the Board has determined that it is in the best interest of the district, the district may piggyback onto the contract of another public agency or corporation to lease or purchase any personal property to the extent authorized by law. (Public Contract Code 20118)

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References

Description

Bus. Code 7056	General engineering contractor
Bus. Code 7057	General building contractor
Code of Civil Procedure 446	Verification of pleadings
Ed. Code 17070.10-17079.30	Leroy F. Greene School Facilities Act
Ed. Code 17250.10-17250.55	Design-build contracts
Ed. Code 17250.60-17250.69	Alternative design-build contracts
Ed. Code 17406	Lease-leaseback contract
Ed. Code 17595	Purchase of supplies through Department of General Services
Ed. Code 17602	Purchase of surplus property from federal agencies
Ed. Code 38083	Purchase of perishable foodstuffs and seasonal commodities
Ed. Code 38110-38120	Apparatus and supplies
Ed. Code 39802	Transportation services
Gov. Code 4217.10-4217.18	Energy conservation contracts
Gov. Code 4330-4334	California made materials
Gov. Code 53060	Special services and advice
Gov. Code 54201-54205	Purchase of supplies and equipment by local agencies

State References

Gov. Code 7920.530
 Pub. Cont. Code 1102
 Pub. Cont. Code 1103
 Pub. Cont. Code 12200
 Pub. Cont. Code 2000-2002
 Pub. Cont. Code 20101-20103.7
 Pub. Cont. Code 20103.8
 Pub. Cont. Code 20110-20118.4
 Pub. Cont. Code 20189
 Pub. Cont. Code 22000-22045
 Pub. Cont. Code 22152
 Pub. Cont. Code 3000-3010
 Pub. Cont. Code 3400
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 Pub. Cont. Code 6102
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[Office of Public School Construction Notification to School Districts Regarding Use of Piggyback Contracts for SAB-Administered Programs, July 2022](#)
[Model Prequalification Questionnaire](#)
 City of Inglewood-Los Angeles County Civic Center Authority v. Superior Court (1972) 7 Cal.3d 861
 Great West Contractors Inc. v. Irvine Unified School District (2010) 187 Cal.App.4th 1425
 Konica Business Machines v. Regents of the University of California (1988) 206 Cal.App.3d 449
 Los Angeles Unified School District v. Great American Insurance Co. (2010) 49 Cal.4th 739
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Regulation 3311: Bids

Status: ADOPTED

Original Adopted Date: 08/14/2017 | **Last Revised Date:** 09/11/2023 | **Last Reviewed Date:** 09/11/2023

Advertised/Competitive Bids

The district shall advertise for any of the following: (Public Contract Code 20111)

1. A public project contract that involves an expenditure of \$15,000 or more, including a contract for construction, reconstruction, erection, alteration, renovation, improvement, painting, repainting, demolition, or repair work involving a district owned, leased, or operated facility
2. A contract that exceeds the amount specified in law, as annually adjusted by the Superintendent of Public Instruction, for any of the following:
 - a. The purchase of equipment, materials, or supplies to be furnished, sold, or leased to the district
 - b. Services, not including construction services or special services and advice in accounting, financial, legal, or administrative matters
 - c. Repairs that are not a public project, including maintenance

Maintenance means routine, recurring, and usual work for preserving, protecting, and keeping a district facility operating in a safe, efficient, and continually usable condition for the intended purpose for which it was designed, improved, constructed, altered, or repaired. Maintenance includes, but is not limited to, carpentry, electrical, plumbing, glazing, and other craft work designed to preserve the facility, as well as repairs, cleaning, and other operations on machinery and other permanently attached equipment. Maintenance does not include painting, repainting, or decorating other than touchup, or among other types of work, janitorial or custodial services and protection provided by security forces. (Public Contract Code 20115)

Instructions and Procedures for Advertised Bids

The Superintendent or designee shall call for bids by placing a notice at least once a week for two weeks in a local newspaper of general circulation published in the district, or if no such newspaper exists, then in some newspaper of general circulation that is circulated in the county. The Superintendent or designee also may post the notice on the district's web site or through an electronic portal. The notice shall state the work to be done or materials or supplies to be furnished and the time and place and web site where bids will be opened. (Public Contract Code 20112)

The notice shall contain the time, date, and location of any mandatory prebid conference, site visit, or meeting and details regarding when and where project documents, including the final plan and specifications, are available. Any such mandatory visit or meeting shall occur not less than five calendar days after the publication of the initial notice. (Public Contract Code 6610)

Bid instructions and specifications shall include the following requirements and information:

1. All bidders shall certify in writing the minimum, if not exact, percentage of post-consumer materials in products, materials, goods, or supplies offered or sold. (Public Contract Code 22152)
2. All bids for construction work shall be presented under sealed cover. The district may accept a bid that has been submitted electronically or on paper. (Public Contract Code 20111, 20112)

The bid shall be accompanied by a form of bidder's security, including either cash, a cashier's check payable to the district, a certified check made payable to the district, or a bidder's bond executed by an admitted surety insurer and made payable to the district. The security of unsuccessful bidders shall be returned in a reasonable period of time, but in no event later than 60 days after the bid is awarded. (Public Contract Code 20111, 20112)

3. When a standardized proposal form is provided by the district, bids not presented on the standard form shall be disregarded. (Public Contract Code 20111.5)
4. Bids shall not be accepted after the advertised bid opening time, regardless of whether the bids are actually opened at that time. (Public Contract Code 20112)

5. When two or more identical lowest or highest bids are received, the Governing Board may determine by lot which bid shall be accepted. (Public Contract Code 20117)
6. If the district requires that the bid include prices for items that may be added to or deducted from the scope of work in the contract, the bid solicitation shall specify which one of the following methods will be used to determine the lowest bid. In the absence of such a specification, only the method provided in item #6a below shall be used. (Public Contract Code 20103.8)
 - a. The lowest bid shall be the lowest total of the bid prices on the base contract without consideration of the prices on the additive or deductive items.
 - b. The lowest bid shall be the lowest total of the bid prices on the base contract and those additive or deductive items that were specifically identified in the bid solicitation as being used for the purpose of determining the lowest bid price.
 - c. The lowest bid shall be the lowest total of the bid prices on the base contract and those additive or deductive items that, when taken in order from a specifically identified list of those items in the solicitation, and added to or subtracted from the base contract, are less than or equal to a funding amount publicly disclosed by the district before the first bid is opened.

The lowest bid shall be determined in a manner that prevents any information that would identify any of the bidders or proposed subcontractors or suppliers from being revealed to the district before the ranking of all bidders from lowest to highest has been determined. (Public Contract Code 20103.8)
7. In determining the lowest bid, the district shall consider only responsive bids that conform to bid specifications and are submitted by responsible bidders who have demonstrated trustworthiness, quality, fitness, capacity, and experience to satisfactorily perform the public works contract.
 - a. When a bid is determined to be nonresponsive, the Superintendent or designee shall notify the bidder and give him/her an opportunity to respond to the determination.
 - b. When the lowest bidder is determined to be nonresponsive, the Superintendent or designee shall notify the bidder of his/her right to present evidence of his/her responsibility at a hearing before the Board.
8. After being opened, all submitted bids become public records pursuant to Government Code 6252 and shall be made available for public review pursuant to law, Board policy, and administrative regulation.

Prequalification Procedure

When required by law or the Board, the Superintendent or designee shall establish a uniform system for rating bidders on the basis of completed questionnaires and financial statements in order to determine the size of contracts on which each bidder is qualified to bid. For this purpose, the Superintendent or designee shall furnish prospective bidders a standardized prequalification questionnaire and financial record which, when completed, shall indicate a bidder's statement of financial ability and experience in performing public works. The bidder's information shall be verified under oath in the manner in which civil law pleadings are verified. The questionnaires and financial statements shall not be public records and shall not be open to public inspection. (Code of Civil Procedure 446; Public Contract Code 20111.5, 20111.6)

When any public project involves an expenditure of \$1,000,000 or more and is funded or reimbursed wholly or partly by the School Facilities Program funds or other future state school bond, the district shall prequalify prospective bidders either quarterly or annually. The prequalification shall be valid for one year and the following requirements shall apply: (Public Contract Code 20111.6)

1. Prospective bidders, including, but not limited to, prime, general engineering, and general building contractors and electrical, mechanical, and plumbing subcontractors, as defined in Public Contract Code 4113 or Business and Professions Code 7056 or 7057, as applicable, shall submit a standardized questionnaire and financial statement 10 or more business days, as determined by the district, before the date fixed for the public opening of sealed bids.
2. Prospective bidders shall be prequalified by the district five or more business days, as determined by the district, before the date fixed for the public opening of sealed bids.

If the project includes electrical, mechanical, or plumbing components that will be performed by electrical, mechanical, or plumbing contractors, the Superintendent or designee shall make available to all bidders a list of prequalified general contractors and electrical, mechanical, and plumbing subcontractors five or more business days, as determined by the district, before the date fixed for the public opening of sealed bids.

For all other contracts requiring competitive bidding, the district may establish a procedure for prequalifying bidders on a quarterly basis and may authorize that prequalification be considered valid for up to one calendar year following the date of the initial prequalification. Prospective bidders for such contracts shall submit the questionnaire and financial statement at least five days before the date fixed for public opening of sealed bids and shall be prequalified by the district at least one day before the fixed bid-opening date. (Public Contract Code 20111.5)

Award of Contract

The district shall award each contract to the lowest responsible bidder, except in the following circumstances:

1. When the contract is for the procurement and/or maintenance of electronic data processing systems and supporting software, in which case the Board may contract with any one of the three lowest responsible bidders (Public Contract Code 20118.1)
2. When the contract is for any transportation service which involves an expenditure of more than \$10,000 and which will be made with any person or corporation other than a common carrier, municipally owned transit system, or a parent/guardian of a student who is to be transported, in which case the Board may contract with other than the lowest bidder (Education Code 39802)
3. When the contract is one for which the Board has established goals and requirements relating to participation of disabled veteran or small business enterprises in accordance with Public Contract Code 2000-2002, in which case the Board may contract with the lowest responsible bidder who submits a responsive bid and complies or makes a good faith effort to comply with the goals and requirements (Public Contract Code 2000-2002)
4. When procuring a lease-leaseback contract, in which case the Board shall award the contract based on objective criteria for determining the best combination of price and qualifications in accordance with Education Code 17400 and 1740(c). 3311.2 - Lease-Leaseback Contracts
5. When procuring a design-build contract for a public works project in excess of \$1,000,000 in accordance with Education Code 17250.20, in which case the Board may award the contract to either the low bid or the best value to the district, taking into consideration, at a minimum, price, technical design and construction expertise, and life-cycle costs (Education Code 17250.20, 17250.25)

Protests by Bidders

A bidder may protest a bid award if he/she believes that the award is not in compliance with law, Board policy, or the bid specification. A protest must be filed in writing with the Superintendent or designee within five working days after receipt of notification of the contract award and shall include all documents supporting or justifying the protest. A bidder's failure to file the protest documents in a timely manner shall constitute a waiver of his/her right to protest the award of the contract.

The Superintendent or designee shall review the documents submitted with the bidder's claims and render a decision in writing within 30 working days. The Superintendent or designee may also convene a meeting with the bidder in order to attempt to resolve the problem.

The bidder may appeal the Superintendent or designee's decision to the Board. The Superintendent or designee shall provide notice to the bidder of the date and time for Board consideration of the protest at least three business days before the Board meeting. The Board's decision shall be final.

Limitation on Use of Sole Sourcing

In any contract for the construction, alteration, or repair of school facilities, the Superintendent or designee shall ensure that the bid specification: (Public Contract Code 3002, 3400)

1. Does not directly or indirectly limit bidding to any one specific concern

2. Does not call for a designated material, product, thing, or service by a specific brand or trade name, unless the specification is followed by the words "or equal," so that bidders may furnish any equal material, product, thing, or service

In any such case, the bid specification shall provide a time period, before and/or after the award of the contract, for the contractor to submit data substantiating the request for substituting the designated material, product, thing, or service. If no such time period is specified, the contractor may submit the data within 35 days after the award of the contract.

When the bid is for a roof project, a material, product, thing, or service is considered "equal" to that designated if it is equal in quality, durability, design, and appearance; will perform the intended function equally well; and conforms substantially to the detailed requirements in the bid specification.

However, the Superintendent or designee may designate a specific material, product, thing, or service by brand or trade name (sole sourcing) if the Board has made a finding, described in the invitation for bids or request for proposals (RFP), that a particular material, product, thing, or service is designated for any of the following purposes: (Public Contract Code 3400)

1. To conduct a field test or experiment to determine its suitability for future use
2. To match others in use on a particular public improvement that has been completed or is in the course of completion
3. To obtain a necessary item that is only available from one source
4. To respond to the Board's declaration of an emergency, as long as the declaration has been approved by four-fifths of the Board when issuing the invitation for bid or RFP

Bids Not Required

Without advertising for bids and upon a determination that it is in the best interest of the district, the Board may authorize another public corporation or agency, by contract, lease, requisition, or purchase order, to lease data-processing equipment or to purchase materials, supplies, equipment, automotive vehicles, tractors, and other personal property for the district in the manner that the other public corporation or agency is authorized to make the leases or purchases from a vendor ("piggyback"). Alternatively, if the public corporation or agency has an existing contract with a vendor for the lease or purchase of personal property, the district may authorize the lease or purchase of personal property directly from the vendor and make payments under the same terms that are available to the public corporation or agency under the contract. (Public Contract Code 20118)

Without advertising for bids, the Board may enter into an energy service contract and any related facility ground lease, when it determines that the terms of the contract and lease are in the best interest of the district and meet the cost effectiveness requirements specified in Government Code 4217.12. The Board's determination shall be made at a regularly scheduled public hearing of which notice is given to the public at least two weeks in advance and shall be based on cost and savings comparison findings specified in Government Code 4217.12. (Government Code 4217.12)

Supplementary textbooks, library books, educational films, audiovisual materials, test materials, workbooks, instructional computer software packages, or periodicals may be purchased in any amount without taking estimates or advertising for bids. (Public Contract Code 20118.3)

Perishable foodstuffs and seasonal commodities needed in the operations of cafeterias may be purchased through bid or on the open market. (Education Code 38083)

Bids shall not be required for day labor under circumstances specified in Public Contract Code 20114. Day labor shall include the use of maintenance personnel employed on a permanent or temporary basis. (Public Contract Code 20114)

In an emergency when any repairs, alterations, work, or improvement to any school facility is necessary to permit the continuance of existing school classes or to avoid danger to life or property, the Board may, by unanimous vote and with the approval of the County Superintendent of Schools, contract for labor and materials or supplies without advertising for or inviting bids or may authorize the use of day labor or force account for the emergency purpose. (Public Contract Code 1102, 20113)

The district may purchase any surplus property from the federal government or any of its agencies in any quantity needed for the operation of its schools without taking estimates or advertising for bids. (Education Code 17602)

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References

Bus. Code 7056

Bus. Code 7057

Code of Civil Procedure 446

Ed. Code 17070.10-17079.30

Ed. Code 17250.10-17250.55

Ed. Code 17250.60-17250.69

Ed. Code 17406

Ed. Code 17595

Ed. Code 17602

Ed. Code 38083

Ed. Code 38110-38120

Ed. Code 39802

Gov. Code 4217.10-4217.18

Gov. Code 4330-4334

Gov. Code 53060

Gov. Code 54201-54205

Gov. Code 7920.530

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CA Department of General Services Publication	Office of Public School Construction, Piggyback Contracts
CA Department of General Services Publication	Office of Public School Construction Notification to School Districts Regarding Use of Piggyback Contracts for SAB-Administered Programs, July 2022
CA Department of Industrial Relations Publication	Model Prequalification Questionnaire
Court Decision	City of Inglewood-Los Angeles County Civic Center Authority v. Superior Court (1972) 7 Cal.3d 861
Court Decision	Great West Contractors Inc. v. Irvine Unified School District (2010) 187 Cal.App.4th 1425
Court Decision	Konica Business Machines v. Regents of the University of California (1988) 206 Cal.App.3d 449
Court Decision	Los Angeles Unified School District v. Great American Insurance Co. (2010) 49 Cal.4th 739
Court Decision	Marshall v. Pasadena Unified School District (2004) 119 Cal.App.4th 1241
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Regulation 3311.1: Uniform Public Construction Cost Accounting Procedures

Status: ADOPTED

Original Adopted Date: 08/14/2017 | **Last Revised Date:** 09/11/2023 | **Last Reviewed Date:** 09/11/2023

Procedures for awarding contracts for public works projects shall be determined on the basis of the amount of the project, as follows:

1. Public projects of \$60,000 or less may be performed by district employees by force account, negotiated contract, or purchase order. (Public Contract Code 22032)
2. Contracts for public projects of \$200,000 or less may be awarded through the following informal procedures: (Public Contract Code 22032, 22034, 22038)
 - a. The Superintendent or designee shall prepare a notice inviting informal bids which describes the project in general terms, explains how to obtain further information about the project, and states the time and place for the submission of bids. This notice shall be disseminated by mail, fax, or email to either or both of the following:
 - i. All contractors on a list of qualified contractors maintained by the district for the category of work being bid, unless the product or service is proprietary, at least 10 calendar days before bids are due
 - ii. All construction trade journals identified pursuant to Public Contract Code 22036
 - b. The district shall review the informal bids that were submitted and award the contract, except that:
 - i. If all bids received through the informal process are in excess of \$200,000, the contract may be awarded to the lowest responsible bidder, provided that the Governing Board adopts a resolution with a four-fifths vote to award the contract at \$212,500 or less and the Board determines the district's cost estimate is reasonable.
 - ii. If no bids are received through the informal bid procedure, the project may be performed by district employees by force account or negotiated contract.
3. Public projects of more than \$200,000 shall, except as otherwise provided by law, be subject to formal bidding procedures, as follows: (Public Contract Code 22032, 22037, 22038)
 - a. Notice inviting formal bids shall state the time and place for receiving and opening sealed bids and distinctly describe the project. The notice shall be disseminated in both of the following ways:
 - i. Through publication in a newspaper of general circulation in the district's jurisdiction or, if there is no such newspaper, then by posting the notice in at least three places designated by the district as places for posting its notices. Such notice shall be published at least 14 calendar days before the date that bids will be opened.
 - ii. By mail and electronically, if available, by either fax or email, to all construction trade journals identified pursuant to Public Contract Code 22036. Such notice shall be sent at least 15 calendar days before the date that bids will be opened.

In addition to the notice required above, the district may give such other notice as it deems proper.
 - b. The district shall award the contract as follows:
 - i. The contract shall be awarded to the lowest responsible bidder. If two or more bids are the same and the lowest, the district may accept the one it chooses.
 - ii. At its discretion, the district may reject all bids presented and declare that the project can be more economically performed by district employees, provided that the district notifies an apparent low bidder, in writing, of the district's intention to reject the bid. Such notice shall be mailed at least two business days prior to the hearing at which the district intends to reject the bid.

- iii. If no bids are received through the formal bid procedure, the project may be performed by district employees by force account or negotiated contract.

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References

	Description
Pub. Cont. Code 1102	Definition of emergency
Pub. Cont. Code 20110-20118.4	Local Agency Public Construction Act; school districts
Pub. Cont. Code 22000-22020	California Uniform Construction Cost Accounting Commission
Pub. Cont. Code 22000-22045	Uniform Public Construction Cost Accounting Act
Pub. Cont. Code 22050	Emergency contracting procedures

Management Resources References

	Description
CA Uniform Construction Cost Accounting Comm. Pub.	Cost Accounting Policies and Procedures Manual, 2021
CA Uniform Construction Cost Accounting Comm. Pub.	Frequently Asked Questions, September 2022
Website	CSBA District and County Office of Education Legal Services
Website	California Uniform Construction Cost Accounting Commission
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Policy 3311.1: Uniform Public Construction Cost Accounting Procedures

Status: ADOPTED

Original Adopted Date: 08/14/2017 | **Last Revised Date:** 09/11/2023 | **Last Reviewed Date:** 09/11/2023

In awarding contracts for public works projects involving district facilities, the Governing Board desires to obtain the best value to the district and ensure the qualifications of contractors to complete the project in a satisfactory manner. The Board has, by resolution, adopted the procedures set forth in the Uniform Public Construction Cost Accounting Act pursuant to Public Contract Code 22030-22045, including the informal bidding procedures when allowed by law.

No work, project, service, or purchase shall be split or separated into smaller work orders or projects for the purpose of evading legal requirements for competitive bidding. (Public Contract Code 22033)

Projects awarded through the UPCCAA shall be subject to the cost accounting procedures established by the California Uniform Construction Cost Accounting Commission. (Public Contract Code 22030)

Emergency Actions

When formal bids are required by law but an emergency necessitates immediate repair or replacements, the Board may, upon a four-fifths vote of the Board, proceed to replace or repair a facility without adopting plans, specifications, strain sheets, or working details or giving notice for bids to let contracts. The work may be done by day labor under the direction of the Board and/or contractor. The emergency action shall subsequently be reviewed by the Board in accordance with Public Contract Code 22050 and shall be terminated at the earliest possible date that conditions warrant, so that the remainder of the emergency action may be completed by giving notice for bids to let contracts. (Public Contract Code 1102, 22035, 22050)

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State References

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Pub. Cont. Code 1102	Definition of emergency
Pub. Cont. Code 20110-20118.4	Local Agency Public Construction Act; school districts
Pub. Cont. Code 22000-22020	California Uniform Construction Cost Accounting Commission
Pub. Cont. Code 22000-22045	Uniform Public Construction Cost Accounting Act
Pub. Cont. Code 22050	Emergency contracting procedures

Management Resources References

	Description
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CA Uniform Construction Cost Accounting Comm. Pub.	Frequently Asked Questions, September 2022
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Website	California Uniform Construction Cost Accounting Commission
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Regulation 3311.2: Lease-Leaseback Contracts

Status: ADOPTED

Original Adopted Date: 08/14/2017 | **Last Revised Date:** 09/11/2023 | **Last Reviewed Date:** 09/11/2023

The district may lease currently owned district property to any person, firm, or corporation for a minimum of \$1 per year for a term not to exceed 99 years, as long as the lease requires the person, firm, or corporation to construct a building or buildings on the property for the district's use during the lease and the property and building(s) will vest in the district at the expiration of the lease ("lease-leaseback"). (Education Code 17403, 17406)

Before the district enters into such a lease or agreement, it shall have available a site upon which a building may be constructed for use by the district, shall have complied with requirements related to the selection and approval of sites, and shall have prepared and adopted plans and specifications for the building that have been approved in accordance with Education Code 17280-17316. (Education Code 17402)

Procedures for Awarding the Contract

The district's intent to enter into a lease-leaseback contract may be described in a resolution adopted by the Governing Board which includes, but is not limited to, a description of the available site and the building to be constructed, the amount and term of the lease, and where to obtain information about the procedures for submitting a proposal.

Any lease-leaseback contract shall be awarded through a competitive "best value" procurement process whereby a person, firm, or corporation is selected on the basis of objective criteria for evaluating the qualifications of proposers, with the resulting selection representing the best combination of price and qualifications. (Education Code 17400, 17406)

To make this determination, the district shall use the following procedures: (Education Code 17406; Public Contract Code 2600)

1. Request for Sealed Proposals: The Superintendent or designee shall prepare a request for sealed proposals which shall include:
 - a. An estimate of the project's price
 - b. A clear, precise description of any preconstruction services that may be required and the facilities to be constructed
 - c. The key elements of the contract to be awarded
 - d. A description of the format that proposals shall follow and the elements they shall contain
 - e. The standards the district will use in evaluating proposals and the qualifications of the proposers, including:
 - i. Relevant experience
 - ii. Safety record
 - iii. Price proposal, including, at the district's discretion, either a lump-sum price for the contract to be awarded or the proposer's proposed fee to perform the services requested, including the proposer's proposed fee to perform preconstruction services or any other work related to the facilities to be constructed, as requested by the district
 - iv. Whether each criterion will be evaluated on a pass-fail basis or will be scored as part of the "best value" score, and whether proposers must achieve any minimum qualification score for award of the contract
 - v. For each scored criterion, the methodology and rating or weighting system that will be used by the district in evaluating the criterion, including the weight assigned to the criterion and any minimum acceptable score

- vi. Other factors established by the district
 - f. The date on which proposals are due
 - g. The timetable the district will follow in reviewing and evaluating proposals
 - h. A statement that the project is subject to the skilled and trained workforce requirements specified in Public Contract Code 2600-2603
2. Notice: At least 10 days before the date for receipt of the proposals, the Superintendent or designee shall give notice of the request for sealed proposals using both of the following methods:
- a. Providing notice at least once a week for two weeks in a local newspaper of general circulation pursuant to Public Contract Code 20112
 - b. Providing notice in a trade paper of general circulation published in the county where the project is located

The Superintendent or designee also may post the notice on the district's web site or through an electronic portal.

3. Prequalification: A proposer shall be prequalified in accordance with Public Contract Code 20111.6(b)-(m) in order to submit a proposal. Any electrical, mechanical, and plumbing subcontractors shall be subject to the same prequalification requirements.
4. Evaluation of Proposals: All proposals received shall be reviewed to determine whether they meet the format requirements and the standards specified in the request for sealed proposals. The district shall evaluate the qualifications of the proposers based solely upon the criteria and evaluation methodology set forth in the request for sealed proposals, and shall assign a best value score to each proposal. Once the evaluation is complete, all responsive proposals shall be ranked from the highest best value to the lowest best value to the district.
5. Award of Contract: The award of the contract shall be made by the Board to the responsive proposer whose proposal is determined, in writing by the Board, to be the best value to the district.

If the selected proposer refuses or fails to execute the tendered contract, the Board may award the contract to the proposer with the second highest best value score, if deemed in the best interest of the district. If that proposer then refuses or fails to execute the tendered contract, the Board may award the contract to the proposer with the third highest best value score.

Upon issuance of a contract award, the district shall publicly announce its award, identifying the entity to which the award is made, along with a statement regarding the basis of the award. The statement regarding the contract award and the contract file shall provide sufficient information to satisfy an external audit.

6. Rejection of Proposals: At its discretion, the Board may reject all proposals and request new proposals.

Any lease-leaseback agreement shall be reviewed by the district's legal counsel to ensure that all required terms, including a lease term that provides for the district's occupancy of the building or improved property during the lease and an appropriate financing component, are included in the agreement.

Skilled and Trained Workforce

Prior to entering into a lease-leaseback agreement, the Superintendent or designee shall have on file the contractor's enforceable commitment that the contractor and its subcontractors at every tier will use a skilled and trained workforce to perform all work on the project or contract that falls within an apprenticeable occupation in the building and construction trades. The entity may demonstrate such commitment through a project labor agreement, by becoming a party to the district's project labor agreement, or through an agreement with the district to provide evidence of compliance on a monthly basis during the performance of the project or contract. (Education Code 17407.5; Public Contract Code 2602)

Skilled and trained workforce means that all the workers performing the work are either skilled journeypersons or apprentices registered in a state-approved apprenticeship program. At least 60 percent of the skilled

journeypersons employed to perform the work shall be graduates of an apprenticeship program for the applicable occupation or at least 60 percent of the hours worked by skilled journeypersons shall be performed by graduates of an apprenticeship program, with the exception of certain occupations specified in Public Contract Code 2601 which are subject to a 30 percent threshold. (Public Contract Code 2601)

If the contractor fails to provide the monthly report demonstrating compliance with the skilled and trained workforce requirements or provides an incomplete report, the district shall withhold further payments until a complete report is provided. If a report does not demonstrate compliance with the skilled and trained workforce requirements, the district shall withhold further payments until the contractor provides a sufficient plan to achieve substantial compliance with respect to the relevant apprenticeable occupation, prior to completion of the contract or project. In addition, the district shall forward to the Labor Commissioner a copy of the monthly report, any plan to achieve compliance, and the district's response to that plan. (Public Contract Code 2602)

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References

Ed. Code 17280-17317	Building approvals
Ed. Code 17400	Definitions
Ed. Code 17400-17429	Leasing of school buildings
Ed. Code 17403	Term of lease or agreement
Ed. Code 17406	Lease-leaseback contract
Ed. Code 17407.5	Use of a skilled and trained workforce
Pub. Cont. Code 20111.6	Prequalification procedures
Pub. Cont. Code 20112	Notices
Pub. Cont. Code 2600-2603	Skilled and trained workforce requirements

Management Resources References

Description	
McGee v. Balfour Beatty Construction, LLC, et al. (2016) 247 Cal. App. 4th 235	
Davis v. Fresno Unified School District (2015) 237 Cal.App.4th 261	
CSBA District and County Office of Education Legal Services	
California Association of School Business Officials	
CSBA	

Cross References

Description	
Bids	
Bids	
Contracts	
Transportation For School-Related Trips	
School-Sponsored Trips	
School-Sponsored Trips	
Concepts And Roles	
Site Selection And Development	
Site Selection And Development	
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Regulation 3311.3: Design-Build Contracts

Status: ADOPTED

Original Adopted Date: 08/14/2017 | **Last Revised Date:** 09/11/2023 | **Last Reviewed Date:** 09/11/2023

The Governing Board may approve a contract with a single entity for both design and construction of any school facility in excess of \$1,000,000, awarding the contract to either the low bid or the best value as determined by evaluation of objective criteria. (Education Code 17250.20)

Design-build documents shall not include provisions for long-term project operations, but may include operations during a training or transition period. (Education Code 17250.25)

Procedures for Awarding the Contract

The procurement process for design-build projects shall be as follows: (Education Code 17250.25, 17250.35; Public Contract Code 2600)

1. Performance Specifications: The district shall prepare a set of documents setting forth the scope and estimated price of the project. The documents may include, but are not limited to:

- a. The size, type, and desired design character of the project
- b. Performance specifications that cover the quality of materials, equipment, and workmanship
- c. Preliminary plans or building layouts
- d. Any other information deemed necessary to describe adequately the district's needs

The performance specifications and any plans shall be prepared by a design professional who is duly licensed and registered in California.

2. Prequalification: The district shall prepare and issue a request for qualifications in order to prequalify, or develop a short list of, the design-build entities whose proposals shall be evaluated for final selection. The request for qualifications shall include, but is not limited to, all of the following elements:

- a. Identification of the basic scope and needs of the project or contract, the expected cost range, the methodology that will be used by the district to evaluate proposals, the procedure for final selection of the design-build entity, and any other information deemed necessary by the district to inform interested parties of the contracting opportunity
- b. Significant factors that the district reasonably expects to consider in evaluating qualifications, including technical design and construction expertise, acceptable safety record, and all other non-price-related factors
- c. A standard template request for statements of qualifications prepared by the district, which shall contain all of the information required pursuant to Education Code 17250.25
- d. A notice that the project is subject to the skilled and trained workforce requirements specified in Public Contract Code 2600-2603

The district also may identify specific types of subcontractors that must be included in the statement of qualifications and proposal.

3. Request for Proposals: The district shall prepare a request for proposals (RFP) that invites prequalified or short-listed entities to submit competitive sealed proposals in a manner prescribed by the district. The RFP shall include the information identified in items #2a, 2b, and 2d above and the relative importance or weight assigned to each of the factors. If the district uses a best value selection method for a project, the district may reserve the right to request proposal revisions and hold discussions and negotiations with responsive proposers, in which case the district shall so specify in the request for proposals and shall publish separately or incorporate into the request for proposals applicable procedures to be observed by the district to ensure that any discussions or negotiations are conducted in good faith.

4. **Selection Based on Low Bid:** For those projects utilizing low bid as the final selection method, the bidding process shall result in lump-sum bids by the prequalified or short-listed design-build entities, and the contract shall be awarded to the lowest responsible bidder.
5. **Selection Based on Best Value:** For those projects utilizing best value as a selection method, the following procedures shall be used:
 - a. Competitive proposals shall be evaluated using only the criteria and selection procedures specifically identified in the request for proposals. Criteria shall be weighted as deemed appropriate by the district and shall, at a minimum, include price, unless a stipulated sum is specified; technical design and construction experience; and life-cycle costs over 15 or more years.
 - b. Following any discussions or negotiations with responsive proposers and completion of the evaluation process, the responsive proposers shall be ranked on a determination of value provided, provided that no more than three proposers are required to be ranked.
 - c. The contract shall be awarded to the responsible entity whose proposal is determined by the district to have offered the best value to the public.
 - d. The district shall publicly announce the contract award, identifying the entity to which the award is made and the basis of the award. This statement and the contract file shall provide sufficient information to satisfy an external audit.

Skilled and Trained Workforce

A design-build entity shall not be prequalified or short-listed unless the entity provides an enforceable commitment to the district that the entity and its subcontractors at every tier will use a skilled and trained workforce to perform all work on the project or contract that falls within an apprenticeable occupation in the building and construction trades. The entity may demonstrate such commitment through a project labor agreement, by becoming a party to the district's project labor agreement, or through an agreement with the district to provide evidence of compliance on a monthly basis during the performance of the project or contract. (Education Code 17250.25; Public Contract Code 2602)

Skilled and trained workforce means that all the workers performing the work are either skilled journeypersons or apprentices registered in a state-approved apprenticeship program. At least 60 percent of the skilled journeypersons employed to perform the work shall be graduates of an apprenticeship program for the applicable occupation or at least 60 percent of the hours worked by skilled journeypersons shall be performed by graduates of an apprenticeship program, with the exception of certain occupations specified in Public Contract Code 2601 which are subject to a 30 percent threshold. (Public Contract Code 2601)

If the contractor fails to provide the monthly report demonstrating compliance with the skilled and trained workforce requirements or provides an incomplete report, the district shall withhold further payments until a complete report is provided. If a report does not demonstrate compliance with the skilled and trained workforce requirements, the district shall withhold further payments until the contractor provides a sufficient plan to achieve substantial compliance with respect to the relevant apprenticeable occupation, prior to completion of the contract or project. In addition, the district shall forward to the Labor Commissioner a copy of the monthly report, any plan to achieve compliance, and the district's response to that plan. (Public Contract Code 2602)

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References

Ed. Code 17250.10-17250.55

Ed. Code 17250.60-17250.69

Pub. Cont. Code 2600-2603

Description

[Design-build contracts](#)

[Alternative design-build contracts](#)

[Skilled and trained workforce requirements](#)

Management Resources References

Website

Description

[CSBA District and County Office of Education Legal Services](#)

Management Resources References

Website	California Association of School Business Officials
Website	California Department of Education, School Facilities
Website	CSBA

Cross References

3311	Bids
3311	Bids
3312	Contracts
7000	Concepts And Roles
7110	Facilities Master Plan
7140	Architectural And Engineering Services
7140	Architectural And Engineering Services

Description**Description**

Regulation 3311.4: Procurement Of Technological Equipment

Status: ADOPTED

Original Adopted Date: 08/14/2017 | **Last Revised Date:** 09/11/2023 | **Last Reviewed Date:** 09/11/2023

Rather than seek competitive bids, the district may use competitive negotiation when it makes a finding that a district procurement is for computers, software, telecommunications equipment, microwave equipment, or other related electronic equipment and apparatus. Competitive negotiation shall not be used to contract for any product that is available in substantial quantities to the general public. (Public Contract Code 20118.2)

Whenever the competitive negotiation process is determined to be appropriate for such procurements, the district shall use the following procedures: (Public Contract Code 20118.2)

1. The Superintendent or designee shall prepare a request for proposals (RFP) that shall be submitted to an adequate number of qualified sources, as determined by the district, to permit reasonable competition consistent with the nature and requirement of the procurement.
2. Notice of the RFP shall be published at least twice in a newspaper of general circulation, at least 10 days before the date for receipt of the proposals.
3. The Superintendent or designee shall make every effort to generate the maximum feasible number of proposals from qualified sources, and shall make a finding to that effect before proceeding to negotiate if only a single response to the RFP is received.
4. The RFP shall identify all significant evaluation factors, including price, and their relative importance.
5. The Superintendent or designee shall provide reasonable procedures for the technical evaluation of the RFPs received, the identification of qualified sources, and the selection for the award of the contract.
6. The Governing Board shall award the contract to the qualified bidder whose proposal meets the evaluation standards and will be most advantageous to the district, considering price and all other factors.
7. If the Board does not award the contract to the bidder whose proposal contains the lowest price, then the Board shall make a finding setting forth the basis for the award to another bidder.
8. The Board, at its discretion, may reject all proposals and request new RFPs.

Provisions in any contract concerning utilization of small business enterprises that are in accordance with the RFP shall not be subject to negotiation with the successful proposer. (Public Contract Code 20118.2)

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References

Pub. Cont. Code 20118.2

Description

[Contracting by school districts; technological equipment](#)

Management Resources References

Website

Description

[CSBA District and County Office of Education Legal Services](#)

Cross References

0440

[District Technology Plan](#)

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[District Technology Plan](#)

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[Federal Grant Funds](#)

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[Federal Grant Funds](#)

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Policy 3312: Contracts

Status: ADOPTED

Original Adopted Date: 08/14/2017 | **Last Revised Date:** 09/11/2023 | **Last Reviewed Date:** 09/11/2023

The Governing Board recognizes its responsibility to enter into contracts on behalf of the district for the acquisition of equipment, supplies, services, and other resources necessary for the achievement of district goals. In exercising this authority to enter into a contract, the Board shall ensure that the district's interest is protected and that the terms of the contract conform to applicable legal standards, including the bidding requirements in Public Contract Code 20111.

Contracts for Electronic Products or Services

The Board shall not enter into a contract for electronic products or services that requires the dissemination of advertising to students, unless the Board: (Education Code 35182.5)

1. Enters into the contract at a noticed, public hearing of the Board.
2. Makes a finding that the electronic product or service is or would be an integral component of the education of students.
3. Makes a finding that the district cannot afford to provide the electronic product or service unless it contracts to permit dissemination of advertising to students.
4. As part of the district's normal, ongoing communication to parents/guardians, provides written notice that the advertising will be used in the classroom or other learning center.
5. Offers parents/guardians the opportunity to request in writing that their child not be exposed to the program that contains the advertising. A request shall be honored for the school year in which it is submitted, or longer if specified, but may be withdrawn by the parents/guardians at any time.

