

**REGULAR BOARD MEETING**  
**BOARD OF TRUSTEES**  
**WHEATLAND UNION HIGH SCHOOL DISTRICT**  
1010 Wheatland Road, Wheatland, CA 95692

**Wednesday, April 17, 2024**

**5:00 p.m. Room P-8**

***“Every Day, Every Child, Whatever it Takes”***

## **AGENDA**

**1. CALL MEETING TO ORDER**

**2. PLEDGE OF ALLEGIANCE TO THE FLAG**

**3. ESTABLISHMENT OF A QUORUM**

Mr. Tony Lopez, President	_____
Mrs. Shawndel Meder, Clerk	_____
Mrs. Patricia Agles, Member	_____
Mr. Ryan Belflower, Member	_____
Mr. Greg Forest, Member	_____
Mr. Lukas Chang, Student Board Member	_____

**4. CONFIRMATION OF THE AGENDA**

**5. STUDENT AND STAFF RECOGNITIONS – Ms. Edwards, Mr. Moore, Ms. Simpson**

- Students of the Month
- Staff of the Month
- Special Recognition: 2024 Student Achievement Scholarship, SSDA
  - Faith Miller           \$1,000.00
  - Yuritzzy Garcia       \$ 500.00
  - Erika Thompson      \$ 500.00

**6. TENURE CELEBRATION**

**6.1 Tenure Celebration for the following Certificated Staff:**

- Jacob Fletcher
- Stephanie Grignon
- Patric McInnis
- Kimberly McLaughlin
- Kailia Mize
- Michelle Slaughter
- Emilio Smith
- Amanda Wellborn

**7. OPPORTUNITY FOR SCHOOL AFFILIATED ORGANIZATIONS TO ADDRESS THE BOARD**

- BAFB Liaison – Mrs. Annette Goodly
- Wheatland Athletic Foundation

**8. RECOGNITION OF PERSONS HAVING BUSINESS WITH THE BOARD**

*The Public may address the Board on any matter pertaining to the school district that relates to Closed Session or is not on the agenda. Unless otherwise determined by the Board, each person is limited to three (3) minutes. If a large number wish to speak on a specific item, the Board may limit total input to twenty (20) minutes on any item. There will be no Board discussion except to ask questions or to refer the matter to staff and no actions will be taken unless listed on the agenda.*

*The Ralph M. Brown Act prevents the Board of Trustees from responding to these comments with the exception of clarifying questions. The California Government Code, Section 54954.2(a)2 states, “No action or discussion shall be undertaken on any item not appearing on the posted agenda, except the members of a legislative body or its staff may briefly respond to statements made or questions posed by persons exercising their public testimony rights under Section 54954.3.*

*No action or discussion shall be undertaken on any item not appearing on the posted agenda, except that members of the legislative body or its staff may briefly respond to statements made or questions posed by persons exercising their public testimony rights under Government Code 54954.3. In addition, on their own initiative, or in response to questions posed by the public, a member of a legislative body or its staff may ask a question for clarification, make a brief announcement or make a brief report on his or her own activities. Furthermore, a member of a legislative body or the body itself, subject to rules or procedures of the legislative body, may provide a reference to staff or other resources for actual information, request staff to report back to the body at a subsequent meeting concerning any matter, or take action to direct staff to place a matter of business on a future agenda.*

**9. CLOSED SESSION**

*Pursuant to Government Code §54957.6, the board will meet in closed session on the following matters.*

- **PUBLIC EMPLOYEE / PERSONNEL**

- *Title: Certificated, Classified, Administration and Unrepresented Employees*

**10. RECONVENE TO OPEN SESSION**

**11. ACTION ON CLOSED SESSION ITEMS IF ANY**

**12. PRESENTATIONS**

**12.1 After School Program – Mrs. Amber Crawley**

**13. SUPERINTENDENT’S REPORT**

*This item provides an opportunity for the Superintendent to share various items of interest with the Board – Ms. Nicole Newman*

- Summer School Update

**14. DIRECTOR OF CAPITAL PROJECTS, MOT – Mr. Terry Biladeau**

**15. CHIEF BUSINESS OFFICER’S REPORT – Ms. Kerri Hubbard**

- Developer Fee Report

**16. STUDENT BOARD REPRESENTATIVE REPORT – Mr. Lukas Chang**

- *All open session materials distributed to board members are available upon request at 1010 Wheatland Road, Wheatland, CA 95692*
- *Individuals requiring disability-related accommodations or modifications including auxiliary aids and services in order to participate in the Board meeting should contact the Superintendent or designee in writing at least two days prior to meeting date. (American Disabilities Act) Government Code 54954.1)*
- *In accordance with Board Bylaw 9322, students and parents/guardians may request that directory information or personal information (as defined in Ed Code 49061 and/or 49073.2) be excluded from the minutes by making a request in writing to the Superintendent or Clerk of the Board.*

17. **PRINCIPAL’S REPORT** – Ms. Schandia Edwards

- Wheatland Union High School
- Edward P. Duplex Continuation High School
- Community Day School

18. **RECOGNITION OF PERSONS HAVING BUSINESS WITH THE BOARD**

The Public may address the Board on any matter pertaining to the school district that is not on the agenda or is on the consent agenda. Unless otherwise determined by the Board, **each person is limited to three (3) minutes**. If a large number wish to speak on a specific item, the Board may limit total input to twenty (20) minutes on any item. There will be no Board discussion except to ask questions or to refer the matter to staff and no actions will be taken unless listed on the agenda.

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19. **CONSENT AGENDA**

**ACTION NO. 23.075**

**Notice to the Public**

Wheatland Union High School District Governing Board utilizes a consent calendar for items that require the approval of the board but are of routine nature. They act upon these items in one vote. Any member may remove an item for additional questions. Board members receive their agendas and back up materials four days in advance of our meetings. They have the opportunity to ask questions and to do research prior to our meeting. It is their intent to handle the routine items expeditiously, so they have time to address more serious issues.

- A. Approve minutes of the March 20, 2024, Regular Board Meeting
- B. Approve bills and warrants for March 2024 in the amount of \$2,156,756.25.
- C. Williams Uniform Complaint Report (January, February, March 2024)
- D. Approve Surplus Equipment (attachment)
- E. Approve overnight field trip for Summer College Exploration 2024, July 8-9, 2024.
- F. Approve the following job descriptions:
  - School Health Medical Billing Analyst
  - Administrative Assistant to the Co-Executive Directors of GSPP RTAC
  - Special Education and School Attendance Review Board (SARB) Secretary
  - Director of Community Schools and Mental Health
- G. Approve the following salary schedule:
  - Director of Community Schools and Mental Health
- H. Approve classified salary ranges, effective 4/1/2024.

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- I. Approve Agreement between Wheatland Union High School District and the California School Employees Association (CSEA) to reclassification of Alyssa Chun to Special Education and School Attendance Review Board (SARB) Secretary effective July 1, 2024.
- J. Approve the following members of the Citizens' Bond Oversight Committee for one-year term of May 16, 2024, through May 15, 2025:
  - Sonya Harris, Community at Large
  - Connie Walczak, Taxpayer Organization Member
  - Jan Curtin, Senior Citizen Group Representative

**20. DEFERRED CONSENT ITEMS**

**21. INFORMATION ITEMS**

**21.1 March 2024 Board Policy Updates** *(approval upon second reading)*

- A. First Reading BP 0450 Comprehensive Safety Plan
- B. First Reading AR 0450 Comprehensive Safety Plan
- C. First Reading BP 0470 COVID-19 Mitigation Plan – **DELETE**
- D. First Reading BP 3516 Emergencies and Disaster Preparedness Plan
- E. First Reading AR 3516 Emergencies and Disaster Preparedness Plan
- F. First Reading BP 3550 Food Service / Child Nutrition Program
- G. First Reading AR 3550 Food Service / Child Nutrition Program
- H. First Reading BP 4157 Employee Safety
- I. First Reading BP 4257 Employee Safety
- J. First Reading BP 4357 Employee Safety
- K. First Reading AR 4157 Employee Safety
- L. First Reading AR 4257 Employee Safety
- M. First Reading AR 4357 Employee Safety
- N. First Reading AR 4157.1 Work-Related Injuries
- O. First Reading AR 4257.1 Work-Related Injuries
- P. First Reading AR 4357.1 Work-Related Injuries
- Q. First Reading BP 5126 Awards for Achievement
- R. First Reading AR 5126 Awards for Achievement
- S. First Reading BP 5141.21 Administering Medication and Monitoring Health Conditions
- T. First Reading BP 6115 Ceremonies and Observances
- U. First Reading AR 6115 Ceremonies and Observances
- V. First Reading BP 6175 Migrant Education Program
- W. First Reading AR 6175 Migrant Education Program
- X. First Reading BB 9320 Meetings and Notices
- Y. First Reading BB 9323.2 Actions by the Board
- Z. First Reading E(1) 9323.2 Actions by the Board
- AA. First Reading E(2) 9323.2 Actions by the Board - **DELETE**

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**22. INFORMATION / POSSIBLE ACTION**

**22.1 Board Policy Update**

- First Reading BP 3510 Green School Operations
- First Reading BP 5030 Student Wellness

**23. ACTION ITEMS**

**23.1 APPROVE APPOINTMENT OF THE FOLLOWING PERSONNEL TO SERVE FOR THE 2024-25 SCHOOL YEAR AS THE SCHOOL’S CIF LEAGUE REPRESENTATIVES – Dr. Nicole Newman**

- Nicole Newman
- Schandia Edwards
- Brandon Moore
- Jason Soderlund

**ACTION NO. 23.076**

*LCAP GOAL #1: WUHSD students will graduate high school college and career ready.*

*LCAP GOAL #2: WUHSD students will feel a sense of connectedness academically, socially, emotionally, and physically in their school.*

*LCAP GOAL #3: WUHSD will engage families and members of the greater school community as educational partners.*

**24. BOARD MEMBER REPORTS / COMMENT**

**25. ITEMS TO BE AGENDIZED FOR THE NEXT REGULAR MEETING**

**26. ADJOURNMENT**

**ACTION NO. 23.077**

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**SCHOOL BOARD MEETING FORMAT**

**What is a School Board Meeting?**

A School Board Meeting is the normal business meeting of the governing board at which district business is conducted. It is not a public meeting where questions and discussion come from the audience. Members of the audience may address their comments to the Board during the time at which the Board is discussing the agenda item. A three-minute time limit will be imposed except for special presentations approved in advance.

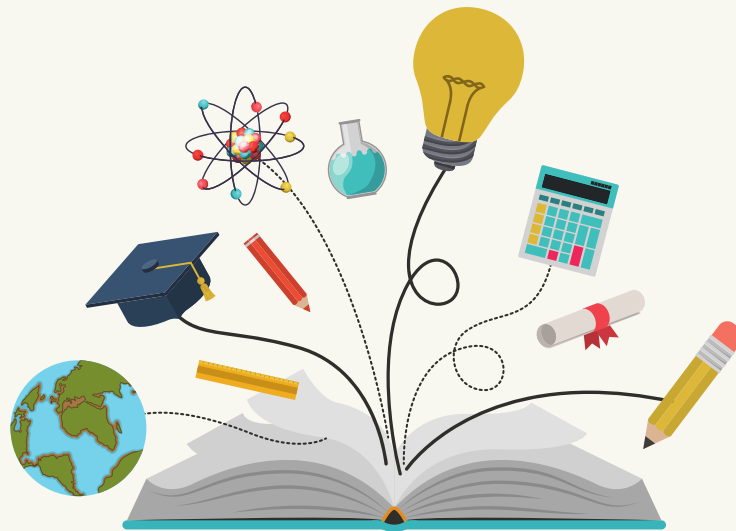
**Notification of Meetings**

To provide the public with information about what will be on each board meeting agenda, a public notice is posted on the Wheatland Union High School website at [www.wheatlandhigh.org](http://www.wheatlandhigh.org) on the Friday prior to a regularly scheduled board meeting. In addition, a copy of every board meeting agenda is posted at all schools, sent to union presidents and available for review at the District Office.

**Next Regular Meeting: May 15, 2024**

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Posted: 04/12/2024 MH



# WUHS SUMMER SCHOOL 2024

**JUNE 10-JULY 9**  
**NO SCHOOL JUNE 19 OR JULY 4**

**TRANSPORTATION PROVIDED TO SCHOOL AND HOME  
FOLLOWING THE AFTER SCHOOL PROGRAM**

*Period 1: 8:15-10:15*

*Nutrition: 10:15-10:30*

*Period 2: 10:30-12:30*

*After School Program:*

*10:00-2:00*



**SAIL Program**

**Medically Fragile Program**

**Transition Program**

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# COURSES OFFERED

Kelly Phillips	Integrated Math 1 Semester A	Integrated Math Semester B
Kim Saunders	Biology	Chemistry
Roy Bagley	Academic Intervention	Academic Intervention
Kim Phillips	Physical Fitness	Physical Fitness
Jason Sheldon/ Andy Fatten	Physical Fitness	Physical Fitness
Kailia Mize	Medical Terminology	Medical Terminology
Olumide Coker/ Courtney Fatten/ Rebecca Azevedo	SAIL Program/ Medically Frag. Program/ Transition Program ESY	SAIL Program/ Medically Frag. Program/ Transition Program ESY
Max Struble	Edmentum Online	Edmentum Online

**Tutoring Lab Open 7:30-2:00 through June 18, then 8:00-1:00 through July 9**

**After School Program will have lunch, games, activities, tutoring, & online driver's education**

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# Board Update

Meeting Date; **April 17, 2024**

## FMOT Board Meeting Notes

### Capital Projects:

- District Master Plan.
- T-Mobile Cell Tower **(Received DSA approved plans # 02-121457 on 8-10-23)**
- Multipurpose Building. **(Received DSA Application # 02-121816 on 9-21-23.)**
- North side Solar. **(Received DSA Application # 02-122379 on 4-5-24.)**
- Artificial Turf. **(Some punch list corrections still need to be done.)**

### North Side Solar Project:

- Contracts have been signed.
- 90% Plans are in design, they are scheduled April 10 upload plans to DSA. (Groundbreaking June 2024)
- One issue we need to address is solar utility conduits run under the footprint. This was fixed with a note added to the plans E2.0. GPR was done last week, I have an idea on the best way to handle main power relocation.

### Artificial turf in the Sports Complex:

- Next steps are punch list corrections and close out.
- Surfacing was installed 15-17, flagpole repairs are still ongoing. Bid to add 2 is in.
- We added cement pads for the pole vault over spring break.
- Met with AstroTurf last week, they requested a “final” list of items needed to close out the project. I told them we were waiting till after Verde’s final punch walk that will include the track surfacing. We need to get the Verde contract done for closeout.

### Multipurpose Building:

- This project is currently in planning, we have reviewed the 90% plans now in DSA.
- DSA Application number has been assigned 02-121816.

### Cell Tower:

- This project is almost ready to start. We are waiting on contract approvals.
- We have requested installers supply a pathway for fiber for the home side press box as part of the lease agreement. They have offered a \$10,000 “lease signing fee” to cover the cost of running fiber.
- We will request the lighting bracket and height information for the T-Mobile cell tower project.
- Because removing the pole was taken from the scope of work the contractor has agreed to run a fiber pathway to the back of the press box.



**Next steps for the cell tower include:**

1. Contract review and approval. Upon completion of planning lease contracts will be forwarded to the board for final approval.
2. 100% Plans were sent to and approved by DSA. (Approved 8-10-23)
3. Looks like construction can start early June 2024.

**General projects:**

- Add ductwork to welding shop classroom. **(Summer project)**
- Repair interior walls in the weightroom. **(Summer project)**
- Light timer upgrade. **(Spring Break)**
- Flickering light repair in the G Wing classroom and Girl's restroom in the foyer. **(Spring Break)**  
**(Done)**
- New sunshade sails are here and can be installed after the new anchors are installed. **(Spring Break)**  
**(Done)**
- Install new freezer out by the woodshop. **(Spring Break)** **(Done)**
- Electrician to run the circuit for the new freezer. **(Spring Break)** **(Done)**
- Paint red lines in south-west corner of the parking lot for ADA drop-off, **(Spring break)** **(Done).**
- Abate and replace VCT in the Kitchen, Cafeteria, and kitchen classroom. (24 weekdays) **(Summer project)** **(I recommend we call in a general contractor.)** **(Job walk with KYA was done April 5<sup>th</sup>)**
- Reset and weld hinges on the track gate below the press box. **(Spring Break)**
- Replace roll-up door for the forklift. **(Spring Break)** **(Done)**
- Service all HVAC units and prep for AC summer. (CALSHAPE) **(Spring Break)** **Work wasn't completed, they will be working on the project afterhours this week.**
- Rebuild or replace the JV baseball backstop. **(Summer project)**
- Surplus equipment moves and sales. Scheduled for April 12<sup>th</sup>.
- Replace busted ceiling tiles in Boys' team room. **(Spring Break)** **(Done)**
- Re-roof storage building. **(Spring Break)** **(Done)**
- Pour cement patio West of the snack bar. **(Spring Break)** **Rescheduled to April 19 & 20.**
- Replace Kitchen back door. (Scheduled for the 28<sup>th</sup>). **(Spring Break)** **(Done)**
- Add two flagpoles to the football field. **(Summer project)** (Bid is in, not yet approved.)
- Light repair outside the HS office. **(Done)**
- D-10 power upgrade, Plumbing upgrade, add cabinet and sink, replace window, paint (?). **(Summer project)**
- When boring for solar power we should add the future sewer high pressure line (3" from the lift station to the lawn area manhole for the MP). **(Summer project)**
- Pour two 3x5 pads in the D-zone for the pole vault standards. **(Spring Break)** **(Done)**
- Fix the handrail at the east DO door. **(Spring Break)**
- Install a 24X48 greenhouse before the end of the school year. This project may have been put on hold. We may consider buying the greenhouse for assembly later. **(Summer project)**
- Install gutter above south-east district office door. **(Spring Break)**

**REGULAR BOARD MEETING**  
**BOARD OF TRUSTEES**  
**WHEATLAND UNION HIGH SCHOOL DISTRICT**  
1010 Wheatland Road, Wheatland, CA 95692

**Wednesday, March 20, 2024**

**5:00 PM Room P-8**

## **Unadopted Minutes**

A regular meeting of the Wheatland Union High School District Board of Trustees was held on Wednesday, March 20, 2024.

Trustees in attendance included Mr. Tony Lopez, Mrs. Shawndel Meder, Mrs. Patricia Agles, Mr. Greg Forest, Mr. Ryan Belflower, and Mr. Lukas Chang.

Also Present: Nicole Newman, Kerri Hubbard, Terry Biladeau, Schandia Edwards, Lauren Link, Wendy Simpson, Jason Soderlund, Andy Fatten, Pam Sullivan, Jessica Ibarra, Will Husse, Kimberly McLaughlin, Elena Pegov, Mona Hood, students, staff, and community members.

**1. CALL MEETING TO ORDER**

President Lopez called the meeting to order at 5:01 p.m.

**2. PLEDGE OF ALLEGIANCE TO THE FLAG**

Member Meder led the pledge of allegiance.

**3. ESTABLISHMENT OF A QUORUM**

Mr. Tony Lopez, President	P
Mrs. Shawndel Meder, Clerk	P
Mrs. Patricia Agles, Member	P
Mr. Ryan Belflower, Member	P
Mr. Greg Forest, Member	A ( <i>arrived at 5:46 p.m.</i> )
Mr. Lukas Chang, Student Board Member	A ( <i>arrived at 5:46 p.m.</i> )

**4. CONFIRMATION OF THE AGENDA**

Superintendent Newman confirmed the agenda as presented.

**5. RECOGNITION OF PERSONS HAVING BUSINESS WITH THE BOARD**

No one present addressed the board.

**6. STUDENT AND STAFF RECOGNITIONS**

**Students of the Month – EMBRACING CHANGE (*attachment*)**

- 9<sup>th</sup> Grade – Savannah Brewer
- 10<sup>th</sup> Grade – Violet Copier
- 11<sup>th</sup> Grade – Malia Barron
- 12<sup>th</sup> Grade – Kylie Barron

**Staff of the Month**

- Certificated: Kimberly McLaughlin, Special Education Teacher
- Classified: Elena Pegov, Academic Technician

**Special Recognition:** Yuba County Educator of the Year Nominations

- William Husse
- Jessica Ibarra
- Pam Sullivan

**7. CLOSED SESSION - 5:19 PM**

*Pursuant to Government Code §54957.6, the board will meet in closed session on the following matters.*

- **PUBLIC EMPLOYEE / PERSONNEL**

*Title: Certificated, Classified, Administration and Unrepresented Employees*

**8. RECONVENE TO OPEN SESSION – 5:46 PM**

**9. ACTION ON CLOSED SESSION ITEMS IF ANY**

President Lopez no action was taken during closed session.

**10. RECOGNITION OF PERSONS HAVING BUSINESS WITH THE BOARD**

No one present addressed the Board.

**11. OPPORTUNITY FOR SCHOOL AFFILIATED ORGANIZATIONS TO ADDRESS THE BOARD**

- **BAFB Liaison – Mrs. Annette Goodly**

- On April 26<sup>th</sup>, the Day for Kids event will be held on Beale AFB which is one of the many celebrations during the Month of the Military Child. Everyone is welcome to attend.
- May 18<sup>th</sup> – Auto Expo on Beale AFB
- The district was encouraged to send articles to include in the newsletter.
- Beale AFB is still in need of a Military Family Life Counselor licensed clinician.

- **Wheatland Athletic Foundation**

Representative, Andy Fatten, gave an overview of the newly formed Wheatland Athletic Foundation and the steps being taken to provide a means of parent involvement and community organization to help parents and the community to assist with fundraising. This current organization is currently organized for the football program at Wheatland Union High School, but there are plans to expand to other sports teams during the Fall of the 2024-25 school year. Fundraising events have recently been held including a flag football tournament and operating the snack bar during the Roy Crabtree Pirate Classic.

**12. PRESENTATIONS**

**12.1 Athletics Report – Mr. Jason Soderlund (attachment)**

**13. SUPERINTENDENT’S REPORT**

Superintendent Newman reported the following:

- Dr. Newman and Ms. Carol Keiser will be presenting during the Career Compass Summit in April.

- Friday, March 22<sup>nd</sup>, Dr. Newman and Dr. Tawny Dotson will be speaking in Natomas on the subject of Equity and Dual Enrollment.
- The Construction Arts course will be collapsed at WUHS. This course is not a viable program for our students who would be better served in a CTE EV Pathway.
- The Floral Design students made the floral arrangements for the Small School District Conference held last week. Two students received a cash prize for their arrangement (\$1,000 and \$500) and will be recognized during the April board meeting. Floral Design students will also be making floral arrangements for the ACSA Awards Dinner on April 18<sup>th</sup>.
- Trauma Informed Training will be offered to the teaching staff. More information to follow.
- Training in Artificial Intelligence (AI) in the classroom will also be offered to the teaching staff.
- Skills USA students received a Level II Academic of Excellence award. This is a wonderful accomplishment for the first-year program.
- “Shout Out” to CBO, Kerri Hubbard for her excellent work in preparing the 2<sup>nd</sup> Interim. Kerri put in many long exhausting hours and deserves recognition for her amazing effort.
- Schandia Edwards, Aleia Lund, and Celeste Boggs were recognized last Friday evening during the ACSA Gala.

14. **DIRECTOR OF CAPITAL PROJECTS, MOT** *(attachment)*

15. **CHIEF BUSINESS OFFICER’S REPORT**

- Developer Fee Report *(attachment)*

16. **STUDENT BOARD REPRESENTATIVE REPORT**

Mr. Lukas Chang reported the following:

- Mr. Chang asked if the school could help students who are being hurt by false posts on a certain Instagram page. Ms. Edwards responded that the school has no ability to make Instagram take down a post and suggested filing a complaint with Instagram. Dr. Newman spoke to pending California Senate Bill 1504, the Cyberbullying Protection Act, introduced on February 16, 2024. The passage of this bill would help to address the cyberbullying issue.
- Skills USA will be presenting before the board during the May meeting.

17. **PRINCIPAL’S REPORT**

**Wheatland Union High School**

- Ms. Edwards thanked Dr. Newman and the district for nominating her for the Principal of the Year award.

- HOSA and FBLA students are traveling to Anaheim over spring break for separate competitions.
- After spring break, students will participate in CAASPP and NWEA testing. Reminders will be sent to parents next week. Advanced Placement testing will begin the following week.
- A list of important upcoming Senior calendar dates are being compiled. Senior finals will need to be completed by Wednesday, June 5<sup>th</sup> since graduation practice will be held on Thursday, the last day of the school year.
- Life Touch will not be taking pictures during graduation. Other options are being considered.
- Options on where to incorporate the upcoming ethnic studies requirement in student classes are being explored.

### **Edward P. Duplex Continuation High School**

- Enrollment = 42 students
- The teacher, Pam Sullivan, is doing a great job.
- Conversations have begun regarding students struggling at WUHS possibly starting the new school year at EPD.

### **Wheatland Community Day School**

- Enrollment = 10 students
- A couple students who moved to the WUHS campus have now returned to CDS. Some changes were due to voluntary placement by the parents.
- The teacher, Michelle Slaughter, is doing a great job and continues to make this a very successful program.

## **18. CONSENT AGENDA**

**ACTION NO. 23.067**

### **Notice to the Public**

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- Approve minutes of the February 28, 2024, Regular Board Meeting
- Approve minutes of the February 28, 2024, Special Board Meeting
- Approve bills and warrants for February 2024 in the amount of \$1,130,482.81
- Approve overnight field trip, FCCLA attending Annual State Leadership Conference in Riverside, California, April 27-30, 2024.
- Approve overnight field trip, FFA Ag Welding State Finals in Merced, California, April 26-27, 2024.
- Approve hiring the following classified staff:
  - Ruth Saenz, Cook
- Accept the resignation of Rocio Lopez, Teacher.

**MOTION** by Patricia Agles, seconded by Ryan Belflower, to approve the consent agenda.

Agles - Aye	Lopez - Aye
Belflower - Aye	Meder - Aye
Forest - Aye	Chang - Aye

Vote: (6 Ayes, 0 Absent) Motion carries.

**19. DEFERRED CONSENT ITEMS**

There were no deferred consent items.

**20. PUBLIC HEARING**

**20.1 PUBLIC HEARING**

*A PUBLIC HEARING WILL BE HELD BY THE GOVERNING BOARD OF WHEATLAND UNION HIGH SCHOOL DISTRICT, for the purpose of implementing school facilities fees in accordance with Education Code Section 17620.*

President Lopez opened the Public Hearing. No one addressed the Board; therefore, the Public Hearing was closed.

**21. ACTION ITEMS**

**21.1 APPROVE RESOLUTION ADOPTING AND IMPLEMENTING A CHANGE IN LEVEL 1 DEVELOPER FEES LEVIED ON RESIDENTIAL DEVELOPMENT AND LEVYING FEES ON COMMERCIAL AND INDUSTRIAL DEVELOPMENT TO FUND THE CONSTRUCTION AND RECONSTRUCTION OF SCHOOL FACILITIES**

**ACTION NO. 23.068**

**MOTION** by Ryan Belflower, seconded by Greg Forest, to approve Resolution 23.068 adopting and implementing a change in Level 1 Developer Fees levied on residential development and levying fees on commercial and industrial development to fund the construction and reconstruction of school facilities.

Agles - Aye	Lopez - Aye
Belflower - Aye	Meder - Aye
Forest - Aye	Chang - Aye

Vote: (6 Ayes, 0 Absent) Motion carries.

**21.2 APPROVAL OF THE SECOND INTERIM REPORT ON THE FINANCIAL CONDITION OF THE DISTRICT FOR 2023-24 AND APPROVE BUDGET REVISIONS CONTAINED IN THE REPORT**

**ACTION NO. 23.069**

**MOTION** by Shawndel Meder, seconded by Patricia Agles, to approve the second interim report on the financial condition of the district for 2023-24 and approve budget revisions contained in the report.

Agles - Aye	Lopez - Aye
Belflower - Aye	Meder - Aye
Forest - Aye	Chang - Aye

Vote: (6 Ayes, 0 Absent) Motion carries.

**21.3 APPROVE DECLARATION OF NEED FOR FULLY QUALIFIED EDUCATORS BE SUBMITTED TO THE COMMISSION ON TEACHER CREDENTIALING FOR THE 2024-25 SCHOOL YEAR**

**ACTION NO. 23.070**

**MOTION** by Greg Forest, seconded by Shawndel Meder, to approve Declaration of Need for Fully Qualified Educators and be submitted to the Commission on Teacher Credentialing for the 2024-25 school year.

Agles - Aye	Lopez - Aye
Belflower - Aye	Meder - Aye
Forest - Abstain	Chang - Aye

Vote: (6 Ayes, 0 Absent) Motion carries.

**21.4 APPROVE WHEATLAND UNION HIGH SCHOOL DISTRICT’S WORKPLACE VIOLENCE PREVENTION PLAN**

**ACTION NO. 23.071**

**MOTION** by Ryan Belflower, seconded by Shawndel Meder, to approve the Wheatland Union High School District’s Workplace Violence Prevention Plan.

Agles - Aye	Lopez - Aye
Belflower - Aye	Meder - Aye
Forest - Aye	Chang - Aye

Vote: (6 Ayes, 0 Absent) Motion carries.

**21.5 APPROVE MEMORANDUM OF UNDERSTANDING BETWEEN WHEATLAND UNION HIGH SCHOOL DISTRICT AND WHEATLAND HIGH EDUCATORS’ ASSOCIATION OF TEACHERS (W.H.E.A.T.) REGARDING CLASS COVERAGE**

**ACTION NO. 23.072**

**MOTION** by Shawndel Meder, seconded by Patricia Agles, to approve the Memorandum of Understanding between Wheatland Union High School District and Wheatland High Educators’ Association of Teachers (W.H.E.A.T.) regarding class coverage.

Agles - Aye	Lopez - Aye
Belflower - Aye	Meder - Aye
Forest - Aye	Chang - Aye

Vote: (6 Ayes, 0 Absent) Motion carries.

**21.6 APPROVE GRANT AGREEMENT FOR K-12 STRONG WORKFORCE PROGRAM BETWEEN THE BUTTE-GLENN COMMUNITY COLLEGE DISTRICT AND WHEATLAND UNION HIGH SCHOOL DISTRICT**

**ACTION NO. 23.073**

**MOTION** by Patricia Agles, seconded by Ryan Belflower, to approve the grant agreement for K-12 Strong Workforce Program between the Butte-Glenn Community College District and the Wheatland Union High School District.

Agles - Aye	Lopez - Aye
Belflower - Aye	Meder - Aye
Forest - Aye	Chang - Aye

Vote: (6 Ayes, 0 Absent) Motion carries.

**22. BOARD MEMBER REPORTS / COMMENTS**

- **Lukas Chang** – nothing to report.
- **Ryan Belflower** – nothing to report.
- **Greg Forest** – The Rotary group will be coming to campus tomorrow to help distribute food to the community.
- **Patricia Agles** – nothing to report.
- **Shawndel Meder** – Officially offered the Board’s congratulations to Dr. Newman for earning her Doctorate degree.
- **Tony Lopez** – nothing to report.

**23. ITEMS TO BE AGENDIZED FOR THE NEXT REGULAR MEETING**

- ✓ LCAP Draft
- ✓ Tenure Celebration
- ✓ After School Report
- ✓ Summer School Plan
- ✓ March Board Policy Updates
- ✓ CIF Appointments
- ✓ Surplus Items

**24. ADJOURNMENT**

**ACTION NO. 23.074**

**MOTION** by Shawndel Meder, seconded by Patricia Agles, to adjourn at 7:37 p.m.  
6 yeas, 0 Absent. Motion carries.

Respectfully Submitted:

\_\_\_\_\_  
Nicole Newman, Superintendent

\_\_\_\_\_  
Shawndel Meder, Clerk

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date



Checks Dated 03/01/2024 through 03/31/2024

Check Number	Check Date	Pay to the Order of	Fund-Obj	Comment	Expensed Amount	Check Amount
22203439	03/01/2024	ACSA Region 2	01-5800	Region 2 Gala Celebration		540.00
22203440	03/01/2024	Aerial Lift Service Co.	01-5600	AerialLift Svc		469.40
22203441	03/01/2024	American Red Cross Training Svc	01-5800	CPE/AED/First Aid		2,090.00
22203442	03/01/2024	Bidwell H2O	01-4300	Drinking Water Svc		94.50
22203443	03/01/2024	Cal-HOSA	01-5800	Virtual Fall Conf		105.00
22203444	03/01/2024	Calif High School Network	01-5200	CA High School Coalition Mtg		159.00
22203445	03/01/2024	Department of Education	13-8220	CNIPS SSO Pymt	17,071.36	
			13-8520	CNIPS SSO Pymt	1,750.64	18,822.00
22203446	03/01/2024	Hillyard / Sacramento	01-4300	Cleaning Supplies		8.58
22203447	03/01/2024	Hubbard, Kerri	01-5200	CBO Mtg Reim		90.37
22203448	03/01/2024	Hylen Distribution	13-4700	Cafeteria Food/Dairy		1,678.00
22203449	03/01/2024	Ibarra, Jessica	01-4300	1/15-2/6 Expense Reim	2.48	
			01-5898	1/15-2/6 Expense Reim	266.42	268.90
22203450	03/01/2024	Iftin Charter School	01-7211	MTSS 2nd Installment		25,000.00
22203451	03/01/2024	JW Pepper & Son Inc	01-4300	class Music		110.00
22203452	03/01/2024	Lund, Aleia	01-5200	Lead w/Pride Air/Hotel Reim		977.50
22203453	03/01/2024	Mobile Modular Mgmt Corp	01-5600	Modular Rental Classrooms		2,720.00
22203454	03/01/2024	Newman, Nicole	01-5800	Wrestling Lodging Reim	1,279.92	
			01-5898	TraumaConf Lodging Reim	743.28	2,023.20
22203455	03/01/2024	Office Depot	01-4300	Class Supplies	111.00	
				Janitorial Supplies	28.25	
				Office Supplies	77.19	216.44
22203456	03/01/2024	Pace Supply Corp	01-4300	Maintenance Supplies		195.68
22203457	03/01/2024	Pacific Gas & Electric	01-5501	PG& E Svc FY 23/24		41,070.57
22203458	03/01/2024	Pacific Shredding	01-5800	Document Shredding Svc		168.00
22203459	03/01/2024	Pearson Assessment	01-4300	SpEd Speech Materials		880.91
22203460	03/01/2024	PlaceWorks Inc.	25-5800	Plumas Lake Property Environmental Study		1,032.50
22203461	03/01/2024	PNC Bank, N.A. Commercial Lending Operations	01-7438	Solar Financiing FY 23/24	39,200.66	
			25-7439	Solar Financiing FY 23/24	72,108.22	111,308.88
22203462	03/01/2024	Power Protection Plus	01-5600	Field Lighting	3,655.00	
				NGym Electric	3,900.00	7,555.00
22203463	03/01/2024	ProGrass West Inc	35-6170	Re-issue Ck		886,902.90
22203464	03/01/2024	Purchase Powe Pitney Bowes Bank	01-5900	Postage Svc		1,188.52
22203465	03/01/2024	Reclamation District No. 2103	01-5800	Levee & Facility Assess FY23-24		606.83
22203466	03/01/2024	Shadd Janitorial Supply	01-4300	Janitorial Supplies		2,341.82
22203467	03/01/2024	Sherwin-williams Co	01-4300	Paint Supplies		290.24
22203468	03/01/2024	Sierra Pacific Turf Supply	01-4300	Maint/OP Supplies		134.90

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Checks Dated 03/01/2024 through 03/31/2024

Check Number	Check Date	Pay to the Order of	Fund-Obj	Comment	Expensed Amount	Check Amount
22203469	03/01/2024	Signworx	25-4300	PL Sign		1,163.90
22203470	03/01/2024	Sunbelt Rentals Inc	01-5600	Equipment Rentals		2,639.74
22203471	03/01/2024	Synchrony Bank/Amazon	01-4300	Ag class Supplies	96.96	
				Ag Mech Supplies	255.41	
				Ag Supplies	294.03	
				Animal Sci Supplies	16.14	
				Class supplies	53.51	
				Depper Supplies	2,200.00	
				Eng. Class Supplies	43.92	
				Floral Supplies	59.25	
				Supplies	845.54	3,864.76
22203472	03/01/2024	Sysco Food Svcs Of Sacramento	13-4300	Cafeteria Food/Supplies	299.15	
			13-4700	A La Carte	101.43	
				Cafeteria Food/Supplies	8,254.58	
				Meals/Snacks	766.10	9,421.26
22203473	03/01/2024	The JuicePlus+Company Tower Garden	01-4400	Tower Garden		7,701.97
22203474	03/01/2024	US Bank Corporate	01-4300	Canva Subscription	119.99	
				Culinary Supplies	323.77	
				MOT Supplies	386.10	
			01-4400	Livestock Scale	1,290.60	
			01-5200	CHSC Mtg Lodging	223.27	
				May Revise wksp	325.00	
			13-4700	Cafeteria Food	123.00	2,791.73
22203475	03/01/2024	Wellborn, Amanda	01-4300	Easter Floral Supplies Reim		108.87
22203476	03/01/2024	West Coast Sand & Gravel Inc	01-4300	Field Mix Blend		3,177.86
22203477	03/01/2024	Wilson, Joshua D	01-5200	APE Conf Perdiem Reim		282.92
22203615	03/08/2024	ACSA FEA	01-5200	Lead w/Pride Summit Registration		525.00
22203616	03/08/2024	Adam Labs Inc	01-5800	Mold Clearing test		460.00
22203617	03/08/2024	Advanced Document	01-5800	Copier Maint Agreement		990.06
22203618	03/08/2024	AERIES Software	01-5200	AeriesCon		5,196.00
22203619	03/08/2024	AgriLife Learn	01-4300	Veterinary Sci Stu Handbook	87.43	
				Unpaid Tax	6.29-	81.14
22203620	03/08/2024	AirGas USA LLC	01-4300	Welding lenses/headgear		284.45
22203621	03/08/2024	Animal Damage Management	01-5504	Pest Control		285.00
22203622	03/08/2024	Beeler Tractor Co	01-4300	Maint/Tractor Supplies		430.03
22203623	03/08/2024	Bidwell H2O	01-4300	Drinking Water		52.43
22203624	03/08/2024	Boggs, Celeste	01-5200	CA Dual Enroll conf Reim		180.55

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Checks Dated 03/01/2024 through 03/31/2024

Check Number	Check Date	Pay to the Order of	Fund-Obj	Comment	Expensed Amount	Check Amount
22203625	03/08/2024	BSN Sports LLC	01-4300	Girls/Boys Tennis		1,652.41
22203626	03/08/2024	CA+SA Studio	21-6200	Architecture Svc	133,000.00	
			35-6200	Architectural Svc AG Mechanics	1,260.00	
				Architecture Svc	26,211.76	160,471.76
22203627	03/08/2024	California's Valued Trust	01-3402	Mar24 CVT Trustees Life	15.60	
			01-9514	MAR24 CVT Ins	182,982.41	
				Mar24 CVT Pay17	4,396.76	
				Mar24 CVT Pay34	790.40	188,185.17
22203628	03/08/2024	Carolina Bio Supply	01-4300	Animal Sci Supplies		385.20
22203629	03/08/2024	CSADA	01-5200	CSADA Conf		360.00
22203630	03/08/2024	Data Center Warehouse LLC	01-4400	HP workstations		69,451.08
22203631	03/08/2024	Education Advanced Inc Dept 0464	01-5800	Cardonex Software FY 23-24		29,000.00
22203632	03/08/2024	Edwards, Schandia	01-5200	Conf Long Beach Reim		1,396.85
22203633	03/08/2024	EverBank, N.A	01-5600	Copier Payment		157.23
22203634	03/08/2024	Flinn Scientific Inc	01-4300	AG Chem Lab supplies		243.51
22203635	03/08/2024	Floral Resources Sacramento	01-4300	Horticulture Supplies		218.19
22203636	03/08/2024	Gerlinger Steel	01-4300	Metal		947.93
22203637	03/08/2024	Ibarra, Jessica	01-5898	1/16-2/8 Mileage Reim		68.88
22203638	03/08/2024	Jack E Campbell	35-6170	Inspection Svcs	2,850.00	
			35-6200	Inspection Svcs	150.00	
			40-6200	Inspection Svcs	1,350.00	4,350.00
22203639	03/08/2024	James Sutherland	01-5800	2/6-3/1 Mileage Reim		261.97
22203640	03/08/2024	JW Pepper & Son Inc	01-4300	class Music		115.00
22203641	03/08/2024	Ledbetter Mechanical Contr LLC	01-5600	Floor Repairs		1,055.00
22203642	03/08/2024	Lincoln Electric	01-4300	Welding Consumables		235.65
22203643	03/08/2024	Lund, Aleia	01-5898	PBIS Trg Reim		145.17
22203644	03/08/2024	McClellan Ag Repair	01-4300	Transportation #12 Repairs/Svc	540.92	
				Transportation #2 Repairs/Svc	603.42	
				Transportation Repairs/Svc	94.36	
			01-5600	Transportation #12 Repairs/Svc	125.00	
				Transportation #2 Repairs/Svc	62.50	
				Transportation Repairs/Svc	439.45	
			01-5800	Transportation # 5 Repairs/Svc	125.00	
				Transportation #10 Repairs/Svc	125.00	
				Transportation #11 Repairs/Svc	125.00	
				Transportation #12 Repairs/Svc	125.00	
				Transportation #14 Repairs/Svc	125.00	

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Checks Dated 03/01/2024 through 03/31/2024

Check Number	Check Date	Pay to the Order of	Fund-Obj	Comment	Expensed Amount	Check Amount
22203644	03/08/2024	McClellan Ag Repair		Transportation #15 Repairs/Svc	125.00	
				Transportation #16 Repairs/Svc	125.00	
				Transportation #2 Repairs/Svc	125.00	
				Transportation #9 Repairs/Svc	125.00	
				Transportation Bus 1Repairs/Svc	125.00	3,115.65
22203645	03/08/2024	Mobile Modular Mgmt Corp	01-5600	DO 48x60 Rental		3,042.00
22203646	03/08/2024	Napa High School Softball Attn Ron Walston	01-5300	Softball Tourny		650.00
22203647	03/08/2024	Nevada Union High School	01-5300	Track Entry Fee		300.00
22203648	03/08/2024	Office Depot	01-4300	Office Supplies		6.67
22203649	03/08/2024	Phillips, Lisa	01-5200	CSNO Conf Reim		1,280.30
22203650	03/08/2024	Raj's Mini Mart	01-4390	Vehicle Fuel FY 23/24		8,341.48
22203651	03/08/2024	School Sport, Inc	01-5600	Basketball backstop winch		10,850.00
22203652	03/08/2024	School Steps Inc	01-5800	Psych Svc	14,630.00	
				Stu OT/DHH/BH Services	363.75	14,993.75
22203653	03/08/2024	SchoolHouse Connection c/o April Hjelstrom	01-5200	CA Statewide Homeless Ed Conf		2,260.00
22203654	03/08/2024	Stinemans Farm Supply	01-4300	AG Farm Supplies	52.21	
				AG Plant Science Supplies	80.08	
				AG Welding Supplies	59.72	
				Farm Supplies	27.35	
				Maintenance Supplies	1,038.80	1,258.16
22203655	03/08/2024	Sullivan, Pamela	01-5200	Trauma-Sensitive Conf Reim		449.43
22203656	03/08/2024	Synchrony Bank/Amazon	01-4300	Animal Sci Supplies	496.83	
				Bookshelf	102.35	
				Chem Class Supplies	32.13	
				Class Supplies	147.47	
				Depper Supplies	125.75	904.53
22203657	03/08/2024	Sysco Food Svcs Of Sacramento	01-4300	Culinary Supplies		323.77
22203658	03/08/2024	Taylor, Melissa	01-4300	Animal Sci Reim		110.00
22203659	03/08/2024	Teachers Pay Teachers	01-4300	TPT SpEd Materials		134.97
22203660	03/08/2024	US Bank Corporate	01-4300	MOT Supplies	123.34	
				PBIS	233.08	
				PBIS Supplies	1,077.50	
				SPA supplies	21.54	
			01-5200	WACAC Regis	350.00	
			01-5800	Bridge toll	18.00	
			13-4300	Cafeteria Supplies	340.94	

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Checks Dated 03/01/2024 through 03/31/2024

Check Number	Check Date	Pay to the Order of	Fund-Obj	Comment	Expensed Amount	Check Amount
22203660	03/08/2024	US Bank Corporate	13-4700	Cafeteria Food	48.49	2,212.89
22203661	03/08/2024	Wellborn, Amanda	01-4300	BR Buddies Reim		18.84
22203662	03/08/2024	Wheatland Smog-repair Llc	01-5600	Vehicle Repairs/Svc		78.77
22203663	03/08/2024	Wheatland Tire Co.	01-4300	Tire Svc/Repairs		160.00
22203781	03/15/2024	ACSA Region 2	01-5800	ACSA Region 2 Gala		60.00
22203782	03/15/2024	All Rite Roofing Inc.	01-5600	Roof Svc Leak-foyer		350.00
22203783	03/15/2024	Anderson, James	01-5800	2/27-2/28 Expense Reim		32.62
22203784	03/15/2024	ArbiterPay Cache Valley Ban Trustee	01-5800	Arbiter Sports		4,272.49
22203785	03/15/2024	Beeler Tractor Co	01-4300	Maint/Tractor Supplies		155.20
22203786	03/15/2024	Cal Agri Teachers Assn	01-5200	CATA Summer Conf Regis		1,125.00
22203787	03/15/2024	Cal-HOSA	01-5200	Cal-HOSA State Conf Regis		1,560.00
22203788	03/15/2024	CalTronics JJR Enterprises Inc File 2388	01-4300	Equip Contract		188.28
22203789	03/15/2024	Cliffjumper Enterprises LLC	01-4300	Controller Update/Migration		900.00
22203790	03/15/2024	Consolidated Elect.dist. Inc	01-4300	Electric Supplies		490.63
22203791	03/15/2024	Fagen Friedman & Fulfroost LLP	01-5801	SPED Legal Svc		2,830.50
22203792	03/15/2024	Flora Fresh Inc	01-4300	Horticulture Supplies		611.48
22203793	03/15/2024	Home Depot Gefc	01-4300	Maintenance Supplies		2,070.29
22203794	03/15/2024	Homewood Holdings LLC	01-4300	Ag Lumber		1,110.81
22203795	03/15/2024	Hylen Distribution	13-4700	Cafeteria Food/Dairy		1,337.00
22203796	03/15/2024	King Consulting, Inc.	25-5800	Consulting Prof Svc		2,921.25
22203797	03/15/2024	King Pest Control	01-5504	Pest Control FY 23/24		198.00
22203798	03/15/2024	Landers, Ellie M	01-5898	2/22 Mileage Reim		26.80
22203799	03/15/2024	Ledbetter Mechanical Contr LLC	01-5600	P2 Appliance HookUp		2,815.00
22203800	03/15/2024	Lincoln Electric	01-4300	Welding Consumables		646.50
22203801	03/15/2024	Link, Lauren	01-4300	2/28-3/4 Expense Reim		530.67
22203802	03/15/2024	McCumber's Glass Inc	01-5600	Window replace/repair		2,594.14
22203803	03/15/2024	Mobile Modular Mgmt Corp	01-5600	Modular Rental Classrooms		2,090.00
22203804	03/15/2024	Newman, Nicole	01-5200	2/29-3/1 Mileage reim	59.22	
				Vet Tech Dual Enroll	554.21	613.43
22203805	03/15/2024	Raptor Technologies Dept 141	01-9330	Annual Renewal FY 2024		2,755.00
22203806	03/15/2024	Recology Yuba Sutter	01-5502	Waste & Garbage Svc		3,633.94
22203807	03/15/2024	River Lawn Services	01-5600	Sing Installation		404.00
22203808	03/15/2024	School Steps Inc	01-5800	Stu OT/DHH/BH Services		667.75
22203809	03/15/2024	Sherwin-williams Co	01-4300	Paint & Supplies		62.19
22203810	03/15/2024	Solution Tree	01-5800	Mathmatics at Work Prof Dev	11,360.00	
			01-9331	Mathematics at work	4,260.00	15,620.00
22203811	03/15/2024	Synchrony Bank/Amazon	01-4300	Ag Class Supplies	21.54	

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Checks Dated 03/01/2024 through 03/31/2024

Check Number	Check Date	Pay to the Order of	Fund-Obj	Comment	Expensed Amount	Check Amount
22203811	03/15/2024	Synchrony Bank/Amazon		Animal Sci	16.14	
				Depart supplies	68.28	
				flash Drive	204.71	
				Floral Design	197.16	
				Plant Sci Supplies	42.97	
				SpEd Coteaching supplies	58.15	
				Stationary	129.88	738.83
22203812	03/15/2024	Sysco Food Svcs Of Sacramento	01-4300	Food Supplies	128.84	
			13-4300	Cafeteria Food/Supplies	524.82	
			13-4700	Cafeteria Food/Supplies	9,418.08	
				Meals/Snacks	1,649.79	11,721.53
22203813	03/15/2024	Taylor, Melissa	01-4300	Lab Supplies/Animal Sci Reim		267.72
22203814	03/15/2024	TCSIG	01-9515	WC-T52 Payments FY 23/24		15,821.46
22203815	03/15/2024	Tobii Dynavox	01-5800	Personal Boardmaker 7 Subscription		99.00
22203816	03/15/2024	US Bank Corporate	01-4100	Etextbooks	551.54	
			01-4300	Board Mtg Supplies	48.94	
				Cart tire Alignment	263.93	
				Challenge Coins	2,080.00	
				Frames	102.34	
				HOSA Patches	88.66	
				MOT Supplies	50.98	
			01-5200	CA Homeless Conf-Flights	969.87	
				CA Homeless Conf-Lodging	2,020.26	
				CCCAOE Spring Conf Regis	945.00	
				Math Summit-Lodging	708.86	
			01-5800	ChatGPT Subscription	60.00	
				HOSA Conf- Lodging	4,010.00	
				SMUD Field Trip	1,100.00	
	01-5900	USPS next day delivery	30.45			
	13-4300	Cafeteria Supplies	15.07			
		Unpaid Tax	6.38-	13,039.52		
22203817	03/15/2024	Verde Design Inc	35-6170	Track&Field Contract		33,413.50
22203818	03/15/2024	Verizon Wireless	01-5900	Communications Svc		229.18
22203819	03/15/2024	Wellborn, Amanda	01-4300	Floral Supplies Reim		112.61
22203820	03/15/2024	Yesco Signs LLC	01-5600	Monument Sign		2,978.29
22203972	03/22/2024	A-Z Bus Sales	01-4300	Bus Repairs and Supplies	431.56	
			01-5600	Bus Repairs and Supplies	143.85	575.41

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Check Number	Check Date	Pay to the Order of	Fund-Obj	Comment	Expensed Amount	Check Amount
22203973	03/22/2024	Advanced Timing	01-5800	Timing svc 3/13-27		1,000.00
22203974	03/22/2024	AERIES Software	01-5200	Spring AeriesCon		1,349.00
22203975	03/22/2024	Anderson, James	01-5800	3/6-3/12 Meal Reim		77.43
22203976	03/22/2024	AT&T	01-5900	Communication Svc FY 23/24		2,092.59
22203977	03/22/2024	Boggs, Celeste	01-5200	AeriesCon Reim	95.55	
				Ed for Career Reim	177.10	272.65
22203978	03/22/2024	Ca Dept Of Ed Cashier's Office	13-4700	Commodities Food		58.50
22203979	03/22/2024	CA FBLA	01-5800	FBLA Conf-Regis & Housing		7,635.00
22203980	03/22/2024	City Of Wheatland	01-5505	Water & Sewer Svc		1,865.11
22203981	03/22/2024	Cliffjumper Enterprises LLC	01-5800	Security Audit Pen/DNS Migration		1,500.00
22203982	03/22/2024	Derek Sawyer's	01-5800	HVAC Repairs/Svc		1,314.00
22203983	03/22/2024	Edwards, Schandia	01-5200	AeriesCom Reim		45.75
22203984	03/22/2024	Famand Inc. Indoor Environmental Services	01-5800	HVAC Repairs/Svc		1,870.89
22203985	03/22/2024	Fishel, Ivory	01-5200	CVMA Lodging Reim		1,042.06
22203986	03/22/2024	FiveSixteen	01-4300	EPD Shirts/Hoodies		1,429.11
22203987	03/22/2024	Flora Fresh Inc	01-4300	Horticulture Supplies		506.43
22203988	03/22/2024	Floral Resources Sacramento	01-4300	Horticulture Supplies		356.92
22203989	03/22/2024	Harvey And Songer Inc	01-4300	Vehicle Tire Svc		80.00
22203990	03/22/2024	Home Depot Gecl	01-4300	Lumber/Materials		153.93
22203991	03/22/2024	King Pest Control	01-5504	Pest Control FY 23/24		198.00
22203992	03/22/2024	Long, Justyna	01-5200	AeriesCon Reim		190.47
22203993	03/22/2024	McClellan Ag Repair	01-4300	Transportation Repairs/Svc	637.79-	
				Transportation Repairs/Svc	1,087.57	
				Transportation Repairs/Svc	636.48	1,086.26
22203994	03/22/2024	Mobile Modular Mgmt Corp	01-5600	Modular Rental Classrooms		2,720.00
22203995	03/22/2024	Nature's Critters	01-5800	Nature's Critters		225.00
22203996	03/22/2024	Office Depot	01-4300	Class Supplies	60.28	
				Janitorial Supplies	370.83	
				Office Supplies	168.98	600.09
22203997	03/22/2024	Pace Supply Corp	01-4300	Maintenance Supplies		163.22
22203998	03/22/2024	Pacific Gas & Electric	01-5501	PG& E Svc FY 23/24		18,460.09
22203999	03/22/2024	PlaceWorks Inc.	25-5800	Plumas Lake Property Environmental Study		685.61
22204000	03/22/2024	Power Protection Plus	01-5600	Ball Field Lighting		405.00
22204001	03/22/2024	Shadd Janitorial Supply	01-4300	Janitorial Supplies		2,971.99
22204002	03/22/2024	Small Sch Dist Assn	01-5200	SSDA State Conf		1,300.00
22204003	03/22/2024	Synchrony Bank/Amazon	01-4300	Board Supplies	64.01	
				CDS Supplies	157.42	

The preceding Checks have been issued in accordance with the District's Policy and authorization of the Board of Trustees. It is recommended that the preceding Checks be approved.