Contracts for Digital Storage and Maintenance of Student Records

The district may enter into or renew a contract with a third party for the purpose of providing services, including cloud-based services, for the digital storage, management, and retrieval of student records and/or to provide digital educational software that authorizes a third-party provider of digital educational software to access, store, and use student records. For these purposes, student records include any information maintained by the district that is directly related to a student and any information acquired directly from the student through the use of instructional software or applications assigned to the student by a teacher or other district employee, and do not include de-identified information. (Education Code 49073.1)

Any such contract shall contain all of the following: (Education Code 49073.1)

1. A statement that student records continue to be the property of and under the control of the district
2. If applicable, a description of the means by which students may retain possession and control of their own student-generated content, as defined in Education Code 49073.1, including options by which a student may transfer student-generated content to a personal account
3. A prohibition against the third party using any information in the student record for any purpose other than those required or specifically permitted by the contract
4. A description of the procedures by which a parent/guardian or a student age 18 years or older may review personally identifiable information in the student's records and correct erroneous information
5. A description of the actions the third party will take, including the designation and training of responsible individuals, to ensure the security and confidentiality of student records
6. A description of the procedures for notifying the affected parent/guardian, or the affected student if age 18 years or older, in the event of an unauthorized disclosure of the student's records
7. A certification that a student's records shall not be retained or available to the third party upon completion of the terms of the contract and a description of how that certification will be enforced, except that these

requirements shall not apply to student-generated content if the student chooses to establish or maintain an account with the third party for the purpose of storing that content

8. A description of how the district and the third party will jointly ensure compliance with the federal Family Educational Rights and Privacy Act, 20 USC 1232g
9. A prohibition against the third party using personally identifiable information in student records to engage in targeted advertising

Contracts for Personal Services

In order to achieve cost savings, the district may enter into or renew a contract for any personal service that is currently or customarily performed by classified employees, if the contract does not displace school district employees and meets other conditions specified in Education Code 45103.1. To enter into or renew such a contract, the Board shall ensure that the district meets the numerous conditions specified in Education Code 45103.1.

In addition, the district may enter into or renew any contract for personal service without meeting the conditions described above, if any of the following conditions exists: (Education Code 45103.1)

1. The contract is for new district functions and the Legislature has specifically mandated or authorized the performance of the work by independent contractors.
2. The services contracted are not available within the district, cannot be performed satisfactorily by district employees, or are of such a highly specialized or technical nature that the necessary expert knowledge, experience, and ability are not available through the district.
3. The services are incidental to a contract for the purchase or lease of real or personal property, including, but not be limited to, agreements to service or maintain office equipment or computers that are leased or rented.
4. The district's policy, administrative, or legal goals and purposes cannot be accomplished through the utilization of persons selected pursuant to the regular or ordinary district hiring process.
5. The nature of the work is such that the criteria for emergency appointments, as defined in Education Code 45103.1, apply.
6. The contractor will provide equipment, materials, facilities, or support services that could not feasibly be provided by the district in the location where the services are to be performed.
7. The services are of such an urgent, temporary, or occasional nature that the delay that would result from using the district's regular or ordinary hiring process would frustrate their very purpose.

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References

5 CCR 15500
5 CCR 15501
5 CCR 15575-15578
Ed. Code 14505
Ed. Code 17250.10-17250.55
Ed. Code 17595-17606
Ed. Code 200-270
Ed. Code 35182.5
Ed. Code 45103.1
Ed. Code 45103.5

Description

[Food sales in elementary schools](#)
[Food sales in high schools and junior high schools](#)
[Requirements for foods and beverages outside the federal meals program](#)
[Provisions required in contracts for audits](#)
[Design-build contracts](#)
[Contracts](#)
[Prohibition of discrimination](#)
[Contracts for advertising](#)
[Personal services contracts](#)
[Contracts for management consulting services; restrictions](#)

State References

Ed. Code 49073.1

Ed. Code 49431-49431.7

Gov. Code 12990

Gov. Code 53260

Gov. Code 53262

Gov. Code 84308

Lab. Code 1775

Lab. Code 1810-1813

Pub. Cont. Code 20104.50

Pub. Cont. Code 20111

Pub. Cont. Code 22300

Pub. Cont. Code 4100-4114

Pub. Cont. Code 6102

Pub. Cont. Code 7104

Pub. Cont. Code 7106

Federal References

20 USC 1232g

20 USC 1681-1688

7 CFR 210.1-210.33

7 CFR 220.1-220.21

Management Resources References

CSBA Publication

Website

Website

Website

Cross References

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Timely progress payments

[Contracts over \\$50,000; contracts for construction; award to lowest responsible bidder](#)[Performance retentions](#)[Subletting and subcontracting fair practices](#)[Awarding of contracts](#)[Contracts for excavations; discovery of hazardous waste](#)[Noncollusion affidavit](#)**Description**[Family Educational Rights and Privacy Act \(FERPA\) of 1974](#)

Title IX of the Education Amendments of 1972; discrimination based on sex

[National School Lunch Program](#)

National School Breakfast Program

Description[Student Wellness: A Healthy Food and Physical Activity Policy Resource Guide, April 2006](#)[CSBA District and County Office of Education Legal Services](#)[CSBA](#)[California Association of School Business Officials](#)**Description**[Philosophy](#)[Goals For The School District](#)[District Technology Plan](#)[District Technology Plan](#)[Citizen Advisory Committees](#)[Citizen Advisory Committees](#)[School-Connected Organizations](#)[School-Connected Organizations](#)[Solicitation Of Funds From And By Students](#)[Solicitation Of Funds From And By Students](#)

Cross References**Description**

1325	Advertising And Promotion
1340	Access To District Records
1340	Access To District Records
1700	Relations Between Private Industry And The Schools
2121	Superintendent's Contract
3000	Concepts And Roles
3100	Budget
3230	Federal Grant Funds
3230	Federal Grant Funds
3290	Gifts, Grants And Bequests
3300	Expenditures And Purchases
3311	Bids
3311	Bids
3311.1	Uniform Public Construction Cost Accounting Procedures
3311.1	Uniform Public Construction Cost Accounting Procedures
3311.2	Lease-Leaseback Contracts
3311.3	Design-Build Contracts
3311.4	Procurement Of Technological Equipment
3314	Payment For Goods And Services
3314	Payment For Goods And Services
3400	Management Of District Assets/Accounts
3400	Management Of District Assets/Accounts
3460	Financial Reports And Accountability
3460	Financial Reports And Accountability
3470	Debt Issuance And Management
3540	Transportation
3551	Food Service Operations/Cafeteria Fund
3551	Food Service Operations/Cafeteria Fund
3554	Other Food Sales
3554	Other Food Sales
3555	Nutrition Program Compliance
3555-E(1)	Nutrition Program Compliance
3600	Consultants
4030	Nondiscrimination In Employment
4030	Nondiscrimination In Employment
4112.23	Special Education Staff
4112.4	Health Examinations
4132	Publication Or Creation Of Materials
4200	Classified Personnel
4200	Classified Personnel

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Policy 3314: Payment For Goods And Services

Status: ADOPTED

Original Adopted Date: 08/14/2017 | **Last Revised Date:** 09/11/2023 | **Last Reviewed Date:** 09/11/2023

The Governing Board recognizes the importance of developing a system of internal control procedures in order to help fulfill its obligation to monitor and safeguard district resources. To facilitate warrant processing, the Superintendent or designee shall ensure that purchasing, receiving, and payment functions are kept separate. He/she shall also ensure that invoices are paid expeditiously so that the district may, to the extent possible, take advantage of available discounts and avoid finance charges.

The Superintendent or designee shall sign all warrants and shall ensure that warrants have appropriate documentary support verifying that all goods and services to be paid for have been delivered or rendered in accordance with the purchase agreement.

The Board shall approve all warrants at a regularly scheduled Board meeting.

The district shall not be responsible for unauthorized purchases.

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References

2 CCR 22000-22005

Description

[Public entity use of electronic signatures](#)

Code of Civil Procedure 685.010

[Rate of interest](#)

Ed. Code 17605

[Delegation of authority to purchase supplies and equipment](#)

Ed. Code 42630-42651

[Orders, requisitions and warrants](#)

Ed. Code 42800-42806

[Revolving cash fund](#)

Ed. Code 42810

[Revolving cash funds; use; administrators](#)

Ed. Code 42820

[Prepayment funds](#)

Gov. Code 16.5

[Electronic signatures](#)

Gov. Code 5500-5506

[Uniform Facsimile Signatures of Public Officials Act](#)

Gov. Code 811.2

[Definition of public entity](#)

Pub. Cont. Code 20104.50

Timely progress payments

Pub. Cont. Code 7107

[Retention proceeds; withholding; disbursement](#)

Pub. Cont. Code 7201

[Retention proceeds; limits and exceptions](#)

Pub. Cont. Code 9203

[Payment for projects costing over \\$5000](#)

Management Resources References

Description

Website

[CSBA District and County Office of Education Legal Services](#)

Website

[California Secretary of State, digital signatures](#)

Website

[CSBA](#)

Website

[Fiscal Crisis and Management Assistance Team](#)

Cross References

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[Federal Grant Funds](#)

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Regulation 3314: Payment For Goods And Services

Status: ADOPTED

Original Adopted Date: 08/14/2017 | **Last Revised Date:** 09/11/2023 | **Last Reviewed Date:** 09/11/2023

Payment for Construction Contracts

Payment on any contract for the creation, construction, alteration, repair, or improvement of any district property or facility or other public works project shall be made in accordance with the estimates, process, and/or schedule approved by the Governing Board.

As necessary, the Superintendent or designee may make progress payments as actual work is completed or materials are delivered. When a payment request is properly submitted by a contractor, any undisputed portion of the payment request shall be paid within 30 days. If the Superintendent or designee determines any payment request to be improper, he/she shall return the payment request to the contractor with a written statement of reasons why the request is not proper. (Public Contract Code 9203, 20104.50)

The district may withhold up to five percent of the proceeds due to the contractor until completion and acceptance of the project. (Public Contract Code 7201)

The proceeds to be withheld by the district may exceed five percent when the Board has made a finding, prior to the bid and during a properly noticed and regularly scheduled public meeting, that the project is substantially complex and requires a higher retention amount than five percent. In such cases, the Board's finding shall include a description of the specific project and why it is a unique project that is not regularly, customarily, or routinely performed by the district or licensed contractors. The bid documents shall include details explaining the basis for the finding and the actual amount to be withheld. (Public Contract Code 7201)

At any time after 50 percent of the work has been completed, the Board may release the withheld proceeds if it finds that satisfactory progress is being made. (Public Contract Code 9203)

Proceeds withheld by the district from payments to contractors for public works contracts shall be released within 60 days after the construction or improvement is completed. In the event of a dispute between the district and the contractor, the district may withhold from the final payment an amount not to exceed 150 percent of the disputed amount. (Public Contract Code 7107)

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References

Description

2 CCR 22000-22005

[Public entity use of electronic signatures](#)

Code of Civil Procedure 685.010

[Rate of interest](#)

Ed. Code 17605

[Delegation of authority to purchase supplies and equipment](#)

Ed. Code 42630-42651

[Orders, requisitions and warrants](#)

Ed. Code 42800-42806

[Revolving cash fund](#)

Ed. Code 42810

[Revolving cash funds; use; administrators](#)

Ed. Code 42820

[Prepayment funds](#)

Gov. Code 16.5

[Electronic signatures](#)

Gov. Code 5500-5506

[Uniform Facsimile Signatures of Public Officials Act](#)

Gov. Code 811.2

[Definition of public entity](#)

Pub. Cont. Code 20104.50

Timely progress payments

Pub. Cont. Code 7107

[Retention proceeds; withholding; disbursement](#)

Pub. Cont. Code 7201

[Retention proceeds; limits and exceptions](#)

Pub. Cont. Code 9203

[Payment for projects costing over \\$5000](#)

Management Resources References

Website	CSBA District and County Office of Education Legal Services
Website	California Secretary of State, digital signatures
Website	CSBA
Website	Fiscal Crisis and Management Assistance Team

Cross References

	Description
3230	Federal Grant Funds
3230	Federal Grant Funds
3300	Expenditures And Purchases
3311	Bids
3311	Bids
3312	Contracts
3314.2	Revolving Funds
3400	Management Of District Assets/Accounts
3400	Management Of District Assets/Accounts
3460	Financial Reports And Accountability
3460	Financial Reports And Accountability
3470	Debt Issuance And Management
9320	Meetings And Notices
9324	Minutes And Recordings

Policy 3314.2: Revolving Funds

Status: ADOPTED

Original Adopted Date: 08/14/2017 | **Last Revised Date:** 09/11/2023 | **Last Reviewed Date:** 09/11/2023

The Governing Board has a fiduciary responsibility to effectively manage and safeguard the district's assets and resources. All revolving cash funds shall be subject to the internal control procedures established by the district to prevent and detect fraud, financial impropriety, or irregularity and shall be maintained in accordance with law and the California School Accounting Manual.

The Superintendent or designee shall provide regular reports to the Board regarding the use of revolving funds and the results of any audits conducted on the funds.

Standard Revolving Cash Fund

Pursuant to Education Code 42800, the Board has adopted a resolution establishing a revolving cash fund for use by the chief accounting officer. The fund shall be used only for the purposes specified in the Board's resolution which may include, but are not limited to, payment for services or supplies for which there is an urgent deadline or to reduce the need for issuing numerous small warrants.

The chief accounting officer shall be covered by an individual bond or insurance in the amounts specified in law. He/she shall ensure that payments from the fund are for services or materials that are a legal charge against the district and that a receipt is obtained setting forth the date, payee, purpose of the expenditure, and amount expended. (Education Code 41021, 42801, 42801.5, 42804)

The Board may at any time reduce or discontinue the revolving cash fund. (Education Code 42805)

Pre-Payment Revolving Cash Fund

Pursuant to Education Code 42820, the Board has adopted a resolution establishing a pre-payment revolving cash fund for use by the individual so designated in the Board's resolution.

The fund shall be established in a bank or other institution whose deposits are federally insured and shall be within the maximum limit specified in law. (Education Code 42820)

The designated individual shall be authorized to make payments from the fund for purchases in the amount of \$1,000 or less, including freight or tax. He/she shall submit a monthly list of the payments to the Board for approval. (Education Code 42821)

Any person who issues a check drawn on the fund shall be personally liable for the amount of the check if the expenditure is in violation of the district's rules and regulations with respect to the fund. (Education Code 42821)

Alternative Revolving Cash Fund

Pursuant to Education Code 42810, the Board has adopted a resolution establishing a revolving cash fund for use by the Superintendent and other administrative staff. The fund shall be used for services or materials related to classroom instruction or to correct an error in a classified employee's salary pursuant to Education Code 45167, as specified in the Board's resolution.

The revolving cash fund for supplies shall be subject to the bonding provisions of Education Code 42801.

The Superintendent or administrative staff member in whose name the revolving cash fund is created shall be responsible for all fund expenditures, subject to Board regulation. (Education Code 42810)

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References

Ed. Code 35160

Ed. Code 35250

Ed. Code 38091

Description

[Authority of governing boards](#)

[Duty to keep certain records](#)

[Cafeteria revolving accounts](#)

State References

Ed. Code 41020
Ed. Code 41021
Ed. Code 41365
Ed. Code 42238
Ed. Code 42238.01-42238.07
Ed. Code 42630-42652
Ed. Code 42810
Ed. Code 42820-42821
Ed. Code 45167

Description

[Requirement for annual audit](#)
[Requirement for employee's indemnity bond](#)
[Charter school revolving loan fund](#)
[Revenue limits](#)
[Local control funding formula](#)
[Orders, requisitions, and warrants](#)
[Revolving cash funds; use; administrators](#)
[Prepayment revolving cash fund](#)
[Error in salary](#)

Management Resources References

Website
Website
Website

Description

[CSBA District and County Office of Education Legal Services](#)
[California Department of Education, Finance and Grants](#)
[Fiscal Crisis and Management Assistance Team](#)

Cross References

3300
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3314
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Description

[Expenditures And Purchases](#)
[Payment For Goods And Services](#)
[Payment For Goods And Services](#)
[Management Of District Assets/Accounts](#)
[Management Of District Assets/Accounts](#)
[Petty Cash Funds](#)
[Financial Reports And Accountability](#)
[Financial Reports And Accountability](#)
[Risk Management/Insurance](#)
[Risk Management/Insurance](#)
[Food Service Operations/Cafeteria Fund](#)
[Food Service Operations/Cafeteria Fund](#)

Policy 3320: Claims And Actions Against The District

Status: ADOPTED

Original Adopted Date: 08/14/2017 | **Last Revised Date:** 09/11/2023 | **Last Reviewed Date:** 09/11/2023

The Governing Board desires to conduct district operations in a manner that minimizes risk, protects district resources, and promotes the health and safety of students, staff, and the public. Any and all claims for money or damages against the district shall be presented to and acted upon in accordance with the Government Claims Act or other applicable state or district procedures, as well as the district's joint powers authority (JPA) agreement or other insurance coverage.

Any claim for money or damages not governed by the Government Claims Act (Government Code 810-996.6) or specifically excepted by Government Code 905 shall be presented and acted upon in accordance with district-established procedures consistent with the manner and time limitations specified in the accompanying administrative regulation, unless a procedure for processing such claims is otherwise provided by state or federal law or regulation. (Government Code 935)

Upon notice to the district of a claim, the Superintendent or designee shall take all necessary steps to protect the district's rights under any applicable contractual agreements, including the right to indemnification from its insurance or other coverage provider.

In accordance with Government Code 935.4, the Board delegates to the Superintendent the authority to allow, compromise, or settle claims of \$50,000 or less pursuant to any conditions of coverage in the district's JPA agreement or insurance coverage.

Roster of Public Agencies

Within 10 days of any change in the name of the district, the mailing address of the Board, or the names and addresses of the Board president, the Board clerk or secretary, or other Board members, the Superintendent or designee shall file the updated information with the Secretary of State and the County Clerk. (Government Code 53051)

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References

Code of Civil Procedure 340.1

Ed. Code 35200

Ed. Code 35202

Gov. Code 53051

Gov. Code 6500-6536

Gov. Code 800

Gov. Code 810-996.6

Pen. Code 72

Description

[Damages suffered as result of childhood sexual abuse](#)

[Liability for debts and contracts](#)

[Claims against districts; applicability of Government Code](#)

[Information filed with secretary of state and county clerk](#)

[Joint powers agreements](#)

[Cost in civil actions](#)

[Government Claims Act](#)

[Fraudulent claims](#)

Management Resources References

Court Decision

Court Decision

Court Decision

Court Decision

Website

Website

Description

City of Stockton v. Superior Court (2007) 42 Cal. 4th 730

Connelly v. County of Fresno (2006) 146 Cal.App.4th 29

CSEA v. Azusa Unified School District (1984) 152 Cal.App.3d 580

CSEA v. South Orange Community College District (2004) 123 Cal.App.4th 574

[CSBA District and County Office of Education Legal Services](#)

[California Secretary of State's Office](#)

Cross References**Description**

1330.1	Joint Use Agreements
1340	Access To District Records
1340	Access To District Records
3530	Risk Management/Insurance
3530	Risk Management/Insurance
4119.1	Civil And Legal Rights
4144	Complaints
4144	Complaints
4157.1	Work-Related Injuries
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4158	Employee Security
4219.1	Civil And Legal Rights
4257.1	Work-Related Injuries
4258	Employee Security
4258	Employee Security
4319.1	Civil And Legal Rights
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4344	Complaints
4357.1	Work-Related Injuries
4358	Employee Security
4358	Employee Security
5141.4	Child Abuse Prevention And Reporting
5141.4	Child Abuse Prevention And Reporting
5143	Insurance
5143	Insurance
6163.2	Animals At School
6163.2	Animals At School
9012	Board Member Electronic Communications
9321	Closed Session
9321-E(1)	Closed Session
9321-E(2)	Closed Session
9322	Agenda/Meeting Materials

Regulation 3320: Claims And Actions Against The District

Status: ADOPTED

Original Adopted Date: 08/14/2017 | **Last Revised Date:** 09/11/2023 | **Last Reviewed Date:** 09/11/2023

Any claim against the district for money or damages shall be filed and acted upon in accordance with the Government Claims Act (Government Code 810-996.6) or other applicable law. Claims that are specifically excepted from the Government Claims Act by Government Code 905 and are not governed by any other statute or regulation may be filed and acted upon in accordance with district-established procedures pursuant to Government Code 935.

Unless otherwise provided by law, a written claim shall be presented to and acted upon by the Governing Board in accordance with such procedures prior to filing a lawsuit against the district for money or damages.

Time Limitations

The following time limitations apply to the presentation of claims for money or damages against the district:

1. Claims relating to a cause of action for death or for injury to a person, personal property, or growing crops shall be presented to the Board not later than six months after the accrual of the cause of action. (Government Code 911.2)
2. Claims relating to any other cause of action subject to the Government Claims Act shall be filed not later than one year after the accrual of the cause of action. (Government Code 911.2)
3. Claims relating to childhood sexual assault and other causes of action which are specifically excepted from the Government Claims Act by Government Code 905 but are subject to a claims presentation procedure in another statute or regulation shall be presented to the Board in accordance with the applicable governing statute or regulation. (Government Code 905)
4. Claims relating to any cause of action which is specifically excepted from the Government Claims Act by Government Code 905 but is not governed by any other claim presentation statute or regulation shall be presented to the Board within the time limits specified in items #1 and 2 above, depending on the applicable cause of action. (Government Code 911.2, 935)

Receipt of Claims

A claim shall be deemed presented and received when delivered to the district office or deposited in a post office, mailbox, sub-post office, substation, mail chute, or other similar facility maintained by the U.S. government, in a sealed envelope properly addressed to the district office with postage paid, or when otherwise actually received in the district office or by the Board secretary or clerk. (Government Code 915, 915.2)

A claim may be submitted electronically in the manner specified by the Superintendent or designee. (Government Code 915, 915.2)

Upon receipt of a claim against the district pursuant to the Government Claims Act, the Superintendent or designee shall promptly provide written notice to the district's joint powers authority or insurance carrier in accordance with the applicable conditions of coverage.

Review of Contents of the Claim

The Superintendent or designee shall review any claim received to ensure that the claim contains all of the following information as specified in Government Code 910 and 910.2:

1. The name and post office address of the claimant
2. The post office address to which the person presenting the claim desires notices to be sent
3. The date, place, and other circumstances of the occurrence or transaction which gave rise to the claim asserted
4. A general description of the indebtedness, obligation, injury, damage, or loss incurred insofar as it may be known at the time of presentation of the claim
5. The name(s) of the district employee(s) causing the injury, damage, or loss, if known

6. The amount claimed if it totals less than \$10,000, including the estimated amount of any prospective injury, damage, or loss, insofar as it may be known at the time of the claim, together with the basis of computation of the amount claimed. If the amount claimed exceeds \$10,000, the dollar amount shall not be included in the claim and the claimant shall indicate whether the claim is a limited civil case of \$25,000 or less.
7. The signature of the claimant or the person acting on the claimant's behalf

Notice of Claim Insufficiency

If a claim is found insufficient or not to satisfy the form requirements under Government Code 910 and 910.2, the Board or its designee shall, within 20 days of receipt of the claim, provide a notice in the manner specified in Government Code 915.4 that states the particular defects or omission in the claim. (Government Code 910.8, 915.4)

The Board shall not act upon the claim until at least 15 days after such notice is given. (Government Code 910.8)

Amendment to Claims

Within the time limits provided in the section "Time Limitations" above or prior to final action by the Board, whichever is later, a claim may be amended if, as amended, it relates to the same transaction or occurrence which gave rise to the original claim. (Government Code 910.6)

Late Claims

When a claim that is required to be presented not later than six months after the accrual of the cause of action, as specified in the section "Time Limitations" above, is not presented within that time, an application to present a late claim may be presented to the Board, in the manner specified in Government Code 915 and 915.2, within a reasonable time not to exceed one year after the accrual of the cause of action. The application shall include the proposed claim and shall state the reason for the delay in presenting the claim. (Government Code 911.4, 915, 915.2)

If the claim is presented late and is not accompanied by an application to present a late claim, the Board or its designee may, within 45 days, give written notice that the claim was not presented timely and that it is being returned without further action. (Government Code 911.3)

The Board shall grant or deny the application to present a late claim within 45 days after it is presented. This 45-day period may be extended by written agreement of the claimant and the Board provided that such agreement is made before the expiration of the 45-day period. (Government Code 911.6)

The Board shall grant the application to present a late claim where one or more of the following conditions are applicable: (Government Code 911.6)

1. The failure to present the claim was through mistake, inadvertence, surprise, or excusable neglect and the district was not prejudiced in its defense regarding the claim by the claimant's failure to present the claim within the time limit.
2. The person who sustained the alleged injury, damage, or loss was a minor during all of the time specified for presentation of the claim.
3. The person who sustained the alleged injury, damage, or loss was physically or mentally incapacitated during all of the time specified for presentation of the claim and the disability was the reason the person failed to present the claim.
4. The person who sustained the alleged injury, damage, or loss died before the expiration of the time specified for the presentation of the claim.

If the application to present a late claim is denied, the claimant shall be given notice in substantially the same form as set forth in Government Code 911.8 and in the manner specified in Government Code 915.4. (Government Code 911.8, 915.4)

If the Board does not take action on the application to present a late claim within 45 days, the application shall be

deemed to have been denied on the 45th day unless the time period has been extended, in which case it shall be denied on the last day of the period specified in the extension agreement. (Government Code 911.6)

Action on Claims

Within 45 days after the presentation or amendment of a claim, the Board shall take action on the claim. This time limit may be extended by written agreement between the district and the claimant before the expiration of the 45-day period. If the 45-day period has expired, the time limit may be extended if legal action has not commenced or been barred by legal limitations. (Government Code 912.4)

The Board may act on the claim in one of the following ways: (Government Code 912.4, 912.6)

1. If the Board finds that the claim is not a proper charge against the district, the claim shall be rejected.
2. If the Board finds that the claim is a proper charge against the district and is for an amount justly due, the claim shall be allowed.
3. If the Board finds that the claim is a proper charge against the district but is for an amount greater than is justly due, the Board shall either reject the claim or allow it in the amount justly due and reject it as to the balance.
4. If legal liability of the district or the amount justly due is disputed, the Board may reject or compromise the claim.
5. If the Board takes no action on the claim, the claim shall be deemed rejected.

If the Board allows the claim in whole or in part or compromises the claim and the claimant accepts the amount allowed or offered to settle the claim, the Board may require the claimant to accept it in settlement of the entire claim. (Government Code 912.6)

The Board or its designee shall transmit to the claimant written notice of action taken or of inaction which is deemed rejection. The notice shall be in the form set forth in Government Code 913 and shall be provided in the manner specified in Government Code 915.4. (Government Code 913, 915.4)

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State References

Code of Civil Procedure 340.1
Ed. Code 35200
Ed. Code 35202
Gov. Code 53051
Gov. Code 6500-6536
Gov. Code 800
Gov. Code 810-996.6
Pen. Code 72

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[Damages suffered as result of childhood sexual abuse](#)
[Liability for debts and contracts](#)
[Claims against districts; applicability of Government Code](#)
[Information filed with secretary of state and county clerk](#)
[Joint powers agreements](#)
[Cost in civil actions](#)
[Government Claims Act](#)
[Fraudulent claims](#)

Management Resources References

Court Decision
Court Decision
Court Decision
Court Decision

Description

City of Stockton v. Superior Court (2007) 42 Cal. 4th 730
Connelly v. County of Fresno (2006) 146 Cal.App.4th 29
CSEA v. Azusa Unified School District (1984) 152 Cal.App.3d 580
CSEA v. South Orange Community College District (2004) 123 Cal.App.4th 574
[CSBA District and County Office of Education Legal Services](#)
[California Secretary of State's Office](#)

Website
Website

Cross References**Description**

1330.1	Joint Use Agreements
1340	Access To District Records
1340	Access To District Records
3530	Risk Management/Insurance
3530	Risk Management/Insurance
4119.1	Civil And Legal Rights
4144	Complaints
4144	Complaints
4157.1	Work-Related Injuries
4158	Employee Security
4158	Employee Security
4219.1	Civil And Legal Rights
4257.1	Work-Related Injuries
4258	Employee Security
4258	Employee Security
4319.1	Civil And Legal Rights
4344	Complaints
4344	Complaints
4357.1	Work-Related Injuries
4358	Employee Security
4358	Employee Security
5141.4	Child Abuse Prevention And Reporting
5141.4	Child Abuse Prevention And Reporting
5143	Insurance
5143	Insurance
6163.2	Animals At School
6163.2	Animals At School
9012	Board Member Electronic Communications
9321	Closed Session
9321-E(1)	Closed Session
9321-E(2)	Closed Session
9322	Agenda/Meeting Materials

Policy 3350: Travel Expenses

Status: ADOPTED

Original Adopted Date: 08/14/2017 | **Last Revised Date:** 09/11/2023 | **Last Reviewed Date:** 09/11/2023

The Governing Board recognizes that district employees may incur expenses in the course of performing their assigned duties and responsibilities. To ensure the prudent use of public funds, the Superintendent or designee shall establish rules to keep such expenses to a minimum while affording employees a reasonable level of safety and convenience.

The Board shall authorize payment for actual and necessary travel expenses incurred by any employee performing authorized services for the district, whether within or outside district boundaries. (Education Code 44032)

The Superintendent or designee shall establish procedures for the approval of travel requests and the submission and verification of expense claims. He/she also shall establish reimbursement rates in accordance with law and Board policy.

An employee shall obtain approval from the Superintendent or designee prior to traveling. The Superintendent or designee may approve travel requests in accordance with the adopted budget and upon determining that the travel is authorized or assigned by the employee's supervisor, is necessary to attend a conference or other staff development opportunity that will enhance employee performance, and/or is otherwise necessary to the performance of the employee's duties. Travel expenses not previously budgeted may be approved on a case-by-case basis by the Superintendent or designee if he/she determines that the travel is essential and that resources may be obtained or redirected for this purpose.

All out-of-state travel for which reimbursement will be claimed shall be approved in advance by the Board.

Reimbursable travel expenses may include, but are not limited to, costs of transportation, parking fees, bridge or road tolls, lodging when district business reasonably requires an overnight stay, registration fees for seminars and conferences, telephone and other communication expenses incurred on district business, and other necessary incidental expenses.

The district shall not reimburse personal travel expenses including, but not limited to, tips or gratuities, alcohol, entertainment, laundry, expenses of any family member who is accompanying the employee on district-related business, personal use of an automobile, and personal losses or traffic violation fees incurred while on district business.

Except as otherwise provided, reimbursement of travel expenses shall be based on actual expenses as documented by receipts.

Authorized employees shall be reimbursed for the use of their own private vehicles in the performance of assigned duties, on either a mileage or monthly basis as determined by the Superintendent or designee. (Education Code 44033)

The mileage allowance provided by the district for employees' use of their private vehicles shall be equal to the rate established by the Internal Revenue Service.

Vehicles should be shared whenever possible to minimize travel costs. No employee shall be entitled to reimbursement for automobile travel when he/she is transported free of charge or by another employee who is entitled to the expense reimbursement.

Meal costs shall be reimbursed based on documented actual expenses within the maximum amounts established by the Superintendent or designee and based on the time of day that travel for district business begins and ends.

Any expense that exceeds the maximum rate of reimbursement established by the district shall be reimbursed only with the approval of the Superintendent or designee.

All expense reimbursement claims shall be submitted on a district form, within 10 working days following return from travel when possible. The form shall be accompanied by receipts and any explanation necessary to document that the expenses meet district criteria for reimbursement.

The Superintendent or designee shall approve expense claims only upon verifying that all necessary documentation is provided and that all expenses are appropriate and related to district business. If an expense claim is disallowed due to lack of documentation or inappropriate expenses, the employee may be personally responsible for any

improper costs incurred.

When approved by the Superintendent or designee, an employee may be issued a district credit card for use while on authorized district business. Receipts documenting the expenses incurred on a district credit card shall be submitted promptly following return from travel. Under no circumstances shall personal expenses be charged on a district credit card, even if the employee intends to subsequently reimburse the district for the personal charges.

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References

	Description
Ed. Code 42634	Itemization of expenses
Ed. Code 44016	Travel expense to employment interview
Ed. Code 44032	Travel expense payment
Ed. Code 44033	Automobile allowance
Ed. Code 44802	Student teacher's travel expense

Management Resources References

	Description
Internal Revenue Service Publication	Per Diem Rates (For Travel Within the Continental United States), Publication 1542
Website	CSBA District and County Office of Education Legal Services
Website	U.S. General Services Administration, Per Diem Rates
Website	Internal Revenue Service

Cross References

	Description
1220	Citizen Advisory Committees
1220	Citizen Advisory Committees
2121	Superintendent's Contract
2230	Representative And Deliberative Groups
3100	Budget
3110	Transfer Of Funds
3230	Federal Grant Funds
3230	Federal Grant Funds
3300	Expenditures And Purchases
4131	Staff Development
4231	Staff Development
4331	Staff Development
6159.3	Appointment Of Surrogate Parent For Special Education Students
6159.3	Appointment Of Surrogate Parent For Special Education Students
9250	Remuneration, Reimbursement And Other Benefits
9250-E(1)	Remuneration, Reimbursement And Other Benefits

Regulation 3400: Management Of District Assets/Accounts

Status: ADOPTED

Original Adopted Date: 08/14/2017 | **Last Revised Date:** 09/11/2023 | **Last Reviewed Date:** 09/11/2023

Accounts

The district's accounting system shall fully comply with the definitions, instructions and procedures set forth in the California Department of Education School Accounting Manual. (Education Code 41010)

The Superintendent or designee shall ensure that funds are encumbered in the district accounting records immediately after an expenditure is committed for subsequent payment.

Fraud Prevention and Investigation

Fraud, financial improprieties or irregularities include but are not limited to:

1. Forgery or unauthorized alteration of any document or account belonging to the district
2. Forgery or unauthorized alteration of a check, bank draft or any other financial document
3. Misappropriation of funds, securities, supplies or other assets
4. Impropriety in the handling of money or reporting of financial transactions
5. Profiteering as a result of insider knowledge of district information or activities
6. Disclosing confidential and/or proprietary information to outside parties
7. Disclosing investment activities engaged in or contemplated by the district
8. Accepting or seeking anything of material value from contractors, vendors or persons providing services or materials to the district
9. Destroying, removing or inappropriately using of records, furniture, fixtures or equipment
10. Failing to provide financial records to authorized state or local entities
11. Any other dishonest or fraudulent act

The Superintendent or designee shall investigate reports of fraudulent activity in a manner that protects the confidentiality of the parties and the facts. All employees involved in the investigation shall be advised to keep information about the investigation confidential.

If an investigation substantiates the occurrence of a fraudulent activity, the Superintendent or designee shall issue a report to appropriate personnel and to the Governing Board. The final disposition of the matter and any decision to file a criminal complaint or refer the matter to the appropriate law enforcement and/or regulatory agency for independent investigation shall be made in consultation with legal counsel. The result of the investigation shall not be disclosed to or discussed with anyone other than those individuals with a legitimate need to know.

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References

Ed. Code 1241.5
Ed. Code 14500-14508
Ed. Code 35035
Ed. Code 35250
Ed. Code 41010-41023

Description

[Audit by county superintendent](#)
[Financial and compliance audits](#)
[Powers and duties of the superintendent; transfer authority](#)
[Duty to keep certain records and reports](#)
[Accounting regulations; budget controls and audits](#)

State References

Ed. Code 42600-42603	Control of expenditures
Ed. Code 42647	Drawing of warrants by district on county treasurer; form; reports, statements, and other data
Elec. Code 1090-1099	Prohibitions applicable to specified officers
Gov. Code 53995-53997	Obligation of contract
Gov. Code 84308	Campaign Disclosure
Gov. Code 87100-87500	Political Reform Act

Management Resources References

Description	
Governmental Accounting Standards Board Pub.	Implementation Guide No. 2019-3, Leases, August 2019
Governmental Accounting Standards Board Pub.	Implementation Guide No. 2023-1, Implementation Guidance Update – 2023, June 2023
Governmental Accounting Standards Board Statement	Statement 96, Subscription-Based Information Technology Arrangements, May 2020
Governmental Accounting Standards Board Statement	Statement 87, Leases, June 2017
Governmental Accounting Standards Board Statement	Statement 34, Basic Financial Statements and Management's Discussion and Analysis - For State and Local Governments, June 1999
Website	CSBA District and County Office of Education Legal Services
Website	Governmental Accounting Standards Board
Website	California Department of Education, Finance and Grants
Website	California State Controller
Website	CSBA
Website	Fiscal Crisis and Management Assistance Team
Website	California Association of School Business Officials
Website	School Services of California, Inc.

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3470	Debt Issuance And Management
3530	Risk Management/Insurance
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Policy 3400: Management Of District Assets/Accounts

Status: ADOPTED

Original Adopted Date: 08/14/2017 | **Last Revised Date:** 09/11/2023 | **Last Reviewed Date:** 09/11/2023

The Governing Board recognizes its fiduciary responsibility to effectively manage and safeguard the district's assets and resources in order to help achieve the district's goals for student learning. The Superintendent or designee shall establish and maintain an accurate, efficient financial management system that enhances the district's ability to meet its fiscal obligations, produces reliable financial reports, and complies with laws, regulations, policies, and procedures. He/she shall ensure that the district's accounting system provides ongoing internal controls and meets generally accepted accounting standards.

Capital Assets

The Superintendent or designee shall develop a system to accurately identify and value district assets in order to help ensure financial accountability and to minimize the risk of loss or misuse. District assets with a useful life of more than one year and an initial acquisition cost of \$5,000 or more shall be considered capital assets. The Superintendent or designee shall determine the estimated useful life of each capital asset and shall calculate and report the estimated loss of value or depreciation during each accounting period for all capital assets.

Internal Controls/Fraud Prevention

The Board expects Board members, employees, consultants, vendors, contractors, and other parties maintaining a business relationship with the district to act with integrity and due diligence in dealings involving the district's assets and fiscal resources.

The Superintendent or designee shall develop internal controls which aid in the prevention and detection of fraud, financial impropriety, or irregularity within the district. These internal controls may include, but are not limited to, segregating employee duties relating to authorization, custody of assets, and recording or reporting of transactions; providing detailed, written job descriptions explaining the segregation of functions; adopting an integrated financial system; conducting background checks on business office employees; and requiring continuous in-service training for business office staff on the importance of fraud prevention.

All employees shall be alert for any indication of fraud, financial impropriety, or irregularity within their area of responsibility. Any employee who suspects fraud, impropriety, or irregularity shall immediately report those suspicions to his/her immediate supervisor and/or the Superintendent or designee. In addition, the Superintendent or designee shall establish a method for employees and outside persons to anonymously report any suspected instances of fraud, impropriety, or irregularity.

The Superintendent or designee shall have primary responsibility for any necessary investigations of suspected fraud, impropriety, or irregularity, in coordination with legal counsel, the district's auditors, law enforcement agencies, or other governmental entities, as appropriate.

The Superintendent or designee shall provide regular reports to the Board on the status of the district's internal control procedures and recommend any necessary revisions to related Board policies or administrative regulations.