Checks Dated 03/01/2024 through 03/31/2024

Check Number	Check Date	Pay to the Order of	Fund-Obj	Comment	Expensed Amount	Check Amount
22204003	03/22/2024	Synchrony Bank/Amazon		Class Supplies	325.50	
				Depper Supplies	851.77	
				Floral Class Supplies	450.00	
				Floral Supplies	29.08	
				Headphones	262.87	
				Patient Care	72.13	
				Patient Care Scrubs	650.00	
				Safety Coveralls	404.28	
				Safety Glasses	182.05	
				WelcomeWagon supplies	47.39	
				WeWork Supplies	162.65	
			13-4300	Cafeteria Supplies	192.68	
				Kitchen supplies	59.94	3,911.77
22204004	03/22/2024	Transport Products Unlimited	13-6400	Kitchen Freezer		11,954.86
22204005	03/22/2024	US Bank Corporate	01-4300	Cinch Up Back Packs	353.89	
				WaterBottles	1,041.74	
			01-5800	FBLA Conf-Airflight	4,384.24	5,779.87
22204006	03/22/2024	Ward, Anna	01-5800	DMV Reim		225.00
22204007	03/22/2024	Wellborn, Amanda	01-4300	Dollar Tree Reim		38.88
22204008	03/22/2024	Yuba County Office of Ed	01-5800	ESCAPE 23/24		39,391.30
22204213	03/28/2024	American Fidelity Assurance	01-9513	Lost warrant replacement		1,497.49
22204214	03/28/2024	Anderson, James	01-5800	Mar 15-19 Reim		27.40
22204215	03/28/2024	Bidwell H2O	01-4300	Drinking Water		112.35
22204216	03/28/2024	CA FCCLA Financial Services	01-5200	CA FCCLA Conf Registration		1,167.00
22204217	03/28/2024	California's Valued Trust	01-3402	CVT Mar 24 Trustee	15.60	
			01-9514	CVT Mar 24 Ins	184,038.89	
				CVT Mar 24 Pay17	4,396.76	
				CVT Mar 24 Pay34	790.40	189,241.65
22204218	03/28/2024	CalTronics JJR Enterprises Inc File 2388	01-4300	Equip Contract		593.92
22204219	03/28/2024	Christian Cara	01-5800	Live Scan Reim		79.00
22204220	03/28/2024	CSY - Treasure Lunden Duenas	01-5200	ACSA Region 2 Award Dinner		100.00
22204221	03/28/2024	Data Center Warehouse LLC	01-5800	Fortinet Firewall Renewal		12,896.10
22204222	03/28/2024	EWing	01-4300	Field Paint		942.82
22204223	03/28/2024	Fishel, Ivory	01-5200	CVMA Reim		348.02
22204224	03/28/2024	German, Brian D	01-5800	Math Summit Reim		279.12
22204225	03/28/2024	Hamilton, Kayla	01-5200	CVMA Reim		240.50
22204226	03/28/2024	Hylen Distribution	13-4700	Cafeteria Food/Dairy		983.00

The preceding Checks have been issued in accordance with the District's Policy and authorization of the Board of Trustees. It is recommended that the preceding Checks be approved.



Checks Dated 03/01/2024 through 03/31/2024

Check Number	Check Date	Pay to the Order of	Fund-Obj	Comment	Expensed Amount	Check Amount
22204227	03/28/2024	James Sutherland	01-5800	Mar 4 - 22 Mileage Reim		426.12
22204228	03/28/2024	JW Pepper & Son Inc	01-4300	class Music		58.00
22204229	03/28/2024	McClellan Ag Repair	01-4300	Transportation 10 Repairs/Svc	224.61	
				Transportation 16 Repairs/Svc	320.92	
				Transportation 9 Repairs/Svc	34.98	
			01-5600	Transportation 10 Repairs/Svc	345.00	
				Transportation 16 Repairs/Svc	345.00	
			01-5800	Transportation 9 Repairs/Svc	690.00	1,960.51
22204230	03/28/2024	Mescher Door Company	01-5600	Commercial Door Install		3,165.00
22204231	03/28/2024	Moore, Brandon	01-4300	CDS Supplies Reim		95.33
22204232	03/28/2024	Pace Supply Corp	01-4300	Maintenance Supplies		662.05
22204233	03/28/2024	Phillips, Lisa	01-4300	SpEd Supplies Rim	54.01	
				Stickers Reim	20.47	74.48
22204234	03/28/2024	Piazza, Lacey	01-5800	Mar 6-13 Mileage Reim		62.00
22204235	03/28/2024	Project Wayfinder, Inc	01-9331	Site License FY 24/25		13,915.00
22204236	03/28/2024	Purchase Powe Pitney Bowes Bank	01-5900	Postage Svc		69.33
22204237	03/28/2024	Russ Brown Feather River Entertainment	01-4300	Photo Booth Rental		350.00
22204238	03/28/2024	Synchrony Bank/Amazon	01-4300	Ag Sci Supplies	21.28	
				Animal Sci	294.13	
				ESY SPEd Supplies	178.74	
				Health office Supplies	650.00	1,144.15
22204239	03/28/2024	Sysco Food Svcs Of Sacramento	13-4300	Cafeteria Food/Supplies	288.26	
			13-4700	A La Carte	359.27	
				Cafeteria Food/Supplies	2,410.84	3,058.37
22204240	03/28/2024	Thrifty Rooter	01-5800	Sewer Svc		285.00
22204241	03/28/2024	TPx Communications	01-5900	Communication Phone Svc		3,466.06
22204242	03/28/2024	TrailersPlus LiveOak	01-4400	Equipment Trailer		8,016.16
22204243	03/28/2024	US Bank Corporate	01-4300	Certificate Frames	53.86	
				ESY SpEd Rug	465.40	
				Storage Boxes	319.99	
				Supplies	5.99	
				Welcome Wagon Supplies	259.50	
				WUHS Stickers	173.94	
			01-5200	Counselor Conf	550.00	
				HOSA Conf Flights	4,936.58	
			01-5800	Stu Field Trip	33.40	
			01-9331	IEP Facilitation Trg	1,440.00	

The preceding Checks have been issued in accordance with the District's Policy and authorization of the Board of Trustees. It is recommended that the preceding Checks be approved.

**Checks Dated 03/01/2024 through 03/31/2024**

Check Number	Check Date	Pay to the Order of	Fund-Obj	Comment	Expensed Amount	Check Amount
22204243	03/28/2024	US Bank Corporate	13-4300	Cafeteria Supplies	64.53	
			13-4700	Cafeteria Food	146.79	8,449.98
22204244	03/28/2024	Wheatland Smog-repair Llc	01-5600	Vehicle Repairs/Svc		145.85
22204245	03/28/2024	Zytech Solutions Inc.	01-5600	Laptop screen replace		338.17
<b>Total Number of Checks</b>					<b>198</b>	<b>2,156,756.25</b>

**Fund Recap**

Fund	Description	Check Count	Expensed Amount
01	General Fund	182	933,822.16
13	Cafeteria Special Rev Fund	14	59,897.12
21	Building Fund	1	133,000.00
25	Capital Facilities Fund	5	77,911.48
35	County School Facilities Fund	4	950,788.16
40	Sp Reserve Fnd-Cap Outlay Pr	1	1,350.00
Total Number of Checks		<b>198</b>	2,156,768.92
Less Unpaid Tax Liability			12.67
<b>Net (Check Amount)</b>			<b>2,156,756.25</b>

The preceding Checks have been issued in accordance with the District's Policy and authorization of the Board of Trustees. It is recommended that the preceding Checks be approved.

# Yuba County Superintendent of Schools

935 14<sup>th</sup> Street  
Marysville, CA 95901

## Quarterly Report on Williams Uniform Complaints (Education Code 35186(d))

District Name: Wheatland Union High School District

Person completing this form: Mona Hood

Title: Executive Administrative Assistant to the Superintendent

Quarterly Report Submission Date: March 28, 2027

October 2023 (for July-September 2023)  
1<sup>st</sup> Quarter

January 2024 (for October-December 2023)  
2<sup>nd</sup> Quarter

April 2024 (for January-March 2024)  
3<sup>rd</sup> Quarter

July 2024 (for April-June 2024)  
4<sup>th</sup> Quarter


Date for information to be reported publicly at governing board meeting: April 17, 2024

No Complaints were filed with any school in the county programs during the quarter indicated above.

Complaints were filed with schools in the county programs during the quarter indicated above. The following chart summarizes the nature and resolution of these complaints.

General Subject Area	Total # of Complaints	# Resolved	# Unresolved
Textbooks and Instructional Materials			
Teacher Vacancy or Misassignment			
Facilities Conditions			
TOTALS			

Nicole Newman  
Print Name of Superintendent

  
Signature of Superintendent



**SURPLUS EQUIPMENT LIST**

Equipment #	SN # / Tag #	Location	Make	Model	Purchase Date	Date of Sale	Buyer
S36		Behind Woodshop	International	300 Utility & Parts			
S37		Behind Woodshop	Farmall	Tractor & Parts			
S38		Behind Woodshop	Phoenix Dry Rod	300/16B			
S39	P63563/01699	Metal Shop Storage	Piraraha	P36			
S40		Metal Shop Storage	Econoline	Sand Blaster			
S41	11912	Wood Shop	Full Spectum Laser	LG 500			
S42		Bus Lot	Ford	9N Parts			
S43							
S44							
S45							
S46							
S46							
S47							
S48							
S49							
S50							
S51							

\*\*\*SUBMIT COMPLETED FORM TO THE PRINCIPAL FOR APPROVAL\*\*\*

## Wheatland Union High School District

### OVERNIGHT FIELD TRIPS APPROVAL PROCESS

Date Submitted: March 25, 2024

Approval:  Yes  No

Approval Date: \_\_\_\_\_

Waiver Signed: \_\_\_\_\_

As outlined in the district's administrative regulations, requests for overnight field trips must be submitted 20 days prior to the date of the next regularly scheduled Board meeting. The Board will approve or disapprove the request and Superintendent or Designee will notify the Teacher(s)/Staff of the decision.

Event/Group Title: Summer College Exploration Trip 2024

Teacher(s)/Staff Submitting Request (Trip Supervisor): Aleia Lund - alund@wheatlandhigh.org

Joyce Willey, Jessica Ibarra

Supervising Teacher(s)/Staff Email: Aleia Lund

The teacher(s) submitting the request will be designated the Trip Supervisor and assumes responsibility at all times for supervising student activities and shall assume responsibility for the proper conduct of all participants.

Number of students participating: 50 \* Number of adult volunteers: 6

List adult volunteers/chaperones: Aleia Lund, Joyce Willey, Jessica Ibarra, Shawna Hulseley  
Alexander Willey & Jarred McCumber

\* For other than athletic events, there must be one adult for every ten students participating.

Date transportation request submitted: N/A

Funding Source: \_\_\_\_\_

Departure Date/Time/Location: July 8, 2024 7am Wheatland Union High

Schedule Return (include time): July 9, 2024 approximately 8:30pm

Destination (address required): July 8, 2024 UC Merced, CSU Fresno, and Santa Clara. July 9, 2024 SJSU, CSU  
Sonoma and return to WUHS.

Contact Phone Number at Destination (required): 925-202-6412

Principal's Approval: Shadrin Edwards

Date: 3/27/24

## **Proposal: Summer College Tour Trip 2024**

### **Introduction:**

As a part of our ongoing efforts to provide valuable learning experiences for our students, we propose organizing a summer college tour trip. This trip will be an opportunity for our historically underserved students, such as first generation, low-income, and students of color to explore potential college options, gain exposure to higher education institutions, and broaden their horizons. We have carefully researched and estimated the costs for transportation, accommodation, and meals. We believe this trip will be a valuable investment in our students' educational and personal growth.

### **Trip Details:**

#### **Destinations:**

Leave Wheatland Union High School @ approximately 7am July 8, 2024

Arrive at UC Merced approximately 10 am

Leave UC Merced no later than 1pm

Arrive at CSU Fresno approximately 2pm

Leave CSU Fresno no later than 5pm.

Stop for dinner in Los Banos

Arrive at Embassy Suites Santa Clara no later than 8:30pm

Leave Embassy Suites Santa Clara approximately 9 am, July 9th

Arrive SJSU approximately 9:30 am

Leave SJSU no later than 1pm

Arrive at CSU Sonoma approximately 3pm

Leave CSU Sonoma no later than 5:30pm

Stop in Fairfield for dinner

Arrive at Wheatland Union High School Approximately 8:30pm

**Duration:** 2 days, 1 night

**Dates:** July 8, 2023 - July 9, 2023

**Participants:** No more than 50 students and up to 6 chaperones (bus has a limit of 56 people)

### **Transportation:**

We propose chartering a comfortable and reliable bus for the duration of the trip with LuxBus America. The estimated cost for the charter bus is \$4,434.48. This cost includes transportation to and from the destination, as well as transportation within the cities during the trip. The bus is equipped with all necessary amenities, including air conditioning, restrooms, and adequate seating for all participants.

### **Accommodation:**

We chose a safe and reputable hotel that is conveniently located near the colleges we plan to visit. The estimated cost for the hotel stay in Santa Clara at Embassy Suites is approximately \$5110.00 (tax included) for 22 rooms with a hot breakfast buffet included. This cost includes 3 to 4 students in each room, double occupancy for chaperones, and one additional room for the bus driver.

### **Meals:**

To keep our students well-nourished during the trip, breakfast is included in the cost of the hotel accommodation. Lunch for 56 people for two days is approximately \$700 for day one, \$796.25 for day two. On both days students will be able to enjoy the cafeteria style, all you choose to eat, meals at the dining facilities on campus. Both dinner stops will be Interstate exits with many dining options and/or mall food courts. Students will be given \$15 for each dinner totaling \$1500.00. Staff can purchase their dinner and then request reimbursement.

**Total Estimated Cost:**

The total estimated cost for the summer college tour trip, including charter bus, hotel stays, and meal expenses is approximately \$12,750.00. This cost is based on 50 students and 6 chaperones.

**Conclusion:**

We believe that the summer college tour trip will be a valuable educational experience for our students, allowing them to explore potential college options, gain exposure to higher education institutions, and broaden their horizons. We request your support in approving this proposal and allocating the necessary funds to make this trip a reality. Thank you for considering our proposal, and we are happy to provide any additional information or answer any questions you may have.



# **Wheatland Union High School District**

## **Job Description**

### **School Health Medical Billing Analyst**

*CLASSIFIED CONFIDENTIAL*

#### **Position**

Under the direction of the assigned supervisor, the School Medical Health Billing Analyst works in partnership with Local Educational Agencies (LEA) to ensure that all LEAs are able to effectively participate in Medi-Cal and Commercial Billing Programs; meet all federal, state and local compliance criteria; supports in ensuring generation of maximum revenue for the purposes of further supporting student health and wellbeing. This job reports to the Assigned Administrator.

#### **Essential Functions**

- Coordinate aspects of various billing programs including LEA Billing Option Program, School Medi-Cal Administrative Activities Program (SMAA) and Managed Care Plan (MCP) Billing; including but not limited to, ensuring Time Survey Participant list is updated and staff pool is certified, monitoring Random Moments Time Survey (RMTS), and monitoring contracts.
- Monitor and ensure compliance with current licensing and credentialing requirements; and ensure providers are properly registered for the purposes of billing Medi-Cal and Commercial Plans.
- Generate monthly reports to review claims submitted and follow up with LEAs to address incomplete claims and discrepancies as appropriate.
- Collaborates with LEAs, Managed Care Plans, the Department of Health Care Services, (DHCS) and other agencies for the purposes of coordinating the compiling and filing of a wide variety of reports.
- Conduct internal audits of ACOE billing programs and external LEA audits to ensure compliance with applicable laws and maximum revenue generation.
- Provide technical assistance and training to LEAs for the purpose of conveying pertinent information related to health insurance billing.
- Ensures LEAs are compliant with all federal, state, and local policies and procedures related to Medi-Cal and Commercial Billing.
- Serve as a resource and expert to partner agencies, LEAs, and community partners.
- Prepares and maintains a variety of narrative and statistical reports, documents, records, and files related to assigned activities.
- Operates a computer and assigned software programs; operates other office equipment as assigned; drives a vehicle to conduct work as assigned.
- Attends a variety of conferences, departmental and interdepartmental meetings as assigned, provides expertise as needed.
- Perform other duties and responsibilities as assigned.

# Wheatland Union High School District

## Job Description

### School Health Medical Billing Analyst

CLASSIFIED CONFIDENTIAL

#### **MINIMUM QUALIFICATIONS**

**SKILLS** are required to perform multiple technical tasks with a need to occasionally upgrade skills in order to meet changing job conditions. Specific skill-based competencies required to satisfactorily perform the functions of the job include:

- Utilizing conflict resolution techniques;
- Operating standard office equipment including pertinent software applications;
- Planning and managing projects;
- Preparing and maintaining accurate records;
- Conducting meetings;
- Counseling and mentoring employees.

**KNOWLEDGE** of:

- Alameda County Office of Education policies and procedures;
- Healthcare System;
- Revenue Cycle Management;
- Local Educational Agency Billing Option Program;
- Medi-Cal Administrative Activities;
- Managed Care Plan Billing;
- Managed Care Organizations;
- Public education and school environments;
- Applicable laws, codes, regulations, policies and procedures;
- Technical aspects of field of specialty;
- Oral and written communication skills;
- Applicable laws, codes, regulations, policies, and procedures;
- Interpersonal skills using tact, patience, and courtesy;
- Operation of a computer and assigned software.

**ABILITY** to:

- Prepare and maintain accurate records;
- Ability to gather, collate and analyze complex data sets and present findings in a clear, concise and meaningful way to various audiences;
- Problem solve and develop action plan to address challenges;
- Perform semi-advanced math;
- Manage multiple projects and tasks;
- Operate a computer and assigned office equipment;
- Meet schedules and timelines;
- Work independently with little direction;
- Plan and organize work;
- Prepare comprehensive narrative and statistical reports;

# **Wheatland Union High School District**

## **Job Description**

### **School Health Medical Billing Analyst**

*CLASSIFIED CONFIDENTIAL*

- Direct the maintenance of a variety of reports, records, and files related to assigned activities;
- Effective relational skills (for interacting with internal and external partners and collaboratives);
- Correct written and spoken English;
- Interpersonal skills and the ability to work collaboratively in a team;
- Provide high-quality customer service to internal and external collaborative partners at all levels.

#### **Responsibility**

Responsibilities include:

- Working under limited supervision using standardized practices and/or methods;
- Leading, guiding, and/or coordinating others;
- Operating within a defined budget;
- Utilization of resources from other work units is often required to perform the job's functions.
- There is a continual opportunity to impact the organization's services.

#### **Working Environment**

While performing the duties of this job, the employee regularly works in inside environmental conditions. The employee will be required to use a personal vehicle in the course of employment. The employee is occasionally exposed to outside weather conditions, may be required to attend evening meetings and travel, and may be required to work evenings or weekends. The noise level in the work environment varies. The usual and customary methods of performing the job's functions require the following physical demands: While performing the duties of this job, the employee is regularly required to speak and listen, interact on a virtual learning platform for extended periods of time, and sit or stand for extended periods of time. The employee must occasionally lift and/or move up to 25 pounds.

#### **Experience**

- Three (3) years of experience participating in Medi-Cal and Commercial billing.
- Experience with billing in a school setting or with children in the youth population strongly preferred.

#### **Education**

- Bachelor's degree in healthcare administration or related field.

#### **Equivalency**

- Any combination of education, training and job-related experience equivalent to the above qualifications.

**Wheatland Union High School District  
Job Description  
School Health Medical Billing Analyst**

*CLASSIFIED CONFIDENTIAL*

**Required Testing**

- Pre-Employment Proficiency Testing

**Certificates**

- Valid California driver's license, reliable transportation, acceptable driving record and the ability to travel frequently, sometimes with overnight stay for meetings (Required).

**Clearances**

- Criminal Justice Fingerprint / Background Clearance
- Tuberculosis Clearance

*Board Approved: 04/17/2024 (pending)*

# Wheatland Union High School District

(CLASSIFIED CONFIDENTIAL)

## Job Description

### Administrative Assistant to the Co-Executive Directors of GSPP RTAC

Under the direction of the Co-Executive Directors of the GSPP RTAC, assist in a variety of administrative details; provide liaison, coordinating, and confidential secretarial and administrative support; carry out GSPP Grant procedures; perform a variety of difficult office assistance work; answer public and staff contacts and concerns, and complete challenging and complex tasks as assigned. In addition, facilitates administrative functions with staff, community, public, and parents; makes decisions based on sound judgment/discretion.

#### ESSENTIAL FUNCTIONS

- Performs a variety of complex duties as confidential secretary to the Co-Executive Directors, relieving the Co-Executive Directors of various complex and routine administrative details.
- Coordinates communications and information; schedules administrative meetings; obtains, interprets, and provides information to others concerning office functions, policies, and procedures; works with supervisors to assure compliance with timelines.
- Composes complex correspondence independently; compiles and types various reports and statistical data as directed including letters, emails, memorandums, procedures, and a wide variety of informational documents; compile and prepare reports from straight copy, rough draft and/or verbal instructions.
- Assists in scheduling appointments and maintains appointment calendar; arrange group meetings and transmits confidential or controversial information as appropriate.
- Makes conference and travel arrangements for the Co-Executive Directors and other partners and consultants as needed.
- Maintains the Co-Executive Directors' calendar, confidential files, and official records.
- Prepares Meeting Agendas and all practical tasks to include, but not limited to, the content of meeting packets.
- Attends meetings, taking non-verbatim notes of business transacted and transcribing minutes for review and editing by the Co-Executive Directors and distribution to authorized persons.
- Attends and assists with running online meetings (for example, Zoom or other platform), monitoring chat box and Q&A, recording, and taking general notes.
- Assists in planning and submitting Purchase Requests, Requests for Reimbursement, Invoices, and other monetary transactions including maintaining organized records for the Co-Executive Directors.
- Acts as recording secretary for special meetings.
- Prepares, formats, edits, and proofreads written materials and presentations; types and prepares memos and lists; operates a variety of office equipment.
- Communicates with outside groups and special organizations, including LEAs, Community Colleges, contractors, industry representatives, and State-wide organizations in the field of education. Performs educational and clerical-related duties as assigned.
- Assists in planning, carrying out, and publicizing regional meetings, online resources, and partnership programs.

**Job Description**

**Administrative Assistant to the Co-Executive Directors of GSPP RTAC**

- Assists with public inquiries.
- Daily contact with Co-Executive Directors.
- Handle walk-in and telephone inquiries providing information and resolve matters as appropriate.
- Create simple graphics from template programs (example: Canva)
- Operate a computer and related software to compile, input, output, update, and access a variety of records and information; generate records, reports, lists, and summaries from computer database; operate standard office equipment; lift light objects.
- Through the use of electronic data keeping systems, maintains accurate records for a variety of programs.
- Type, copy, and distribute various technical documents (InDesign skills preferred).
- Maintains GSPP RTAC Capital Region website and updates social media.
- Perform related duties as assigned.
- Occasional contacts with parents, community members, and outside agency personnel.

**Required Qualifications:**

Education:

High School Diploma required and any combination of experience equivalent to associate degree, and four years of increasingly responsible clerical experience, preferably at the high school or community college level. California school district experience preferred.

Licenses:

Valid California Driver's License

Overall scores in computer software testing program preferred as follows:

Keyboarding.....	60 Correct WPM
Word.....	80% Overall Score
Excel.....	80% Overall Score

**KNOWLEDGE, SKILLS, AND ABILITIES REQUIRED**

- Knowledge of functions and clerical operations of an administrative office.
- Knowledge of modern office practices, procedures, and equipment.
- Knowledge of record-keeping techniques.
- Knowledge of correct English usage, grammar, spelling, punctuation, and vocabulary.
- Knowledge of oral and written communication skills.
- Knowledge of interpersonal skills using tact, patience, and courtesy.
- Knowledge of filing systems, telephone techniques, and letter and report writing.

Ability:

- Ability to work confidentially with discretion.
- Ability to exercise judgment in relieving the Co-Executive Directors of administrative detail with a defined scope of established responsibilities.
- Ability to read, interpret, apply and explain rules, regulations, policies, and procedures.

# Wheatland Union High School District

(CLASSIFIED CONFIDENTIAL)

## Job Description

### Administrative Assistant to the Co-Executive Directors of GSPP RTAC

- Ability to organize complex materials and summarize discussions and actions taken in report form.
- Ability to operate a computer terminal to enter data, maintain records, and generate comprehensive reports quickly and accurately.
- Ability to compose correspondence and written materials independently.
- Ability to maintain a variety of complex and confidential files and records.
- Ability to type at a rate of 60 net words per minute with 95% accuracy.
- Ability to establish and maintain cooperative and effective working relationships with others.
- Ability to plan and organize work.
- Ability to communicate effectively orally and in writing and understand and follow written instructions.
- Ability to work independently with minimal direction and supervision.

### PHYSICAL ACTIVITY REQUIREMENTS / LIMITATIONS / ENVIRONMENT

#### Physical Abilities:

Manual dexterity and physical condition necessary to maintain a rigorous work schedule.

Dexterity of hands and fingers to operate standard office equipment, including a typewriter or computer terminal to type letters, reports, and other materials; bending and reaching to maintain files; hearing to answer telephones; speaking to exchange information, and sitting and operating a keyboard to enter data into a computer terminal for extended periods.

Moderate to high-stress level.

#### Environment:

Indoor office environment.

Online meeting platforms.

Temperature - normal climate.

*Board Approval: 4/17/2024 (pending)*

**Job Description****Special Education and School Attendance Review Board (SARB) Secretary****Position:**

Responsible for a range of administrative duties related to special education services and ensuring compliance with attendance regulations. This role requires strong organizational skills, attention to detail, understanding of special education and school attendance laws and regulations, as well as effective communication and collaboration abilities.

**Primary Duties / Responsibilities:**

1. Provides clerical support to the Director of Special Education and all personnel in the department.
2. Serves as department receptionist, screens telephone calls, and acts as liaison between administrators, students, parents, staff, and visitors.
3. Responds to questions about district policies, school procedures, and regulations.
4. Uses a specialized database (SEIS) and SIS (Aeries) to process enrollment of special education students.
5. Manages IEP and SARB meeting calendars.
6. Schedules appointments for department administrator.
7. Composes correspondence, memos, and/or reports independently or from oral and written instructions by administrator.
8. Receives/distributes incoming mail and prepares outgoing mail.
9. Assists in the preparation, revision, and submission of all necessary reports as appropriate for local, state, and federal requirements using varying data sources.
10. Analyzes IEP documents for accuracy, completeness, and compliance with applicable state rules and regulations.
11. Uses knowledge of specific timelines and deadlines to schedule IEP meetings for all applicable staff.
12. Prepares contracts for Non-Public School/Agency with SELPA and district office.
13. Schedules and organizes SARB meetings, ensuring proper documentation and notification to relevant parties, including parents, students and representatives from the school and community.
14. Monitors and maintains accurate records of student attendance, identifying patterns of absenteeism or tardiness that require intervention.
15. Prepares reports on attendance trends, interventions, and outcomes for presentation to the SARB board and school administration.
16. Maintains all records and documentation related to the School Attendance Review Board (SARB).
17. Processes all department purchase orders, compiles, and compares packing slips and invoices to submit to the district office for payment.



## Job Description

### Special Education and School Attendance Review Board (SARB) Secretary

18. Assists in ordering department supplies.
19. May be required to drive to SARB meeting locations.
20. Performs other assigned tasks which are reasonable within the scope of related duties.

#### **Minimum Qualifications:**

- High school diploma or equivalent
- Possession of a valid California driver's license
- Type accurately at 50 words per minute.

#### **Desired Qualifications:**

- Experience within the special education department.
- Strong interpersonal skills
- Experience in collaboration, meeting facilitation, problem-solving, and team building.
- Experience with school-based service delivery.
- Ability to multitask, interpersonal skills to be a team player and independent self-starter.
- Strong written and oral communication skills.
- Organizational, time, and project management skills.
- Solid knowledge of Microsoft and Google applications.
- Bilingual (English/Spanish)

*Board Approved: April 17, 2024 (pending)*

# **Wheatland Union High School District**

## **Job Description**

### **Director of Community Schools and Mental Health**

*CERTIFICATED MANAGEMENT*

#### **Position**

This position is responsible for leading Wheatland Union High School District's Community Schools and Mental Health programs. The Director of Community Schools and Mental Health will strategically align available resources to ensure effective systems of support are in place and are meeting the needs of students, families, and the greater community. Using data, the Director of Community Schools and Mental Health will assess community and student needs, propose solutions, and engage in continuous improvement of school culture across all tiers of service delivery. The Director of Community Schools and Mental Health will work with the district leadership team, mental health and community schools staff, teachers, and additional support staff to maintain a high-performing community school model wherein students and families are supported, community members are connected, and successful outcomes emerge.

#### **Representative Duties and Responsibilities**

1. Provide leadership for school reform through coordinating the elements of a community school model, including integration, deep and focused partnerships, access, and equity.
2. Plans, organizes, supervises, and coordinates the management of school-based mental health and wellness services.
3. Develops and integrates a comprehensive and effective continuum of related services provided to students and families throughout the district.
4. Work with the district leadership team, school administrators, teachers, social workers, therapists, counselors, community-based organizations, parents/guardians, and students to identify barriers to learning and attendance, available resources and gaps, and high-quality community-responsive programming.
5. Provide leadership on systems and programs, including MTSS, PBIS, Student Success Team (SST) meetings, Foster and Homeless Youth Services, school-based mental health systems, and interventions at all three tiers of service. Evaluate and revise student support systems and build capacity of staff to follow systems that benefit students and families.
6. Oversee and support integration of non-academic services and school priorities through participation in various school and community stakeholder meetings.
7. Oversees the implementation and expansion of school-based behavioral health insurance billing, including both LEA BOP and managed care billing. Develops policies and procedures related to school-based billing and identifies quality assurance best practices for the district.
8. Provides clinical supervision to site-based mental health staff as appropriate and needed, including clinical therapists and mental health interns.
9. Ensure accurate and effective program evaluation (data collection, analysis, and reporting).
10. Ensure timely and consistent communication of information to all stakeholders through small and large presentations to groups within the school's community. Create and lead presentations at identified conferences throughout the school year.
11. Act as the point-of-contact for agencies and programs interested in partnering with the school/district and help broker new partnerships that are aligned with school goals and needs. Identify and build relationships with key service providers needed to best support students and families. Establishes, maintains, and updates agreements and MOUs with partners and programs.

# Wheatland Union High School District

## Job Description

CERTIFICATED MANAGEMENT

### Director of Community Schools and Mental Health

12. Work with leadership to develop and finalize Board Resolutions for approval of services and finalization of contracts for services, as appropriate.
13. Oversee the Family Resource Center and Wellness Center on campus.
14. Collect, review, and analyze student data to develop new strategies and plan for continuous improvement of existing interventions. Organize and oversee the community needs assessment.
15. Develops training, program manuals, procedures and protocols for school-based mental health and community schools staff.
16. Secures grants and assists in identifying funding to insure adequate and appropriate fiscal support for programs.
17. Maintains staffing to ensure program objectives are achieved within budget, and assists in the recruitment, selection, placement, supervision and evaluation of department personnel.
18. Be the designated Homeless and Foster Youth Liaison for the district. Oversee support delivery to FY/HY and their families.
19. Lead, develop, and facilitate an effective Community Schools and Mental Health team. Delegate and monitor effectiveness of tasks performed by Community Schools staff and School-Based Therapists/Mental Health staff.
20. Ensure compliance with all grant-supported guidelines and regulations.

#### **Minimum Qualifications**

- Master's Degree in Education, Public Administration, Social Work, Counseling, or related field
- A Pupil Personnel Services credential OR a California Teaching Credential OR an active license in a field relevant to the community school model (LCSW, LMFT, R.N., etc.)
- At least two years of experience working in education AND at least two years working in a related community field (public health, mental health, etc.)
- At least two years of supervisory experience

#### **Desired Qualifications**

- Experience in coordination and/or management/administration in an educational, non-profit, and/or human services setting
- Strong interpersonal and supervisory skills
- A high degree of cultural awareness and competency in cross-cultural practice with children and families
- Experience in collaboration, meeting facilitation, problem-solving, and team-building
- Experience with school-based service delivery, including MTSS, PBIS, school-based therapy, and school-based health insurance billing
- Experience in maintaining quality assurance practices related to health insurance billing

**Wheatland Union High School District**  
**Job Description**  
**Director of Community Schools and Mental Health**

*CERTIFICATED MANAGEMENT*

- Knowledge of regulations and guidance related to homeless, foster, and other special populations in schools
- Strong written and oral communication skills
- Organizational, time, and project management skills
- Solid knowledge of Microsoft and Google applications

*Board Approved: 4/17/2024 (pending)*

# Wheatland Union High School District

## Executive Director of Student Services

### Director of Community Schools and Mental Health

## Salary Schedule

2024-2025

Days/Yr: 215

Step	Annual Salary	Daily Rate
1	\$113,287.20	\$526.92
2	\$119,057.47	\$553.76
3	\$125,124.13	\$581.97
4	\$131,497.31	\$611.62
5	\$138,197.33	\$642.78
6	\$145,235.34	\$675.51
7	\$152,639.76	\$709.95
8	\$160,415.68	\$746.12

Master's Degree \$2,319.62  
Doctorate \$3,479.43

Annual District Health and Welfare Contribution: \$13,588.56

#### Advanced Degree Stipends:

Masters = Additional 4% annually calculated on Column III Step 1 on the Certificated Teachers Salary Schedule

Doctorate = Additional 6% annually calculated on Column III Step 1 on the Certificated Teachers Salary Schedule

*Note: One advanced degree stipend is awarded for highest degree earned*

Board Approved: 4/17/2024 (pending)

# WHEATLAND UNION HIGH SCHOOL

## CLASSIFIED RANGES

(Effective July 1, 2023)

Classification	Range
Cook	1
Clerk ( <i>part-time</i> )	1
Receptionist	1
Van Driver	1
Health Aide	2
Clerk ( <i>Account, Attendance, Library</i> )	3
Custodian / Grounds	3
Paraeducator ( <i>Bilingual Paraeducator</i> )	4
Cook Manager	5
Academic Technician	6
Campus Supervisor	6
College and Career Readiness Technician	6
Media Center Technician	6
Student Support Secretary	7
Technology Support Specialist	7
Attendance Technician	8
Groundskeeper	8
Paraeducator – Specialized Health Care	8
Special Education & SARB Secretary	8
Bus Driver Trainer	9
Lead Custodian	9
Tutoring Lab Lead	9
Administrative Secretary	10
Registrar	10
Bus Driver / Custodian / Grounds / Maintenance	11
Maintenance / Bus Driver	14
Licensed Vocational Nurse	15

Board Approved: April 17, 2024 (*pending*)

THE WHEATLAND UNION HIGH SCHOOL DISTRICT (DISTRICT)

AND THE

CALIFORNIA SCHOOL EMPLOYEES ASSOCIATION

AND ITS WHEATLAND UNION HIGH CHAPTER #353 (CSEA)

Wheatland Union High School District ("District") and The California School Employees Association and its Wheatland Union High Chapter #353 ("CSEA") hereby agree that Classified bargaining unit member Alyssa Chun has been working out of her current classification as an Academic Technician. During a review of her current classification the District and CSEA agreed that a new classification of *Special Education & School Attendance Review Board (SARB) Secretary* was needed to properly encompass the duties being performed.

The District and CSEA agree that A.Chun shall be reclassified as follows:

Current Classification: Academic Technician

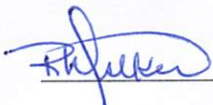
New Classification Created: Special Education & School Attendance Review Board (SARB) Secretary

- Work Days: 200 Days
- Salary Grade: Range 8

Attachment 1 - Special Education & School Attendance Review Board (SARB) Secretary Job Description

Attachment 2 – Current Salary Schedule

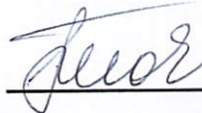
Salary step movement shall be step for step and retro to July 1, 2023.



Ron Walker, Administrator  
CSEA Chapter 353

3/26/24

Date



Elena Pegov, President  
CSEA Chapter 353

3/26/24

Date

Nicole Newman

Nicole Newman, Superintendent  
Wheatland Union High School District

3/26/24  
Date

Rachel Kennedy

Rachel Kennedy,  
CSEA Labor Relations Representative

3/26/24  
Date



**Policy 0450: Comprehensive Safety Plan**

**Status:** ADOPTED

**Original Adopted Date:** 11/01/2011 | **Last Revised Date:** ~~12/03/01/2022~~2024 | **Last Reviewed Date:** ~~12/03/01/2022~~2024

CSBA NOTE: Pursuant to Education Code 32280-32289.5, districts are responsible for ensuring that a comprehensive safety plan with specified components is in place for each district school. As required by Education Code 32282 and 32288, the California Department of Education (CDE) has posted on its ~~web site~~ [website](#) a compliance checklist for developing comprehensive safety plans and best practices for reviewing and approving the plans. Comprehensive safety plans are reviewed through the annual audits required by Education Code 41020 to ensure that they are updated and approved by March 1 of each year.

The Governing Board recognizes that students and staff have the right to a safe and secure campus where they are free from physical and psychological harm. The Board is fully committed to maximizing school safety and to creating a positive learning environment that includes strategies for violence prevention and high expectations for student conduct, responsible behavior, and respect for others.

CSBA NOTE: Pursuant to Education Code 32281 and 32286, each school is required to adopt a comprehensive safety plan (Option 1 below). However, districts with an average daily attendance (ADA) of 2,500 or less are authorized by Education Code 32281 to develop a districtwide [comprehensive](#) safety plan in lieu of developing school plans; thus, those districts may select either Option 1 or 2 to reflect district practice. Any district may choose to develop both district and school plans.

**OPTION 1: (Districts with more than 2,500 ADA, and districts with 2,500 or less ADA that choose to develop school site plans)**

~~The school site council at each district school shall develop a comprehensive school safety plan relevant to the needs and resources of that particular school. New school campuses shall develop a [comprehensive](#) safety plan within one year of initiating operations. (Education Code 32281, 32286)~~

~~The [comprehensive](#) school safety plan shall take into account the school's staffing, available resources, and building design, as well as other factors unique to the site.~~

**OPTION 1 ENDS HERE**

**OPTION 2: (Districts with 2,500 or less ADA that choose to develop a districtwide plan)**

~~The Superintendent or designee shall oversee the development of a districtwide comprehensive safety plan that is applicable to each school site. (Education Code 32281)~~

**OPTION 2 ENDS HERE**

CSBA NOTE: The following two paragraphs apply to all districts. Education Code 32286 requires that the school site council review and update the comprehensive safety plan by March 1 of each year. In districts with ADA of 2,500 or less that choose to develop a districtwide plan in accordance with Option 2 above, the Superintendent or designee may conduct the annual review.

Pursuant to Education Code 32288, the updated plan(s) must be submitted to the ~~district~~Governing Board for approval. The ~~Governing Board~~ may choose to delegate to the Superintendent or designee the responsibility to review and approve the updated plans, but the Board remains responsible for ensuring compliance with the law.

The comprehensive safety plan(s) shall be reviewed and updated by March 1 of each year and forwarded to the Board for approval. (Education Code 32286, 32288)

CSBA NOTE: Pursuant to Education Code 32282, as amended by SB 323 (Ch. 599, Statutes of 2023), the annual evaluation of the comprehensive safety plan is required to include ensuring that the plan provides appropriate adaptations for students with disabilities.

The Board shall review the comprehensive safety plan(s) in order to ensure compliance with state law, Board policy, and administrative regulation and shall approve the plan(s) at a regularly scheduled meeting.

CSBA NOTE: Education Code 32288 requires that districts notify CDE if a school has not complied with the comprehensive safety plan requirements. In the event that the Superintendent of Public Instruction determines that there has been a willful failure by a district to make any report required by Education Code 32280-32289, Education Code 32287 provides that the district may be fined up to \$2,000.

By October 15 of each year, the Superintendent or designee shall notify the California Department of Education (CDE) of any schools that have not complied with the requirements of Education Code 32281. (Education Code 32288)

### **Tactical Response Plan**

CSBA NOTE: The following section is optional. Pursuant to Education Code 32281, the Board may, after consulting with law enforcement officials, elect to have the district, rather than the school site council, develop those portions of the comprehensive safety plan that include tactical responses to criminal incidents that may result in death or serious bodily injury.

Notwithstanding the process described above, any portion of a comprehensive safety plan that addresses tactical responses to criminal incidents that may result in death or serious bodily injury at the school site, including steps to safeguard students and staff, secure affected school premises, and apprehend criminal perpetrator(s), shall be developed by ~~district administrators~~the Superintendent or designee in accordance with Education Code 32281. In developing such strategies, ~~district administrators~~the Superintendent or designee shall consult with law enforcement officials and with representative(s) of employee bargaining unit(s), if they choose to participate.

When reviewing the tactical response plan, the Board may meet in closed session to confer with law enforcement officials and approve the tactical response plan, provided that any vote to approve the tactical response plan is announced in open session following the closed session. (Education Code 32281)

## Safety Plan(s) Access and Reporting

The Superintendent or designee shall ensure that an updated file of all safety-related plans and materials is readily available for inspection by the public. (Education Code 32282)

CSBA NOTE: The following paragraph is optional. Pursuant to Education Code 32281, the Board may choose to prohibit disclosure of those portions of the comprehensive safety plan that include tactical responses to criminal incidents.

However, those portions of the comprehensive safety plan that include tactical responses to criminal incidents ~~shall~~need not be publicly disclosed.

The Superintendent or designee shall share the comprehensive safety plans and any updates to the plans with local law enforcement, the local fire department, and other first responder entities. (Education Code 32281)

CSBA NOTE: Pursuant to Education Code 32289.5, the district is required to provide data to CDE pertaining to lockdown or multi-option response drills conducted at district schools, as specified.

The Superintendent or designee shall also provide data to CDE pertaining to lockdown or multi-option response drills conducted at district schools in accordance with Education Code 32289.5. (Education Code 32289.5)

### Policy Reference UPDATE Service

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### 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	Description
5 CCR 11987-11987.7	School Community Violence Prevention Program requirements
5 CCR 11992-11993	<del>Definition; persistently</del> <u>Persistently</u> dangerous schools; <u>definition</u>
CA Constitution Article 1, Section 28	Right to Safe Schools
Ed. Code 200-262.4	Prohibition of discrimination
Ed. Code 32260-32262	Interagency School Safety Demonstration Act of 1985
Ed. Code 32270	School safety cadre
Ed. Code 32280-32289.5	School safety plans
Ed. Code 32290	Safety devices
Ed. Code 35147	School site councils and advisory committees
Ed. Code 35183	School dress code; uniforms

Ed. Code 35266	Reporting of cyber attacks
Ed. Code 35291	Rules
Ed. Code 35291.5	School-adopted discipline rules
Ed. Code 41020	Requirement for annual audit
Ed. Code 48900-48927	Suspension and expulsion
Ed. Code 48950	Speech and other communication
Ed. Code 48980	Parent/Guardian notifications
Ed. Code 49079	Notification to teacher; student act constituting grounds for suspension or expulsion
Ed. Code 49390-49395	Homicide threats
Ed. Code 67381	Availability of information regarding crimes
<a href="#">Gov. Code 8586.5</a>	<a href="#">California Cybersecurity Integration Center</a>
Gov. Code 11549.3	Independent security assessment
Gov. Code 54957	Closed session meetings for threats to security
Pen. Code 11164-11174.3	Child Abuse and Neglect Reporting Act
Pen. Code 422.55	Definition of hate crime
Pen. Code 626.8	Disruptions
<b>Federal</b>	<b>Description</b>
<a href="#">20 USC 1400-1482</a>	<a href="#">Individuals with Disabilities Education Act</a>
20 USC 7111-7122	Student support and academic enrichment grants
20 USC 7912	Transfers from persistently dangerous schools
<a href="#">29 USC 794</a>	<a href="#">Rehabilitation Act of 1973; Section 504</a>
42 USC 12101-12213	Americans with Disabilities Act
6 USC 665k	Federal Clearinghouse on School Safety Evidence-Based Practices
<b>Management Resources</b>	<b>Description</b>
CSBA Publication	Community Schools: Partnerships Supporting Students, Families and Communities, Policy Brief, October 2010
CSBA Publication	Cyberbullying: Policy Considerations for Boards, Policy Brief, rev. July 2010
CSBA Publication	Providing a Safe, Nondiscriminatory School Environment for Transgender and Gender-Nonconforming Students, Policy Brief, February 2014

CSBA Publication	Safe Schools: Strategies for Governing Boards to Ensure Student Success, 2011
<u>CSBA Publication</u>	<u>School Safety: Firearm Safety and Storage, May 2023</u>
CSBA Publication	Legal Guidance on Rights of Transgender and Gender Nonconforming Students in Schools, October 2022
Federal Bureau of Investigation Publication	Uniform Crime Reporting Handbook, 2004
U.S. <del>DOE</del> <u>Department of Education</u> Publication	Practical Information on Crisis Planning: A Guide for Schools and Communities, January 2007
U.S. Secret Service & <del>DOE</del> <u>Department of Education</u> Publication	Threat Assessment in Schools: A Guide to Managing Threatening Situations and to Creating Safe School Climates, 2004
Website	California Military Department
<u>Website</u>	<u>California Department of Education, Safe Schools Planning (<a href="https://www.cde.ca.gov/ls/ss/vp/safeschlplanning.asp">https://www.cde.ca.gov/ls/ss/vp/safeschlplanning.asp</a>)</u>
Website	California Department of Technology, Independent Security Assessment
Website	U.S. Department of Homeland Security, Fusion Centers
<u>Website</u>	<u>Schoolsafety.gov (<a href="https://www.schoolsafety.gov/">https://www.schoolsafety.gov/</a>)</u>
Website	California State Threat Assessment System
Website	CSBA District and County Office of Education Legal Services
Website	U.S. Secret Service, National Threat Assessment Center
Website	Centers for Disease Control and Prevention
Website	Federal Bureau of Investigation
Website	National Center for Crisis Management
Website	National School Safety Center
<u>Website</u>	<u>California Department of Education, Language Services Policy and Process</u>
Website	California Department of Education, Safe Schools
Website	California Governor's Office of Emergency Services
Website	California Healthy Kids Survey
Website	U.S. Department of Education
Website	CSBA

**Cross References**

<b>Code</b>	<b>Description</b>
0400	Comprehensive Plans
0410	Nondiscrimination In District Programs And Activities
0420	School Plans/Site Councils
0420	School Plans/Site Councils
0460	Local Control And Accountability Plan
0460	Local Control And Accountability Plan
<del>0470</del>	<del>COVID-19 Mitigation Plan</del>
0500	Accountability
0510	School Accountability Report Card
1100	Communication With The Public
1112	Media Relations
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
1312.3	Uniform Complaint Procedures
1312.3	Uniform Complaint Procedures
1312.3-E(1)	Uniform Complaint Procedures
1312.3-E(2)	Uniform Complaint Procedures
1313	Civility
1330	Use Of School Facilities
1330	Use Of School Facilities
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
3510	Green School Operations

3511	Energy And Water Management
3511	Energy And Water Management
3513.3	Tobacco-Free Schools
3513.3	Tobacco-Free Schools
3514	Environmental Safety
3514	Environmental Safety
3514.1	Hazardous Substances
3514.1	Hazardous Substances
3514.2	Integrated Pest Management
3515	Campus Security
3515	Campus Security
3515.2	Disruptions
3515.2	Disruptions
3515.3	District Police/Security Department
3515.3	District Police/Security Department
3515.31	School Resource Officers
3515.4	Recovery For Property Loss Or Damage
3515.4	Recovery For Property Loss Or Damage
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
3516.1	Fire Drills And Fires
3516.2	Bomb Threats
3516.3	Earthquake Emergency Procedure System
3516.5	Emergency Schedules
3530	Risk Management/Insurance
3530	Risk Management/Insurance
3543	Transportation Safety And Emergencies
4112.41	Employee Drug Testing

4112.41	Employee Drug Testing
4119.11	Sexual Harassment
4119.11	Sexual Harassment
4119.23	Unauthorized Release Of Confidential/Privileged Information
4131	Staff Development
4140	Bargaining Units
4141.6	Concerted Action/Work Stoppage
4141.6	Concerted Action/Work Stoppage
4157	Employee Safety
4157	Employee Safety
4158	Employee Security
4158	Employee Security
4212.41	Employee Drug Testing
4212.41	Employee Drug Testing
4219.11	Sexual Harassment
4219.11	Sexual Harassment
4219.23	Unauthorized Release Of Confidential/Privileged Information
4231	Staff Development
4240	Bargaining Units
4241.6	Concerted Action/Work Stoppage
4241.6	Concerted Action/Work Stoppage
4257	Employee Safety
4257	Employee Safety
4258	Employee Security
4258	Employee Security
4312.41	Employee Drug Testing
4312.41	Employee Drug Testing
4319.11	Sexual Harassment
4319.11	Sexual Harassment
4319.21	Professional Standards
4319.21-E(1)	Professional Standards



4319.23	Unauthorized Release Of Confidential/Privileged Information
4331	Staff Development
4340	Bargaining Units
4357	Employee Safety
4357	Employee Safety
4358	Employee Security
4358	Employee Security
5020	Parent Rights And Responsibilities
5020	Parent Rights And Responsibilities
5112.5	Open/Closed Campus
5113	Absences And Excuses
5113	Absences And Excuses
5113.1	Chronic Absence And Truancy
5113.1	Chronic Absence And Truancy
5116.1	Intradistrict Open Enrollment
5116.1	Intradistrict Open Enrollment
5131	Conduct
5131.2	Bullying
5131.2	Bullying
5131.4	Student Disturbances
5131.4	Student Disturbances
5131.41	Use Of Seclusion And Restraint
5131.5	Vandalism And Graffiti
5131.6	Alcohol And Other Drugs
5131.6	Alcohol And Other Drugs
5131.61	Drug Testing
5131.62	Tobacco
5131.62	Tobacco
5131.63	Steroids
5131.63	Steroids
5131.7	Weapons And Dangerous Instruments

5131.7	Weapons And Dangerous Instruments
5131.8	Mobile Communication Devices
5132	Dress And Grooming
5132	Dress And Grooming
5136	Gangs
5136	Gangs
5137	Positive School Climate
5138	Conflict Resolution/Peer Mediation
5141.22	Infectious Diseases
5141.22	Infectious Diseases
5141.4	Child Abuse Prevention And Reporting
5141.4	Child Abuse Prevention And Reporting
5141.52	Suicide Prevention
5141.52	Suicide Prevention
5142	Safety
5142	Safety
5142.2	Safe Routes To School Program
5142.2	Safe Routes To School Program
5144	Discipline
5144	Discipline
5144.1	Suspension And Expulsion/Due Process
5144.1	Suspension And Expulsion/Due Process
5144.2	Suspension And Expulsion/Due Process (Students With Disabilities)
5145.12	Search And Seizure
5145.12	Search And Seizure
5145.3	Nondiscrimination/Harassment
5145.3	Nondiscrimination/Harassment
5145.6	Parent/Guardian Notifications
5145.6-E(1)	Parent/Guardian Notifications
5145.7	Sexual Harassment

5145.7	Sexual Harassment
5145.9	Hate-Motivated Behavior
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9321-E(2)	Closed Session

**Regulation 0450: Comprehensive Safety Plan**

**Status:** ADOPTED

**Original Adopted Date:** 11/01/2011 | **Last Revised Date:** ~~12/03/01/2022~~2024 | **Last Reviewed Date:** ~~12/03/01/2022~~2024

CSBA NOTE: The following optional administrative regulation should be revised to reflect district practice.

Pursuant to Education Code 234.5, the California Department of Education (CDE) has posted on its ~~web site~~[website](#) a list of statewide resources for youth who have been subjected to school-based discrimination, harassment, intimidation, or bullying, and youth affected by gangs, gun violence, and psychological trauma caused by violence at home, at school, and in the community.

Additionally, ~~6 USC 665k, as added~~[schoolsafety.gov, a website developed](#) by the ~~Luke~~[federal government, provides schools with actionable recommendations to create safe](#) and ~~Alex School Safety Act of 2022 (P.L. 117-159), requires the creation of a~~[supportive learning environments and includes the Federal Clearinghouse on School Safety Evidence-Based Practices, required by 6 USC 665k](#) to serve as a ~~federal~~ resource to identify and publish online evidence-based practices and recommendations to improve school safety.

**Development and Review of Comprehensive School Safety Plan**

CSBA NOTE: The following section reflects requirements for the development of site-level comprehensive safety plans pursuant to Education Code 32280-32289 and is for use by districts that selected Option 1 in the accompanying Board policy. Districts with an average daily attendance of 2,500 or less that selected Option 2 in the accompanying Board policy (i.e., that have developed a districtwide comprehensive safety plan applicable to all school sites in lieu of individual site plans, as authorized by Education Code 32281) should omit this section.

The school site council shall consult with local law enforcement, the local fire department, and other first responders in the writing and development of the comprehensive school safety plan. When practical, the school site council shall also consult with other school site councils and safety planning committees. (Education Code 32281, 32282)

The school site council may delegate the responsibility for developing a comprehensive safety plan to a school safety planning committee composed of the following members: (Education Code 32281)

1. The principal or designee
2. One teacher who is a representative of the recognized certificated employee organization
3. One parent/guardian whose child attends the school

4. One classified employee who is a representative of the recognized classified employee organization

CSBA NOTE: Item #5 below may be modified to specify other groups or individuals who will be represented on the committee. For example, the committee might include representatives of social service agencies, other city or county agencies, health care and emergency service providers, community-based organizations, and/or students.

5. Other members, if desired

Before adopting the comprehensive safety plan, the school site council or school safety planning committee shall hold a public meeting at the school in order to allow members of the public the opportunity to express an opinion about the plan. (Education Code 32288)

The school site council or safety planning committee shall notify, in writing, the following persons and entities of the public meeting: if available: (Education Code 32288)

1. The local mayor
2. A representative of the local school employee organization
3. A representative of each parent/guardian organization at the school, including the parent teacher association and parent teacher clubs
4. A representative of each teacher organization at the school
5. A representative of the school's student body government
6. All persons who have indicated that they want to be notified

In addition, the school site council or safety planning committee may notify, in writing, the following entities of the public meeting: (Education Code 32288)

1. Representatives of local religious organizations
2. Local civic leaders
3. Local business organizations

CSBA NOTE: Pursuant to Education Code 32282, as amended by SB 323 (Ch. 599, Statutes of 2023), after the first evaluation or review is conducted, and after each annual evaluation or review, a school employee, a student's parent/guardian or educational rights holder, or a student may bring concerns about an individual student's ability to access disaster safety procedures described in the comprehensive school safety plan to the principal.

After the first evaluation or review is conducted, and after each annual evaluation or review, a school employee, a student's parent/guardian or educational rights holder, or a student may bring concerns about an individual student's ability to access disaster safety procedures described in the comprehensive school safety plan to the principal. (Education Code 32282)

If the principal determines there is merit to a concern, the principal shall direct the school site council or school safety planning committee, to make appropriate modifications to the

comprehensive school safety plan during the evaluation of the comprehensive safety plan. The principal may direct the school site council or the school safety planning committee to make such modifications before the evaluation, as appropriate. (Education Code 32282)

### Content of the **Comprehensive** Safety Plan

Each comprehensive safety plan shall include an assessment of the current status of any crime committed on campus and at school-related functions.- (Education Code 32282)

CSBA NOTE: The following optional paragraph may be revised to reflect district practice. In assessing the current status of school crime as required by Education Code 32282, districts may contract with a consultant, work with local law enforcement, develop their own local assessment, and/or use available instruments such as the, "California Healthy Kids Survey," or the Centers for Disease Control and Prevention's, "Youth Risk Behavior Survey."

The assessment may include, but not be limited to, reports of crime, suspension and expulsion rates, and surveys of students, parents/guardians, and staff regarding their perceptions of school safety.

CSBA NOTE: Education Code 32282 requires that the following components be included in the districtwide and/or school site **comprehensive** safety plan. The district may expand this list to require other components at its discretion.

The plan shall identify appropriate strategies and programs that will provide or maintain a high level of school safety and address the school's procedures for complying with existing laws related to school safety, including all of the following:- (Education Code 32282)

1. Child abuse reporting procedures consistent with Penal Code 11164-11174.3
2. Routine and emergency disaster procedures including, but not limited to:

CSBA NOTE: Pursuant to Education Code 32282, as amended by SB 323, schools are required to include in their comprehensive safety plans adaptations for students with disabilities in accordance with the federal Americans with Disabilities Act, the Individuals with Disabilities Education Act, and Section 504 of the federal Rehabilitation Act of 1973.

- a. Adaptations for students with disabilities in accordance with the Americans with Disabilities Act, the federal Individuals with Disabilities Education Act, and Section 504 of the federal Rehabilitation Act of 1973

CSBA NOTE: Education Code 32282 requires districts to incorporate earthquake emergency procedures into the comprehensive safety plan, as specified in Items #2b and #2c below. See BP/AR 3516 - Emergencies and Disaster Preparedness Plan and AR 3516.3 - Earthquake Emergency Procedure System for further details about required components of these procedures.

- b. An earthquake emergency procedure system in accordance with Education Code 32282
- c. A procedure to allow public agencies, including the American Red Cross, to use school buildings, grounds, and equipment for mass care and welfare shelters during

disasters or other emergencies affecting the public health and welfare

3. Policies pursuant to Education Code 48915(d) for students who commit an act listed in Education Code 48915(c) and other school-designated serious acts that would lead to suspension, expulsion, or mandatory expulsion recommendations
4. Procedures to notify teachers of dangerous students pursuant to Education Code 49079

CSBA NOTE: Education Code 234.1 requires the Governing Board to adopt policy prohibiting discrimination, harassment, intimidation, and bullying based on specified characteristics and requires school personnel who witness such acts to take immediate steps to intervene when safe to do so; see BP 0410 - Nondiscrimination in District Programs and Activities and BP 5145.3 - Nondiscrimination/Harassment. In addition, the district's complaint process must include a timeline for investigating and resolving complaints and an appeals process; see BP/AR 1312.3 - Uniform Complaint Procedures.

5. A policy consistent with the prohibition against discrimination, harassment, intimidation, and bullying pursuant to Education Code 200-262.4
6. If the school has adopted a dress code prohibiting students from wearing "gang-related apparel" pursuant to Education Code 35183, the provisions of that dress code and the definition of "gang-related apparel"
7. Procedures for safe ingress and egress of students, parents/guardians, and employees to and from school
8. A safe and orderly school environment conducive to learning
9. The rules and procedures on school discipline adopted pursuant to Education Code 35291 and 35291.5

CSBA NOTE: Pursuant to Education Code 32282, schools are required to include in their comprehensive safety plans procedures for conducting tactical responses to criminal incidents, as specified in Item #10. Such procedures must be based on the specific needs and context of each school and community.

Pursuant to Education Code 32281, the ~~Governing~~ Board may elect to have district administrators, rather than the school site council, develop those portions of the comprehensive safety plan that include tactical responses to criminal incidents that may result in death or serious bodily injury; see the accompanying Board policy.

10. Procedures for conducting tactical responses to criminal incidents, including procedures related to individuals with guns on campus and at school-related functions

CSBA NOTE: Pursuant to Education 32282, as amended by SB 671 (Ch. 626, Statutes of 2023), schools are required to include in their comprehensive safety plans procedures to assess and respond to reports of any dangerous, violent, or unlawful activity that is being conducted or threatened to be conducted at the school, at an activity sponsored by the school, or on a school bus serving the school.

11. Procedures to assess and respond to reports of any dangerous, violent, or unlawful activity that is being conducted or threatened to be conducted at the school, at an activity sponsored by the school, or on a school bus serving the school.

CSBA NOTE: Pursuant to Education 32282, as amended by SB 10 (Ch. 856, Statutes of 2023), schools that serve students in any of grades 7-12 are required to include in their comprehensive safety plans a protocol in the event a student is suffering or is reasonably believed to be suffering from an opioid overdose.

12. For schools that serve students in any of grades 7-12, a protocol in the event a student is suffering or is reasonably believed to be suffering from an opioid overdose

CSBA NOTE: The following list reflects material listed on CDE's website related to Safe Schools Planning. The components are optional and should be revised to reflect district practice.

Among the strategies for providing a safe environment, the comprehensive safety plan may also include:

1. Development of a positive school climate that promotes respect for diversity, personal and social responsibility, effective interpersonal and communication skills, self-esteem, anger management, and conflict resolution

CSBA NOTE: Education Code 32261 and 32282 encourage, but do not require, all comprehensive safety plans to include policies and procedures aimed at the prevention of bullying, as defined in Education Code 48900(r).

2. Disciplinary policies and procedures that contain prevention strategies, such as strategies to prevent bullying, hazing, and cyberbullying, as well as behavioral expectations and consequences for violations

CSBA NOTE: Education Code 32261 encourages, but does not require, comprehensive safety plans to include Item #3, below.

3. Strategies aimed at preventing potential incidents involving crime and violence on school campuses, including vandalism, drug and alcohol abuse, gang membership and violence, hate crimes, bullying, including bullying committed personally or by means of an electronic act, teen relationship violence, and discrimination and harassment, including sexual harassment
4. Curriculum that emphasizes prevention and alternatives to violence, such as multicultural education and literacy, character/values education, social and emotional learning, media analysis skills, conflict resolution, community service learning, and education related to the prevention of dating violence
5. Parent/guardian involvement strategies, including strategies to help ensure parent/guardian support and reinforcement of the school's rules and increase the number of adults on campus

CSBA NOTE: When providing parents/guardians with school safety materials and emergency communications, ~~CSBA~~CDE encourages districts to do so in language(s) understandable to parents/guardians, as appropriate for the school site.



6. Provision of safety materials and emergency communications in language(s) understandable to parents/guardians

~~CSBA NOTE: Education Code 49392, as added by SB 906 (Ch. 144, Statutes of 2022), requires districts, starting with the 2023-24 school year, to include in the annual notification to parents/guardians pursuant to Education Code 48980 information related to the safe storage of firearms, as specified.~~

[CSBA NOTE: The California School Board Association's Research and Policy Fact Sheet, "School Safety: Firearm Safety and Storage," provides guidance and best practices related to the safe storage of firearms.](#)

7. Annual notification to parents/guardians related to the safe storage of firearms
8. Prevention and intervention strategies related to the sale or use of drugs and alcohol which shall reflect expectations for drug-free schools and support for recovering students
9. Collaborative relationships among the city, county, community agencies, local law enforcement, the judicial system, and the schools that lead to the development of a set of common goals and community strategies for violence prevention instruction
10. District policy prohibiting the possession of firearms and ammunition on school grounds
11. Measures to prevent or minimize the influence of gangs on campus

CSBA NOTE: Education Code 32281 authorizes the principal, upon receiving verification from law enforcement, to notify parents/guardians and employees in writing that a violent crime has occurred on the school site. A "violent crime" is any act for which a student could be expelled and which meets the definition listed in Education Code 67381, including willful homicide, forcible rape, robbery, and aggravated assault, as defined in the, "Federal Bureau of Investigation's Uniform Crime Reporting Handbook." Education Code 32281 encourages that the notice be sent no later than the second workday after receiving verification from law enforcement.

20 USC 7912 requires that all students attending a "persistently dangerous" school be provided notice of the designation and an option to transfer to a different school within the district. See BP/AR 5116.1 - Intradistrict Open Enrollment.

12. Procedures for receiving verification from law enforcement when a violent crime has occurred on school grounds and for promptly notifying parents/guardians and employees of that crime
13. Procedures for the early identification and threat assessment of, and appropriate response to, suspicious and/or threatening digital media content
14. Assessment of the school's physical environment, including a risk management analysis and development of ground security measures such as procedures for closing campuses to outsiders, installing surveillance systems, securing the campus perimeter, protecting buildings against vandalism, and providing for a law enforcement presence on campus

~~CSBA NOTE: Government Code 11549.3, as amended by AB 1352 (Ch. 593, Statutes of 2021),~~ CSBA NOTE: Pursuant to Government Code 8586.5, the California Cybersecurity Integration Center (CSIC) serves as the central organizing hub of the state government's cybersecurity preparedness and response activities and coordinates cyber intelligence and information sharing, and, as amended by AB 1023 (Ch. 555, Statutes of 2023), is required to coordinate information sharing, including cyber threat information, with school districts. Government Code 11549.3 authorizes districts, at district expense, to request the Military Department, in consultation with the California Cybersecurity Integration Center CSIC, to perform an independent security assessment of the district or individual district school. Districts are encouraged to consult with the California Office of Emergency Services (OES) and utilize resources such as the State Threat Assessment System and Regional Fusion Centers to help assess potential threats. For more information see OES' web-site website.

~~Pursuant to Education Code 35266, as added by AB 2355 (Ch. 498, Statutes of 2022),~~ districts that experience a cyberattack, as defined, which impacts more than 500 students or personnel, are required to report such cyberattack to the California Cybersecurity Integration Center. CSIC.

15. Independent security assessment of the school's network infrastructure and selected web applications to identify vulnerabilities and provide recommendations to improve cybersecurity

~~CSBA NOTE: Education Code 32282.1 does not require, but encourages, that~~ comprehensive safety plans include the strategies described in Item #16 below, to the extent the district uses the listed professionals. CDE's, "The Comprehensive School Safety Plan: Recommended Components," available on its web-site website, includes athletic coaches in the list of professionals and specifies that community intervention professionals include those who speak languages other than English.

16. Guidelines for the roles and responsibilities of mental health professionals, athletic coaches, community intervention professionals, school counselors, school resource officers, and police officers on school campuses. Guidelines may include, but are not limited to, the following:

- a. Strategies to create and maintain a positive school climate, promote school safety, and increase student achievement
- b. Strategies to prioritize mental health and intervention services, restorative and transformative justice programs, and positive behavior interventions and support
- c. Protocols to address the mental health care of students who have witnessed a violent act at any time, including, but not limited to, while on school grounds, while coming or going from school, during a lunch period whether on or off campus, or during or while going to or coming from a school-sponsored activity

17. Strategies for suicide prevention and intervention

~~CSBA NOTE: Policies and/or plans for maintaining a safe school environment during a pandemic, as described in Item #18 below, may be included in the district's comprehensive safety plan. Such policies may include BP 0470—COVID-19 Mitigation Plan, BP 3516.5 -~~

Emergency Schedules, BP 4113.5 - Working Remotely, BP 4119.41 - Employees with Infectious Disease, BP/AR 5141.22 - Infectious Diseases, and BP/AR 6158 - Independent Study.

18. District policy and/or plan related to pandemics

CSBA NOTE: Penal Code 626.8 provides that a person may be guilty of a misdemeanor for infringing with or disrupting a school activity, remaining on campus after having been asked to leave, reentering within seven days of being asked to leave, establishing a continued pattern of unauthorized entry, or willfully or knowingly creating a disruption with the intent to threaten the immediate physical safety of a student in preschool or grades K-8 who is arriving at, attending, or leaving school; see BP/AR 3515.2 - Disruptions.

19. Procedures to implement when a person interferes with or disrupts a school activity, remains on campus after having been asked to leave, or creates a disruption with the intent to threaten the immediate physical safety of students or staff

20. Crisis prevention and intervention strategies, which may include the following:

- a. Identification of possible crises that may occur, determination of necessary tasks that need to be addressed, and development of procedures relative to each crisis, including the involvement of law enforcement and other public safety agencies as appropriate
- b. Threat assessment strategies to determine the credibility and seriousness of a threat and provide appropriate interventions for the potential offender(s)
- c. Assignment of staff members responsible for each identified task and procedure
- d. Development of an evacuation plan based on an assessment of buildings and grounds and opportunities for students and staff to practice the evacuation plan
- e. Coordination of communication to schools, Governing Board members, parents/guardians, and the media
- f. Communication with parents/guardians of reunification plans and the necessity of cooperating with first responders
- g. Development of a method for the reporting of violent incidents
- h. Development of follow-up procedures that may be required after a crisis has occurred, such as counseling

CSBA NOTE: Education Code 49390 and 49393, ~~as added by SB 906~~, require certificated and classified employees of the district, or other school officials such as Board members, whose duties bring the employee or other school official in contact on a regular basis with students in any of grades 6-12, as part of a middle school or high school, who are alerted to or observe any threat or perceived threat of a homicidal act, as defined, to immediately report the threat or perceived threat to law enforcement in accordance with Education Code 49393. "Threat or perceived threat"

means any writing or action of a student that creates a reasonable suspicion that the student is preparing to commit a homicidal act related to school or a school activity. This may include possession, use, or depictions of firearms, ammunition, shootings, or targets in association with infliction of physical harm, destruction, or death in a social media post, journal, class note, or other media associated with the student. It may also include a warning by a parent, student, or other individual.

21. Training on assessment and reporting of potential threats, violence prevention, and intervention techniques. Such training shall include preparation to implement the elements of the [comprehensive](#) safety plan

CSBA NOTE: Pursuant to Education Code 32284, the comprehensive safety plan may, at the discretion of the Board, include procedures for responding to the release of a pesticide or other toxic substance from properties located within one-quarter mile of a school. No state funds may be used for this purpose.

22. Environmental safety strategies, including, but not limited to, procedures for preventing and mitigating exposure to toxic pesticides, lead, asbestos, vehicle emissions, and other hazardous substances and contaminants
23. Continuity of operations procedures to ensure that the district's essential functions are not disrupted during an emergency, to the extent possible

**Policy Reference UPDATE Service**

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**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.

<b>State</b>	<b>Description</b>
5 CCR 11987-11987.7	School Community Violence Prevention Program requirements
5 CCR 11992-11993	<del>Definition; persistently</del> <a href="#">Persistently</a> dangerous schools; <a href="#">definition</a>
CA Constitution Article 1, Section 28	Right to Safe Schools
Ed. Code 200-262.4	Prohibition of discrimination
Ed. Code 32260-32262	Interagency School Safety Demonstration Act of 1985
Ed. Code 32270	School safety cadre
Ed. Code 32280-32289.5	School safety plans
Ed. Code 32290	Safety devices
Ed. Code 35147	School site councils and advisory committees

Ed. Code 35183	School dress code; uniforms
Ed. Code 35266	Reporting of cyber attacks
Ed. Code 35291	Rules
Ed. Code 35291.5	School-adopted discipline rules
Ed. Code 41020	Requirement for annual audit
Ed. Code 48900-48927	Suspension and expulsion
Ed. Code 48950	Speech and other communication
Ed. Code 48980	Parent/Guardian notifications
Ed. Code 49079	Notification to teacher; student act constituting grounds for suspension or expulsion
Ed. Code 49390-49395	Homicide threats
Ed. Code 67381	Availability of information regarding crimes
<a href="#"><u>Gov. Code 8586.5</u></a>	<a href="#"><u>California Cybersecurity Integration Center</u></a>
Gov. Code 11549.3	Independent security assessment
Gov. Code 54957	Closed session meetings for threats to security
Pen. Code 11164-11174.3	Child Abuse and Neglect Reporting Act
Pen. Code 422.55	Definition of hate crime
Pen. Code 626.8	Disruptions
<b>Federal</b>	<b>Description</b>
<a href="#"><u>20 USC 1400-1482</u></a>	<a href="#"><u>Individuals with Disabilities Education Act</u></a>
20 USC 7111-7122	Student support and academic enrichment grants
20 USC 7912	Transfers from persistently dangerous schools
<a href="#"><u>29 USC 794</u></a>	<a href="#"><u>Rehabilitation Act of 1973; Section 504</u></a>
42 USC 12101-12213	Americans with Disabilities Act
6 USC 665k	Federal Clearinghouse on School Safety Evidence-Based Practices
<b>Management Resources</b>	<b>Description</b>
CSBA Publication	Community Schools: Partnerships Supporting Students, Families and Communities, Policy Brief, October 2010
CSBA Publication	Cyberbullying: Policy Considerations for Boards, Policy Brief, rev. July 2010
CSBA Publication	Providing a Safe, Nondiscriminatory School Environment for Transgender and Gender-Nonconforming Students, Policy Brief, February 2014

CSBA Publication	Safe Schools: Strategies for Governing Boards to Ensure Student Success, 2011
<u>CSBA Publication</u>	<u>School Safety: Firearm Safety and Storage, May 2023</u>
CSBA Publication	Legal Guidance on Rights of Transgender and Gender Nonconforming Students in Schools, October 2022
Federal Bureau of Investigation Publication	Uniform Crime Reporting Handbook, 2004
U.S. <del>DOE</del> <u>Department of Education</u> Publication	Practical Information on Crisis Planning: A Guide for Schools and Communities, January 2007
U.S. Secret Service & <del>DOE</del> <u>Department of Education</u> Publication	Threat Assessment in Schools: A Guide to Managing Threatening Situations and to Creating Safe School Climates, 2004
Website	California Military Department
<u>Website</u>	<u>California Department of Education, Safe Schools Planning (<a href="https://www.cde.ca.gov/ls/ss/vp/safeschlplanning.asp">https://www.cde.ca.gov/ls/ss/vp/safeschlplanning.asp</a>)</u>
Website	California Department of Technology, Independent Security Assessment
Website	U.S. Department of Homeland Security, Fusion Centers
<u>Website</u>	<u>Schoolsafety.gov (<a href="https://www.schoolsafety.gov/">https://www.schoolsafety.gov/</a>)</u>
Website	California State Threat Assessment System
Website	CSBA District and County Office of Education Legal Services
Website	U.S. Secret Service, National Threat Assessment Center
Website	Centers for Disease Control and Prevention
Website	Federal Bureau of Investigation
Website	National Center for Crisis Management
Website	National School Safety Center
<u>Website</u>	<u>California Department of Education, Language Services Policy and Process</u>
Website	California Department of Education, Safe Schools
Website	California Governor's Office of Emergency Services
Website	California Healthy Kids Survey
Website	U.S. Department of Education
Website	CSBA

## Cross References

<b>Code</b>	<b>Description</b>
0400	Comprehensive Plans
0410	Nondiscrimination In District Programs And Activities
0420	School Plans/Site Councils
0420	School Plans/Site Councils
0460	Local Control And Accountability Plan
0460	Local Control And Accountability Plan
<del>0470</del>	<del>COVID-19 Mitigation Plan</del>
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1113	District And School Websites
1113-E(1)	District And School Websites
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1220	Citizen Advisory Committees
1312.3	Uniform Complaint Procedures
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1312.3-E(2)	Uniform Complaint Procedures
1313	Civility
1330	Use Of School Facilities
1330	Use Of School Facilities
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1340	Access To District Records
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1400	Relations Between Other Governmental Agencies And The Schools
2210	Administrative Discretion Regarding Board Policy
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3511	Energy And Water Management
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3516.1	Fire Drills And Fires
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3516.5	Emergency Schedules
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5131.7	Weapons And Dangerous Instruments
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5145.7	Sexual Harassment

5145.7	Sexual Harassment
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9320	Meetings And Notices
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9321-E(1)	Closed Session
9321-E(2)	Closed Session

**Policy 0470: COVID-19 Mitigation Plan**

**Status:** ADOPTED

**Original Adopted Date:** 06/01/2020 | **Last Revised Date:** 09/01/2021 | **Last Reviewed Date:** 09/01/2021

CSBA NOTE: The following policy is intended for use during the coronavirus (COVID-19) pandemic and supersedes conflicting provisions in other district policies and administrative regulations, thereby eliminating the need to temporarily revise multiple policies. When the Governing Board determines, consistent with state and local orders from health officials, that the need for this policy no longer exists, the following policy should be removed from the district's policy manual.

Due to the unexpected nature of the pandemic, the evolving circumstances, and rapidly changing health and safety guidance regarding COVID-19, this policy has been revised to refer directly to the state resources that serve as both mandatory and recommended guidance to districts during the pandemic. Districts are encouraged to consult with local health officials, staff, students, parents/guardians, neighboring school districts, and the county office of education in comprehensive planning for safe operations.

This policy is not intended to serve as or supersede the District's COVID-19 Prevention Program ("CPP") required by the California Division of Occupational Safety and Health (Cal/OSHA), as described below, or the District's Injury and Illness Prevention Program ("IIPP"). Rather, this policy should supplement and support the IIPP. See BP/AR 4157/4257/4357—Employee Safety.

This policy involves a number of working conditions that are often addressed in collective bargaining agreements and, as such, may be subject to negotiations with employee organizations.

The following policy establishes actions that will be taken by the district to provide a safe learning and working environment during the coronavirus (COVID-19) pandemic, and shall supersede any conflicting language in existing district policies or administrative regulations until the Governing Board determines that the need for this policy no longer exists. The Board acknowledges that, due to the evolving nature of the pandemic, federal, state, and local orders impacting district operations are subject to change without notice. In the event that any federal or state law and/or order or local order may conflict with this policy, the law or order shall govern.

The Board may also adopt resolutions or take other actions as needed to respond to such orders or provide further direction during the pandemic.

To limit the impact of the pandemic on the education of district students, the district shall implement learning recovery, social-emotional support, and other measures and strategies designed to keep students learning and engaged in the instructional program.

**COVID-19 Safety Plan**

CSBA NOTE: Pursuant to Health and Safety Code 120130, the State Public Health Officer has the authority to create mandates for K-12 schools to prevent the spread of a communicable disease. In addition, the California Department of Public Health (CDPH) may adopt and enforce regulations requiring strict or modified isolation or quarantine if necessary for the protection of the public health. Local health officials have similar authority pursuant to Health and Safety Code 120175-

120255 to issue orders they deem necessary to control the spread of a communicable disease, subject to the control and regulation of CDPH. Districts are therefore obligated to comply with COVID-19 mitigation requirements from multiple jurisdictional authorities including: (1) the California Department of Public Health (CDPH); (2) Cal/OSHA; and (3) local health authorities.

CDPH's COVID-19 Public Health Guidance for K-12 Schools in California, 2021-22 School Year (updated September 1, 2021) provides updated public health guidance applicable to California schools. The CDPH guidance provides that all students must have access to safe and full in-person instruction and to as much instructional time as possible. The guidance includes both mandatory and recommended practices on a range of topics, including: masking; physical distancing; ventilation; protocols for staying home when sick and getting tested; screening testing; case reporting, contact tracing and investigation; quarantining; isolating when sick with COVID-19; hand hygiene; cleaning; vaccination verification; COVID-19 safety planning transparency; school-based extracurricular activities; supporting students with disabilities or other health care needs; and visitors.

On June 11, 2021, the State Public Health Officer issued an order that requires all individuals to follow the CDPH face mask guidance and any amended guidance for K-12 schools. This order went into effect on June 15, 2021 and does not have an expiration date. In a letter dated August 23, 2021, CDPH emphasized that universal masking indoors is mandatory, that districts have no discretion to opt out or not enforce the mandate, and that districts that do not enforce the mandate will be at significant liability risk.

In addition, on August 11, 2021, the State Public Health Officer issued an order that requires workers and volunteers in school settings serving students in transitional kindergarten through grade 12 to either provide proof of vaccination, as specified by CDPH, or submit to regular testing for COVID-19. Schools are also required to have a plan in place by October 15, 2021 for tracking verified worker vaccination status and records must be made available, upon request, to the local health authority for the purposes of case investigation.

Pursuant to 8 CCR 3205, districts must have a Cal/OSHA COVID-19 prevention program that contains the following elements: (1) a system for communicating with and providing notice to employees; (2) identification and evaluation of COVID-19 hazards; (3) investigation and response to COVID-19 cases; (4) procedures for correcting COVID-19 hazards; (5) training and instruction to employees; (6) face coverings; (7) other engineering controls, administrative controls, and personal protective equipment (PPE); (8) reporting, recordkeeping, and access to the written COVID-19 prevention program; (9) exclusion of COVID-19 cases; and (10) return-to-work criteria.

Pursuant to state and federal law, districts are required to create and post COVID-19 safety plans. Specifically, pursuant to Education Code 32091, districts are required to post a completed COVID-19 safety plan that complies with the health guidance of CDPH and Cal/OSHA on the district's web site home page. In addition, districts receiving Elementary and Secondary School Emergency Relief funds are required to adopt and post a Safe Return to In-Person Instruction and Continuity of Services Plan and review it at least every six months for possible revisions, describing how the district will maintain the health and safety of students, educators and other staff, including the extent to which it has adopted policies, and a description of such policies, on each of the safety recommendations provided by the Centers for Disease Control and Prevention (CDC). A template plan for this purpose is available on the California Department of Education's web site.

Due to the evolving nature of the pandemic, health and safety guidance is subject to change.

Districts are strongly encouraged to refer directly to public health orders and guidance and work closely with public health authorities to ensure that COVID-19 mitigation measures stay current.

The Superintendent or designee shall establish, implement, and maintain a COVID-19 safety plan that complies with any mandatory public health guidance of the California Department of Public Health (CDPH), the COVID-19 prevention program ("CPP") consistent with the regulations of the California Division of Occupational Safety and Health, any orders of state or local health authorities, and any other applicable law and/or health order(s). The Superintendent or designee shall ensure, at a minimum, that the COVID-19 safety plan complies with all mandatory guidance and gives priority to recommended practices that are identified as being particularly effective at COVID-19 mitigation. The Superintendent or designee shall regularly review public health guidance to ensure that the district's COVID-19 mitigation strategies are current with public health mandates or recommendations.

The district's COVID-19 safety plan shall be posted on the district's web site.

CSBA NOTE: The following list is optional and may be revised to reflect district practice. CDPH recommends that districts consider certain factors when making decisions regarding COVID-19 mitigation strategies, reflected in Items #1-3 below.

To promote transparency and facilitate decision-making regarding COVID-19 mitigation strategies, the Superintendent or designee shall report to the Board on a regular basis regarding the following:

- 1. Level of community transmission of COVID-19
- 
- 2. COVID-19 vaccination coverage in the community and among students and staff
- 
- 3. Any local COVID-19 outbreaks or increasing trends
- 
- 4. Changes to local, state, and/or federal public health guidance, orders, and laws
- 
- 5. Any revisions to the district's COVID-19 safety plan

**Reporting to the Public Health Department**

CSBA NOTE: The following section reflects reporting obligations pursuant to Education Code 32090-32091, as added by AB 86 (Ch. 10, Statutes of 2021) and amended by AB 130 (Ch. 44, Statutes of 2021).

Upon learning that a school employee or student who has tested positive for COVID-19 was present on campus while infectious, the Superintendent or designee shall immediately, and in no case later than 24 hours after learning of the positive case, notify the local health officer or the local health officer's representative about the positive case. The notification shall be made even if the individual who tested positive has not provided prior consent to the disclosure of personally identifiable information and shall include all of the following information, if known: (Education Code 32090)

Identifying information of the individual who tested positive, including full name, address, telephone number, and date of birth

The date of the positive test, the school(s) at which the individual was present, and the date the individual was last onsite at the school(s)

The name, address, and telephone number of the person making the report

If a school has two or more outbreaks of COVID-19 and is subject to a safety review by CDPH pursuant to Education Code 32090, the Superintendent or designee shall cooperate fully with the review.

### **Statewide Instructional Mode Survey**

CSBA NOTE: Pursuant to Education Code 32091, as amended by AB 130, districts are required to notify the California Collaborative for Educational Excellence (CCEE) of specified information in a form and adhering to the procedures to be determined by the CCEE.

On or before the second and fourth Monday of each month, the Superintendent or designee shall submit to the California Collaborative for Educational (CCEE) information required under Education Code 32091, in accordance with the form and procedures determined by CCEE.

### **Stakeholder Engagement and Community Relations**

The district shall solicit input from stakeholders on how to best support students following the learning disruptions of the pandemic through appropriate methods, which may include surveys, community and family meetings, and other methods identified by the Superintendent or designee.

The Superintendent or designee shall collaborate with local health authorities to ensure that parents/guardians are provided with the information needed to ensure that public health guidance is observed in the home as well as in school, such as information about isolation and quarantine requirements, face mask requirements, symptom checks prior to school attendance, and who to contact when students have symptoms and/or were exposed.

The Superintendent or designee shall use a variety of methods to regularly communicate with students, parents/guardians, and the community regarding community transmission levels, district operations, school schedules, and steps the district is taking to promote the health and safety of students. In addition, the members of the Board have a responsibility as community leaders to communicate matters of public interest in a manner that is consistent with Board policies and bylaws regarding public statements.

The district shall continue to collaborate with local health officials and agencies, community organizations, and other stakeholders to ensure that district operations reflect current recommendations and best practices for COVID-19 mitigation strategies. The Superintendent or designee shall keep informed about resources and services available in the community to assist students and families in need.

### **Learning Recovery and Social-Emotional Support**

CSBA NOTE: Pursuant to Education Code 43520-43525, as added by AB 86 and amended by AB 130, starting in the 2020-21 school year and continuing into the 2022-23 school year, districts are required to provide academic interventions and student supports to address barriers to learning and accelerate progress to closing learning gaps.

The U.S. Department of Education's Office of Special Education Programs (OSEP) has emphasized that districts are required to fully implement the Individuals with Disabilities Education Act (IDEA) during the COVID-19 pandemic, including but not limited to the requirement to meet child find obligations. In Return to School Roadmap: Child Find Under Part B of the Individuals with



Disabilities Education Act, OSEP encourages districts to reexamine the efficacy of existing child find practices in light of the educational disruptions caused by the COVID-19 pandemic. See BP/AR 6164.4—Identification and Evaluation of Individuals for Special Education for "child find" procedures.

The following paragraph is optional and may be revised to reflect district practice.

The Superintendent or designee shall develop a plan for assessing students' current academic levels early in the school year to ensure that each student is provided with appropriate opportunities for learning recovery based on need. The plan may include:

1. Use of interim or diagnostic assessments
- 
2. Review of available data from assessments within the California Assessment of Student Performance and Progress
- 
3. Review of attendance data from the 2020-2021 school year
- 
4. Review of prior year grades
- 
5. Discussion of student needs and strengths with parents/guardians and former teachers

CSBA NOTE: Pursuant to Education Code 43522, as amended by AB 130, districts that receive Extended Learning Opportunities (ELO) grant funding are required to implement a learning recovery program that provides supplemental instruction, support for social-emotional well-being, and to the maximum extent permissible as specified in U.S. Department of Agriculture guidelines, meals and snacks, to students who are eligible for free or reduced-price meals, English learners, foster youth, homeless students, students with disabilities, students at risk of abuse, neglect, or exploitation, disengaged students, and students who are below grade level, including, but not limited to, those who did not enroll in kindergarten in the 2020-21 school year, credit-deficient students, high school students at risk of not graduating, and other students identified by certificated staff.

The Superintendent or designee shall develop and implement a learning recovery program that, at a minimum, provides supplemental instruction and support for social-emotional well-being, and to the maximum extent permissible meals and snacks, to eligible students. (Education Code 43522)

**Supplemental Instruction and Support**

The district shall provide students with evidence-based supports and interventions in a tiered framework that bases universal, targeted, and intensive supports on students' needs for academic, social-emotional, and other integrated student supports through a program of engaging learning experiences in a positive school climate. (Education Code 43522)

Targeted and intensive supports may include: (Education Code 43522)

1. Extending instructional learning time based on student learning needs including through summer school or intersessional instructional programs
- 
2. Tutoring or other one-on-one or small group learning supports provided by certificated or classified staff
-

3. Learning recovery programs and materials designed to accelerate student academic proficiency, English language proficiency, or both
  -
4. Integrated student supports to address other barriers to learning, such as:
  - 
  - a. The provision of health, counseling, or mental health services
    -
  - b. Access to school meal programs
    -
  - c. Access to before and after school programs
    -
  - d. Programs to address student trauma and social-emotional learning
    -
  - e. Referrals for support for family or student needs
    -
5. Community learning hubs that provide students with access to technology, high-speed internet, and other academic supports

CSBA NOTE: Pursuant to Education Code 51225, as added by AB 104 (Ch. 41, Statutes of 2021), the district is required to provide a student who was enrolled in the student's third or fourth year of high school during the 2020-21 school year and is not on track to graduate in the 2020-21 or 2021-22 school years the opportunity to complete the statewide coursework required for graduation pursuant to Education Code 51225.3, which may include, but is not limited to, completion of the coursework through a fifth year of instruction, credit recovery, or other opportunity to complete the required coursework. See BP 6146.1—High School Graduation Requirements.

6. Supports for credit deficient students to complete graduation or grade promotion requirements and to increase or improve students' college eligibility
  -
7. Additional academic services for students, such as diagnostic, progress monitoring, and benchmark assessments of student learning
  -
8. Other interventions identified by the Superintendent or designee

CSBA NOTE: Pursuant to Education Code 43522, as added by AB 86 and amended by AB 130, funding from ELO grants may be expended for educating school staff regarding strategies, including trauma-informed practices, to engage students and families in addressing students' social-emotional health and academic needs as well as for accelerated learning and effectively addressing learning gaps.

To ensure schoolwide implementation of the district's tiered framework of supports, the Superintendent or designee shall plan staff development that includes: (Education Code 43522)

1. Accelerated learning strategies and effective techniques for closing learning gaps, including training in facilitating quality learning opportunities for all students
  -
2. Strategies, including trauma-informed practices, to engage students and families in addressing students' social-emotional health needs and academic needs

### **Reengagement for Chronically Absent Students**

CSBA NOTE: The U.S. Department of Education (USD OE) recommends that nonpunitive measures be used to reengage students who became chronically absent during the pandemic. See USD OE's

ED COVID-19 Handbook, Volume 2: Roadmap to Reopening Safely and Meeting All Students' Needs (August 2021).

The Superintendent or designee shall implement strategies for identifying, locating, and reengaging students who were chronically absent or disengaged during the 2020-21 school year, including students who were kindergarten age but who did not enroll in kindergarten. Strategies for reengaging students may include:

1. Personal outreach to families, including by staff who are known to families
- 
2. Door-to-door campaigns
- 
3. The use of social media to spread awareness about the implementation of COVID-19 mitigation strategies
- 
4. Welcoming and supporting students who experienced chronic absenteeism due to the COVID-19 pandemic or who are returning to school after a long absence

**Student Absence and Attendance**

The Board recognizes that COVID-19 will continue to impact the attendance of students. The Superintendent or designee shall notify students and parents/guardians of expectations regarding school attendance. Such notification shall direct any student who contracts the virus or is subject to a quarantine order to stay home in accordance with state and local health orders.

CSBA NOTE: Pursuant to Education Code 51745, as amended by AB 130, for the 2021-22 school year all districts are required to offer independent study to meet the educational needs of students. See BP 6158 Independent Study and 3516.5 Emergency Schedules.

The Superintendent or designee shall ensure continuity of instruction for students who may be under a quarantine order to stay home, by offering such students independent study or other instructional delivery channels that allows the student to continue to participate in the instructional program to the greatest extent possible.

**Nondiscrimination**

The Board prohibits discrimination based on actual or perceived medical condition or disability status. (Government Code 11135)

Individual students and staff shall not be identified as being COVID positive, nor shall students be shamed, treated differently, or denied access to a free and appropriate public education because of their COVID-19 status or medical condition. Staff shall not disclose confidential or privileged information, including the medical history or health information of students and staff except as allowed by law. (Education Code 49450)

The Superintendent or designee shall investigate any reports of harassment, intimidation, and bullying targeted at any student based on their medical condition or COVID status, exposure, or high-risk status.

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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.

<b>State</b>	<b>Description</b>
<del>2 CCR 11087-11098</del>	<del>California Family Rights Act</del>
<del>5 CCR 202</del>	<del>Exclusion of students with a contagious disease</del>
<del>5 CCR 306</del>	<del>Explanation of absence</del>
<del>5 CCR 420-421</del>	<del>Record of verification of absence due to illness and other causes</del>
<del>8 CCR 3205</del>	<del>COVID-19 prevention</del>
<del>Ed. Code 32096-32096.1</del>	<del>COVID-19 reporting and public health requirements</del>
<del>Ed. Code 43520-43525</del>	<del>In-person instruction and expanded learning opportunities grants</del>
<del>Ed. Code 44978</del>	<del>Sick leave; certificated employees</del>
<del>Ed. Code 45191</del>	<del>Personal illness and injury leave; classified employees</del>
<del>Ed. Code 48205</del>	<del>Excused absences</del>
<del>Ed. Code 48213</del>	<del>Prior parent notification of exclusion; exemption</del>
<del>Ed. Code 48240</del>	<del>Supervisors of attendance</del>
<del>Ed. Code 49451</del>	<del>Physical examinations: parent's refusal to consent</del>
<del>Gov. Code 11135</del>	<del>Prohibition of discrimination</del>
<del>Gov. Code 12945.1-12945.2</del>	<del>California Family Rights Act</del>
<del>Gov. Code 54950-54963</del>	<del>The Ralph M. Brown Act</del>
<del>H&amp;S Code 120175-120255</del>	<del>Functions and duties of local health officers</del>
<del>H&amp;S Code 120230</del>	<del>Exclusion for communicable disease</del>
<del>H&amp;S Code 120275</del>	<del>Violations of quarantine order</del>
<del>H&amp;S Code 131080</del>	<del>Advice to and control of local health authorities</del>
<del>Lab. Code 245-249</del>	<del>Healthy Workplaces, Healthy Families Act of 2014</del>
<b>Federal</b>	<b>Description</b>
<del>29 CFR 825.100-825.702</del>	<del>Family and Medical Leave Act of 1993</del>
<b>Management Resources</b>	<b>Description</b>
<del>CA Collaboration for Educational Excellence Pub</del>	<del>Statewide Instructional Mode Survey Frequently Asked Questions (FAQs), September 14, 2021</del>
<del>CA Div. of Occup. Safety &amp; Health Publication</del>	<del>COVID-19 Prevention Emergency Temporary Standards—Fact Sheets, Model Written Program and Other Resources</del>
<del>California Department of Education Publication</del>	<del>Safe Return to In-Person Instruction and Continuity of Services Plan Template</del>

California Department Of Public Health Publication	State Public Health Officer Order of June 11, 2021
California Department Of Public Health Publication	State Public Health Officer Order of August 11, 2021
California Department Of Public Health Publication	Requirement for Universal Masking Indoors at K-12 Schools, August 23, 2021
California Department of Public Health Publication	COVID-19 Public Health Guidance for K-12 Schools in California, 2021-22 School Year, September 1, 2021
Californians Together Publication	Teaching and Learning During Uncertain Times: A Review of Learning Continuity Plans
CDC and Prevention Publication	Guidance for COVID-19 Prevention in K-12 Schools, August 5, 2021
CSBA Publication	Understanding and Addressing Disruptions to Learning During the COVID-19 Pandemic, May 2021
CSBA Publication	The Resource Guide: Turning Crisis into Opportunity, Delegate Assembly Report, May 2021
CSBA Publication	Sample School Board Resolution on Grading During Emergency School Closures
Institute Of Education Sciences Publication	Addressing Trauma in Educational Settings, Module 1: Impacts and Symptoms of Trauma and Relevant Strategies to Support Students, Webinar, November 2020
Nat'l School Public Relations Assoc. Pub.	Coronavirus Communications Crisis for Public Schools Guide
National Ctr For Learning Disabilities Pub.	Promising Practices to Accelerate Learning for Students with Disabilities During COVID-19 and Beyond
Office of Management and Budget Publication	Administrative Relief for Recipients and Applicants of Federal Financial Assistance Directly Impacted by COVID-19 due to Loss of Operations, Memo M-20-17, March 19, 2020
Office of the Governor Publication	Executive Order N-26-20, March 13, 2020
Office of the Governor Publication	Executive Order N-30-20, March 17, 2020
Policy Analysis For California Education Pub.	Evidence-Based Practices for Assessing Students' Social and Emotional Well-Being, February 2021
U.S. Department Of Education Publication	Long COVID under Section 504 and the IDEA: A Resource to Support Children, Students, Educators, Schools, Service Providers, and Families, July 2021
U.S. Department Of Education Publication	Return to School Roadmap: Child Find Under Part B of the Individuals with Disabilities Education Act, August 2021
U.S. Department Of Education Publication	ED COVID-19 Handbook, Volume 2: Roadmap to Reopening Safely and Meeting All Students' Needs, August 2021
U.S. Department Of Education Publication	ED COVID-19 Handbook, Volume 1: Strategies for Safely Reopening Elementary and Secondary Schools, August 2021

U.S. Department Of Education Publication	<u>Confronting COVID-19-Related Harassment in Schools, August 2021</u>
Website	<u>CSBA District and County Office of Education Legal Services</u>
Website	<u>State of California Safe Schools for All Hub</u>
Website	<u>California Division of Occupational Safety and Health</u>
Website	<u>California Collaborative for Educational Excellence</u>
Website	<u>Office of the Governor</u>
Website	<u>World Health Organization</u>
Website	<u>California Interscholastic Federation</u>
Website	<u>U.S. Department of Labor</u>
Website	<u>California Department of Education</u>
Website	<u>California Department of Public Health</u>
Website	<u>Centers for Disease Control and Prevention</u>
Website	<u>CSBA</u>
Website	<u>Office of Management and Budget</u>

## Cross-References

<b>Code</b>	<b>Description</b>
0400	<u>Comprehensive Plans</u>
0410	<u>Nondiscrimination In District Programs And Activities</u>
0415	<u>Equity</u>
0450	<u>Comprehensive Safety Plan</u>
0450	<u>Comprehensive Safety Plan</u>
1100	<u>Communication With The Public</u>
1112	<u>Media Relations</u>
1240	<u>Volunteer Assistance</u>
1240	<u>Volunteer Assistance</u>
1250	<u>Visitors/Outsiders</u>
1250	<u>Visitors/Outsiders</u>
1312.3	<u>Uniform Complaint Procedures</u>
1312.3	<u>Uniform Complaint Procedures</u>
1312.3-E(1)	<u>Uniform Complaint Procedures</u>
1312.3-E(2)	<u>Uniform Complaint Procedures</u>
1330	<u>Use Of School Facilities</u>

1330	<u>Use Of School Facilities</u>
1400	<u>Relations Between Other Governmental Agencies And The Schools</u>
1700	<u>Relations Between Private Industry And The Schools</u>
2210	<u>Administrative Discretion Regarding Board Policy</u>
3510	<u>Green School Operations</u>
3514.1	<u>Hazardous Substances</u>
3514.1	<u>Hazardous Substances</u>
3516	<u>Emergencies And Disaster Preparedness Plan</u>
3516	<u>Emergencies And Disaster Preparedness Plan</u>
3540	<u>Transportation</u>
3543	<u>Transportation Safety And Emergencies</u>
3550	<u>Food Service/Child Nutrition Program</u>
3550	<u>Food Service/Child Nutrition Program</u>
3553	<u>Free And Reduced Price Meals</u>
3553	<u>Free And Reduced Price Meals</u>
4030	<u>Nondiscrimination In Employment</u>
4030	<u>Nondiscrimination In Employment</u>
4113	<u>Assignment</u>
4113	<u>Assignment</u>
4113.4	<u>Temporary Modified/Light Duty Assignment</u>
4113.5	<u>Working Remotely</u>
4119.23	<u>Unauthorized Release Of Confidential/Privileged Information</u>
4131	<u>Staff Development</u>
4151	<u>Employee Compensation</u>
4157	<u>Employee Safety</u>
4157	<u>Employee Safety</u>
4161.1	<u>Personal Illness/Injury Leave</u>
4161.8	<u>Family Care And Medical Leave</u>
4213.4	<u>Temporary Modified/Light Duty Assignment</u>
4213.5	<u>Working Remotely</u>
4219.23	<u>Unauthorized Release Of Confidential/Privileged Information</u>
4231	<u>Staff Development</u>

4251	<u>Employee Compensation</u>
4257	<u>Employee Safety</u>
4257	<u>Employee Safety</u>
4261.1	<u>Personal Illness/Injury Leave</u>
4261.8	<u>Family Care And Medical Leave</u>
4313.4	<u>Temporary Modified/Light Duty Assignment</u>
4313.5	<u>Working Remotely</u>
4319.23	<u>Unauthorized Release Of Confidential/Privileged Information</u>
4331	<u>Staff Development</u>
4351	<u>Employee Compensation</u>
4357	<u>Employee Safety</u>
4357	<u>Employee Safety</u>
4361.1	<u>Personal Illness/Injury Leave</u>
4361.8	<u>Family Care And Medical Leave</u>
5113	<u>Absences And Excuses</u>
5113	<u>Absences And Excuses</u>
5113.1	<u>Chronic Absence And Truancy</u>
5113.1	<u>Chronic Absence And Truancy</u>
5113.11	<u>Attendance Supervision</u>
5121	<u>Grades/Evaluation Of Student Achievement</u>
5121	<u>Grades/Evaluation Of Student Achievement</u>
5131.2	<u>Bullying</u>
5131.2	<u>Bullying</u>
5141	<u>Health Care And Emergencies</u>
5141	<u>Health Care And Emergencies</u>
5141.22	<u>Infectious Diseases</u>
5141.22	<u>Infectious Diseases</u>
5141.3	<u>Health Examinations</u>
5141.3	<u>Health Examinations</u>
5141.4	<u>Child Abuse Prevention And Reporting</u>
5141.4	<u>Child Abuse Prevention And Reporting</u>
5141.5	<u>Mental Health</u>
5141.52	<u>Suicide Prevention</u>



5141.52	<u>Suicide Prevention</u>
5141.6	<u>School Health Services</u>
5141.6	<u>School Health Services</u>
5142.2	<u>Safe Routes To School Program</u>
5142.2	<u>Safe Routes To School Program</u>
5145.3	<u>Nondiscrimination/Harassment</u>
5145.3	<u>Nondiscrimination/Harassment</u>
5147	<u>Dropout Prevention</u>
5148.2	<u>Before/After School Programs</u>
5148.2	<u>Before/After School Programs</u>
5148.3	<u>Preschool/Early Childhood Education</u>
5148.3	<u>Preschool/Early Childhood Education</u>
6020	<u>Parent Involvement</u>
6020	<u>Parent Involvement</u>
6111	<u>School Calendar</u>
6112	<u>School Day</u>
6112	<u>School Day</u>
6120	<u>Response To Instruction And Intervention</u>
6142.8	<u>Comprehensive Health Education</u>
6142.8	<u>Comprehensive Health Education</u>
6145	<u>Extracurricular And Cocurricular Activities</u>
6145	<u>Extracurricular And Cocurricular Activities</u>
6145.2	<u>Athletic Competition</u>
6145.2	<u>Athletic Competition</u>
6146.1	<u>High School Graduation Requirements</u>
6146.11	<u>Alternative Credits Toward Graduation</u>
6146.11	<u>Alternative Credits Toward Graduation</u>
6153	<u>School Sponsored Trips</u>
6153	<u>School Sponsored Trips</u>
6154	<u>Homework/Makeup Work</u>
6158	<u>Independent Study</u>
6158	<u>Independent Study</u>
6159	<u>Individualized Education Program</u>

6159	<u>Individualized Education Program</u>
6159.1	<u>Procedural Safeguards And Complaints For Special Education</u>
6159.1	<u>Procedural Safeguards And Complaints For Special Education</u>
6164.2	<u>Guidance/Counseling Services</u>
6164.4	<u>Identification And Evaluation Of Individuals For Special Education</u>
6164.4	<u>Identification And Evaluation Of Individuals For Special Education</u>
6164.5	<u>Student Success Teams</u>
6164.5	<u>Student Success Teams</u>
6164.6	<u>Identification And Education Under Section 504</u>
6164.6	<u>Identification And Education Under Section 504</u>
6173	<u>Education For Homeless Children</u>
6173	<u>Education For Homeless Children</u>
6173-E(1)	<u>Education For Homeless Children</u>
6173-E(2)	<u>Education For Homeless Children</u>
6173.1	<u>Education For Foster Youth</u>
6173.1	<u>Education For Foster Youth</u>
6174	<u>Education For English Learners</u>
6174	<u>Education For English Learners</u>
6179	<u>Supplemental Instruction</u>
6184	<u>Continuation Education</u>
6184	<u>Continuation Education</u>
9010	<u>Public Statements</u>
9310	<u>Board Policies</u>

**Policy 3516: Emergencies And Disaster Preparedness Plan**

**Status:** ADOPTED

**Original Adopted Date:** 11/01/2004 | **Last Revised Date:** 05/03/01/2018 2024 | **Last Reviewed Date:** 05/03/01/2018 2024

CSBA NOTE: 5 CCR 560 **mandates** that the Governing Board adopt policy for use by district schools in formulating individual civil defense and disaster preparedness plans.

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.

CSBA NOTE: Education Code 32282 requires that emergency disaster procedures, including, but not limited to, earthquake emergency procedures, be incorporated into the comprehensive school safety plan. See BP/AR 0450 - Comprehensive Safety Plan and AR 3516.3 - Earthquake Emergency Procedure System. ~~For districts with an average daily attendance (ADA) over 2,500, the comprehensive safety plan is a school-level plan developed by the school site council or school safety planning committee. Districts with an ADA of 2,500 or less may instead choose to develop a districtwide plan. The following paragraph may be revised to reflect district practice and the individuals or groups responsible for developing the disaster preparedness plan.~~

Pursuant to Education Code 32282, as amended by SB 323 (Ch. 599, Statutes of 2023), schools are required to include in their emergencies and disaster preparedness plan adaptations for students with disabilities in accordance with the federal Individuals with Disabilities Education Act and Section 504 of the federal Rehabilitation Act of 1973.