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References

Description

Ed. Code 1241.5	Audit by county superintendent
Ed. Code 14500-14508	Financial and compliance audits
Ed. Code 35035	Powers and duties of the superintendent; transfer authority
Ed. Code 35250	Duty to keep certain records and reports
Ed. Code 41010-41023	Accounting regulations; budget controls and audits
Ed. Code 42600-42603	Control of expenditures
Ed. Code 42647	Drawing of warrants by district on county treasurer; form; reports, statements, and other data

State References

Elec. Code 1090-1099
 Gov. Code 53995-53997
 Gov. Code 84308
 Gov. Code 87100-87500

Description

Prohibitions applicable to specified officers
[Obligation of contract](#)
[Campaign Disclosure](#)
[Political Reform Act](#)

Management Resources References

Governmental Accounting Standards Board Pub.
 Governmental Accounting Standards Board Pub.
 Governmental Accounting Standards Board Statement
 Governmental Accounting Standards Board Statement
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Description

[Implementation Guide No. 2019-3, Leases, August 2019](#)
[Implementation Guide No. 2023-1, Implementation Guidance Update – 2023, June 2023](#)
[Statement 96, Subscription-Based Information Technology Arrangements, May 2020](#)
[Statement 87, Leases, June 2017](#)
[Statement 34, Basic Financial Statements and Management's Discussion and Analysis - For State and Local Governments, June 1999](#)
[CSBA District and County Office of Education Legal Services](#)
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Regulation 3430: Investing

Status: ADOPTED

Original Adopted Date: 08/14/2017 | **Last Revised Date:** 09/11/2023 | **Last Reviewed Date:** 09/11/2023

Quarterly Investment Reports

The district's chief fiscal officer shall prepare quarterly investment reports in accordance with Board policy within 30 days following the end of the quarter covered by the report. These reports shall: (Government Code 53646)

1. State the manner in which the portfolio complies and/or does not comply with the district's investment policy
2. Denote the district's ability to meet its pool's expenditure requirements for the next six months, or provide an explanation as to why sufficient money shall not or may not be available
3. Include the type of investment, issuer, date of maturity, par and dollar amount invested on all securities, investments, and monies held by the district
4. Describe any district funds, investments, or programs that are under the management of contracted parties, including lending programs
5. Include the current market value as of the date of the report, and the source of this valuation, for all securities held by the district and under management of any outside party that is not another local agency or the state's local agency investment fund

Whenever district investments have been placed in the state's local agency investment fund, the National Credit Union Share Insurance Fund-insured accounts in a credit union, or from FDIC-insured accounts in a bank or savings and loan association, in a county investment pool, or in any combination of these, the report may include the most recent statement(s) received from these institutions in lieu of the information specified in items #3-5 above. (Government Code 53646)

In the above report, a subsidiary ledger of investments may be used in accordance with accepted accounting practices. (Government Code 53646)

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References

Description

Ed. Code 41001	Deposit of money in county treasury
Ed. Code 41002	General fund deposits and exceptions
Ed. Code 41002.5	Deposit of certain funds in insured institutions
Ed. Code 41003	Funds received from rental of real property
Ed. Code 41015	Authorization of and limitation investment of district funds
Ed. Code 41017	Deposit of miscellaneous receipts
Ed. Code 41018	Disposition of money received
Ed. Code 42840-42843	Special reserve fund
Gov. Code 16430	Eligible securities for investment of surplus money
Gov. Code 17581.5	Mandates contingent upon state funding
Gov. Code 27000.3	Fiduciary for deposits in county treasury
Gov. Code 27130-27137	County treasury oversight committees
Gov. Code 53600-53609	Investment of surplus
Gov. Code 53630-53686	Deposit of funds
Gov. Code 53635	Local agency funds; deposit or investment

State References

Gov. Code 53646
Gov. Code 53852.5
Gov. Code 53859.02

Description

[Treasurer reports and statements of investment policy](#)
[Investment term for funds designated for repayment of notes](#)
[Borrowing by local agency](#)

Management Resources References

CDIAC Publication
Website
Website

Description

Local Agency Investment Guidelines, 2002, rev. 2004
[CSBA District and County Office of Education Legal Services](#)
[California Debt and Investment Advisory Commission](#)

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[Concepts And Roles](#)
[Gifts, Grants And Bequests](#)
[Management Of District Assets/Accounts](#)
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Policy 3430: Investing

Status: ADOPTED

Original Adopted Date: 08/14/2017 | **Last Revised Date:** 09/11/2023 | **Last Reviewed Date:** 09/11/2023

All or part of the special reserve fund of the district, or any surplus monies not required for the immediate necessities of the district, may be invested as allowed by law for public funds. (Education Code 41015; Government Code 16430, 53601-53609, 53635)

The Governing Board authorizes the district's chief fiscal officer to invest and reinvest such funds on behalf of the district. He/she shall make monthly reports of those transactions to the Board. The Board retains the right to revoke this authority at any time.

The Board recognizes that the district's chief fiscal officer has fiduciary responsibility for any funds invested outside the county treasury and is subject to prudent investor standards for investment decisions. As such, he/she shall act with care, skill, prudence, and diligence under the prevailing circumstances, including but not limited to the general economic conditions and the anticipated needs of the district. The investment objectives shall be to first safeguard the principal of the funds, then to meet the district's liquidity needs and, third, to achieve a return on the funds. (Government Code 53600.3, 53600.5)

In order to enhance investment return, the district's goal shall be to generate an investment yield that attains or exceeds a market-average rate of return through economic cycles.

The Board recognizes the importance of overseeing investments made with district funds, including investments by the county treasurer. The Superintendent or designee shall maintain ongoing communication with any county committee established for the purpose of overseeing county investments. In addition, the Superintendent or designee shall keep the Board informed about county policies that guide the investment of these funds.

The Board may establish an investment oversight committee to monitor the district's investments and make recommendations to the chief fiscal officer and the Board regarding investment policies.

Annual Statement of Investment Policy

The district's chief fiscal officer shall annually provide to the Board and any district investment oversight committee a statement of the district's investment policy or, if all district surplus funds are invested with the county treasurer, the county's investment policy.

The annual investment report shall be submitted no later than the end of the first quarter of the year to which it applies.

At a public meeting, the Board shall review this policy and discuss any changes to be made. (Government Code 53646)

Quarterly Investment Reports

The chief fiscal officer of the district shall provide the Board, Superintendent, and internal auditor with quarterly reports of district investments in individual accounts that are \$25,000 or more.

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References

Ed. Code 41001

Ed. Code 41002

Ed. Code 41002.5

Ed. Code 41003

Ed. Code 41015

Ed. Code 41017

Ed. Code 41018

Description

[Deposit of money in county treasury](#)

[General fund deposits and exceptions](#)

[Deposit of certain funds in insured institutions](#)

[Funds received from rental of real property](#)

[Authorization of and limitation investment of district funds](#)

[Deposit of miscellaneous receipts](#)

[Disposition of money received](#)

State References

Ed. Code 42840-42843
Gov. Code 16430
Gov. Code 17581.5
Gov. Code 27000.3
Gov. Code 27130-27137
Gov. Code 53600-53609
Gov. Code 53630-53686
Gov. Code 53635
Gov. Code 53646
Gov. Code 53852.5
Gov. Code 53859.02

Management Resources References

CDIAC Publication
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[Eligible securities for investment of surplus money](#)
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[Fiduciary for deposits in county treasury](#)
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[Treasurer reports and statements of investment policy](#)
[Investment term for funds designated for repayment of notes](#)
[Borrowing by local agency](#)

Description

Local Agency Investment Guidelines, 2002, rev. 2004
[CSBA District and County Office of Education Legal Services](#)
[California Debt and Investment Advisory Commission](#)

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Regulation 3440: Inventories

Status: ADOPTED

Original Adopted Date: 08/14/2017 | **Last Revised Date:** 09/11/2023 | **Last Reviewed Date:** 09/11/2023

In order to provide for the proper tracking and control of district property, the Superintendent or designee shall maintain an inventory of equipment in accordance with law for the following:

1. All equipment items currently valued in excess of \$500 (Education Code 35168)
2. All equipment items purchased with state and/or federal categorical funds that have a useful life of more than one year with an acquisition cost of \$500 or more per unit

In addition, the Superintendent or designee may maintain a list of specific items which shall be inventoried for internal control purposes regardless of their initial cost or current value.

The inventory shall contain a record of the following information: (Education Code 35168; 5 CCR 3946)

1. Name and description of the property
2. Identification number
3. Original cost of the item of equipment or a reasonable estimate if the original cost is unknown
4. Date of acquisition
5. Location of use
6. The date and method of disposal

In addition to the information specified in items #1-6 above, the following information shall be recorded for equipment acquired with state and/or federal categorical funds unless otherwise specified in law: (5 CCR 3946; 2 CFR 200.313)

1. Source of the property (funding source)
2. Titleholder
3. Percentage of federal participation in the cost of the property
4. Use and condition of property
5. Sale price of the property upon disposition and method used to determine current fair market value

At the time of purchase, the Superintendent or designee shall affix a label to the equipment containing the identification number and the district name. Equipment items purchased with categorical program funds shall also be labeled with the name of the project in accordance with 5 CCR 3946.

Whenever an equipment item is moved to a new location or the equipment is used for a new purpose, the new location or purpose shall be recorded in the inventory.

A copy of the inventory shall be kept at the district office and at the appropriate school site.

The Superintendent or designee shall annually submit an inventory listing of federally owned property in its custody to the federal agency that granted the award. (2 CFR 200.312)

Physical Inventory

At least once every two years, a physical inventory of equipment shall be conducted and the results reconciled with the property records. (2 CFR 200.313)

The Superintendent or designee shall establish procedures for conducting the physical inventory which shall include, but not be limited to, designation of person(s) responsible for coordinating and conducting the inventory, preparation and distribution of count sheets, procedures for implementing the inventory, and procedures for conducting a

recount to substantiate the validity of the inventory.

The Superintendent or designee shall investigate any differences between the quantities determined by the physical inspection and those in the accounting records.

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References

5 CCR 16022-16023

5 CCR 16035

5 CCR 3946

Ed. Code 35168

Description

Classification of records

[Historical inventory of equipment](#)

[Control, safeguards, disposal of equipment purchased with consolidated application funds](#)

[Inventory of equipment](#)

Federal References

2 CFR 200.0-200.521

20 USC 2301-2414

Description

[Federal uniform grant guidance](#)

[Strengthening Career and Technical Education for the 21st Century Act](#)

Management Resources References

California Department of Education Publication

Website

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Description

[California School Accounting Manual](#)

[CSBA District and County Office of Education Legal Services](#)

[California Association of School Business Officials](#)

[California Department of Education](#)

[Office of Management and Budget](#)

Cross References

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[Sale And Disposal Of Books, Equipment And Supplies](#)

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[District Records](#)

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[Career Technical Education](#)

Cross References

6178

Description

[Career Technical Education](#)

Regulation 3451: Petty Cash Funds

Status: ADOPTED

Original Adopted Date: 09/11/2023 | **Last Reviewed Date:** 09/11/2023

In order to facilitate minor purchases, the Superintendent or designee may establish a petty cash fund at each school. The petty cash fund shall be used for unforeseen, small school expenses, such as postage or individual purchases of supplies.

The amount of the petty cash fund shall not exceed \$200. The principal or designee shall be responsible for all expenditures from the fund and shall create a system for tracking fund expenditures. Each expenditure shall be supported by appropriate documentation.

Expenditures shall be reconciled and accounted for whenever the principal requests that the fund be replenished, at the end of the fiscal year, or at the request of the Superintendent or designee.

The principal or designee shall ensure that the petty cash fund is kept in a safe and secure location.

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References

Ed. Code 35160

Description

[Authority of governing boards](#)

Ed. Code 35250

[Duty to keep certain records](#)

Ed. Code 41020

[Requirement for annual audit](#)

Ed. Code 42800-42810

[Revolving funds](#)

Management Resources References

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Policy 3452: Student Activity Funds

Status: ADOPTED

Original Adopted Date: 08/14/2017 | **Last Revised Date:** 09/11/2023 | **Last Reviewed Date:** 09/11/2023

The Governing Board recognizes that student organizations can provide students with an opportunity to conduct worthwhile cocurricular activities while helping students learn about effective financial practices and develop leadership and management skills. To that end, the Board may approve the formation of associated student body organizations which are composed entirely of students, operate under the oversight of the principal or other district-employed advisor, and are subject to the control and regulation of the Board. Student organizations may raise and spend funds to support activities that promote the general welfare, morale, and educational experiences of the student body.

Fundraising

At the beginning of each school year, each principal or designee shall submit to the Superintendent or designee a list of the fundraising events that each student organization proposes to hold that year. The Superintendent or designee shall review the proposed events and determine whether the events contribute to the educational experience and do not conflict with or detract from the school's educational program. When reviewing proposed events, the Superintendent or designee shall consider the effects of the activities on student health and safety, evaluate the risk of liability to the district, and ensure that the proposed activities are in compliance with law, Board policy, and administrative regulation.

Fundraising events that involve the sale of food and/or beverages shall comply with applicable state and/or federal nutrition standards and BP/AR 3554 - Other Food Sales. If the fundraising event involves the sale of noncompliant food and/or beverages, it shall not take place from midnight until at least one-half hour after the end of the school day, or not be conducted on school premises.

Management and Reporting of Funds

Student body funds shall be managed in accordance with law, regulations, Board policies, and sound business procedures designed to encourage the largest possible educational return to students without sacrificing the security of funds.

The Superintendent or designee shall develop internal control procedures to safeguard the organization's assets, promote the success of fundraising ventures, provide reliable financial information, protect employees and volunteers from accusations of impropriety, and reduce the risk and promote the detection of fraud and abuse.

These procedures shall detail the oversight of activities and funds including, but not limited to, the appropriate role and provision of training for staff and students, parameters for events on campus, appropriate and prohibited uses of funds, and accounting and record-keeping processes, including procedures for handling questionable expenditures.

The principal or designee shall be responsible for the proper conduct of all student organization financial activities.

The budget adopted by the student body organization should serve as the financial plan for the school year and shall be submitted to the Superintendent or designee at the beginning of each school year. The Superintendent or designee shall monitor the budget and periodically review the organization's use of funds to ensure compliance with the district's internal control procedures.

Funds derived from the student body shall be expended according to procedures established by the student organization. All expenditures must be approved by a Board-designated employee or official, the certificated employee who is the designated student organization advisor, and a student organization representative. (Education Code 48933)

When student body funds are expended for equipment, supplies, or activities that support the district's athletic program, the Superintendent or designee shall ensure that the expenditures are aligned with the district's commitment to provide equitable opportunities for males and females.

Because of the district's administrative and/or direct financial involvement in the assets of the student organization, the student activity fund shall be reported within the district's fund in accordance with Governmental Accounting Standards Board Statement 84.

The Board shall provide an annual audit of student organization accounts by a certified public accountant or licensed public accountant. The cost of the audit shall be paid from district funds. (Education Code 41020)

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References

	Description
5 CCR 15500	Food sales in elementary schools
5 CCR 15501	Food sales in high schools and junior high schools
5 CCR 4920-4922	Nondiscrimination in intramural, interscholastic, and club activities
Ed. Code 35182.5	Contracts for advertising
Ed. Code 35564	Funds; obligations of the student body
Ed. Code 41020	Requirement for annual audit
Ed. Code 48930-48938	Student organizations
Ed. Code 49431	Sale of food; elementary school
Ed. Code 49431.2	Sale of food; middle and high schools
Ed. Code 49431.5	Sale of beverages; elementary, middle, and high schools
Ed. Code 51520	Prohibited solicitations on school premises
Ed. Code 51521	Fundraising projects

Federal References

	Description
34 CFR 106.41	Nondiscrimination in athletic programs

Management Resources References

	Description
Court Decision	Prince v. Jacoby (2002) 303 F.3d 1074
Fiscal Crisis & Management Assistance Team Pub.	Associated Student Body Accounting Manual, Fraud Prevention Guide and Desk Reference, 2015
Fiscal Crisis Management & Assistance Team Pub.	Fiscal Alert: GASB 84 and Its Impact on Associated Student Body Accounts, May 2020
Governmental Accounting Standards Board Pub.	Statement No. 84, January 2017
Governmental Accounting Standards Board Pub.	Implementation Guide No. 2019-2, Fiduciary Activities, June 2019
Website	CSBA District and County Office of Education Legal Services
Website	Governmental Accounting Standards Board
Website	California Department of Education
Website	Fiscal Crisis and Management Assistance Team

Cross References

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Policy 3460: Financial Reports And Accountability

Status: ADOPTED

Original Adopted Date: 03/23/2015 | **Last Revised Date:** 09/11/2023 | **Last Reviewed Date:** 09/11/2023

The Governing Board is committed to ensuring public accountability and the fiscal health of the district. The Board shall adopt sound fiscal management policies and practices, oversee the district's financial condition, and continually evaluate whether the district's budget and financial operations support the district's goals for student achievement.

The Superintendent or designee shall ensure that district financial reports are prepared in accordance with law and in conformity with generally accepted accounting principles and financial reporting standards stipulated by the Governmental Accounting Standards Board and the California Department of Education (CDE). The Superintendent or designee shall establish a system of ongoing internal controls to ensure the reliability of financial reporting.

When required by law or the Board, the Superintendent or designee shall submit to the Board reports of the district's financial status, including, but not limited to, any report specified in this Board policy or accompanying administrative regulation. When submission of any such report to a local, state, and/or federal agency requires prior Board approval, the Superintendent or designee shall provide the report to the Board in sufficient time to enable the Board to carefully review the report without breaking any applicable submission deadline.

The Board shall regularly assess the district's financial position and communicate the results to the public, and shall use financial reports to determine the actions and budget amendments, if any, that are needed to ensure the district's financial stability. If district conditions predict fiscal distress or indicate that the district might not be able to meet its fiscal obligations, the Board and Superintendent or designee shall take action to resolve these conditions without delay. The Board shall work cooperatively with the County Superintendent of Schools to improve the district's fiscal health and may contract with an external individual or organization to provide the district with needed advice or fiscal management or training.

Unaudited Actual Receipts and Expenditures

On or before September 15, the Board shall approve and file with the County Superintendent a statement of the district's unaudited actual receipts and expenditures for the preceding fiscal year. The Superintendent or designee shall prepare this statement using the state's standardized account code structure (SACS) as prescribed by the Superintendent of Public Instruction (SPI). (Education Code 42100)

Gann Appropriations Limit Resolution

On or before September 15, the Board shall, at a regular or special meeting, adopt a resolution identifying, pursuant to Government Code 7900-7914, the district's estimated appropriations limit for the current fiscal year and the actual appropriations limit for the preceding fiscal year. Documentation used to identify these limits shall be made available to the public on the day of the Board meeting. (Education Code 42132; Government Code 7910)

Interim Reports/Certification of Ability to Meet Fiscal Obligations

Each fiscal year, the Superintendent or designee shall submit two interim reports to the Board. The first report shall cover the district's financial and budgetary status for the period ending October 31 and the second report shall cover the period ending January 31. These reports and supporting data shall be made available by the district for public review. (Education Code 42130)

Within 45 days after the close of the period reported, the Board shall approve the interim report and, on the basis of the interim report and any additional financial information known by the Board, shall certify in writing whether the district will be able to meet its fiscal obligations for the remainder of the fiscal year and, based on current forecasts, for the two subsequent fiscal years. The certification shall be classified as one of the following: (Education Code 42130, 42131)

1. "Positive certification" indicating that the district will meet its financial obligations for the current fiscal year and two subsequent fiscal years
2. "Qualified certification" indicating that the district may not meet its financial obligations for the current fiscal year or two subsequent fiscal years
3. "Negative certification" indicating that the district will be unable to meet its financial obligations for the

remainder of the fiscal year or the subsequent fiscal year

The Superintendent or designee shall submit a copy of each interim report and certification to the County Superintendent using the state's SACS software, as prescribed by the SPI. (Education Code 42130, 42131)

If the district's certification is subsequently changed by the County Superintendent from a positive to a qualified or negative certification, or from a qualified to a negative certification, the Board may appeal the decision to the SPI within five days of receiving the notice of change. (Education Code 42131)

Whenever the district receives a qualified or negative certification from the Board or the County Superintendent, the Superintendent or designee shall cooperate in the implementation of any remedial actions taken or prescribed by the County Superintendent. (Education Code 42131)

If the second interim report is accompanied by a qualified or negative certification, the Board shall, no later than June 1, provide to the County Superintendent, the State Controller, and the SPI a financial statement as of April 30 ("third interim report") that projects the district's fund and cash balances through June 30. (Education Code 42131)

If at any time during the fiscal year, the County Superintendent concludes that the district's budget does not comply with the standards and criteria for financial stability and conducts a comprehensive review of the district's financial and budgetary conditions, the Board shall review any report of the County Superintendent's findings and recommendations at a public Board meeting. Within 15 days of receiving the report, the district shall notify the County Superintendent and the SPI of the Board's proposed actions on the recommendation. (Education Code 42637)

Audit Report

By April 1 of each year, the Board shall provide for an annual audit of the district's books and accounts. (Education Code 41020)

To conduct the audit, the Board shall select a certified public accountant or public accountant licensed by the State Board of Accountancy from among those deemed qualified by the State Controller. (Education Code 41020, 41020.5)

Except when, as determined by the Education Audits Appeal Panel, no otherwise eligible auditor is available, a public accounting firm whose lead or coordinating audit partner having primary responsibility for the audit or whose audit partner responsible for reviewing the audit has performed audit services for the district in each of the six previous fiscal years shall not be selected to perform a district audit. (Education Code 41020)

No later than December 15, the report of the audit for the preceding fiscal year shall be filed with the County Superintendent, the CDE, and the State Controller. (Education Code 41020)

Prior to December 15 whenever possible, but in no case later than January 31, the Board shall review, at an open meeting, the annual district audit for the prior year, any audit exceptions identified in that audit, the recommendations or findings of any management letter issued by the auditor, and any description of correction or plans to correct any exceptions or any issue raised in a management letter. (Education Code 41020.3)

The Board shall have an opportunity at the meeting to ask questions of the auditor and request further information about the audit findings.

Audit Committee

The Board may appoint an audit committee composed of staff knowledgeable about fiscal matters, other staff, and representatives of the community.

The committee shall serve in an advisory capacity and may:

1. Make recommendations regarding the selection of the external independent auditor in accordance with Education Code 41020 and 41020.5
2. Review the plan for the audit process with the independent auditor to determine the adequacy of the nature, scope, and timetable of the audit

3. Review the results of the audit and participate with the independent auditor and management in preparing final recommendations and responses
4. Participate with the independent auditor in presenting the audit report to the Board
5. Review Board policies and administrative regulations to recommend any revisions needed to ensure effective financial reporting
6. Provide input on the effectiveness of the independent auditor
7. Periodically report to the Board regarding the status of previous audit recommendations for improving the accounting and internal control systems

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References

Description

2 CCR 1859.104	Leroy F. Greene School Facilities Program; reporting requirements
5 CCR 15060	Standardized account code structure
5 CCR 15070	Submission of reports using standardized account code structure
5 CCR 15440-15451	Criteria and standards for school district budgets
5 CCR 15453-15464	Criteria and standards for school district interim reports
5 CCR 19810-19826.1	Audits
Ed. Code 1240	County superintendent of schools; duties
Ed. Code 14500-14508	Financial and compliance audits
Ed. Code 17070.10-17079.30	Leroy F. Greene School Facilities Act
Ed. Code 17150-17150.1	Public disclosure of non-voter-approved debt
Ed. Code 17170-17199.6	California School Finance Authority
Ed. Code 33127	Standards and criteria for local budgets and expenditures
Ed. Code 33128	Standards and criteria; inclusions
Ed. Code 33129	Standards and criteria; use by local agencies
Ed. Code 35035	Powers and duties of the superintendent; transfer authority
Ed. Code 41010-41024	Accounting system and audits
Ed. Code 41320-41322	Emergency apportionments
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Ed. Code 41344.1	Appeals of audit findings
Ed. Code 41455	Examination of financial problems of local districts
Ed. Code 42100-42105	Requirement to prepare and file annual statement
Ed. Code 42122-42129	Budget requirements
Ed. Code 42130-42134	Financial reports and certifications
Ed. Code 42140-42142	Public disclosure of fiscal obligations
Ed. Code 42637	County superintendent review of district's financial and budgetary conditions
Ed. Code 42652	Revocation or suspension of warrant authority
Ed. Code 48300-48316	Student attendance alternatives; school district of choice program

State References

Ed. Code 52060-52077

Gov. Code 16429.1

Gov. Code 3540.2

Gov. Code 53646

Gov. Code 7900-7914

Description[Local control and accountability plan](#)[Local agency investment fund](#)[Meeting and negotiating in public educational employment](#)[Treasurer reports and statements of investment policy](#)[Appropriations limit](#)**Federal References**

2 CFR 200.0-200.521

31 USC 7501-7507

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Office of Attorney General Publication

U.S. Gov. Accountability Office & PCIE Publication Government Auditing Standards, 2011

U.S. Gov. Accountability Office & PCIE Publication Financial Audit Manual, revised 2008

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New Financial Reporting Requirements for Postemployment Benefits Other than Pensions, February 26, 2007

Audit Resolution Process: Repayment Plans, December 8, 2000

Guide for Annual Audits of K-12 Local Educational Agencies and State Compliance Reporting

Indicators of Risk or Potential Insolvency For K-12 Local Education Agencies

Fiscal Oversight Guide for AB 1200, AB 2756, AB 1840 and Related Legislation, September 2021

[Statement 87, Leases, June 2017](#)[Statement 34, Basic Financial Statements and Management's Discussion and Analysis - For State and Local Governments, June 1999](#)

Statement 75, Accounting and Financial Reporting for Post-employment Benefits Other Than Pensions, June 2015

Statement 54, Fund Balance Reporting and Governmental Fund Type Definitions, February 2009

Guidance Regarding Laws Governing School Closures and Best Practices for Implementation in California, April 2023

[CSBA District and County Office of Education Legal Services](#)[Governmental Accounting Standards Board](#)[California Department of Education, Finance and Grants](#)[California State Controller](#)[U.S. Government Accountability Office](#)[Education Audit Appeals Panel](#)[California County Superintendents](#)[Fiscal Crisis and Management Assistance Team](#)[Office of Management and Budget](#)[School Services of California, Inc.](#)[CSBA](#)[California Association of School Business Officials](#)

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Regulation 3460: Financial Reports And Accountability

Status: ADOPTED

Original Adopted Date: 08/14/2017 | **Last Revised Date:** 09/11/2023 | **Last Reviewed Date:** 09/11/2023

Interim Reports

Each interim report developed pursuant to Education Code 42130 shall include an assessment of the district budget as revised to reflect current information regarding the adopted state budget, district property tax revenues, if any, and ending balances for the preceding fiscal year. (Education Code 42130, 42131)

Interim reports shall be based on State Board of Education (SBE) criteria and standards which address fund and cash balances, reserves, deficit spending, estimation of average daily attendance (ADA), projected enrollment, ratio of ADA to enrollment, projected local control funding formula (LCFF) revenue, salaries and benefits, other revenues and expenditures, and facilities maintenance. For purposes of assessing projections of LCFF revenue, the first interim report shall be compared to the adopted district budget and the second interim report shall be compared to the projections in the first interim report. (Education Code 42130; 5 CCR 15453-15464)

An interim report shall also provide supplemental information regarding contingent liabilities, use of one-time revenues for ongoing expenditures, contingent revenues, contributions (i.e., projected contributions from unrestricted general fund resources to restricted general fund resources, projected transfers to or from the general fund to cover operating deficits in the general fund or any other fund, and capital project cost overruns that may impact the general fund budget), long-term commitments, unfunded liabilities, temporary interfund borrowings, the status of labor agreements, and the status of other funds. (Education Code 42130; 5 CCR 15453, 15464)

Audit Report

The Superintendent or designee shall establish a timetable for the completion and review of the annual audit within the deadlines established by law.

The Superintendent or designee shall provide the necessary financial records and cooperate with the independent auditor selected by the Governing Board to ensure that the audit report contains all information required by law and the Governmental Accounting Standards Board (GASB).

The district audit shall include all income and expenditures by source of funds, including the student body and cafeteria funds and accounts, state and federal grant funds, and any other funds under the district's control or jurisdiction, as well as an audit of student attendance procedures. The audit shall also include a determination of whether LCFF funds were expended in accordance with the district's local control and accountability plan or an approved annual update of the plan. (Education Code 41020)

If the district participates in the school district of choice program to accept interdistrict transfers, the Superintendent or designee shall notify the auditor, prior to the commencement of the audit, that the audit must include a review of the district's compliance with specified program requirements. (Education Code 48301)

If an audit finding results in the district being required to repay an apportionment or pay a penalty, the district may appeal the finding to the Education Audit Appeals Panel by making an informal summary appeal within 30 days of receiving the final audit report or initiating a formal appeal within 60 days of receiving the report. (Education Code 41344, 41344.1)

While a public accounting firm is performing the audit of the district, it shall not provide any nonauditing, management, or other consulting services for the district except as provided in Government Auditing Standards, Amendment #3, published by the U.S. Government Accountability Office. (Education Code 41020)

Report on Expenditures of State Facilities Funds

When the district participates in the school facilities program pursuant to Education Code 17070.10-17079.30, the Superintendent or designee shall annually report a detailed list of all expenditures of state facilities funds, including interest, and of the district's matching funds for completed projects until all such funds are expended. The report shall identify expenditures on a project-by-project basis, reflect completed projects that were reimbursed within that fiscal year, and clearly indicate the list of projects that have been completed. (Education Code 41024; 2 CCR 1859.104)

Audits of facilities projects shall be concluded within one year of project completion and shall be included as part of the district's audit for the fiscal year in which the project is reported as completed. A project shall be deemed completed when any of the following conditions is met: (Education Code 41024; 2 CCR 1859.104)

1. When the notice of completion for the project has been filed, all outstanding invoices, claims, and change orders have been satisfied, and the facility is currently in use by the district
2. Three years from the date of the final fund release for an elementary school project
3. Four years from the date of the final fund release for a middle or high school project

Fund Balance

In accordance with GASB Statement 54, external financial reports shall report fund balances in the general fund within the following classifications based on the relative strength of constraints placed on the purposes for which resources can be used:

1. Nonspendable fund balance, including amounts that are not expected to be converted to cash, such as resources that are not in a spendable form or are legally or contractually required to be maintained intact
2. Restricted fund balance, including amounts constrained to specific purposes by their providers or by law
3. Committed fund balance, including amounts constrained to specific purposes by the Board
4. Assigned fund balance, including amounts which the Board or its designee intends to use for a specific purpose
5. Unassigned fund balance, including amounts that are available for any purpose

Negative Balance Report

Whenever the district reports a negative unrestricted fund balance or a negative cash balance in its annual budget or annual audit report, it shall include in the budget a statement that identifies the reasons for the negative unrestricted fund balance or negative cash balance and the steps that have been taken to ensure that the negative balance will not occur at the end of the current fiscal year. (Education Code 42127.5)

Lease Accounting

Any lease agreement involving the district, whether as lessor or lessee, shall be classified as a short-term lease, a contract that transfers ownership, or a lease other than short-term lease and contract that transfers ownership. District financial statement disclosures and schedules related to any lease shall comply with the standards specified in GASB 87.

Non-Voter-Approved Debt Report

Upon approval by the Board to proceed with the issuance of revenue bonds or any agreement for financing school construction pursuant to Education Code 17170-17199.5, the Superintendent or designee shall notify the County Superintendent of Schools and the county auditor. The Superintendent or designee shall provide the Board, the county auditor, the County Superintendent, and the public with related repayment schedules and evidence of the district's ability to repay the obligation. (Education Code 17150)

When the Board is considering the issuance of certificates of participation and other debt instruments that are secured by real property and do not require the approval of the voters of the district, the Superintendent or designee shall provide notice to the County Superintendent and county auditor no later than 30 days before the Board's approval to proceed with issuance. The Superintendent or designee shall provide the Board, the county auditor, the County Superintendent, and the public with information necessary to assess the anticipated effect of the debt issuance, including related repayment schedules, evidence of the district's ability to repay the obligation, and the issuance costs. (Education Code 17150.1)

Other Postemployment Benefits Report

In accordance with GASB Statement 75, the district's financial statements shall report the expense of nonpension other postemployment benefits (OPEBs) on an accrual basis over retirees' active working lifetime, as determined by a

qualified actuary procured by the Superintendent or designee. To the extent that these OPEBs are not prefunded, the district shall report a liability on its financial statements.

The Superintendent or designee shall annually present the estimated accrued but unfunded cost of OPEBs and the actuarial report upon which those costs are based at an open meeting of the Board. (Education Code 42140)

The district's financial obligation for OPEBs shall be reevaluated every two years in accordance with GASB 75.

Workers' Compensation Claims Report

The Superintendent or designee shall annually provide the Board, at a public meeting, information and related actuarial reports showing the estimated accrued but unfunded cost of workers' compensation claims. The estimate of costs shall be based on an actuarial report completed at least every three years by a qualified actuary. (Education Code 42141)

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References

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5 CCR 15440-15451	Criteria and standards for school district budgets
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Ed. Code 42652	Revocation or suspension of warrant authority

State References

Ed. Code 48300-48316
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Federal References

2 CFR 200.0-200.521
 31 USC 7501-7507

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[Statement 34, Basic Financial Statements and Management's Discussion and Analysis - For State and Local Governments, June 1999](#)

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Statement 54, Fund Balance Reporting and Governmental Fund Type Definitions, February 2009

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Policy 3470: Debt Issuance And Management

Status: ADOPTED

Original Adopted Date: 08/14/2017 | **Last Revised Date:** 09/11/2023 | **Last Reviewed Date:** 09/11/2023

The Governing Board is committed to long-term capital and financial planning and recognizes that the issuance of debt is a key source for funding the improvement and maintenance of school facilities and managing cash flow. Any debt issued by the district shall be consistent with law and this policy.

The district shall not enter into indebtedness or liability that in any year exceeds the income and revenue provided for such year, unless two-thirds of the voters approve the obligation or one of the exceptions specified in law applies. (California Constitution, Article 16, Section 18)

When the Board determines that it is in the best interest of the district, the Board may issue debt or order an election to issue debt. The Superintendent or designee shall make recommendations to the Board regarding appropriate financing methods for capital projects or other projects that are authorized purposes for debt issuance. When approved by the Board and/or the voters as applicable, the Superintendent or designee shall administer and coordinate the district's debt issuance program and activities, including the timing of issuance, sizing of issuance, method of sale, structuring of the issue, and marketing strategies.

The Superintendent or designee shall retain a financial advisor, municipal advisor, investment advisor, and other financial services professionals as needed to assist with the structuring of the debt issuance and to provide general advice on the district's debt management program, financing options, investments, and compliance with legal requirements. Contracts for services provided by such advisors may be for a single transaction or for multiple transactions, consistent with the contracting requirements in Education Code 17596. In the event that the district issues debt through a negotiated sale, underwriters may be selected for multiple transactions if multiple issuances are planned for the same project. In addition, the district shall select a legal team on an as-needed basis to assist with debt issuances or special projects.

Goals

The district's debt issuance activities and procedures shall be aligned with the district's vision and goals for providing adequate facilities and programs that support student learning and well-being. When issuing debt, the district shall ensure that it:

1. Maintains accountability for the fiscal health of the district, including prudent management and transparency of the district's financing programs
2. Attains the best possible credit rating for each debt issue in order to reduce interest costs, within the context of preserving financial flexibility and meeting capital funding requirements
3. Takes all practical precautions and proactive measures to avoid any financial decision that will negatively impact current credit ratings on existing or future debt issues
4. Maintains effective communication with rating agencies and, as appropriate, credit enhancers such as bond insurers or other providers of credit or liquidity instruments in order to enhance the creditworthiness, liquidity, or marketability of the debt
5. Monitors the district's statutory debt limit in relation to assessed valuation within the district and the tax burden needed to meet long-term debt service requirements
6. When determining the timing of debt issuance, considers market conditions, cash flows associated with repayment, and the district's ability to expend the obtained funds in a timely, efficient, and economical manner consistent with federal tax laws
7. Determines the amortization (maturity) schedule which will fit best within the overall debt structure of the district at the time the new debt is issued
8. Considers the useful lives of assets funded by the debt issue, as well as repair and replacement costs of those assets to be incurred in the future
9. Preserves the availability of the district's general fund for operating purposes and other purposes that cannot be funded by the issuance of voter-approved debt

10. Meets the ongoing obligations and accountability requirements associated with the issuance and management of debt under state and federal tax and securities laws

Authorized Purposes for the Issuance of Debt

The district may issue debt for any of the following purposes:

1. To pay for the cost of capital improvements, including acquiring, constructing, reconstructing, rehabilitating, replacing, improving, extending, enlarging, and/or equipping district facilities
2. To refund existing debt
3. To provide for cash flow needs

Pursuant to Government Code 53854, general operating costs, including, but not limited to, items normally funded in the district's annual operating budget, shall not be financed from debt payable later than 15 months from the date of issuance. The district may deem it desirable to finance cash flow requirements under certain conditions so that available resources better match expenditures within a given fiscal year. To satisfy both state constitutional and statutory constraints, such cash flow borrowing shall be payable from taxes, income, revenue, cash receipts, and other moneys attributable to the fiscal year in which the debt is issued.

Authorized Types of Debt

The Superintendent or designee shall recommend to the Board potential financing method(s) that result in the highest benefit to the district, with the cost of staff and consultants considered. Potential financing sources may include:

1. Short-Term Debt
 - a. Short-term debt, such as tax and revenue anticipation notes (TRANs), when necessary to allow the district to meet its cash flow requirements (Government Code 53850-53858)
 - b. Bond anticipation notes (BANs) to provide interim financing for capital bond projects that will ultimately be paid from general obligation bonds (Education Code 15150)
 - c. Grant anticipation notes (GANs) to provide interim financing pending the receipt of grants and/or loans from the state or federal government that have been appropriated and committed to the district (Government Code 53859-53859.08)
2. Long-Term Debt
 - a. General obligation bonds for projects approved by voters (California Constitution, Article 13A, Section 1; Education Code 15100-15262, 15264-15276; Government Code 53506-53509.5)
 - b. Special tax bonds issued pursuant to the Mello-Roos Community Facilities Act of 1982 (Government Code 53311-53368.3)
3. Lease financing, including certificates of participation (COPs)
 - a. Lease financing to fund the highest priority capital equipment purchases when pay-as-you-go financing is not feasible (Education Code 17450-17453.1)
 - b. Lease financing to fund facilities projects when there is insufficient time to obtain voter approval or in instances where obtaining voter approval is either not feasible or unavailable (Education Code 17400-17429)
4. Special financing programs or structures offered by the federal or state government, such as Qualified Zone Academy Bonds or other tax credit obligations or obligations that provide subsidized interest payments, when the use of such programs or structures is determined to result in sufficiently lower financing costs compared to traditional tax-exempt bonds and/or COPs
5. Temporary borrowing from other sources such as the County Treasurer

COPs, TRANs, revenue bonds, or any other non-voter approved debt instrument shall not be issued by the district in any fiscal year in which the district has a qualified or negative certification, unless the County Superintendent of Schools determines, pursuant to criteria established by the Superintendent of Public Instruction, that the district's repayment of that indebtedness is probable. (Education Code 42133)

Relationship of Debt to District Facilities Program and Budget

Decisions regarding the issuance of debt for the purpose of financing capital improvement shall be aligned with current needs for acquisition, development, and/or improvement of district property and facilities as identified in the district's facilities master plan or other applicable needs assessment, the projected costs of those needs, schedules for the projects, and the expected resources.