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., the federal Individuals with Disabilities Education Act, and Section 504 of the federal Rehabilitation Act of 1973. Such procedures shall be incorporated into the comprehensive school safety plan. (Education Code 32282)

CSBA NOTE: The following optional paragraph reflects a recommendation from the U.S. Department of Education's "Guide for Developing High-Quality School Emergency Operations Plans," available on its web site website, and may be revised to reflect district practice.

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 the Superintendent shall also collaborate with law enforcement, fire safety officials, emergency medical services, health and mental health professionals, parents/guardians, and students.

CSBA NOTE: In order to be eligible for reimbursement of response-related personnel costs due to a Governor-proclaimed disaster, each district must follow the Standardized Emergency Management System (SEMS) guidelines (Government Code 8607; 19 CCR 2400-2450) to coordinate multiple-jurisdiction or multiple-agency operations. The guidelines urge districts to formally adopt policy language giving clear direction to staff to meet SEMS requirements. Districts may contact the California Governor's Office of Emergency Services (Cal OES) for more

information.

In addition, public agencies must comply with the National Incident Management System (NIMS). See the [The Federal Emergency Management Agency's publication](#), "[National Incident Management System](#)," [provides guidance to all levels of government to prevent, protect against, mitigate, respond to, and recover from threats, hazards, and events ranging from traffic accidents to major disasters](#). In accordance with the State of California Emergency Plan, Cal OES is the principal coordinator for NIMS implementation statewide and will annually communicate, monitor, and implement NIMS requirements in cooperation with state and local agencies.

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.

CSBA NOTE: Pursuant to Education Code 32282, a procedure to allow the use of school facilities for mass care and welfare shelters during disasters or other emergencies must be incorporated into the comprehensive school safety plan. See AR 0450 - Comprehensive Safety Plan.

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)

CSBA NOTE: Pursuant to Government Code 3100, all public employees are declared to be disaster service workers. As such, in the event that a local or state emergency has been proclaimed or a federal disaster declaration has been made, district staff may be directed to perform jobs other than their usual duties for periods of time exceeding their normal working hours. In those cases, their workers' compensation insurance coverage becomes the responsibility of Cal OES, but their overtime is paid by the district. For further information, see the [Cal OES publication](#) [OES', "School Emergency Response: Using SEMS at Districts and Sites."](#)

Government Code 3100-3109 require all disaster service workers to take the oath or affirmation of allegiance to the U.S. Constitution contained in the California Constitution, Article 20, Section 3; see AR/E 4112.3/4212.3/4312.3 - Oath or Affirmation. Although Board members are required to take the same oath upon entering office (see BB 9224 - Oath or Affirmation), they are not considered disaster service workers according to the definition in Government Code 3101.

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

#### **Policy Reference UPDATE Service**

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#### **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**

#### **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 3100-3109	Oath or affirmation of allegiance
<a href="#">Gov. Code 8586.5</a>	<a href="#">California Cybersecurity Integration Center</a>
Gov. Code 8607	Standardized Emergency Management System
<a href="#">Gov. Code 11549</a>	<a href="#">Cybersecurity assessment</a>
<a href="#">Gov. Code 11549.3</a>	<a href="#">Office of information security</a>
<a href="#">Public Utilities Code 2872</a>	<a href="#">Automatic dialing</a>
<b>Federal</b>	<b>Description</b>
<a href="#">20 USC 1400-1482</a>	<a href="#">Individuals with Disabilities Education Act</a>
<a href="#">29 USC 794</a>	<a href="#">Rehabilitation Act of 1973; Section 504</a>
42 USC 12101-12213	Americans with Disabilities Act
<b>Management Resources</b>	<b>Description</b>
<a href="#">Cal OES Publication</a>	<a href="#">California Emergency Management for Schools: A Guide for Districts and Sites</a>
Cal OES Publication	School Emergency Response: -Using SEMS at Districts and Sites, June 1998
Cal OES Publication	State of California Emergency Plan, 2017
Cal OES Publication	Active Shooter Awareness Guidance, February 2018
California Department of Education Publication	Crisis Response Box, 2000
<del>Fed. Emcy. Mgmt.</del> <a href="#">Federal Emergency Management Agency Pub.</a> <a href="#">Publication</a>	National Incident Management System, 3rd ed., October 2017
U.S. <del>DOE</del> <a href="#">Department of Education</a> Publication	Guide for Developing High-Quality School Emergency Operations Plans, 2013
Website	CSBA District and County Office of Education Legal Services

<u>Website</u>	<u>California Cybersecurity Integration Center</u> ( <a href="https://www.caloes.ca.gov/office-of-the-director/operations/homeland-security/california-cybersecurity-integration-center/">https://www.caloes.ca.gov/office-of-the-director/operations/homeland-security/california-cybersecurity-integration-center/</a> )
<u>Website</u>	<u>California Department of Education, Comprehensive School Safety Plans</u> ( <a href="https://www.cde.ca.gov/ls/ss/vp/cssp.asp">https://www.cde.ca.gov/ls/ss/vp/cssp.asp</a> )
Website	California Department of Education, Crisis Preparedness
Website	Centers for Disease Control and Prevention
<u>Website</u>	<u>California Office of Emergency Services: School Emergency Planning &amp; Safety</u> ( <a href="https://www.caloes.ca.gov/office-of-the-director/operations/planning-preparedness-prevention/planning-preparedness/school-emergency-planning-safety/">https://www.caloes.ca.gov/office-of-the-director/operations/planning-preparedness-prevention/planning-preparedness/school-emergency-planning-safety/</a> )
Website	U.S. Department of Education, Emergency Planning
Website	U.S. Department of Homeland Security
Website	Federal Emergency Management Agency
Website	California Governor's Office of Emergency Services
<u>Website</u>	<u>California Public Utilities Commission</u> ( <a href="https://www.cpuc.ca.gov/">https://www.cpuc.ca.gov/</a> )
Website	California Seismic Safety Commission
Website	American Red Cross
Website	California Attorney General's Office
Website	CSBA

## Cross References

<b>Code</b>	<b>Description</b>
0400	Comprehensive Plans
0420	School Plans/Site Councils
0420	School Plans/Site Councils
0450	Comprehensive Safety Plan
0450	Comprehensive Safety Plan
0470	<del>COVID-19 Mitigation Plan</del>
1100	Communication With The Public
1112	Media Relations

1113	District And School Websites
1113	District And School Websites
1113-E(1)	District And School Websites
1114	District-Sponsored Social Media
1114	District-Sponsored Social Media
1220	Citizen Advisory Committees
1220	Citizen Advisory Committees
1313	Civility
1330	Use Of School Facilities
1330	Use Of School Facilities
1330.1	Joint Use Agreements
1340	Access To District Records
1340	Access To District Records
1400	Relations Between Other Governmental Agencies And The Schools
3000	Concepts And Roles
3511	Energy And Water Management
3511	Energy And Water Management
3513.3	Tobacco-Free Schools
3513.3	Tobacco-Free Schools
3514	Environmental Safety
3514	Environmental Safety
3514.2	Integrated Pest Management
3515	Campus Security
3515	Campus Security
3515.2	Disruptions
3515.2	Disruptions
3515.7	Firearms On School Grounds
3516.1	Fire Drills And Fires
3516.2	Bomb Threats
3516.3	Earthquake Emergency Procedure System
3516.5	Emergency Schedules
3517	Facilities Inspection

3517-E(1)	Facilities Inspection
3530	Risk Management/Insurance
3530	Risk Management/Insurance
3540	Transportation
3543	Transportation Safety And Emergencies
3580	District Records
3580	District Records
4112.3	Oath Or Affirmation
4112.3-E(1)	Oath Or Affirmation
4113.5	Working Remotely
4119.41	Employees With Infectious Disease
4131	Staff Development
4157	Employee Safety
4157	Employee Safety
4212.3	Oath Or Affirmation
4212.3-E(1)	Oath Or Affirmation
4213.5	Working Remotely
4219.41	Employees With Infectious Disease
4231	Staff Development
4257	Employee Safety
4257	Employee Safety
4312.3	Oath Or Affirmation
4312.3-E(1)	Oath Or Affirmation
4313.5	Working Remotely
4319.41	Employees With Infectious Disease
4331	Staff Development
4357	Employee Safety
4357	Employee Safety
5113	Absences And Excuses
5113	Absences And Excuses
5131.4	Student Disturbances
5131.4	Student Disturbances
5141	Health Care And Emergencies



5141	Health Care And Emergencies
5141.21	<u>Administering Medication And Monitoring Health Conditions</u>
5141.21	<u>Administering Medication And Monitoring Health Conditions</u>
5141.22	Infectious Diseases
5141.22	Infectious Diseases
5142	Safety
5142	Safety
6142.8	Comprehensive Health Education
6142.8	Comprehensive Health Education
6153	School-Sponsored Trips
6153	School-Sponsored Trips
6164.2	Guidance/Counseling Services
7111	Evaluating Existing Buildings
9320	Meetings And Notices
9321	Closed Session
9321-E(1)	Closed Session
9321-E(2)	Closed Session

**Regulation 3516: Emergencies And Disaster Preparedness Plan**

**Status:** ADOPTED

**Original Adopted Date:** 11/01/2004 | **Last Revised Date:** 05~~03~~/01/2018~~2024~~ | **Last Reviewed Date:** 05~~03~~/01/2018~~2024~~

CSBA NOTE: The following administrative regulation should be modified to reflect district practice. The list below reflects material listed on the California Department of Education's (CDE) website related to comprehensive school safety plans, and the Office of Emergency Services (OES) publication, "California Emergency Management for Schools: A Guide for Districts and Sites".

The Superintendent or designee shall ensure that district and/or school site plans address, at a minimum, the following types of emergencies and disasters:

1. Fire on or off school grounds which endangers students and staff
2. Earthquake, flood, or other natural disasters
3. Environmental hazards, such as leakages or spills of hazardous materials
4. Attack or disturbance, or threat of attack or disturbance, by an individual or group
5. Bomb threat or actual detonation
6. Biological, radiological, chemical, and other activities, or heightened warning of such activities
7. Medical emergencies and quarantines, such as a pandemic influenza outbreak
8. Attack or threat of attack to the district's digital network and technology infrastructure

CSBA NOTE: The following list reflects material listed on OES' website related to School Emergency Planning and Safety.

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

CSBA NOTE: Pursuant to Government Code 8586.5, the California Cybersecurity Integration Center (CSIC) serves as the central organizing hub of the state government's cybersecurity preparedness and response activities and coordinates cyber intelligence and information sharing, and, as amended by AB 1023 (Ch. 555, Statutes of 2023), is required to coordinate information sharing, including cyber threat information, to school districts.

Additionally, Government Code 11549.3 authorizes districts, at district expense, to request the Military Department, in consultation with CSIC, to perform an independent security assessment of the district or an individual district school. Districts are encouraged to consult with OES and utilize resources such as the State Threat Assessment System and Regional Fusion Centers to help assess potential threats. For more information see OES' website.

## 2. Routine monitoring of the security of the district's digital network and technology infrastructure

### 2.3. 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
34. 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
45. 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
- CSBA NOTE: Although loading a school bus in excess of capacity is generally prohibited, Education Code 39834 allows the Governing Board to adopt a policy or rule permitting such overloading for the evacuation of students in case of an emergency, as provided in the following paragraph.
- 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

56: 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

67: Communication among staff, parents/guardians, the Governing Board, other governmental agencies, and the media during an emergency, including:

- a. Identification of spokesperson(s)

CSBA NOTE: Pursuant to Public Utilities Code 2872, the use of an automatic dialing device by schools for the purpose of contacting parents/guardians of students regarding attendance or the health or safety of students is exempt from the control and regulation of the Public Utilities Commission.

- b. Development and testing of communication platforms, such as hotlines, automatic dialing devices, telephone trees, ~~web sites~~websites, 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

78: 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

89: 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

CSBA NOTE: The following optional paragraph reflects a recommendation of the California Office of the Attorney General and the California Department of Education (CDE) in their joint publication „Crisis Response Box,“ which is available on the CDE's ~~web site~~website.

The Superintendent or designee shall assemble ~~key~~critical 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, information to access the district's technology infrastructure, and insurance information. 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.

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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 3100-3109	Oath or affirmation of allegiance
<a href="#"><u>Gov. Code 8586.5</u></a>	<a href="#"><u>California Cybersecurity Integration Center</u></a>
Gov. Code 8607	Standardized Emergency Management System
<a href="#"><u>Gov. Code 11549</u></a>	<a href="#"><u>Cybersecurity assessment</u></a>
<a href="#"><u>Gov. Code 11549.3</u></a>	<a href="#"><u>Office of information security</u></a>
<a href="#"><u>Public Utilities Code 2872</u></a>	<a href="#"><u>Automatic dialing</u></a>
<b>Federal</b>	<b>Description</b>
<a href="#"><u>20 USC 1400-1482</u></a>	<a href="#"><u>Individuals with Disabilities Education Act</u></a>
<a href="#"><u>29 USC 794</u></a>	<a href="#"><u>Rehabilitation Act of 1973; Section 504</u></a>
42 USC 12101-12213	Americans with Disabilities Act
<b>Management Resources</b>	<b>Description</b>
<a href="#"><u>Cal OES Publication</u></a>	<a href="#"><u>California Emergency Management for Schools: A Guide for Districts and Sites</u></a>
Cal OES Publication	School Emergency Response: -Using SEMS at Districts and Sites, June 1998
Cal OES Publication	State of California Emergency Plan, 2017

Cal OES Publication	Active Shooter Awareness Guidance, February 2018
California Department of Education Publication	Crisis Response Box, 2000
Fed. Emcy. Mgmt. <a href="#">Federal Emergency Management Agency Pub. Publication</a>	National Incident Management System, 3rd ed., October 2017
U.S. DOE <a href="#">Department of Education</a> Publication	Guide for Developing High-Quality School Emergency Operations Plans, 2013
Website	CSBA District and County Office of Education Legal Services
<a href="#">Website</a>	<a href="#">California Cybersecurity Integration Center</a> <a href="https://www.caloes.ca.gov/office-of-the-director/operations/homeland-security/california-cybersecurity-integration-center/">(https://www.caloes.ca.gov/office-of-the-director/operations/homeland-security/california-cybersecurity-integration-center/)</a>
<a href="#">Website</a>	<a href="#">California Department of Education, Comprehensive School Safety Plans</a> <a href="https://www.cde.ca.gov/ls/ss/vp/cssp.asp"> (https://www.cde.ca.gov/ls/ss/vp/cssp.asp)</a>
Website	California Department of Education, Crisis Preparedness
Website	Centers for Disease Control and Prevention
<a href="#">Website</a>	<a href="#">California Office of Emergency Services: School Emergency Planning &amp; Safety</a> <a href="https://www.caloes.ca.gov/office-of-the-director/operations/planning-preparedness-prevention/planning-preparedness/school-emergency-planning-safety/">(https://www.caloes.ca.gov/office-of-the-director/operations/planning-preparedness-prevention/planning-preparedness/school-emergency-planning-safety/)</a>
Website	U.S. Department of Education, Emergency Planning
Website	U.S. Department of Homeland Security
Website	Federal Emergency Management Agency
Website	California Governor's Office of Emergency Services
<a href="#">Website</a>	<a href="#">California Public Utilities Commission</a> <a href="https://www.cpuc.ca.gov/">(https://www.cpuc.ca.gov/)</a>
Website	California Seismic Safety Commission
Website	American Red Cross
Website	California Attorney General's Office
Website	CSBA

## Cross References

Code	Description
0400	Comprehensive Plans

0420	School Plans/Site Councils
0420	School Plans/Site Councils
0450	Comprehensive Safety Plan
0450	Comprehensive Safety Plan
<del>0470</del>	<del>COVID-19 Mitigation Plan</del>
1100	Communication With The Public
1112	Media Relations
1113	District And School Websites
1113	District And School Websites
1113-E(1)	District And School Websites
1114	District-Sponsored Social Media
1114	District-Sponsored Social Media
1220	Citizen Advisory Committees
1220	Citizen Advisory Committees
1313	Civility
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1330	Use Of School Facilities
1330.1	Joint Use Agreements
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1340	Access To District Records
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3511	Energy And Water Management
3513.3	Tobacco-Free Schools
3513.3	Tobacco-Free Schools
3514	Environmental Safety
3514	Environmental Safety
3514.2	Integrated Pest Management
3515	Campus Security
3515	Campus Security
3515.2	Disruptions

3515.2	Disruptions
3515.7	Firearms On School Grounds
3516.1	Fire Drills And Fires
3516.2	Bomb Threats
3516.3	Earthquake Emergency Procedure System
3516.5	Emergency Schedules
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3517-E(1)	Facilities Inspection
3530	Risk Management/Insurance
3530	Risk Management/Insurance
3540	Transportation
3543	Transportation Safety And Emergencies
3580	District Records
3580	District Records
4112.3	Oath Or Affirmation
4112.3-E(1)	Oath Or Affirmation
4113.5	Working Remotely
4119.41	Employees With Infectious Disease
4131	Staff Development
4157	Employee Safety
4157	Employee Safety
4212.3	Oath Or Affirmation
4212.3-E(1)	Oath Or Affirmation
4213.5	Working Remotely
4219.41	Employees With Infectious Disease
4231	Staff Development
4257	Employee Safety
4257	Employee Safety
4312.3	Oath Or Affirmation
4312.3-E(1)	Oath Or Affirmation
4313.5	Working Remotely
4319.41	Employees With Infectious Disease
4331	Staff Development



4357	Employee Safety
4357	Employee Safety
5113	Absences And Excuses
5113	Absences And Excuses
5131.4	Student Disturbances
5131.4	Student Disturbances
5141	Health Care And Emergencies
5141	Health Care And Emergencies
5141.21	<u>Administering Medication And Monitoring Health Conditions</u>
5141.21	<u>Administering Medication And Monitoring Health Conditions</u>
5141.22	Infectious Diseases
5141.22	Infectious Diseases
5142	Safety
5142	Safety
6142.8	Comprehensive Health Education
6142.8	Comprehensive Health Education
6153	School-Sponsored Trips
6153	School-Sponsored Trips
6164.2	Guidance/Counseling Services
7111	Evaluating Existing Buildings
9320	Meetings And Notices
9321	Closed Session
9321-E(1)	Closed Session
9321-E(2)	Closed Session

**Policy 3550: Food Service/Child Nutrition Program**

**Status:** ADOPTED

**Original Adopted Date:** 11/01/2007 | **Last Revised Date:** ~~06/03/01/2022~~2024 | **Last Reviewed Date:** ~~06/03/01/2022~~2024

CSBA NOTE: The following optional policy may be revised to reflect district practice. ~~Beginning in the 2022-23 school year, Education Code 49501.5, as added~~amended by ~~AB 130~~SB 348 (Ch. ~~44600~~, Statutes of ~~2021~~2023), requires districts, during each school day, to ~~provide a~~make available, free of charge, one nutritionally adequate breakfast and one nutritiously adequate lunch ~~free of charge~~ to any student who requests a meal, regardless of the student's eligibility for a federally funded free or reduced-price meal. However, ~~in~~pursuant to Education Code 49431, as amended by AB 95 (Ch. 318, Statutes of 2023), a school is not prohibited from selling an additional nutritiously adequate meal that qualifies for federal reimbursement from the same meal service to a student who has been provided a free meal.

In order to receive reimbursements for the meals, a district ~~must~~is required to be approved for participation in the National School Lunch Program (42 USC 1751-1769j) or the School Breakfast Program (42 USC 1773). Additionally, pursuant to Education Code 49531, as amended by SB 348, a district must comply with state and federal guidelines or regulations in order to be eligible for state meal reimbursement. See BP/AR 3552 - Summer Meal Program, AR 5148 - Child Care and Development, and AR 5148.2 - Before/After School Programs for nutrition requirements pertaining to those programs. For food sales outside the district's food service program (e.g., by student and adult organizations, through vending machines, or at student stores), see BP/AR 3554 - Other Food Sales.

Pursuant to Education Code 49495, the California Department of Education (CDE) has developed guidance, "Breakfast and Snacks for Nonschoolaged Children," available on its website, which provides information on the allowability and options for offering nonschoolaged children breakfast or a morning snack at a school site that serves any of grades K-6.

The Governing Board recognizes that adequate, nourishing food is essential to student health and well-being, development, and ability to learn. The Superintendent or designee shall develop strategies to increase students' access to and participation in the district's food service programs and maintain fiscal integrity of the programs in accordance with law.

CSBA NOTE: Education Code 49501.5, as amended by SB 348, requires that a nutritionally adequate breakfast and lunch be made available to any student who requests a meal regardless of the student's eligibility for a free or reduced-price meal. However, the district still must determine student eligibility for free or reduced-price meals under the National School Lunch or School Breakfast Program in order to be reimbursed for such meals, as the funds provided under the California Universal Meal Program are meant to supplement, not supplant, federal funds.

Additionally, pursuant to Education Code 49501.5, as amended by SB 348, if a district offers independent study, the district must make available a nutritionally adequate breakfast and lunch on any school day that a student is scheduled for educational activities, as defined in Education Code

49010, lasting two or more hours, at a school site, resource center, meeting space, or other satellite facility.

Each school day, a nutritionally adequate breakfast and lunch shall be made available at no cost to any student who requests a meal, including a student enrolled in an independent study program on any school day in which the student is scheduled for in-person educational activities of two or more hours. A nutritionally adequate breakfast or lunch is one that qualifies for reimbursement under the most current meal pattern for the federal School Breakfast Program or National School Lunch Program.

CSBA NOTE: Pursuant to Education Code 49431, as amended by SB 95, a school is not prohibited from selling an additional nutritiously adequate meal that qualifies for federal reimbursement from the same meal service to a student who has already been provided a free meal.

After a student has been provided a school meal at no cost, the district may sell the student the entrée from an additional nutritiously adequate meal that qualifies for federal reimbursement, from the same meal service. (Education Code 49431)

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

CSBA NOTE: 42 USC 1758b mandates each district participating in the National School Lunch Program (42 USC 1751-1769j) or any program in the Child Nutrition Act (42 USC 1771-1791), including the School Breakfast Program, to adopt a districtwide school wellness policy which includes nutrition guidelines for all foods available on school campuses; see BP 5030 - Student Wellness for language fulfilling this mandate. In addition, Education Code 49501.5, as added by AB 130, requires that meals provided under the California Universal Meals Program qualify for federal reimbursement. Also see the accompanying administrative regulation for state and federal legal requirements pertaining to nutrition standards.

2. Meet or exceed nutrition standards specified in law
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

~~CSBA NOTE: Education Code 49501.5, as added by AB 130, requires that nutritionally adequate meals be provided to any student who requests a meal regardless of the student's eligibility for a free or reduced-price meal. However, the district still must determine student eligibility for free or reduced-price meals under the National School Lunch or School Breakfast Program, in order to be reimbursed for such meals as the funds provided under the California Universal Meal Program are meant to supplement, not supplant, federal funds.~~ CSBA NOTE: The following paragraph is optional and may be revised to reflect district practice. In its, "Food and Nutrition Services Instruction 113-1," the U.S. Department of Agriculture (USDA) states that a district must put in place a public notification system or grassroots effort to inform applicants, participants, and

potentially eligible individuals of program availability, rights and responsibilities, and nondiscrimination policy related to federally funded nutrition programs.

5. ~~Be provided at no cost to students who request a meal~~

~~CSBA NOTE: The following paragraph is optional and may be revised to reflect district practice. In its, "Food and Nutrition Services Instruction 113-1," the U.S. Department of Agriculture (USDA) states that a district must put in place a public notification system or grassroots effort to inform applicants, participants, and potentially eligible individuals of program availability, rights and responsibilities, and nondiscrimination policy related to federally funded nutrition programs.~~

At the beginning of each school year, the Superintendent or designee shall communicate information related to the district's food service programs to the public through available means, including, but not limited to, the district's ~~web site~~website, social media, flyers, and school publications.

CSBA NOTE: The following optional paragraph may be revised to reflect district practice. Grant funding may be available through the Fresh Fruit and Vegetable Program (42 USC 1769a) to provide elementary students with a variety of free fresh fruits and vegetables throughout the school day as a supplement to school breakfast and lunch programs. Eligible schools are those that operate the National School Lunch Program and have 50 percent or more of students eligible for free and reduced-price meals.

Additionally, SB 114 (Ch. 48, Statutes of 2023) allocates funds for eligible districts which may be expended on kitchen infrastructure upgrades and implementing any of the following school food best practices: (1) procuring California-grown or produced, sustainably grown, or whole or minimally processed foods to support equity in procurement practices, (2) using California-grown, whole or minimally processed foods in plant-based or restricted diet meals, (3) procuring plant-based or restricted diet food options, and/or (4) freshly preparing meals onsite. Districts that do not receive the above funding are nonetheless encouraged to follow these school food best practices. In addition, grant funding may be available from the California Department of Food and Agriculture's (CDFA) California Farm to School Incubator Grant, which includes a transitional kindergarten-12 Procurement and Education Grant for districts to procure California grown or produced, whole or minimally processed foods for incorporation into school meals and engage students in hands-on food education opportunities. See BP/AR 3551 - Food Service Operations/Cafeteria Fund for information regarding procurement.

The district's food service program shall give priority to serving ~~unprocessed~~freshly prepared onsite meals, using whole or minimally processed sustainable foods ~~and~~which are locally grown or produced, including fresh fruits and vegetables, and providing plant-based or restricted diet food options for students.

~~CSBA NOTE: The following paragraph is optional. Both state and federal law support the concept of using locally grown and/or organic produce in school cafeterias. Consistent with the state meal mandate, the Instructional School Gardens Program, established pursuant to Education Code 51795-51797~~51798, encourages the creation of school gardens as a means of providing children an opportunity to learn to make healthier food choices. Pursuant to Education Code 51798, a district that operates a school garden may sell produce grown in the school garden, regardless of whether the school participates in the Instructional School Gardens Program, if the district complies with

applicable federal, state, and local health and safety requirements for the production, processing, and distribution of the produce. For more information about the benefits of farm to school programs, including the increase in student fruit and vegetable consumption associated with these programs, see CDFA's 2022 publication, "Planting the Seed: Farm to School Roadmap for Success." In addition, 42 USC 1769 permits a high poverty school (schools with 50 percent or more students eligible for free and/or reduced-price meals) that runs a community garden to use produce from the garden to supplement food provided at the school. Thus, such use is allowable provided the foods comply with health and sanitation requirements as well as applicable nutrition standards.

District schools are encouraged to establish school gardens and/or farm-to-school projects to increase the availability of safe, fresh, seasonal fruits and vegetables for school meals, positively impact students' knowledge related to food and nutrition, support the district's nutrition education program, and increase students' consumption of these foods and participation in school meals.

CSBA NOTE: The following paragraph is optional. Education Code 49534, ~~as amended by AB 486 (Ch. 666, Statutes of 2021)~~, authorizes nutrition education programs to coordinate classroom instruction with the food service program and be of sufficient variety and flexibility to meet the needs of students in the district.

To the extent possible, the school meal program shall be coordinated with the nutrition education program, instructional program for teachers, parents/guardians and food service employees, available community resources, and other related district programs.

To encourage student participation in school meal programs, schools may offer multiple choices of food items within a meal service, provided all food items meet nutrition standards and all students are given an opportunity to select any food item.

The Superintendent or designee may invite students and parents/guardians to participate in the selection of foods of good nutritional quality for school menus.

CSBA NOTE: Pursuant to Education Code 49501.5, as amended by SB 348, students must be provided adequate time to eat, as determined by the district in consideration of the recommendations provided by CDE on or before June 30, 2025.

Students shall be allowed adequate time and space to eat meals. (Education Code 49501.5)

To the extent possible, school, recess, and transportation schedules shall be designed to promote participation in school meal programs.

The Superintendent or designee shall periodically review the adequacy of school cafeterias and facilities for food preparation and consumption.

CSBA NOTE: The district's food service program is subject to the food safety standards in the California Retail Food Code (Health and Safety Code 113700-114437). In addition, 42 USC 1758 and 7 CFR 210.13 and 220.7 require all schools participating in the National School Lunch and/or Breakfast Program to implement a food safety program for the storage, preparation, and service of school meals. See the accompanying administrative regulation for requirements of the food safety program.

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 and service process.

CSBA NOTE: The following optional paragraph may be revised to reflect program evaluation indicators and reporting schedules determined by the district. Districts that participate in the National School Lunch Program, School Breakfast Program, Seamless Summer Feeding Option, and/or other federal meal program are subject to a state Administrative Review of district compliance with requirements for federal meal programs, including, but not limited to, a review of nutritional quality, meal patterns, provision of drinking water, school meal environment, and food safety. Each district is reviewed at least once every three years. Also see BP 3551 - Food Service Operations/Cafeteria Fund. However, Education Code 49431, 49431.2, and 49431.5 express legislative intent that the Governing Board annually review the district's compliance with nutrition standards for foods sold outside the National School Lunch or Breakfast Program.

Pursuant to USDA's, "Food and Nutrition Services Instruction 113-1," any district participating in federal meal programs must collect racial and ethnic data on potentially eligible populations, applicants, and program participants; see BP 3555 - Nutrition Program Compliance.

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 service 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 UPDATE Service**

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**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.

<b>State</b>	<b>Description</b>
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 <del>49500-49505</del> <u>49501.5-49506</u>	School meals
<del>Ed. Code 49501.5</del>	<del>California Universal Meals Program</del>
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. <u>3</u> -49562	Meals for needy students
Ed. Code 49570	National School Lunch Act
Ed. Code 51795- <del>51797</del> <u>51798</u>	School instructional gardens
H&S Code 113700-114437	California Retail Food Code; sanitation and safety requirements

**Federal**

42 USC 1751-1769j	<b>Description</b> 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**

California Department of Education Publication	<b>Description</b> Healthy Children Ready to Learn, January 2005 <u>2006</u> ( <a href="https://www.cde.ca.gov/ls/fa/sf/documents/healthychildren.pdf">https://www.cde.ca.gov/ls/fa/sf/documents/healthychildren.pdf</a> )
California Department of Education Publication	Professional Standards in the School Nutrition Programs, Management Bulletin SNP-13-2020, Updated January 2022 ( <a href="https://www.cde.ca.gov/ls/nu/sn/mbsnp132020.asp">https://www.cde.ca.gov/ls/nu/sn/mbsnp132020.asp</a> )

<u>California Department of Food and Agriculture Publication</u>	<u>Planting the Seed: Farm to School Roadmap for Success, February 2022</u> ( <a href="https://www.gov.ca.gov/wp-content/uploads/2022/02/Farm_To_School_Report_20220222-small.pdf">https://www.gov.ca.gov/wp-content/uploads/2022/02/Farm To School Report 20220222-small.pdf</a> )
California Project Lean Publication	Policy in Action: A Guide to Implementing Your Local School Wellness Policy, October 2006 ( <a href="https://www.californiaprojectlean.org/docuserfiles/policy%20in%20Action%20Guide%20FINAL.pdf">https://www.californiaprojectlean.org/docuserfiles/policy%20in%20Action%20Guide%20FINAL.pdf</a> )
CSBA Publication	Monitoring for Success: Student Wellness Policy Implementation Monitoring Report and Guide, 20072008 ( <a href="https://www.csba.org/~//media/Files/EducationIssues/Wellness/200910_MFS_Guide.ashx">https://www.csba.org/~//media/Files/EducationIssues/Wellness/200910_MFS_Guide.ashx</a> )
<u>CSBA Publication</u>	<u>Monitoring for Success: A Guide for Assessing and Strengthening Student Wellness Policies, 2012</u> ( <a href="https://www.csba.org/~//media/CSBA/Files/GovernanceResources/EducationIssues/ConditionsofChildren/201211MonitoringForSuccess.ashx?la=en&amp;rev=90a8b252b84a4e80b2ebd6c1a6899865">https://www.csba.org/~//media/CSBA/Files/GovernanceResources/EducationIssues/ConditionsofChildren/201211MonitoringForSuccess.ashx?la=en&amp;rev=90a8b252b84a4e80b2ebd6c1a6899865</a> )
CSBA Publication	Nutrition Standards for Schools: Implications for Student Wellness, Policy Brief, rev. October 2007 ( <a href="https://www.csba.org/~//media/3A78FEAF129D488FA34CFAAA16B38911.ashx">https://www.csba.org/~//media/3A78FEAF129D488FA34CFAAA16B38911.ashx</a> )
CSBA Publication	Building Healthy Communities: A School Leader's Guide to Collaboration and Community Engagement, 2009
CSBA Publication	<del>Student Wellness: A Healthy Food and Physical Activity Policy Resource Guide, rev. April 2006</del> <u>Student Wellness: A Healthy Food and Physical Activity Policy Resource Guide, April 2006</u> ( <a href="https://www.csba.org/~//media/B5947DF3DE58432C9B038C9C38360684.ashx">https://www.csba.org/~//media/B5947DF3DE58432C9B038C9C38360684.ashx</a> )
U.S. Department of Agriculture Publication	School Breakfast Toolkit ( <a href="https://www.fns.usda.gov/sbp/toolkit">https://www.fns.usda.gov/sbp/toolkit</a> )
U.S. Department of Agriculture Publication	Civil Rights Compliance and Enforcement - Nutrition Programs and Activities, FNS Instruction 113-1, November 2005 ( <a href="https://www.fns.usda.gov/cr/fns-instruction-113-1">https://www.fns.usda.gov/cr/fns-instruction-113-1</a> )
U.S. Department of Agriculture Publication	Dietary Guidelines for Americans, 20052020 ( <a href="https://www.dietaryguidelines.gov/sites/default/files/2020-12/Dietary_Guidelines_for_Americans_2020-2025.pdf">https://www.dietaryguidelines.gov/sites/default/files/2020-12/Dietary_Guidelines_for_Americans_2020-2025.pdf</a> )
U.S. Department of Agriculture Publication	Food Buying Guide for Child Nutrition Programs, December 2007May 2022 ( <a href="https://www.fns.usda.gov/tn/food-buying-guide">https://www.fns.usda.gov/tn/food-buying-guide</a> )



U.S. Department of Agriculture Publication	Fresh Fruit and Vegetable Program: Handbook for Schools, December 2010 ( <a href="https://www.fns.usda.gov/ffvp/fresh-fruits-and-vegetable-program-handbook-schools">https://www.fns.usda.gov/ffvp/fresh-fruits-and-vegetable-program-handbook-schools</a> )
U.S. Department of Agriculture Publication	Guidance for School Food Authorities: Developing a School Food Safety Program Based on the Process Approach to HACCP Principles, June 2005 ( <a href="https://www.fns.usda.gov/fs/developing-school-food-safety-program-based-process-approach-haccp">https://www.fns.usda.gov/fs/developing-school-food-safety-program-based-process-approach-haccp</a> )
Website	CSBA District and County Office of Education Legal Services
Website	U.S. Department of Agriculture, Food and Nutrition Service
Website	California Farm Bureau Federation
Website	Nourish California
Website	California Project LEAN (Leaders Encouraging Activity and Nutrition)
Website	Centers for Disease Control and Prevention
Website	California School Nutrition Association
Website	<del>California Department of Education, Nutrition Services Division</del> <a href="https://www.cde.ca.gov/ls/nu/sn/">California Department of Education, School Nutrition (https://www.cde.ca.gov/ls/nu/sn/)</a>
<a href="#">Website</a>	<a href="https://cafarmtofork.cdfa.ca.gov/">California Department of Food and Agriculture, Office of Farm to Fork (https://cafarmtofork.cdfa.ca.gov/)</a>
Website	National Alliance for Nutrition and Activity
Website	California Department of Public Health
Website	California Healthy Kids Resource Center
Website	CSBA

## Cross References

<b>Code</b>	<b>Description</b>
0470	COVID-19 Mitigation Plan
0500	Accountability
1312.4	Williams Uniform Complaint Procedures
1312.4-E(1)	Williams Uniform Complaint Procedures
1312.4-E(2)	Williams Uniform Complaint Procedures
1325	Advertising And Promotion
1340	Access To District Records

1340	Access To District Records
3000	Concepts And Roles
3260	Fees And Charges
3260	Fees And Charges
3510	Green School Operations
3514	Environmental Safety
3514	Environmental Safety
3517	Facilities Inspection
3517-E(1)	Facilities Inspection
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
3554	Other Food Sales
3554	Other Food Sales
3555	Nutrition Program Compliance
3555-E(1)	Nutrition Program Compliance
3580	District Records
3580	District Records
4131	Staff Development
4141.6	Concerted Action/Work Stoppage
4141.6	Concerted Action/Work Stoppage
4231	Staff Development
4241.6	Concerted Action/Work Stoppage
4241.6	Concerted Action/Work Stoppage
5030	Student Wellness
5141.27	Food Allergies/Special Dietary Needs
5141.27	Food Allergies/Special Dietary Needs
5145.6	Parent/Guardian Notifications

5145.6-E(1)	Parent/Guardian Notifications
5148	Child Care And Development
5148	Child Care And Development
5148.2	Before/After School Programs
5148.2	Before/After School Programs
5148.3	Preschool/Early Childhood Education
5148.3	Preschool/Early Childhood Education
6142.8	Comprehensive Health Education
6142.8	Comprehensive Health Education
6173	Education For Homeless Children
6173	Education For Homeless Children
6173-E(1)	Education For Homeless Children
6173-E(2)	Education For Homeless Children
6176	Weekend/Saturday Classes
7110	Facilities Master Plan

**Regulation 3550: Food Service/Child Nutrition Program**

**Status:** ADOPTED

**Original Adopted Date:** 03/01/2011 | **Last Revised Date:** ~~06~~03/01/2022~~2022~~2024 | **Last Reviewed Date:** ~~06~~03/01/2022~~2022~~2024

CSBA NOTE: The following optional administrative regulation applies to food sales through the district's food service program, including, California's Universal Meals Program (Education Code 49501.5), the National School Lunch Program (42 USC 1751-1769j), the School Breakfast Program (42 USC 1773), and the Special Milk Program (42 USC 1772). The district should select all sections below that apply to programs offered by the district. See BP/AR 3552 - Summer Meal Program, AR 5148 - Child Care and Development, and AR 5148.2 - Before/After School Programs for nutrition requirements pertaining to those programs. For food sales outside the district's food service program (e.g., by student and adult organizations, through vending machines, or at student stores), see BP/AR 3554 - Other Food Sales.

**Nutrition Standards for School Meals**

CSBA NOTE: The following section is for use by all districts. Education Code 49501.5, as added~~amended~~ by AB ~~130~~SB 348 (Ch. 44600, Statutes of ~~2021~~2023), requires all schools to provide~~make available~~, free of charge, ~~two~~one nutritiously adequate meals per~~breakfast and one nutritiously adequate lunch each~~ school day, to any student who requests a meal, regardless of a student's eligibility to participate in any federally-funded free or reduced-price meal. ~~Education Code 49553 defines a "nutritionally adequate meal" as one that qualifies for reimbursement under federal child nutrition program regulations. Schools participating in the National School Lunch and/or Breakfast Program must~~are required to extend meal service to all students enrolled in the school. ~~However, pursuant to Education Code 49431, as amended by SB 95 (Ch. 318, Statutes of 2023), a school is not prohibited from selling an additional nutritiously adequate meal that qualifies for federal reimbursement from the same meal service to a student who has been provided a free meal.~~

Meals, food items, and beverages provided through the district's food services program shall: (Education Code 49501.5, 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

CSBA NOTE: Item #2 below reflects an additional requirement for (1) districts participating in the National School Lunch and/or Breakfast Program which choose to apply for state reimbursements for free and reduced-price meals in addition to their base reimbursement, and (2) districts participating in the State Meal Program. Pursuant to Education Code 49430.7, such districts may not provide foods that are deep fried, par fried, or flash fried. Other districts may delete or use this item at their discretion. Although the new California Universal Meals Program (Education Code 49501.5) is not expressly subject to this requirement, it is recommended that all districts comply with it as a best practice, since only meals that qualify for federal reimbursement are reimbursable by the state under the program.

2. Not be deep fried, par fried, or flash fried, as defined in Education Code 49430 and 49430.7

## Drinking Water

CSBA NOTE: The following section is for use by all districts. Pursuant to 42 USC 1758, schools participating in the National School Lunch Program are required to make free drinking water available for consumption at locations where meals are served during meal service. In addition, Education Code 38086 requires all California schools to make free drinking water available during school meal times. Pursuant to Education Code 38086, a district may be exempted from this requirement only if the Governing Board adopts a resolution, publicly noticed on at least two consecutive meeting agendas, demonstrating that the district is unable to comply due to fiscal constraints or health or safety concerns. Any district whose Board has adopted such a resolution should delete this section.

Pursuant to Education Code 38086, schools may satisfy this requirement by, among other means, providing cups and containers of water or soliciting or receiving donated water. Pursuant to Education Code 38042, a district must allow students to bring and carry water bottles. Recommendations on the California Department of Education's ~~web-site~~ (CDE) website include providing chilled water, ensuring that all water fountains are clean and operational, and encouraging water consumption through marketing and advertising. Pursuant to Education Code 38043, districts must encourage water consumption through promotional and educational activities and signage that focus on the benefits of drinking water and highlight water bottle filling stations throughout schools.

The district shall provide access to free, fresh drinking water during meal times in food service areas at all district schools, including, but not limited to, areas where reimbursable meals under the National School Lunch or Breakfast Program are served or consumed. (Education Code 38086; 42 USC 1758)

## Special Milk Program

CSBA NOTE: The following section is optional. The Special Milk Program (42 USC 1772; 7 CFR 215.1-215.18) is a federally funded program which assists in providing milk at reasonable prices to students in schools that do not participate in the National School Lunch or Breakfast Program. Pursuant to 7 CFR 215.7, districts may choose to provide milk at no charge to students who qualify for free meals; see BP 3553 - Free and Reduced Price Meals.

Any school that does not participate in the National School Lunch or Breakfast Program may participate in the Special Milk Program to provide all enrolled students with reasonably priced milk. (7 CFR 215.7)

## Food Safety

CSBA NOTE: Pursuant to Health and Safety Code 113789, school cafeterias are among food facilities subject to the California Retail Food Code.

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.

CSBA NOTE: The remainder of this section is for use by any district participating in the National School Lunch and/or Breakfast Program and may be used or revised by other districts at their discretion. 42 USC 1758 requires such participating districts to implement a food safety program applicable to any facility or part of a facility in which food is stored, prepared, or served. Pursuant to 42 USC 1758 and 7 CFR 210.13 and 220.7, the food safety program must comply with Hazard Analysis and Critical Control Point (HACCP) principles, which include establishing measures needed to prevent hazards at each stage of food production. Pursuant to 7 CFR 210.13, districts may implement either the "traditional" HACCP system or the simplified "process approach." Under the process approach, foods are grouped together according to preparation process and the same control measure is applied to all menu items within the group, rather than developing an HACCP plan for each item. These principles are described in USDA's, "Guidance for School Food Authorities: Developing a School Food Safety Program Based on the Process Approach to HACCP Principles".

For all district schools participating in the National School Lunch and/or School Breakfast Program, the Superintendent or designee shall implement a written food safety program for the storage, preparation, and service of school meals which complies with the national Hazard Analysis and Critical Control Point (HACCP) system. The district's HACCP plan shall include, but is not limited to, a determination of critical control points and critical limits at each stage of food production, monitoring procedures, corrective actions, and recordkeeping procedures. (42 USC 1758; 7 CFR 210.13, 220.7)

CSBA NOTE: Pursuant to 7 CFR 210.30, directors, managers, and staff in the food service program must complete annual training on specified topics, including, but not limited to, training on health and safety standards. Based on CDE Management Bulletin SNP-13-2020, districts must ensure that such directors, managers, and staff complete an annual continuing education or training on topics that are job-related, including, but not limited to, food safety standards. In addition, at least one employee at each food facility or site must have successfully passed an approved and accredited food safety certification examination in accordance with Health and Safety Code 113947.2-113947.3.

The Superintendent or designee shall ensure that food service directors, managers, and staff complete an annual continuing education or training as required by law. Each new employee, including a substitute, or volunteer shall complete initial food safety training prior to handling food. For each employee, the Superintendent or designee shall document the date, trainer, and subject of each training.

CSBA NOTE: The following paragraph is optional. USDA's, "Guidance for School Food Authorities: Developing a School Food Safety Program Based on the Process Approach to HACCP Principles," states that districts should maintain the following types of records in order to periodically review the food safety program and, in the event of a foodborne illness, to document that reasonable care was exercised in the operation of the school's food service program.

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**

CSBA NOTE: Health and Safety Code 113725-113725.3 require all food facilities in California to be inspected by the county environmental health agency in accordance with the timelines and procedures established in county regulations. The inspections cover all food service areas, including cafeterias, vending machines, and mobile food carts. Health and Safety Code 113725 specifies findings that would be considered violations, including (1) improper holding temperatures, improper cooling, or inadequate cooking of potentially hazardous foods (i.e., foods that require temperature control); (2) poor personal hygiene of food service employees; (3) contaminated equipment; and (4) food from unapproved sources.

All food preparation and service areas shall be inspected in accordance with Health and Safety Code 113725-113725.1 and applicable county regulations.

CSBA NOTE: The following paragraph is for use by districts participating in the National School Lunch and/or Breakfast Program. Notwithstanding the requirements of county regulations, districts participating in these programs must obtain at least two safety inspections each school year.

Each school participating 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. All schools shall post a notice indicating that the most recent inspection report is available to any interested person upon request. (Health and Safety Code 113725.1; 42 USC 1758; 7 CFR 210.13, 210.15, 220.7)

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#### **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.

<b>State</b>	<b>Description</b>
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 <del>49500-49505</del> <a href="#">49501.5-49506</a>	School meals
Ed. Code <del>49501.5</del>	<del>California Universal Meals Program</del>
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. <del>3</del> -49562	Meals for needy students
Ed. Code 49570	National School Lunch Act
Ed. Code <del>51795-51797</del> <a href="#">51798</a>	School instructional gardens
H&S Code 113700-114437	California Retail Food Code; sanitation and safety requirements

**Federal**

42 USC 1751-1769j	<b>Description</b> 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**

California Department of Education Publication	<b>Description</b> Healthy Children Ready to Learn, January 2005 <a href="https://www.cde.ca.gov/ls/fa/sf/documents/healthychildren.pdf">2006</a> ( <a href="https://www.cde.ca.gov/ls/fa/sf/documents/healthychildren.pdf">https://www.cde.ca.gov/ls/fa/sf/documents/healthychildren.pdf</a> )
California Department of Education Publication	Professional Standards in the School Nutrition Programs, Management Bulletin SNP-13-2020, Updated January 2022 ( <a href="https://www.cde.ca.gov/ls/nu/sn/mbsnp132020.asp">https://www.cde.ca.gov/ls/nu/sn/mbsnp132020.asp</a> )
<a href="#">California Department of Food and Agriculture Publication</a>	<a href="#">Planting the Seed: Farm to School Roadmap for Success, February 2022</a> ( <a href="https://www.gov.ca.gov/wp-content/uploads/2022/02/Farm_To_School_Report_2022022-small.pdf">https://www.gov.ca.gov/wp-content/uploads/2022/02/Farm_To_School_Report_2022022-small.pdf</a> )



California Project Lean Publication	Policy in Action: A Guide to Implementing Your Local School Wellness Policy, October 2006 <a href="https://www.californiaprojectlean.org/docuserfiles/policy%20in%20Action%20Guide%20FINAL.pdf">https://www.californiaprojectlean.org/docuserfiles/policy%20in%20Action%20Guide%20FINAL.pdf</a>
CSBA Publication	Monitoring for Success: Student Wellness Policy Implementation Monitoring Report and Guide, 2007-2008 <a href="https://www.csba.org/~/~/media/Files/EducationIssues/Wellness/200910_MFS_Guide.ashx">https://www.csba.org/~/~/media/Files/EducationIssues/Wellness/200910_MFS_Guide.ashx</a>
<u>CSBA Publication</u>	<u>Monitoring for Success: A Guide for Assessing and Strengthening Student Wellness Policies, 2012</u> <a href="https://www.csba.org/~/~media/CSBA/Files/GovernanceResources/EducationIssues/ConditionsofChildren/201211MonitoringForSuccess.ashx?la=en&amp;rev=90a8b252b84a4e80b2ebd6c1a6899865">https://www.csba.org/~/~media/CSBA/Files/GovernanceResources/EducationIssues/ConditionsofChildren/201211MonitoringForSuccess.ashx?la=en&amp;rev=90a8b252b84a4e80b2ebd6c1a6899865</a>
CSBA Publication	Nutrition Standards for Schools: Implications for Student Wellness, Policy Brief, rev. October 2007 <a href="https://www.csba.org/~/~media/3A78FEAF129D488FA34CFAAA16B38911.ashx">https://www.csba.org/~/~media/3A78FEAF129D488FA34CFAAA16B38911.ashx</a>
CSBA Publication	Building Healthy Communities: A School Leader's Guide to Collaboration and Community Engagement, 2009
CSBA Publication	<del>Student Wellness: A Healthy Food and Physical Activity Policy Resource Guide, rev. April 2006</del> <u>Student Wellness: A Healthy Food and Physical Activity Policy Resource Guide, April 2006</u> <a href="https://www.csba.org/~/~media/B5947DF3DE58432C9B038C9C38360684.ashx">https://www.csba.org/~/~media/B5947DF3DE58432C9B038C9C38360684.ashx</a>
U.S. Department of Agriculture Publication	School Breakfast Toolkit <a href="https://www.fns.usda.gov/sbp/toolkit">https://www.fns.usda.gov/sbp/toolkit</a>
U.S. Department of Agriculture Publication	Civil Rights Compliance and Enforcement - Nutrition Programs and Activities, FNS Instruction 113-1, November 2005 <a href="https://www.fns.usda.gov/cr/fns-instruction-113-1">https://www.fns.usda.gov/cr/fns-instruction-113-1</a>
U.S. Department of Agriculture Publication	Dietary Guidelines for Americans, 2005-2020 <a href="https://www.dietaryguidelines.gov/sites/default/files/2020-12/Dietary_Guidelines_for_Americans_2020-2025.pdf">https://www.dietaryguidelines.gov/sites/default/files/2020-12/Dietary_Guidelines_for_Americans_2020-2025.pdf</a>
U.S. Department of Agriculture Publication	Food Buying Guide for Child Nutrition Programs, December 2007 May 2022 ( <a href="https://www.fns.usda.gov/tn/food-buying-guide">https://www.fns.usda.gov/tn/food-buying-guide</a> )
U.S. Department of Agriculture Publication	Fresh Fruit and Vegetable Program: Handbook for Schools, December 2010 ( <a href="https://www.fns.usda.gov/ffvp/fresh-fruits-and-vegetable-program-handbook-schools">https://www.fns.usda.gov/ffvp/fresh-fruits-and-vegetable-program-handbook-schools</a> )
U.S. Department of Agriculture Publication	Guidance for School Food Authorities: Developing a School Food Safety Program Based on the Process Approach to HACCP Principles, June 2005

[\(<https://www.fns.usda.gov/fs/developing-school-food-safety-program-based-process-approach-haccp>\)](https://www.fns.usda.gov/fs/developing-school-food-safety-program-based-process-approach-haccp)

Website	CSBA District and County Office of Education Legal Services
Website	U.S. Department of Agriculture, Food and Nutrition Service
Website	California Farm Bureau Federation
Website	Nourish California
Website	California Project LEAN (Leaders Encouraging Activity and Nutrition)
Website	Centers for Disease Control and Prevention
Website	California School Nutrition Association
Website	<del>California Department of Education, Nutrition Services Division</del> <a href="https://www.cde.ca.gov/ls/nu/sn/">California Department of Education, School Nutrition</a> <a href="https://www.cde.ca.gov/ls/nu/sn/">(https://www.cde.ca.gov/ls/nu/sn/)</a>
<a href="#">Website</a>	<a href="https://cafarmtofork.cdfa.ca.gov/">California Department of Food and Agriculture, Office of Farm to Fork (https://cafarmtofork.cdfa.ca.gov/)</a>
Website	National Alliance for Nutrition and Activity
Website	California Department of Public Health
Website	California Healthy Kids Resource Center
Website	CSBA

## Cross References

Code	Description
0470	COVID-19 Mitigation Plan
0500	Accountability
1312.4	Williams Uniform Complaint Procedures
1312.4-E(1)	Williams Uniform Complaint Procedures
1312.4-E(2)	Williams Uniform Complaint Procedures
1325	Advertising And Promotion
1340	Access To District Records
1340	Access To District Records
3000	Concepts And Roles
3260	Fees And Charges
3260	Fees And Charges

3510	Green School Operations
3514	Environmental Safety
3514	Environmental Safety
3517	Facilities Inspection
3517-E(1)	Facilities Inspection
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
3554	Other Food Sales
3554	Other Food Sales
3555	Nutrition Program Compliance
3555-E(1)	Nutrition Program Compliance
3580	District Records
3580	District Records
4131	Staff Development
4141.6	Concerted Action/Work Stoppage
4141.6	Concerted Action/Work Stoppage
4231	Staff Development
4241.6	Concerted Action/Work Stoppage
4241.6	Concerted Action/Work Stoppage
5030	Student Wellness
5141.27	Food Allergies/Special Dietary Needs
5141.27	Food Allergies/Special Dietary Needs
5145.6	Parent/Guardian Notifications
5145.6-E(1)	Parent/Guardian Notifications
5148	Child Care And Development
5148	Child Care And Development
5148.2	Before/After School Programs

5148.2	Before/After School Programs
5148.3	Preschool/Early Childhood Education
5148.3	Preschool/Early Childhood Education
6142.8	Comprehensive Health Education
6142.8	Comprehensive Health Education
6173	Education For Homeless Children
6173	Education For Homeless Children
6173-E(1)	Education For Homeless Children
6173-E(2)	Education For Homeless Children
6176	Weekend/Saturday Classes
7110	Facilities Master Plan

**Policy 4157: Employee Safety**

**Status:** ADOPTED

**Original Adopted Date:** 06/01/1991 | **Last Revised Date:** ~~03/01/2020~~2024 | **Last Reviewed Date:** ~~03/01/2020~~2024

CSBA NOTE: The following optional policy and accompanying administrative regulation may be subject to collective bargaining agreements and should be modified to reflect district practice. Pursuant to Government Code 3543.2, safety conditions of employment are within the scope of bargaining.