The cost of debt issued for major capital repairs or replacements shall be evaluated against the potential cost of delaying such repairs and/or replacing such facilities.

When considering a debt issuance, the Board and the Superintendent or designee shall evaluate both the short-term and long-term implications of the debt issuance and additional operating costs associated with the new projects involved. Such evaluation may include, but is not limited to, the projected ratio of annual debt service to the tax burden on the district's taxpayers and the ratio of annual debt service secured by the general fund to general fund expenditures.

The district may enter into credit enhancement agreements such as municipal bond insurance, surety bonds, letters of credit, and lines of credit with commercial banks, municipal bond insurance companies, or other financial entities when their use is judged to lower borrowing costs, eliminate restrictive covenants, or have a net economic benefit to the financing.

Structure of Debt Issues

The district shall consider the overall impact of the current and future debt burden of the financing when determining the duration of the debt issue.

The district shall design the financing schedule and repayment of debt so as to take best advantage of market conditions, ensure cost effectiveness, provide flexibility, and, as practical, recapture or maximize its debt capacity for future use. Principal amortization will be structured to meet debt repayment, tax rate, and flexibility goals.

For new money debt issuances for capital improvements, the district shall size the debt issuance with the aim of funding capital projects as deemed appropriate by the Board, as long as the issuance is consistent with the overall financing plan, does not exceed the amount authorized by voters, and, unless a waiver is sought and received from the state, will not cause the district to exceed the limitation on debt issuances specified in the California Constitution or Education Code 15106.

To the extent practicable, the district shall also consider credit issues, market factors, and tax law when sizing the district's bond issuance. The sizing of refunding bonds shall be determined by the amount of money that will be required to cover the principal of, any accrued interest on, and any redemption premium for the debt to be paid on the call date and to cover appropriate financing costs.

Any general obligation bond issued by the district shall mature within 40 years of the issuance date or as otherwise required by law. (California Constitution, Article 16, Section 18; Government Code 53508.6)

The final maturity of equipment or real property lease obligations will be limited to the useful life of the assets to be financed but, with respect to a lease purchase of equipment, no longer than a period of 10 years. (Education Code 17452)

Method of Sale

For the sale of any district-issued debt, the Superintendent or designee shall recommend the method of sale with the potential to achieve the lowest financing cost and/or to generate other benefits to the district. Potential methods of sale include:

1. A competitive bidding process through which the award is based on, among other factors, the lowest offered true interest cost
2. Negotiated sale, subject to approval by the district to ensure that interest costs are in accordance with comparable market interest rates

3. Private placement sale, when the financing can or must be structured for a single or limited number of purchasers or where the terms of the private placement are more beneficial to the district than either a negotiated or competitive sale

Investment of Proceeds

The district shall actively manage the proceeds of debt issued for public purposes in a manner that is consistent with state law governing the investment of public funds and with the permitted securities covenants of related financing documents executed by the district. Where applicable, the district's official investment policy and legal documents for a particular debt issuance shall govern specific methods of investment of bond-related proceeds. Preservation of principal shall be the primary goal of any investment strategy, followed by the availability of funds and then by return on investment.

With regard to general obligation bonds, the district shall invest new money bond proceeds in the county treasury pool as required by law. (Education Code 15146)

The management of public funds shall enable the district to respond to changes in markets or changes in payment or construction schedules so as to ensure liquidity and minimize risk.

Refunding/Restructuring

The district may consider refunding or restructuring outstanding debt if it will be financially advantageous or beneficial for debt repayment and/or structuring flexibility. When doing so, the district shall consider the maximization of the district's expected net savings over the life of the debt issuance and, when using a general obligation bond to refund an existing bond, shall ensure that the final maturity of the refunding bond is no longer than the final maturity of the existing bond.

Internal Controls

The Superintendent or designee shall establish internal control procedures to ensure that the proceeds of any debt issuance are directed to the intended use. Such procedures shall assist the district in maintaining the effectiveness and efficiency of operations, properly expending funds, reliably reporting debt incurred by the district and the use of the proceeds, complying with all laws and regulations, preventing fraud, and avoiding conflict of interest.

The district shall be vigilant in using bond proceeds in accordance with the stated purposes at the time such debt was incurred as defined in the text of the voter-approved bond measure. (Government Code 53410)

When feasible, the district shall issue debt with a defined revenue source in order to preserve the use of the general fund for general operating purposes.

The district shall annually conduct a due diligence review to ensure its compliance with all ongoing obligations applicable to issuers of debt. Such a review may be conducted by general legal counsel or bond counsel. Any district personnel involved in conducting such reviews shall receive periodic training regarding their responsibilities.

In addition, the Superintendent or designee shall ensure that the district completes, as applicable, all performance and financial audits that may be required for any debt issued by the district, including disclosure requirements applicable to a particular transaction.

Records/Reports

At least 30 days prior to the sale of any debt issue, the Superintendent or designee shall submit a report of the proposed issuance to the California Debt and Investment Advisory Commission (CDIAC). Such report shall include a self-certification that the district has adopted a policy concerning the use of debt that complies with law and that the contemplated debt issuance is consistent with that policy. (Government Code 8855)

On or before January 31 of each year, the Superintendent or designee shall submit a report to the CDIAC regarding the debt authorized, the debt outstanding, and the use of proceeds of the issued debt for the period from July 1 to June 30. (Government Code 8855)

The Superintendent or designee shall provide initial and any annual or ongoing disclosures required by 17 CFR 240.10b-5 and 240.15c2-12 to the Municipal Securities Rulemaking Board, investors, and other persons or entities entitled to disclosure, and shall ensure that the district's disclosure filings are updated as needed.

The Superintendent or designee shall maintain transaction records of decisions made in connection with each debt issuance, including the selection of members of the financing team, the structuring of the financing, selection of credit enhancement products and providers, and selection of investment products. Each transaction file shall include the official transcript for the financing, interest rates and cost of issuance on the day when the debt was sold ("final number runs"), and a post-pricing summary of the debt issue. In addition, documentation evidencing the expenditure of proceeds, the use of debt-financed property by public and private entities, all sources of payment or security for the debt, and investment of proceeds shall be kept for as long as the debt is outstanding, plus the period ending three years after the financial payment date of the debt or the final payment date of any obligations or series of bonds issued to refund directly or indirectly all of any portion of the debt, whichever is later.

The Superintendent or designee shall annually report to the Board regarding debts issued by the district, including information on actual and projected tax rates, an analysis of bonding capacity, ratings on the district's bonds, market update and refunding opportunities, new development for California bond financings, and the district's compliance with post-issuance requirements.

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References

CA Constitution Article 13A, Section 1
 CA Constitution Article 16, Section 18
 Ed. Code 15100-15262
 Ed. Code 15264-15276
 Ed. Code 15278-15288
 Ed. Code 15300-15425
 Ed. Code 17150
 Ed. Code 17400-17429
 Ed. Code 17450-17453.1
 Ed. Code 17456
 Ed. Code 17596
 Ed. Code 42130-42134
 Ed. Code 5300-5441
 Elec. Code 1000
 Gov. Code 53311-53368.3
 Gov. Code 53410-53411
 Gov. Code 53506-53509.5
 Gov. Code 53550-53569
 Gov. Code 53580-53595.55
 Gov. Code 53850-53858
 Gov. Code 53859-53859.08
 Gov. Code 8855

Description

[Tax limitation](#)
[Debt limit](#)
[Bonds for school districts and community college districts](#)
[Strict accountability in local school construction bonds](#)
[Citizen's oversight committees](#)
[School facilities improvement districts](#)
[Public disclosure of non-voter-approved debt](#)
[Leasing of school buildings](#)
[Leasing of equipment](#)
[Sale or lease of district property](#)
[Limit on continuing contracts](#)
[Financial reports and certifications](#)
[Conduct of elections](#)
[Established election dates](#)
[Mello-Roos Community Facilities Act of 1982](#)
[Bond reporting](#)
[General obligation bonds](#)
[Refunding bonds of local agencies](#)
[Bonds](#)
[Tax and revenue anticipation notes](#)
[Grant anticipation notes](#)
[California Debt and Investment Advisory Commission](#)

Federal References

15 USC 78o-4
 17 CFR 240.10b-5
 17 CFR 240.15c2-12
 26 CFR 1.6001-1

Description

[Registration of municipal securities dealers](#)
 Prohibition against fraud or deceit
 Municipal securities disclosure
 Records

Federal References

26 USC 54E

Description

Qualified Zone Academy Bonds

Management Resources References

CDIAC Publication

Gov. Finance Officers Association Publication

Gov. Finance Officers Association Publication

Gov. Finance Officers Association Publication

Gov. Finance Officers Association Publication

Gov. Finance Officers Association Publication

Gov. Finance Officers Association Publication

Internal Revenue Service Publication

Internal Revenue Service Publication

U.S. Government Accountability Publication

Website

Website

Website

Website

Website

Website

Website

Description

California Debt Issuance Primer

[Refunding Municipal Bonds, Best Practice, March 2019](#)

[Debt Management Policy, Best Practice, March 2020](#)

[Investment and Management of Bond Proceeds, Best Practice, March 2022](#)

[Selecting and Managing Municipal Advisors, Best Practice, February 2014](#)

[An Elected Official's Guide to Debt Issuance, 3rd Ed., 2008](#)

[Understanding Your Continuing Disclosure Responsibilities, Best Practice, March 2020](#)

Tax Exempt Bond FAQs Regarding Record Retention Requirements

Tax-Exempt Governmental Bonds, Publication 4079, rev. 2016

Internal Control System Checklist

[CSBA District and County Office of Education Legal Services](#)

[U.S. Securities and Exchange Commission](#)

[U.S. Government Accountability Office](#)

[Municipal Security Rulemaking Board, Electronic Municipal Market Access \(EMMA\)](#)

[California Debt and Investment Advisory Commission](#)

[Government Finance Officers Association](#)

[Internal Revenue Service](#)

Cross References

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0200

3000

3100

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3312

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7000

7110

7210

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[Vision](#)

[Goals For The School District](#)

[Concepts And Roles](#)

[Budget](#)

[Transfer Of Funds](#)

[Contracts](#)

[Payment For Goods And Services](#)

[Payment For Goods And Services](#)

[Management Of District Assets/Accounts](#)

[Management Of District Assets/Accounts](#)

[Investing](#)

[Investing](#)

[Financial Reports And Accountability](#)

[Financial Reports And Accountability](#)

[Consultants](#)

[Concepts And Roles](#)

[Facilities Master Plan](#)

[Facilities Financing](#)

Cross References

7214

7214

9270

9270-E(1)

Description[General Obligation Bonds](#)[General Obligation Bonds](#)[Conflict Of Interest](#)[Conflict Of Interest](#)

Regulation 3512: Equipment

Status: ADOPTED

Original Adopted Date: 08/14/2017 | **Last Revised Date:** 09/11/2023 | **Last Reviewed Date:** 09/11/2023

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 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)

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)

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)

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References

Description

5 CCR 16023	Class 1 - Permanent records
5 CCR 3946	Control, safeguards, disposal of equipment purchased with consolidated application funds
5 CCR 4424	Comparability of services
Ed. Code 17540-17542	Sale or lease of personal property by one district to another
Ed. Code 17545-17555	Sale of personal property
Ed. Code 17605	Delegation of authority to purchase supplies and equipment
Ed. Code 35160	Authority of governing boards
Ed. Code 35168	Inventory of equipment

State References

Ed. Code 64000-64001

Description

[Consolidated application process](#)

Federal References

2 CFR 200.0-200.521

Description

[Federal uniform grant guidance](#)

20 USC 6321

[Fiscal requirements/comparability of services](#)

Management Resources References

California Department of Education Publication

Description

[California School Accounting Manual](#)

Website

[CSBA District and County Office of Education Legal Services](#)

Website

[California Department of Education](#)

Website

[Office of Management and Budget](#)

Cross References**Description**

0440

[District Technology Plan](#)

0440

[District Technology Plan](#)

3000

[Concepts And Roles](#)

3230

[Federal Grant Funds](#)

3230

[Federal Grant Funds](#)

3270

[Sale And Disposal Of Books, Equipment And Supplies](#)

3270

[Sale And Disposal Of Books, Equipment And Supplies](#)

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[Expenditures And Purchases](#)

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[Bids](#)

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[Inventories](#)

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[Recovery For Property Loss Or Damage](#)

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[Recovery For Property Loss Or Damage](#)

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[Food Service Operations/Cafeteria Fund](#)

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[Employee Use Of Technology](#)

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[Political Activities Of Employees](#)

4119.25

[Political Activities Of Employees](#)

4141.6

[Concerted Action/Work Stoppage](#)

4141.6

[Concerted Action/Work Stoppage](#)

4156.3

[Employee Property Reimbursement](#)

4219.25

[Political Activities Of Employees](#)

4219.25

[Political Activities Of Employees](#)

Cross References

4241.6
4241.6
4256.3
4319.25
4319.25
4356.3
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6163.4
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6171
6171
6178
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[Concerted Action/Work Stoppage](#)
[Employee Property Reimbursement](#)
[Political Activities Of Employees](#)
[Political Activities Of Employees](#)
[Employee Property Reimbursement](#)
[Safety](#)
[Safety](#)
[Discipline](#)
[Discipline](#)
[Concepts And Roles](#)
[Student Use Of Technology](#)
[Student Use Of Technology](#)
[Title I Programs](#)
[Title I Programs](#)
[Career Technical Education](#)
[Career Technical Education](#)

Exhibit 3512-E(1): Equipment

Status: ADOPTED

Original Adopted Date: 08/14/2017 | **Last Revised Date:** 09/11/2023 | **Last Reviewed Date:** 09/11/2023

EQUIPMENT LOAN FORM

I assume the responsibility for the following district equipment:

Description:

ID Number:

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: _____

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State References

	Description
5 CCR 16023	Class 1 - Permanent records
5 CCR 3946	Control, safeguards, disposal of equipment purchased with consolidated application funds
5 CCR 4424	Comparability of services
Ed. Code 17540-17542	Sale or lease of personal property by one district to another
Ed. Code 17545-17555	Sale of personal property
Ed. Code 17605	Delegation of authority to purchase supplies and equipment
Ed. Code 35160	Authority of governing boards
Ed. Code 35168	Inventory of equipment
Ed. Code 64000-64001	Consolidated application process

Federal References

	Description
2 CFR 200.0-200.521	Federal uniform grant guidance
20 USC 6321	Fiscal requirements/comparability of services

Management Resources References

	Description
California Department of Education Publication	California School Accounting Manual
Website	CSBA District and County Office of Education Legal Services
Website	California Department of Education
Website	Office of Management and Budget

Cross References

	Description
0440	District Technology Plan
0440	District Technology Plan
3000	Concepts And Roles
3230	Federal Grant Funds
3230	Federal Grant Funds
3270	Sale And Disposal Of Books, Equipment And Supplies
3270	Sale And Disposal Of Books, Equipment And Supplies
3300	Expenditures And Purchases

Cross References**Description**

3311	Bids
3311	Bids
3440	Inventories
3515.4	Recovery For Property Loss Or Damage
3515.4	Recovery For Property Loss Or Damage
3530	Risk Management/Insurance
3530	Risk Management/Insurance
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3551	Food Service Operations/Cafeteria Fund
3551	Food Service Operations/Cafeteria Fund
4040	Employee Use Of Technology
4040-E(1)	Employee Use Of Technology
4118	Dismissal/Suspension/Disciplinary Action
4119.25	Political Activities Of Employees
4119.25	Political Activities Of Employees
4141.6	Concerted Action/Work Stoppage
4141.6	Concerted Action/Work Stoppage
4156.3	Employee Property Reimbursement
4219.25	Political Activities Of Employees
4219.25	Political Activities Of Employees
4241.6	Concerted Action/Work Stoppage
4241.6	Concerted Action/Work Stoppage
4256.3	Employee Property Reimbursement
4319.25	Political Activities Of Employees
4319.25	Political Activities Of Employees
4356.3	Employee Property Reimbursement
5142	Safety
5142	Safety
5144	Discipline
5144	Discipline
6000	Concepts And Roles
6163.4	Student Use Of Technology
6163.4-E(1)	Student Use Of Technology
6171	Title I Programs
6171	Title I Programs
6178	Career Technical Education
6178	Career Technical Education

Regulation 3513.1: Cellular Phone Reimbursement

Status: ADOPTED

Original Adopted Date: 08/14/2017 | **Last Revised Date:** 09/11/2023 | **Last Reviewed Date:** 09/11/2023

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

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.

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References

Ed. Code 35213
Ed. Code 44032
Ed. Code 48901.5
Veh. Code 23123
Veh. Code 23125

Description

[Reimbursement for loss or damage of personal property](#)
[Travel expense payment](#)
[Prohibition of electronic signaling devices](#)
[Wireless telephones in vehicles](#)
[Wireless telephones in school buses](#)

Federal References

26 CFR 1.132-5
26 USC 280F

Description

Working conditions fringe benefit
[Limitation on depreciation for luxury automobiles, etc](#)

Management Resources References

Website
Website

Description

[CSBA District and County Office of Education Legal Services](#)
[Internal Revenue Service](#)

Cross References

3542
4156.3

Description

[School Bus Drivers](#)
[Employee Property Reimbursement](#)

Cross References

4256.3
4356.3
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Description

[Employee Property Reimbursement](#)
[Employee Property Reimbursement](#)
[Remuneration, Reimbursement And Other Benefits](#)
[Remuneration, Reimbursement And Other Benefits](#)

Policy 3513.3: Tobacco-Free Schools

Status: ADOPTED

Original Adopted Date: 08/14/2017 | **Last Revised Date:** 09/11/2023 | **Last Reviewed Date:** 09/11/2023

The Governing Board 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.

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 school policy and consequences for violations of the policy.

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

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)

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References

Description

Bus. Code 22950.5

[Stop Tobacco Access to Kids Enforcement Act - Definitions](#)

Ed. Code 48900

[Grounds for suspension or expulsion](#)

Ed. Code 48901

[Smoking or use of tobacco prohibited](#)

H&S Code 104350-104495

[Tobacco-use prevention education](#)

H&S Code 104495

[Prohibition of smoking and tobacco waste on playgrounds](#)

H&S Code 104559

[Tobacco use prohibition](#)

H&S Code 119405

Unlawful to sell or furnish electronic cigarettes to minors

H&S Code 39002

[Control of air pollution from nonvehicular sources](#)

Lab. Code 3300

[Definition of employer](#)

Lab. Code 6304

[Safe and healthful workplace](#)

Lab. Code 6404.5

[Occupational safety and health; use of tobacco products](#)

Federal References

20 USC 6083
 20 USC 7111-7122
 21 CFR 1140.1-1140.34

Description

[Nonsmoking policy for children's services](#)
 Student support and academic enrichment grants
[Unlawful sale of cigarettes and smokeless tobacco to minors](#)

Management Resources References

PERB Ruling
 PERB Ruling
 Website
 Website
 Website
 Website
 Website
 Website

Description

CSEA #506 and Associated Teachers of Metropolitan Riverside v. Riverside Unified School District (1989) PERB Order #750 (13 PERC 20147)
 Eureka Teachers Assn. v. Eureka City School District (1992) PERB Order #955 (16 PERC 23168)
[CSBA District and County Office of Education Legal Services](#)
[California Department of Education, Tobacco-Free School District Certification](#)
[Occupational Safety and Health Standards Board](#)
[California Department of Public Health, Tobacco Control](#)
[California Department of Education, Alcohol, Tobacco and Other Drug Prevention](#)
[U.S. Environmental Protection Agency](#)

Cross References

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4359	Employee Assistance Programs
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Regulation 3513.3: Tobacco-Free Schools

Status: ADOPTED

Original Adopted Date: 08/14/2017 | Last Revised Date: 09/11/2023 | Last Reviewed Date: 09/11/2023

Notifications

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

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.

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 school policy shall be asked to refrain from smoking and shall be subject to disciplinary action as appropriate.

Any other person who violates the district's policy on tobacco-free school 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 school policy, prohibit him/her from entering district property for a specified period of time

The Superintendent or designee shall not be required to physically eject a nonemployee who is smoking or to request that the nonemployee refrain from smoking under circumstances involving a risk of physical harm to the district or any employee. (Labor Code 6404.5)

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References

Bus. Code 22950.5
Ed. Code 48900
Ed. Code 48901
H&S Code 104350-104495
H&S Code 104495
H&S Code 104559
H&S Code 119405
H&S Code 39002
Lab. Code 3300
Lab. Code 6304
Lab. Code 6404.5

Description

[Stop Tobacco Access to Kids Enforcement Act - Definitions](#)
[Grounds for suspension or expulsion](#)
[Smoking or use of tobacco prohibited](#)
[Tobacco-use prevention education](#)
[Prohibition of smoking and tobacco waste on playgrounds](#)
[Tobacco use prohibition](#)
Unlawful to sell or furnish electronic cigarettes to minors
[Control of air pollution from nonvehicular sources](#)
[Definition of employer](#)
[Safe and healthful workplace](#)
[Occupational safety and health; use of tobacco products](#)

Federal References

20 USC 6083
20 USC 7111-7122

Description

[Nonsmoking policy for children's services](#)
Student support and academic enrichment grants

Federal References

21 CFR 1140.1-1140.34

Description

[Unlawful sale of cigarettes and smokeless tobacco to minors](#)

Management Resources References

PERB Ruling

Description

CSEA #506 and Associated Teachers of Metropolitan Riverside v. Riverside Unified School District (1989) PERB Order #750 (13 PERC 20147)

PERB Ruling

Eureka Teachers Assn. v. Eureka City School District (1992) PERB Order #955 (16 PERC 23168)

Website

[CSBA District and County Office of Education Legal Services](#)

Website

[California Department of Education, Tobacco-Free School District Certification](#)

Website

[Occupational Safety and Health Standards Board](#)

Website

[California Department of Public Health, Tobacco Control](#)

Website

[California Department of Education, Alcohol, Tobacco and Other Drug Prevention](#)

Website

[U.S. Environmental Protection Agency](#)

Cross References

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Policy 3513.4: Drug And Alcohol Free Schools

Status: ADOPTED

Original Adopted Date: 09/11/2023 | **Last Reviewed Date:** 09/11/2023

The Governing Board 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.

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

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.

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.

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.

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References

Description

Bus. Code 25608	Alcohol on school property; use in connection with instruction
Ed. Code 44940	Compulsory leave of absence for certificated persons
Ed. Code 44940.5	Procedures when employees are placed on compulsory leave of absence
Ed. Code 45123	Employment after conviction of controlled substance offense
Ed. Code 45304	Compulsory leave of absence for classified persons
Ed. Code 48900	Grounds for suspension or expulsion
Ed. Code 48900.5	Suspension, limitation on imposition; exception
Ed. Code 48901	Smoking or use of tobacco prohibited
Ed. Code 48901.5	Prohibition of electronic signaling devices
Ed. Code 48902	Notification of law enforcement authorities; civil or criminal immunity
Ed. Code 48909	Narcotics or other hallucinogenic drugs
Ed. Code 48915	Required recommendation for expulsions
Gov. Code 8350-8357	Drug-free workplace
H&S Code 104559	Tobacco use prohibition

State References

H&S Code 11053-11059
H&S Code 11353.6
H&S Code 11362.1
H&S Code 11362.3
H&S Code 11362.79
Pen. Code 13860-13864
Veh. Code 13202.5

Federal References

20 USC 7101-7122
21 USC 812
21 USC 844
41 USC 8101-8106

Management Resources References

Court Decision
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Description

[Controlled substances; standards and schedules](#)
[Juvenile Drug Trafficking and Schoolyard Act](#)
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[Suppression of drug abuse in schools](#)
[Drug and alcohol related offenses by person under age of 21, but aged 13 or over](#)

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Student Support and Academic Enrichment Grants
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[Penalties for possession of controlled substance](#)
Drug-Free Workplace Act

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Ross v. RagingWire Telecommunications, Inc., 42 Cal. 4th 920 (2008)
[CSBA District and County Office of Education Legal Services](#)

Description

[Visitors/Outsiders](#)
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[Dismissal/Suspension/Disciplinary Action](#)
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[Employee Assistance Programs](#)
[Employee Drug Testing](#)
[Drug And Alcohol Testing For School Bus Drivers](#)

Cross References**Description**

4212.42	Drug And Alcohol Testing For School Bus Drivers
4219.21	Professional Standards
4219.21-E(1)	Professional Standards
4259	Employee Assistance Programs
4312.41	Employee Drug Testing
4312.42	Drug And Alcohol Testing For School Bus Drivers
4312.42	Drug And Alcohol Testing For School Bus Drivers
4317.7	Employment Status Reports
4319.21	Professional Standards
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4359	Employee Assistance Programs
5030	Student Wellness
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6145.2	Athletic Competition
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Regulation 3514: Environmental Safety

Status: ADOPTED

Original Adopted Date: 08/14/2017 | **Last Revised Date:** 09/11/2023 | **Last Reviewed Date:** 09/11/2023

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.

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)

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.
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)
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.
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.
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.
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.

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.

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.

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.

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.

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)

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)

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:
 - 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)

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)

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)

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References

13 CCR 2025
13 CCR 2480
17 CCR 35001-36100
22 CCR 64670-64672.6
22 CCR 64673-64674
22 CCR 64675-64679
24 CCR 915.1-915.7
5 CCR 14010
8 CCR 1528-1537
8 CCR 337-339
8 CCR 340-340.2
8 CCR 5139-5223

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[Retrofitting of diesel school buses](#)
[Vehicle idling; limitations](#)
Lead abatement services
[Lead and copper in drinking water](#)
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[Construction safety orders; exposure to hazards](#)
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[Occupational safety and health; rights of employees](#)
Control of hazardous substances

State References

Ed. Code 17002
Ed. Code 17070.75
Ed. Code 17582
Ed. Code 17590
Ed. Code 17608-17614
Ed. Code 32080-32081
Ed. Code 32240-32245
Ed. Code 48980.3
Ed. Code 49410-49410.7
F&A Code 11401-12408
F&A Code 13180-13188
Gov. Code 3543.2
H&S Code 105400-105430
H&S Code 113700-114437
H&S Code 116277

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15 USC 2601-2629
15 USC 2641-2656
40 CFR 141.1-141.723
40 CFR 745.61-745.339
40 CFR 763.120-763.123
40 CFR 763.80-763.99
42 USC 1758
7 USC 136-136y

Management Resources References

CA DHS Publication
CA EPA: Air Resources Board Publication
CA State Water Res. Control Board Pub.
California Department of Education Publication
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CSBA Publication
CSBA Publication
CSBA Publication
CSBA Publication
Division of the State Architect Publication

Description

[State School Building Lease-Purchase Law, including definition of good repair](#)
[Facilities inspection](#)
[District deferred maintenance fund](#)
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[California Retail Food Code; sanitation and safety requirements](#)
Lead testing of potable water at schools and requirements to remedy

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Control of toxic substances
Asbestos Hazard Emergency Response Act
Drinking water standards
[Lead-based paint standards](#)
Asbestos worker protections
Asbestos-containing materials in schools
[Food safety and inspections](#)
Use of pesticides

Description

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School Site Selection and Approval Guide, 2000
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[Sun Safety in Schools, Policy Brief, July 2006](#)
Indoor Air Quality: Governing Board Actions for Creating Healthy School Environments, Policy Brief, July 2008
[Asthma Management in the Schools, Policy Brief, March 2008](#)
K-12 Occupancy Classification and Load Factors, IR A-26, rev. April 18, 2012

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U.S. EPA Publication	Mold Remediation in Schools and Commercial Buildings, September 2008
U.S. EPA Publication	Healthy School Environments Assessment Tool, rev. 2015
U.S. EPA Publication	How to Manage Asbestos in School Buildings: AHERA Designated Person's Self-Study Guide, 1996
U.S. EPA Publication	Indoor Air Quality Tools for Schools, rev. 2009
U.S. EPA Publication	The ABCs of Asbestos in Schools, rev. August 2003
Website	CSBA District and County Office of Education Legal Services
Website	National Center for Environmental Health
Website	California State Water Resources Control Board
Website	Centers for Disease Control and Prevention
Website	Consumer Product Safety Commission
Website	AirNow
Website	California Building Standards
Website	California Department of Education, Health and Safety
Website	California Department of Pesticide Regulation
Website	California Air Resources Board
Website	U.S. Department of Labor, Occupational Safety and Health Administration
Website	U.S. Environmental Protection Agency
Website	American Association of School Administrators
Website	California Department of Public Health
Website	CSBA

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Policy 3514: Environmental Safety

Status: ADOPTED

Original Adopted Date: 08/14/2017 | **Last Revised Date:** 09/11/2023 | **Last Reviewed Date:** 09/11/2023

The Governing Board 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.

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.

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.

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References

Description

13 CCR 2025	Retrofitting of diesel school buses
13 CCR 2480	Vehicle idling; limitations
17 CCR 35001-36100	Lead abatement services
22 CCR 64670-64672.6	Lead and copper in drinking water
22 CCR 64673-64674	Water System Requirements
22 CCR 64675-64679	Monitoring for Lead and Copper
24 CCR 915.1-915.7	California Building Standards Code; carbon monoxide devices
5 CCR 14010	Procedure for site acquisition
8 CCR 1528-1537	Construction safety orders; exposure to hazards
8 CCR 337-339	Hazardous substances list
8 CCR 340-340.2	Occupational safety and health; rights of employees
8 CCR 5139-5223	Control of hazardous substances
Ed. Code 17002	State School Building Lease-Purchase Law, including definition of good repair
Ed. Code 17070.75	Facilities inspection
Ed. Code 17582	District deferred maintenance fund
Ed. Code 17590	Asbestos abatement fund

State References

Ed. Code 17608-17614
 Ed. Code 32080-32081
 Ed. Code 32240-32245
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 Ed. Code 49410-49410.7
 F&A Code 11401-12408
 F&A Code 13180-13188
 Gov. Code 3543.2
 H&S Code 105400-105430
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Federal References

15 USC 2601-2629
 15 USC 2641-2656
 40 CFR 141.1-141.723
 40 CFR 745.61-745.339
 40 CFR 763.120-763.123
 40 CFR 763.80-763.99
 42 USC 1758
 7 USC 136-136y

Management Resources References

CA DHS Publication
 CA EPA: Air Resources Board Publication
 CA State Water Res. Control Board Pub.
 California Department of Education Publication
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 CSBA Publication
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 Division of the State Architect Publication
 U.S. EPA Publication
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[Indoor environmental quality](#)
[California Retail Food Code; sanitation and safety requirements](#)
 Lead testing of potable water at schools and requirements to remedy

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Control of toxic substances
 Asbestos Hazard Emergency Response Act
 Drinking water standards
[Lead-based paint standards](#)
 Asbestos worker protections
 Asbestos-containing materials in schools
[Food safety and inspections](#)
 Use of pesticides

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Report to the Legislature: Lead Hazards in California's Public Elementary Schools and Child Care Facilities, April 1998
 Facts about Truck and Bus Regulation School Bus Provisions, rev. March 22, 2011
 FAQ about Lead Testing of Drinking Water in CA Schools; Updated for Assembly Bill 746/Health and Safety Code 116277, December 15, 2017
 School Site Selection and Approval Guide, 2000
 Indoor Air Quality, A Guide for Educators, 1995
 Food Safety Requirements, Fact Sheet, October 2007
[Sun Safety in Schools, Policy Brief, July 2006](#)
 Indoor Air Quality: Governing Board Actions for Creating Healthy School Environments, Policy Brief, July 2008
[Asthma Management in the Schools, Policy Brief, March 2008](#)
 K-12 Occupancy Classification and Load Factors, IR A-26, rev. April 18, 2012
 A Citizen's Guide to Radon: The Guide to Protecting Yourself and Your Family from Radon, 2016
 Mold Remediation in Schools and Commercial Buildings, September 2008
 Healthy School Environments Assessment Tool, rev. 2015

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U.S. EPA Publication	How to Manage Asbestos in School Buildings: AHERA Designated Person's Self-Study Guide, 1996
U.S. EPA Publication	Indoor Air Quality Tools for Schools, rev. 2009
U.S. EPA Publication	The ABCs of Asbestos in Schools, rev. August 2003
Website	CSBA District and County Office of Education Legal Services
Website	National Center for Environmental Health
Website	California State Water Resources Control Board
Website	Centers for Disease Control and Prevention
Website	Consumer Product Safety Commission
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Website	California Building Standards
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6163.2	Animals At School

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Policy 3514.1: Hazardous Substances

Status: ADOPTED

Original Adopted Date: 08/14/2017 | **Last Revised Date:** 09/11/2023 | **Last Reviewed Date:** 09/11/2023

The Governing Board 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.

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.

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.

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.

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)

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References

Description

22 CCR 67450.40-67450.49	School hazardous waste collection, consolidation, and accumulation facilities
8 CCR 3203	Injury and illness prevention program
8 CCR 3204	Access to employee exposure and medical records
8 CCR 337-339	Hazardous substances list
8 CCR 5139-5230	Control of hazardous substances
8 CCR 5154.1-5154.2	Ventilation
8 CCR 5161	Definitions
8 CCR 5162	Emergency eyewash and shower equipment
8 CCR 5163	Control of spills
8 CCR 5164	Storage of hazardous substances
8 CCR 5191	Chemical hygiene plan
8 CCR 5194	Hazard communication
Ed. Code 32060-32066	Toxic art supplies
Ed. Code 49340-49341	Hazardous substances education
Ed. Code 49401.5	Legislative intent; consultation services
Ed. Code 49411	Chemical listing; compounds used in school programs; determination of shelf life; disposal
F&A Code 12981	Regulations re pesticides and worker safety

State References

H&S Code 108100-108515

H&S Code 25163

Lab. Code 6360-6363

Lab. Code 6380-6386

Description[California Hazardous Substances Act](#)[Transportation of hazardous wastes; registration; exemptions; inspection](#)[Hazardous Substances Information and Training Act](#)[List of hazardous substances](#)**Management Resources References**

California Department of Education Publication

OEHHA Publication

Website

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Description

Science Safety Handbook for California Public Schools, 2014

Art and Craft Materials in Schools: Guidelines for Purchasing and Safe Use, September 17, 2016

[CSBA District and County Office of Education Legal Services](#)[California Office of Environmental Health Hazard Assessment](#)[Department of Industrial Relations, Cal/OSHA](#)[CSBA](#)[California Department of Education](#)**Cross References**

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Regulation 3514.1: Hazardous Substances

Status: ADOPTED

Original Adopted Date: 08/14/2017 | **Last Revised Date:** 09/11/2023 | **Last Reviewed Date:** 09/11/2023

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 2016 (SB 826, Ch. 23, Statutes of 2016) extends the suspension of these requirements through the 2016-17 fiscal year. As a result, certain provisions of the following administrative regulation related to the removal of chemicals may be suspended.

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.

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 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 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
- 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

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.

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)

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References

Description

22 CCR 67450.40-67450.49	School hazardous waste collection, consolidation, and accumulation facilities
8 CCR 3203	Injury and illness prevention program
8 CCR 3204	Access to employee exposure and medical records
8 CCR 337-339	Hazardous substances list
8 CCR 5139-5230	Control of hazardous substances
8 CCR 5154.1-5154.2	Ventilation
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8 CCR 5194	Hazard communication
Ed. Code 32060-32066	Toxic art supplies
Ed. Code 49340-49341	Hazardous substances education
Ed. Code 49401.5	Legislative intent; consultation services
Ed. Code 49411	Chemical listing; compounds used in school programs; determination of shelf life; disposal

State References

F&A Code 12981
H&S Code 108100-108515
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Regulation 3514.2: Integrated Pest Management

Status: ADOPTED

Original Adopted Date: 08/14/2017 | **Last Revised Date:** 09/11/2023 | **Last Reviewed Date:** 09/11/2023

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)

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.

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)

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

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)

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)

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)

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.

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References

3 CCR 6690-6692

5 CCR 11522

5 CCR 5590

8 CCR 340-340.2

Ed. Code 17366

Ed. Code 17608-17614

Ed. Code 48980

Ed. Code 48980.3

Ed. Code 8593.2

F&A Code 11401-12408

F&A Code 13180-13188

Gov. Code 3543.2

Gov. Code 7920.000-7930.170

Description

[Pesticide use near school sites](#)

[Parental consent for exemption based on high school proficiency certificate](#)

[Temporary athletic team coach](#)

[Occupational safety and health; rights of employees](#)

[Legislative intent \(fitness of buildings for occupancy](#)

[Healthy Schools Act of 2000](#)

[Parent/Guardian notifications](#)

[Notification of pesticide use](#)

Licensed pest control operators; training requirements

[Pest control operations and agricultural chemicals](#)

[Healthy Schools Act of 2000](#)

[Scope of representation](#)

[California Public Records Act](#)

Federal References

7 USC 136-136y

Description

Use of pesticides

Management Resources References

California Dept. of Pesticide Reg. Publication	California School IPM Model Program Guidebook
California Dept. of Pesticide Reg. Publication	Healthy Schools Act Requirements for Public K-12 Schools
California Dept. of Pesticide Reg. Publication	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
Website	CSBA District and County Office of Education Legal Services
Website	California Department of Pesticide Regulation, School IPM
Website	U.S. Environmental Protection Agency, Integrated Pest Management at Schools
Website	California Department of Education

Description**Cross References**

0450	Comprehensive Safety Plan
0450	Comprehensive Safety Plan
1312.4	Williams Uniform Complaint Procedures
1312.4-E(1)	Williams Uniform Complaint Procedures
1312.4-E(2)	Williams Uniform Complaint Procedures
1340	Access To District Records
1340	Access To District Records
3000	Concepts And Roles
3514	Environmental Safety
3514	Environmental Safety
3514.1	Hazardous Substances
3514.1	Hazardous Substances
3516	Emergencies And Disaster Preparedness Plan
3516	Emergencies And Disaster Preparedness Plan
3517	Facilities Inspection
3517-E(1)	Facilities Inspection
3580	District Records
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4112.9	Employee Notifications
4212.9	Employee Notifications
4231	Staff Development
4312.9	Employee Notifications
5145.6	Parent/Guardian Notifications
5145.6-E(1)	Parent/Guardian Notifications

Description

Policy 3515: Campus Security

Status: ADOPTED

Original Adopted Date: 08/14/2017 | **Last Revised Date:** 09/11/2023 | **Last Reviewed Date:** 09/11/2023

The Governing Board 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. Such procedures shall be regularly reviewed to reflect changed circumstances and to assess their effectiveness in achieving safe school objectives.

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 capability on the district's surveillance equipment shall be disabled so that sounds are not recorded.

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.

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.

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References

Description

24 CCR 1010.2	Door operations
24 CCR 1010.2.8.2	Lockable doors from the inside
CA Constitution Article 1, Section 28	Right to Safe Schools
Ed. Code 17070.10-17079.30	Leroy F. Greene School Facilities Act
Ed. Code 17583	Classroom security locks; modernization projects
Ed. Code 32020	School gates; entrances for emergency vehicles
Ed. Code 32211	Threatened disruption or interference with classes
Ed. Code 32280-32289.5	School safety plans
Ed. Code 35160	Authority of governing boards
Ed. Code 35160.1	Broad authority of school districts
Ed. Code 35266	Reporting of cyber attacks
Ed. Code 38000-38005	Security departments
Ed. Code 49050-49051	Searches by school employees
Ed. Code 49060-49079	Student records
Ed. Code 49390-49395	Homicide threats
Gov. Code 11549.3	Independent security assessment

State References

Pen. Code 469
 Pen. Code 626-626.11

Federal References

20 USC 1232g
 34 CFR 99.3
 6 USC 665k

Management Resources References

Attorney General Opinion
 Attorney General Opinion
 California Department of Education Publication
 Court Decision
 Court Decision
 National Institute of Justice Publication
 US DOE Publication
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Description

[Unauthorized making, duplicating or possession of key to public building](#)
[Weapons on school grounds and other school crimes](#)

Description

[Family Educational Rights and Privacy Act \(FERPA\) of 1974](#)
[Definition of education records](#)
[Federal Clearinghouse on School Safety Evidence-Based Practices](#)

Description

75 Ops.Cal.Atty.Gen. 155 (1992)
 83 Ops.Cal.Atty.Gen. 257 (2000)
 Safe Schools: A Planning Guide for Action Workbook, 2002
 Brannum v. Overton County School Board (2008) 516 F. 3d 489
 New Jersey v. T.L.O. (1985) 469 U.S. 325
 The Appropriate and Effective Use of Security Technologies in U.S. Schools: A Guide for Schools and Law Enforcement Agencies, 1999
 FAQs on Photos and Videos under FERPA
[California Military Department](#)
[U.S. Department of Homeland Security, Fusion Centers](#)
[California State Threat Assessment System](#)
[CSBA District and County Office of Education Legal Services](#)
[U.S. Department of Education, Protecting Student Privacy](#)
[National Institute of Justice](#)
[National School Safety Center](#)
[California Department of Education, Safe Schools](#)
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Description

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[Recovery For Property Loss Or Damage](#)
[Recovery For Property Loss Or Damage](#)

Cross References	Description
3515.5	Sex Offender Notification
3515.5	Sex Offender Notification
3515.7	Firearms On School Grounds
3516	Emergencies And Disaster Preparedness Plan
3516	Emergencies And Disaster Preparedness Plan
3516.2	Bomb Threats
3530	Risk Management/Insurance
3530	Risk Management/Insurance
4119.1	Civil And Legal Rights
4131	Staff Development
4158	Employee Security
4158	Employee Security
4219.1	Civil And Legal Rights
4231	Staff Development
4258	Employee Security
4258	Employee Security
4319.1	Civil And Legal Rights
4331	Staff Development
4358	Employee Security
4358	Employee Security
5112.5	Open/Closed Campus
5116.2	Involuntary Student Transfers
5125	Student Records
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5125.1	Release Of Directory Information
5125.1	Release Of Directory Information
5125.1-E(1)	Release Of Directory Information
5131.1	Bus Conduct
5131.1	Bus Conduct
5131.2	Bullying
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5131.5	Vandalism And Graffiti
5131.7	Weapons And Dangerous Instruments
5131.7	Weapons And Dangerous Instruments
5137	Positive School Climate
5138	Conflict Resolution/Peer Mediation
5141.52	Suicide Prevention
5141.52	Suicide Prevention
5142	Safety
5142	Safety

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Description[Discipline](#)[Discipline](#)[Suspension And Expulsion/Due Process](#)[Suspension And Expulsion/Due Process](#)[Search And Seizure](#)[Search And Seizure](#)[Hate-Motivated Behavior](#)[Service Learning/Community Service Classes](#)[Guidance/Counseling Services](#)[Evaluating Existing Buildings](#)[Closed Session](#)[Closed Session](#)[Closed Session](#)

Regulation 3515: Campus Security

Status: ADOPTED

Original Adopted Date: 08/14/2017 | **Last Revised Date:** 09/11/2023 | **Last Reviewed Date:** 09/11/2023

The Superintendent or designee shall ensure that the district's campus security plan includes strategies to:

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

These strategies include a risk management analysis of the 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 strategies may include requiring visitor registration, staff and student identification tags, and patrolling of places used for congregating and loitering.

3. Discourage vandalism and graffiti

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

4. Control access to keys and other school inventory

5. Detect and intervene with school crime

These strategies may include the creation of a school watch program, an anonymous crime reporting system, analysis of school crime incidents, and collaboration with local law enforcement agencies, including providing for law enforcement presence.

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

Keys

All keys used in the school shall be the responsibility of the Site Administrator 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 Site Administrator or designee shall create a key control system with a record of each key assigned and room(s) or building(s) which the key opens.

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 Site Administrator or designee and shall pay for a replacement key.

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References

24 CCR 1010.2

24 CCR 1010.2.8.2

CA Constitution Article 1, Section 28

Ed. Code 17070.10-17079.30

Ed. Code 17583

Ed. Code 32020

Description

Door operations

Lockable doors from the inside

[Right to Safe Schools](#)

[Leroy F. Greene School Facilities Act](#)

[Classroom security locks; modernization projects](#)

[School gates; entrances for emergency vehicles](#)

State References

Ed. Code 32211
 Ed. Code 32280-32289.5
 Ed. Code 35160
 Ed. Code 35160.1
 Ed. Code 35266
 Ed. Code 38000-38005
 Ed. Code 49050-49051
 Ed. Code 49060-49079
 Ed. Code 49390-49395
 Gov. Code 11549.3
 Pen. Code 469
 Pen. Code 626-626.11

Description

[Threatened disruption or interference with classes](#)
[School safety plans](#)
[Authority of governing boards](#)
[Broad authority of school districts](#)
[Reporting of cyber attacks](#)
[Security departments](#)
[Searches by school employees](#)
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[Independent security assessment](#)
[Unauthorized making, duplicating or possession of key to public building](#)
[Weapons on school grounds and other school crimes](#)

Federal References

20 USC 1232g
 34 CFR 99.3
 6 USC 665k

Description

[Family Educational Rights and Privacy Act \(FERPA\) of 1974](#)
[Definition of education records](#)
[Federal Clearinghouse on School Safety Evidence-Based Practices](#)

Management Resources References

Attorney General Opinion
 Attorney General Opinion
 California Department of Education Publication
 Court Decision
 Court Decision
 National Institute of Justice Publication
 US DOE Publication
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Description

75 Ops.Cal.Atty.Gen. 155 (1992)
 83 Ops.Cal.Atty.Gen. 257 (2000)
 Safe Schools: A Planning Guide for Action Workbook, 2002
 Brannum v. Overton County School Board (2008) 516 F. 3d 489
 New Jersey v. T.L.O. (1985) 469 U.S. 325
 The Appropriate and Effective Use of Security Technologies in U.S. Schools: A Guide for Schools and Law Enforcement Agencies, 1999
 FAQs on Photos and Videos under FERPA
[California Military Department](#)
[U.S. Department of Homeland Security, Fusion Centers](#)
[California State Threat Assessment System](#)
[CSBA District and County Office of Education Legal Services](#)
[U.S. Department of Education, Protecting Student Privacy](#)
[National Institute of Justice](#)
[National School Safety Center](#)
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1113-E(1)	District And School Websites
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3515.5	Sex Offender Notification
3515.5	Sex Offender Notification
3515.7	Firearms On School Grounds
3516	Emergencies And Disaster Preparedness Plan
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3530	Risk Management/Insurance
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4119.1	Civil And Legal Rights
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5116.2	Involuntary Student Transfers
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5125.1	Release Of Directory Information
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5131.1	Bus Conduct
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5131.2	Bullying

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Description

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[Vandalism And Graffiti](#)
[Weapons And Dangerous Instruments](#)
[Weapons And Dangerous Instruments](#)
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Policy 3515.2: Disruptions

Status: ADOPTED

Original Adopted Date: 08/14/2017 | **Last Revised Date:** 09/11/2023 | **Last Reviewed Date:** 09/11/2023

The Governing Board 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 the school 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.

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.

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.

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

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References

Description

Ed. Code 32210	Willful disturbance of public school or meeting
Ed. Code 32211	Threatened disruption or interference with classes
Ed. Code 35160	Authority of governing boards
Ed. Code 44810	Willful interference with classroom conduct
Ed. Code 44811	Disruption of classwork or extracurricular activities
Ed. Code 48902	Mandatory notification of law enforcement authorities
Pen. Code 12556	Imitation firearms
Pen. Code 243.5	Assault or battery on school property
Pen. Code 30310	Prohibition against ammunition on school grounds
Pen. Code 415.5	Disturbance of peace of school
Pen. Code 626-626.11	Weapons on school grounds and other school crimes
Pen. Code 626.7	Failure to leave campus or facility; wrongful return; penalties; notice; exceptions
Pen. Code 626.8	Disruptions
Pen. Code 626.81	Misdemeanor for registered sex offender to come onto school grounds
Pen. Code 626.85	Misdemeanor for specified drug offender presence on school grounds
Pen. Code 626.9	Gun-Free School Zone Act of 1995
Pen. Code 627-627.10	Access to school premises
Pen. Code 653b	Loitering about schools or public places

Federal References

20 USC 7961

Management Resources References

Attorney General Opinion

Court Decision

Court Decision

Court Decision

Court Decision

U.S. Department of Education Publication

Website

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Cross References

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Description

[Gun-Free Schools Act](#)

Description

79 Ops.Cal.Atty.Gen. 58 (1996)

In Re Jimi A. (1989) 209 Cal.App.3d 482

In Re Joseph F. (2000) 85 Cal.App.4th 975

In Re Oscar R. (1984) 161 Cal.App.3d 770

Reeves v. Rocklin Unified School District (2003) 109 Cal.App.4th 652

Guide for Developing High-Quality School Emergency Operations Plans, 2013

[CSBA District and County Office of Education Legal Services](#)

[U.S. Department of Education - Education for Homeless Children and Youths Grants for State and Local Activities](#)

[California Department of Education, Safe Schools](#)

[CSBA](#)

Description

[Comprehensive Safety Plan](#)

[Comprehensive Safety Plan](#)

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[Volunteer Assistance](#)

[Volunteer Assistance](#)

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[Use Of School Facilities](#)

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[Tobacco-Free Schools](#)

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[Drug And Alcohol Free Schools](#)

[Campus Security](#)

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[Unmanned Aircraft Systems \(Drones\)](#)

[Sex Offender Notification](#)

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[Firearms On School Grounds](#)

[Emergencies And Disaster Preparedness Plan](#)

[Emergencies And Disaster Preparedness Plan](#)

[Transportation Safety And Emergencies](#)

[Dismissal/Suspension/Disciplinary Action](#)

Cross References

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Description[Professional Standards](#)[Professional Standards](#)[Staff Development](#)[Employee Security](#)[Employee Security](#)[Professional Standards](#)[Professional Standards](#)[Staff Development](#)[Employee Security](#)[Employee Security](#)[Professional Standards](#)[Professional Standards](#)[Staff Development](#)[Employee Security](#)[Employee Security](#)[Student Disturbances](#)[Student Disturbances](#)[Classroom Interruptions](#)[Athletic Competition](#)[Athletic Competition](#)[Student Organizations And Equal Access](#)[Student Organizations And Equal Access](#)

Regulation 3515.2: Disruptions

Status: ADOPTED

Original Adopted Date: 08/14/2017 | **Last Revised Date:** 09/11/2023 | **Last Reviewed Date:** 09/11/2023

The Site Administrator 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 Site Administrator 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 the school or reenters the 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 Site Administrator or designee to be on school grounds. (Penal Code 626.81)
5. The person is a specified drug offender, as defined in Penal Code 626.85, and does not have written permission from the Site Administrator 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)

The Site Administrator 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 Site Administrator or designee's prior written permission. (Penal Code 626.7, 626.85)

When directing any person to leave school premises, the Site Administrator 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

Whenever an individual is causing or threatening to cause a disruption at any district facility other than the 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 Site Administrator 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 Governing Board. 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)

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References

	Description
Ed. Code 32210	Willful disturbance of public school or meeting
Ed. Code 32211	Threatened disruption or interference with classes
Ed. Code 35160	Authority of governing boards
Ed. Code 44810	Willful interference with classroom conduct
Ed. Code 44811	Disruption of classwork or extracurricular activities
Ed. Code 48902	Mandatory notification of law enforcement authorities
Pen. Code 12556	Imitation firearms
Pen. Code 243.5	Assault or battery on school property
Pen. Code 30310	Prohibition against ammunition on school grounds
Pen. Code 415.5	Disturbance of peace of school
Pen. Code 626-626.11	Weapons on school grounds and other school crimes
Pen. Code 626.7	Failure to leave campus or facility; wrongful return; penalties; notice; exceptions
Pen. Code 626.8	Disruptions
Pen. Code 626.81	Misdemeanor for registered sex offender to come onto school grounds
Pen. Code 626.85	Misdemeanor for specified drug offender presence on school grounds
Pen. Code 626.9	Gun-Free School Zone Act of 1995
Pen. Code 627-627.10	Access to school premises
Pen. Code 653b	Loitering about schools or public places

Federal References

	Description
20 USC 7961	Gun-Free Schools Act

Management Resources References

	Description
Attorney General Opinion	79 Ops.Cal.Atty.Gen. 58 (1996)
Court Decision	In Re Jimi A. (1989) 209 Cal.App.3d 482
Court Decision	In Re Joseph F. (2000) 85 Cal.App.4th 975
Court Decision	In Re Oscar R. (1984) 161 Cal.App.3d 770
Court Decision	Reeves v. Rocklin Unified School District (2003) 109 Cal.App.4th 652
U.S. Department of Education Publication	Guide for Developing High-Quality School Emergency Operations Plans, 2013
Website	CSBA District and County Office of Education Legal Services
Website	U.S. Department of Education - Education for Homeless Children and Youths Grants for State and Local Activities
Website	California Department of Education, Safe Schools
Website	CSBA

Cross References**Description**

0450	Comprehensive Safety Plan
0450	Comprehensive Safety Plan
1112	Media Relations
1240	Volunteer Assistance
1240	Volunteer Assistance
1250	Visitors/Outsiders
1250	Visitors/Outsiders
1313	Civility
1330	Use Of School Facilities
1330	Use Of School Facilities
1330-E(1)	Use Of School Facilities
1330.1	Joint Use Agreements
3513.3	Tobacco-Free Schools
3513.3	Tobacco-Free Schools
3513.4	Drug And Alcohol Free Schools
3515	Campus Security
3515	Campus Security
3515.21	Unmanned Aircraft Systems (Drones)
3515.5	Sex Offender Notification
3515.5	Sex Offender Notification
3515.7	Firearms On School Grounds
3516	Emergencies And Disaster Preparedness Plan
3516	Emergencies And Disaster Preparedness Plan
3543	Transportation Safety And Emergencies
4118	Dismissal/Suspension/Disciplinary Action
4119.21	Professional Standards
4119.21-E(1)	Professional Standards
4131	Staff Development
4158	Employee Security
4158	Employee Security
4219.21	Professional Standards
4219.21-E(1)	Professional Standards
4231	Staff Development
4258	Employee Security
4258	Employee Security
4319.21	Professional Standards
4319.21-E(1)	Professional Standards
4331	Staff Development
4358	Employee Security
4358	Employee Security

Cross References

5131.4

5131.4

6116

6145.2

6145.2

6145.5

6145.5

Description[Student Disturbances](#)[Student Disturbances](#)[Classroom Interruptions](#)[Athletic Competition](#)[Athletic Competition](#)[Student Organizations And Equal Access](#)[Student Organizations And Equal Access](#)

Policy 3515.21: Unmanned Aircraft Systems (Drones)

Status: ADOPTED

Original Adopted Date: 09/11/2023 | **Last Reviewed Date:** 09/11/2023

The Governing Board 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.

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. (49 USC 40101 Note; 14 CFR 107.3)

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. Students shall only operate a drone 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.

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

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

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

Federal References

14 CFR 107.1-107.205

Description

[Small unmanned aircraft systems](#)

14 CFR 107.12

[Requirement for a remote pilot certificate with a small UAS rating](#)

14 CFR 107.15-107.51

Operating rules; safety

14 CFR 107.53-107.79

Remote pilot certification

49 USC 40101

[Note Unmanned aircraft systems](#)

Management Resources References

Description

Fed. Aviation Admin. Pub.

Educational Use of Unmanned Aircraft Systems (UAS), Memorandum, May 4, 2016

Website

[CSBA District and County Office of Education Legal Services](#)

Website

[Federal Aviation Administration](#)

Cross References

Description

1330

[Use Of School Facilities](#)

1330

[Use Of School Facilities](#)

1330-E(1)

[Use Of School Facilities](#)

1330.1

[Joint Use Agreements](#)

3515.2

[Disruptions](#)

3515.2

[Disruptions](#)

3530

[Risk Management/Insurance](#)

3530

[Risk Management/Insurance](#)

4118

[Dismissal/Suspension/Disciplinary Action](#)

5142

[Safety](#)

5142

[Safety](#)

5144

[Discipline](#)

5144

[Discipline](#)

5144.1

[Suspension And Expulsion/Due Process](#)

5144.1

[Suspension And Expulsion/Due Process](#)

Regulation 3515.4: Recovery For Property Loss Or Damage

Status: ADOPTED

Original Adopted Date: 08/14/2017 | **Last Revised Date:** 09/11/2023 | **Last Reviewed Date:** 09/11/2023

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.

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.

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)

In addition, the Superintendent or designee shall initiate appropriate disciplinary procedures against the student.

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References

Description

Civ. Code 1714.1	Liability of parent or guardian for act of willful misconduct by a minor
Ed. Code 19910	Libraries; malicious cutting, tearing, defacing, breaking or injuring
Ed. Code 19911	Libraries; willful detention of property
Ed. Code 44810	Willful interference with classroom conduct
Ed. Code 48904	Liability of parent or guardian; withholding of grades, diplomas, transcripts
Ed. Code 49014	Public School Fair Debt Collection Act
Gov. Code 53069.5	Reward for information
Gov. Code 53069.6	Actions to recover damages
Gov. Code 54951	Local agency; definition
Pen. Code 484	Theft defined
Pen. Code 594	Vandalism
Pen. Code 594.1	Aerosol paint and etching cream
Pen. Code 640.5	Graffiti; facilities or vehicles of governmental entity
Pen. Code 640.6	Graffiti

Management Resources References

Website	CSBA District and County Office of Education Legal Services
Website	Judicial Council of California
Website	California Department of Education
Website	CSBA

Cross References

	Description
0450	Comprehensive Safety Plan
0450	Comprehensive Safety Plan
1313	Civility
1330.1	Joint Use Agreements
3260	Fees And Charges
3512	Equipment
3512-E(1)	Equipment
3515	Campus Security
3515	Campus Security
3530	Risk Management/Insurance
3530	Risk Management/Insurance
4156.3	Employee Property Reimbursement
4158	Employee Security
4158	Employee Security
4256.3	Employee Property Reimbursement
4258	Employee Security
4258	Employee Security
4356.3	Employee Property Reimbursement
4358	Employee Security
4358	Employee Security
5125.2	Withholding Grades, Diploma Or Transcripts
5131	Conduct
5131.5	Vandalism And Graffiti
5136	Gangs
5136	Gangs
5144	Discipline
5144	Discipline
5144.1	Suspension And Expulsion/Due Process
5144.1	Suspension And Expulsion/Due Process
5145.3	Nondiscrimination/Harassment
5145.3	Nondiscrimination/Harassment
5145.7	Sex Discrimination and Sex-Based Harassment
5145.7	Sex Discrimination and Sex-Based Harassment
5145.9	Hate-Motivated Behavior

Cross References

6161.2

6173

6173

6173-E(1)

6173-E(2)

6173.1

6173.1

Description[Damaged Or Lost Instructional Materials](#)[Education For Homeless Children](#)[Education For Homeless Children](#)[Education For Homeless Children](#)[Education For Homeless Children](#)[Education For Foster Youth](#)[Education For Foster Youth](#)

Policy 3515.4: Recovery For Property Loss Or Damage

Status: ADOPTED

Original Adopted Date: 08/14/2017 | **Last Revised Date:** 09/11/2023 | **Last Reviewed Date:** 09/11/2023

The Governing Board 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.

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)

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References

Civ. Code 1714.1
Ed. Code 19910
Ed. Code 19911
Ed. Code 44810
Ed. Code 48904
Ed. Code 49014
Gov. Code 53069.5
Gov. Code 53069.6
Gov. Code 54951
Pen. Code 484
Pen. Code 594
Pen. Code 594.1
Pen. Code 640.5
Pen. Code 640.6

Description

[Liability of parent or guardian for act of willful misconduct by a minor](#)
[Libraries; malicious cutting, tearing, defacing, breaking or injuring](#)
[Libraries; willful detention of property](#)
[Willful interference with classroom conduct](#)
[Liability of parent or guardian; withholding of grades, diplomas, transcripts](#)
[Public School Fair Debt Collection Act](#)
[Reward for information](#)
[Actions to recover damages](#)
[Local agency; definition](#)
[Theft defined](#)
[Vandalism](#)
[Aerosol paint and etching cream](#)
[Graffiti; facilities or vehicles of governmental entity](#)
[Graffiti](#)

Management Resources References

Website
Website
Website
Website

Description

[CSBA District and County Office of Education Legal Services](#)
[Judicial Council of California](#)
[California Department of Education](#)
[CSBA](#)

Cross References

0450
0450
1313
1330.1
3260
3512
3512-E(1)

Description

[Comprehensive Safety Plan](#)
[Comprehensive Safety Plan](#)
[Civility](#)
[Joint Use Agreements](#)
[Fees And Charges](#)
[Equipment](#)
[Equipment](#)

Cross References**Description**

3515	Campus Security
3515	Campus Security
3530	Risk Management/Insurance
3530	Risk Management/Insurance
4156.3	Employee Property Reimbursement
4158	Employee Security
4158	Employee Security
4256.3	Employee Property Reimbursement
4258	Employee Security
4258	Employee Security
4356.3	Employee Property Reimbursement
4358	Employee Security
4358	Employee Security
5125.2	Withholding Grades, Diploma Or Transcripts
5131	Conduct
5131.5	Vandalism And Graffiti
5136	Gangs
5136	Gangs
5144	Discipline
5144	Discipline
5144.1	Suspension And Expulsion/Due Process
5144.1	Suspension And Expulsion/Due Process
5145.3	Nondiscrimination/Harassment
5145.3	Nondiscrimination/Harassment
5145.7	Sex Discrimination and Sex-Based Harassment
5145.7	Sex Discrimination and Sex-Based Harassment
5145.9	Hate-Motivated Behavior
6161.2	Damaged Or Lost Instructional Materials
6173	Education For Homeless Children
6173	Education For Homeless Children
6173-E(1)	Education For Homeless Children
6173-E(2)	Education For Homeless Children
6173.1	Education For Foster Youth
6173.1	Education For Foster Youth

Regulation 3515.5: Sex Offender Notification

Status: ADOPTED

Original Adopted Date: 08/14/2017 | **Last Revised Date:** 09/11/2023 | **Last Reviewed Date:** 09/11/2023

The Superintendent or designee may 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 may appoint a staff member to serve as liaison with law enforcement regarding these matters.
2. The Superintendent or district liaison may, 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. 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 may 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 may, 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:
 - a. Teachers and classified personnel, including staff responsible for visitor registration
 - b. Site Administrators and staff at adjacent schools, as appropriate
 - c. Security staff
 - d. Bus drivers
 - e. 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.

Whenever the Site Administrator 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)

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References

	Description
Ed. Code 32211	Threatened disruption or interference with classes
Ed. Code 35160	Authority of governing boards
Ed. Code 35160.1	Broad authority of school districts
Ed. Code 48981	Parental notifications
Pen. Code 290	Registration of sex offenders
Pen. Code 290.4	Information re: sex offenders
Pen. Code 290.45	Sex offenders; authority of peace officers to provide information
Pen. Code 290.46	Making information about certain sex offenders available via the Internet
Pen. Code 290.9	Addresses of persons who violate duty to register
Pen. Code 290.95	Disclosure by person required to register as sex offender
Pen. Code 3003	Parole; geographic placement
Pen. Code 626.8	Disruptions
Pen. Code 626.81	Sex offender; permission to volunteer at school
Pen. Code 830.32	School district and community college police

Federal References

	Description
42 USC 14071	Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Program Act

Management Resources References

	Description
Attorney General Opinion	82 Ops.Cal.Atty.Gen. 20 (1999)
Website	CSBA District and County Office of Education Legal Services
Website	California Department of Justice, Megan's Law

Cross References**Description**

0450	Comprehensive Safety Plan
0450	Comprehensive Safety Plan
1240	Volunteer Assistance
1240	Volunteer Assistance
1250	Visitors/Outsiders
1250	Visitors/Outsiders
1400	Relations Between Other Governmental Agencies And The Schools
3515	Campus Security
3515	Campus Security
3515.2	Disruptions
3515.2	Disruptions
4112	Appointment And Conditions Of Employment
4212	Appointment And Conditions Of Employment
4231	Staff Development
5142	Safety
5142	Safety
5145.6	Parent/Guardian Notifications
5145.6-E(1)	Parent/Guardian Notifications

Policy 3515.5: Sex Offender Notification

Status: ADOPTED

Original Adopted Date: 08/14/2017 | **Last Revised Date:** 09/11/2023 | **Last Reviewed Date:** 09/11/2023

In order to protect students while they are traveling to and from school, or attending school or a school-related activity, the Governing Board 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.

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References

	Description
Ed. Code 32211	Threatened disruption or interference with classes
Ed. Code 35160	Authority of governing boards
Ed. Code 35160.1	Broad authority of school districts
Ed. Code 48981	Parental notifications
Pen. Code 290	Registration of sex offenders
Pen. Code 290.4	Information re: sex offenders
Pen. Code 290.45	Sex offenders; authority of peace officers to provide information
Pen. Code 290.46	Making information about certain sex offenders available via the Internet
Pen. Code 290.9	Addresses of persons who violate duty to register
Pen. Code 290.95	Disclosure by person required to register as sex offender
Pen. Code 3003	Parole; geographic placement
Pen. Code 626.8	Disruptions
Pen. Code 626.81	Sex offender; permission to volunteer at school
Pen. Code 830.32	School district and community college police

Federal References

	Description
42 USC 14071	Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Program Act

Management Resources References

	Description
Attorney General Opinion	82 Ops.Cal.Atty.Gen. 20 (1999)
Website	CSBA District and County Office of Education Legal Services
Website	California Department of Justice, Megan's Law

Cross References

	Description
0450	Comprehensive Safety Plan
0450	Comprehensive Safety Plan

Cross References

1240

1240

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1250

1400

3515

3515

3515.2

3515.2

4112

4212

4231

5142

5142

5145.6

5145.6-E(1)

Description[Volunteer Assistance](#)[Volunteer Assistance](#)[Visitors/Outsiders](#)[Visitors/Outsiders](#)[Relations Between Other Governmental Agencies And The Schools](#)[Campus Security](#)[Campus Security](#)[Disruptions](#)[Disruptions](#)[Appointment And Conditions Of Employment](#)[Appointment And Conditions Of Employment](#)[Staff Development](#)[Safety](#)[Safety](#)[Parent/Guardian Notifications](#)[Parent/Guardian Notifications](#)

Regulation 3515.6: Criminal Background Checks For Contractors

Status: ADOPTED

Original Adopted Date: 08/14/2017 | **Last Revised Date:** 09/11/2023 | **Last Reviewed Date:** 09/11/2023

Except 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, any entity contracting with the district for services that may require the entity's employees to interact with students, outside of the immediate supervision and control of parents/guardians or school staff, shall certify to the district that each of its employees who may interact with students has a valid criminal records summary as described in Education Code 44237 and that neither the entity nor any of those employees has been convicted of a violent or serious felony as defined in Education Code 45122.1. Such contracting entity shall also be required to immediately provide the district with any subsequent arrest and conviction information received pursuant to the subsequent arrest service. (Education Code 44237, 45125.1)

On a case-by-case basis, the Superintendent or designee may require any entity with which the district has a contract to comply with these same requirements. (Education Code 45125.1)

For an individual who is operating as the sole proprietor of an entity, the Superintendent or designee shall treat the individual as an employee of the entity and shall prepare and submit the individual's fingerprints to the Department of Justice (DOJ). (Education Code 45125.1)

Any contracting entity's employee who has been convicted of a violent or serious felony, as defined in Education Code 45122.1, shall not be permitted to interact with students unless a certificate of rehabilitation and pardon pursuant to Penal Code 4852.01-4852.22 has been submitted to the Superintendent or designee. (Education Code 45125.1)

The Superintendent or designee may determine that criminal background checks will not be required if the contract is for the construction, reconstruction, rehabilitation, or repair of a school facility and the contracting entity is providing services in an emergency or exceptional situation, or the district uses one or more of the following methods to ensure student safety: (Education Code 45125.2)

1. The installation of a physical barrier at the worksite to limit contact with students
2. Continual supervision and monitoring of all employees of the entity by an employee of the entity whom DOJ has ascertained has not been convicted of a violent or serious felony
3. Surveillance of employees of the entity by school personnel

The Superintendent or designee may take appropriate steps to protect the safety of any students who may come in contact with employees of contracting entities, including, but not limited to, ensuring that the employees of such entities perform work during nonschool hours, do not work alone when students are present, have limited access to school grounds, are provided with a visible means of identification, and/or that there are regular patrols or supervision of the site from district security or personnel.

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References

Ed. Code 41302.5

Ed. Code 44237

Ed. Code 45122.1

Ed. Code 45125.1

Ed. Code 45125.2

Pen. Code 1192.7

Pen. Code 4852.01-4852.22

Pen. Code 667.5

Description

[School districts; definition](#)

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[Classified employees; conviction of a violent or serious felony](#)

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[Criminal background checks for construction](#)

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[Procedure for restoration of rights and application for pardon](#)

[Prior prison terms; enhancement of prison terms](#)

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Policy 3515.7: Firearms On School Grounds

Status: ADOPTED

Original Adopted Date: 08/14/2017 | **Last Revised Date:** 09/11/2023 | **Last Reviewed Date:** 09/11/2023

The Governing Board 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.

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References

Ed. Code 32280-32289.5

Ed. Code 38001.5

Pen. Code 16150

Pen. Code 16520

Pen. Code 26150-26225

Pen. Code 30310

Pen. Code 626.9

Pen. Code 830.32

Description

[School safety plans](#)

[Training for security officers](#)

[Definition of ammunition](#)

[Definition of firearm](#)

[Concealed weapons permit](#)

[Prohibition against ammunition on school grounds](#)

[Gun-Free School Zone Act of 1995](#)

[School district and community college police](#)

Federal References

18 USC 921

18 USC 922

18 USC 923

20 USC 7961

Description

[Definitions: firearms and ammunition](#)

[Firearms; unlawful acts](#)

[Firearm licensing](#)

[Gun-Free Schools Act](#)

Management Resources References

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Website

Description

[CSBA District and County Office of Education Legal Services](#)

[Office of the Attorney General](#)

Cross References

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[Comprehensive Safety Plan](#)

[Comprehensive Safety Plan](#)

[Media Relations](#)

[District And School Websites](#)

[District And School Websites](#)

[District And School Websites](#)

[District-Sponsored Social Media](#)

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1114	District-Sponsored Social Media
1313	Civility
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3515.2	Disruptions
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3516	Emergencies And Disaster Preparedness Plan
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4119.21	Professional Standards
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5131.7	Weapons And Dangerous Instruments

Regulation 3516: Emergencies And Disaster Preparedness Plan

Status: ADOPTED

Original Adopted Date: 08/14/2017 | **Last Revised Date:** 09/11/2023 | **Last Reviewed Date:** 09/11/2023

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 school grounds which endangers students and staff
2. Earthquake,
3. Attack or disturbance, or threat of attack or disturbance, by an individual or group
4. Bomb threat or actual detonation
5. Medical emergencies and quarantines, such as a pandemic influenza outbreak

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
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
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 principal 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
 - 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
 - e. Provision of a first aid kit to each classroom
 - f. Arrangements for students and staff with special needs

- 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
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
 6. Communication among staff, parents/guardians, the Governing Board, other governmental agencies, and the media during an emergency, including:
 - a. Identification of spokesperson(s)
 - b. Development and testing of communication platforms, such as hotlines, telephone trees, web sites, social media, and electronic notifications
 - 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
 8. Steps to be taken after the disaster or emergency, including:
 - a. Inspection of school facilities
 - b. Provision of mental health services for students and staff, as needed

The Superintendent or designee shall assemble key information that would be needed in an emergency. Such information may include, but is not limited to, a list of individuals and organizations who should be contacted for assistance in an emergency, current layouts and blueprints of school buildings, aerial photos of the campus, maps of evacuation routes and alternate routes, a roster of employees with their work locations, student photographs and their emergency contact information, a clearly labeled set of keys, location of first aid supplies, and procedures and locations for turning off fire alarms, sprinklers, utilities, and other systems. Such information shall be stored in a box in a secure, easily accessible location, with a duplicate kept at another location in case the primary location is inaccessible.

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References

19 CCR 2400-2450

5 CCR 550

5 CCR 560

CA Constitution Article 20, Section 3

Civ. Code 1714.5

Ed. Code 32001

Description

Standardized Emergency Management System

[Fire drills](#)

[Civil defense and disaster preparedness plans](#)

[Oath or affirmation](#)

[Release from liability for disaster service workers and shelters](#)

[Fire alarms and drills](#)

State References

Ed. Code 32040
 Ed. Code 32280-32289.5
 Ed. Code 32290
 Ed. Code 39834
 Ed. Code 46390-46392
 Ed. Code 49505
 Gov. Code 11549
 Gov. Code 11549.3
 Gov. Code 3100-3109
 Gov. Code 8586.5
 Gov. Code 8607
 Public Utilities Code 2872

Description

[Duty to equip school with first aid kit](#)
[School safety plans](#)
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[Cybersecurity assessment](#)
[Office of information security](#)
[Oath or affirmation of allegiance](#)
[California Cybersecurity Integration Center](#)
[Standardized Emergency Management System](#)
[Automatic dialing](#)

Federal References

20 USC 1400-1482
 29 USC 794
 42 USC 12101-12213

Description

[Individuals with Disabilities Education Act](#)
[Rehabilitation Act of 1973; Section 504](#)
[Americans with Disabilities Act](#)

Management Resources References

Cal OES Publication
 Cal OES Publication
 Cal OES Publication
 Cal OES Publication
 California Department of Education Publication
 Federal Emergency Management Agency Publication
 U.S. Department of Education Publication
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 Website

Description

California Emergency Management for Schools: A Guide for Districts and Sites
 School Emergency Response: Using SEMS at Districts and Sites, June 1998
 State of California Emergency Plan, 2017
 Active Shooter Awareness Guidance, February 2018
 Crisis Response Box, 2000
 National Incident Management System, 3rd ed., October 2017
 Guide for Developing High-Quality School Emergency Operations Plans, 2013
[California Public Utilities Commission](#)
[California Office of Emergency Services: School Emergency Planning & Safety](#)
[California Department of Education, Comprehensive School Safety Plans](#)
[California Cybersecurity Integration Center](#)
[CSBA District and County Office of Education Legal Services](#)
[California Department of Education, Crisis Preparedness](#)
[Centers for Disease Control and Prevention](#)
[U.S. Department of Education, Emergency Planning](#)
[U.S. Department of Homeland Security](#)
[Federal Emergency Management Agency](#)
[California Governor's Office of Emergency Services](#)
[California Seismic Safety Commission](#)

Management Resources References

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Description[American Red Cross](#)[California Attorney General's Office](#)[CSBA](#)**Cross References**

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Description[Comprehensive Plans](#)[School Plans/Site Councils](#)[School Plans/Site Councils](#)[Comprehensive Safety Plan](#)[Comprehensive Safety Plan](#)[Communication With The Public](#)[Media Relations](#)[District And School Websites](#)[District And School Websites](#)[District And School Websites](#)[District-Sponsored Social Media](#)[District-Sponsored Social Media](#)[Citizen Advisory Committees](#)[Citizen Advisory Committees](#)[Civility](#)[Use Of School Facilities](#)[Use Of School Facilities](#)[Use Of School Facilities](#)[Joint Use Agreements](#)[Access To District Records](#)[Access To District Records](#)[Relations Between Other Governmental Agencies And The Schools](#)[Concepts And Roles](#)[Tobacco-Free Schools](#)[Tobacco-Free Schools](#)[Environmental Safety](#)[Environmental Safety](#)[Integrated Pest Management](#)[Campus Security](#)[Campus Security](#)[Disruptions](#)[Disruptions](#)[Firearms On School Grounds](#)[Fire Drills And Fires](#)[Bomb Threats](#)

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Policy 3516: Emergencies And Disaster Preparedness Plan

Status: ADOPTED

Original Adopted Date: 08/14/2017 | **Last Revised Date:** 09/11/2023 | **Last Reviewed Date:** 09/11/2023

The Governing Board 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)

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

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References

Description

19 CCR 2400-2450

Standardized Emergency Management System

5 CCR 550

[Fire drills](#)

5 CCR 560

[Civil defense and disaster preparedness plans](#)

CA Constitution Article 20, Section 3

[Oath or affirmation](#)

Civ. Code 1714.5

[Release from liability for disaster service workers and shelters](#)

Ed. Code 32001

[Fire alarms and drills](#)

Ed. Code 32040

[Duty to equip school with first aid kit](#)

Ed. Code 32280-32289.5

[School safety plans](#)

Ed. Code 32290

[Safety devices](#)

Ed. Code 39834

[Operating overloaded bus](#)

Ed. Code 46390-46392

[Emergency average daily attendance in case of disaster](#)

Ed. Code 49505

[Natural disaster; meals for homeless students; reimbursement](#)

Gov. Code 11549

[Cybersecurity assessment](#)

Gov. Code 11549.3

[Office of information security](#)

Gov. Code 3100-3109

[Oath or affirmation of allegiance](#)

Gov. Code 8586.5

Gov. Code 8607

Public Utilities Code 2872

California Cybersecurity Integration Center
Standardized Emergency Management System
Automatic dialing

20 USC 1400-1482

29 USC 794

42 USC 12101-12213

[Individuals with Disabilities Education Act](#)
[Rehabilitation Act of 1973; Section 504](#)
[Americans with Disabilities Act](#)

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Active Shooter Awareness Guidance, February 2018

Crisis Response Box, 2000

National Incident Management System, 3rd ed., October 2017

Guide for Developing High-Quality School Emergency Operations Plans, 2013

[California Public Utilities Commission](#)

[California Office of Emergency Services: School Emergency Planning & Safety](#)

[California Department of Education, Comprehensive School Safety Plans](#)

[California Cybersecurity Integration Center](#)

[CSBA District and County Office of Education Legal Services](#)

[California Department of Education, Crisis Preparedness](#)

[Centers for Disease Control and Prevention](#)

[U.S. Department of Education, Emergency Planning](#)

[U.S. Department of Homeland Security](#)

[Federal Emergency Management Agency](#)

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3516.1	Fire Drills And Fires
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6153	School-Sponsored Trips
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Regulation 3516.1: Fire Drills And Fires

Status: ADOPTED

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Fire Drills

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

The principal or District designee shall also hold fire drills at least once a month at the elementary level, four times every school year at the intermediate level, and not less than twice every school year at the secondary 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.
7. If the fire is extensive, students shall be taken to an alternate location for protective custody until parents/guardians can pick them up or until they can be safely transported to their homes.