The Governing Board is committed to maximizing employee safety and believes that workplace safety is the responsibility of every employee. Working conditions and equipment shall comply with standards prescribed by federal, state, and local laws and regulations.

No employee shall be required or permitted to be in any place of employment which is unsafe or unhealthful. (Labor Code 6402)

The Superintendent or designee shall promote safety and correct any unsafe work practices through education and enforcement.

All employees are expected to use safe work practices and, to the extent possible, correct any unsafe conditions which ~~that~~ may occur. If an employee is unable to correct an unsafe condition, the employee shall immediately report the problem to the Superintendent or designee.

CSBA NOTE: Labor Code 6401.7, as amended by SB 553 (Ch. 289, Statutes of 2023), requires the district to establish, implement, and maintain an effective ~~district's~~ injury prevention program. See the accompanying administrative regulation for required program elements. to include a workplace violence prevention plan.

Additionally, 8 CCR 3203, ~~as amended by Register 2020, No. 10~~, requires the district to provide employees with access to the district's injury and illness prevention program.

See the accompanying administrative regulation for required injury prevention program elements and specific requirements related to employee access.

The Superintendent or designee shall establish and implement a written injury and illness prevention program, that includes a workplace violence prevention plan and ~~provide~~that provides employees with access to such program, in accordance with law. (Labor Code 6401.7; 8 CCR 3203)

CSBA NOTE: 8 CCR 3400 requires districts to make provisions in advance to ensure that employees receive prompt medical treatment for serious injury or illness. See the accompanying administrative regulation for specific requirements.

The Superintendent or designee shall make first aid materials readily available at district workplaces and shall make effective provisions to prepare for prompt medical treatment in the event of an employee's serious injury or illness. (8 CCR 3400)

No employee shall be discharged or discriminated against for exercising any right regarding employee safety or health specified in Labor Code 6310, including:

1. Making a report or complaint
2. Instituting proceedings or causing proceedings to be instituted
3. Testifying with regard to employee safety or health
4. Participating in any occupational health and safety committee established pursuant to Labor Code 6401.7
5. Requesting access to injury or illness reports and records
6. Exercising any other right protected by the Occupational Safety and Health Act

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<b>State</b>	<b>Description</b>
17 CCR 2508	Reporting of communicable diseases
8 CCR 14000-14316	Occupational injury or illness reports and records
8 CCR 3203	Injury and illness prevention program
8 CCR 3204	Access to employee exposure and medical records
8 CCR 3400	Medical services and first aid
8 CCR 5095-5100	Control of noise exposure
8 CCR 5193	Bloodborne pathogens
Ed. Code 32030-32034	Eye safety
Ed. Code 32225-32226	Communications devices in classrooms
Ed. Code 32280-32289.5	School safety plans
Ed. Code 44984	Required rules for industrial accident and illness leave
Gov. Code 3543.2	Scope of representation
Lab. Code 132a	Workers' compensation; nondiscrimination
<a href="#"><u>Lab. Code 1139</u></a>	<a href="#"><u>Worker's rights in emergencies</u></a>

Lab. Code 3300	Definition of employer
Lab. Code 6305	Occupational safety and health standards; special order
Lab. Code 6310	Retaliation for filing complaint prohibited
<a href="#">Lab. Code 6325</a>	<a href="#">Prohibition of entry into place of employment</a>
Lab. Code 6400-6413.5	Responsibilities and duties of employers and employees
Lab. Code 6401.7	Injury and illness prevention program
<a href="#">Lab. Code 6401.9</a>	<a href="#">Workplace violence prevention plans</a>
<b>Federal</b>	<b>Description</b>
17 CFR 2508	Reporting of communicable diseases
29 CFR 1910.1030	Bloodborne pathogens
29 CFR 1910.95	Noise standards
29 CFR 651-678	Occupational safety and health
8 CFR 14000-14316	Occupational injury or illness reports and records
<b>Management Resources</b>	<b>Description</b>
CA Department of Industrial Relations Publication	Guide to Developing Your Workplace Injury and Illness Prevention Program, rev. August 2011 <a href="#">2005</a>
Website	CSBA District and County Office of Education Legal Services
Website	National Institute for Occupational Safety and Health
Website	U.S. Department of Labor, Occupational Safety and Health Administration
Website	California Department of Industrial Relations, Occupational Safety and Health
Website	National Hearing Conservation Association
Website	Centers for Disease Control and Prevention
Website	CSBA

## Cross References

<b>Code</b>	<b>Description</b>
0450	Comprehensive Safety Plan
0450	Comprehensive Safety Plan
<del>0470</del>	<del>COVID-19 Mitigation Plan</del>
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
3516.5	Emergency Schedules
3530	Risk Management/Insurance
3530	Risk Management/Insurance
4112.9	Employee Notifications
4112.9-E(1)	Employee Notifications
4113.5	Working Remotely
4118	Dismissal/Suspension/Disciplinary Action
4118	Dismissal/Suspension/Disciplinary Action
4119.41	Employees With Infectious Disease
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
4119.43	Universal Precautions
4119.43	Universal Precautions
4131	Staff Development
4156.2	Awards And Recognition
4157.1	Work-Related Injuries
4157.2	Ergonomics
4158	Employee Security
4158	Employee Security
4161.11	Industrial Accident/Illness Leave
4212.9	Employee Notifications
4212.9-E(1)	Employee Notifications
4213.5	Working Remotely
4218	Dismissal/Suspension/Disciplinary Action
4218	Dismissal/Suspension/Disciplinary Action
4219.41	Employees With Infectious Disease



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
4219.43	Universal Precautions
4219.43	Universal Precautions
4231	Staff Development
4256.2	Awards And Recognition
4257.1	Work-Related Injuries
4257.2	Ergonomics
4258	Employee Security
4258	Employee Security
4261.11	Industrial Accident/Illness Leave
4312.9	Employee Notifications
4312.9-E(1)	Employee Notifications
4313.5	Working Remotely
4319.41	Employees With Infectious Disease
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
4319.43	Universal Precautions
4319.43	Universal Precautions
4331	Staff Development
4356.2	Awards And Recognition
4357.1	Work-Related Injuries
4357.2	Ergonomics
4358	Employee Security
4358	Employee Security
4361.11	Industrial Accident/Illness Leave
5141.22	Infectious Diseases
5141.22	Infectious Diseases
5141.6	School Health Services

5141.6

School Health Services

6142.93

Science Instruction

**Regulation 4157: Employee Safety**

**Status:** ADOPTED

**Original Adopted Date:** 06/01/1991 | **Last Revised Date:** ~~10/3/01/2020~~2024 | **Last Reviewed Date:** ~~10/3/01/2020~~2024

The Superintendent or designee shall provide safety devices and implement safeguards, methods, and processes that are reasonably necessary for the safety and health of employees in the workplace. (Labor Code 6401)

CSBA NOTE: Pursuant to Labor Code 6325, the Department of Industrial Relations Division of Occupational Safety and Health (Cal/OSHA) may prohibit entry into a place of employment when, in its opinion, the place of employment exposes employees to an imminent hazard. In such cases, Cal/OSHA will provide a notice that must be posted in a conspicuous place at the place of employment.

If the Department of Industrial Relations Division of Occupational Safety and Health (Cal/OSHA) prohibits entry into any district workplace or performance of a district operation or process based on a determination that the workplace exposes employees to the risk of an imminent hazard, including a machine, device, apparatus, or equipment that is in a dangerous condition or is dangerously placed, the Superintendent or designee shall post a notice of the hazard provided by Cal/OSHA in a conspicuous place at the work site. This notice shall not be removed except by an authorized representative of Cal/OSHA and only when the workplace, operation, or process is made safe, and the required safeguards, safety appliances, or devices are provided. (Labor Code 6325)

**Injury and Illness Prevention Program**

CSBA NOTE: The following section reflects the requirements of Labor Code 6401.7, **as amended by SB 553 (Ch. 289, Statutes of 2023)**, and 8 CCR 3203 for a written injury and illness prevention program. -When developing such a program, districts are encouraged to review the Department of Industrial Relations' Cal/OSHA's, "Guide to Developing Your Workplace Injury and Illness Prevention Program."

The district's injury and illness prevention program shall cover all district employees and all other workers whom the district controls or directs and directly supervises on the job to the extent that the workers are exposed to hazards specific to their worksite and job assignment. The obligation of contractors or other employers who control or direct and supervise their own employees on the job shall not be affected by the district's injury and illness prevention program. (Labor Code 6401.7)

The district's injury and illness prevention program shall include: (Labor Code 6401.7; 8 CCR 3203)

1. The name/position of the person(s) with authority and responsibility for implementing the program.
2. A system for ensuring that employees comply with safe and healthful work practices, which may include, but are not be limited to:

- a. Recognition of employees who follow safe and healthful work practices
- b. Training and retraining programs
- c. Disciplinary actions

CSBA NOTE: Pursuant to 8 CCR 3203, districts with fewer than 10 employees may fulfill the communication requirements of ~~item~~ **Item** #3 below by providing oral instruction in general safe work practices and the hazards unique to the employees' assignments.

- 3. A system for communicating with employees, in a form readily understandable by all employees on matters related to occupational health and safety, including provisions designed to encourage employees to report hazards at the worksite without fear of reprisal. The communications system may include, but is not be limited to:

- a. Meetings
- b. Training programs
- c. Posting
- d. Written communications
- e. A system of anonymous notification by employees about hazards

CSBA NOTE: Districts may use a labor/management safety and health committee to communicate the contents of the injury and illness prevention program, as long as the committee satisfies the requirements specified below in the section on "Labor/Management Safety and Health Committee."

- f. A labor/management safety and health committee
- 4. Procedures for identifying and evaluating workplace hazards, including scheduled periodic inspections to identify unsafe conditions and work practices. Such inspections shall be made:
  - a. Whenever new substances, processes, procedures, or equipment that represents a new occupational safety or health hazard is introduced into the workplace
  - b. Whenever the district is made aware of a new or previously unrecognized hazard
- 5. A procedure for investigating occupational injury or illness.-
- 6. Methods and/or procedures for correcting unsafe or unhealthful conditions, work practices, and work procedures in a timely manner, based on the severity of the hazard, when the hazard is observed or discovered.

When an imminent hazard exists ~~which~~ **that** cannot be immediately abated without endangering employee(s) and/or property, these procedures shall call for the removal of all exposed staff from the area except those necessary to correct the hazardous condition.

Employees needed to correct the condition shall be provided with the necessary safeguards.

7. Provision of training and instruction as follows:

- a. To all new employees
- b. To all employees given new job assignments for which training has not previously been received
- c. Whenever new substances, processes, procedures, or equipment is~~are~~ introduced into the workplace and ~~represents~~represent a new hazard
- d. Whenever the district is made aware of a new or previously unrecognized hazard
- e. To supervisors, to familiarize them with the safety and health hazards to which employees under their immediate direction and control may be exposed

CSBA NOTE: Pursuant to Labor Code 6401.7, as amended by SB 553, districts are required to establish, implement, and maintain a workplace violence prevention plan as specified in Labor Code 6401.9, as added by AB 553.

8. A written workplace violence prevention plan developed and implemented in accordance with Labor Code 6401.9 (Labor Code 6401.7)

The plan, which shall be easily accessible to all employees at all times, shall be in effect at all times and in all work areas, and be specific to the hazards and corrective measures for each work area and operation. (Labor Code 6401.9)

The Superintendent or designee shall provide training to all employees when the plan is first established and annually thereafter in accordance with Labor Code 6401.9. Training materials shall be appropriate in content and vocabulary to employees' educational level, literacy, and language. (Labor Code 6401.9)

CSBA NOTE: Pursuant to 8 CCR 3203, ~~as amended by Register 2020, No. 10~~, employees or their designated representatives have the right to examine and receive a copy of the district's injury and illness prevention program, and districts are required to provide access as described below. 8 CCR 3203 defines "designated representative" as any individual or organization to whom an employee gives written authorization to exercise a right of access. A recognized or certified collective bargaining agent is, by definition, treated automatically as a designated representative.

Districts are not required to include records of steps taken to implement and maintain the injury and illness prevention program. However, access to such information, or any other information in addition to that required by 8 CCR 3203, may be subject to collective bargaining.

The Superintendent or designee shall provide employees, or their representative designated pursuant to 8 CCR 3203, with either of the following: (8 CCR 3203)

1. Access to the district's injury and illness prevention program in a reasonable time, place, and manner, but in no event later than five business days after the request for access is received from an employee or a designated representative of the employee.

When an employee or designated representative requests a copy of the district's injury and illness prevention program, the Superintendent or designee shall provide the requester a printed copy unless the employee or designated representative agrees to receive an electronic copy.

The Superintendent or designee shall provide one printed copy free of charge. If the employee or designated representative requests additional copies within one year of the previous request and the district's injury and illness prevention program has not been updated with new information since the prior copy was provided, the district may charge reasonable reproduction costs pursuant to 8 CCR 3204 for the additional copies.

CSBA NOTE: Pursuant to 8 CCR 3203, an employee has unobstructed access if, as part of the employee's regular work duties, the employee predictably and routinely uses the electronic means to communicate with management or coworkers.

2. Unobstructed access to the district's injury and illness prevention program through the district's server or ~~web site, which~~ website that allows an employee to review, print, and email the current version of the district's injury and illness prevention program.

The Superintendent or designee shall communicate the right and procedure to access the district's injury and illness prevention program to all employees. (8 CCR 3203)

### **Labor/Management Safety and Health Committee**

CSBA NOTE: The following optional section is for use by districts that choose to use a labor/management safety and health committee to comply with the requirements of 8 CCR 3203 regarding communication with employees as specified in ~~item~~ Item #3 above in the section title "Injury and Illness Prevention Program." Pursuant to 8 CCR 3203, if the committee adheres to the following practices, the district shall be deemed to be in substantial compliance with the communications requirements of the law.

The district's labor/management safety and health committee shall: (8 CCR 3203)

1. Meet regularly, but not less than quarterly.
2. Prepare and make available to affected employees written records of the safety and health issues discussed at committee meetings and maintained for review by ~~the California Department of Industrial Relations' Division of Occupational Safety and Health (Cal/OSHA)~~ upon request. These records shall be maintained for at least one year.
3. Review results of the periodic, scheduled worksite inspections.
4. Review investigations of occupational accidents and causes of incidents resulting in occupational injury or illness or exposure to hazardous substances. As appropriate, the committee may submit suggestions to the Superintendent or designee regarding the prevention of future incidents.
5. Review investigations of alleged hazardous conditions brought to the attention of any committee member. When determined necessary by the committee, it may conduct its own inspection and investigation to assist in remedial solutions.

6. Submit recommendations to assist in the evaluation of employee safety suggestions.
7. Upon request of Cal/OSHA, verify abatement action taken by the district to abate citations issued by Cal/OSHA.

### **Hearing Protection**

Whenever employee noise exposure equals or exceeds the standards specified ~~in~~by law, the Superintendent or designee shall implement a hearing conservation program in accordance with state and federal regulations, including, when required, monitoring of sound levels, audiogram evaluation and audiometric testing of affected employees, the provision of hearing protectors, and employee training. (8 CCR 5095-5100; 29 CFR 1910.95)

### **Eye Safety Devices**

~~Eye~~Employees shall wear eye safety devices ~~shall be worn by employees~~ whenever they are engaged in or observing an activity involving hazards or hazardous substances likely to cause eye injury ~~to the eyes~~. (Education Code 32030-32034)

### **First Aid and Medical Services**

The Superintendent or designee shall ensure the ready availability of medical personnel for advice and consultation on matters of industrial health or injury. Whenever a district facility or district grounds are not in close proximity to an infirmary, clinic, or hospital where all injured employees may be treated, the Superintendent or designee shall ensure that at least one employee is adequately trained to provide first aid. (8 CCR 3400)

CSBA NOTE: Pursuant to 8 CCR 3400, if ambulance service is not available within 30 minutes under normal conditions, the district may be required by ~~the California Department of Industrial Relations' Division of Occupational Safety and Health~~Cal/OSHA to provide stretchers, blankets, or other adequate warm covering.

The Superintendent or designee shall make adequate first aid materials readily available for employees at every worksite. Such materials shall be approved by a consulting physician and shall be kept in a sanitary and usable condition. ~~The Superintendent or designee shall frequently inspect~~ all first aid materials and replenish them as necessary. (8 CCR 3400)

The Superintendent or designee shall ensure that suitable facilities for quick drenching or flushing of the eyes and body are provided within the work area for immediate emergency use when the eyes or body or any person may be exposed to injurious corrosive materials. (8 CCR 3400)

CSBA NOTE: 8 CCR 3400 requires districts to make provisions in advance, using one or a combination of the provisions specified in ~~items~~Items #1-3 below, to ensure that employees receive prompt medical treatment for serious injury or illness. ~~Districts should select the provision(s) that reflect district practice.~~

To avoid unnecessary delay in medical treatment in the event of an employee's serious injury or illness, the Superintendent or designee shall use one or more of the following: (8 CCR 3400)

1. A communication system for contacting a physician or emergency medical service, such as access to 911 or equivalent telephone system.- The communication system or the employees using the system shall have the ability to direct emergency services to the location of the injured or ill employee.
2. Readily accessible and available on-site treatment facilities suitable for treatment of reasonably anticipated injury and illness.
3. Proper equipment for prompt medical transport when transportation of injured or ill employees is necessary and appropriate.

### **Protection from Communicable Diseases and Infections**

CSBA NOTE: The following section contains general information in regard to bloodborne pathogens and infectious diseases as it relates to employee safety. For more information regarding bloodborne pathogens, see BP/AR 4119.42/4219.42/4319.42 - Exposure Control Plan for Bloodborne Pathogens and BP/AR 4119.43/4219.43/4319.43 - Universal Precautions. For more information regarding infectious diseases, see BP 4119.41/4219.41/4319.41 - Employees with Infectious Disease.

The Superintendent or designee shall develop an exposure control plan for bloodborne pathogens that is consistent with the district's injury and illness prevention program.- The plan shall include a determination of which job classifications have occupational exposure to blood or other potentially infectious materials; precautions to be implemented, including universal precautions, engineering and work practice controls, and personal protective equipment; availability of the hepatitis B vaccination; provision of information and training to employees; and follow-up actions to be taken if exposure occurs.-The district shall ensure that a copy of the exposure control plan is accessible to employees in accordance with law. (8 CCR 5193; 29 CFR 1910.1030)

Strategies to prevent and mitigate the outbreak or spread of infectious diseases shall be followed for diseases that are communicated through airborne transmission, skin-to-skin contact, foodborne transmission, or other casual or noncasual means. Such strategies shall include, but are not limited to, communication and training about the disease(s); campus closures and alternative means of instruction when necessary; preventative measures, such as social distancing, personal protective equipment, temperature checks, and/or any other health screening allowed by law; and cleaning and sanitization of district facilities and equipment.

The Superintendent ~~of~~or designee shall immediately report to the local health officer the presence or suspected presence of any communicable disease. (17 CCR 2508)

### **~~COVID-19 Exposure~~**

~~CSBA NOTE: Pursuant to Labor Code 6409.6, as added by AB 685 (Ch. 84, Statutes of 2020), the district is required to take the following actions whenever it receives notice of potential exposure to COVID-19.If the district receives notice of potential exposure to COVID-19, the Superintendent or designee shall, within one business day of the notice, take all of the following actions: (Labor Code 6409.6)~~



1. Provide a written notice to all employees, and the employers of subcontracted employees, who were on the premises at the same worksite as the qualifying individual within the infectious period that they may have been exposed to COVID-19. The notice shall be provided in a manner normally used to communicate employment-related information, which may include, but is not limited to, personal service, email, or text message if it can reasonably be anticipated to be received by the employee within one business day of sending.
2. Provide a written notice to the exclusive representative, if any, of employees who were on the premises within the infectious period
3. Provide all employees who may have been exposed and the exclusive representative, if any, with information regarding:
  - a. COVID-19 related benefits to which the employee may be entitled under applicable federal, state, or local laws, including, but not limited to, workers' compensation
  - b. Available leave options for exposed employees
  - c. Antiretaliation and antidiscrimination protections of the employee
4. Notify all employees, and the employers of subcontracted employees and the exclusive representative, if any, of the disinfection and safety plan that the district plans to complete in accordance with Centers for Disease Control and Prevention guidelines

The above notifications shall be maintained for a period of at least three years. (Labor Code 6409.6)

CSBA NOTE: Labor Code 6409.6, as amended by AB 685, requires the district to provide specified information to the local health agency when a COVID-19 outbreak occurs, as provided below. This notice must contain the same information as would be required in an incident report to the California Department of Industrial Relations' Division of Occupational Safety and Health (Cal/OSHA) Form 300 injury and illness log unless inapplicable or unknown. If the district is notified of the number of cases that meet the definition of a COVID-19 outbreak, as defined by the California Department of Public Health, within 48 hours, the Superintendent or designee shall, within 48 hours of the notice, notify the local public health agency of the names, number, occupation, and worksite of employees who meet the definition of a qualifying individual. The Superintendent or designee shall continue to give notice to the local health department of any subsequent laboratory-confirmed cases of COVID-19 at the worksite. (Labor Code 6409.6)

CSBA NOTE: Pursuant to Labor Code 6325, as amended by AB 685, until January 1, 2023, Cal/OSHA may prohibit entry into a place of employment when, in its opinion, the place of employment exposes employees to the risk of COVID-19 infection and constitutes an imminent hazard to employees. In such cases, CalOSHA will provide a notice that must be posted in a conspicuous place at the place of employment.

~~In the event that Cal/OSHA prohibits entry into any district workplace or performance of a district operation or process based on a determination that the workplace exposes employees to the risk of COVID-19 infection and constitutes an imminent hazard to employees, the district shall post a notice thereof provided by Cal/OSHA in a conspicuous place at the work site. This notice shall not be removed except by an authorized representative of Cal/OSHA and only when the place of employment, operation, or process is made safe and the required safeguards or safety appliances or devices are provided.~~

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<b>State</b>	<b>Description</b>
17 CCR 2508	Reporting of communicable diseases
8 CCR 14000-14316	Occupational injury or illness reports and records
8 CCR 3203	Injury and illness prevention program
8 CCR 3204	Access to employee exposure and medical records
8 CCR 3400	Medical services and first aid
8 CCR 5095-5100	Control of noise exposure
8 CCR 5193	Bloodborne pathogens
Ed. Code 32030-32034	Eye safety
Ed. Code 32225-32226	Communications devices in classrooms
Ed. Code 32280-32289.5	School safety plans
Ed. Code 44984	Required rules for industrial accident and illness leave
Gov. Code 3543.2	Scope of representation
Lab. Code 132a	Workers' compensation; nondiscrimination
<a href="#"><u>Lab. Code 1139</u></a>	<a href="#"><u>Worker's rights in emergencies</u></a>
Lab. Code 3300	Definition of employer
Lab. Code 6305	Occupational safety and health standards; special order
Lab. Code 6310	Retaliation for filing complaint prohibited
<a href="#"><u>Lab. Code 6325</u></a>	<a href="#"><u>Prohibition of entry into place of employment</u></a>
Lab. Code 6400-6413.5	Responsibilities and duties of employers and employees
Lab. Code 6401.7	Injury and illness prevention program

Lab. Code 6401.9

**Federal**

17 CFR 2508

29 CFR 1910.1030

29 CFR 1910.95

29 CFR 651-678

8 CFR 14000-14316

**Management Resources**

CA Department of Industrial Relations  
Publication

Website

Website

Website

Website

Website

Website

Website

Workplace violence prevention plans

**Description**

Reporting of communicable diseases

Bloodborne pathogens

Noise standards

Occupational safety and health

Occupational injury or illness reports and records

**Description**

Guide to Developing Your Workplace Injury and Illness  
Prevention Program, rev. August 2011 2005

CSBA District and County Office of Education Legal Services

National Institute for Occupational Safety and Health

U.S. Department of Labor, Occupational Safety and Health  
Administration

California Department of Industrial Relations, Occupational  
Safety and Health

National Hearing Conservation Association

Centers for Disease Control and Prevention

CSBA

**Cross References**

**Code**

0450

0450

~~0470~~

3514

3514

3514.1

3514.1

3516

3516

3516.5

3530

**Description**

Comprehensive Safety Plan

Comprehensive Safety Plan

~~COVID-19 Mitigation Plan~~

Environmental Safety

Environmental Safety

Hazardous Substances

Hazardous Substances

Emergencies And Disaster Preparedness Plan

Emergencies And Disaster Preparedness Plan

Emergency Schedules

Risk Management/Insurance

3530	Risk Management/Insurance
4112.9	Employee Notifications
4112.9-E(1)	Employee Notifications
4113.5	Working Remotely
4118	Dismissal/Suspension/Disciplinary Action
4118	Dismissal/Suspension/Disciplinary Action
4119.41	Employees With Infectious Disease
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
4119.43	Universal Precautions
4119.43	Universal Precautions
4131	Staff Development
4156.2	Awards And Recognition
4157.1	Work-Related Injuries
4157.2	Ergonomics
4158	Employee Security
4158	Employee Security
4161.11	Industrial Accident/Illness Leave
4212.9	Employee Notifications
4212.9-E(1)	Employee Notifications
4213.5	Working Remotely
4218	Dismissal/Suspension/Disciplinary Action
4218	Dismissal/Suspension/Disciplinary Action
4219.41	Employees With Infectious Disease
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
4219.43	Universal Precautions
4219.43	Universal Precautions
4231	Staff Development

4256.2	Awards And Recognition
4257.1	Work-Related Injuries
4257.2	Ergonomics
4258	Employee Security
4258	Employee Security
4261.11	Industrial Accident/Illness Leave
4312.9	Employee Notifications
4312.9-E(1)	Employee Notifications
4313.5	Working Remotely
4319.41	Employees With Infectious Disease
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
4319.43	Universal Precautions
4319.43	Universal Precautions
4331	Staff Development
4356.2	Awards And Recognition
4357.1	Work-Related Injuries
4357.2	Ergonomics
4358	Employee Security
4358	Employee Security
4361.11	Industrial Accident/Illness Leave
5141.22	Infectious Diseases
5141.22	Infectious Diseases
5141.6	School Health Services
5141.6	School Health Services
6142.93	Science Instruction

**Regulation 4157.1: Work-Related Injuries**

**Status:** ADOPTED

**Original Adopted Date:** 10/01/1995 | **Last Revised Date:** ~~10/03/01/2020~~2024 | **Last Reviewed Date:** ~~10/03/01/2020~~2024

In order to provide medical benefits, temporary or permanent disability benefits, wage replacement, retraining or skill enhancement, and/or death benefits in the event that an employee becomes injured or ill in the course of employment, the district shall provide all employees with insurance and workers' compensation benefits in accordance with law. The Superintendent or designee shall develop an efficient claims handling process that reduces costs and facilitates employee recovery.

The Superintendent or designee shall notify every new employee, at the time of hire or by the end of the first pay period, of the employee's right to receive workers' compensation benefits if injured at work. (Labor Code 3551; 8 CCR 15596)

In addition, a notice regarding workers' compensation benefits shall be posted in a conspicuous location frequented by employees, where the notice may be easily read during the workday. (Labor Code 3550)

In the event that an employee is injured or becomes ill in the course of employment, the employee shall report the work-related injury or illness to the Superintendent or designee as soon as practicable. The employee and appropriate district staff shall also promptly document the date and time of any incident, a description of the incident, and any persons present.

Within one working day of receiving notice or knowledge of any injury to an employee in the course of employment, the Superintendent or designee shall provide a claim form and notice of potential eligibility for workers' compensation benefits to the employee or, in the case of the employee's death, to the employee's dependents. The claim form and notice shall be provided personally or by first class mail. (Labor Code 5401)

CSBA NOTE: Pursuant to Labor Code 3550, 3551, and 5401, all employee notices described above (i.e., the notice that must be posted in a conspicuous place, the notice provided to all employees at the time of hire, and the notice and claim form provided when an employee is injured) must be in a form prescribed by the California Department of Industrial Relations (DIR) Division of Workers' Compensation (DWC). These notices are available on the DWC's website or through the district's insurer. For districts that employ Spanish-speaking employees, the information must be made available in English and Spanish.

The Superintendent or designee shall ensure that all employee notices described above are in the form prescribed by the Department of Industrial Relations (DIR), Division of Workers Compensation.

The Superintendent or designee shall additionally ensure that any employee who is a victim of a crime that occurred at the place of employment is given written notice personally or by first class mail within one working day of the crime, or when the district reasonably should have known of the crime, that the employee is eligible for workers' compensation benefits for injuries, including psychiatric injuries, that may have resulted from the crime. (Labor Code 3553)

~~CSBA NOTE: Pursuant to Labor Code 3550, 3551, and 5401, all employee notices described above (i.e., the notice that must be posted in a conspicuous place, the notice provided to all employees at the time of hire, and the notice and claim form provided when an employee is injured) must be in a form prescribed by the California Department of Industrial Relations (DIR) Division of Workers' Compensation (DWC). These notices are available on the DWC's web site or through the district's insurer. For districts that employ Spanish-speaking employees, the information must be made available in English and Spanish.~~  
CSBA NOTE: Pursuant to Labor Code 6409.1, the district must file a report concerning any injury or illness which has, or is alleged to have, arisen out of and in the course of employment. The report is required to be filed with DIR, or, if the district is insured through a third party insurer, with the insurer. The following paragraph may be revised to reflect district practice.

The Superintendent or designee shall ensure that all employee notices described above are in the form prescribed by the Department of Industrial Relations (DIR), Division of Workers Compensation.

~~CSBA NOTE: Pursuant to Labor Code 6409.1, the district must file a report concerning any injury or illness which has, or is alleged to have, arisen out of and in the course of employment. The report is required to be filed with DIR or, if the district is insured through a third party insurer, with the insurer. The following paragraph may be revised to reflect district practice.~~

Upon learning of a work-related injury or illness, or injury or illness alleged to have arisen out of and in the course of employment, the Superintendent or designee shall report the incident to the district's insurance carrier or DIR, as applicable, within five days after obtaining knowledge of the injury or illness. If a subsequent death arises as a result of the reported injury or illness, an amended report indicating the death shall be filed within five days after being notified of or learning about the death. (Labor Code 6409.1)

~~CSBA NOTE: Pursuant to Labor Code 6409.1, as amended by AB 1804 (Ch. 199, Statutes of 2019), in addition to the report described above, a report of death or serious injury or illness is required to be immediately reported to the Division of Occupational Safety and Health (Cal/OSHA) by telephone or through an online mechanism established by Cal/OSHA. Labor Code 6409.1 permits districts to make the report by telephone or email until Cal/OSHA has an online mechanism available.~~

~~Labor Code 6302, as amended by AB 1805 (Ch. 200, Statutes of 2019), redefines "serious injury or illness" as provided below.~~

In addition, in every case involving death or serious injury or illness, the Superintendent or designee shall immediately make a report to the Division of Occupational Safety and Health (Cal/OSHA) by telephone or through an online mechanism made available by Cal/OSHA. (Labor Code 6409.1)

For the purpose of this report, serious injury or illness means any injury or illness occurring in a place of employment or in connection with any employment that requires inpatient hospitalization for other than medical observation or diagnostic testing, or in which an employee suffers an amputation, the loss of an eye, or any serious degree of permanent disfigurement. (Labor Code 6302)

### **~~Claims Related to COVID-19~~**

~~CSBA NOTE: Until January 1, 2023, Labor Code 3212.86 and 3212.88, as added by SB 1159 (Ch. 85, Statutes of 2020), define "injury" for purposes of workers' compensation as including COVID-19 related illness or death when a positive COVID-19 diagnosis was made within 14 days after the employee performed labor or services at the district's place of employment. Labor Code 3212.86~~

applies when the diagnosis was made between March 19, 2020 and July 5, 2020, and confirmed by a COVID-19 test within 30 days of the diagnosis. Labor Code 3212.88 applies when the diagnosis was made after July 6, 2020, and the positive test occurred during a period of an outbreak, as defined, at the employee's specific place of employment. Pursuant to Labor Code 3212.86 and 3212.88, a positive diagnosis as specified above creates a presumption that the injury arose out of and in the course of employment. Unless disputed by the district within 30 or 45 days, as applicable, the Workers' Compensation Appeals Board is bound to find, in accordance with the presumption, that COVID-19 was contracted within the course and scope of employment.

Because of the large number of workers' compensation claims that districts may receive due to COVID-19 infection, districts are encouraged to consult legal counsel as appropriate to determine its impact on the district, including about the use of paid sick leave and eligibility for temporary disability benefits.

Until January 1, 2023, an employee is presumed to be entitled to workers' compensation benefits for illness or death resulting from COVID-19 if the diagnosis was made within 14 days after the employee performed labor or services at the place of employment and if the employee contracted COVID-19 during an outbreak at the employee's specific place of employment. (Labor Code 3212.86, 3212.88)

For this purpose, an outbreak means that, within 14 calendar days, one of the following occurs at a specific place of employment: (Labor Code 3212.88)

1. If a specific place of employment has 100 employees or fewer, four employees test positive for COVID-19.
2. If a specific place of employment has more than 100 employees, four percent of the number of employees who reported to the specific place of employment test positive for COVID-19.
3. A specific place of employment is ordered to close by a local public health department, the California Department of Public Health, Cal/OSHA, or the Superintendent due to a risk of infection with COVID-19.

The Superintendent or designee may rebut a presumption that COVID-19 was contracted during the course and scope of employment by offering evidence to the Workers' Compensation Appeals Board, such as the measures that were in place at the employee's specific place of employment to reduce potential transmission of COVID-19 and evidence of an employee's nonoccupational risk of contracting COVID-19. (Labor Code 3212.86, 3212.88)

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#### **State**

8 CCR 15596

Ed. Code 44984

Ed. Code 45192

#### **Description**

Notice of employee rights to workers' compensation benefits

Required rules for industrial accident and illness leave

Industrial accident and illness leave for classified employees



Lab. Code 3200-4856	Workers' compensation
Lab. Code <del>3212.86</del>	<del>COVID-19: critical workers pre July 5, 2020</del>
Lab. Code <del>3212.88</del>	<del>COVID-19: critical workers post July 5, 2020</del>
Lab. Code 3550-3553	Notifications <del>re:regarding</del> workers' compensation benefits
Lab. Code 3600-3605	Conditions of liability
Lab. Code 3760	Report of injury to insurer
Lab. Code 4600	Provision of medical and hospital treatment by employer
Lab. Code 4906	Disclosures and statements
Lab. Code 5400-5413	Notice of injury or death
Lab. Code 6302	Definition of serious injury or illness
Lab. Code 6409.1	Reports
<b>Management Resources</b>	<b>Description</b>
CA Department of Industrial Relations Publication	Workers' Compensation Claim Form (DWC 1) & Notice of Potential Eligibility
CA Department of Industrial Relations Publication	Workers' Compensation in California: A Guidebook for Injured Workers, 2016
CA Department of Industrial Relations Publication	Notice to Employees - Injuries Caused by Work
CA Department of Industrial Relations Publication	Time of Hire Pamphlet
Website	CSBA District and County Office of Education Legal Services
Website	California Department of Industrial Relations, Division of Workers Compensation
Website	California Department of Industrial Relations, Occupational Safety and Health
Website	California Department of Public Health
Website	CSBA

## Cross References

<b>Code</b>	<b>Description</b>
1240	Volunteer Assistance
1240	Volunteer Assistance
3320	Claims And Actions Against The District
3320	Claims And Actions Against The District
3530	Risk Management/Insurance
3530	Risk Management/Insurance
4032	Reasonable Accommodation

4112.9	Employee Notifications
4112.9-E(1)	Employee Notifications
4113.4	Temporary Modified/Light-Duty Assignment
4113.5	Working Remotely
4154	Health And Welfare Benefits
4154	Health And Welfare Benefits
4157	Employee Safety
4157	Employee Safety
4157.2	Ergonomics
4161.1	Personal Illness/Injury Leave
4161.11	Industrial Accident/Illness Leave
4161.9	Catastrophic Leave Program
4161.9	Catastrophic Leave Program
4212.9	Employee Notifications
4212.9-E(1)	Employee Notifications
4213.4	Temporary Modified/Light-Duty Assignment
4213.5	Working Remotely
4254	Health And Welfare Benefits
4254	Health And Welfare Benefits
4257	Employee Safety
4257	Employee Safety
4257.2	Ergonomics
4261.11	Industrial Accident/Illness Leave
4261.9	Catastrophic Leave Program
4261.9	Catastrophic Leave Program
4312.9	Employee Notifications
4312.9-E(1)	Employee Notifications
4313.4	Temporary Modified/Light-Duty Assignment
4313.5	Working Remotely
4354	Health And Welfare Benefits
4354	Health And Welfare Benefits
4357	Employee Safety
4357	Employee Safety

4357.2	Ergonomics
4361.1	Personal Illness/Injury Leave
4361.11	Industrial Accident/Illness Leave
4361.9	Catastrophic Leave Program
4361.9	Catastrophic Leave Program

**Policy 4257: Employee Safety**

**Status:** ADOPTED

**Original Adopted Date:** 06/01/1991 | **Last Revised Date:** ~~10/03/01/2020~~ 2024 | **Last Reviewed Date:** ~~10/03/01/2020~~ 2024

CSBA NOTE: The following optional policy and accompanying administrative regulation may be subject to collective bargaining agreements and should be modified to reflect district practice. Pursuant to Government Code 3543.2, safety conditions of employment are within the scope of bargaining.

The Governing Board is committed to maximizing employee safety and believes that workplace safety is the responsibility of every employee. -Working conditions and equipment shall comply with standards prescribed by federal, state, and local laws and regulations.

No employee shall be required or permitted to be in any place of employment which is unsafe or unhealthful. (Labor Code 6402)

The Superintendent or designee shall promote safety and correct any unsafe work practices through education and enforcement.

All employees are expected to use safe work practices and, to the extent possible, correct any unsafe conditions ~~which~~ that may occur. If an employee is unable to correct an unsafe condition, the employee shall immediately report the problem to the Superintendent or designee.

CSBA NOTE: Labor Code 6401.7, as amended by SB 553 (Ch. 289, Statutes of 2023), requires the ~~district to establish, implement, and maintain an effective~~ district's injury prevention program. ~~See the accompanying administrative regulation for required program elements.~~ to include a workplace violence prevention plan.

Additionally, 8 CCR 3203, ~~as amended by Register 2020, No. 10~~, requires the district to provide employees with access to the district's injury and illness prevention program.

See the accompanying administrative regulation for required injury prevention program elements and specific requirements related to employee access.

The Superintendent or designee shall establish and implement a written injury and illness prevention program, that includes a workplace violence prevention plan and ~~provide~~ that provides employees with access to such program, in accordance with law. (Labor Code 6401.7; 8 CCR 3203)

CSBA NOTE: 8 CCR 3400 requires districts to make provisions in advance to ensure that employees receive prompt medical treatment for serious injury or illness. -See the accompanying administrative regulation for specific requirements.

The Superintendent or designee shall make first aid materials readily available at district workplaces and shall make effective provisions to prepare for prompt medical treatment in the event of an employee's serious injury or illness. (8 CCR 3400)

No employee shall be discharged or discriminated against for exercising any right regarding employee safety or health specified in Labor Code 6310, including:

1. Making a report or complaint
2. Instituting proceedings or causing proceedings to be instituted
3. Testifying with regard to employee safety or health
4. Participating in any occupational health and safety committee established pursuant to Labor Code 6401.7
5. Requesting access to injury or illness reports and records
6. Exercising any other right protected by the Occupational Safety and Health Act

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<b>State</b>	<b>Description</b>
17 CCR 2508	Reporting of communicable diseases
8 CCR 14000-14316	Occupational injury or illness reports and records
8 CCR 3203	Injury and illness prevention program
8 CCR 3204	Access to employee exposure and medical records
8 CCR 3400	Medical services and first aid
8 CCR 5095-5100	Control of noise exposure
8 CCR 5193	Bloodborne pathogens
Ed. Code 32030-32034	Eye safety
Ed. Code 32225-32226	Communications devices in classrooms
Ed. Code 32280-32289.5	School safety plans
Ed. Code 44984	Required rules for industrial accident and illness leave
Gov. Code 3543.2	Scope of representation
Lab. Code 132a	Workers' compensation; nondiscrimination
<a href="#"><u>Lab. Code 1139</u></a>	<a href="#"><u>Worker's rights in emergencies</u></a>

Lab. Code 3300	Definition of employer
Lab. Code 6305	Occupational safety and health standards; special order
Lab. Code 6310	Retaliation for filing complaint prohibited
<a href="#">Lab. Code 6325</a>	<a href="#">Prohibition of entry into place of employment</a>
Lab. Code 6400-6413.5	Responsibilities and duties of employers and employees
Lab. Code 6401.7	Injury and illness prevention program
<a href="#">Lab. Code 6401.9</a>	<a href="#">Workplace violence prevention plans</a>
<b>Federal</b>	<b>Description</b>
17 CFR 2508	Reporting of communicable diseases
29 CFR 1910.1030	Bloodborne pathogens
29 CFR 1910.95	Noise standards
29 CFR 651-678	Occupational safety and health
8 CFR 14000-14316	Occupational injury or illness reports and records
<b>Management Resources</b>	<b>Description</b>
CA Department of Industrial Relations Publication	Guide to Developing Your Workplace Injury and Illness Prevention Program, rev. August 2011 <a href="#">2005</a>
Website	CSBA District and County Office of Education Legal Services
Website	National Institute for Occupational Safety and Health
Website	U.S. Department of Labor, Occupational Safety and Health Administration
Website	California Department of Industrial Relations, Occupational Safety and Health
Website	National Hearing Conservation Association
Website	Centers for Disease Control and Prevention
Website	CSBA

## Cross References

<b>Code</b>	<b>Description</b>
0450	Comprehensive Safety Plan
0450	Comprehensive Safety Plan
<del>0470</del>	<del>COVID-19 Mitigation Plan</del>
3514	Environmental Safety
3514	Environmental Safety

3514.1	Hazardous Substances
3514.1	Hazardous Substances
3516	Emergencies And Disaster Preparedness Plan
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5141.22	Infectious Diseases
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5141.6

School Health Services

6142.93

Science Instruction

**Regulation 4257: Employee Safety**

**Status:** ADOPTED

**Original Adopted Date:** 06/01/1991 | **Last Revised Date:** ~~10/3/01/2020~~2024 | **Last Reviewed Date:** ~~10/3/01/2020~~2024

The Superintendent or designee shall provide safety devices and implement safeguards, methods, and processes that are reasonably necessary for the safety and health of employees in the workplace. (Labor Code 6401)

CSBA NOTE: Pursuant to Labor Code 6325, the Department of Industrial Relations Division of Occupational Safety and Health (Cal/OSHA) may prohibit entry into a place of employment when, in its opinion, the place of employment exposes employees to an imminent hazard. In such cases, Cal/OSHA will provide a notice that must be posted in a conspicuous place at the place of employment.

If the Department of Industrial Relations Division of Occupational Safety and Health (Cal/OSHA) prohibits entry into any district workplace or performance of a district operation or process based on a determination that the workplace exposes employees to the risk of an imminent hazard, including a machine, device, apparatus, or equipment that is in a dangerous condition or is dangerously placed, the Superintendent or designee shall post a notice of the hazard provided by Cal/OSHA in a conspicuous place at the work site. This notice shall not be removed except by an authorized representative of Cal/OSHA and only when the workplace, operation, or process is made safe, and the required safeguards, safety appliances, or devices are provided. (Labor Code 6325)

**Injury and Illness Prevention Program**

CSBA NOTE: The following section reflects the requirements of Labor Code 6401.7, as amended by SB 553 (Ch. 289, Statutes of 2023), and 8 CCR 3203 for a written injury and illness prevention program. -When developing such a program, districts are encouraged to review the Department of Industrial Relations' Cal/OSHA's, "Guide to Developing Your Workplace Injury and Illness Prevention Program." The district's injury and illness prevention program shall cover all district employees and all other workers whom the district controls or directs and directly supervises on the job to the extent that the workers are exposed to hazards specific to their worksite and job assignment. The obligation of contractors or other employers who control or direct and supervise their own employees on the job shall not be affected by the district's injury and illness prevention program. (Labor Code 6401.7)

The district's injury and illness prevention program shall include: (Labor Code 6401.7; 8 CCR 3203)

1. The name/position of the person(s) with authority and responsibility for implementing the program.
2. A system for ensuring that employees comply with safe and healthful work practices, which may include, but are not be limited to:

- a. Recognition of employees who follow safe and healthful work practices
- b. Training and retraining programs
- c. Disciplinary actions

CSBA NOTE: Pursuant to 8 CCR 3203, districts with fewer than 10 employees may fulfill the communication requirements of ~~item~~Item #3 below by providing oral instruction in general safe work practices and the hazards unique to the employees' assignments.

3. A system for communicating with employees, in a form readily understandable by all employees on matters related to occupational health and safety, including provisions designed to encourage employees to report hazards at the worksite without fear of reprisal. The communications system may include, but is not be limited to:
  - a. Meetings
  - b. Training programs
  - c. Posting
  - d. Written communications
  - e. A system of anonymous notification by employees about hazards

CSBA NOTE: Districts may use a labor/management safety and health committee to communicate the contents of the injury and illness prevention program, as long as the committee satisfies the requirements specified below in the section on "Labor/Management Safety and Health Committee."

- f. A labor/management safety and health committee
4. Procedures for identifying and evaluating workplace hazards, including scheduled periodic inspections to identify unsafe conditions and work practices. Such inspections shall be made:
    - a. Whenever new substances, processes, procedures, or equipment that represents a new occupational safety or health hazard is introduced into the workplace
    - b. Whenever the district is made aware of a new or previously unrecognized hazard
  5. A procedure for investigating occupational injury or illness.-
  6. Methods and/or procedures for correcting unsafe or unhealthful conditions, work practices, and work procedures in a timely manner, based on the severity of the hazard, when the hazard is observed or discovered.

When an imminent hazard exists which that cannot be immediately abated without endangering employee(s) and/or property, these procedures shall call for the removal of all exposed staff from the area except those necessary to correct the hazardous condition. Employees needed to correct the condition shall be provided with the necessary safeguards.

7. Provision of training and instruction as follows:

- a. To all new employees
- b. To all employees given new job assignments for which training has not previously been received
- c. Whenever new substances, processes, procedures, or equipment isare introduced into the workplace and representsrepresent a new hazard
- d. Whenever the district is made aware of a new or previously unrecognized hazard
- e. To supervisors, to familiarize them with the safety and health hazards to which employees under their immediate direction and control may be exposed

CSBA NOTE: Pursuant to Labor Code 6401.7, as amended by SB 553, districts are required to establish, implement, and maintain a workplace violence prevention plan as specified in Labor Code 6401.9, as added by AB 553.

8. A written workplace violence prevention plan developed and implemented in accordance with Labor Code 6401.9 (Labor Code 6401.7)

The plan, which shall be easily accessible to all employees at all times, shall be in effect at all times and in all work areas, and be specific to the hazards and corrective measures for each work area and operation. (Labor Code 6401.9)

The Superintendent or designee shall provide training to all employees when the plan is first established and annually thereafter in accordance with Labor Code 6401.9. Training materials shall be appropriate in content and vocabulary to employees' educational level, literacy, and language. (Labor Code 6401.9)

CSBA NOTE: Pursuant to 8 CCR 3203, ~~as amended by Register 2020, No. 10~~, employees or their designated representatives have the right to examine and receive a copy of the district's injury and illness prevention program, and districts are required to provide access as described below. 8 CCR 3203 defines "designated representative" as any individual or organization to whom an employee gives written authorization to exercise a right of access. A recognized or certified collective bargaining agent is, by definition, treated automatically as a designated representative.

Districts are not required to include records of steps taken to implement and maintain the injury and illness prevention program. However, access to such information, or any other information in addition to that required by 8 CCR 3203, may be subject to collective bargaining. The Superintendent or designee shall provide employees, or their representative designated pursuant to 8 CCR 3203, with either of the following: (8 CCR 3203)

1. Access to the district's injury and illness prevention program in a reasonable time, place, and manner, but in no event later than five business days after the request for access is received from an employee or a designated representative of the employee.

When an employee or designated representative requests a copy of the district's injury and illness prevention program, the Superintendent or designee shall provide the requester a

printed copy unless the employee or designated representative agrees to receive an electronic copy.

The Superintendent or designee shall provide one printed copy free of charge. If the employee or designated representative requests additional copies within one year of the previous request and the district's injury and illness prevention program has not been updated with new information since the prior copy was provided, the district may charge reasonable reproduction costs pursuant to 8 CCR 3204 for the additional copies.

CSBA NOTE: Pursuant to 8 CCR 3203, an employee has unobstructed access if, as part of the employee's regular work duties, the employee predictably and routinely uses the electronic means to communicate with management or coworkers.

2. Unobstructed access to the district's injury and illness prevention program through the district's server or ~~web site, which~~ website that allows an employee to review, print, and email the current version of the district's injury and illness prevention program.

The Superintendent or designee shall communicate the right and procedure to access the district's injury and illness prevention program to all employees. (8 CCR 3203)

### **Labor/Management Safety and Health Committee**

CSBA NOTE: The following optional section is for use by districts that choose to use a labor/management safety and health committee to comply with the requirements of 8 CCR 3203 regarding communication with employees as specified in ~~item~~ Item #3 above in the section title "Injury and Illness Prevention Program." Pursuant to 8 CCR 3203, if the committee adheres to the following practices, the district shall be deemed to be in substantial compliance with the communications requirements of the law. The district's labor/management safety and health committee shall: (8 CCR 3203)

1. Meet regularly, but not less than quarterly.
2. Prepare and make available to affected employees written records of the safety and health issues discussed at committee meetings and maintained for review by ~~the California Department of Industrial Relations' Division of Occupational Safety and Health (Cal/OSHA)~~ upon request. These records shall be maintained for at least one year.
3. Review results of the periodic, scheduled worksite inspections.
4. Review investigations of occupational accidents and causes of incidents resulting in occupational injury or illness or exposure to hazardous substances. As appropriate, the committee may submit suggestions to the Superintendent or designee regarding the prevention of future incidents.
5. Review investigations of alleged hazardous conditions brought to the attention of any committee member. When determined necessary by the committee, it may conduct its own inspection and investigation to assist in remedial solutions.
6. Submit recommendations to assist in the evaluation of employee safety suggestions.

7. Upon request of Cal/OSHA, verify abatement action taken by the district to abate citations issued by Cal/OSHA.

## Hearing Protection

Whenever employee noise exposure equals or exceeds the standards specified in ~~by~~ law, the Superintendent or designee shall implement a hearing conservation program in accordance with state and federal regulations, including, when required, monitoring of sound levels, audiogram evaluation and audiometric testing of affected employees, the provision of hearing protectors, and employee training. (8 CCR 5095-5100; 29 CFR 1910.95)

## Eye Safety Devices

~~Eye~~ ~~Employees shall wear eye~~ safety devices ~~shall be worn by employees~~ whenever they are engaged in or observing an activity involving hazards or hazardous substances likely to cause ~~eye~~ injury ~~to the eyes~~. (Education Code 32030-32034)

## First Aid and Medical Services

The Superintendent or designee shall ensure the ready availability of medical personnel for advice and consultation on matters of industrial health or injury. Whenever a district facility or district grounds are not in close proximity to an infirmary, clinic, or hospital where all injured employees may be treated, the Superintendent or designee shall ensure that at least one employee is adequately trained to provide first aid. (8 CCR 3400)

CSBA NOTE: Pursuant to 8 CCR 3400, if ambulance service is not available within 30 minutes under normal conditions, the district may be required by the ~~California Department of Industrial Relations' Division of Occupational Safety and Health~~ ~~Cal/OSHA~~ to provide stretchers, blankets, or other adequate warm covering.

The Superintendent or designee shall make adequate first aid materials readily available for employees at every worksite. Such materials shall be approved by a consulting physician and shall be kept in a sanitary and usable condition. ~~The Superintendent or designee shall frequently inspect all first aid materials and replenish them as necessary.~~ (8 CCR 3400)

The Superintendent or designee shall ensure that suitable facilities for quick drenching or flushing of the eyes and body are provided within the work area for immediate emergency use when the eyes or body or any person may be exposed to injurious corrosive materials. (8 CCR 3400)

CSBA NOTE: 8 CCR 3400 requires districts to make provisions in advance, using one or a combination of the provisions specified in ~~items~~ ~~Items~~ #1-3 below, to ensure that employees receive prompt medical treatment for serious injury or illness. ~~Districts should select the provision(s) that reflect district practice.~~

To avoid unnecessary delay in medical treatment in the event of an employee's serious injury or illness, the Superintendent or designee shall use one or more of the following: (8 CCR 3400)

1. A communication system for contacting a physician or emergency medical service, such as access to 911 or equivalent telephone system. ~~The communication system or the~~

employees using the system shall have the ability to direct emergency services to the location of the injured or ill employee.