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References

5 CCR 550

Ed. Code 17074.50-17074.56

Ed. Code 32001

Ed. Code 32040

Description

[Fire drills](#)

[Automatic fire detection; alarm and sprinkler systems](#)

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[Duty to equip school with first aid kit](#)

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[CSBA District and County Office of Education Legal Services](#)

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[Emergencies And Disaster Preparedness Plan](#)

3516.2

[Bomb Threats](#)

Regulation 3516.2: Bomb Threats

Status: ADOPTED

Original Adopted Date: 08/14/2017 | **Last Revised Date:** 09/11/2023 | **Last Reviewed Date:** 09/11/2023

To maintain a safe and secure environment for district students and staff, the Superintendent or designee shall ensure that the district's emergency and disaster preparedness plan and/or each school's comprehensive safety plan includes procedures for managing bomb threats. Additionally, the Superintendent or designee shall regularly review current guidance regarding cybersecurity and digital media awareness and incorporate recommended practices into the district's processes and procedures related to the protection of the district's infrastructure, and the monitoring and response to suspicious and/or threatening digital media content.

Receiving Threats

Any staff member receiving a bomb threat by telephone shall try to keep the caller on the line for as long as possible in order to gather information about the location and timing of the bomb and the person(s) responsible. To the extent possible, the staff member should also take note of the caller's gender, age, any distinctive features of voice or speech, and any background noises such as music, traffic, machinery, or voices. The staff member should not hang up, even if the caller does, and copy the number and/or letters on the telephone's display, if available.

If the bomb threat is received through regular mail or in writing, the staff member who receives it should handle the letter, note, or package as minimally as possible. If the threat is received through electronic means, such as email, text messaging, or social media, the staff member should not delete the message.

Response Procedure

The following procedure shall be followed when a bomb threat is received:

1. Any employee or other school official who receives a bomb threat shall immediately call 911 and report the threat or perceived threat to law enforcement. The employee shall also report the threat to the Superintendent or designee.

If the threat is in writing, the employee shall rewrite the threat exactly as is on another sheet of paper, including the date, time and location the document was found, any conditions surrounding the discovery or delivery of the document, and the full names of any other employees who saw the threat. The employee shall secure the document and not alter it in any way. If the document is small and/or removable, the employee shall place it in a bag or envelope.

If the threat is electronic, the employee shall leave the message open, and print, photograph, or copy the message and subject line, and note the date and time of the message.

2. Any student or employee who sees a suspicious package should not touch, tamper with, or move the item, and shall immediately notify law enforcement and the Superintendent or designee.
3. The Superintendent or designee shall immediately contact law enforcement if not yet done, assess the situation, ensure the area is secured, and initiate standard evacuation procedures as specified in the emergency plan.
4. The Superintendent or designee shall turn off any two-way radio equipment which is located in a threatened building.

Law enforcement and/or fire department staff shall conduct the bomb search. No school staff, students, parents/guardians, or others on campus shall search for or handle any explosive or incendiary device.

No one shall reenter the threatened building(s) until the Superintendent or designee declares that reentry is safe based on law enforcement and/or fire department clearance.

To the extent possible, the Superintendent or designee shall maintain communications with staff, parents/guardians, the Governing Board, other governmental agencies, and the media during the period of the incident.

Following the incident, the Superintendent or designee shall provide crisis counseling for students and/or staff as needed.

Any employee or student found to have made a bomb threat shall be subject to disciplinary procedures and/or criminal prosecution.

Staff Training

The Superintendent or designee shall provide training regarding the assessment and reporting of potential threats and procedures for managing bomb threats to district and site administrators, safety personnel, teachers, and other staff members, as appropriate.

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References

Ed. Code 44810

Ed. Code 48900

Ed. Code 49390-49395

Ed. Code 51202

Pen. Code 148.1

Pen. Code 17

Pen. Code 245

Description

[Willful interference with classroom conduct](#)

[Grounds for suspension or expulsion](#)

[Homicide threats](#)

[Instruction in personal and public health and safety](#)

[False report of explosive or facsimile bomb](#)

[Felony, misdemeanor, classification of offenses](#)

[Assault with deadly weapon](#)

Federal References

6 USC 665k

Description

[Federal Clearinghouse on School Safety Evidence-Based Practices](#)

Management Resources References

U.S. Dept. of Homeland Security Publication

U.S. Dept. of Homeland Security Publication

Website

Website

Website

Website

Website

Description

Bomb Threat Guidance

Bomb Threat Checklist

[California State Threat Assessment System](#)

[CSBA District and County Office of Education Legal Services](#)

[California Department of Education, Safe Schools](#)

[U.S. Department of Homeland Security](#)

[CSBA](#)

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[Fire Drills And Fires](#)

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[Employee Use Of Technology](#)

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Regulation 3516.3: Earthquake Emergency Procedure System

Status: ADOPTED

Original Adopted Date: 08/14/2017 | **Last Revised Date:** 09/11/2023 | **Last Reviewed Date:** 09/11/2023

Earthquake Preparedness

Earthquake emergency procedures shall be established in every school building having an occupant capacity of 50 or more students, or more than one classroom, and shall be incorporated into the comprehensive safety plan. (Education Code 32282)

Earthquake emergency procedures shall be aligned with the Standardized Emergency Management System and the National Incident Management System. (Government Code 8607; 19 CCR 2400-2450)

The Superintendent or designee may work with the California Governor's Office of Emergency Services and the Seismic Safety Commission to develop and establish the earthquake emergency procedures. (Education Code 32282)

Earthquake emergency procedures shall outline the roles and responsibilities of students and staff during and after an earthquake.

Earthquake emergency procedures shall include, but not be limited to, all of the following: (Education Code 32282)

1. A school building disaster plan, ready for implementation at any time, for maintaining the safety and care of students and staff
2. A drop procedure whereby each student and staff member takes cover under a table or desk, dropping to his/her knees, with the head protected by the arms and the back to the windows

Drop procedures shall be practiced at least once each school quarter.

3. Protective measures to be taken before, during, and following an earthquake
4. A program to ensure that students and staff are aware of and properly trained in the earthquake emergency procedure system

Staff and students shall be informed of the dangers to expect in an earthquake and procedures to be followed. Students shall be instructed to remain silent and follow directions given by staff in such an emergency. Staff and students also shall be taught safety precautions to take if they are in the open or on the way to or from school when an earthquake occurs.

Earthquake emergency procedures shall designate primary and alternative locations outside of buildings, which may include areas off campus if necessary, where individuals on a school site will assemble following evacuation. In designating such areas, the Superintendent or designee shall consider potential post-earthquake hazards outside school buildings including, but not limited to, power lines, trees, covered walkways, chain link fences that may be an electric shock hazard, and areas near buildings that may have debris.

Earthquake emergency procedures also shall outline primary and alternative evacuation routes that avoid areas with potential hazards to the extent possible. The needs of students with disabilities shall be considered when planning evacuation routes.

The Superintendent or designee shall identify at least one individual within each building to determine if an evacuation is necessary, the best evacuation location, and the best route to that location when an earthquake occurs.

The Superintendent or designee shall identify potential earthquake hazards in classrooms and other district facilities, including, but not limited to, areas where the main gas supply or electric current enters the building, suspended ceilings, pendant light fixtures, large windows, stairwells, science laboratories, storage areas for hazardous materials, shop areas, and unsecured furniture and equipment. To the extent possible, dangers presented by such potential hazards shall be minimized by securing equipment and furnishings and removing heavy objects from high shelves.

Earthquake While Indoors at School

When an earthquake occurs, the following actions shall be taken inside buildings and classrooms:

1. Staff shall have students perform the drop procedure. Students should stay in the drop position until the

emergency is over or until further instructions are given.

2. In laboratories, burners should be extinguished, if possible, before taking cover.
3. As soon as possible, staff shall move students away from windows, shelves, and heavy objects or furniture that may fall.
4. After the earthquake, the Site Administrator or designee shall determine whether planned evacuation routes and assembly locations are safe and shall communicate with teachers and other staff.
5. When directed by the Site Administrator or designee to evacuate, or if classrooms or other facilities present dangerous hazards that require immediate evacuation, staff shall account for all students under their supervision and shall evacuate the building in an orderly manner.

Earthquake While Outdoors on School Grounds

When an earthquake occurs, the following actions shall be taken by staff or other persons in authority who are outdoors on school grounds:

1. Staff shall direct students to walk away from buildings, trees, overhead power lines, power poles, or exposed wires.
2. Staff shall have students perform the drop procedure.
3. Staff shall have students stay in the open until the earthquake is over or until further directions are given.

Earthquake While on the Bus

If students are on the school bus when an earthquake occurs, the bus driver shall take proper precautions to ensure student safety, which may include pulling over to the side of the road or driving to a location away from outside hazards, if possible. Following the earthquake, the driver shall contact the Superintendent or designee for instructions before proceeding on the route or, if such contact is not possible, drive to an evacuation or assembly location.

Subsequent Emergency Procedures

After an earthquake episode has subsided, the following actions shall be taken:

1. Staff shall extinguish small fires if safe.
2. Staff shall provide first aid to any injured students, take roll, and report missing students to the Site Administrator or designee.
3. Staff and students shall refrain from lighting any stoves or burners or operating any electrical switches until the area is declared safe.
4. All buildings shall be inspected for water and gas leaks, electrical breakages, and large cracks or earth slippage affecting buildings.
5. The Site Administrator or designee shall post staff at safe distances from all building entrances and instruct staff and students to remain outside the buildings until they are declared safe.
6. The Site Administrator or designee shall request assistance as needed from the county or city civil defense office, fire and police departments, city and county building inspectors, and utility companies and shall confer with them regarding the advisability of closing the school.
7. The Site Administrator or designee shall contact the Superintendent or designee and request further instructions after assessing the earthquake damage.
8. The Superintendent or designee shall provide updates to parents/guardians of district students and members of the community about the incident, any safety issues, and follow-up directions.

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References

19 CCR 2400-2450

Ed. Code 32280-32289.5

Gov. Code 3100

Gov. Code 8607

Description

Standardized Emergency Management System

[School safety plans](#)

[Public employees as disaster service workers](#)

[Standardized Emergency Management System](#)

Management Resources References

Cal OES Publication

Cal OES Publication

Cal OES Publication

Cal OES Publication

Federal Emergency Management Agency
Publication

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Description

School Emergency Response: Using SEMS at Districts and Sites, June 1998

School Emergency Response: Using SEMS at Districts and Sites, June 1998

The ABCs of Post-Earthquake Evacuation: A Checklist for School
Administrators and Faculty

Guide and Checklist for Nonstructural Earthquake Hazards in California
Schools, January 2003

National Incident Management System, 3rd ed., October 2017

[CSBA District and County Office of Education Legal Services](#)

[American Red Cross](#)

[California Governor's Office of Emergency Services](#)

[California Seismic Safety Commission](#)

[Federal Emergency Management Agency](#)

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[Transportation Safety And Emergencies](#)

[Staff Development](#)

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Policy 3516.5: Emergency Schedules

Status: ADOPTED

Original Adopted Date: 08/14/2017 | **Last Revised Date:** 09/11/2023 | **Last Reviewed Date:** 09/11/2023

In order to provide for the safety of students and staff, the Governing Board 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.

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 (SPI) the necessary forms and/or affidavits for obtaining approval of apportionment credit for 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.

For school closures due to emergency events occurring after September 1, 2021, the Superintendent or designee shall develop a plan for offering independent study within 10 days of school closure to any student impacted by the emergency condition. The plan shall also address the establishment, within a reasonable time, of independent study master agreements as specified in BP 6158 - Independent Study. The plan shall require reopening in person as soon as possible once allowable under the direction from the city or county health officer. The Superintendent or designee shall certify that the district has a plan for independent study in the affidavit submitted to the SPI pursuant to Education Code 46392. (Education Code 46393)

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.

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.

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 notice in advance of any resulting changes in the school calendar or school day schedule.

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References

	Description
Ed. Code 41420	Apportionment withholding; schools not maintained for 175 days
Ed. Code 41422	Schools not maintained for 175 days
Ed. Code 46010	Total days of attendance
Ed. Code 46100-46208	Attendance; maximum credit; minimum day
Ed. Code 46390	Calculation of ADA in emergency
Ed. Code 46391	Lost or destroyed ADA records
Ed. Code 46392	Emergencies
Ed. Code 46393	Certification of plan for independent study
Veh. Code 34501.6	School buses; reduced visibility

Management Resources References

	Description
CA DOE Correspondence	90-01 Average Daily Attendance Credit During Periods of Emergency, February 10, 2005
California Department of Education Publication	Frequently Asked Questions - Form J-13A

Management Resources References

Website

Website

Description

[CSBA District and County Office of Education Legal Services](#)

[California Department of Education](#)

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[District And School Websites](#)

[District And School Websites](#)

[District And School Websites](#)

[Administrative Discretion Regarding Board Policy](#)

[Environmental Safety](#)

[Environmental Safety](#)

[Emergencies And Disaster Preparedness Plan](#)

[Emergencies And Disaster Preparedness Plan](#)

[Bomb Threats](#)

[School Bus Drivers](#)

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[District Records](#)

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Regulation 3517: Facilities Inspection

Status: ADOPTED

Original Adopted Date: 09/11/2023 | **Last Reviewed Date:** 09/11/2023

The Superintendent or designee shall inspect school facilities to ensure that they are maintained in good repair. At a minimum, the Superintendent or designee 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)

1. **Gas Leaks:** Gas systems and pipes appear and smell safe, functional, and free of leaks.
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.
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.
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, any school serving any of grades 6-12 shall, at all times, stock and make available and accessible free of cost, an adequate supply of menstrual products in every women's and all-gender restroom, and in at least one men's restroom. The district shall post in a prominent and conspicuous location a notice regarding

this requirement that includes an email address and telephone number for a designated individual responsible for maintaining the requisite supply of menstrual products. (Education Code 35292.6)

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.
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)

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, stocked, or kept open, shall be addressed in accordance with AR 1312.4 - Williams Uniform Complaint Procedures.

The Superintendent or designee shall provide the Governing Board with regular reports regarding the district's facility inspections and updates of any visits to district schools by the County Superintendent of Schools to review school facilities.

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References

2 CCR 1859.300-1859.330

24 CCR 11B-703

Ed. Code 1240

Ed. Code 17002

Ed. Code 17070.10-17077.10

Ed. Code 17565-17591

Ed. Code 17592.72

Ed. Code 33126

Ed. Code 35186

Ed. Code 35292.5-35292.6

Description

Emergency Repair Program

Signage for all gender restrooms

[County superintendent of schools; duties](#)

[State School Building Lease-Purchase Law, including definition of good repair](#)

[Leroy F. Greene School Facilities Act of 1998](#)

[Property maintenance and control; duties of governing board](#)

[School Facility Emergency Repair Account; urgent or emergency repairs](#)

[School accountability report card](#)

[Complaints related to instructional materials, teacher vacancy or misassignment, and facility conditions that pose emergency or urgent threat](#)

[Restrooms; maintenance and cleanliness](#)

State References

Health and Safety Code 1597.16

Description

[Licensed day care centers; testing for lead in water](#)

Federal References

20 USC 6314

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[Schoolwide programs](#)

42 USC 300f-300j-27

Safe Drinking Water Act

Management Resources References

State Allocation Board, Public School Construction

Description

[Facility Inspection Tool: School Facility Conditions Evaluation](#)

Website

[CSBA District and County Office of Education Legal Services](#)

Website

[California Department of Education, Williams Case](#)

Website

[State Allocation Board, Office of Public School Construction](#)

Website

[Coalition for Adequate School Housing](#)

Website

[California County Superintendents](#)

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[CSBA](#)

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[Concepts And Roles](#)

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[Emergencies And Disaster Preparedness Plan](#)

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Exhibit 3517-E(1): Facilities Inspection

Status: ADOPTED

Original Adopted Date: 09/11/2023 | **Last Reviewed Date:** 09/11/2023

NOTICE REGARDING MENSTRUAL PRODUCTS

Education Code 35292.6 requires that:

- a. On or before the start of the 2022–23 school year, a public school, including a school operated by a school district, county office of education, or charter school, maintaining any combination of classes from grades 6 to 12, inclusive, shall stock the school's restrooms at all times with an adequate supply of menstrual products, available and accessible, free of cost, in all women's restrooms and all-gender restrooms, and in at least one men's restroom.
- b. A public school described in subdivision (a) shall not charge for any menstrual products provided to pupils.
- c. A public school described in subdivision (a) shall post a notice regarding the requirements of this section in a prominent and conspicuous location in every restroom required to stock menstrual products, available and accessible, free of cost, pursuant to this section. This notice shall include the text of this section and contact information, including an email address and telephone number, for a designated individual responsible for maintaining the requisite supply of menstrual products.
- d. For purposes of this section, "menstrual products" means menstrual pads and tampons for use in connection with the menstrual cycle.
- e. This section shall become operative on July 1, 2022.

The name and contact information for the individual responsible for maintaining the requisite supply of menstrual products is:

MOT Director
559-233-6501
wpe_maintenance@wpesd.org

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References

2 CCR 1859.300-1859.330

24 CCR 11B-703

Ed. Code 1240

Ed. Code 17002

Ed. Code 17070.10-17077.10

Ed. Code 17565-17591

Ed. Code 17592.72

Ed. Code 33126

Ed. Code 35186

Ed. Code 35292.5-35292.6

Health and Safety Code 1597.16

Description

Emergency Repair Program

Signage for all gender restrooms

[County superintendent of schools; duties](#)

[State School Building Lease-Purchase Law, including definition of good repair](#)

[Leroy F. Greene School Facilities Act of 1998](#)

[Property maintenance and control; duties of governing board](#)

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[Complaints related to instructional materials, teacher vacancy or misassignment, and facility conditions that pose emergency or urgent threat](#)

[Restrooms; maintenance and cleanliness](#)

[Licensed day care centers; testing for lead in water](#)

Federal References

20 USC 6314

Description

[Schoolwide programs](#)

Federal References

42 USC 300f-300j-27

Description

Safe Drinking Water Act

Management Resources References

State Allocation Board, Public School Construction

Website

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Description[Facility Inspection Tool: School Facility Conditions Evaluation](#)[CSBA District and County Office of Education Legal Services](#)[California Department of Education, Williams Case](#)[State Allocation Board, Office of Public School Construction](#)[Coalition for Adequate School Housing](#)[California County Superintendents](#)[CSBA](#)**Cross References**

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Regulation 3523: Electronic Signatures

Status: ADOPTED

Original Adopted Date: 09/11/2023 | **Last Reviewed Date:** 09/11/2023

When authorized by law, electronic signatures may be used in the operation of district business and/or administration.

In any business transaction, an electronic signature shall only be used when each party has agreed to conduct the transaction by electronic means. In other district operations, the Superintendent or designee may require the use of an electronic signature. (Civil Code 1633.5; 15 USC 7001)

A *digital signature* is defined as an electronic identifier, created by computer, intended by the party using it to have the same force and effect as the use of a manual signature. (Government Code 16.5)

An *electronic signature* consists of an electronic sound, symbol, or process attached to or logically associated with an electronic record and executed or adopted by a person with the intent to sign the electronic record. (Civil Code 1633.2)

In order for an electronic signature to be used, the electronic signature shall be: (Government Code 16.5; 2 CCR 22002)

1. Unique to the person using it
2. Capable of verification
3. Under the sole control of the person using it
4. Linked to data in such a manner that if the data are changed the electronic signature is invalidated
5. Conform to 2 CCR 22000-22005

Prior to accepting an electronic signature, the Superintendent or designee shall ensure the following: (2 CCR 22005)

1. That the signature is created by acceptable technology pursuant to 2 CCR 22003
2. That the level of security used to identify the signer of the document and to transmit the signature is sufficient for the transaction being conducted
3. That, if a certificate is a required component of the electronic signature, the certificate format used by the signer is sufficient for the security and interoperability needs of the district.

If a notarized signature is required with respect to an electronic signature, the electronic signature of the notary public together with all of the other information required by law to be included in a notarization shall accompany the electronic signature. (Civil Code 1633.11)

If a statement is required to be signed under penalty of perjury, the electronic signature shall include all of the information to which the declaration pertains together with a declaration under penalty of perjury by the person who submits the electronic signature that the information is true and correct. (Civil Code 1633.11)

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References

2 CCR 22000-22005

5 CCR 16020-16022

5 CCR 16023-16027

5 CCR 430

5 CCR 432

Description

[Public entity use of electronic signatures](#)

[Records; general provisions](#)

[District records; retention and destruction](#)

[Individual student records; definition](#)

[Student records](#)

State References

Civ. Code 1633.1-1633.17
Civ. Code 1798.29
Ed. Code 35252-35255
Ed. Code 44031
Ed. Code 49060-49079.7
Ed. Code 8234
Gov. Code 16.5
Gov. Code 7920.000-7930.215
Gov. Code 811.2

Description

[Uniform Electronic Transactions Act](#)
[District records; breach of security](#)
[Records and reports](#)
[Personnel file contents and inspection](#)
[Student records](#)
[Electronic signatures; child care and development programs](#)
[Electronic signatures](#)
[California Public Records Act](#)
[Definition of public entity](#)

Federal References

15 USC 7001-7006
20 USC 1232g
20 USC 1400-1482
34 CFR 300-300.818
34 CFR 99.1-99.8

Description

[Electronic Records and Signatures in Commerce Act](#)
[Family Educational Rights and Privacy Act \(FERPA\) of 1974](#)
[Individuals with Disabilities Education Act](#)
Assistance to states for the education of students with disabilities
[Family Educational Rights and Privacy Act](#)

Management Resources References

California Department of Education Publication
Website

Description

Management Bulletin 17-13, October 2017
[CSBA District and County Office of Education Legal Services](#)

Cross References

3580
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5148.3
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Description

[District Records](#)
[District Records](#)
[Preschool/Early Childhood Education](#)
[Preschool/Early Childhood Education](#)
[Procedural Safeguards And Complaints For Special Education](#)
[Procedural Safeguards And Complaints For Special Education](#)

Policy 3523: Electronic Signatures

Status: ADOPTED

Original Adopted Date: 09/11/2023 | **Last Reviewed Date:** 09/11/2023

The Governing Board believes that the use of electronic records and signatures is a convenient paperless option that can increase efficiency in commercial and administrative transactions, reduce costs, and contribute to environmental sustainability in district operations. The Board authorizes the use of electronic signatures in district operations when authorized by law.

The Superintendent or designee shall ensure that any electronic signature utilized by the district conforms with criteria described in law and that the level of security is sufficient for the transaction being conducted. (Government Code 16.5; 2 CCR 22003, 22005)

The Superintendent or designee shall retain electronic records in accordance with law and regulations, and as specified in BP/AR 3580 - District Records.

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References

2 CCR 22000-22005

Description

[Public entity use of electronic signatures](#)

5 CCR 16020-16022

[Records; general provisions](#)

5 CCR 16023-16027

[District records; retention and destruction](#)

5 CCR 430

[Individual student records; definition](#)

5 CCR 432

[Student records](#)

Civ. Code 1633.1-1633.17

[Uniform Electronic Transactions Act](#)

Civ. Code 1798.29

[District records; breach of security](#)

Ed. Code 35252-35255

[Records and reports](#)

Ed. Code 44031

[Personnel file contents and inspection](#)

Ed. Code 49060-49079.7

[Student records](#)

Ed. Code 8234

[Electronic signatures; child care and development programs](#)

Gov. Code 16.5

[Electronic signatures](#)

Gov. Code 7920.000-7930.215

[California Public Records Act](#)

Gov. Code 811.2

[Definition of public entity](#)

Federal References

Description

15 USC 7001-7006

[Electronic Records and Signatures in Commerce Act](#)

20 USC 1232g

[Family Educational Rights and Privacy Act \(FERPA\) of 1974](#)

20 USC 1400-1482

[Individuals with Disabilities Education Act](#)

34 CFR 300-300.818

Assistance to states for the education of students with disabilities

34 CFR 99.1-99.8

[Family Educational Rights and Privacy Act](#)

Management Resources References

Description

California Department of Education Publication

Management Bulletin 17-13, October 2017

Website

[CSBA District and County Office of Education Legal Services](#)

Cross References

Description

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[District Records](#)

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Description[District Records](#)[Preschool/Early Childhood Education](#)[Preschool/Early Childhood Education](#)[Procedural Safeguards And Complaints For Special Education](#)[Procedural Safeguards And Complaints For Special Education](#)

Regulation 3530: Risk Management/Insurance

Status: ADOPTED

Original Adopted Date: 08/14/2017 | Last Revised Date: 09/11/2023 | Last Reviewed Date: 09/11/2023

Risk Management

The Superintendent or designee, in consultation with risk management, insurance, safety, or other professionals as appropriate, shall:

1. Identify the risks inherent in district operations and programs, including physical sites, educational and experiential programs, computer networks and systems, employment and staffing, and transportation services, using methods that may include, but are not limited to, physical inspections, surveys, staff interviews, compliance reviews, contract reviews, review of policies and procedures, and consultation with experts
2. Analyze, evaluate, and prioritize identified risks based on the frequency and likelihood of the risk and the potential impact to the district
3. Develop strategies to reduce or mitigate identified risks, such as new or modified policies, processes, or procedures; training or loss prevention programs; and/or additional or repairs to equipment, real property, computer networks, or other physical assets
4. Implement strategies to promote safety and prevent loss, taking into account the nature of the risks, the associated exposures, and the costs and benefits associated with the proposed response
5. Mitigate potential loss following an incident through activities such as effective claims management, litigation management, disaster recovery, or a modified duty program for workers' compensation

The Superintendent or designee shall advise the Governing Board of any needed action requiring Board approval.

Following any incident resulting in potential or actual harm or injury to a person or damage to property, staff shall promptly document the date and time of the incident, a description of the incident, and any persons present.

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.

Insurance

Insurance or risk pooled coverage shall include, but not be limited to:

1. Liability insurance (Education Code 35200-35214)
2. Insurance against fire or other property damage (Education Code 17565)
3. Workers' compensation insurance (Labor Code 3700)
4. Fidelity bond insurance for employees whose duty includes handling district funds, and other employees as needed (Education Code 41021)

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References

Ed. Code 17029.5

Ed. Code 17565-17592.5

Ed. Code 32350

Ed. Code 35162

Description

[Contract funding; board liability](#)

[Board duties; management and control of school property](#)

[Liability on equipment loaned to district](#)

[Power to sue, be sued, hold and convey property](#)

State References

Ed. Code 35200-35214
Ed. Code 35208
Ed. Code 35211
Ed. Code 35213
Ed. Code 35214
Ed. Code 35331
Ed. Code 39837
Ed. Code 41021
Ed. Code 44873
Ed. Code 49470-49474
Gov. Code 820.9
Gov. Code 831.7
Gov. Code 989-991.2
Lab. Code 3200-4856

Description

[Liabilities](#)
[Liability insurance](#)
[Driver training civil liability insurance](#)
[Reimbursement for loss or damage of personal property](#)
[Liability insurance \(self-insurance or a combination of self-insurance and insurance through an insurance company\)](#)
[Provision for medical or hospital service for pupils \(on field trips\)](#)
[Transportation to summer employment program](#)
[Requirement for employee's indemnity bond](#)
[Qualifications for physician \(liability coverage\)](#)
[District medical services and insurance](#)
[Members of local public boards not vicariously liable](#)
[Hazardous recreational activities](#)
[Local public entity insurance](#)
[Workers' compensation](#)

Management Resources References

Website
Website
Website
Website
Website

Description

[CSBA District and County Office of Education Legal Services](#)
[Public Agency Risk Management Association](#)
[California Department of Industrial Relations, Division of Occupational Safety and Health](#)
[California Association of Joint Powers Authorities](#)
[California Association of School Business Officials](#)

Cross References

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[Nondiscrimination In District Programs And Activities](#)
[Comprehensive Safety Plan](#)
[Comprehensive Safety Plan](#)
[Volunteer Assistance](#)
[Volunteer Assistance](#)
[Use Of School Facilities](#)
[Use Of School Facilities](#)
[Use Of School Facilities](#)
[Joint Use Agreements](#)
[Concepts And Roles](#)
[Revolving Funds](#)
[Claims And Actions Against The District](#)
[Claims And Actions Against The District](#)
[Management Of District Assets/Accounts](#)
[Management Of District Assets/Accounts](#)
[Investing](#)
[Investing](#)

Cross References**Description**

3440	Inventories
3452	Student Activity Funds
3512	Equipment
3512-E(1)	Equipment
3514	Environmental Safety
3514	Environmental Safety
3514.1	Hazardous Substances
3514.1	Hazardous Substances
3515	Campus Security
3515	Campus Security
3515.21	Unmanned Aircraft Systems (Drones)
3515.4	Recovery For Property Loss Or Damage
3515.4	Recovery For Property Loss Or Damage
3516	Emergencies And Disaster Preparedness Plan
3516	Emergencies And Disaster Preparedness Plan
3541.1	Transportation For School-Related Trips
3543	Transportation Safety And Emergencies
4030	Nondiscrimination In Employment
4030	Nondiscrimination In Employment
4112.42	Drug And Alcohol Testing For School Bus Drivers
4112.42	Drug And Alcohol Testing For School Bus Drivers
4113.4	Temporary Modified/Light-Duty Assignment
4119.11	Sex Discrimination and Sex-Based Harassment
4119.11	Sex Discrimination and Sex-Based Harassment
4119.42	Exposure Control Plan For Bloodborne Pathogens
4119.42	Exposure Control Plan For Bloodborne Pathogens
4119.42-E(1)	Exposure Control Plan For Bloodborne Pathogens
4156.3	Employee Property Reimbursement
4157	Employee Safety
4157	Employee Safety
4157.1	Work-Related Injuries
4158	Employee Security
4158	Employee Security
4212.42	Drug And Alcohol Testing For School Bus Drivers
4212.42	Drug And Alcohol Testing For School Bus Drivers
4213.4	Temporary Modified/Light-Duty Assignment
4219.11	Sex Discrimination and Sex-Based Harassment
4219.11	Sex Discrimination and Sex-Based Harassment
4219.42	Exposure Control Plan For Bloodborne Pathogens
4219.42	Exposure Control Plan For Bloodborne Pathogens

Cross References**Description**

4219.42-E(1)	Exposure Control Plan For Bloodborne Pathogens
4256.3	Employee Property Reimbursement
4257	Employee Safety
4257	Employee Safety
4257.1	Work-Related Injuries
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4258	Employee Security
4312.42	Drug And Alcohol Testing For School Bus Drivers
4312.42	Drug And Alcohol Testing For School Bus Drivers
4313.4	Temporary Modified/Light-Duty Assignment
4319.11	Sex Discrimination and Sex-Based Harassment
4319.11	Sex Discrimination and Sex-Based Harassment
4319.42	Exposure Control Plan For Bloodborne Pathogens
4319.42	Exposure Control Plan For Bloodborne Pathogens
4319.42-E(1)	Exposure Control Plan For Bloodborne Pathogens
4356.3	Employee Property Reimbursement
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5131.1	Bus Conduct
5141	Health Care And Emergencies
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5141.23	Asthma Management
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5142	Safety
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5143	Insurance
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5145.3	Nondiscrimination/Harassment
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6142.4	Service Learning/Community Service Classes
6145.2	Athletic Competition
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6153	School-Sponsored Trips
6153	School-Sponsored Trips

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Description[Use Of Copyrighted Materials](#)[Use Of Copyrighted Materials](#)[Animals At School](#)[Animals At School](#)[Charter School Facilities](#)[Charter School Facilities](#)[Legal Protection](#)[Closed Session](#)[Closed Session](#)[Closed Session](#)

Policy 3530: Risk Management/Insurance

Status: ADOPTED

Original Adopted Date: 08/14/2017 | **Last Revised Date:** 09/11/2023 | **Last Reviewed Date:** 09/11/2023

The Governing Board desires to promote the safety of students, staff, and the public while protecting district resources. 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 against loss which may occur due to hazards facing the district.

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. Decisions regarding the means of insuring the district shall be based on a careful analysis of past claims records indicating the frequency and magnitude of losses and a prediction of future losses.

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 enforce these policies and related procedures fairly and consistently. The Superintendent or designee shall provide safety-related training and protective equipment to staff as appropriate for their position.

The Superintendent or designee shall periodically report to the Board on the district's risk management activities, including, but not limited to, the district's property and liability risks and exposures and the effectiveness of the district's risk management and loss control practices.

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References

Description

Ed. Code 17029.5	Contract funding: board liability
Ed. Code 17565-17592.5	Board duties; management and control of school property
Ed. Code 32350	Liability on equipment loaned to district
Ed. Code 35162	Power to sue, be sued, hold and convey property
Ed. Code 35200-35214	Liabilities
Ed. Code 35208	Liability insurance
Ed. Code 35211	Driver training civil liability insurance
Ed. Code 35213	Reimbursement for loss or damage of personal property
Ed. Code 35214	Liability insurance (self-insurance or a combination of self-insurance and insurance through an insurance company)
Ed. Code 35331	Provision for medical or hospital service for pupils (on field trips)
Ed. Code 39837	Transportation to summer employment program
Ed. Code 41021	Requirement for employee's indemnity bond
Ed. Code 44873	Qualifications for physician (liability coverage)
Ed. Code 49470-49474	District medical services and insurance
Gov. Code 820.9	Members of local public boards not vicariously liable
Gov. Code 831.7	Hazardous recreational activities
Gov. Code 989-991.2	Local public entity insurance
Lab. Code 3200-4856	Workers' compensation

Management Resources References

Website	CSBA District and County Office of Education Legal Services
Website	Public Agency Risk Management Association
Website	California Department of Industrial Relations, Division of Occupational Safety and Health
Website	California Association of Joint Powers Authorities
Website	California Association of School Business Officials

Cross References

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0410	Nondiscrimination In District Programs And Activities
0450	Comprehensive Safety Plan
0450	Comprehensive Safety Plan
1240	Volunteer Assistance
1240	Volunteer Assistance
1330	Use Of School Facilities
1330	Use Of School Facilities
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1330.1	Joint Use Agreements
3000	Concepts And Roles
3314.2	Revolving Funds
3320	Claims And Actions Against The District
3320	Claims And Actions Against The District
3400	Management Of District Assets/Accounts
3400	Management Of District Assets/Accounts
3430	Investing
3430	Investing
3440	Inventories
3452	Student Activity Funds
3512	Equipment
3512-E(1)	Equipment
3514	Environmental Safety
3514	Environmental Safety
3514.1	Hazardous Substances
3514.1	Hazardous Substances
3515	Campus Security
3515	Campus Security
3515.21	Unmanned Aircraft Systems (Drones)
3515.4	Recovery For Property Loss Or Damage
3515.4	Recovery For Property Loss Or Damage
3516	Emergencies And Disaster Preparedness Plan
3516	Emergencies And Disaster Preparedness Plan
3541.1	Transportation For School-Related Trips

Cross References**Description**

3543	Transportation Safety And Emergencies
4030	Nondiscrimination In Employment
4030	Nondiscrimination In Employment
4112.42	Drug And Alcohol Testing For School Bus Drivers
4112.42	Drug And Alcohol Testing For School Bus Drivers
4113.4	Temporary Modified/Light-Duty Assignment
4119.11	Sex Discrimination and Sex-Based Harassment
4119.11	Sex Discrimination and Sex-Based Harassment
4119.42	Exposure Control Plan For Bloodborne Pathogens
4119.42	Exposure Control Plan For Bloodborne Pathogens
4119.42-E(1)	Exposure Control Plan For Bloodborne Pathogens
4156.3	Employee Property Reimbursement
4157	Employee Safety
4157	Employee Safety
4157.1	Work-Related Injuries
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4158	Employee Security
4212.42	Drug And Alcohol Testing For School Bus Drivers
4212.42	Drug And Alcohol Testing For School Bus Drivers
4213.4	Temporary Modified/Light-Duty Assignment
4219.11	Sex Discrimination and Sex-Based Harassment
4219.11	Sex Discrimination and Sex-Based Harassment
4219.42	Exposure Control Plan For Bloodborne Pathogens
4219.42	Exposure Control Plan For Bloodborne Pathogens
4219.42-E(1)	Exposure Control Plan For Bloodborne Pathogens
4256.3	Employee Property Reimbursement
4257	Employee Safety
4257	Employee Safety
4257.1	Work-Related Injuries
4258	Employee Security
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4312.42	Drug And Alcohol Testing For School Bus Drivers
4312.42	Drug And Alcohol Testing For School Bus Drivers
4313.4	Temporary Modified/Light-Duty Assignment
4319.11	Sex Discrimination and Sex-Based Harassment
4319.11	Sex Discrimination and Sex-Based Harassment
4319.42	Exposure Control Plan For Bloodborne Pathogens
4319.42	Exposure Control Plan For Bloodborne Pathogens
4319.42-E(1)	Exposure Control Plan For Bloodborne Pathogens
4356.3	Employee Property Reimbursement

Cross References**Description**

4357	Employee Safety
4357	Employee Safety
4357.1	Work-Related Injuries
4358	Employee Security
4358	Employee Security
5131.1	Bus Conduct
5131.1	Bus Conduct
5141	Health Care And Emergencies
5141	Health Care And Emergencies
5141.23	Asthma Management
5141.23	Asthma Management
5142	Safety
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5143	Insurance
5143	Insurance
5145.3	Nondiscrimination/Harassment
5145.3	Nondiscrimination/Harassment
5145.7	Sex Discrimination and Sex-Based Harassment
5145.7	Sex Discrimination and Sex-Based Harassment
6142.4	Service Learning/Community Service Classes
6145.2	Athletic Competition
6145.2	Athletic Competition
6153	School-Sponsored Trips
6153	School-Sponsored Trips
6162.6	Use Of Copyrighted Materials
6162.6	Use Of Copyrighted Materials
6163.2	Animals At School
6163.2	Animals At School
7160	Charter School Facilities
7160	Charter School Facilities
9260	Legal Protection
9321	Closed Session
9321-E(1)	Closed Session
9321-E(2)	Closed Session

Policy 3540: Transportation

Status: ADOPTED

Original Adopted Date: 08/14/2017 | **Last Revised Date:** 09/11/2023 | **Last Reviewed Date:** 09/11/2023

The Governing Board 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.

The Superintendent or designee shall recommend to the Board economical, environmentally sustainable, and appropriate means of providing transportation services. The district's transportation services may be provided by means of a joint powers agreement, a cooperative student transportation program, or a consortium, as permitted by law.

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.

Transportation Plan

The Superintendent or designee shall develop a transportation plan in consultation with classified staff, teachers, school administrators, regional local transit authorities, local air pollution control districts and air quality management districts, parents/guardians, students, and other stakeholders. (Education Code 39800.1)

The transportation plan shall be presented to and adopted by the Board at an open meeting, with the opportunity for in-person and remote public comment, and shall be updated annually by April 1. (Education Code 39800.1)

The transportation plan shall include descriptions of the following: (Education Code 39800.1)

1. The transportation services offered to students
2. How transportation services will be prioritized for low-income students, students in transitional kindergarten, kindergarten, and any of grades 1 to 6, inclusive
3. The transportation services accessible to students with disabilities and homeless children and youth, as defined pursuant to the federal McKinney-Vento Homeless Assistance Act (42 USC 11301)
4. How unduplicated students, as defined in Education Code 42238.02, will be able to access available home-to-school transportation at no cost

Transportation Contracts

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)

Expenses and Fees

In lieu of providing transportation in whole or in part, the district may pay the student's parents/guardians either their actual and necessary expenses in transporting the student or the cost of the student's food and lodging at a place convenient to the school. In either case, the amount of the payment shall not exceed the cost that would be incurred by the district to provide for the transportation of the student to and from school. (Education Code 39806-39807)

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.

Safety and Monitoring

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

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.

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References

	Description
13 CCR 2025	Retrofitting of diesel school buses
5 CCR 14100-14103	Use of school buses and school pupil activity buses
5 CCR 15240-15343	Allowances for student transportation
5 CCR 15253-15272	District records related to transportation
Ed. Code 35330	Field trips and excursions; student fees
Ed. Code 35350	Authority to transport pupils
Ed. Code 39800	Powers of governing board to provide transportation to and from school
Ed. Code 39800-39860	Transportation services
Ed. Code 39801	Contract with County Superintendent of Schools to provide transportation
Ed. Code 39802-39803	Bids and contracts for transportation services
Ed. Code 39806	Payments to parents in lieu of transportation
Ed. Code 39807	Food and lodging payments in lieu of transportation
Ed. Code 39807.5	Payment of transportation costs by parents
Ed. Code 39808	Transportation for private school students
Ed. Code 41850-41851.1	Allowances for transportation
Ed. Code 41860-41862	Supplemental allowances for transportation
Ed. Code 42238.02	Local Control Funding Formula
Ed. Code 45125.1	Criminal records summary; employees of contracting entity
Ed. Code 52311	Regional occupational centers; transportation
Gov. Code 3540-3549.3	Educational Employment Relations Act
Pen. Code 637.7	Electronic tracking devices
Veh. Code 2807	School bus inspection

Management Resources References

	Description
Court Decision	Arcadia Unified School District v. California Department of Education (1992) 2 Cal. 4th 251
Website	CSBA District and County Office of Education Legal Services
Website	California Air Resources Board
Website	California Energy Commission
Website	CSBA

Cross References**Description**

0410	Nondiscrimination In District Programs And Activities
3000	Concepts And Roles
3100	Budget
3250	Transportation Fees
3250	Transportation Fees
3311	Bids
3311	Bids
3312	Contracts
3512	Equipment
3512-E(1)	Equipment
3514	Environmental Safety
3514	Environmental Safety
3515.6	Criminal Background Checks For Contractors
3516	Emergencies And Disaster Preparedness Plan
3516	Emergencies And Disaster Preparedness Plan
3541	Transportation Routes And Services
3541.1	Transportation For School-Related Trips
3541.2	Transportation For Students With Disabilities
3542	School Bus Drivers
3543	Transportation Safety And Emergencies
4112.4	Health Examinations
4112.42	Drug And Alcohol Testing For School Bus Drivers
4112.42	Drug And Alcohol Testing For School Bus Drivers
4212.4	Health Examinations
4212.42	Drug And Alcohol Testing For School Bus Drivers
4212.42	Drug And Alcohol Testing For School Bus Drivers
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4312.4	Health Examinations
4312.42	Drug And Alcohol Testing For School Bus Drivers
4312.42	Drug And Alcohol Testing For School Bus Drivers
5116.1	Intradistrict Open Enrollment
5116.1	Intradistrict Open Enrollment
5117	Interdistrict Attendance
5117	Interdistrict Attendance
5131.1	Bus Conduct
5131.1	Bus Conduct
5141.22	Infectious Diseases
5141.22	Infectious Diseases
5148.2	Before/After School Programs
5148.2	Before/After School Programs

Cross References

6142.4

6173.1

6173.1

6178.2

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Description[Service Learning/Community Service Classes](#)[Education For Foster Youth](#)[Education For Foster Youth](#)[Regional Occupational Center/Program](#)[Alternative Schools/Programs Of Choice](#)[Alternative Schools/Programs Of Choice](#)

Regulation 3541: Transportation Routes And Services

Status: ADOPTED

Original Adopted Date: 08/14/2017 | **Last Revised Date:** 09/11/2023 | **Last Reviewed Date:** 09/11/2023

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-3: three-fourths mile
Grades 4-8: one mile

2. For students attending a three-year junior high school:

Grades 7-9: one mile

3. For students attending a four-year high school:

Grades 9-12: two miles

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

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.

With the Governing 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)
3. School activities, expositions or fairs, or other activities determined to be for the benefit of students (Education Code 39860)
4. District employees, parents/guardians, and adult volunteers traveling to and from educational activities authorized by the district (Education Code 39837.5)
5. Preschool or nursery school students (Education Code 39800)
6. Students traveling to full-time occupational classes provided by a regional occupational center or program (Education Code 39807.5, 41850)
7. Students traveling to and from their places of employment during the summer in connection with a summer employment program for youth (Education Code 39837)
8. Matriculated or enrolled adults traveling to and from school, or adults for educational purposes other than to and from school (Education Code 39801.5)
9. Private school students, upon the same terms, in the same manner, and on the same routes provided for district students (Education Code 39808)
10. Nonschool purposes as allowed by law, such as:
 - a. Community recreation (Education Code 39835)
 - b. Public transportation (Education Code 39841)
 - c. Transportation of government employees to and from their places of employment (Education Code

39840)

Students who attend school outside of their school attendance area or district boundaries may be eligible for transportation services in accordance with district policy.

The district shall provide home-to-school transportation and additional transportation services as needed for students with disabilities as specified in their individualized education program or Section 504 plan. (Education Code 41850; 20 USC 1400-1482; 34 CFR 104.4, 300.17, 300.34)

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)

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)

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References

5 CCR 15240-15244

Ed. Code 10900.5

Ed. Code 35330

Ed. Code 35350

Ed. Code 39800

Ed. Code 39800-39809.5

Ed. Code 39801.5

Ed. Code 39808

Ed. Code 39830-39843

Ed. Code 39835

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Ed. Code 39860

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Ed. Code 48853.5

Description

[Allowances for student transportation; definitions](#)

[Use of school buses for community recreation](#)

[Field trips and excursions; student fees](#)

[Authority to transport pupils](#)

[Powers of governing board to provide transportation to and from school](#)

[Transportation; general provisions](#)

[Transportation for adults](#)

[Transportation for private school students](#)

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[Transportation of employees, parents/guardians, and adult volunteers to school activities](#)

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Supplementary allowances for transportation

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Federal References

20 USC 1400-1482

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Description

[Individuals with Disabilities Education Act](#)

[Local educational agency plan](#)

[Equal opportunity under the Rehabilitation Act of 1973, Section 504](#)

[Free appropriate public education](#)

[Related services](#)

[McKinney-Vento Homeless Assistance Act](#)

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

[CSBA District and County Office of Education Legal Services](#)

[California Department of Education, Office of School Transportation](#)

[Pupil Transportation Safety Institute](#)

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Regulation 3541.1: Transportation For School-Related Trips

Status: ADOPTED

Original Adopted Date: 08/14/2017 | **Last Revised Date:** 09/11/2023 | **Last Reviewed Date:** 09/11/2023

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.

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.

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 Governing Board.

Transportation by Private Vehicle

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

Passenger Restraint Systems

All drivers shall wear safety belts and shall ensure that all passengers are properly secured in seat belts or child passenger restraint systems in accordance with law. (Vehicle Code 27315, 27360, 27360.5, 27363)

A child who is under age 8 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.
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 8 years, or medical reasons necessitate that the child not ride in the rear seat.
4. The child is otherwise exempted by law.

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References

Ed. Code 35330

Ed. Code 35332

Ed. Code 39830

Ed. Code 39830.1

Ed. Code 39860

Ed. Code 44808

H&S Code 118947-118949

Pub. Util. Code 5384.2

Description

[Field trips and excursions; student fees](#)

[Transportation by chartered airline](#)

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[School pupil activity bus](#)

[Transportation to school activities](#)

[Liability when students are not on school property](#)

[Prohibition against smoking in motor vehicle with minor](#)

[District not liable for charter-party carrier](#)

State References

Veh. Code 12814.6

Veh. Code 27315

Veh. Code 27360-27360.5

Veh. Code 27363

Veh. Code 545

Description

[Teen driver's act](#)

[Mandatory use of seat belts in private passenger vehicles](#)

[Child passenger restraint systems](#)

[Child passenger restraint systems; exemptions](#)

[School bus; definition](#)

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Website

[CSBA District and County Office of Education Legal Services](#)

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Policy 3541.2: Transportation For Students With Disabilities

Status: ADOPTED

Original Adopted Date: 08/14/2017 | **Last Revised Date:** 09/11/2023 | **Last Reviewed Date:** 09/11/2023

The Governing Board 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)

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.

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)

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)

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.

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References

5 CCR 15243

5 CCR 15271

Civ. Code 54.1

Civ. Code 54.2

Ed. Code 39807.5

Ed. Code 39839

Ed. Code 41850-41851.1

Description

[Physically handicapped minors](#)

[Exclusion from report](#)

[Service animals](#)

[Guide, signal, or service dogs; right to accompany](#)

[Payment of transportation costs by parents](#)

[Transportation of guide dogs, signal dogs, service dogs](#)

[Allowances for transportation](#)

State References

Ed. Code 48300-48315
 Ed. Code 48915.5
 Ed. Code 56040
 Ed. Code 56195.8
 Ed. Code 56327
 Ed. Code 56345
 Ed. Code 56365-56366.1

Description

[Alternative interdistrict attendance program](#)
[Recommended expulsion; foster youth with disabilities](#)
[No cost for special education and related services](#)
[Adoption of policies](#)
[Assessment for special education and related services](#)
[Individualized education program contents](#)
[Nonpublic nonsectarian schools or agencies](#)

Federal References

20 USC 1400-1482
 28 CFR 35.104
 28 CFR 35.136
 29 USC 794
 34 CFR 104.4
 34 CFR 300.1-300.818
 34 CFR 300.34
 49 CFR 571.222

Description

[Individuals with Disabilities Education Act](#)
[Definitions, auxiliary aids and services](#)
[Service animals](#)
[Rehabilitation Act of 1973; Section 504](#)
[Equal opportunity under the Rehabilitation Act of 1973, Section 504](#)
[Individuals with Disabilities Education Act](#)
[Related services](#)
[Federal motor vehicle safety standard #222](#)

Management Resources References

California Department of Education Publication
 California Department of Education Publication
 U.S. DOE Publication
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Description

Special Education Transportation Guidelines
 Pupil Fees, Deposits and Other Charges, Fiscal Management Advisory 12-02, April 24, 2013
 Questions and Answers on Serving Children with Disabilities Eligible for Transportation, 2009
 Protecting Students with Disabilities: Frequently Asked Questions About Section 504 and the Education of Children with Disabilities, 2009
[CSBA District and County Office of Education Legal Services](#)
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Cross References

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Description

[Nondiscrimination In District Programs And Activities](#)
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Regulation 3542: School Bus Drivers

Status: ADOPTED

Original Adopted Date: 08/14/2017 | **Last Revised Date:** 09/11/2023 | **Last Reviewed Date:** 09/11/2023

Qualifications

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

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)

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 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)

School bus and student activity bus drivers shall be subject to drug and alcohol testing in accordance with Board policy and the requirements of federal law.

The Superintendent or designee shall notify the DMV within five days whenever any 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)

Training

In addition to any other training required to obtain or renew the certificate authorizing operation of a school bus or student activity bus, drivers shall 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 installation of mobile seating devices in the bus securement systems (Education Code 56195.8)
3. The proper actions to be taken in the event that a school bus is hijacked (Education Code 39831)

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.

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)

The 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)

Responsibilities

The 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 stop to load or unload students only at school bus stops designated by the Superintendent or designee, or authorized by the Superintendent or designee for school activity trips. (Vehicle Code 22112)

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 require any student to leave the bus en route between home and school or other destinations. (5 CCR 14103)

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. Traffic violations
5. Consistently late school dismissals which cause transportation delays
6. Overload runs
7. Recurring and serious student misbehavior
8. Parent/guardian and student complaints

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

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)

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.

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References

Description

13 CCR 1200-1294	Motor carrier safety
13 CCR 1212-1228	School bus driver requirements
13 CCR 1234	Reports regarding school buses and bus drivers
13 CCR 2480	Vehicle idling; limitations
5 CCR 14103	Authority of the driver
5 CCR 14104	School bus driver instructor
Ed. Code 39800.5	Qualifications of driver of 15-passenger van
Ed. Code 39830-39843	School buses
Ed. Code 40080-40090.5	Training required to obtain or renew bus driver certificate
Ed. Code 45125.1	Criminal records summary; employees of contracting entity
Ed. Code 56195.8	Adoption of policies
H&S Code 39640-39642	Vehicle idling; penalties
Pen. Code 241.3	Assault against school bus drivers
Pen. Code 243.3	Battery against school bus drivers
Veh. Code 12516-12517.4	Certification requirements
Veh. Code 12522	First aid training for school bus drivers
Veh. Code 13370-13371	Suspension or revocation of bus driver certificate
Veh. Code 13376	Driver certificates; revocation or suspension
Veh. Code 1808.8	School bus drivers; dismissal for safety-related cause
Veh. Code 22112	School bus signals; roadway crossings
Veh. Code 23123-23125	Prohibitions against use of wireless telephone and text communications while driving; exceptions

State References

Veh. Code 25257-25257.7

Veh. Code 2570-2574

Veh. Code 34501.6

Veh. Code 415

Veh. Code 545

Veh. Code 546

Federal References

49 CFR 382.101-382.727

49 CFR 40.1-40.413

49 CFR 571.222

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Nat'l Hwy Traffic Safety Admin. Pub.

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[Contracts with private school bus contractors](#)

[School buses; reduced visibility](#)

[Definition of motor vehicle](#)

[School bus; definition](#)

[Definition of student activity bus](#)

Description

[Controlled substance and alcohol use and testing](#)

[Procedures for transportation workplace drug and alcohol testing programs](#)

[Federal motor vehicle safety standard #222](#)

Description

California Commercial Driver Handbook

School Bus Driver In-Service Safety Series, October 2011

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[California Attorney General's Office](#)

[California Highway Patrol](#)

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[Comprehensive Local Plan For Special Education](#)

[Comprehensive Local Plan For Special Education](#)

[Cellular Phone Reimbursement](#)

[Environmental Safety](#)

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[Emergency Schedules](#)

[Transportation](#)

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[District Records](#)

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Regulation 3543: Transportation Safety And Emergencies

Status: ADOPTED

Original Adopted Date: 08/14/2017 | **Last Revised Date:** 09/11/2023 | **Last Reviewed Date:** 09/11/2023

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)

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.

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.
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.
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)

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 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

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:

- i. District name
- ii. School name and location
- iii. Date of instruction
- iv. Names of supervising adults
- v. Number of students participating
- vi. Grade levels of students

- vii. Subjects covered in instruction
- viii. Amount of time taken for instruction
- ix. Bus driver's name
- x. Bus number
- xi. 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.

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.

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References

Description

13 CCR 1200-1294	Motor carrier safety
13 CCR 2480	Vehicle idling; limitations
19 CCR 574-575.3	Inspection and maintenance of fire extinguishers
49 CCR 571.1-571.500	Motor vehicle standards, including school buses
5 CCR 14100-14105	School buses and student activity buses
Ed. Code 39830-39843	School buses
Ed. Code 39860	Transportation to school activities
Ed. Code 51202	Instruction in personal and public health and safety
Pen. Code 241.3	Assault against school bus drivers
Pen. Code 243.3	Battery against school bus drivers
Veh. Code 22112	School bus signals; roadway crossings
Veh. Code 23123.5	Mobile communication devices; text messaging while driving
Veh. Code 23125	Wireless telephones in school buses
Veh. Code 27316-27316.5	Passenger restraint systems
Veh. Code 28160	Child safety alert system

State References

Veh. Code 34500	California Highway Patrol responsibility to regulate safe operation of school buses
Veh. Code 34501.5	California Highway Patrol responsibility to adopt rules re: safe operation of school buses
Veh. Code 34501.6	School buses; reduced visibility
Veh. Code 34508	California Highway Patrol responsibility to adopt rules re: equipment and bus operations
Veh. Code 415	Definition of motor vehicle
Veh. Code 545-546	Definition of school bus and student activity bus

Management Resources References

California Department of Education Publication	Passenger Restraints Frequently Asked Questions
Website	CSBA District and County Office of Education Legal Services
Website	American School Bus Council
Website	California Association of School Transportation Officials
Website	National Transportation Safety Board
Website	U.S. Department of Transportation, National Highway Traffic Safety Administration
Website	California Department of Education, Office of School Transportation
Website	California Highway Patrol
Website	California Association of School Business Officials

Cross References

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0400	Comprehensive Plans
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1240	Volunteer Assistance
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1340	Access To District Records
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3515.2	Disruptions
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3516	Emergencies And Disaster Preparedness Plan
3516	Emergencies And Disaster Preparedness Plan
3516.3	Earthquake Emergency Procedure System
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3530	Risk Management/Insurance
3540	Transportation
3541.1	Transportation For School-Related Trips
3542	School Bus Drivers

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Description[District Records](#)[District Records](#)[Drug And Alcohol Testing For School Bus Drivers](#)[Drug And Alcohol Testing For School Bus Drivers](#)[Drug And Alcohol Testing For School Bus Drivers](#)[Drug And Alcohol Testing For School Bus Drivers](#)[Staff Development](#)[Drug And Alcohol Testing For School Bus Drivers](#)[Drug And Alcohol Testing For School Bus Drivers](#)[Bus Conduct](#)[Bus Conduct](#)[Infectious Diseases](#)[Infectious Diseases](#)[Discipline](#)[Discipline](#)[Parent/Guardian Notifications](#)[Parent/Guardian Notifications](#)[Comprehensive Health Education](#)[Comprehensive Health Education](#)

Policy 3550: Food Service/Child Nutrition Program

Status: ADOPTED

Original Adopted Date: 08/14/2017 | **Last Revised Date:** 09/11/2023 | **Last Reviewed Date:** 09/11/2023

The Governing Board recognizes that adequate, nourishing food is essential to student health, development, and ability to learn. The Superintendent or designee shall develop strategies to increase students' access to the district's food service programs and to maximize their participation in available programs.

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
2. Meet or exceed nutrition standards specified in law and administrative regulation
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 students who meet federal eligibility criteria at no cost or at reduced prices, and to other students at reasonable prices

The district's food service program shall give priority to serving unprocessed foods and fresh fruits and vegetables.

The District is 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.

To encourage student participation in school meal programs, the school 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.

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.

The Superintendent or designee shall periodically review the adequacy of school facilities for cafeteria eating and food preparation.

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.

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References

5 CCR 15510
5 CCR 15530-15535
5 CCR 15550-15565
5 CCR 15575-15578
Ed. Code 35182.5

Description

[Mandatory meals for needy students](#)
[Nutrition education](#)
[School lunch and breakfast programs](#)
[Requirements for foods and beverages outside the federal meals program](#)
[Contracts for advertising](#)

State References

Ed. Code 38080-38103
 Ed. Code 45103.5
 Ed. Code 48432.3
 Ed. Code 49430-49434
 Ed. Code 49490-49494
 Ed. Code 49501.5-49506
 Ed. Code 49510-49520
 Ed. Code 49530-49536
 Ed. Code 49540-49546
 Ed. Code 49547-49548.3
 Ed. Code 49550.3-49562
 Ed. Code 49570
 Ed. Code 51795-51798
 H&S Code 113700-114437

Description

[Cafeteria; establishment and use](#)
[Contracts for management consulting services; restrictions](#)
[Voluntary enrollment in continuation education](#)
[Pupil Nutrition, Health, and Achievement Act of 2001](#)
[School breakfast and lunch programs](#)
[School meals](#)
[Nutrition](#)
[Child Nutrition Act](#)
[Child care food program](#)
[Comprehensive nutrition services](#)
 Meals for needy students
[National School Lunch Act](#)
[School instructional gardens](#)
[California Retail Food Code; sanitation and safety requirements](#)

Federal References

42 USC 1751-1769j
 42 USC 1758b
 42 USC 1761
 42 USC 1769a
 42 USC 1771-1793
 42 USC 1772
 42 USC 1773
 7 CFR 210.1-210.33
 7 CFR 215.1-215.18
 7 CFR 220.2-220.22
 7 CFR 245.1-245.13

Description

[School Lunch Program](#)
[Local wellness policy](#)
[Summer Food Service Program and Seamless Summer Feeding Option](#)
[Fresh Fruit and Vegetable Program](#)
[Child Nutrition Act](#)
[Special Milk Program](#)
[School Breakfast Program](#)
[National School Lunch Program](#)
[Special Milk Program](#)
 National School Breakfast Program
 Eligibility for free and reduced-price meals and free milk

Management Resources References

California Department of Education Publication
 California Department of Education Publication
 California Department of Food and Agriculture Pub
 California Project Lean Publication
 CSBA Publication
 CSBA Publication
 CSBA Publication

Description

[Professional Standards in the School Nutrition Programs, Management Bulletin SNP-13-2020, Updated January 2022](#)
[Healthy Children Ready to Learn, 2006](#)
[Planting the Seed: Farm to School Roadmap for Success, February 2022](#)
[Policy in Action: A Guide to Implementing Your Local School Wellness Policy, October 2006](#)
[Monitoring for Success: A Guide for Assessing and Strengthening Student Wellness Policies, 2012](#)
[Monitoring for Success: Student Wellness Policy Implementation Monitoring Report and Guide, 2008](#)
[Nutrition Standards for Schools: Implications for Student Wellness, Policy Brief, October 2007](#)

Management Resources References

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U.S. Department of Agriculture Publication

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Website

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Description

[Building Healthy Communities: A School Leader's Guide to Collaboration and Community Engagement, 2009](#)

[Student Wellness: A Healthy Food and Physical Activity Policy Resource Guide, April 2006](#)

[School Breakfast Toolkit](#)

[Civil Rights Compliance and Enforcement - Nutrition Programs and Activities, FNS Instruction 113-1, November 2005](#)

[Dietary Guidelines for Americans, 2020](#)

[Food Buying Guide for Child Nutrition Programs, May 2022](#)

[Fresh Fruit and Vegetable Program: Handbook for Schools, December 2010](#)

[Guidance for School Food Authorities: Developing a School Food Safety Program Based on the Process Approach to HACCP Principles, June 2005](#)

[California Department of Food and Agriculture, Office of Farm to Fork](#)

[CSBA District and County Office of Education Legal Services](#)

[U.S. Department of Agriculture, Food and Nutrition Service](#)

[California Farm Bureau Federation](#)

[Nourish California](#)

[California Project LEAN \(Leaders Encouraging Activity and Nutrition\)](#)

[Centers for Disease Control and Prevention](#)

[California School Nutrition Association](#)

[California Department of Education, School Nutrition](#)

[National Alliance for Nutrition and Activity](#)

[California Department of Public Health](#)

[California Healthy Kids Resource Center](#)

[CSBA](#)

Cross References

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[Environmental Safety](#)

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[Facilities Inspection](#)

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[Food Service Operations/Cafeteria Fund](#)

[Food Service Operations/Cafeteria Fund](#)

Cross References**Description**

3552	Summer Meal Program
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5030	Student Wellness
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6142.8	Comprehensive Health Education
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6173	Education For Homeless Children
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6176	Weekend/Saturday Classes
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Regulation 3550: Food Service/Child Nutrition Program

Status: ADOPTED

Original Adopted Date: 08/14/2017 | **Last Revised Date:** 09/11/2023 | **Last Reviewed Date:** 09/11/2023

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 the district school, 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)

Special Milk Program

If the school does not participate in the National School Lunch or Breakfast Program, it may participate in the Special Milk Program to provide all enrolled students with reasonably priced milk. (7 CFR 215.1)

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.

If the district school participates 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.

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.

If the district school participates in the National School Lunch and/or Breakfast Program, shall, during each school year, obtain 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. The district school 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)

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State References

5 CCR 15510	Mandatory meals for needy students
5 CCR 15530-15535	Nutrition education
5 CCR 15550-15565	School lunch and breakfast programs
5 CCR 15575-15578	Requirements for foods and beverages outside the federal meals program
Ed. Code 35182.5	Contracts for advertising
Ed. Code 38080-38103	Cafeteria; establishment and use
Ed. Code 45103.5	Contracts for management consulting services; restrictions
Ed. Code 48432.3	Voluntary enrollment in continuation education
Ed. Code 49430-49434	Pupil Nutrition, Health, and Achievement Act of 2001
Ed. Code 49490-49494	School breakfast and lunch programs
Ed. Code 49501.5-49506	School meals
Ed. Code 49510-49520	Nutrition
Ed. Code 49530-49536	Child Nutrition Act
Ed. Code 49540-49546	Child care food program
Ed. Code 49547-49548.3	Comprehensive nutrition services
Ed. Code 49550.3-49562	Meals for needy students
Ed. Code 49570	National School Lunch Act
Ed. Code 51795-51798	School instructional gardens
H&S Code 113700-114437	California Retail Food Code; sanitation and safety requirements

Federal References

42 USC 1751-1769j	School Lunch Program
42 USC 1758b	Local wellness policy
42 USC 1761	Summer Food Service Program and Seamless Summer Feeding Option
42 USC 1769a	Fresh Fruit and Vegetable Program
42 USC 1771-1793	Child Nutrition Act
42 USC 1772	Special Milk Program
42 USC 1773	School Breakfast Program
7 CFR 210.1-210.33	National School Lunch Program
7 CFR 215.1-215.18	Special Milk Program
7 CFR 220.2-220.22	National School Breakfast Program
7 CFR 245.1-245.13	Eligibility for free and reduced-price meals and free milk

Management Resources References

California Department of Education Publication	Professional Standards in the School Nutrition Programs, Management Bulletin SNP-13-2020, Updated January 2022
California Department of Education Publication	Healthy Children Ready to Learn, 2006
California Department of Food and Agriculture Pub	Planting the Seed: Farm to School Roadmap for Success, February 2022
California Project Lean Publication	Policy in Action: A Guide to Implementing Your Local School Wellness Policy, October 2006

Management Resources References

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Description[Monitoring for Success: A Guide for Assessing and Strengthening Student Wellness Policies, 2012](#)[Monitoring for Success: Student Wellness Policy Implementation Monitoring Report and Guide, 2008](#)[Nutrition Standards for Schools: Implications for Student Wellness, Policy Brief, October 2007](#)[Building Healthy Communities: A School Leader's Guide to Collaboration and Community Engagement, 2009](#)[Student Wellness: A Healthy Food and Physical Activity Policy Resource Guide, April 2006](#)[School Breakfast Toolkit](#)[Civil Rights Compliance and Enforcement - Nutrition Programs and Activities, FNS Instruction 113-1, November 2005](#)[Dietary Guidelines for Americans, 2020](#)[Food Buying Guide for Child Nutrition Programs, May 2022](#)[Fresh Fruit and Vegetable Program: Handbook for Schools, December 2010](#)[Guidance for School Food Authorities: Developing a School Food Safety Program Based on the Process Approach to HACCP Principles, June 2005](#)[California Department of Food and Agriculture, Office of Farm to Fork](#)[CSBA District and County Office of Education Legal Services](#)[U.S. Department of Agriculture, Food and Nutrition Service](#)[California Farm Bureau Federation](#)[Nourish California](#)[California Project LEAN \(Leaders Encouraging Activity and Nutrition\)](#)[Centers for Disease Control and Prevention](#)[California School Nutrition Association](#)[California Department of Education, School Nutrition](#)[National Alliance for Nutrition and Activity](#)[California Department of Public Health](#)[California Healthy Kids Resource Center](#)[CSBA](#)**Cross References**

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6176	Weekend/Saturday Classes
7110	Facilities Master Plan

Policy 3551: Food Service Operations/Cafeteria Fund

Status: ADOPTED

Original Adopted Date: 08/14/2017 | **Last Revised Date:** 09/11/2023 | **Last Reviewed Date:** 09/11/2023

The Governing Board intends that school food services shall be a self-supporting, nonprofit program. To ensure program quality and 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.

The Superintendent or designee shall ensure that food service director(s) possess the qualifications required by 7 CFR 210.30 and California Department of Education (CDE) standards.

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 CDE. (42 USC 1776)

Meal Sales

Any student who requests a meal shall be served a nutritionally adequate breakfast and lunch free of charge, each school day. (Education Code 49501.5)

As permitted by law, additional or second meals, adult meals, and other nonprogram foods, such as smart snack compliant food and beverages sold in vending machines, may be sold to students. (Education Code 38082, 49501.5)

Meals may be sold to 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 authorized by the Superintendent or designee to be on campus. 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.

The Superintendent or designee shall establish strategies and procedures for the collection of meal payments. Such procedures shall conform with 2 CFR 200.426 and any applicable CDE guidance. The Superintendent or designee shall clearly communicate these procedures to students and parents/guardians, and shall make this policy and the accompanying administrative regulation available to the public pursuant to Education Code 49557.5.

Cafeteria Fund and Account

The Superintendent or designee shall establish a cafeteria fund independent of the district's general fund.

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 for reasonable and necessary indirect program costs as allowed by law.

The wages, salaries, and benefits of food service employees shall be paid from the cafeteria fund. (Education Code 38103)

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)

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 reasonably available 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)

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 CDE to ensure compliance of the district's food service program with federal requirements.

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References	Description
12 CCR 18928-18998.4	Short-lived climate pollutants
5 CCR 15550-15565	School lunch and breakfast programs
Ed. Code 38080-38086	School meals
Ed. Code 38090-38095	Cafeterias; funds and accounts
Ed. Code 38100-38103	Cafeterias; allocation of charges
Ed. Code 42646	Alternate payroll procedure
Ed. Code 45103.5	Contracts for management consulting services; restrictions
Ed. Code 49010	Educational activity; definition
Ed. Code 49431	The Pupil Nutrition, Health, and Achievement Act of 2001
Ed. Code 49490-49494	School breakfast and lunch programs
Ed. Code 49501.5-49506	School meals
Ed. Code 49550.3-49562	Meals for needy students
Ed. Code 49554	Contract for services
Ed. Code 49580-49581	Food recovery program
F&A Code 58595	Preference for California-grown agricultural products
F&A Code 58596.1-58596.5	Buy American Food Act; purchase of nondomestic agricultural food products
H&S Code 113700-114437	California Retail Food Code; sanitation and safety requirements
Pub. Cont. Code 2000-2002	Responsive bidders
Pub. Cont. Code 20111	Contracts over \$50,000; contracts for construction; award to lowest responsible bidder

State References

Pub. Cont. Code 3410

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[U.S. produce and processed foods](#)

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2 CFR 200

2 CFR 200.318-200.326

2 CFR 200.400-200.475

2 CFR 200.56

42 USC 1751-1769j

42 USC 1771-1793

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[Cafeteria Funds - Allowable Uses, NSD Management Bulletin, SNP-05-2020, February 2020](#)

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[Buy American and the Agriculture Improvement Act of 2018, SP-32-2019, August 2019](#)

[Procuring Local Foods for Child Nutrition Programs, January 2022](#)

[Unpaid Meal Charges: Local Meal Charge Policies, SP 46-2016, July 2016](#)

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Description[CalRecycle, Resources for Local Education Agencies: K-12 Public Schools and School Districts](#)[California Department of Education, Accounting](#)[CSBA District and County Office of Education Legal Services](#)[U.S. Department of Agriculture, Food and Nutrition Service](#)[California Department of Social Services](#)[California Department of Education, School Nutrition](#)[California School Nutrition Association](#)**Cross References**

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Regulation 3551: Food Service Operations/Cafeteria Fund

Status: ADOPTED

Original Adopted Date: 08/14/2017 | **Last Revised Date:** 09/11/2023 | **Last Reviewed Date:** 09/11/2023

Payments for Meals

The Superintendent or designee shall maintain a system for accurately recording payments received and tracking meals provided to each student.

At the beginning of the school year, the Superintendent or designee shall communicate the district's meal payment policies through multiple methods, including, but not limited to:

1. Explaining the meal charge policy within registration materials provided to parents/guardians at the start of the school year
2. Including the policy in print versions of student handbooks, if provided to parents/guardians annually
3. Providing the policy whenever parents/guardians are notified regarding the application process for free and reduced-price meals, such as in the distribution of eligibility forms at the start of the school year
4. Posting the policy on the district's web site

Reimbursement Claims

The Superintendent or designee shall maintain records of the number of meals served each day by school site and by category of free and reduced-price meals. The Superintendent or designee shall submit reimbursement claims for school meals to the California Department of Education (CDE) using the online Child Nutrition Information and Payment System.

Donation of Leftover Food

To minimize waste and reduce food insecurity, the district may provide sharing tables 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)

Food that may be donated includes prepackaged, nonpotentially hazardous food with the packaging still intact and in good condition, whole uncut produce that complies with Health and Safety Code 113992, 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 Fund and Account

All proceeds from food sales and other services offered by the cafeteria shall be deposited in the cafeteria fund as provided by law. (Education Code 38090, 38093)

The cafeteria fund shall be used only for those expenditures authorized by the Governing Board as necessary for the operation of school cafeterias in accordance with Education Code 38100-38103, 2 CFR Part 200 Appendix VII, and the California School Accounting Manual.

The district may use cafeteria funds to supplement the provision of a nutritionally adequate breakfast and/or lunch to district students when permitted by law.

Any charges to, or transfers from, a food service program shall be dated and accompanied by a written explanation of the purpose of and basis for the expenditure. (Education Code 38101)

Indirect costs charged to the food service program shall be based on either the district's prior year indirect cost rate as approved by CDE or the 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)

U.S. Department of Agriculture Foods

The district shall provide facilities for the storage and control of foods received through the U.S. Department of Agriculture (USDA) that protect against theft, spoilage, damage, or other loss. Such storage facilities shall maintain donated foods in sanitary conditions, at the proper temperature and humidity, and with adequate air circulation. The district shall comply with all federal, state, or local requirements related to food safety and health and procedures for responding to a food recall, as applicable, and shall obtain all required health inspections. (7 CFR 250.14)

The Superintendent or designee shall maintain inventories of USDA foods in accordance with 7 CFR 250.59 and CDE procedures, and shall ensure that foods are used before their expiration dates.

USDA donated foods shall be used in school lunches as far as practicable. USDA foods also may be used in other nonprofit food service activities, including, but not limited to, school breakfasts or other meals, a la carte foods sold to students, meals served to adults directly involved in the operation and administration of the food service and to other school staff, and training in nutrition, health, food service, or general home economics instruction for students, provided that any revenues from such activities accrue to the district's nonprofit food service account. (7 CFR 250.59)

Contracts with Outside Services

The term of any contract for food service management or consulting services shall not exceed one year. Any renewal of the contract or further requests for proposals to provide such services shall be considered on a year-to-year basis. (Education Code 45103.5; 7 CFR 210.16)

Any contract for management of the food service operation shall be approved by CDE and comply with the conditions in Education Code 49554 and 7 CFR 210.16 as applicable. The district shall retain control of the quality, extent, and general nature of its food services. (Education Code 49554; 42 USC 1758; 7 CFR 210.16)

Any contract for consulting services shall not result in the supervision of food service classified staff by the management consultant, nor shall it result in the elimination of any food service classified staff or position or have any adverse effect on the wages, benefits, or other terms and conditions of employment of classified food service staff or positions. All persons providing consulting services shall be subject to applicable employment conditions related to health and safety as listed in Education Code 45103.5. (Education Code 45103.5)

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References

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12 CCR 18928-18998.4	Short-lived climate pollutants
5 CCR 15550-15565	School lunch and breakfast programs
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2 CFR 200
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[Discretionary Elimination of Reduced Price Charges in the School Meal Programs, SP 17-2014, January 2014](#)

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Regulation 3552: Summer Meal Program

Status: ADOPTED

Original Adopted Date: 09/11/2023 | **Last Reviewed Date:** 09/11/2023

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.
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)

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)

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

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)

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.

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.