2. Readily accessible and available on-site treatment facilities suitable for treatment of reasonably anticipated injury and illness.
3. Proper equipment for prompt medical transport when transportation of injured or ill employees is necessary and appropriate.

### **Protection from Communicable Diseases and Infections**

CSBA NOTE: The following section contains general information in regard to bloodborne pathogens and infectious diseases as it relates to employee safety. For more information regarding bloodborne pathogens, see BP/AR 4119.42/4219.42/4319.42 - Exposure Control Plan for Bloodborne Pathogens and BP/AR 4119.43/4219.43/4319.43 - Universal Precautions. For more information regarding infectious diseases, see BP 4119.41/4219.41/4319.41 - Employees with Infectious Disease.

The Superintendent or designee shall develop an exposure control plan for bloodborne pathogens that is consistent with the district's injury and illness prevention program.- The plan shall include a determination of which job classifications have occupational exposure to blood or other potentially infectious materials; precautions to be implemented, including universal precautions, engineering and work practice controls, and personal protective equipment; availability of the hepatitis B vaccination; provision of information and training to employees; and follow-up actions to be taken if exposure occurs. -The district shall ensure that a copy of the exposure control plan is accessible to employees in accordance with law. (8 CCR 5193; 29 CFR 1910.1030)

Strategies to prevent and mitigate the outbreak or spread of infectious diseases shall be followed for diseases that are communicated through airborne transmission, skin-to-skin contact, foodborne transmission, or other casual or noncasual means. Such strategies shall include, but are not limited to, communication and training about the disease(s); campus closures and alternative means of instruction when necessary; preventative measures, such as social distancing, personal protective equipment, temperature checks, and/or any other health screening allowed by law; and cleaning and sanitization of district facilities and equipment.

The Superintendent ~~of~~or designee shall immediately report to the local health officer the presence or suspected presence of any communicable disease. (17 CCR 2508)

### **~~COVID-19 Exposure~~**

~~CSBA NOTE: Pursuant to Labor Code 6409.6, as added by AB 685 (Ch. 84, Statutes of 2020), the district is required to take the following actions whenever it receives notice of potential exposure to COVID-19. If the district receives notice of potential exposure to COVID-19, the Superintendent or designee shall, within one business day of the notice, take all of the following actions: (Labor Code 6409.6)~~

- ~~1. Provide a written notice to all employees, and the employers of subcontracted employees, who were on the premises at the same worksite as the qualifying individual within the infectious period that they may have been exposed to COVID-19. The notice shall be provided in a manner normally used to communicate employment-related information,~~

which may include, but is not limited to, personal service, email, or text message if it can reasonably be anticipated to be received by the employee within one business day of sending.

2. Provide a written notice to the exclusive representative, if any, of employees who were on the premises within the infectious period
3. Provide all employees who may have been exposed and the exclusive representative, if any, with information regarding:
  - a. COVID-19 related benefits to which the employee may be entitled under applicable federal, state, or local laws, including, but not limited to, workers' compensation
  - b. Available leave options for exposed employees
  - c. Antiretaliation and antidiscrimination protections of the employee
4. Notify all employees, and the employers of subcontracted employees and the exclusive representative, if any, of the disinfection and safety plan that the district plans to complete in accordance with Centers for Disease Control and Prevention guidelines

The above notifications shall be maintained for a period of at least three years. (Labor Code 6409.6)

CSBA NOTE: Labor Code 6409.6, as amended by AB 685, requires the district to provide specified information to the local health agency when a COVID-19 outbreak occurs, as provided below. This notice must contain the same information as would be required in an incident report to the California Department of Industrial Relations' Division of Occupational Safety and Health (Cal/OSHA) Form 300 injury and illness log unless inapplicable or unknown. If the district is notified of the number of cases that meet the definition of a COVID-19 outbreak, as defined by the California Department of Public Health, within 48 hours, the Superintendent or designee shall, within 48 hours of the notice, notify the local public health agency of the names, number, occupation, and worksite of employees who meet the definition of a qualifying individual. The Superintendent or designee shall continue to give notice to the local health department of any subsequent laboratory confirmed cases of COVID-19 at the worksite. (Labor Code 6409.6)

CSBA NOTE: Pursuant to Labor Code 6325, as amended by AB 685, until January 1, 2023, Cal/OSHA may prohibit entry into a place of employment when, in its opinion, the place of employment exposes employees to the risk of COVID-19 infection and constitutes an imminent hazard to employees. In such cases, Cal/OSHA will provide a notice that must be posted in a conspicuous place at the place of employment.

In the event that Cal/OSHA prohibits entry into any district workplace or performance of a district operation or process based on a determination that the workplace exposes employees to the risk of COVID-19 infection and constitutes an imminent hazard to employees, the district shall post a notice thereof provided by Cal/OSHA in a conspicuous place at the work site. This notice shall not



be removed except by an authorized representative of Cal/OSHA and only when the place of employment, operation, or process is made safe and the required safeguards or safety appliances or devices are provided.

### Policy Reference UPDATE Service

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#### 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.

<b>State</b>	<b>Description</b>
17 CCR 2508	Reporting of communicable diseases
8 CCR 14000-14316	Occupational injury or illness reports and records
8 CCR 3203	Injury and illness prevention program
8 CCR 3204	Access to employee exposure and medical records
8 CCR 3400	Medical services and first aid
8 CCR 5095-5100	Control of noise exposure
8 CCR 5193	Bloodborne pathogens
Ed. Code 32030-32034	Eye safety
Ed. Code 32225-32226	Communications devices in classrooms
Ed. Code 32280-32289.5	School safety plans
Ed. Code 44984	Required rules for industrial accident and illness leave
Gov. Code 3543.2	Scope of representation
Lab. Code 132a	Workers' compensation; nondiscrimination
<a href="#"><u>Lab. Code 1139</u></a>	<a href="#"><u>Worker's rights in emergencies</u></a>
Lab. Code 3300	Definition of employer
Lab. Code 6305	Occupational safety and health standards; special order
Lab. Code 6310	Retaliation for filing complaint prohibited
<a href="#"><u>Lab. Code 6325</u></a>	<a href="#"><u>Prohibition of entry into place of employment</u></a>
Lab. Code 6400-6413.5	Responsibilities and duties of employers and employees
Lab. Code 6401.7	Injury and illness prevention program
<a href="#"><u>Lab. Code 6401.9</u></a>	<a href="#"><u>Workplace violence prevention plans</u></a>
<b>Federal</b>	<b>Description</b>

17 CFR 2508	Reporting of communicable diseases
29 CFR 1910.1030	Bloodborne pathogens
29 CFR 1910.95	Noise standards
29 CFR 651-678	Occupational safety and health
8 CFR 14000-14316	Occupational injury or illness reports and records
<b>Management Resources</b>	<b>Description</b>
CA Department of Industrial Relations Publication	Guide to Developing Your Workplace Injury and Illness Prevention Program, rev. August 2011 <a href="#">2005</a>
Website	CSBA District and County Office of Education Legal Services
Website	National Institute for Occupational Safety and Health
Website	U.S. Department of Labor, Occupational Safety and Health Administration
Website	California Department of Industrial Relations, Occupational Safety and Health
Website	National Hearing Conservation Association
Website	Centers for Disease Control and Prevention
Website	CSBA

### Cross References

<b>Code</b>	<b>Description</b>
0450	Comprehensive Safety Plan
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<del>0470</del>	<del>COVID-19 Mitigation Plan</del>
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3514	Environmental Safety
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4361.11	Industrial Accident/Illness Leave
5141.22	Infectious Diseases
5141.22	Infectious Diseases
5141.6	School Health Services
5141.6	School Health Services
6142.93	Science Instruction

**Regulation 4257.1: Work-Related Injuries**

**Status:** ADOPTED

**Original Adopted Date:** 10/01/1995 | **Last Revised Date:** ~~10/03/01/2020~~2024 | **Last Reviewed Date:** ~~10/03/01/2020~~2024

In order to provide medical benefits, temporary or permanent disability benefits, wage replacement, retraining or skill enhancement, and/or death benefits in the event that an employee becomes injured or ill in the course of employment, the district shall provide all employees with insurance and workers' compensation benefits in accordance with law. The Superintendent or designee shall develop an efficient claims handling process that reduces costs and facilitates employee recovery.

The Superintendent or designee shall notify every new employee, at the time of hire or by the end of the first pay period, of the employee's right to receive workers' compensation benefits if injured at work. (Labor Code 3551; 8 CCR 15596)

In addition, a notice regarding workers' compensation benefits shall be posted in a conspicuous location frequented by employees, where the notice may be easily read during the workday. (Labor Code 3550)

In the event that an employee is injured or becomes ill in the course of employment, the employee shall report the work-related injury or illness to the Superintendent or designee as soon as practicable. The employee and appropriate district staff shall also promptly document the date and time of any incident, a description of the incident, and any persons present.

Within one working day of receiving notice or knowledge of any injury to an employee in the course of employment, the Superintendent or designee shall provide a claim form and notice of potential eligibility for workers' compensation benefits to the employee or, in the case of the employee's death, to the employee's dependents. The claim form and notice shall be provided personally or by first class mail. (Labor Code 5401)

CSBA NOTE: Pursuant to Labor Code 3550, 3551, and 5401, all employee notices described above (i.e., the notice that must be posted in a conspicuous place, the notice provided to all employees at the time of hire, and the notice and claim form provided when an employee is injured) must be in a form prescribed by the California Department of Industrial Relations (DIR) Division of Workers' Compensation (DWC). These notices are available on the DWC's website or through the district's insurer. For districts that employ Spanish-speaking employees, the information must be made available in English and Spanish.

The Superintendent or designee shall ensure that all employee notices described above are in the form prescribed by the Department of Industrial Relations (DIR), Division of Workers Compensation.

The Superintendent or designee shall additionally ensure that any employee who is a victim of a crime that occurred at the place of employment is given written notice personally or by first class mail within one working day of the crime, or when the district reasonably should have known of the crime, that the employee is eligible for workers' compensation benefits for injuries, including psychiatric injuries, that may have resulted from the crime. (Labor Code 3553)

~~CSBA NOTE: Pursuant to Labor Code 3550, 3551, and 5401, all employee notices described above (i.e., the notice that must be posted in a conspicuous place, the notice provided to all employees at the time of hire, and the notice and claim form provided when an employee is injured) must be in a form prescribed by the California Department of Industrial Relations (DIR) Division of Workers' Compensation (DWC). These notices are available on the DWC's web site or through the district's insurer. For districts that employ Spanish speaking employees, the information must be made available in English and Spanish.~~  
CSBA NOTE: Pursuant to Labor Code 6409.1, the district must file a report concerning any injury or illness which has, or is alleged to have, arisen out of and in the course of employment. The report is required to be filed with DIR, or, if the district is insured through a third party insurer, with the insurer. The following paragraph may be revised to reflect district practice.

~~The Superintendent or designee shall ensure that all employee notices described above are in the form prescribed by the Department of Industrial Relations (DIR), Division of Workers Compensation.~~

~~CSBA NOTE: Pursuant to Labor Code 6409.1, the district must file a report concerning any injury or illness which has, or is alleged to have, arisen out of and in the course of employment. The report is required to be filed with DIR or, if the district is insured through a third party insurer, with the insurer. The following paragraph may be revised to reflect district practice.~~

Upon learning of a work-related injury or illness, or injury or illness alleged to have arisen out of and in the course of employment, the Superintendent or designee shall report the incident to the district's insurance carrier or DIR, as applicable, within five days after obtaining knowledge of the injury or illness. If a subsequent death arises as a result of the reported injury or illness, an amended report indicating the death shall be filed within five days after being notified of or learning about the death. (Labor Code 6409.1)

~~CSBA NOTE: Pursuant to Labor Code 6409.1, as amended by AB 1804 (Ch. 199, Statutes of 2019), in addition to the report described above, a report of death or serious injury or illness is required to be immediately reported to the Division of Occupational Safety and Health (Cal/OSHA) by telephone or through an online mechanism established by Cal/OSHA. Labor Code 6409.1 permits districts to make the report by telephone or email until Cal/OSHA has an online mechanism available.~~

~~Labor Code 6302, as amended by AB 1805 (Ch. 200, Statutes of 2019), redefines "serious injury or illness" as provided below.~~

In addition, in every case involving death or serious injury or illness, the Superintendent or designee shall immediately make a report to the Division of Occupational Safety and Health (Cal/OSHA) by telephone or through an online mechanism made available by Cal/OSHA. (Labor Code 6409.1)

For the purpose of this report, serious injury or illness means any injury or illness occurring in a place of employment or in connection with any employment that requires inpatient hospitalization for other than medical observation or diagnostic testing, or in which an employee suffers an amputation, the loss of an eye, or any serious degree of permanent disfigurement. (Labor Code 6302)

### **Claims Related to COVID-19**

~~CSBA NOTE: Until January 1, 2023, Labor Code 3212.86 and 3212.88, as added by SB 1159 (Ch. 85, Statutes of 2020), define "injury" for purposes of workers' compensation as including COVID-19 related illness or death when a positive COVID-19 diagnosis was made within 14 days after the employee performed labor or services at the district's place of employment. Labor Code 3212.86~~

applies when the diagnosis was made between March 19, 2020 and July 5, 2020, and confirmed by a COVID-19 test within 30 days of the diagnosis. Labor Code 3212.88 applies when the diagnosis was made after July 6, 2020, and the positive test occurred during a period of an outbreak, as defined, at the employee's specific place of employment. Pursuant to Labor Code 3212.86 and 3212.88, a positive diagnosis as specified above creates a presumption that the injury arose out of and in the course of employment. Unless disputed by the district within 30 or 45 days, as applicable, the Workers' Compensation Appeals Board is bound to find, in accordance with the presumption, that COVID-19 was contracted within the course and scope of employment.

Because of the large number of workers' compensation claims that districts may receive due to COVID-19 infection, districts are encouraged to consult legal counsel as appropriate to determine its impact on the district, including about the use of paid sick leave and eligibility for temporary disability benefits.

Until January 1, 2023, an employee is presumed to be entitled to workers' compensation benefits for illness or death resulting from COVID-19 if the diagnosis was made within 14 days after the employee performed labor or services at the place of employment and if the employee contracted COVID-19 during an outbreak at the employee's specific place of employment. (Labor Code 3212.86, 3212.88)

For this purpose, an outbreak means that, within 14 calendar days, one of the following occurs at a specific place of employment: (Labor Code 3212.88)

1. If a specific place of employment has 100 employees or fewer, four employees test positive for COVID-19.
2. If a specific place of employment has more than 100 employees, four percent of the number of employees who reported to the specific place of employment test positive for COVID-19.
3. A specific place of employment is ordered to close by a local public health department, the California Department of Public Health, Cal/OSHA, or the Superintendent due to a risk of infection with COVID-19.

The Superintendent or designee may rebut a presumption that COVID-19 was contracted during the course and scope of employment by offering evidence to the Workers' Compensation Appeals Board, such as the measures that were in place at the employee's specific place of employment to reduce potential transmission of COVID-19 and evidence of an employee's nonoccupational risk of contracting COVID-19. (Labor Code 3212.86, 3212.88)

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<b>State</b>	<b>Description</b>
8 CCR 15596	Notice of employee rights to workers' compensation benefits
Ed. Code 44984	Required rules for industrial accident and illness leave
Ed. Code 45192	Industrial accident and illness leave for classified employees
Lab. Code 3200-4856	Workers' compensation

Lab. Code 3212.86	<del>COVID-19: critical workers pre July 5, 2020</del>
Lab. Code 3212.88	<del>COVID-19: critical workers post July 5, 2020</del>
Lab. Code 3550-3553	Notifications <del>re:regarding</del> workers' compensation benefits
Lab. Code 3600-3605	Conditions of liability
Lab. Code 3760	Report of injury to insurer
Lab. Code 4600	Provision of medical and hospital treatment by employer
Lab. Code 4906	Disclosures and statements
Lab. Code 5400-5413	Notice of injury or death
Lab. Code 6302	Definition of serious injury or illness
Lab. Code 6409.1	Reports
<b>Management Resources</b>	<b>Description</b>
CA Department of Industrial Relations Publication	Workers' Compensation Claim Form (DWC 1) & Notice of Potential Eligibility
CA Department of Industrial Relations Publication	Workers' Compensation in California: A Guidebook for Injured Workers, 2016
CA Department of Industrial Relations Publication	Notice to Employees - Injuries Caused by Work
CA Department of Industrial Relations Publication	Time of Hire Pamphlet
Website	CSBA District and County Office of Education Legal Services
Website	California Department of Industrial Relations, Division of Workers Compensation
Website	California Department of Industrial Relations, Occupational Safety and Health
Website	California Department of Public Health
Website	CSBA

## Cross References

<b>Code</b>	<b>Description</b>
1240	Volunteer Assistance
1240	Volunteer Assistance
3320	Claims And Actions Against The District
3320	Claims And Actions Against The District
3530	Risk Management/Insurance
3530	Risk Management/Insurance
4032	Reasonable Accommodation
4112.9	Employee Notifications



4112.9-E(1)	Employee Notifications
4113.4	Temporary Modified/Light-Duty Assignment
4113.5	Working Remotely
4154	Health And Welfare Benefits
4154	Health And Welfare Benefits
4157	Employee Safety
4157	Employee Safety
4157.2	Ergonomics
4161.1	Personal Illness/Injury Leave
4161.11	Industrial Accident/Illness Leave
4161.9	Catastrophic Leave Program
4161.9	Catastrophic Leave Program
4212.9	Employee Notifications
4212.9-E(1)	Employee Notifications
4213.4	Temporary Modified/Light-Duty Assignment
4213.5	Working Remotely
4254	Health And Welfare Benefits
4254	Health And Welfare Benefits
4257	Employee Safety
4257	Employee Safety
4257.2	Ergonomics
4261.11	Industrial Accident/Illness Leave
4261.9	Catastrophic Leave Program
4261.9	Catastrophic Leave Program
4312.9	Employee Notifications
4312.9-E(1)	Employee Notifications
4313.4	Temporary Modified/Light-Duty Assignment
4313.5	Working Remotely
4354	Health And Welfare Benefits
4354	Health And Welfare Benefits
4357	Employee Safety
4357	Employee Safety
4357.2	Ergonomics

4361.1	Personal Illness/Injury Leave
4361.11	Industrial Accident/Illness Leave
4361.9	Catastrophic Leave Program
4361.9	Catastrophic Leave Program

**Policy 4357: Employee Safety**

**Status:** ADOPTED

**Original Adopted Date:** 06/01/1991 | **Last Revised Date:** ~~10/03/01/2020~~ 2024 | **Last Reviewed Date:** ~~10/03/01/2020~~ 2024

CSBA NOTE: The following optional policy and accompanying administrative regulation may be subject to collective bargaining agreements and should be modified to reflect district practice. Pursuant to Government Code 3543.2, safety conditions of employment are within the scope of bargaining.

The Governing Board is committed to maximizing employee safety and believes that workplace safety is the responsibility of every employee. -Working conditions and equipment shall comply with standards prescribed by federal, state, and local laws and regulations.

No employee shall be required or permitted to be in any place of employment which is unsafe or unhealthful. (Labor Code 6402)

The Superintendent or designee shall promote safety and correct any unsafe work practices through education and enforcement.

All employees are expected to use safe work practices and, to the extent possible, correct any unsafe conditions ~~which~~ that may occur. If an employee is unable to correct an unsafe condition, the employee shall immediately report the problem to the Superintendent or designee.

CSBA NOTE: Labor Code 6401.7, as amended by SB 553 (Ch. 289, Statutes of 2023), requires the ~~district to establish, implement, and maintain an effective~~ district's injury prevention program. ~~See the accompanying administrative regulation for required program elements.~~ to include a workplace violence prevention plan.

Additionally, 8 CCR 3203, ~~as amended by Register 2020, No. 10~~, requires the district to provide employees with access to the district's injury and illness prevention program.

See the accompanying administrative regulation for required injury prevention program elements and specific requirements related to employee access.

The Superintendent or designee shall establish and implement a written injury and illness prevention program, that includes a workplace violence prevention plan and ~~provide~~ that provides employees with access to such program, in accordance with law. (Labor Code 6401.7; 8 CCR 3203)

CSBA NOTE: 8 CCR 3400 requires districts to make provisions in advance to ensure that employees receive prompt medical treatment for serious injury or illness. -See the accompanying administrative regulation for specific requirements.

The Superintendent or designee shall make first aid materials readily available at district workplaces and shall make effective provisions to prepare for prompt medical treatment in the event of an employee's serious injury or illness. (8 CCR 3400)

No employee shall be discharged or discriminated against for exercising any right regarding employee safety or health specified in Labor Code 6310, including:

1. Making a report or complaint
2. Instituting proceedings or causing proceedings to be instituted
3. Testifying with regard to employee safety or health
4. Participating in any occupational health and safety committee established pursuant to Labor Code 6401.7
5. Requesting access to injury or illness reports and records
6. Exercising any other right protected by the Occupational Safety and Health Act

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<b>State</b>	<b>Description</b>
17 CCR 2508	Reporting of communicable diseases
8 CCR 14000-14316	Occupational injury or illness reports and records
8 CCR 3203	Injury and illness prevention program
8 CCR 3204	Access to employee exposure and medical records
8 CCR 3400	Medical services and first aid
8 CCR 5095-5100	Control of noise exposure
8 CCR 5193	Bloodborne pathogens
Ed. Code 32030-32034	Eye safety
Ed. Code 32225-32226	Communications devices in classrooms
Ed. Code 32280-32289.5	School safety plans
Ed. Code 44984	Required rules for industrial accident and illness leave
Gov. Code 3543.2	Scope of representation
Lab. Code 132a	Workers' compensation; nondiscrimination
<a href="#"><u>Lab. Code 1139</u></a>	<a href="#"><u>Worker's rights in emergencies</u></a>

Lab. Code 3300	Definition of employer
Lab. Code 6305	Occupational safety and health standards; special order
Lab. Code 6310	Retaliation for filing complaint prohibited
<a href="#">Lab. Code 6325</a>	<a href="#">Prohibition of entry into place of employment</a>
Lab. Code 6400-6413.5	Responsibilities and duties of employers and employees
Lab. Code 6401.7	Injury and illness prevention program
<a href="#">Lab. Code 6401.9</a>	<a href="#">Workplace violence prevention plans</a>
<b>Federal</b>	<b>Description</b>
17 CFR 2508	Reporting of communicable diseases
29 CFR 1910.1030	Bloodborne pathogens
29 CFR 1910.95	Noise standards
29 CFR 651-678	Occupational safety and health
8 CFR 14000-14316	Occupational injury or illness reports and records
<b>Management Resources</b>	<b>Description</b>
CA Department of Industrial Relations Publication	Guide to Developing Your Workplace Injury and Illness Prevention Program, rev. August 2011 <a href="#">2005</a>
Website	CSBA District and County Office of Education Legal Services
Website	National Institute for Occupational Safety and Health
Website	U.S. Department of Labor, Occupational Safety and Health Administration
Website	California Department of Industrial Relations, Occupational Safety and Health
Website	National Hearing Conservation Association
Website	Centers for Disease Control and Prevention
Website	CSBA

## Cross References

<b>Code</b>	<b>Description</b>
0450	Comprehensive Safety Plan
0450	Comprehensive Safety Plan
<del>0470</del>	<del>COVID-19 Mitigation Plan</del>
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
3516.5	Emergency Schedules
3530	Risk Management/Insurance
3530	Risk Management/Insurance
4112.9	Employee Notifications
4112.9-E(1)	Employee Notifications
4113.5	Working Remotely
4118	Dismissal/Suspension/Disciplinary Action
4118	Dismissal/Suspension/Disciplinary Action
4119.41	Employees With Infectious Disease
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
4119.43	Universal Precautions
4119.43	Universal Precautions
4131	Staff Development
4156.2	Awards And Recognition
4157.1	Work-Related Injuries
4157.2	Ergonomics
4158	Employee Security
4158	Employee Security
4161.11	Industrial Accident/Illness Leave
4212.9	Employee Notifications
4212.9-E(1)	Employee Notifications
4213.5	Working Remotely
4218	Dismissal/Suspension/Disciplinary Action
4218	Dismissal/Suspension/Disciplinary Action
4219.41	Employees With Infectious Disease

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
4219.43	Universal Precautions
4219.43	Universal Precautions
4231	Staff Development
4256.2	Awards And Recognition
4257.1	Work-Related Injuries
4257.2	Ergonomics
4258	Employee Security
4258	Employee Security
4261.11	Industrial Accident/Illness Leave
4312.9	Employee Notifications
4312.9-E(1)	Employee Notifications
4313.5	Working Remotely
4319.41	Employees With Infectious Disease
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
4319.43	Universal Precautions
4319.43	Universal Precautions
4331	Staff Development
4356.2	Awards And Recognition
4357.1	Work-Related Injuries
4357.2	Ergonomics
4358	Employee Security
4358	Employee Security
4361.11	Industrial Accident/Illness Leave
5141.22	Infectious Diseases
5141.22	Infectious Diseases
5141.6	School Health Services

5141.6

School Health Services

6142.93

Science Instruction



**Regulation 4357: Employee Safety**

**Status:** ADOPTED

**Original Adopted Date:** 06/01/1991 | **Last Revised Date:** ~~10/3/01/2020~~2024 | **Last Reviewed Date:** ~~10/3/01/2020~~2024

The Superintendent or designee shall provide safety devices and implement safeguards, methods, and processes that are reasonably necessary for the safety and health of employees in the workplace. (Labor Code 6401)

CSBA NOTE: Pursuant to Labor Code 6325, the Department of Industrial Relations Division of Occupational Safety and Health (Cal/OSHA) may prohibit entry into a place of employment when, in its opinion, the place of employment exposes employees to an imminent hazard. In such cases, Cal/OSHA will provide a notice that must be posted in a conspicuous place at the place of employment.

If the Department of Industrial Relations Division of Occupational Safety and Health (Cal/OSHA) prohibits entry into any district workplace or performance of a district operation or process based on a determination that the workplace exposes employees to the risk of an imminent hazard, including a machine, device, apparatus, or equipment that is in a dangerous condition or is dangerously placed, the Superintendent or designee shall post a notice of the hazard provided by Cal/OSHA in a conspicuous place at the work site. This notice shall not be removed except by an authorized representative of Cal/OSHA and only when the workplace, operation, or process is made safe, and the required safeguards, safety appliances, or devices are provided. (Labor Code 6325)

**Injury and Illness Prevention Program**

CSBA NOTE: The following section reflects the requirements of Labor Code 6401.7, as amended by SB 553 (Ch. 289, Statutes of 2023), and 8 CCR 3203 for a written injury and illness prevention program. -When developing such a program, districts are encouraged to review the Department of Industrial Relations' Cal/OSHA's, "Guide to Developing Your Workplace Injury and Illness Prevention Program." The district's injury and illness prevention program shall cover all district employees and all other workers whom the district controls or directs and directly supervises on the job to the extent that the workers are exposed to hazards specific to their worksite and job assignment. The obligation of contractors or other employers who control or direct and supervise their own employees on the job shall not be affected by the district's injury and illness prevention program. (Labor Code 6401.7)

The district's injury and illness prevention program shall include: (Labor Code 6401.7; 8 CCR 3203)

1. The name/position of the person(s) with authority and responsibility for implementing the program.
2. A system for ensuring that employees comply with safe and healthful work practices, which may include, but are not be limited to:

- a. Recognition of employees who follow safe and healthful work practices
- b. Training and retraining programs
- c. Disciplinary actions

CSBA NOTE: Pursuant to 8 CCR 3203, districts with fewer than 10 employees may fulfill the communication requirements of ~~item~~Item #3 below by providing oral instruction in general safe work practices and the hazards unique to the employees' assignments.

3. A system for communicating with employees, in a form readily understandable by all employees on matters related to occupational health and safety, including provisions designed to encourage employees to report hazards at the worksite without fear of reprisal. The communications system may include, but is not be limited to:
  - a. Meetings
  - b. Training programs
  - c. Posting
  - d. Written communications
  - e. A system of anonymous notification by employees about hazards

CSBA NOTE: Districts may use a labor/management safety and health committee to communicate the contents of the injury and illness prevention program, as long as the committee satisfies the requirements specified below in the section on "Labor/Management Safety and Health Committee."

- f. A labor/management safety and health committee
4. Procedures for identifying and evaluating workplace hazards, including scheduled periodic inspections to identify unsafe conditions and work practices. Such inspections shall be made:
    - a. Whenever new substances, processes, procedures, or equipment that represents a new occupational safety or health hazard is introduced into the workplace
    - b. Whenever the district is made aware of a new or previously unrecognized hazard
  5. A procedure for investigating occupational injury or illness.-
  6. Methods and/or procedures for correcting unsafe or unhealthful conditions, work practices, and work procedures in a timely manner, based on the severity of the hazard, when the hazard is observed or discovered.

When an imminent hazard exists which~~that~~ cannot be immediately abated without endangering employee(s) and/or property, these procedures shall call for the removal of all exposed staff from the area except those necessary to correct the hazardous condition. Employees needed to correct the condition shall be provided with the necessary safeguards.

7. Provision of training and instruction as follows:

- a. To all new employees
- b. To all employees given new job assignments for which training has not previously been received
- c. Whenever new substances, processes, procedures, or equipment isare introduced into the workplace and representsrepresent a new hazard
- d. Whenever the district is made aware of a new or previously unrecognized hazard
- e. To supervisors, to familiarize them with the safety and health hazards to which employees under their immediate direction and control may be exposed

CSBA NOTE: Pursuant to Labor Code 6401.7, as amended by SB 553, districts are required to establish, implement, and maintain a workplace violence prevention plan as specified in Labor Code 6401.9, as added by AB 553.

8. A written workplace violence prevention plan developed and implemented in accordance with Labor Code 6401.9 (Labor Code 6401.7)

The plan, which shall be easily accessible to all employees at all times, shall be in effect at all times and in all work areas, and be specific to the hazards and corrective measures for each work area and operation. (Labor Code 6401.9)

The Superintendent or designee shall provide training to all employees when the plan is first established and annually thereafter in accordance with Labor Code 6401.9. Training materials shall be appropriate in content and vocabulary to employees' educational level, literacy, and language. (Labor Code 6401.9)

CSBA NOTE: Pursuant to 8 CCR 3203, ~~as amended by Register 2020, No. 10~~, employees or their designated representatives have the right to examine and receive a copy of the district's injury and illness prevention program, and districts are required to provide access as described below. 8 CCR 3203 defines "designated representative" as any individual or organization to whom an employee gives written authorization to exercise a right of access. A recognized or certified collective bargaining agent is, by definition, treated automatically as a designated representative.

Districts are not required to include records of steps taken to implement and maintain the injury and illness prevention program. However, access to such information, or any other information in addition to that required by 8 CCR 3203, may be subject to collective bargaining. The Superintendent or designee shall provide employees, or their representative designated pursuant to 8 CCR 3203, with either of the following: (8 CCR 3203)

1. Access to the district's injury and illness prevention program in a reasonable time, place, and manner, but in no event later than five business days after the request for access is received from an employee or a designated representative of the employee.

When an employee or designated representative requests a copy of the district's injury and illness prevention program, the Superintendent or designee shall provide the requester a

printed copy unless the employee or designated representative agrees to receive an electronic copy.

The Superintendent or designee shall provide one printed copy free of charge. If the employee or designated representative requests additional copies within one year of the previous request and the district's injury and illness prevention program has not been updated with new information since the prior copy was provided, the district may charge reasonable reproduction costs pursuant to 8 CCR 3204 for the additional copies.

CSBA NOTE: Pursuant to 8 CCR 3203, an employee has unobstructed access if, as part of the employee's regular work duties, the employee predictably and routinely uses the electronic means to communicate with management or coworkers.

2. Unobstructed access to the district's injury and illness prevention program through the district's server or ~~web site, which~~ website that allows an employee to review, print, and email the current version of the district's injury and illness prevention program.

The Superintendent or designee shall communicate the right and procedure to access the district's injury and illness prevention program to all employees. (8 CCR 3203)

### **Labor/Management Safety and Health Committee**

CSBA NOTE: The following optional section is for use by districts that choose to use a labor/management safety and health committee to comply with the requirements of 8 CCR 3203 regarding communication with employees as specified in ~~item~~ Item #3 above in the section ~~title~~ "Injury and Illness Prevention Program." Pursuant to 8 CCR 3203, if the committee adheres to the following practices, the district shall be deemed to be in substantial compliance with the communications requirements of the law. The district's labor/management safety and health committee shall: (8 CCR 3203)

1. Meet regularly, but not less than quarterly.
2. Prepare and make available to affected employees written records of the safety and health issues discussed at committee meetings and maintained for review by ~~the California Department of Industrial Relations' Division of Occupational Safety and Health (Cal/OSHA)~~ upon request. These records shall be maintained for at least one year.
3. Review results of the periodic, scheduled worksite inspections.
4. Review investigations of occupational accidents and causes of incidents resulting in occupational injury or illness or exposure to hazardous substances. As appropriate, the committee may submit suggestions to the Superintendent or designee regarding the prevention of future incidents.
5. Review investigations of alleged hazardous conditions brought to the attention of any committee member. When determined necessary by the committee, it may conduct its own inspection and investigation to assist in remedial solutions.
6. Submit recommendations to assist in the evaluation of employee safety suggestions.

7. Upon request of Cal/OSHA, verify abatement action taken by the district to abate citations issued by Cal/OSHA.

## Hearing Protection

Whenever employee noise exposure equals or exceeds the standards specified in ~~by~~ law, the Superintendent or designee shall implement a hearing conservation program in accordance with state and federal regulations, including, when required, monitoring of sound levels, audiogram evaluation and audiometric testing of affected employees, the provision of hearing protectors, and employee training. (8 CCR 5095-5100; 29 CFR 1910.95)

## Eye Safety Devices

Eye ~~Employees shall wear eye~~ safety devices ~~shall be worn by employees~~ whenever they are engaged in or observing an activity involving hazards or hazardous substances likely to cause ~~eye~~ injury ~~to the eyes~~. (Education Code 32030-32034)

## First Aid and Medical Services

The Superintendent or designee shall ensure the ready availability of medical personnel for advice and consultation on matters of industrial health or injury. Whenever a district facility or district grounds are not in close proximity to an infirmary, clinic, or hospital where all injured employees may be treated, the Superintendent or designee shall ensure that at least one employee is adequately trained to provide first aid. (8 CCR 3400)

CSBA NOTE: Pursuant to 8 CCR 3400, if ambulance service is not available within 30 minutes under normal conditions, the district may be required by the California Department of Industrial Relations' Division of Occupational Safety and Health ~~Cal/OSHA~~ to provide stretchers, blankets, or other adequate warm covering.

The Superintendent or designee shall make adequate first aid materials readily available for employees at every worksite. Such materials shall be approved by a consulting physician and shall be kept in a sanitary and usable condition. The Superintendent or designee shall frequently inspect all first aid materials and replenish them as necessary. (8 CCR 3400)

The Superintendent or designee shall ensure that suitable facilities for quick drenching or flushing of the eyes and body are provided within the work area for immediate emergency use when the eyes or body or any person may be exposed to injurious corrosive materials. (8 CCR 3400)

CSBA NOTE: 8 CCR 3400 requires districts to make provisions in advance, using one or a combination of the provisions specified in ~~items~~ Items #1-3 below, to ensure that employees receive prompt medical treatment for serious injury or illness. Districts should select the provision(s) that reflect district practice.

To avoid unnecessary delay in medical treatment in the event of an employee's serious injury or illness, the Superintendent or designee shall use one or more of the following: (8 CCR 3400)

1. A communication system for contacting a physician or emergency medical service, such as access to 911 or equivalent telephone system. The communication system or the

employees using the system shall have the ability to direct emergency services to the location of the injured or ill employee.

2. Readily accessible and available on-site treatment facilities suitable for treatment of reasonably anticipated injury and illness.
3. Proper equipment for prompt medical transport when transportation of injured or ill employees is necessary and appropriate.

### **Protection from Communicable Diseases and Infections**

CSBA NOTE: The following section contains general information in regard to bloodborne pathogens and infectious diseases as it relates to employee safety. For more information regarding bloodborne pathogens, see BP/AR 4119.42/4219.42/4319.42 - Exposure Control Plan for Bloodborne Pathogens and BP/AR 4119.43/4219.43/4319.43 - Universal Precautions. For more information regarding infectious diseases, see BP 4119.41/4219.41/4319.41 - Employees with Infectious Disease.

The Superintendent or designee shall develop an exposure control plan for bloodborne pathogens that is consistent with the district's injury and illness prevention program.- The plan shall include a determination of which job classifications have occupational exposure to blood or other potentially infectious materials; precautions to be implemented, including universal precautions, engineering and work practice controls, and personal protective equipment; availability of the hepatitis B vaccination; provision of information and training to employees; and follow-up actions to be taken if exposure occurs. -The district shall ensure that a copy of the exposure control plan is accessible to employees in accordance with law. (8 CCR 5193; 29 CFR 1910.1030)

Strategies to prevent and mitigate the outbreak or spread of infectious diseases shall be followed for diseases that are communicated through airborne transmission, skin-to-skin contact, foodborne transmission, or other casual or noncasual means. Such strategies shall include, but are not limited to, communication and training about the disease(s); campus closures and alternative means of instruction when necessary; preventative measures, such as social distancing, personal protective equipment, temperature checks, and/or any other health screening allowed by law; and cleaning and sanitization of district facilities and equipment.

The Superintendent ~~of~~or designee shall immediately report to the local health officer the presence or suspected presence of any communicable disease. (17 CCR 2508)

### **~~COVID-19 Exposure~~**

~~CSBA NOTE: Pursuant to Labor Code 6409.6, as added by AB 685 (Ch. 84, Statutes of 2020), the district is required to take the following actions whenever it receives notice of potential exposure to COVID-19. If the district receives notice of potential exposure to COVID-19, the Superintendent or designee shall, within one business day of the notice, take all of the following actions: (Labor Code 6409.6)~~

- ~~1. Provide a written notice to all employees, and the employers of subcontracted employees, who were on the premises at the same worksite as the qualifying individual within the infectious period that they may have been exposed to COVID-19. The notice shall be provided in a manner normally used to communicate employment-related information,~~

which may include, but is not limited to, personal service, email, or text message if it can reasonably be anticipated to be received by the employee within one business day of sending.

2. Provide a written notice to the exclusive representative, if any, of employees who were on the premises within the infectious period
3. Provide all employees who may have been exposed and the exclusive representative, if any, with information regarding:
  - a. COVID-19 related benefits to which the employee may be entitled under applicable federal, state, or local laws, including, but not limited to, workers' compensation
  - b. Available leave options for exposed employees
  - c. Antiretaliation and antidiscrimination protections of the employee
4. Notify all employees, and the employers of subcontracted employees and the exclusive representative, if any, of the disinfection and safety plan that the district plans to complete in accordance with Centers for Disease Control and Prevention guidelines

The above notifications shall be maintained for a period of at least three years. (Labor Code 6409.6)

CSBA NOTE: Labor Code 6409.6, as amended by AB 685, requires the district to provide specified information to the local health agency when a COVID-19 outbreak occurs, as provided below. This notice must contain the same information as would be required in an incident report to the California Department of Industrial Relations' Division of Occupational Safety and Health (Cal/OSHA) Form 300 injury and illness log unless inapplicable or unknown. If the district is notified of the number of cases that meet the definition of a COVID-19 outbreak, as defined by the California Department of Public Health, within 48 hours, the Superintendent or designee shall, within 48 hours of the notice, notify the local public health agency of the names, number, occupation, and worksite of employees who meet the definition of a qualifying individual. The Superintendent or designee shall continue to give notice to the local health department of any subsequent laboratory confirmed cases of COVID-19 at the worksite. (Labor Code 6409.6)

CSBA NOTE: Pursuant to Labor Code 6325, as amended by AB 685, until January 1, 2023, Cal/OSHA may prohibit entry into a place of employment when, in its opinion, the place of employment exposes employees to the risk of COVID-19 infection and constitutes an imminent hazard to employees. In such cases, Cal/OSHA will provide a notice that must be posted in a conspicuous place at the place of employment.

In the event that Cal/OSHA prohibits entry into any district workplace or performance of a district operation or process based on a determination that the workplace exposes employees to the risk of COVID-19 infection and constitutes an imminent hazard to employees, the district shall post a notice thereof provided by Cal/OSHA in a conspicuous place at the work site. This notice shall not

be removed except by an authorized representative of Cal/OSHA and only when the place of employment, operation, or process is made safe and the required safeguards or safety appliances or devices are provided.

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<b>State</b>	<b>Description</b>
17 CCR 2508	Reporting of communicable diseases
8 CCR 14000-14316	Occupational injury or illness reports and records
8 CCR 3203	Injury and illness prevention program
8 CCR 3204	Access to employee exposure and medical records
8 CCR 3400	Medical services and first aid
8 CCR 5095-5100	Control of noise exposure
8 CCR 5193	Bloodborne pathogens
Ed. Code 32030-32034	Eye safety
Ed. Code 32225-32226	Communications devices in classrooms
Ed. Code 32280-32289.5	School safety plans
Ed. Code 44984	Required rules for industrial accident and illness leave
Gov. Code 3543.2	Scope of representation
Lab. Code 132a	Workers' compensation; nondiscrimination
<a href="#"><u>Lab. Code 1139</u></a>	<a href="#"><u>Worker's rights in emergencies</u></a>
Lab. Code 3300	Definition of employer
Lab. Code 6305	Occupational safety and health standards; special order
Lab. Code 6310	Retaliation for filing complaint prohibited
<a href="#"><u>Lab. Code 6325</u></a>	<a href="#"><u>Prohibition of entry into place of employment</u></a>
Lab. Code 6400-6413.5	Responsibilities and duties of employers and employees
Lab. Code 6401.7	Injury and illness prevention program
<a href="#"><u>Lab. Code 6401.9</u></a>	<a href="#"><u>Workplace violence prevention plans</u></a>
<b>Federal</b>	<b>Description</b>



17 CFR 2508	Reporting of communicable diseases
29 CFR 1910.1030	Bloodborne pathogens
29 CFR 1910.95	Noise standards
29 CFR 651-678	Occupational safety and health
8 CFR 14000-14316	Occupational injury or illness reports and records
<b>Management Resources</b>	<b>Description</b>
CA Department of Industrial Relations Publication	Guide to Developing Your Workplace Injury and Illness Prevention Program, rev. August 2011 <a href="#">2005</a>
Website	CSBA District and County Office of Education Legal Services
Website	National Institute for Occupational Safety and Health
Website	U.S. Department of Labor, Occupational Safety and Health Administration
Website	California Department of Industrial Relations, Occupational Safety and Health
Website	National Hearing Conservation Association
Website	Centers for Disease Control and Prevention
Website	CSBA

### Cross References

<b>Code</b>	<b>Description</b>
0450	Comprehensive Safety Plan
0450	Comprehensive Safety Plan
<del>0470</del>	<del>COVID-19 Mitigation Plan</del>
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
3516.5	Emergency Schedules
3530	Risk Management/Insurance
3530	Risk Management/Insurance
4112.9	Employee Notifications

4112.9-E(1)	Employee Notifications
4113.5	Working Remotely
4118	Dismissal/Suspension/Disciplinary Action
4118	Dismissal/Suspension/Disciplinary Action
4119.41	Employees With Infectious Disease
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
4119.43	Universal Precautions
4119.43	Universal Precautions
4131	Staff Development
4156.2	Awards And Recognition
4157.1	Work-Related Injuries
4157.2	Ergonomics
4158	Employee Security
4158	Employee Security
4161.11	Industrial Accident/Illness Leave
4212.9	Employee Notifications
4212.9-E(1)	Employee Notifications
4213.5	Working Remotely
4218	Dismissal/Suspension/Disciplinary Action
4218	Dismissal/Suspension/Disciplinary Action
4219.41	Employees With Infectious Disease
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
4219.43	Universal Precautions
4219.43	Universal Precautions
4231	Staff Development
4256.2	Awards And Recognition
4257.1	Work-Related Injuries

4257.2	Ergonomics
4258	Employee Security
4258	Employee Security
4261.11	Industrial Accident/Illness Leave
4312.9	Employee Notifications
4312.9-E(1)	Employee Notifications
4313.5	Working Remotely
4319.41	Employees With Infectious Disease
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
4319.43	Universal Precautions
4319.43	Universal Precautions
4331	Staff Development
4356.2	Awards And Recognition
4357.1	Work-Related Injuries
4357.2	Ergonomics
4358	Employee Security
4358	Employee Security
4361.11	Industrial Accident/Illness Leave
5141.22	Infectious Diseases
5141.22	Infectious Diseases
5141.6	School Health Services
5141.6	School Health Services
6142.93	Science Instruction

**Regulation 4357.1: Work-Related Injuries**

**Status:** ADOPTED

**Original Adopted Date:** 10/01/1995 | **Last Revised Date:** ~~10/03/01/2020~~2024 | **Last Reviewed Date:** ~~10/03/01/2020~~2024

In order to provide medical benefits, temporary or permanent disability benefits, wage replacement, retraining or skill enhancement, and/or death benefits in the event that an employee becomes injured or ill in the course of employment, the district shall provide all employees with insurance and workers' compensation benefits in accordance with law. The Superintendent or designee shall develop an efficient claims handling process that reduces costs and facilitates employee recovery.

The Superintendent or designee shall notify every new employee, at the time of hire or by the end of the first pay period, of the employee's right to receive workers' compensation benefits if injured at work. (Labor Code 3551; 8 CCR 15596)

In addition, a notice regarding workers' compensation benefits shall be posted in a conspicuous location frequented by employees, where the notice may be easily read during the workday. (Labor Code 3550)

In the event that an employee is injured or becomes ill in the course of employment, the employee shall report the work-related injury or illness to the Superintendent or designee as soon as practicable. The employee and appropriate district staff shall also promptly document the date and time of any incident, a description of the incident, and any persons present.

Within one working day of receiving notice or knowledge of any injury to an employee in the course of employment, the Superintendent or designee shall provide a claim form and notice of potential eligibility for workers' compensation benefits to the employee or, in the case of the employee's death, to the employee's dependents. The claim form and notice shall be provided personally or by first class mail. (Labor Code 5401)

CSBA NOTE: Pursuant to Labor Code 3550, 3551, and 5401, all employee notices described above (i.e., the notice that must be posted in a conspicuous place, the notice provided to all employees at the time of hire, and the notice and claim form provided when an employee is injured) must be in a form prescribed by the California Department of Industrial Relations (DIR) Division of Workers' Compensation (DWC). These notices are available on the DWC's website or through the district's insurer. For districts that employ Spanish-speaking employees, the information must be made available in English and Spanish.

The Superintendent or designee shall ensure that all employee notices described above are in the form prescribed by the Department of Industrial Relations (DIR), Division of Workers Compensation.

The Superintendent or designee shall additionally ensure that any employee who is a victim of a crime that occurred at the place of employment is given written notice personally or by first class mail within one working day of the crime, or when the district reasonably should have known of the crime, that the employee is eligible for workers' compensation benefits for injuries, including psychiatric injuries, that may have resulted from the crime. (Labor Code 3553)

~~CSBA NOTE: Pursuant to Labor Code 3550, 3551, and 5401, all employee notices described above (i.e., the notice that must be posted in a conspicuous place, the notice provided to all employees at the time of hire, and the notice and claim form provided when an employee is injured) must be in a form prescribed by the California Department of Industrial Relations (DIR) Division of Workers' Compensation (DWC). These notices are available on the DWC's web site or through the district's insurer. For districts that employ Spanish speaking employees, the information must be made available in English and Spanish.~~  
CSBA NOTE: Pursuant to Labor Code 6409.1, the district must file a report concerning any injury or illness which has, or is alleged to have, arisen out of and in the course of employment. The report is required to be filed with DIR, or, if the district is insured through a third party insurer, with the insurer. The following paragraph may be revised to reflect district practice.

~~The Superintendent or designee shall ensure that all employee notices described above are in the form prescribed by the Department of Industrial Relations (DIR), Division of Workers Compensation.~~

~~CSBA NOTE: Pursuant to Labor Code 6409.1, the district must file a report concerning any injury or illness which has, or is alleged to have, arisen out of and in the course of employment. The report is required to be filed with DIR or, if the district is insured through a third party insurer, with the insurer. The following paragraph may be revised to reflect district practice.~~

Upon learning of a work-related injury or illness, or injury or illness alleged to have arisen out of and in the course of employment, the Superintendent or designee shall report the incident to the district's insurance carrier or DIR, as applicable, within five days after obtaining knowledge of the injury or illness. If a subsequent death arises as a result of the reported injury or illness, an amended report indicating the death shall be filed within five days after being notified of or learning about the death. (Labor Code 6409.1)

~~CSBA NOTE: Pursuant to Labor Code 6409.1, as amended by AB 1804 (Ch. 199, Statutes of 2019), in addition to the report described above, a report of death or serious injury or illness is required to be immediately reported to the Division of Occupational Safety and Health (Cal/OSHA) by telephone or through an online mechanism established by Cal/OSHA. Labor Code 6409.1 permits districts to make the report by telephone or email until Cal/OSHA has an online mechanism available.~~

~~Labor Code 6302, as amended by AB 1805 (Ch. 200, Statutes of 2019), redefines "serious injury or illness" as provided below.~~

In addition, in every case involving death or serious injury or illness, the Superintendent or designee shall immediately make a report to the Division of Occupational Safety and Health (Cal/OSHA) by telephone or through an online mechanism made available by Cal/OSHA. (Labor Code 6409.1)

For the purpose of this report, serious injury or illness means any injury or illness occurring in a place of employment or in connection with any employment that requires inpatient hospitalization for other than medical observation or diagnostic testing, or in which an employee suffers an amputation, the loss of an eye, or any serious degree of permanent disfigurement. (Labor Code 6302)

### **Claims Related to COVID-19**

~~CSBA NOTE: Until January 1, 2023, Labor Code 3212.86 and 3212.88, as added by SB 1159 (Ch. 85, Statutes of 2020), define "injury" for purposes of workers' compensation as including COVID-19 related illness or death when a positive COVID-19 diagnosis was made within 14 days after the employee performed labor or services at the district's place of employment. Labor Code 3212.86~~

applies when the diagnosis was made between March 19, 2020 and July 5, 2020, and confirmed by a COVID-19 test within 30 days of the diagnosis. Labor Code 3212.88 applies when the diagnosis was made after July 6, 2020, and the positive test occurred during a period of an outbreak, as defined, at the employee's specific place of employment. Pursuant to Labor Code 3212.86 and 3212.88, a positive diagnosis as specified above creates a presumption that the injury arose out of and in the course of employment. Unless disputed by the district within 30 or 45 days, as applicable, the Workers' Compensation Appeals Board is bound to find, in accordance with the presumption, that COVID-19 was contracted within the course and scope of employment.

Because of the large number of workers' compensation claims that districts may receive due to COVID-19 infection, districts are encouraged to consult legal counsel as appropriate to determine its impact on the district, including about the use of paid sick leave and eligibility for temporary disability benefits.

Until January 1, 2023, an employee is presumed to be entitled to workers' compensation benefits for illness or death resulting from COVID-19 if the diagnosis was made within 14 days after the employee performed labor or services at the place of employment and if the employee contracted COVID-19 during an outbreak at the employee's specific place of employment. (Labor Code 3212.86, 3212.88)

For this purpose, an outbreak means that, within 14 calendar days, one of the following occurs at a specific place of employment: (Labor Code 3212.88)

1. If a specific place of employment has 100 employees or fewer, four employees test positive for COVID-19.
2. If a specific place of employment has more than 100 employees, four percent of the number of employees who reported to the specific place of employment test positive for COVID-19.
3. A specific place of employment is ordered to close by a local public health department, the California Department of Public Health, Cal/OSHA, or the Superintendent due to a risk of infection with COVID-19.

The Superintendent or designee may rebut a presumption that COVID-19 was contracted during the course and scope of employment by offering evidence to the Workers' Compensation Appeals Board, such as the measures that were in place at the employee's specific place of employment to reduce potential transmission of COVID-19 and evidence of an employee's nonoccupational risk of contracting COVID-19. (Labor Code 3212.86, 3212.88)

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<b>State</b>	<b>Description</b>
8 CCR 15596	Notice of employee rights to workers' compensation benefits
Ed. Code 44984	Required rules for industrial accident and illness leave
Ed. Code 45192	Industrial accident and illness leave for classified employees
Lab. Code 3200-4856	Workers' compensation

Lab. Code 3212.86	<del>COVID-19: critical workers pre July 5, 2020</del>
Lab. Code 3212.88	<del>COVID-19: critical workers post July 5, 2020</del>
Lab. Code 3550-3553	Notifications <del>re:regarding</del> workers' compensation benefits
Lab. Code 3600-3605	Conditions of liability
Lab. Code 3760	Report of injury to insurer
Lab. Code 4600	Provision of medical and hospital treatment by employer
Lab. Code 4906	Disclosures and statements
Lab. Code 5400-5413	Notice of injury or death
Lab. Code 6302	Definition of serious injury or illness
Lab. Code 6409.1	Reports
<b>Management Resources</b>	<b>Description</b>
CA Department of Industrial Relations Publication	Workers' Compensation Claim Form (DWC 1) & Notice of Potential Eligibility
CA Department of Industrial Relations Publication	Workers' Compensation in California: A Guidebook for Injured Workers, 2016
CA Department of Industrial Relations Publication	Notice to Employees - Injuries Caused by Work
CA Department of Industrial Relations Publication	Time of Hire Pamphlet
Website	CSBA District and County Office of Education Legal Services
Website	California Department of Industrial Relations, Division of Workers Compensation
Website	California Department of Industrial Relations, Occupational Safety and Health
Website	California Department of Public Health
Website	CSBA

## Cross References

<b>Code</b>	<b>Description</b>
1240	Volunteer Assistance
1240	Volunteer Assistance
3320	Claims And Actions Against The District
3320	Claims And Actions Against The District
3530	Risk Management/Insurance
3530	Risk Management/Insurance
4032	Reasonable Accommodation
4112.9	Employee Notifications

4112.9-E(1)	Employee Notifications
4113.4	Temporary Modified/Light-Duty Assignment
4113.5	Working Remotely
4154	Health And Welfare Benefits
4154	Health And Welfare Benefits
4157	Employee Safety
4157	Employee Safety
4157.2	Ergonomics
4161.1	Personal Illness/Injury Leave
4161.11	Industrial Accident/Illness Leave
4161.9	Catastrophic Leave Program
4161.9	Catastrophic Leave Program
4212.9	Employee Notifications
4212.9-E(1)	Employee Notifications
4213.4	Temporary Modified/Light-Duty Assignment
4213.5	Working Remotely
4254	Health And Welfare Benefits
4254	Health And Welfare Benefits
4257	Employee Safety
4257	Employee Safety
4257.2	Ergonomics
4261.11	Industrial Accident/Illness Leave
4261.9	Catastrophic Leave Program
4261.9	Catastrophic Leave Program
4312.9	Employee Notifications
4312.9-E(1)	Employee Notifications
4313.4	Temporary Modified/Light-Duty Assignment
4313.5	Working Remotely
4354	Health And Welfare Benefits
4354	Health And Welfare Benefits
4357	Employee Safety
4357	Employee Safety
4357.2	Ergonomics



4361.1	Personal Illness/Injury Leave
4361.11	Industrial Accident/Illness Leave
4361.9	Catastrophic Leave Program
4361.9	Catastrophic Leave Program

**Policy 5126: Awards For Achievement**

**Status:** ADOPTED

**Original Adopted Date:** 03/01/2009 | **Last Revised Date:** ~~12/03/01/2020~~2024 | **Last Reviewed Date:** ~~12/03/01/2020~~2024

The Governing Board encourages excellence as a goal for all students and wishes to publicly recognize students for exemplary achievement in academic, artistic, extracurricular, athletic, and community service activities.

CSBA NOTE: Generally, state law requires that the educational program be made available to all students, regardless of their socioeconomic background. For example, Education Code 51455 and 51464, prohibit districts from charging students a fee or other cost in relation to any requirements in qualifying for or receiving the Golden State Seal Merit Diploma or the State Seal of Biliteracy. Additionally, Education Code 51007 requires that all students enrolled in the state's public elementary and secondary schools, regardless of their socioeconomic background, have equitable access to educational programs designed to strengthen technological skills. The following paragraph reflects the intent of these laws. For more information regarding the promotion of equity in district programs and activities, see BP 0415 – Equity.

No fee or other cost shall be charged to any student in relation to any requirements in qualifying for or receiving any district achievement awards.

**District/School Awards**

CSBA NOTE: Education Code 44015 authorizes the Governing Board to give district-level awards to students for "excellence" and mandates that the district adopt rules and regulations implementing any such awards program. See the accompanying administrative regulation for language implementing this mandate.

Pursuant to Education Code 44015, when such an awards program is established in a district, the Board ~~must~~ s required to budget funds for this purpose, but may authorize awards from funds under its control regardless of whether ~~or not~~ budgeted funds have been provided or the budgeted funds are exhausted.

Student awards may include verbal recognition, a letter, a certificate, a Board resolution, public ceremony, trophy, gift, plaque, or monetary gift. The Board shall establish a budget for this purpose. (Education Code 44015)

The Superintendent or designee shall develop criteria for the selection of student award recipients.

**Golden State Seal Merit Diploma**

CSBA NOTE: The following optional section is for use by districts that maintain high schools. Education Code 51450-51455 establish the Golden State Seal Merit Diploma which may be awarded by the Superintendent of Public Instruction (SPI) and the State Board of Education to students identified as demonstrating mastery of the high school core curriculum. See the accompanying administrative regulation for eligibility criteria.

At graduation from high school, students whose academic achievements in core curriculum areas have been outstanding shall receive special recognition.

The Superintendent or designee shall identify graduating high school students who have demonstrated mastery of the high school curriculum qualifying them for the Golden State Seal Merit Diploma. (Education Code 51454)

### **State Seal of Biliteracy**

CSBA NOTE: The following optional section is for use by districts maintaining one or more high schools. Education Code 51460-51464 establish the State Seal of Biliteracy, a voluntary program which recognizes high school graduates who have attained a high level of proficiency in one or more languages in addition to English. The SPI ~~will provide~~ **has created** an insignia that ~~can~~ **to** be affixed to the diploma or transcript of eligible students. which can be obtained by completing a State Seal of Biliteracy insignia request form, available on the California Department of Education's (CDE) website. See the accompanying administrative regulation for eligibility criteria for the award. ~~Districts that choose to adopt their own criteria and present a district-level biliteracy award may revise the following paragraph accordingly.~~

The district shall present the State Seal of Biliteracy to each graduating high school student who has attained a high level of proficiency in speaking, reading, and writing in one or more languages in addition to English. as specified in the accompanying administrative regulation. (Education Code 51460-51464).

### **District Awards for Biliteracy**

CSBA NOTE: The following optional paragraph is for use by districts that choose to present **awards for** biliteracy awards at other grade levels, and should be revised to reflect district practice. Californians Together, a statewide coalition working to enhance the success of English learners, recommends issuing local "pathway awards" recognizing benchmarks toward biliteracy at preschool, grade 3, end of elementary school, end of middle school, and when a student who is an English learner is reclassified as fluent English proficient.

In order to affirm the value of bilingualism and encourage students' enrollment in world language programs, the Superintendent or designee may present awards at appropriate grade levels to recognize the pursuit and/or attainment of grade-level proficiency in one or more languages in addition to English. The Superintendent or designee may also present awards to English learners who are reclassified as fluent English proficient to recognize proficiency in both English and the student's native language.

### **State Seal of Civic Engagement**

CSBA NOTE: The following optional section is for use by districts that recognize students who have demonstrated excellence in civics education and participation and an understanding of the U.S. Constitution, the California Constitution, and the democratic system of government. Education Code 51470-51474, **51475** establish the State Seal of Civic Engagement, a voluntary program which encourages and creates pathways for students in elementary and secondary schools to become civically engaged in democratic governmental institutions at the local, state, and national levels.

The SPI ~~will provide~~ **has created** an insignia that ~~can~~ **to** be affixed to the diploma or transcript of eligible students. which can be obtained by completing a State Seal of Civic Engagement insignia request form, available on CDE's website. See the accompanying administrative regulation for eligibility criteria for the award.

Education Code 51475 established the California Serves program which provides grants to eligible districts with the goal of expanding access for students to obtain a State Seal of Civic Engagement through service learning.

The Superintendent or designee shall present the State Seal of Civic Engagement to each **11<sup>th</sup> or 12<sup>th</sup> grade** student who demonstrates excellence in civics education and participation and has demonstrated an understanding of the U.S. Constitution, the California Constitution, and the democratic system of government. (Education Code 51470-51474**51475**)

CSBA NOTE: The following paragraph reflects information on the California Department of Education's web-site [CDE's website](#) emphasizing that the criteria are written to ensure that no student is excluded from the opportunity to earn the State Seal of Civic Engagement based on academic ability, alternative school settings, or unique or unconventional expressions of civic engagement.

All district students shall be afforded the opportunity to earn the State Seal of Civic Engagement, regardless of their background, communities, or experiences. No student shall be denied such opportunity based on academic ability, alternative school setting, or unique or unconventional expression of civic engagement.

### **Scholarship and Loan Fund**

CSBA NOTE: The following section is for use by districts that choose to establish and maintain a scholarship and loan fund pursuant to Education Code 35310-35319. If the district chooses to establish such a fund, it should revise the following paragraph to reflect only those purposes for which it wishes to make funds available.

The Board shall establish and maintain a scholarship and loan fund which shall be used to provide interest-free loans for educational advancement, scholarship, and/or grants-in-aid to bona fide organizations, students, or graduates of district schools. (Education Code 35310, 35315)

CSBA NOTE: If the district establishes a committee to administer the scholarship and loan fund, or if the number of Board members who serve on the committee constitutes a majority of the Board, the committee is required to comply with open meeting laws pursuant to Government Code 54950-54963 (the Brown Act). See AR 1220 - Citizen Advisory Committees and BB 9130 - Board Committees.

The district's scholarship and loan fund shall be administered by a district committee composed of Board members, the Superintendent, and such other community, staff, administrative, and/or student representatives as determined by the Board. (Education Code 35310)

CSBA NOTE: If the district chooses to establish and maintain a scholarship and loan fund, it is mandated pursuant to Education Code 35310 to develop rules and regulations specifying the term of office and method of selection of the community, faculty, administrative, and student representative members of the committee appointed to administer the fund. The following paragraph may be revised to reflect district practice.

The Board shall select its own representatives to the committee. Staff, community, and/or student representatives shall be selected by the Superintendent. Members of this committee shall serve two-year terms.

The committee may accept gifts, donations, and bequests made for the purposes of the fund and may prescribe conditions or restrictions on these gifts and bequests. If the donor imposes any conditions, the committee shall review the conditions and make a recommendation to the Board as to the compatibility of such conditions with the intent and purpose of the fund. The Board may prohibit the committee from accepting any donation under conditions it finds incompatible with the

fund's intents and purposes: [as specified in Board Policy 3290 – Gifts, Grants and Requests.](#)  
(Education Code 35313)

The Superintendent or designee shall report to the Board at least annually regarding the status and activity of the fund. (Education Code 35319)

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### State

5 CCR 11517.6-11519.5

### Description

English Language Proficiency Assessments for California

5 CCR 1632

Alternative credits toward graduation for foreign language instruction in private school

5 CCR 876

Golden State Seal Merit Diploma

Ed. Code 220

Prohibition of discrimination

Ed. Code 35160

Authority of governing boards

Ed. Code 35310-35319

Scholarship and loan funds

Ed. Code 44015

Awards to employees and students

[Ed. Code 51007](#)

[Equitable access to programs designed to strengthen technological skills](#)

Ed. Code 51243-51245

Credit for private school foreign language instruction

Ed. Code 51450-51455

Golden State Seal Merit Diploma

Ed. Code 51460-51464

State Seal of Biliteracy

Ed. Code 51470-51474 [51475](#)

State Seal of Civic Engagement

Ed. Code 52164.1

Assessment of English language skills of English learners

Gov. Code 54950-54963

The Ralph M. Brown Act

### Management Resources

### Description

California Department of Education  
Publication

SSCE Implementation Guidance

[California Department of Education  
Publication](#)

[State Seal of Biliteracy FAQs](#)

Website

CSBA District and County Office of Education Legal Services

Website

Californians Together

Website

CSBA

Website

California Department of Education

### Cross References

<b>Code</b>	<b>Description</b>
0410	Nondiscrimination In District Programs And Activities
0415	Equity
1150	Commendations And Awards
1220	Citizen Advisory Committees
1220	Citizen Advisory Committees
1260	Educational Foundation
3290	Gifts, Grants And Bequests
3400	Management Of District Assets/Accounts
3400	Management Of District Assets/Accounts
3460	Financial Reports And Accountability
3460	Financial Reports And Accountability
4156.2	Awards And Recognition
4256.2	Awards And Recognition
4356.2	Awards And Recognition
5022	Student And Family Privacy Rights
5022	Student And Family Privacy Rights
5113.1	Chronic Absence And Truancy
5113.1	Chronic Absence And Truancy
5113.11	Attendance Supervision
5113.12	District School Attendance Review Board
5113.12	District School Attendance Review Board
5121	Grades/Evaluation Of Student Achievement
5121	Grades/Evaluation Of Student Achievement
5125	Student Records
5125	Student Records
5127	Graduation Ceremonies And Activities
5137	Positive School Climate
6141.4	International Baccalaureate Program
6141.5	Advanced Placement
6142.2	World Language Instruction
6142.2	World Language Instruction
6142.4	Service Learning/Community Service Classes

6143	Courses Of Study
6143	Courses Of Study
6146.1	High School Graduation Requirements
6146.11	Alternative Credits Toward Graduation
6146.11	Alternative Credits Toward Graduation
6158	Independent Study
6158	Independent Study
6159	Individualized Education Program
6159	Individualized Education Program
6162.51	State Academic Achievement Tests
6162.51	State Academic Achievement Tests
6172	Gifted And Talented Student Program
6172	Gifted And Talented Student Program
6174	Education For English Learners
6174	Education For English Learners
6181	Alternative Schools/Programs Of Choice
6181	Alternative Schools/Programs Of Choice
6183	Home And Hospital Instruction
6184	Continuation Education
6184	Continuation Education
9140	Board Representatives

**Regulation 5126: Awards For Achievement**

**Status:** ADOPTED

**Original Adopted Date:** 03/01/2009 | **Last Revised Date:** ~~±203~~/01/2020~~2024~~ | **Last Reviewed Date:** ~~±203~~/01/2020~~2024~~

CSBA NOTE: Education Code 44015 authorizes the Governing Board to give district-level awards to students for "excellence." Before any awards are given under the authority of this law, the district is **mandated** to adopt rules and regulations implementing the awards program. The Board may delegate the authority to establish criteria for these awards to the Superintendent or designee, as well as a monetary award, except that pursuant to Education Code 44015 each monetary award of more than \$200 must be approved by the Board; see the accompanying Board policy. The following section should be revised to reflect any such rules and regulations adopted by the district.

The Superintendent or designee may appoint an awards committee at each school which may consist of school administrators, staff members, parents/guardians, community members, and student representatives. The committee shall submit recommendations for student awards to the Superintendent or designee for approval.

Individual awards in excess of \$200 must be expressly approved by the Governing Board. (Education Code 44015)

**Golden State Seal Merit Diploma**

CSBA NOTE: The following optional section is for use by districts that maintain high schools. Education Code 51450-51455 require the State Board of Education (SBE) to determine the means and the performance standards or achievement levels that demonstrate mastery of the curriculum for the purpose of awarding the Golden State Seal Merit Diploma. Eligibility criteria are published on the California Department of Education (CDE) ~~web site~~[website](#) and described below.

To be eligible to receive the Golden State Seal Merit Diploma upon graduation from high school, a student shall complete all requirements for a high school diploma and shall demonstrate mastery of the curriculum in mathematics, English language arts, science, U.S. history, and two other subject matter areas selected by the student by meeting at least one of the following criteria for each subject: (Education Code 51451, 51452; 5 CCR 876)

1. Mathematics and English language arts
  - a. A grade of at least B+ or the numerical equivalent in a single course each semester completed in grade 9, 10, or 11
  - b. An achievement level of "Standard Met" or above for the high school Smarter Balanced Summative Assessment
2. Science
  - a. A grade of at least B+ or the numerical equivalent in a single course each semester completed in grade 9, 10, or 11



- b. An achievement level of "Standard Met" or above for the high school California Science Test taken in grade 10 or 11
3. U.S. history
- a. A grade of at least B or the numerical equivalent in the required U.S. history course each semester
  - b. A qualifying score that demonstrates mastery of the subject as determined by the district for an exam produced by a private provider or the district
4. Two additional subject areas of the student's choosing
- a. Any additional qualifying grade or score listed above, earned for the subject of English language arts, mathematics, science, or U.S. history not already used to meet eligibility
  - b. A grade of at least B or the numerical equivalent upon completion of high school courses in other subjects
  - c. A qualifying score that demonstrates mastery of other subjects, as determined by the district, for an exam produced by a private provider or the district

The Superintendent or designee shall maintain appropriate records to identify students who have earned the Golden State Seal Merit Diploma and shall affix an insignia to the high school diploma and transcript of each such student. (Education Code 51454)

CSBA NOTE: CDE requires each district to annually submit one districtwide insignia request on a form provided by CDE. CDE's ~~web site~~ [website](#) encourages districts to submit the request far enough in advance of the graduation ceremony date to allow sufficient time for processing by CDE and for district staff to place the insignias on the diplomas. CDE begins mailing requested insignias the first week of April.

The Superintendent or designee shall submit an insignia request form to the California Department of Education in sufficient time to allow for processing of the request prior to the high school graduation ceremony.

### **State Seal of Biliteracy**

CSBA NOTE: The following optional section is for use by districts that maintain high schools and choose to recognize graduating students' bilingual/multilingual proficiency with the State Seal of Biliteracy pursuant to Education Code 51460-51464; see the accompanying Board policy. [The criteria for a student to be eligible for the State Seal of Biliteracy are specified in Education Code 51451, as amended by AB 370 \(Ch. 326, Statutes of 2023\), and are reflected below.](#) Districts that choose to present biliteracy awards to students at other grade levels may revise the following section to add eligibility criteria for those awards.

~~Pursuant to Education Code 51461, as amended by SB 98 (Ch. 24, Statutes of 2020), the Superintendent of Public Instruction (SPI) may provide alternative criteria for students on track to graduate in 2020 or 2021 who did not receive a letter grade in English language arts or were not able to take the English Language Proficiency Assessments for California (ELPAC) or due to COVID-19. The SPI has determined that students who were unable to take the ELPAC may meet the requirement based on their prior ELPAC score and consultation with the student's teachers. In addition, the requirement to take the California Assessment of Student Performance and Progress~~

is waived for students who were not able to take the exam, and students who completed all required English language arts courses through distance learning but did not receive a letter grade due to COVID-19 are eligible to earn the State Seal of Biliteracy if all other requirements are met. For further information, see CDE's State Seal of Biliteracy FAQs located on its web site. [For further information, see CDE's State Seal of Biliteracy FAQs located on its website.](#)

To be eligible to receive the State Seal of Biliteracy upon graduation, a student shall demonstrate a high level of proficiency in English and at least one other language, which may include American Sign Language, by meeting all of the following state-established criteria: (Education Code 51461)

Proficiency in English shall be demonstrated by meeting one of the following state-established criteria: (Education Code 51461)

1. 1. Completion of all English language arts requirements for graduation with an overall grade point average of at least 2.0 in those classes 3.0 in those classes or completion of one or more English language arts courses at a public higher education institution or an independent institution of higher education, as described in Education Code 66010, with a grade equivalent to a grade point average of 3.0 or above
2. 2. Passage of the California Assessment of Student Performance and Progress for English language arts, or any successor test, administered in grade 11, at or above the "Standard Met" achievement level
3. Proficiency in one or more languages other than English, demonstrated through one of the following methods:
  - a. 3. Passage of a world language an English Advanced Placement (AP) exam with a score of 3 or higher or an English International Baccalaureate (IB) exam with a score of 4 or higher
4. Achievement of a score of 480 or higher on the Evidence-Based Reading and Writing section of the Scholastic Aptitude Test (SAT)

Proficiency in one or more languages other than English shall be demonstrated through one of the following requirements: (Education Code 51461)

1. Passage of a world language AP exam with a score of 3 or higher, a world language IB exam with a score of 4 or higher, or a world language American Council on the Teaching of Foreign Languages (ACTFL) Writing Proficiency Test (WPT) and an Oral Proficiency Interview (OPI) with scores of Intermediate Mid or higher
- b. 2. Successful completion of a four-year high school course of study of content in a world language at a high school or higher level, attaining an overall grade point average of at least 3.0 in that course of study, and oral proficiency in the language comparable to that required on an AP or IB exam in Item #1 above, successful completion of high school level courses completed in another country in a language other than English with the equivalent of an overall grade point average of 3.0 or above, as verified through a transcript, or completion of one or more world language courses at a public higher education institution or an independent institution of higher education as described in Education Code 66010, with a grade equivalent to a grade point average of at least 3.0 and oral proficiency in the language comparable to that specified in Item #1 above, as verified through a transcript

- c. 3. If no AP exam or off-the-shelf language test exists, passage of a district language exam that can be certified to meet the rigor of a four-year high school course of study in a given language, and that, at a minimum, assesses speaking, reading, and writing in a language other than English at the proficient level or higher
- d. 4. If a language is not characterized by listening, speaking, or reading, or for which there is no written system, passage of an assessment on the modalities that characterize communication in that language at the proficient level or higher

e. Passage of the SAT II world language exam with a score of 600 or higher

CSBA NOTE: Pursuant to Education Code 51461, as amended by AB 370, in order to be eligible for the State Seal of Biliteracy English learners are required to receive an Oral Language composite score of level 4 on the English Language Proficiency Assessments for California (ELPAC), rather than in all four domains of the test – reading, writing, listening, and speaking.

To be eligible to receive the State Seal of Biliteracy, a student whose primary language who is an English learner shall, in addition to demonstrating proficiency in English and one or more languages other than English shall also through one of the accomplishments specified above, attain the an Oral Language composite score of level which demonstrates English language proficiency 4 on the state's English Language Proficiency Assessments for California. , or any successor English oral language proficiency assessment. (Education Code 51461)

CSBA NOTE: CDE requires each district to submit one districtwide insignia request on a form provided by CDE. CDE recommends submitting the online form, which can be found on CDE's web-site website, four weeks prior to the graduation date to allow sufficient time for CDE to mail the insignias and for the district to affix the insignias to the diplomas. CDE will mail the insignias within two weeks of receiving the online request.

The Superintendent or designee shall maintain appropriate records to identify high school students who have earned the State Seal of Biliteracy and shall affix the insignia to the high school diploma or transcript of each such student. (Education Code 51463)

### **State Seal of Civic Engagement**

CSBA NOTE: The following optional section is for use by districts that choose to present the State Seal of Civic Engagement to students who have demonstrated excellence in civics education and participation and an understanding of the U.S. Constitution, the California Constitution, and the democratic system of government pursuant to Education Code 51470-51474; see the accompanying Board policy. The following criteria, adopted by SBE in September 2020, are intended to provide districts with a framework for making determinations of student qualifications based on local contexts.

CDE's "SSCE Implementation Guidance," available on its web-site website, offers ideas and considerations for districts in the implementation of the criteria.

To be eligible to receive the State Seal of Civic Engagement, a student shall meet district requirements for all of the following state-established criteria:

1. Be engaged in academic work in a productive way

2. Demonstrate a competent understanding of U.S. and California Constitutions, functions and governance of local governments, tribal government structures and organizations, the role of the citizen in a constitutional democracy, and democratic principles, concepts, and processes
3. Participate in one or more informed civic engagement project(s) that address real-world problems and require students to identify and inquire into civic needs or problems, consider varied responses, take action, and reflect on efforts
4. Demonstrate civic knowledge, skills, and dispositions through self-reflection
5. Exhibit character traits that reflect civic-mindedness and a commitment to positively impact the classroom, school, community and/or society

CSBA NOTE: CDE provides the insignias to be affixed to students' diplomas or transcripts indicating the award of the State Seal of Civic Engagement. When ordering the insignias, districts will self-certify that students earned the award based on locally created criteria.

The Superintendent or designee shall maintain appropriate records to identify students who have earned the State Seal of Civic Engagement and shall affix the insignia to the high school diploma or transcript of each such student. (Education Code 51473)

### **Scholarship and Loan Fund**

CSBA NOTE: The following section is for use by any district that has established a scholarship and loan fund pursuant to Education Code 35310-35319; see the accompanying Board policy. Districts that have not established such a program should delete this section.

The Superintendent shall serve as chief executive officer of the scholarship and loan fund and as chairperson of the district committee established to administer the fund. The committee shall meet at least once each fiscal year and at other such times as it may be called into session by the Superintendent. (Education Code 35311, 35312)

Scholarship and loan funds shall be deposited, administered, and audited in accordance with Education Code 35314 and 35318.

CSBA NOTE: If the district has chosen to maintain a scholarship and loan fund, it is mandated by Education Code 35316 to adopt regulations governing applications, provided such regulations do not limit student eligibility based on any conditions listed in Education Code 220; see BP 0410 - Nondiscrimination in District Activities and Programs. The following paragraph may be expanded to describe the district's application procedures.

The Superintendent or designee shall establish criteria, procedures, and deadlines for student applications for scholarships and/or loans from the fund. As applicable, the Superintendent or designee may require the student to submit letters of recommendation or other supplementary materials providing evidence of the student's accomplishments and/or need.

### **Notifications**

CSBA NOTE: The following optional section may be revised to reflect programs offered by the district.

The Superintendent or designee shall annually distribute information about eligibility requirements for the Golden State Seal Merit Diploma, State Seal of Biliteracy, State Seal of Civic Engagement, and/or any district awards programs to students at the applicable grade levels.

### **Policy Reference UPDATE Service**

**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.

<b>State</b>	<b>Description</b>
5 CCR 11517.6-11519.5	English Language Proficiency Assessments for California
5 CCR 1632	Alternative credits toward graduation for foreign language instruction in private school
5 CCR 876	Golden State Seal Merit Diploma
Ed. Code 220	Prohibition of discrimination
Ed. Code 35160	Authority of governing boards
Ed. Code 35310-35319	Scholarship and loan funds
Ed. Code 44015	Awards to employees and students
<a href="#"><u>Ed. Code 51007</u></a>	<a href="#"><u>Equitable access to programs designed to strengthen technological skills</u></a>
Ed. Code 51243-51245	Credit for private school foreign language instruction
Ed. Code 51450-51455	Golden State Seal Merit Diploma
Ed. Code 51460-51464	State Seal of Biliteracy
Ed. Code 51470-51474 <a href="#"><u>51475</u></a>	State Seal of Civic Engagement
Ed. Code 52164.1	Assessment of English language skills of English learners
Gov. Code 54950-54963	The Ralph M. Brown Act
<b>Management Resources</b>	<b>Description</b>
California Department of Education Publication	SSCE Implementation Guidance
<a href="#"><u>California Department of Education Publication</u></a>	<a href="#"><u>State Seal of Biliteracy FAQs</u></a>
Website	CSBA District and County Office of Education Legal Services
Website	Californians Together
Website	CSBA
Website	California Department of Education

**Cross References**

<b>Code</b>	<b>Description</b>
0410	Nondiscrimination In District Programs And Activities
0415	Equity
1150	Commendations And Awards

1220	Citizen Advisory Committees
1220	Citizen Advisory Committees
1260	Educational Foundation
3290	Gifts, Grants And Bequests
3400	Management Of District Assets/Accounts
3400	Management Of District Assets/Accounts
3460	Financial Reports And Accountability
3460	Financial Reports And Accountability
4156.2	Awards And Recognition
4256.2	Awards And Recognition
4356.2	Awards And Recognition
5022	Student And Family Privacy Rights
5022	Student And Family Privacy Rights
5113.1	Chronic Absence And Truancy
5113.1	Chronic Absence And Truancy
5113.11	Attendance Supervision
5113.12	District School Attendance Review Board
5113.12	District School Attendance Review Board
5121	Grades/Evaluation Of Student Achievement
5121	Grades/Evaluation Of Student Achievement
5125	Student Records
5125	Student Records
5127	Graduation Ceremonies And Activities
5137	Positive School Climate
6141.4	International Baccalaureate Program
6141.5	Advanced Placement
6142.2	World Language Instruction
6142.2	World Language Instruction
6142.4	Service Learning/Community Service Classes
6143	Courses Of Study
6143	Courses Of Study
6146.1	High School Graduation Requirements
6146.11	Alternative Credits Toward Graduation

6146.11	Alternative Credits Toward Graduation
6158	Independent Study
6158	Independent Study
6159	Individualized Education Program
6159	Individualized Education Program
6162.51	State Academic Achievement Tests
6162.51	State Academic Achievement Tests
6172	Gifted And Talented Student Program
6172	Gifted And Talented Student Program
6174	Education For English Learners
6174	Education For English Learners
6181	Alternative Schools/Programs Of Choice
6181	Alternative Schools/Programs Of Choice
6183	Home And Hospital Instruction
6184	Continuation Education
6184	Continuation Education
9140	Board Representatives

**Policy 5141.21: Administering Medication And Monitoring Health Conditions Status: ADOPTED**

**Original Adopted Date:** 11/01/2011 | **Last Revised Date:** ~~12/03/01/2019~~2024 | **Last Reviewed Date:** ~~12/03/01/2019~~2024

CSBA NOTE: The following optional policy and accompanying administrative regulation apply to the administration of medication to students pursuant to Education Code 49414, 49414.1, 49414.3, 49414.5, [49414.7](#), [49414.8](#), 49423, and 49423.1 and [49468-49468.5](#) and the permissive guidelines in 5 CCR 600-611.

~~Pursuant to the general authority in Education Code 49423 and 5 CCR 600-611, as interpreted by the California Supreme Court in American Nurses Association v. Torlakson, health providers may train unlicensed school personnel to administer medication, including emergency anti-seizure medication.~~

This policy and regulation do not address situations in which a district might be engaged in a collaborative arrangement with another entity for the provision of school health services to students; see BP/AR 5141.6 - School Health Services.

The Governing Board believes that regular school attendance is critical to student learning and that students who need to take medication prescribed or ordered for them by their authorized health care providers should be able to participate in the educational program.

Any medication prescribed for a student with a disability who is qualified to receive services under the Individuals with Disabilities Education Act or Section 504 of the Rehabilitation Act of 1973 shall be administered in accordance with the student's individualized education program or Section 504 services plan, as applicable.

CSBA NOTE: 5 CCR 604 authorizes a parent/guardian to administer medication to a child or designate an individual to administer the medication, as specified below. In addition, California law allows students to carry and self-administer medication needed for the treatment or management of certain medical conditions, when the district has received a written request from the student's parent/guardian and written authorization from the student's authorized health care provider, as specified in the accompanying administrative regulation. Students have legal authorization to self-administer diabetes medication pursuant to Education Code 49414.5, auto-injectable epinephrine for anaphylactic reactions pursuant to Education Code 49423, and inhaled asthma medication pursuant to Education Code 49423.1. Pursuant to 5 CCR 605, districts may choose to allow students to carry and self-administer other types of medication beyond those specifically authorized by the Education Code.

For the administration of medication to other students during school or school-related activities, the Superintendent or designee shall develop protocols which shall include options for allowing parents/guardians to administer medication to their child at school, designate other individuals to do so on their behalf, and, with the student's authorized health care provider's approval, request the district's permission for the student to self-administer a medication or self-monitor and/or self-test for a medical condition. Such processes shall be implemented in a manner that preserves campus security, minimizes instructional interruptions, and promotes student safety and privacy.



The Superintendent or designee shall make epinephrine auto-injectors available at each school for providing emergency medical aid to any person suffering, or reasonably believed to be suffering, from an anaphylactic reaction. (Education Code 49414)

CSBA NOTE: The following paragraph is optional. The district is authorized, but not required, to make certain medications available on its school sites for providing emergency medical aid to students. For example, pursuant to Education Code 49414.3 and, as added by AB 1283 (Ch. 574, Statutes of 2023), Education Code 49414.7, the district is permitted to make emergency naloxone hydrochloride or other opioid antagonist and emergency stock albuterol inhalers available at its schools, for providing emergency medical aid to any person suffering, or reasonably believed to be suffering, from opioid overdose or respiratory distress. The following paragraph may be revised to specify medications that the district, in its discretion, has chosen to stock for use on its school sites. In choosing to make such medications available, the district should be aware of the possibility of increased liability and should consult CSBA's District and County Office of Education Legal Services or district legal counsel accordingly.

In accordance with law, the Superintendent or designee may make naloxone hydrochloride or another opioid antagonist and stock albuterol inhalers available at each school for providing emergency medical aid to any person suffering or reasonably believed to be suffering from opioid overdose or respiratory distress. (Education Code 49414.3, 49414.7)

~~CSBA NOTE: The following optional paragraph is for use by any district that, at its discretion, chooses to make emergency naloxone hydrochloride or other opioid antagonist available at its schools for the purpose of providing emergency medical aid, pursuant to Education Code 49414.3. In choosing to make such medications available, the district should be aware of the possibility of increased liability and should consult legal counsel accordingly.~~ CSBA NOTE: Although federal law (21 USC 812, 844) prohibits the possession of cannabis, even by medical users, state law allows persons under the age of 18 to use and possess cannabis for medical use. Pursuant to Education Code 49414.1, the Governing Board is authorized to adopt a policy that allows parents/guardians to administer medicinal cannabis to their child at school. Education Code 49414.1 does not permit or require school personnel to administer medicinal cannabis.

Option 1 is for use by districts that choose to adopt a policy allowing parent/guardian administration of medicinal cannabis at school. Because of the conflict between state and federal law, districts considering adoption of such policy should consult CSBA's District and County Office of Education Legal Services or district legal counsel regarding possible ramifications. Education Code 49414.1 authorizes the Board to subsequently amend or rescind the policy for any reason, including, but not limited to, if the district is at risk of, or has lost, federal funding as a result of the policy.

Option 2 is for use by districts that choose to prohibit the administration of medicinal cannabis at school.

~~The Superintendent or designee shall make naloxone hydrochloride or another opioid antagonist available for emergency medical aid to any person suffering, or reasonably believed to be suffering, from an opioid overdose. (Education Code 49414.3)~~

~~CSBA NOTE: Although federal law (21 USC 812, 844) prohibits the possession of cannabis, even by medical users, state law allows persons under the age of 18 to use and possess cannabis for medical use. Pursuant to Education Code 49414.1, as added by SB 223 (Ch. 699, Statutes of 2019), the Governing Board is authorized to adopt a policy that allows parents/guardians to administer medicinal cannabis to their child at school. Education Code 49414.1 does not permit or require school personnel to administer medicinal cannabis.~~

Option 1 is for use by districts that choose to adopt a policy allowing parent/guardian administration of medicinal cannabis at school. Because of the conflict between state and federal law, districts considering adoption of such policy should consult legal counsel regarding possible ramifications. Education Code 49414.1 authorizes the Board to subsequently amend or rescind the policy for any reason, including, but not limited to, if the district is at risk of, or has lost, federal funding as a result of the policy.

Option 2 is for use by districts that choose to prohibit the administration of medicinal cannabis at school.

**OPTION 1:** ~~The parent/guardian of a student who is a qualified patient pursuant to Health and Safety Code 11362.7-11362.85 may administer medicinal cannabis, excluding medicinal cannabis or cannabis products in a smokeable or vapeable form, to the student at a school site. School personnel are not authorized to administer medicinal cannabis to a student. (Education Code 49414.1)~~

CSBA NOTE: If the Board chooses Option 1, Education Code 49414.1, as added by SB 223, mandates that the policy include the following requirements.

~~Before administering medicinal cannabis at a school site, the parent/guardian shall provide to the principal or designee a valid written medical recommendation for the student to be given medicinal cannabis, which shall be kept on file at the school. The parent/guardian shall sign in at the school site before administering the medication, and shall not administer the medication in a manner that disrupts the educational environment or exposes other students. After the parent/guardian administers the medication, the parent/guardian shall remove any remaining medicinal cannabis from the school site. (Education Code 49414.1)~~

**END OF OPTION 1**

**OPTION 2:** Because of the conflict between state and federal law regarding the legality of medicinal cannabis, the Board prohibits the administration of medicinal cannabis to students on school grounds by parents/guardians or school personnel.

**END OF OPTION 2**

CSBA NOTE: The following optional paragraph applies to all districts and may be revised to reflect district practice. The U.S. Department of Health and Human Services and the Centers for Disease Control and Prevention recommend that a district's emergency and disaster preparedness plan include procedures for dealing with medical emergencies, such as a pandemic flu outbreak or public disaster. See BP/AR 3516 – Emergencies and Disaster Preparedness Plan and BP/AR 5141.22 – Infectious Diseases. The Superintendent or designee shall collaborate with city and county emergency responders, including local public health administrators, to design procedures or measures for addressing an emergency such as a public disaster or epidemic.

#### **Administration of Medication by School Personnel**

CSBA NOTE: Various provisions of state law allow districts to train nonmedical district employees (i.e., those who do not possess a medical license) to provide medical assistance to students at school when a credentialed school nurse or other licensed individual is unavailable. For example, Education Code 49414, 49414.3, 49414.5, 49414.7, 49414.8, 49423, and 49423.1, and 49468.2 specifically authorize the use of trained, unlicensed school employees to administer medications to students suffering from allergic reactions, opioid overdose, severe hypoglycemia, or respiratory distress, asthma, or seizures. Moreover, in *American Nurses Association v. Torlakson*, the California Supreme Court held that, as with other prescription medications, state law permits trained,

unlicensed school personnel to administer insulin to students where a physician has determined that unlicensed school personnel may safely and appropriately administer the medication. The medication must be administered in accordance with a written health care provider statement and parental consent.

Education Code 49426.5, as added by AB 1722 (Ch. 853, Statutes of 2023), authorizes the district to hire a licensed vocational nurse following Board approval that a diligent search was conducted for a credentialed school nurse. Upon hiring a licensed vocational nurse, the district is required to certify to the California Department of Education that a search was properly conducted. A hired vocational nurse is required to be supervised by a credentialed school nurse employed as a school nurse at the district or at another local educational agency.

When allowed by law, medication prescribed to a student by an authorized health care provider may be administered by a school nurse or, when a school nurse or other medically licensed person is unavailable and the physician has authorized administration of medication by unlicensed personnel for a particular student, by other designated school personnel with appropriate training. School nurses and other designated school personnel shall administer medications to students in accordance with law, Board policy, administrative regulation, and, as applicable, the written statement provided by the student's parent/guardian and authorized health care provider. Such personnel shall be afforded appropriate liability protection.

The Superintendent or designee shall ensure that school personnel designated to administer any medication receive appropriate training and, as necessary, retraining from qualified medical personnel before any medication is administered. At a minimum, the training shall cover how and when such medication should be administered, the recognition of symptoms and treatment, emergency follow-up procedures, and the proper documentation and storage of medication. Such trained, unlicensed designated school personnel shall be supervised by, and provided with immediate communication access to, a school nurse, physician, or other appropriate individual.

The Superintendent or designee shall maintain documentation of the training and ongoing supervision, as well as annual written verification of competency of other designated school personnel.

#### **Policy Reference UPDATE Service**

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#### **Policy Reference Disclaimer:**

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<b>State</b>	<b>Description</b>
5 CCR 600-611	Administering medication to students
Bus. Code 2700-2837	Nursing
Bus. Code 3500-3546	Physician assistants
Bus. Code 4119.2	Acquisition of epinephrine auto-injectors
Bus. Code 4119.8	Acquisition of naloxone hydrochloride or another opioid antagonist

Ed. Code 48980	Parent/Guardian notifications
Ed. Code 49407	Liability for treatment
Ed. Code 49408	Student emergency information
Ed. Code 49414	Emergency epinephrine auto-injectors
Ed. Code 49414.3	Emergency medical assistance; administration of medication for opioid overdose
Ed. Code 49414.4	Opioid Misuse
Ed. Code 49414.5	Providing school personnel with voluntary emergency training
Ed. Code 49414.7	Emergency Albuterol Inhalers
Ed. Code 49414.8	Funding for emergency opioid antagonists; requirements
Ed. Code 49422-49427	Employment of medical personnel
Ed. Code 49423	Administration of prescribed medication for student
Ed. Code 49423.1	Inhaled asthma medication
<a href="#"><u>Ed. Code 49426.5</u></a>	<a href="#"><u>Licensed vocational nurses</u></a>
Ed. Code 49468-49468.5	The Seizure Safe Schools Act
Ed. Code 49480	Continuing medication regimen; notice
H&S 1799.113	Opioid overdose treatment
H&S Code 11362.7-11362.85	Medicinal cannabis
<b>Federal</b>	<b>Description</b>
20 USC 1232g	Family Educational Rights and Privacy Act (FERPA) of 1974
20 USC 1400-1482	Individuals with Disabilities Education Act
21 USC 812	Schedule of controlled substances
21 USC 844	Penalties for possession of controlled substance
29 USC 794	Rehabilitation Act of 1973; Section 504
34 CFR 99.30	Conditions under which prior written consent is required to disclose information
<b>Management Resources</b>	<b>Description</b>
American Diabetes Association Publication	Legal Advisory on Rights of Students with Diabetes in California's K-12 Public Schools, August 2007
American Diabetes Association Publication	Program Advisory on Medication Administration, 2005
<del>American Diabetes Association Publication</del>	<del>Training Standards for the Administration of Epinephrine Auto-Injectors, rev. 2015</del>
American Diabetes Association Publication	Glucagon Training Standards for School Personnel: Providing Emergency Medical Assistance to Pupils with Diabetes, May 2006

Court Decision	American Nurses Association v. Torlakson, (2013) 57 Cal.4th 570
National Diabetes Education Program Publication	Helping the Student with Diabetes Succeed: A Guide for School Personnel, June 2003
Website	CSBA District and County Office of Education Legal Services
Website	National Diabetes Education Program
Website	<u><a href="#">U.S. Department of Health and Human Services, National Institutes of Health, Heart, Lung, and Blood Institute, asthma information</a></u>
Website	American Diabetes Association
Website	California Department of Education, Health Services and School Nursing
Website	CSBA
Website	California Department of Public Health

## Cross References

Code	Description
3513.4	Drug And Alcohol Free Schools
3516	Emergencies And Disaster Preparedness Plan
3516	Emergencies And Disaster Preparedness Plan
4112.9	Employee Notifications
4112.9-E(1)	Employee Notifications
4119.43	Universal Precautions
4119.43	Universal Precautions
4131	Staff Development
4212.9	Employee Notifications
4212.9-E(1)	Employee Notifications
4219.43	Universal Precautions
4219.43	Universal Precautions
4231	Staff Development
4312.9	Employee Notifications
4312.9-E(1)	Employee Notifications
4319.43	Universal Precautions
4319.43	Universal Precautions
5022	Student And Family Privacy Rights

5022	Student And Family Privacy Rights
5113	Absences And Excuses
5113	Absences And Excuses
5113.1	Chronic Absence And Truancy
5113.1	Chronic Absence And Truancy
5125	Student Records
5125	Student Records
5131.62	Tobacco
5131.62	Tobacco
5141	Health Care And Emergencies
5141	Health Care And Emergencies
5141.22	Infectious Diseases
5141.22	Infectious Diseases
5141.23	Asthma Management
5141.23	Asthma Management
5141.24	Specialized Health Care Services
5141.27	Food Allergies/Special Dietary Needs
5141.27	Food Allergies/Special Dietary Needs
5141.6	School Health Services
5141.6	School Health Services
5145.6	Parent/Guardian Notifications
5145.6-E(1)	Parent/Guardian Notifications
5148.2	Before/After School Programs
5148.2	Before/After School Programs
6142.8	Comprehensive Health Education
6142.8	Comprehensive Health Education
6145.2	Athletic Competition
6145.2	Athletic Competition
6163.2	Animals At School
6163.2	Animals At School
6164.6	Identification And Education Under Section 504
6164.6	Identification And Education Under Section 504

**Policy 6115: Ceremonies And Observances**

**Status:** ADOPTED

**Original Adopted Date:** 10/01/1994 | **Last Revised Date:** ~~05/03/01/2020~~2024 | **Last Reviewed Date:** ~~05/03/01/2020~~2024

The Governing Board recognizes the importance of having students observe holidays, celebrate events of cultural or, historical, or present day significance, and acknowledge the contributions of outstanding individuals in society. On days designated by the Board, and as required by law, staff shall provide students with appropriate commemorative exercises and educational experiences so that they may acquire the knowledge, skills, and principles essential for informed, responsible citizenship in a democratic society.

CSBA NOTE: Education Code 37220 lists holidays on which district schools must be closed. See the accompanying administrative regulation. Pursuant to Education Code 37220, the Governing Board may designate any other day as a holiday.

District schools shall be closed on the holidays specified in Education Code 37220 and on any other day designated as a holiday by the Board. The Board may, by adoption of a resolution, revise the date upon which schools close in observance of any holiday except Veterans Day, which shall be celebrated on its actual date. (Education Code 37220)

In addition, the Board may, through the adoption of a resolution, authorize the display of symbolic flags or banners in support of specific awareness months.

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**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.

<b>State</b>	<b>Description</b>
Ed. Code 37220-37222.21	Holidays and commemorative events
Ed. Code 44015.1	Week of the School Administrator
Ed. Code 45203	Paid holidays
Ed. Code 45460	Classified School Employee Week
<u><a href="#">Ed. Code 49110.5</a></u>	<u><a href="#">Workplace Readiness Week</a></u>
Ed. Code 52720-52730	Patriotic exercises and instruction
Gov. Code 3540-3549.3	Public education employer-employee relations
Gov. Code 430-439	Display of flags
<b>Federal</b>	<b>Description</b>
36 USC 106	Constitution Day and Citizenship Day
4 USC 6	Time and occasion for display of flag
4 USC 7	Position and manner of display of flag

## Management Resources

Court Decision	Newdow v. Rio Linda Union School District (9th Cir. 2010) 597 F.3d 1007
Court Decision	West Virginia State Board of Education et al. v. Barnette et al. (1943) 319 U.S. 624
Website	CSBA District and County Office of Education Legal Services
Website	California Department of Education, History/Social Science Instructional Materials
Website	CSBA

## Cross References

Code	Description
1330	Use Of School Facilities
1330	Use Of School Facilities
4156.2	Awards And Recognition
4256.2	Awards And Recognition
4356.2	Awards And Recognition
<a href="#">5113.2</a>	<a href="#">Work Permits</a>
6111	School Calendar
6117	Year-Round Schedules
6141.2	Recognition Of Religious Beliefs And Customs
6141.2	Recognition Of Religious Beliefs And Customs
6142.3	Civic Education
6142.4	Service Learning/Community Service Classes
6142.94	History-Social Science Instruction
<a href="#">6143</a>	<a href="#">Courses of Study</a>
6144	Controversial Issues
6145.8	Assemblies And Special Events
<a href="#">6178.1</a>	<a href="#">Work-Based Learning</a>



**Regulation 6115: Ceremonies And Observances**

**Status:** ADOPTED

**Original Adopted Date:** 11/01/1999 | **Last Revised Date:** 03/01/2023 ~~2023~~ **2024** | **Last Reviewed Date:** 03/01/2023 ~~2023~~ **2024**

**Holidays**

CSBA NOTE: The following list may be expanded to reflect district practice. Education Code 37220 specifies holidays on which public schools must be closed and allows the Governing Board to designate any other day as a holiday. See the accompanying Board policy. Education Code 37220, as amended by AB 1655 (Ch. 753, Statutes of 2022), incorporates June 19, "Juneteenth National Independence Day," to this list by way of presidential appointment. In addition, Education Code 37220 provides that the Board, by adoption of a resolution, may revise the date upon which district schools close in observance of any of these holidays except Veterans Day, which must be celebrated on its actual date.

Education Code 37220.5 and 37220.7, as amended by AB 1801 (Ch. 761, Statutes of 2022), authorize the closing of school on March 31 in observance of Cesar Chavez Day, on April 24 in observance of Genocide Remembrance Day, and/or on the fourth Friday in September for Native American Day, provided that the Board agrees to do so in a memorandum of understanding reached with employee bargaining units pursuant to Government Code 3540-3549.3. If the district has such an agreement, the holiday(s) should be added to the following list.

District schools shall be closed on the following holidays: (Education Code 37220)

New Year's Day - January 1

Dr. Martin Luther King, Jr. Day - Third Monday in January or the Monday or Friday of the week in which January 15 occurs

Lincoln Day - The Monday or Friday of the week in which February 12 occurs

Washington Day - Third Monday in February

Memorial Day - Last Monday in May

Juneteenth National Independence Day - June 19

Independence Day - July 4

Labor Day - First Monday in September

Veterans Day - November 11

Thanksgiving Day - The Thursday in November designated by the President

Christmas Day - December 25

CSBA NOTE: Pursuant to Education Code 37220, as amended by AB 1655, districts are not required to close on Columbus Day, the second Monday in October. Governing Boards may designate Columbus Day as a holiday in on which schools shall close.

In addition, schools shall be closed on: (Education Code 37220)

1. Any day appointed by the Governor as a holiday or as a special or limited holiday on which the Governor provides that schools shall close
2. Any day appointed by the President as a holiday, including by executive order or by signing into law legislation that creates a nationwide federal holiday
3. Any other day designated as a holiday by the Governing Board and/or negotiated with employee organizations

Holidays which fall on a Sunday shall be observed the following Monday. Holidays which fall on a Saturday shall be observed the preceding Friday. If any of the above holidays ~~occurs~~occur under federal law on a date different from that indicated above, the ~~Governing~~ Board may close the schools on the date recognized by federal law instead of on the date above. (Education Code 37220)

### Commemorative Exercises

CSBA NOTE: The following section lists special days that schools are required by state and/or federal law to observe with suitable commemorative exercises.

Pursuant to Education Code 49110.5, as added by AB 800 (Ch. 271, Statutes of 2023), districts are required to observe, during the week that includes April 28, "Workplace Readiness Week," by providing high school students with specified information on their rights as workers, and, for students in grades 11 and 12, for the observances to be integrated into the regular school program consistent with the history-social science framework.

In addition to commemorative exercises that are required by law, Education Code 37220.7, as amended by AB 1801, and 5110951009, as well as various legislative resolutions, have designated other days of special significance on which schools are encouraged, but not required, to conduct appropriate commemorative exercises, including, but not limited to: (1) School Board Recognition Month in January; (2) Ed Roberts Day on January 23; (3) Fred Korematsu Day of Civil Liberties and the Constitution on January 30; (4) Ronald Reagan Day on February 6; (5) Lunar New Year on the date corresponding with the second new moon following the winter solstice, or the third new moon following the winter solstice if an intercalary month intervenes; (6) Week of the School Administrator ~~on~~in the ~~first~~second full week of ~~March~~October; (7) California Agriculture Day on the first day of spring each year; (8) Welcome Home Vietnam Veterans Day on March 29 or 30; (9) Cesar Chavez on March 31; (10) California Poppy Day on April 6; (11) Dolores Huerta Day on April 10; (12) John Muir Day on April 21; (13) Genocide Remembrance Day on April 24; (14) Labor History Month in May; (15) the Day of the Teacher on the second Wednesday in May; (16) Harvey Milk Day on May 22; (17) September 11th Remembrance Day on September 11; (18) Native American Day on the fourth Friday in September; (19) Larry Itliong Day on October 25; and (20) Bill of Rights Day on December 15. The California Department of Education's ~~web~~website includes a calendar of events listing other days for which special recognition is encouraged. The list below may be modified to include any optional days of special significance so designated by the Board.

District schools shall hold exercises in accordance with law to commemorate the following special days: (Education Code 37220, 37221, 45460, [49110.5](#))

Dr. Martin Luther King, Jr. Day - The Friday before the day schools are closed for this holiday

Abraham Lincoln's Birthday - The school day before the day schools are closed for this holiday

Susan B. Anthony Day - February 15

George Washington's Birthday - The Friday preceding the third Monday in February

Black American Day - March 5

Conservation, Bird, and Arbor Day - March 7

[Workplace Readiness Week – The week that includes April 28](#)

Classified Employee Week - Third week in May

U.S. Constitution and Citizenship Day - On or near September 17

Commemorative exercises shall be integrated into the regular educational program to the extent feasible. [as required by law.](#)

### **Patriotic Exercises**

CSBA NOTE: Education Code 52720 requires all schools to conduct patriotic exercises daily. Pursuant to Education Code 52720 and 52730, this requirement may be satisfied by reciting the Pledge of Allegiance and/or through the instruction described below.

Each school shall conduct patriotic exercises daily, which may include the Pledge of Allegiance to the Flag of the United States and/or instruction that promotes understanding of the concepts of "pledge," "allegiance," "republic," and "indivisible" and understanding of the importance of the pledge as an expression of patriotism, love of country, and pride in the United States. (Education Code 52720, 52730)

CSBA NOTE: The following paragraph is for use by districts maintaining elementary schools.

~~At elementary schools, such exercises shall be conducted at the beginning of each school day. (Education Code 52720)~~

CSBA NOTE: The following paragraph is for use by districts maintaining secondary schools. Education Code 52720 **mandates** that the Board adopt regulations pertaining to the conduct of patriotic exercises in secondary schools. The following paragraph should be revised to reflect district practice.

At secondary schools, such exercises shall be conducted during the homeroom period.

CSBA NOTE: In *Newdow v. Rio Linda Union School District*, the Ninth Circuit Court of Appeals upheld a school policy permitting teacher-led recitation of the Pledge of Allegiance pursuant to Education Code 52720 where students were permitted by policy to decline participation for personal reasons. In *West Virginia State Board of Education et al. v. Barnette et al.*, the court held that individuals may not be compelled to salute the flag or to stand during the salute.

A student may choose not to participate in the flag salute or Pledge of Allegiance for personal reasons.