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)

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
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)

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)

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)

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References

5 CCR 15510
5 CCR 15550-15565
Ed. Code 49430-49434

Description

[Mandatory meals for needy students](#)
[School lunch and breakfast programs](#)
[The Pupil Nutrition, Health, and Achievement Act of 2001](#)

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Cross References

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Policy 3552: Summer Meal Program

Status: ADOPTED

Original Adopted Date: 09/11/2023 | **Last Reviewed Date:** 09/11/2023

The Governing Board 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).

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)

Between October and April, or at any time or school on a year-round schedule, the district may serve meals at a non-school 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.

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.

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.

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.

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References

5 CCR 15510

Description

[Mandatory meals for needy students](#)

5 CCR 15550-15565

[School lunch and breakfast programs](#)

Ed. Code 49430-49434

[The Pupil Nutrition, Health, and Achievement Act of 2001](#)

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Ed. Code 49547-49548.3

[Comprehensive nutrition services](#)

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[Meals for needy students](#)

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[National School Lunch Act](#)

Federal References

42 USC 1751-1769j

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[School Lunch Program](#)

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42 USC 1758b
 42 USC 1761
 42 USC 1771-1792
 42 USC 1773
 7 CFR 210.1-210.33
 7 CFR 220.1-220.22
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[Summer Food Service Program and Seamless Summer Feeding Option](#)
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[Monitoring for Success: Student Wellness Policy Implementation Monitoring Report and Guide, 2008](#)
[Student Wellness: A Healthy Food and Physical Activity Policy Resource Guide, April 2006](#)
 National School Lunch Program's Seamless Summer Option Questions and Answers, 2009
 The Summer Food Service Program: Food That's In When School is Out, 2010 Administrative Guidance for Sponsors, rev. December 2009
 The Summer Food Service Program: Food That's In When School is Out, 2010 Monitor's Guide, rev. January 2010
 The Summer Food Service Program: Food That's In When School is Out, 2010 Site Supervisor's Guide, rev. January 2010
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[CSBA District and County Office of Education Legal Services](#)
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[California Center for Research on Women and Families, Summer Meal Program Coalition](#)
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5145.71	Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures
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Policy 3553: Free And Reduced Price Meals

Status: ADOPTED

Original Adopted Date: 08/14/2017 | **Last Revised Date:** 09/11/2023 | **Last Reviewed Date:** 09/11/2023

The Governing Board recognizes that adequate nutrition is essential to the development, health and well-being, 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.

Each school day, the district shall provide, free of charge, a nutritionally adequate breakfast and lunch for any student who requests a meal. (Education Code 49501.5)

To provide optimal nutrition and ensure that schools receive maximum federal meal reimbursement, the Superintendent or designee shall assess the eligibility of district schools to operate a federal universal meal service provision, such as Provision 2 or the Community Eligibility Provision, pursuant to 42 USC 1759a. The Superintendent or designee shall submit an application to operate a federal universal meal provision to the California Department of Education (CDE) on behalf of any district school that meets the definition of a "high poverty school." (Education Code 49564.3)

The Superintendent or designee shall ensure that meals served under the school nutrition program meet applicable state and/or federal nutritional standards in accordance with law, Board policy, and administrative regulations.

The Board shall approve, and shall submit to CDE for approval, a plan that ensures that students eligible to receive free or reduced-price meals are not treated differently from other students and that meets other requirements specified in Education Code 49557.

Confidentiality/Release of Records

All applications and records related to eligibility for the free and reduced-price meal program shall be confidential and may not be disclosed except as provided by law and authorized by the Board or pursuant to a court order. (Education Code 49558)

The Board authorizes designated employees to use records pertaining to an individual student's eligibility for the free and reduced-price meal program for the following purposes: (Education Code 49558)

1. Disaggregation of academic achievement data
2. Identification of students eligible for services under the federal Elementary and Secondary Education Act pursuant to 20 USC 6301-6576
3. Facilitation of targeted educational services and support to individual students based on the local control accountability plan

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 with the other educational agency to assist that other educational agency in ensuring that the student continues to receive school meals.

The Superintendent or designee may release the name and eligibility status of a student participating in the free or reduced-price 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 (LCFF) 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 LCFF and for assessing accountability of that funding. (Education Code 49558)

The Superintendent or designee may release information on the school lunch program application to the local agency that determines eligibility for participation in the Medi-Cal program if the student has been approved for free meals or, if included in the agreement with the local agency, for reduced-price meals. The Superintendent or designee also may release information on the school lunch application to the local agency that determines eligibility for CalFresh or another nutrition assistance program authorized under 7 CFR 210.1 if the student has been approved for free or

reduced-price meals. Information may be released for these purposes only if the student's parent/guardian consents to the sharing of information and the district has entered into a memorandum of understanding with the local agency which, at a minimum, includes the roles and responsibilities of the district and local agency and the process for sharing the information. After sharing information with the local agency for purposes of determining eligibility for that program, no further information shall be shared unless otherwise authorized by law. (Education Code 49557.2, 49557.3, 49558)

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References

5 CCR 15510	Mandatory meals for needy students
5 CCR 15530-15535	Nutrition education
5 CCR 15550-15565	School lunch and breakfast programs
Ed. Code 48980	Parent/Guardian notifications
Ed. Code 49430-49434	Pupil Nutrition, Health, and Achievement Act of 2001
Ed. Code 49490-49494	School breakfast and lunch programs
Ed. Code 49501.5-49506	School meals
Ed. Code 49510-49520	Nutrition
Ed. Code 49530-49536	Child Nutrition Act
Ed. Code 49547-49548.3	Comprehensive nutrition services
Ed. Code 49550.3-49562	Meals for needy students
Ed. Code 49564.3	High-poverty schools; universal meal service

Federal References

	Description
20 USC 1232g	Family Educational Rights and Privacy Act (FERPA) of 1974
20 USC 6301-6576	Title I Improving the Academic Achievement of the Disadvantaged
42 USC 1751-1769j	School Lunch Program
42 USC 1771-1791	Child nutrition
42 USC 1773	School Breakfast Program
7 CFR 210.1-210.33	National School Lunch Program
7 CFR 220.10-220.21	National School Breakfast Program
7 CFR 245.1-245.13	Eligibility for free and reduced-price meals and free milk

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	Description
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California Department of Education Publication	Clarification on the Sharing of Individual Student Eligibility Information for Local Control and Accountability Plan Purposes, Management Bulletin SNP-02-2018, May 2018
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Website	California Project LEAN (Leaders Encouraging Activity and Nutrition)
Website	California Department of Education, School Nutrition
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4219.23	Unauthorized Release Of Confidential/Privileged Information
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Regulation 3553: Free And Reduced Price Meals

Status: ADOPTED

Original Adopted Date: 08/14/2017 | **Last Revised Date:** 09/11/2023 | **Last Reviewed Date:** 09/11/2023

Applications

The Superintendent or designee shall ensure that the district's application form for free and reduced-price meals and related materials include the statements specified in Education Code 49557 and 7 CFR 245.5. The district's application packet shall include the notifications and information listed in Education Code 49557.2.

The application form and related information shall be distributed in paper form to all parents/guardians at the beginning of each school year and shall be available to students at all times during the school day. (Education Code 48980, 49520; 42 USC 1758; 7 CFR 245.5)

In addition, the district application form for free and reduced price meals shall be available online. The online application form shall require completion of only those questions necessary for determining eligibility, contain clear instructions for families that are homeless or migrant, and comply with other requirements specified in Education Code 49557.

An application form and related information shall also be provided whenever a new student is enrolled.

At the beginning of each school year, the Superintendent or designee shall send a public release, containing the same information supplied to parents/guardians and including eligibility criteria, to local media, the local unemployment office, and any major employers in the district attendance area contemplating large layoffs. Copies of the public release shall be made available upon request to any interested person. (7 CFR 245.5)

Eligibility

The Superintendent or designee shall determine students' eligibility for the free and reduced-price meal program based on the criteria specified in 42 USC 1758 and 1773 and 7 CFR 245.1-245.13 and made available by the California Department of Education.

Participants in the CalFresh, California Work Opportunity and Responsibility to Kids (CalWORKS), and Medi-Cal programs shall be directly certified for enrollment in the free and reduced-price meal program without further application. Participants in other state or federal programs may be directly certified when authorized by law. (Education Code 49561, 49562; 42 USC 1758; 7 CFR 245.6)

Verification of Eligibility

Not later than November 15 of each year, the Superintendent or designee shall verify the eligibility of a sample of household applications approved for the school year in accordance with the sample sizes and procedures specified in 42 USC 1758 and 7 CFR 245.6a. (42 USC 1758; 7 CFR 245.6a)

If the review indicates that the initial eligibility determination is correct, the Superintendent or designee shall verify the approved household application. If the review indicates that the initial eligibility determination is incorrect, the Superintendent or designee shall: (42 USC 1758; 7 CFR 245.6a)

1. If the eligibility status changes from reduced price to free, make the increased benefits immediately available and notify the household of the change in benefits
2. If the eligibility status changes from free to reduced price, first verify the application, then notify the household of the correct eligibility status, and, when required by law, send a notice of adverse action as described below
3. If the eligibility status changes from free or reduced price to paid, send the household a notice of adverse action as described below

If as a result of verification activities, the eligibility of a household that is receiving free or reduced-price benefits cannot be confirmed, or if the household fails to cooperate with verification efforts, the Superintendent or designee shall reduce or terminate benefits, as applicable, and shall properly document and retain on file in the district the reasons for the household's ineligibility. At least 10 days prior to the actual reduction or termination, the Superintendent or designee shall send a notice of adverse action to the household. The notice shall advise the

household of: (7 CFR 245.6a)

1. The change and the reasons for the change
2. The right to appeal, when the appeal must be filed to ensure continued benefits while awaiting a hearing and decision, and instructions on how to appeal
3. The right to reapply at any time during the school year

In implementing the district's food service programs for students who are eligible to receive free or reduced-price meals, the district shall ensure the following: (Education Code 49557; 42 USC 1758)

1. The names of the students shall not be published, posted, or announced in any manner, or used for any purpose other than the National School Lunch and School Breakfast Programs, unless otherwise provided by law.
2. There shall be no overt identification of any of the students by the use of special tokens or tickets or by any other means.
3. The students shall not be required to work for their meals.
4. The students shall not be required to use a separate dining area, go through a separate serving line or entrance, or consume their meals at a different time.

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References

5 CCR 15510	Mandatory meals for needy students
5 CCR 15530-15535	Nutrition education
5 CCR 15550-15565	School lunch and breakfast programs
Ed. Code 48980	Parent/Guardian notifications
Ed. Code 49430-49434	Pupil Nutrition, Health, and Achievement Act of 2001
Ed. Code 49490-49494	School breakfast and lunch programs
Ed. Code 49501.5-49506	School meals
Ed. Code 49510-49520	Nutrition
Ed. Code 49530-49536	Child Nutrition Act
Ed. Code 49547-49548.3	Comprehensive nutrition services
Ed. Code 49550.3-49562	Meals for needy students
Ed. Code 49564.3	High-poverty schools; universal meal service

Federal References

	Description
20 USC 1232g	Family Educational Rights and Privacy Act (FERPA) of 1974
20 USC 6301-6576	Title I Improving the Academic Achievement of the Disadvantaged
42 USC 1751-1769j	School Lunch Program
42 USC 1771-1791	Child nutrition
42 USC 1773	School Breakfast Program
7 CFR 210.1-210.33	National School Lunch Program
7 CFR 220.10-220.21	National School Breakfast Program
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Regulation 3554: Other Food Sales

Status: ADOPTED

Original Adopted Date: 09/11/2023 | **Last Reviewed Date:** 09/11/2023

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.

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.

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.
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, and 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)

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References

5 CCR 15500	Food sales in elementary schools
5 CCR 15501	Food sales in high schools and junior high schools
5 CCR 15575-15578	Requirements for foods and beverages outside the federal meals program
Ed. Code 35182.5	Contracts for advertising
Ed. Code 48931	Authorization for sale of food by student organization
Ed. Code 49430-49434	Pupil Nutrition, Health, and Achievement Act of 2001
Ed. Code 51520	Prohibited solicitations on school premises
H&S Code 113700-114437	California Retail Food Code; sanitation and safety requirements

Federal References

42 USC 1751-1769j	School Lunch Program
42 USC 1758b	Local wellness policy
42 USC 1771-1791	Child nutrition
7 CFR 210.1-210.33	National School Lunch Program
7 CFR 220.1-220.21	National School Breakfast Program

Management Resources References

CA DOE Management Bulletin	06-110 Restrictions on Food and Beverage Sales Outside of the School Meal Program, August 2006
CSBA Publication	Monitoring for Success: Student Wellness Policy Implementation Monitoring Report and Guide, 2008
CSBA Publication	Nutrition Standards for Schools: Implications for Student Wellness, Policy Brief, October 2007
CSBA Publication	Student Wellness: A Healthy Food and Physical Activity Policy Resource Guide, April 2006
Fiscal Crisis & Management Assistance Team Pub.	Associated Student Body Accounting Manual and Desk Reference, 2002
Natl. Assoc. of State Boards Of Ed. Pub.	Fit, Healthy and Ready to Learn, 2000
Website	CSBA District and County Office of Education Legal Services
Website	U.S. Dept. of Agriculture, Food and Nutrition Information Center
Website	California Project LEAN (Leaders Encouraging Activity and Nutrition)
Website	Centers for Disease Control and Prevention
Website	National Association of State Boards of Education
Website	California Department of Education, School Nutrition
Website	California Department of Public Health
Website	California Healthy Kids Resource Center
Website	CSBA
Website	Fiscal Crisis and Management Assistance Team

Cross References

1230	School-Connected Organizations
1230	School-Connected Organizations

Cross References

1321

1321

3260

3312

3452

3550

3550

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3551

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5141.27

5141.27

5148.2

5148.2

6142.8

6142.8

6145

6145

Description[Solicitation Of Funds From And By Students](#)[Solicitation Of Funds From And By Students](#)[Fees And Charges](#)[Contracts](#)[Student Activity Funds](#)[Food Service/Child Nutrition Program](#)[Food Service/Child Nutrition Program](#)[Food Service Operations/Cafeteria Fund](#)[Food Service Operations/Cafeteria Fund](#)[Free And Reduced Price Meals](#)[Free And Reduced Price Meals](#)[Student Wellness](#)[Food Allergies/Special Dietary Needs](#)[Food Allergies/Special Dietary Needs](#)[Before/After School Programs](#)[Before/After School Programs](#)[Comprehensive Health Education](#)[Comprehensive Health Education](#)[Extracurricular And Cocurricular Activities](#)[Extracurricular And Cocurricular Activities](#)

Policy 3554: Other Food Sales

Status: ADOPTED

Original Adopted Date: 08/14/2017 | **Last Revised Date:** 09/11/2023 | **Last Reviewed Date:** 09/11/2023

The Governing Board 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.

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 and/or sales at secondary school student stores for fundraising purposes.

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References

	Description
5 CCR 15500	Food sales in elementary schools
5 CCR 15501	Food sales in high schools and junior high schools
5 CCR 15575-15578	Requirements for foods and beverages outside the federal meals program
Ed. Code 35182.5	Contracts for advertising
Ed. Code 48931	Authorization for sale of food by student organization
Ed. Code 49430-49434	Pupil Nutrition, Health, and Achievement Act of 2001
Ed. Code 51520	Prohibited solicitations on school premises
H&S Code 113700-114437	California Retail Food Code; sanitation and safety requirements

Federal References

	Description
42 USC 1751-1769j	School Lunch Program
42 USC 1758b	Local wellness policy
42 USC 1771-1791	Child nutrition
7 CFR 210.1-210.33	National School Lunch Program
7 CFR 220.1-220.21	National School Breakfast Program

Management Resources References

	Description
CA DOE Management Bulletin	06-110 Restrictions on Food and Beverage Sales Outside of the School Meal Program, August 2006
CSBA Publication	Monitoring for Success: Student Wellness Policy Implementation Monitoring Report and Guide, 2008
CSBA Publication	Nutrition Standards for Schools: Implications for Student Wellness, Policy Brief, October 2007
CSBA Publication	Student Wellness: A Healthy Food and Physical Activity Policy Resource Guide, April 2006
Fiscal Crisis & Management Assistance Team Pub.	Associated Student Body Accounting Manual and Desk Reference, 2002
Natl. Assoc. of State Boards Of Ed. Pub.	Fit, Healthy and Ready to Learn, 2000
Website	CSBA District and County Office of Education Legal Services
Website	U.S. Dept. of Agriculture, Food and Nutrition Information Center
Website	California Project LEAN (Leaders Encouraging Activity and Nutrition)
Website	Centers for Disease Control and Prevention

Management Resources References

Website	National Association of State Boards of Education
Website	California Department of Education, School Nutrition
Website	California Department of Public Health
Website	California Healthy Kids Resource Center
Website	CSBA
Website	Fiscal Crisis and Management Assistance Team

Description**Cross References**

1230	School-Connected Organizations
1230	School-Connected Organizations
1321	Solicitation Of Funds From And By Students
1321	Solicitation Of Funds From And By Students
3260	Fees And Charges
3312	Contracts
3452	Student Activity Funds
3550	Food Service/Child Nutrition Program
3550	Food Service/Child Nutrition Program
3551	Food Service Operations/Cafeteria Fund
3551	Food Service Operations/Cafeteria Fund
3553	Free And Reduced Price Meals
3553	Free And Reduced Price Meals
5030	Student Wellness
5141.27	Food Allergies/Special Dietary Needs
5141.27	Food Allergies/Special Dietary Needs
5148.2	Before/After School Programs
5148.2	Before/After School Programs
6142.8	Comprehensive Health Education
6142.8	Comprehensive Health Education
6145	Extracurricular And Cocurricular Activities
6145	Extracurricular And Cocurricular Activities

Description

Policy 3555: Nutrition Program Compliance

Status: ADOPTED

Original Adopted Date: 08/14/2017 | **Last Revised Date:** 09/11/2023 | **Last Reviewed Date:** 09/11/2023

The Governing Board 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 on any basis prohibited by law.

Compliance Coordinator

The Board shall designate a compliance coordinator for nutrition programs, who may also be the compliance officer(s) specified in AR 1312.3 - Uniform Complaint Procedures, to ensure compliance with the laws governing the district's nutrition programs.

The responsibilities of the compliance coordinator include, but are not limited to:

1. Providing the name of the compliance coordinator, the Section 504 coordinator, and Title IX coordinator, if different from the compliance coordinator, to the California Department of Education (CDE) and other interested parties
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
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
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
9. Implementing procedures to process and resolve civil rights complaints, including alleged discrimination on the basis of race, color, national origin, age, sex, sexual orientation, gender identity, or disability, and program-related complaints, including maintaining a complaint log, working with the appropriate person to resolve any complaint, and referring the complainant to the appropriate state or federal agency when necessary
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

Notifications

The compliance coordinator shall ensure that the U.S. Department of Agriculture's (USDA) "And Justice for All" civil rights poster, or a substitute poster approved by USDA's Food and Nutrition Service, is displayed in areas visible to the district's nutrition program participants, such as food service areas and school offices.

The compliance coordinator shall notify the public, all program applicants, participants, and potentially eligible persons of their rights and responsibilities and steps necessary to participate in the nutrition programs, including program requirements and program availability. 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 filed anonymously or by a third party.

In addition, the compliance coordinator shall ensure that all forms of communication available to the public regarding program availability shall contain, in a prominent location, the most current version of the nondiscrimination statement provided by USDA about the district's status as an equal opportunity provider and the address of the agency with responsibility to handle complaints made against the district.

Forms of communication requiring this nondiscrimination statement include, but are not limited to, web sites, public information releases, publications, and posters, but exclude items such as cups, buttons, magnets, menus, and pens that identify the program when the size or configuration makes it impractical. 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.

A short version of the nondiscrimination statement, as provided by USDA, may be used on pamphlets, brochures, and flyers in the same print size as the rest of the text.

Complaints of Discrimination

A complaint alleging discrimination in the district's nutrition program(s) on the basis of race, color, national origin, sex, sexual orientation, gender identity, age, or disability shall, within 180 days of the alleged discriminatory act, be filed or referred to USDA at any of the following: (5 CCR 15582)

Mail: U.S. Department of Agriculture
Office of the Assistant Secretary for Civil Rights
1400 Independence Avenue, SW
Washington, D.C. 20250-9410
Phone: (866) 632-9992, (800) 877-8339 (Federal Relay Service - English, deaf, hard of hearing, or speech disabilities), (800) 845-6136 (Federal Relay Service - Spanish)
Fax: (833) 256-1665 or (202) 690-7442
Email: program.intake@usda.gov

Complaints of discrimination on any other basis shall be investigated by the district using the process identified in AR 1312.3 - Uniform Complaint Procedures.

Complaints Regarding Noncompliance with Program Requirements

Any complaint alleging that the district has not complied with program requirements pertaining to meal counting and claiming, reimbursable meals, eligibility of a child or adult, use of cafeteria funds and allowable expenses in relation to any child nutrition program specified in Education Code 49550-49564.5 shall be filed with or referred to CDE. (Education Code 49556; 5 CCR 15584)

Complaints against a program operator that is not an educational agency shall be filed with or referred to CDE. (5 CCR 15584)

Complaints of noncompliance with any other nutrition program requirements shall be submitted to and investigated by the district using the following procedures.

Complaints may be filed by a student or the student's duly authorized representative by phone, email, or letter. The complaint shall be submitted within one year from the date of the alleged violation and shall include the following: (5 CCR 15581)

1. A statement that the district has violated a law or regulation relating to its child nutrition program
2. The facts on which the statement is based
3. The name of the district or the school against which the allegations are made

4. The complainant's contact information
5. The name of the student if alleging violations regarding a specific student

The district shall investigate and prepare a written report pursuant to 5 CCR 4631. (5 CCR 15583)

Unless extended by written agreement with the complainant, the district's compliance coordinator shall investigate the complaint and prepare a written report to be sent to the complainant within 60 days of the district's receipt of the complaint. (5 CCR 15583; 5 CCR 4631)

If the complainant is not satisfied with the findings in the district's report, the complainant may appeal the decision to CDE by filing a written appeal within 30 days of receiving the decision. (5 CCR 4632)

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References

5 CCR 15580-15584

Description

[Child nutrition programs complaint procedures](#)

5 CCR 3080

[Applicability of uniform complaint procedures to complaints regarding students with disabilities](#)

5 CCR 4600-4670

Uniform complaint procedures

5 CCR 4900-4965

Nondiscrimination in elementary and secondary educational programs receiving state or federal financial assistance

Ed. Code 200-270

[Prohibition of discrimination](#)

Ed. Code 42238.01

[Definitions for purposes of funding](#)

Ed. Code 48985

[Notices to parents in language other than English](#)

Ed. Code 49060-49079

[Student records](#)

Ed. Code 49490-49590

[Child nutrition programs](#)

Pen. Code 422.6

[Crimes; harassment](#)

Federal References

20 USC 1400-1482

Description

[Individuals with Disabilities Education Act](#)

20 USC 1681-1688

Title IX of the Education Amendments of 1972; discrimination based on sex

28 CFR 35.101-35.190

Americans with Disabilities Act

28 CFR 36.303

[Nondiscrimination on the basis of disability, public accommodations, auxiliary aids, and services](#)

29 USC 794

[Rehabilitation Act of 1973; Section 504](#)

34 CFR 100.1-100.13

[Nondiscrimination in federal programs; effectuating Title VI](#)

34 CFR 104.1-104.39

Section 504 of the Rehabilitation Act of 1973

34 CFR 106.1-106.61

Discrimination on the basis of sex; effectuating Title IX

34 CFR 106.9

[Severability](#)

42 USC 12101-12213

[Americans with Disabilities Act](#)

42 USC 2000d-2000d-7

Title VI, Civil Rights Act of 1964

42 USC 2000e-2000e-17

Title VII, Civil Rights Act of 1964, as amended

7 CFR 210.19

[National School Lunch Program; additional responsibilities](#)

7 CFR 210.23

[National School Lunch Program; district responsibilities](#)

7 CFR 215.14

[Special Milk Program; nondiscrimination](#)

7 CFR 215.7

[Special Milk Program; requirements for participation](#)

Federal References

7 CFR 220.13	School Breakfast Program; special responsibilities of state agencies
7 CFR 220.7	School Breakfast Program; requirements for participation
7 CFR 225.11	Summer Food Service Program; corrective action procedures
7 CFR 225.3	Summer Food Service Program; administration
7 CFR 225.7	Summer Food Service Program; program monitoring
7 CFR 226.6	Child and Adult Care Food Program; state agency administrative responsibilities
7 CFR 250.15	Out-of-condition donated foods, food recalls, and complaints

Description**Management Resources References**

California Department of Education Publication	Civil Rights and Complaint Procedures, U.S. Department of Agriculture Child Nutrition Programs, June 2018
U. S. Department of Agriculture Publication	USDA Nondiscrimination Statement, December 2022
U.S. Department of Agriculture Publication	Application of Bostock v. Clayton County to Program Discrimination Complaint Processing – Policy Update, CRD 01-2022, May 2022
U.S. Department of Agriculture Publication	Civil Rights Compliance and Enforcement - Nutrition Programs and Activities, FNS Instruction 113-1, November 2005
U.S. DOE Office for Civil Rights Publication	Notice of Non-Discrimination, August 2010
Website	U. S. Department of Agriculture, And Justice for All Posters
Website	CSBA District and County Office of Education Legal Services
Website	U.S. Department of Agriculture, Office for Civil Rights
Website	U.S. Department of Agriculture, Food and Nutrition Service
Website	California Department of Education, School Nutrition
Website	U.S. Department of Education, Office for Civil Rights

Description**Cross References**

0410	Nondiscrimination In District Programs And Activities
1100	Communication With The Public
1312.1	Complaints Concerning District Employees
1312.1	Complaints Concerning District Employees
1312.3	Uniform Complaint Procedures
1312.3	Uniform Complaint Procedures
1312.3-E(1)	Uniform Complaint Procedures
1312.3-E(2)	Uniform Complaint Procedures
3312	Contracts
3550	Food Service/Child Nutrition Program
3550	Food Service/Child Nutrition Program
3551	Food Service Operations/Cafeteria Fund
3551	Food Service Operations/Cafeteria Fund
3552	Summer Meal Program
3552	Summer Meal Program
3553	Free And Reduced Price Meals

Description

Cross References

3553

4231

5022

5022

5030

5125

5125

5141.27

5141.27

5145.13

5145.13

5145.6

5145.6-E(1)

6159

6159

6164.6

6164.6

9321

9321-E(1)

9321-E(2)

Description[Free And Reduced Price Meals](#)[Staff Development](#)[Student And Family Privacy Rights](#)[Student And Family Privacy Rights](#)[Student Wellness](#)[Student Records](#)[Student Records](#)[Food Allergies/Special Dietary Needs](#)[Food Allergies/Special Dietary Needs](#)[Response To Immigration Enforcement](#)[Response To Immigration Enforcement](#)[Parent/Guardian Notifications](#)[Parent/Guardian Notifications](#)[Individualized Education Program](#)[Individualized Education Program](#)[Identification And Education Under Section 504](#)[Identification And Education Under Section 504](#)[Closed Session](#)[Closed Session](#)[Closed Session](#)

Exhibit 3555-E(1): Nutrition Program Compliance

Status: ADOPTED

Original Adopted Date: 09/11/2023 | Last Revised Date: 12/10/2024 | Last Reviewed Date: 12/10/2024

NONDISCRIMINATION STATEMENT FOR NUTRITION PROGRAMS

The following statement shall be included, in a prominent location, on all forms available to the public regarding the availability of the district's child nutrition programs:

"In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, this institution is prohibited from discriminating on the basis of race, color, national origin, sex (including gender identity and sexual orientation), disability, age, or reprisal or retaliation for prior civil rights activity.

Program information may be made available in languages other than English. Persons with disabilities who require alternative means of communication to obtain program information (e.g., Braille, large print, audiotope, American Sign Language, etc.), should contact the responsible state or local agency that administers the program or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339.

To file a program discrimination complaint, a Complainant should complete a Form AD-3027, USDA Program Discrimination Complaint Form, which can be obtained online at: <https://www.usda.gov/sites/default/files/documents/ad-3027.pdf>, from any USDA office, by calling (866) 632-9992, or by writing a letter addressed to the USDA. The letter must contain the complainant's name, address, telephone number, and a written description of the alleged discriminatory action in sufficient detail to inform the Assistant Secretary for Civil Rights (ASCR) about the nature and date of an alleged civil rights violation. The completed AD-3027 form or letter must be submitted 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; or
- (2) fax: (833) 256-1665 or (202) 690-7442; or
- (3) email: Program.Intake@usda.gov

This institution is an equal opportunity provider."

On pamphlets, brochures, and flyers, in the same print size as the rest of the text, the district may print a short version of the nondiscrimination statement, as follows:

"This institution is an equal opportunity provider. The short statement may be used on fliers, posters, or documents that are one page in nature, in a font no smaller than the text. "

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References

5 CCR 15580-15584

5 CCR 3080

5 CCR 4600-4670

5 CCR 4900-4965

Ed. Code 200-270

Ed. Code 42238.01

Description

[Child nutrition programs complaint procedures](#)

[Applicability of uniform complaint procedures to complaints regarding students with disabilities](#)

Uniform complaint procedures

Nondiscrimination in elementary and secondary educational programs receiving state or federal financial assistance

[Prohibition of discrimination](#)

[Definitions for purposes of funding](#)

State References

Ed. Code 48985
 Ed. Code 49060-49079
 Ed. Code 49490-49590
 Pen. Code 422.6

Federal References

20 USC 1400-1482
 20 USC 1681-1688
 28 CFR 35.101-35.190
 28 CFR 36.303
 29 USC 794
 34 CFR 100.1-100.13
 34 CFR 104.1-104.39
 34 CFR 106.1-106.61
 34 CFR 106.9
 42 USC 12101-12213
 42 USC 2000d-2000d-7
 42 USC 2000e-2000e-17
 7 CFR 210.19
 7 CFR 210.23
 7 CFR 215.14
 7 CFR 215.7
 7 CFR 220.13
 7 CFR 220.7
 7 CFR 225.11
 7 CFR 225.3
 7 CFR 225.7
 7 CFR 226.6
 7 CFR 250.15

Management Resources References

California Department of Education Publication
 U. S. Department of Agriculture Publication
 U.S. Department of Agriculture Publication
 U.S. Department of Agriculture Publication
 U.S. DOE Office for Civil Rights Publication
 Website
 Website

Description

[Notices to parents in language other than English](#)
[Student records](#)
[Child nutrition programs](#)
[Crimes; harassment](#)

Description

[Individuals with Disabilities Education Act](#)
 Title IX of the Education Amendments of 1972; discrimination based on sex
 Americans with Disabilities Act
[Nondiscrimination on the basis of disability, public accommodations, auxiliary aids, and services](#)
[Rehabilitation Act of 1973; Section 504](#)
[Nondiscrimination in federal programs; effectuating Title VI](#)
 Section 504 of the Rehabilitation Act of 1973
 Discrimination on the basis of sex; effectuating Title IX
[Severability](#)
[Americans with Disabilities Act](#)
 Title VI, Civil Rights Act of 1964
 Title VII, Civil Rights Act of 1964, as amended
[National School Lunch Program; additional responsibilities](#)
[National School Lunch Program; district responsibilities](#)
[Special Milk Program; nondiscrimination](#)
[Special Milk Program; requirements for participation](#)
[School Breakfast Program; special responsibilities of state agencies](#)
[School Breakfast Program; requirements for participation](#)
[Summer Food Service Program; corrective action procedures](#)
[Summer Food Service Program; administration](#)
[Summer Food Service Program; program monitoring](#)
[Child and Adult Care Food Program; state agency administrative responsibilities](#)
[Out-of-condition donated foods, food recalls, and complaints](#)

Description

Civil Rights and Complaint Procedures, U.S. Department of Agriculture Child Nutrition Programs, June 2018
 USDA Nondiscrimination Statement, December 2022
 Application of Bostock v. Clayton County to Program Discrimination Complaint Processing – Policy Update, CRD 01-2022, May 2022
[Civil Rights Compliance and Enforcement - Nutrition Programs and Activities, FNS Instruction 113-1, November 2005](#)
 Notice of Non-Discrimination, August 2010
 U. S. Department of Agriculture, And Justice for All Posters
[CSBA District and County Office of Education Legal Services](#)

Management Resources References

Website	U.S. Department of Agriculture, Office for Civil Rights
Website	U.S. Department of Agriculture, Food and Nutrition Service
Website	California Department of Education, School Nutrition
Website	U.S. Department of Education, Office for Civil Rights

Cross References

	Description
0410	Nondiscrimination In District Programs And Activities
1100	Communication With The Public
1312.1	Complaints Concerning District Employees
1312.1	Complaints Concerning District Employees
1312.3	Uniform Complaint Procedures
1312.3	Uniform Complaint Procedures
1312.3-E(1)	Uniform Complaint Procedures
1312.3-E(2)	Uniform Complaint Procedures
3312	Contracts
3550	Food Service/Child Nutrition Program
3550	Food Service/Child Nutrition Program
3551	Food Service Operations/Cafeteria Fund
3551	Food Service Operations/Cafeteria Fund
3552	Summer Meal Program
3552	Summer Meal Program
3553	Free And Reduced Price Meals
3553	Free And Reduced Price Meals
4231	Staff Development
5022	Student And Family Privacy Rights
5022	Student And Family Privacy Rights
5030	Student Wellness
5125	Student Records
5125	Student Records
5141.27	Food Allergies/Special Dietary Needs
5141.27	Food Allergies/Special Dietary Needs
5145.13	Response To Immigration Enforcement
5145.13	Response To Immigration Enforcement
5145.6	Parent/Guardian Notifications
5145.6-E(1)	Parent/Guardian Notifications
6159	Individualized Education Program
6159	Individualized Education Program
6164.6	Identification And Education Under Section 504
6164.6	Identification And Education Under Section 504
9321	Closed Session

Cross References

9321-E(1)

9321-E(2)

Description[Closed Session](#)[Closed Session](#)

Regulation 3580: District Records

Status: ADOPTED

Original Adopted Date: 08/14/2017 | **Last Revised Date:** 09/11/2023 | **Last Reviewed Date:** 09/11/2023

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)

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)

A student's cumulative record is a continuing record until the student ceases to be enrolled in the district. (5 CCR 16022)

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
- c. Audit of all funds
- d. Average daily attendance, including Period 1 and Period 2 reports
- e. Other major annual reports, including:
 - i. Those containing information relating to property, activities, financial condition, or transactions
 - ii. Those declared by Governing Board minutes to be permanent

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

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.

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.

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.

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' 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)

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.

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.

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.

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References

5 CCR 16020-16022

Description

[Records; general provisions](#)

5 CCR 16023-16027

[District records; retention and destruction](#)

5 CCR 430

[Individual student records; definition](#)

5 CCR 432

[Student records](#)

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[District records; breach of security](#)

Code of Civil Procedure 1985.8

[Electronic Discovery Act](#)

Code of Civil Procedure 2031.010-2031.060

[Civil Discovery Act; scope of discovery demand](#)

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[Civil Discovery Act; response to inspection demand](#)

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[Official actions, minutes and journal](#)

Ed. Code 35252-35255

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[Absolute right to access](#)

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[Confidentiality of addresses for victims of domestic violence, sexual assault, stalking, or child abduction](#)

Gov. Code 7920.000-7930.170

[California Public Records Act](#)

Pen. Code 11170

[Retention of child abuse reports](#)

Federal References

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20 USC 1232g

[Family Educational Rights and Privacy Act \(FERPA\) of 1974](#)

34 CFR 99.1-99.8

[Family Educational Rights and Privacy Act](#)

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[CSBA District and County Office of Education Legal Services](#)

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4112.42	Drug And Alcohol Testing For School Bus Drivers

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9011	Disclosure Of Confidential/Privileged Information
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9324	Minutes And Recordings

Policy 3580: District Records

Status: ADOPTED

Original Adopted Date: 08/14/2017 | **Last Revised Date:** 09/11/2023 | **Last Reviewed Date:** 09/11/2023

The Governing Board 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.

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.

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.

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.

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)

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)

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.

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State References

5 CCR 16020-16022

5 CCR 16023-16027

5 CCR 430

5 CCR 432

Civ. Code 1798.29

Code of Civil Procedure 1985.8

Code of Civil Procedure 2031.010-2031.060

Code of Civil Procedure 2031.210-2031.320

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[Individual student records; definition](#)

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[Electronic Discovery Act](#)

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[Civil Discovery Act; response to inspection demand](#)

State References

Ed. Code 35145

Ed. Code 35163

Ed. Code 35252-35255

Ed. Code 44031

Ed. Code 49065

Ed. Code 49069.7

Gov. Code 12946

Gov. Code 6205-6210

Gov. Code 7920.000-7930.170

Pen. Code 11170

Federal References

20 USC 1232g

34 CFR 99.1-99.8

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5113.2	Work Permits

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7214	General Obligation Bonds
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9011	Disclosure Of Confidential/Privileged Information
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Policy 3600: Consultants

Status: ADOPTED

Original Adopted Date: 08/14/2017 | **Last Revised Date:** 09/11/2023 | **Last Reviewed Date:** 09/11/2023

The Governing Board 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.

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 providing labor or services for remuneration 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: (Labor Code 2775)

1. The person is free from the control and direction of the district in connection with the performance of the work.
2. The person is performing work that is outside the usual course of the district providing educational services.
3. The person is customarily engaged in an independently established trade, occupation, or business of the same nature as the work to be performed.

The determination of whether an individual acting as a sole proprietor or a firm or other business organization is an independent contractor shall be made in accordance with Labor Code 2775-2785, as applicable.

All consultant contracts shall be brought to the Board for approval.

All qualified independent contractors shall be accorded equal opportunity for contracts regardless of actual or perceived race, ethnicity, color, national origin, ancestry, age, religious creed, marital status, pregnancy, physical or mental disability, medical condition, genetic information, veteran or military 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)

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 the 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)

Policy Reference Disclaimer: These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

State References

2 CCR 18700-18760
 Ed. Code 10400-10407
 Ed. Code 17596
 Ed. Code 220
 Ed. Code 35010
 Ed. Code 35172
 Ed. Code 35204
 Ed. Code 44925
 Ed. Code 45103
 Ed. Code 45103.5
 Ed. Code 45134-45135
 Ed. Code 45256
 Gov. Code 12940-12952
 Gov. Code 53060
 Gov. Code 82019
 Gov. Code 87300-87313
 Lab. Code 2775-2787
 Unemp. Ins. Code 606.5
 Unemp. Ins. Code 621

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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
[CSBA District and County Office of Education Legal Services](#)

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