## Display of Flag

The flag of the United States and the flag of California shall be displayed during business hours at the entrance or on the grounds of every district school and on or near the district office. At all times, the national flag shall be placed in the position of first honor. (Government Code 431, 436; 4 USC 6)

When displayed on a building or on a flagstaff in the open, the national flag shall be displayed only from sunrise to sunset unless properly illuminated during the hours of darkness. The flag should not be displayed during inclement weather unless an all-weather flag is used. (4 USC 6)

The national flag shall fly at half-staff on the following occasions: (4 USC 7)

1. For 30 days from the death of the President or a former President
2. For 10 days from the death of the Vice President, the Chief Justice or a retired Chief Justice, or the Speaker of the House of Representatives
3. From the day of death until interment of an Associate Justice of the Supreme Court, a secretary of an executive or military department, former Vice President, or the Governor of a state
4. On the day of death and the following day for a Member of Congress
5. On Memorial Day, until noon only
6. On Peace Officers Memorial Day (May 15), unless it falls on Armed Forces Day
7. Upon a proclamation from the Governor in the event of the death of a present or former official of the state government or, a member of the Armed Forces from the state who has died while serving on active duty, or the death of a first responder working in the state who dies while serving in the line of duty
8. On other occasions by order of the President and in accordance with presidential instructions or orders

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### State

Ed. Code 37220-37222.21

Ed. Code 44015.1

Ed. Code 45203

### Description

Holidays and commemorative events

Week of the School Administrator

Paid holidays

Ed. Code 45460

Classified School Employee Week

[Ed. Code 49110.5](#)

[Workplace Readiness Week](#)

Ed. Code 52720-52730

Patriotic exercises and instruction

Gov. Code 3540-3549.3

Public education employer-employee relations

Gov. Code 430-439

Display of flags

**Federal**

**Description**

36 USC 106

Constitution Day and Citizenship Day

4 USC 6

Time and occasion for display of flag

4 USC 7

Position and manner of display of flag

**Management Resources**

**Description**

Court Decision

Newdow v. Rio Linda Union School District (9th Cir. 2010) 597 F.3d 1007

Court Decision

West Virginia State Board of Education et al. v. Barnette et al. (1943) 319 U.S. 624

Website

CSBA District and County Office of Education Legal Services

Website

California Department of Education, History/Social Science Instructional Materials

Website

CSBA

**Cross References**

**Code**

**Description**

1330

Use Of School Facilities

1330

Use Of School Facilities

4156.2

Awards And Recognition

4256.2

Awards And Recognition

4356.2

Awards And Recognition

[5113.2](#)

[Work Permits](#)

6111

School Calendar

6117

Year-Round Schedules

6141.2

Recognition Of Religious Beliefs And Customs

6141.2

Recognition Of Religious Beliefs And Customs

6142.3

Civic Education

6142.4

Service Learning/Community Service Classes

6142.94

History-Social Science Instruction

[6143](#)

[Courses of Study](#)

6144

Controversial Issues

6145.8

Assemblies And Special Events

6178.1

Work-Based Learning

**Policy 6175: Migrant Education Program**

**Status:** ADOPTED

**Original Adopted Date:** 07/01/2003 | **Last Revised Date:** ~~±203/01/2018~~2024 | **Last Reviewed Date:** ~~±203/01/2018~~2024

CSBA NOTE: The following optional policy is for use by districts that have established migrant education programs pursuant to federal Title I, Part C (20 USC 6391-6399) and Education Code 54440-54445. In California, most districts that provide migrant education services operate pursuant to service agreements with regional service centers pursuant to Education Code 54444.1. The district submits a service application to the regional center, which then submits a regional application to the California Department of Education (CDE). The following policy and accompanying administrative regulation should be revised as necessary to reflect the district's agreement with its regional service center.

During the Federal Program Monitoring ([FPM](#)) process, CDE will review whether the district is fulfilling the major legal requirements for implementation of the program. [Education Code 51225.2 describes this group of highly mobile students as "a pupil who is a migratory child" and CDE's Uniform Complaint Procedures 2023-24 FPM instrument describes this group as "pupils who are migratory", which is reflected in the use of this description throughout the policy. The following policy may be revised to reflect terminology preferred by the district and local community.](#)

[Pursuant to Education Code 41601.6, up to two local educational agencies may request authorization from CDE to provide an extended school year program to specified students who are migratory, which includes average daily attendance funding for such students; see the accompanying administrative regulation.](#)

The Governing Board desires to provide a comprehensive program for migrant students [who are migratory](#) that attempts to mitigate the impact of educational disruption, cultural and language barriers, social isolation, health-related problems, and other factors that may inhibit their ability to succeed in school. The district shall make use of available funds to provide supplementary services for migrant students. [who are migratory.](#)

The Superintendent or designee shall cooperate with the regional migrant service center in outreach and identification of eligible migrant students [who are migratory](#) and in the provision of migrant education services. The Superintendent or designee shall also coordinate migrant education services with other programs within the district and with other public agencies that serve migrant workers and their families.

CSBA NOTE: 20 USC 6394, as amended by the Every Student Succeeds Act (P.L. 114-95), establishes priority for services for migrant students [who are migratory](#) who are failing or at risk of failing to meet state standards or have dropped out of school. According to CDE's 2017 ["State Service Delivery Plan,"](#) for purposes of establishing priority for services, students are considered to be failing or at risk of failing to achieve state standards if they (1) score at Level 1-2 (standard not met or standard nearly met) on the English language or mathematics summative assessments of the California Assessment of Student Performance and Progress, or (2) score at Levels 1-3

(beginning to moderately developed English skills) on the English Language Proficiency Assessments for California.

The district shall give first priority for services to migrant students who are migratory who are failing, or are most at risk of failing, to meet state academic standards or have dropped out of school. (20 USC 6394)

CSBA NOTE: 20 USC 7881 requires that eligible private school students residing within the district be provided an opportunity to receive services on an equitable basis with public school students, as provided below. See AR 6171 - Title I Programs for further information about requirements pertaining to such participation.

The district shall provide services to eligible private school students residing within the district on an equitable basis with participating public school students. (20 USC 7881; 34 CFR 200.87)

CSBA NOTE: Education Code 54443.1 requires that local migrant education programs conduct an individual assessment of the educational and health needs of each migrant student who is migratory and prepare a brief individual learning plan listing the services to be provided to each student; see the accompanying administrative regulation. These duties may be performed by either the district or the regional service center depending on their agreement.

The Superintendent or designee shall ensure that each migrant student who is migratory is placed at the appropriate grade level upon enrollment and is provided services in accordance with an individual needs assessment and learning plan.

CSBA NOTE: The following optional paragraph may be revised to reflect district practice, including specific indicators that the Governing Board and Superintendent or designee agree to use in evaluating program effectiveness.

The Superintendent or designee shall annually report to the Board regarding student performance on statewide assessments of core academic subjects and English language development, as appropriate, for students enrolled in the district's migrant education program. In addition, the Superintendent or designee shall periodically report to the Board regarding the alignment of district services with the needs of students as identified in student needs assessments conducted pursuant to Education Code 54443.1. As necessary, the Board shall seek technical assistance from the migrant education regional service center and/or make changes in the services provided by the district in order to improve student achievement.

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#### **State**

5 CCR 3080

#### **Description**

Applicability of uniform complaint procedures to complaints regarding students with disabilities

5 CCR 4600-4670

Uniform complaint procedures



Ed. Code 200	Equal rights and opportunities in state educational institutions
Ed. Code 220	Prohibition of discrimination
Ed. Code 234.7	Student protections relating to immigration and citizenship status
<a href="#">Ed. Code 37220</a>	<a href="#">School calendar</a>
<a href="#">Ed. Code 41601.6</a>	<a href="#">Extended school year program for migratory students</a>
<a href="#">Ed. Code 48204.7</a>	<a href="#">Enrollment</a>
Ed. Code 51225.1	Exemption from district graduation requirements
<a href="#">Ed. Code 51225.2</a>	<a href="#">Transfer of Coursework and Credit</a>
Ed. Code 51225.3	High school graduation requirements
Ed. Code 54440-54445	Migrant children
<b>Federal</b>	<b>Description</b>
20 USC 6311	State plan
<del>20 USC 6381-6381k</del>	<del>Even Start Family Literacy Program</del>
20 USC 6391-6399	Education of migratory children
20 USC 7881	Participation of private school students
34 CFR 200.81-200.89	Migrant education program
<b>Management Resources</b>	<b>Description</b>
California Department of Education Publication	2017 State Service Delivery Plan
U.S. Department of Education Publication	Education of Migratory Children Under Title I, Part C of the Elementary and Secondary Education Act of 1965, Non-Regulatory Guidance, rev. March 2017
<a href="#">California Child Welfare Council Publication</a>	<a href="#">Partial Credit Model Policy and Practice Recommendations, September 2013</a> ( <a href="https://www.chhs.ca.gov/wp-content/uploads/2017/06/Committees/California-Child-Welfare-Council/Council-Meeting-Information/Council-Meeting-Info-Archive/Partial-Credit-Model-Policy-and-Practice-Recommendations.pdf">https://www.chhs.ca.gov/wp-content/uploads/2017/06/Committees/California-Child-Welfare-Council/Council-Meeting-Information/Council-Meeting-Info-Archive/Partial-Credit-Model-Policy-and-Practice-Recommendations.pdf</a> )
Website	CSBA District and County Office of Education Legal Services
Website	California Department of Education, Migrant Education Office
Website	U.S. Department of Education, Office of Migrant Education
Website	West Ed, Migrant Student Information Network

**Cross References**

<b>Code</b>	<b>Description</b>
0410	Nondiscrimination In District Programs And Activities
0415	Equity
0500	Accountability
1220	Citizen Advisory Committees
1220	Citizen Advisory Committees
1312.3	Uniform Complaint Procedures
1312.3	Uniform Complaint Procedures
1312.3-E(1)	Uniform Complaint Procedures
1312.3-E(2)	Uniform Complaint Procedures
1400	Relations Between Other Governmental Agencies And The Schools
3553	Free And Reduced Price Meals
3553	Free And Reduced Price Meals
4121	Temporary/Substitute Personnel
4121	Temporary/Substitute Personnel
4131	Staff Development
4231	Staff Development
4331	Staff Development
5111.1	District Residency
5111.1	District Residency
5113.1	Chronic Absence And Truancy
5113.1	Chronic Absence And Truancy
5113.11	Attendance Supervision
5125	Student Records
5125	Student Records
5125.2	Withholding Grades, Diploma Or Transcripts
5132	Dress And Grooming

5132	Dress And Grooming
5141.26	Tuberculosis Testing
5141.31	Immunizations
5141.31	Immunizations
5141.32	Health Screening For School Entry
5141.6	School Health Services
5141.6	School Health Services
5145.13	Response To Immigration Enforcement
5145.13	Response To Immigration Enforcement
5145.6	Parent/Guardian Notifications
5145.6-E(1)	Parent/Guardian Notifications
5148	Child Care And Development
5148	Child Care And Development
5148.2	Before/After School Programs
5148.2	Before/After School Programs
5148.3	Preschool/Early Childhood Education
5148.3	Preschool/Early Childhood Education
6000	Concepts And Roles
6011	Academic Standards
6020	Parent Involvement
6020	Parent Involvement
<u>6115</u>	<u>Ceremonies and Observances</u>
6146.1	High School Graduation Requirements
6162.51	State Academic Achievement Tests
6162.51	State Academic Achievement Tests
6164.2	Guidance/Counseling Services
6164.5	Student Success Teams
6164.5	Student Success Teams
6171	Title I Programs
6171	Title I Programs
6174	Education For English Learners

6174	Education For English Learners
6177	Summer Learning Programs
6178	Career Technical Education
6178	Career Technical Education

**Regulation 6175: Migrant Education Program**

**Status:** ADOPTED

**Original Adopted Date:** 07/01/2003 | **Last Revised Date:** ~~±203/01/2019~~2024 | **Last Reviewed Date:** ~~±203/01/2019~~2024

CSBA NOTE: The following optional administrative regulation reflects requirements of the migrant education program established pursuant to federal Title I, Part C (20 USC 6391-6399) and Education Code 54440-54445 and should be revised to reflect the district's agreement with the regional service center.

Education Code 51225.2 describes this group of highly mobile students as "a pupil who is a migratory child" and the California Department of Education's (CDE) Uniform Complaint Procedures 2023-24 Federal Program Monitoring (FPM) instrument describes this group as "students who are migratory," which is reflected in the use of this description throughout the administrative regulation. The following administrative regulation may be revised to reflect terminology preferred by the district and local community.

**Eligibility**

CSBA NOTE: Student eligibility for migrant education services is based on criteria delineated in 20 USC 6399 and 34 CFR 200.81. Eligibility is established through an interview conducted by a migrant education recruiter, who is employed by either the regional service center or district and has received specialized training and authorization to identify and recruit families for the migrant education program. Recruitment and identification procedures are detailed in the California Department of Education's (CDE) ~~CDE's~~ 2017 , "State Service Delivery Plan."

Pursuant to 34 CFR 200.89, regional service centers are required to annually validate eligibility through the re-interview of parents/guardians of a randomly selected sample of students previously identified as ~~migrant~~ migratory.

Students age 3 to 21 years shall be eligible for the district's migrant education program if they, their parents/guardians, or their spouses are migratory agricultural workers or fishers who, in the preceding 36 months, moved into the district due to economic necessity and engaged in new temporary or seasonal employment or personal subsistence in agriculture or fishing. If such employment was not secured soon after the move, students may be considered ~~migrant~~ students who are migratory if they, ~~their~~ the student, the student's parents/guardians, or ~~their spouses~~ the student's spouse actively sought such new employment and have a recent history of moves for temporary or seasonal agricultural or fishing employment. (20 USC 6399; 34 CFR 200.81)

CSBA NOTE: The last sentence of the following paragraph should be deleted by districts that do not offer classes at the secondary level.

A student who ceases to be a ~~migrant~~ student who is migratory during a school term shall be eligible for services until the end of the term. If comparable services are not available through other programs, a student who is no longer migratory may continue to receive services for one additional school year. Students who were eligible for services in secondary school may continue to be served

through credit accrual programs until graduation. (20 USC 6394)

## Enrollment

CSBA NOTE: The following section reflects enrollment rights granted to migrant students pursuant to Education Code 48204.7, as added by AB 1319 (Ch. 458, Statutes of 2019).

A migrant student who is migratory shall be immediately enrolled in the district even if the student: (Education Code 48204.7)

1. Has outstanding fees, fines, textbooks, or other items or monies due to the school last attended
2. Does not have clothing normally required by the school, such as school uniforms
3. Is unable to produce records normally required for enrollment, such as previous academic records, proof of residency, medical records, including, but not limited to, records or other proof of immunization history, or other documentation

If a migrant student who is migratory experiences a change in residence, the student may remain enrolled in the school of origin for the duration of the student's status as a migrant student. who is migratory. (Education Code 48204.7)

If a student's status as a migrant student who is migratory changes during a school year, the Superintendent or designee shall allow the student to continue at the school of origin through the duration of that school year or, if the student is enrolled in a high school, through graduation. (Education Code 48204.7)

A migrant student who is migratory and is transitioning between school grade levels shall be allowed to continue in the district of origin in the same attendance area to provide the student the benefit of matriculating with peers in accordance with the established feeder patterns of school districts. A migrant student who is migratory and is transitioning to a middle school or high school designated for matriculation in another school district shall be allowed to enroll in that school. (Education Code 48204.7)

The Superintendent or designee shall inform a migrant student who is migratory and the student's parent/guardian of the impact of remaining in the school of origin on the student's eligibility to receive migrant education services pursuant to Education Code 54440-54445. (Education Code 48204.7)

The Superintendent or designee may, but is not required to, provide transportation to enable a migrant student who is migratory to attend the school of origin, unless otherwise required by federal law, or provide programs for online instruction as a substitute for physical attendance. (Education Code 48204.7)

## Student Records

CSBA NOTE: Pursuant to 34 CFR 200.89, CDE and agencies operating migrant education programs must maintain a Certificate of Eligibility form and any additional documentation needed to confirm

each student's eligibility.

Education Code 234.7 prohibits the collection of information or documents regarding the citizenship or immigration status of students or their family members, except as required by law or to administer a state or federally supported educational program. If the district becomes aware of the citizenship or immigration status of any student, it is prohibited from disclosing that information to U.S. Immigration and Customs Enforcement. See BP/AR 5145.13 - Response to Immigration Enforcement.

The Superintendent or designee shall maintain records documenting the eligibility of students enrolled in the district's migrant education program. However, the district shall not collect information or documents regarding the citizenship or immigration status of students or their family members for the purpose of determining eligibility for migrant education services.

CSBA NOTE: 20 USC 6398 requires districts receiving migrant education funds to make student records available at no cost to another district that requests the records, if the request is made to meet the needs of a migrant student who is migratory. State law requiring the transfer of records for all students is reflected in BP/AR 5125 - Student Records. In California, the Migrant Student Information Network, developed and maintained by WestEd, assists CDE and each regional center with ~~migrant student~~ data collection and reporting regarding students who are migratory. See the section "Transfer of Coursework and Credits" below for the transfer of the transcript of a high school student who is migratory.

The Superintendent or designee shall acquire education and health records from ~~migrant students~~ the previous school districts of a student who is migratory, as appropriate.

When a ~~migrant~~ student who is migratory transfers to another district, the student's records shall be provided to the receiving district upon request at no cost in order to assist that district in meeting the needs of the student. (20 USC 6398)

## Program Components

CSBA NOTE: The following section may be revised to reflect the district's service agreement with the regional service center.

The migrant education program shall include all of the following components: (Education Code 54443.1)

1. A general needs assessment summarizing the needs of the population to be served
2. A comprehensive program to meet the educational, health, and related needs of participating students which supplements the district program and includes, but is not limited to:
  - a. Instructional services, including academic, remedial and compensatory, bilingual-crosscultural, and career technical instruction
  - b. Counseling and career education services
  - c. Preschool services in accordance with Education Code 54443

- d. Other educational services that are not otherwise available in sufficient quantity or quality to eligible migrant students who are migratory
  - e. The acquisition of instructional materials and equipment necessary to adequately provide the appropriate services
  - f. Other related services to meet the special needs of eligible migrant students who are migratory to enable them to participate effectively in instructional services
  - g. The coordination and teaming of existing resources serving migrant students who are migratory, such as bilingual-crosscultural education, health screening, and compensatory education
3. Individual assessment of the educational and relevant health needs of each participating student, within 30 days of enrollment, including assessments concurrently provided pursuant to compensatory education, bilingual-crosscultural education, school improvement programs, and other programs serving the student
  4. A brief individual learning plan listing the services to be provided to each student, which shall be given to the parent/guardian in writing or at a parent/guardian conference, annually and when the student moves to a new district
  5. Staffing and staff development plans and practices to meet the needs of students and implement the program
  6. Parent/guardian and community involvement as specified in Education Code 54444.2, including, but not necessarily limited to, the establishment of a parent/guardian advisory council to actively involve parents/guardians in planning, operating, and evaluating the district's migrant education program

CSBA NOTE: 20 USC 6394 requires "the same" parent involvement in migrant education programs as is required for Title I programs for disadvantaged students (see BP/AR 6020 - Parent Involvement), unless extraordinary circumstances make such provision impractical.

7. The migrant education program shall provide for the same opportunities for parent/guardian involvement that are provided to parents/guardians for federal Title I programs. (20 USC 6394)
8. Evaluations which include annual student progress and overall program effectiveness and quality control reports

CSBA NOTE: The following optional paragraph is for use by districts that offer a Migrant Education Even-Start family literacy program pursuant to 20 USC 6381-6381k and 34 CFR 200.80 and may be revised to reflect district practice.

~~Contingent upon funding, the district shall provide home-based and/or school-based family literacy services to migrant families to enhance literacy levels, parenting skills, and English language skills of parents/guardians.~~

### **Summer School and Extended School Year Program**



CSBA NOTE: Pursuant to Education Code 54444.3, each district receiving federal migrant education funding is required to conduct summer school programs for eligible students who are migratory. Before establishing the program, the district must submit an application for approval to the Superintendent of Public Instruction. The following section may be revised to reflect the grade levels offered by the district.

The district shall conduct summer school program(s) for eligible migrant students who are migratory. The summer school program shall respond to the individual needs of participating students and shall build on and be consistent with the instructional programs offered to these students during the regular school year. Coursework shall be of the same level of difficulty in each subject as that provided to students enrolled in regular classes of instruction within the district in the preceding year. (Education Code 54444.3)

Teachers in the summer school program shall have cultural training or background and understanding of the special needs of migrant students who are migratory and possess the proper credential for the subjects and grade levels to which they are assigned. (Education Code 54444.3)

The program shall comply with the following requirements for instructional time: (Education Code 54444.3)

1. For kindergarten class, a minimum of 180 minutes per day, including recesses, for not less than 20 instructional days
2. For grades 1-8, a minimum of 200 minutes per day, including recesses and passing time but excluding noon intermissions, for not less than 20 instructional days
3. For grades 7-12, a minimum of 240 minutes per day, including passing time but excluding noon intermissions, for not less than 30 instructional days

CSBA NOTE: Pursuant to Education Code 54444.3, holidays on which schools are required to be closed, as specified in Education Code 37220, may be deducted from the required number of teaching days. For more information regarding holidays on which schools are required to be closed, see AR 6115 – Ceremonies and Observances.

The number of instructional days may be less than as described above if, during the summer school program, there is a holiday for which schools are required to be closed. (Education Code 37220, 54444.3).

When district facilities that are suitable for the summer climate are available, the district shall make facilities available at cost to other agencies that request facilities for the operation of migrant summer school programs, unless just cause for denial exists. When approved by the Superintendent of Public Instruction, the district may jointly offer facilities with a neighboring district to meet the needs of the migrant summer school program for the entire area. (Education Code 54444.3)

CSBA NOTE: Pursuant to Education Code 41601.6, to mitigate lost instructional time due to family movement related to migratory agricultural employment, up to two local educational agencies may request authorization from CDE to provide an extended school year program to students who are migratory who, due to family movement, enroll in transitional kindergarten, kindergarten, or any of grades 1-6, on or after March 1 of the school year and depart on or before December 1 of the next

school year, which includes the receipt of specified average daily attendance funding for such students.

If the district receives authorization and average daily attendance funding from the California Department of Education to provide an extended school year program to students who are migratory who, due to family movement, enroll in transitional kindergarten, kindergarten, or any of grades 1-6, on or after March 1 of the school year and depart on or before December 1 of the next school year, the Superintendent or designee shall operate the program in accordance with Education Code 41601.6. (Education Code 41601.6)

### Transfer of Coursework and Credits

CSBA NOTE: The following section is for use by districts maintaining high schools. Education Code 51225.2 addresses the transferability of coursework and credits completed by a student enrolled in a migrant education program, as provided below.

Education Code 51225.2 requires the transferring school to include in the student's educational record a determination of days of enrollment and/or seat time and an official transcript with full and partial credits earned, or any measure of full or partial coursework being satisfactorily completed.

When a student enrolled in a migrant education program transfers into a district school, the district will receive an official transcript from the transferring school or district which reflects full and partial credits and grades earned by the student and includes: (Education Code 51225.2)

1. A determination of the days of enrollment and/or seat time, if applicable, for all full and partial credits earned based on any measure of full or partial coursework being satisfactorily completed

*Partial coursework satisfactorily completed* includes any portion of an individual course, even if the student did not complete the entire course

2. Separate listings for credits and grades earned at each school and local educational agency so it is clear where credits and grades were earned
3. A complete record of the student's seat time, including both period attendance and days of enrollment

The district shall transfer the credits and grades from the transferring school's transcript onto an official district transcript in the same manner as described in Item #2, above. (Education Code 51225.2)

If the Principal or designee has knowledge that the transcript from the transferring school may not include certain credits or grades, the Principal or designee shall contact the prior school within two business days to request that the full or partial credits be issued, which shall then be issued and provided by the prior school along with all academic and other records within two business days of the request. (Education Code 51225.2)

The district shall accept and issue full credit for any coursework that the student who is migratory

has satisfactorily completed while attending another public school, a juvenile court school, a charter school, a school in a country other than the United States, or a nonpublic, nonsectarian school.

CSBA NOTE: Pursuant to Education Code 51225.2, districts are not authorized to require a student who is migratory who has completed an entire course to retake the course.

If the entire course was completed, the district shall not require the student who is migratory to retake the course. (Education Code 51225.2)

If the entire course was not completed at the previous school, the student who is migratory shall be issued partial credit for the coursework completed and shall be required to take the uncompleted portion of the course. However, the district may require the student who is migratory to retake the portion of the course completed if, in consultation with the educational rights holder for the student who is migratory, the district finds that the student who is migratory is reasonably able to complete the requirements in time to graduate from high school. Whenever partial credit is issued to a student who is migratory in any particular course, the student who is migratory shall be enrolled in the same or equivalent course, if applicable, to enable the completion of the entire course. (Education Code 51225.2)

CSBA NOTE: Although Education Code 51225.2 requires districts to award partial credits to students who are migratory who transfer from school to school, there is no uniform system for calculating and awarding partial credits. To ensure consistency in the treatment of foster youth, the California Child Welfare Council, in its, "Partial Credit Model Policy and Practice Recommendations," available on its website, recommends the approach specified in the following optional paragraph, which may be revised to reflect district practice.

Partial credits shall be awarded on the basis of 0.5 credits for every seven class periods attended per subject. If the school is on a block schedule, each block schedule class period attended shall be equal to two regular class periods per subject. Partial credits and grades earned by a student shall be included on the student's official transcript within two business days of the district's notification of the student's transfer, as required under Education Code 49069.5.

In no event shall the district prevent a student who is migratory from taking or retaking a course to meet the eligibility requirements for admission to the California State University or the University of California. (Education Code 51225.2)

### **Applicability of Graduation Requirements**

CSBA NOTE: The following section is for use by districts maintaining high schools.

To obtain a high school diploma, ~~migrant students~~ a student who is migratory shall complete all courses required by Education Code 51225.3 and shall generally fulfill any additional local graduation requirements prescribed by the Board.

~~CSBA NOTE: Whenever a migrant student transfers between districts or schools in grades 11-12, Education Code 51225.1 exempts such students from the requirement to complete district-established graduation requirements that are in addition to the state requirements, under the conditions described below. Also see BP-6146.1- High School Graduation Requirements.~~

However, when a ~~migrant student~~ who is migratory has completed the second year of high school and transfers into the a district ~~or transfers between high schools within the district~~ school, the

student shall be exempted from all district-adopted coursework and other district-established graduation requirements, unless the district makes a finding that the student is reasonably able to complete the additional requirements in time to graduate from high school by the end of the student's fourth year of high school. Within 30 calendar days of the student's transfer, the Superintendent or designee shall notify the student and the ~~student's~~student's parent/guardian of the availability of the exemption and whether the student qualifies for it. If the Superintendent or designee fails to provide this notification, the student shall be eligible for the exemption once notified, even if the notification occurs after the termination of the court's jurisdiction over the student no longer meets the definition of a migrant student. (Education Code 51225.1)

CSBA NOTE: Pursuant to Education Code 51225.1, to determine whether a student with significant gaps in school attendance is in the third or fourth year of high school, the student's age as compared to the average age of students in the third or fourth year of high school may be used.

To determine whether a migrant student is in the third or fourth year of high school, the district shall use either the number of credits the student has earned as of the date of the transfer ~~or the length of school enrollment, whichever qualifies the student for the exemption.~~ (Education Code 51225.1) , the length of school enrollment, or, for a student with significant gaps in school attendance, the student's age as compared to the average age of students in the third or fourth year of high school, whichever qualifies the student for the exemption. (Education Code 51225.1)

~~The Superintendent or designee shall notify any migrant student who is granted an exemption and the student's parent/guardian how any requirements that are waived will affect the student's ability to gain admission to a postsecondary educational institution and shall provide information about transfer opportunities available through the California Community Colleges.~~ (Education Code 51225.1)

~~The district shall not require or request a migrant student to transfer schools in order to qualify for an exemption, and no request for a transfer solely to qualify for an exemption shall be made by a migrant student or parent/guardian.~~ (Education Code 51225.1)

~~If a migrant student is exempted from local graduation requirements, the exemption shall continue to apply after the student no longer meets the definition of a migrant student if the student is still enrolled in school or transfers to another school or district.~~ (Education Code 51225.1)

~~Upon making a finding that a migrant student is reasonably able to complete district graduation requirements within a fifth year of high school, the Superintendent or designee shall:~~ (Education Code 51225.1)

CSBA NOTE: Education Code 51225.1 requires the district to exempt a student who qualifies for an exemption from district-established graduation requirements, under the circumstances described below.

If a student who is migratory was not properly notified of an exemption, declined the exemption, or was not previously exempted, the student or the student's educational rights holder may request the exemption and parent/guardian of the the Superintendent or designee shall exempt the student within 30 days of the request. A student may request the exemption even if the student is no longer a student who is migratory. (Education Code 51225.1)

CSBA NOTE: Pursuant to Education Code 51225.1 the district is required to reevaluate a student's eligibility for an exemption from district-established graduation requirements, as described below.

When the Superintendent or designee determines that a student who transferred into a district school is reasonably able to complete district-established graduation requirements by the end of the student's fourth year of high school, the student shall not be exempted from those requirements. Within 30 calendar days of the following academic year, the student shall be reevaluated based on the student's course completion status at the time, to determine if the student continues to be reasonably able to complete the district-established graduation requirements in time to graduate by the end of the student's fourth year of high school. Written notice as to whether the student then qualifies for exemption shall be provided to the student, the student's educational rights holder, and if applicable, to the student's social worker or probation officer. (Education Code 51225.1)

If, upon reevaluation, it is determined that the student who is migratory is not reasonably able to complete the district-established graduation requirements in time to graduate from high school by the end of the student's fourth year of high school, the Superintendent or designee shall provide the student with the option to ~~remain in~~ receive an exemption from district-established graduation requirements or stay in school for a fifth year to complete the ~~district's~~ district-established graduation requirements upon agreement with the student, or if under 18 years of age, the student's educational rights holder, and shall provide notifications in accordance with Education Code 51225.1. (Education Code 51225.1)

CSBA NOTE: Pursuant to Education Code 51225.1, the district is required to consult with a student who is migratory who is granted an exemption from district-established graduation requirements and the student's educational rights holder, as described below.

When a student who is migratory is exempted from district-established graduation requirements, the Superintendent or designee shall consult with the student and the student's educational rights holder about the following: (Education Code 51225.1)

1. Discussion of how any requirements that are waived may affect the student's postsecondary education or vocation plans, including the ability to gain admission to a postsecondary educational institution
2. Discussion and information about other options available to the student, including, but not limited to, a fifth year of high school, possible credit recovery, and any transfer opportunities available through the California Community Colleges
3. Consideration of the student's academic data and any other information relevant to making an informed decision on whether to accept the exemption

The district shall not require or request a student who is migratory to transfer schools in order to qualify for an exemption and shall not grant any request made by a student who is migratory or the student's parent/guardian for a transfer solely to qualify for an exemption. (Education Code 51225.1)

CSBA NOTE: Education Code 51225.1 prohibits the district from requiring a student who is eligible for an exemption from district-established graduation requirements from accepting the exemption or being denied enrollment, as described below.

The Superintendent or designee shall not require a student who is migratory who is eligible for an exemption from district-established graduation requirements and would otherwise be entitled to remain in attendance at the school, to accept the exemption or be denied enrollment in, or the ability to complete, courses for which the student is otherwise eligible, including courses necessary to attend an institution of higher education, regardless of whether such courses are required for statewide graduation requirements. (Education Code 51225.1)

CSBA NOTE: Education Code 51225.1 prohibits the district from revoking a student's exemption from district-established graduation requirements.

If a student who is migratory is exempted from district-established graduation requirements, the exemption shall not be revoked. Additionally, the exemption shall continue to apply after the student no longer meets the definition of a student who is migratory while still enrolled in the school or if the student transfers to another school, including a charter school, or school district. (Education Code 51225.1)

CSBA NOTE: Pursuant to Education Code 51225.1, the district may not require or request a student who is exempted from district-established graduation requirements and completes statewide coursework requirements before the end of the student's fourth year of high school to graduate early, as described below.

The Superintendent or designee shall not require or request that an eligible student who is exempted from district-established graduation requirements and who completes the statewide coursework requirements before the end of the fourth year of high school, and would otherwise be entitled to remain in school, to graduate before the end of the student's fourth year of high school. (Education Code 51225.1)

CSBA NOTE: Pursuant to Education Code 51225.1, if the district determines that a student who is eligible for the exemption from district-established graduation requirements is reasonably able to complete those requirements in time to graduate from high school by the end of the student's fifth year, the district is required to provide the following.

Upon making a finding that a student who is migratory is reasonably able to complete district-established graduation requirements within the fifth year of high school, the Superintendent or designee shall: (Education Code 51225.1)

1. Inform Consult with the student and, if under 18 years of age, the student's educational rights holder, of the option to remain in school for a fifth year to complete the district-established graduation requirements and how that will affect the student's ability to gain admission to a postsecondary educational institution
2. Provide Consult with and provide information to the student about transfer opportunities available through the California Community Colleges
3. Upon agreement with the student or parent/guardian with the student's educational rights holder if under 18 years of age, permit the student to stay in school for a fifth year to complete the district's district-established graduation requirements

CSBA NOTE: Pursuant to Education Code 51225.1, until January 1, 2028, when a student who is migratory has completed the second year of high school transfers into the district or transfers between high schools within the district, and is not reasonably able to complete the district-established graduation requirements, but is reasonably able to complete the statewide coursework requirements, within the student's fifth year of high school, the district is required to exempt the student from the district-established graduation requirements and provide the student with the option to remain in school for a fifth year to complete the statewide requirements. In such situations, consultation with the student and the student's educational rights holder is required, as provided below.

When a student who is migratory has completed the second year of high school transfers into the district or between high schools within the district, and the Superintendent or designee determines that the student is not reasonably able to complete the district-established graduation requirements within the student's fifth year of high school but is reasonably able to complete the statewide coursework requirements within the fifth year of high school, the student shall be exempted from all district-established graduation requirements and be provided with the option to remain in school for a fifth year to complete the statewide requirements. In such situations, the Superintendent or designee shall consult with the student and the student's educational rights holder, regarding the following: (Education Code 51225.1)

1. The student's option to remain in school for a fifth year to complete statewide coursework requirements
2. The effect of waiving the district-established requirements and remaining in school for a fifth year on the student's postsecondary education or vocation plans, including the ability to gain admission to an institution of higher education
3. Other options available to the student, including, but not limited to, possible credit recovery, and any transfer opportunities available through the California Community Colleges
4. The student's academic data and any other information relevant to making an informed decision on whether to accept the exemption and option to remain in school for a fifth year to complete the statewide coursework requirements

### **Parent Advisory Council**

The parent advisory council shall be comprised of members who are knowledgeable of the needs of ~~migrant~~ students who are migratory and shall be elected by the parents/guardians of students enrolled in the district's migrant education program. The composition of the council shall be determined by the parents/guardians at a general meeting to which all parents/guardians of participating students shall be invited. The parents/guardians shall be informed, in a language they understand, that they have the sole authority to decide on the composition of the council. (Education Code 54444.2)

At least two-thirds of the advisory council shall consist of parents/guardians of ~~migrant~~ students who are migratory. (Education Code 54444.2)

All parent/guardian candidates for the council shall be nominated by parents/guardians. Nonparent

candidates, such as teachers, administrators, other school personnel, or students, shall be nominated by the groups they represent. All other community candidates shall be nominated by the parents/guardians. (Education Code 54444.2)

The parent/guardian advisory council shall meet at least six times during the year and shall: (Education Code 54444.4)

1. Establish program goals, objectives, and priorities
2. Review annual needs assessments, program activities for each school, and individual learning plans
3. Advise on the selection, development, and reassignment of migrant education program staff
4. Participate actively in planning and negotiating program applications and service agreements
5. Perform all other responsibilities required under state and federal laws or regulations

The Superintendent or designee shall establish and implement a training program for advisory council members to enable them to carry out their responsibilities. The training program shall be developed in consultation with the council and shall include appropriate training materials in a language understandable to each member. (Education Code 54444.2)

The Superintendent or designee shall provide the council, without charge, a copy of all applicable state and federal migrant education statutes, rules, regulations, guidelines, audits, monitoring reports, and evaluations. Upon request, these materials also shall be provided without charge to each member of the council. (Education Code 54444.2)

### **Notification and Complaints**

CSBA NOTE: Education Code 51225.1 and 51225.2 provide that complaints of noncompliance with specified requirements related to the educational rights of migrant students who are migratory may be filed in accordance with the uniform complaint procedures specified in 5 CCR 4600-4670. As with other complaints covered under the uniform complaint procedures, a complainant may appeal the district's decision to CDE and, if the district or CDE finds any merit in the complaint, the district must provide a remedy to the affected student. See BP/AR 1312.3 - Uniform Complaint Procedures.

Information regarding the educational rights of migrant students who are migratory, as specified in Education Code 51225.1 and 51225.2, shall be included in the annual uniform complaint procedures notification distributed to students, parents/guardians, employees, and other interested parties pursuant to 5 CCR 4622. (Education Code 51225.1, 51225.2)

Any complaint that the district has not complied with requirements regarding the education of migrant students who are migratory, as specified in Education Code 51225.1 or 51225.2, may be filed in accordance with the district's procedures in AR Administrative Regulation 1312.3 - Uniform Complaint Procedures.

### **Policy Reference UPDATE Service**

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**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**

5 CCR 3080

**Description**

Applicability of uniform complaint procedures to complaints regarding students with disabilities

5 CCR 4600-4670

Uniform complaint procedures

Ed. Code 200

Equal rights and opportunities in state educational institutions

Ed. Code 220

Prohibition of discrimination

Ed. Code 234.7

Student protections relating to immigration and citizenship status

[Ed. Code 37220](#)[School calendar](#)[Ed. Code 41601.6](#)[Extended school year program for migratory students](#)[Ed. Code 48204.7](#)[Enrollment](#)

Ed. Code 51225.1

Exemption from district graduation requirements

[Ed. Code 51225.2](#)[Transfer of Coursework and Credit](#)

Ed. Code 51225.3

High school graduation requirements

Ed. Code 54440-54445

Migrant children

**Federal****Description**

20 USC 6311

State plan

~~20 USC 6381-6381k~~~~Even Start Family Literacy Program~~

20 USC 6391-6399

Education of migratory children

20 USC 7881

Participation of private school students

34 CFR 200.81-200.89

Migrant education program

**Management Resources****Description**

California Department of Education  
Publication

2017 State Service Delivery Plan

U.S. Department of Education  
Publication

Education of Migratory Children Under Title I, Part C of the  
Elementary and Secondary Education Act of 1965, Non-  
Regulatory Guidance, rev. March 2017

[California Child Welfare Council  
Publication](#)

[Partial Credit Model Policy and Practice Recommendations,  
September 2013  
\(\[194\]\(https://www.chhs.ca.gov/wp-content/uploads/2017/06/Committees/California-Child-Welfare-Council/Council-Meeting-Information/Council-</a></a></p>
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[Meeting-Info-Archive/Partial-Credit-Model-Policy-and-Practice-Recommendations.pdf](#)

Website	CSBA District and County Office of Education Legal Services
Website	California Department of Education, Migrant Education Office
Website	U.S. Department of Education, Office of Migrant Education
Website	West Ed, Migrant Student Information Network
Website	CSBA

## Cross References

<b>Code</b>	<b>Description</b>
0410	Nondiscrimination In District Programs And Activities
0415	Equity
0500	Accountability
1220	Citizen Advisory Committees
1220	Citizen Advisory Committees
1312.3	Uniform Complaint Procedures
1312.3	Uniform Complaint Procedures
1312.3-E(1)	Uniform Complaint Procedures
1312.3-E(2)	Uniform Complaint Procedures
1400	Relations Between Other Governmental Agencies And The Schools
3553	Free And Reduced Price Meals
3553	Free And Reduced Price Meals
4121	Temporary/Substitute Personnel
4121	Temporary/Substitute Personnel
4131	Staff Development
4231	Staff Development
4331	Staff Development
5111.1	District Residency
5111.1	District Residency
5113.1	Chronic Absence And Truancy
5113.1	Chronic Absence And Truancy

5113.11	Attendance Supervision
5125	Student Records
5125	Student Records
5125.2	Withholding Grades, Diploma Or Transcripts
5132	Dress And Grooming
5132	Dress And Grooming
5141.26	Tuberculosis Testing
5141.31	Immunizations
5141.31	Immunizations
5141.32	Health Screening For School Entry
5141.6	School Health Services
5141.6	School Health Services
5145.13	Response To Immigration Enforcement
5145.13	Response To Immigration Enforcement
5145.6	Parent/Guardian Notifications
5145.6-E(1)	Parent/Guardian Notifications
5148	Child Care And Development
5148	Child Care And Development
5148.2	Before/After School Programs
5148.2	Before/After School Programs
5148.3	Preschool/Early Childhood Education
5148.3	Preschool/Early Childhood Education
6000	Concepts And Roles
6011	Academic Standards
6020	Parent Involvement
6020	Parent Involvement
<u>6115</u>	<u>Ceremonies and Observances</u>
6146.1	High School Graduation Requirements
6162.51	State Academic Achievement Tests
6162.51	State Academic Achievement Tests
6164.2	Guidance/Counseling Services

6164.5	Student Success Teams
6164.5	Student Success Teams
6171	Title I Programs
6171	Title I Programs
6174	Education For English Learners
6174	Education For English Learners
6177	Summer Learning Programs
6178	Career Technical Education
6178	Career Technical Education

**Bylaw 9320: Meetings And Notices**

**Status:** ADOPTED

**Original Adopted Date:** 03/01/2008 | **Last Revised Date:** 03/01/2023~~2023~~<sup>2024</sup> | **Last Reviewed Date:** 03/01/2023~~2023~~<sup>2024</sup>

Meetings of the Governing Board are conducted for the purpose of accomplishing district business. In accordance with ~~state~~<sup>applicable</sup> open meeting laws (Brown Act), the Board shall hold its meetings in public and shall conduct closed sessions during such meetings only as authorized by law. To encourage community involvement in the schools, Board meetings shall provide ~~opportunities~~<sup>the opportunity</sup> for questions and comments by members of the public ~~to directly address the Board~~<sup>to directly address the Board</sup>. All meetings shall be conducted in accordance with law and the Board's bylaws, policies, and administrative regulations.

A Board meeting exists whenever a majority of Board members gather at the same time and location, including teleconference location as permitted by Government Code 54953, to hear, discuss, deliberate, or take action upon any item within the subject matter jurisdiction of the Board. (Government Code 54952.2)

CSBA NOTE: The Brown Act prohibits serial meetings, defined under Government Code 54952.2 as a series of communications of any kind, directly or through intermediaries, to discuss, deliberate, or take action on any item of district business.

This prohibition against serial meetings also applies to communications via technology. Email exchanges, text/chat threads, or comments posted on a blog or social media account that result in a majority of the Governing Board "discussing among themselves" an item within the subject matter jurisdiction of the Board could result in a Brown Act violation. Pursuant to Government Code 54952.2, Board members may engage in separate conversations or communications with members of the public on an Internet-based social media platform that is open and accessible to the public as long as a majority of the Board does not use the platform to discuss among themselves business within the subject matter jurisdiction of the Board and members do not comment on or use digital icons (e.g., "likes" or emojis) to express reactions to communications made by other Board members. ~~Consequently~~<sup>Additionally</sup>, a Board member is prohibited from responding directly to any communication from other members of the Board on a social media platform regarding matters that are within the subject matter jurisdiction of the Board. See BB 9012 - Board Member Electronic Communications.

In 84 Ops.Cal.Atty.Gen. 30 (2001), the Attorney General opined that Government Code 54952.2 prohibits a majority of the Board from sending emails to each other to develop a collective concurrence as to action to be taken by the Board even if the emails are (1) sent to the secretary and chairperson, (2) posted on the district's ~~web site~~<sup>website</sup>, and (3) distributed (in a printed version) at the next meeting. Although the Attorney General recognized that those three conditions would allow the deliberations to be conducted, to some extent, "in public," the emails were prohibited by the Brown Act because all debate would be completed before the meeting and members of the public who did not have Internet access would be excluded from the debate.

In accordance with law and as specified in Board Bylaw 9012 – Board Member Electronic Communications, a

A majority of the Board shall not, outside of an authorized meeting, use a series of communications of any kind, directly or through intermediaries, including social media and other electronic communications, to discuss, deliberate, or take action on any item that is within the subject matter jurisdiction of the Board. (Government Code 54952.2)

CSBA NOTE: Government Code 54952.2 specifies that briefings between staff and Board members are permissible in order to answer questions or to provide information, as long as the briefing is not used to communicate the comments or position of any other Board member.

However, an employee the Superintendent or district official designee may engage in separate conversations or communications with Board members in order to answer questions or provide information regarding an item within the subject matter jurisdiction of the Board, as long as that employee or district official does not communicate the comments or position of any Board members to other Board members. (Government Code 54952.2)

CSBA NOTE: Government Code 54953.2 requires that all Board meetings meet the protections of the Americans with Disabilities Act (ADA) (42 USC 12132) and implementing regulations (~~28-CFR 35.160, 36.303~~). Such protections require the district to ensure that the meeting is accessible to persons with disabilities and, upon request, to provide disability-related accommodations, such as auxiliary aids and services. Auxiliary aids and services may include accommodations at the actual meeting, such as a sign-language interpreter, or accommodations to the supporting documentation, such as Braille translation of the agenda packet. Government Code 54954.2 requires that the agenda specify how, when, and to whom a request for accommodation should be made; see BB 9322 - Agenda/Meeting Materials.

Government Code 54953, ~~as amended by AB 2449 (Ch. 285, Statutes of 2022)~~, requires boards the Board to maintain and implement a procedure for receiving and swiftly resolving requests for reasonable accommodation for individuals with disabilities, consistent with the ADA, and to resolve any doubt in favor of accessibility.

In order to help ensure the participation of individuals with disabilities at Board meetings, the Superintendent or designee shall provide appropriate disability-related accommodations or modifications upon request in accordance with the Americans with Disabilities Act. Any doubt about a request for accommodation shall be resolved in favor of accessibility. (~~Government Code 54953, 54953.2, 54954.1, 54954.2~~) Notice of the procedure for receiving and resolving such requests for accommodation ~~described above~~ shall be given in each instance in which notice of the time of a meeting is otherwise given or the agenda for the meeting is otherwise posted. (Government Code 54953, 54953.2, 54954.1, 54954.2)

## Regular Meetings

CSBA NOTE: Education Code 35140 and Government Code 54954 **mandate** the Board to fix the time and place location for its regular meetings by rule and regulation.

The Board shall hold \_\_\_\_\_ regular meeting(s) each month. Regular meetings shall be held at \_\_\_\_\_ p.m. on the \_\_\_\_\_ (day) at the \_\_\_\_\_.

~~Unless otherwise determined by the Board, the Board shall hold one regular meeting(s) each month starting at \_\_\_\_\_ p.m. on the \_\_\_\_\_ (day(s)) of the month at \_\_\_\_\_.~~

CSBA NOTE: Pursuant to Government Code 54954.2, the agenda for a regular meeting must be posted at least 72 hours prior to the meeting, at a location that is freely accessible to the public. Government Code 54954.2 also requires that the agenda be posted on the district's web site, if it has one. ~~Any district that does not have a web site should delete the reference to it in the following paragraph.~~ website. Other posting requirements may apply where Board members are participating by teleconference as specified below.

The Attorney General has determined in 78 Ops.Cal.Atty.Gen. 327 (1995) that weekend hours may be counted as part of the 72-hour period for posting of the agenda prior to a regular meeting. In the same opinion, the Attorney General found that the term "freely accessible" requires that the agenda be posted in a location where it can be read by the public at any time during the 72 hours immediately preceding the meeting. For example, if a building where the agenda is posted is closed during the evening hours, the agenda must also be posted in a location accessible during evening hours, such as a lighted display case outside of the building. The Attorney General also opined in 88 Ops.Cal.Atty.Gen. 218 (2005) that the agenda may be posted on a touch screen electronic kiosk, in lieu of a paper copy on a bulletin board, as long as the kiosk is accessible without charge to the public 24 hours a day, seven days a week.

Unless otherwise determined by the Board, the Board shall hold one regular meeting each month starting at 5 p.m. at Wheatland Union High School, 1010 Wheatland Road, Wheatland, California 95692.

At least 72 hours prior to a regular meeting, the agenda shall be posted at one or more locations freely accessible to members of the public and on the district's web site website. (Government Code 54954.2)

CSBA NOTE: Pursuant to Government Code 54957.5, the agenda must list the address where the public can inspect agenda materials that are distributed to Board members less than 72 hours before a regular meeting. Pursuant to Government Code 54957.5, ~~as amended by AB 2647 (Ch. 971, Statutes of 2022)~~, when agenda materials are distributed to all or a majority of the Board less than 72 hours before a regular meeting and outside of regular business hours, the materials may be posted on the district's web site website in satisfaction of the Brown Act if specified requirements are met. Districts with questions regarding this exception are encouraged to consult CSBA's District and County Office of Education Legal Services or district legal counsel. Also see BB 9322 - Agenda/Meeting Materials.

In addition, pursuant to the California Public Records Act (Government Code 7920.000 - 7930.170 215), agenda materials related to an open session of a Board's regular meeting are "public records" and are subject to the inspection ~~of~~ by any member of the public. ~~For a list of documents subject to disclosure by the district, see~~ as specified in BP/AR 1340 - Access to District Records.

~~Whenever~~ Consistent with Government Code 54957.5 and Board Bylaw 9322 - Agenda/Meeting Materials, whenever agenda materials relating to an open session of a regular meeting are distributed to the Board less than 72 hours before the meeting, the Superintendent or designee shall make the materials available for public inspection at a public office or location designated for that purpose ~~or~~. The records shall be posted on the district web site, ~~consistent with Government Code 54957.5,~~ website at the time the materials are distributed to all or a majority of the Board. ~~(Government Code 54957.5)~~ if distributed outside of business hours.

## **Special Meetings**



~~CSBA NOTE: Education Code 35144 and Government Code 54956 allow the Board to hold special meetings to address any matter that requires timely action. For example, the Board may hold a special meeting to discuss the need for an emergency state apportionment when the district is in financial distress; see BP 3460—Financial Reports and Accountability. However, pursuant to Government Code 54956, certain specified matters, as described below, may not be addressed in a special meeting.~~  
CSBA NOTE: Government Code 54956 permits the Board president or a majority of the Board to call a special meeting. When a majority of the Board has requested a special meeting on the same specific topic, the Superintendent or designee shall inform the Board and the meeting shall be organized and called. If an individual Board member desires a special meeting on a specific topic that has not been called by the Board president, the Board member should inform the Superintendent or designee rather than other Board members in order to comply with the Brown Act.

Special meetings of the Board may be called at any time by the presiding officer or a majority of the Board members. However, a special meeting shall not be called regarding on any topic within the salary, salary schedule, or other compensation subject matter jurisdiction of the Superintendent, assistant superintendent, or other management employee Board unless otherwise prohibited by law or as described specified in Government Code 3511.1. BB 9323.2 – Actions by the Board. (Government Code 54956)

~~CSBA NOTE: Pursuant to Government Code 54956, written notice of a special meeting may be delivered personally or by other means, including email or fax. Government Code 54956 requires any district that has its own web site to also post the notice on its web site. Any district that does not have its own web site should delete reference to it in the following paragraph.~~

~~Written~~ At least 24 hours before the time of the meeting, written notice of special meetings shall be delivered personally or by any other means to all Board members and the local media who have requested such notice in writing. The notice also shall be posted on the district's web site. The notice shall be received website, and, at least 24 hours before the time of the meeting. The notice shall also be posted at least 24 hours before the meeting, in a location freely accessible to the public. The notice shall specify the time and location of the meeting and the business to be transacted or discussed. No other business shall be considered at this meeting. (Education Code 35144; Government Code 54956)

Any Board member may waive the 24-hour written notice requirement prior to the time of the meeting by filing a written waiver of notice with the clerk or secretary of the Board or by being present at the meeting at the time it convenes. (Education Code 35144; Government Code 54956)

Every notice of a special meeting shall provide an opportunity for members of the public to directly address the Board concerning any item that has been described in the meeting notice, before or during the item's consideration. (Government Code 54954.3)

## **Emergency Meetings**

~~CSBA NOTE: Government Code 54956.5 authorizes a closed session during emergency meetings, as long as two-thirds of the members present at the meeting agree on the need for the closed session or, if less than two-thirds of the members are present, by unanimous vote of the members present. See BB-9321 – Closed Session and E(1)-9323.2 – Actions by the Board.~~

In the case of an emergency situation for which prompt action is necessary due to the disruption or threatened disruption of public facilities, the Board may hold an emergency meeting without complying with the 24-hour notice and/or 24-hour posting requirement for special meetings pursuant to Government Code 54956. (Government Code 54956.5)

~~An emergency situation means either of the following: (Government Code 54956.5)~~

- ~~1.—An emergency, which shall be defined as a work stoppage, crippling activity, or other activity that severely impairs public health and/or safety as determined by a majority of the members of the Board~~
- ~~2.—A dire emergency, which shall be defined as a crippling disaster, mass destruction, terrorist act, or threatened terrorist activity that poses peril so immediate and significant that requiring the Board to provide one hour notice before holding an emergency meeting may endanger the public health and/or safety as determined by a majority of the members of the Board~~

The Board may meet in closed session during emergency meetings so long as two-thirds of the members present at the meeting agree or, if less than two-thirds of the members are present, by unanimous vote of the members present. (Government Code 54956.5)

The Board shall comply with all other requirements for special meetings during an emergency meeting. (Government Code 54956.5)

Except in the case of a dire emergency, the Board president or designee shall give notice of the emergency meeting by telephone at least one hour before the meeting to the local media that have requested notice of special meetings. All telephone numbers provided by the media in the most recent request for notification shall be exhausted. If telephone services are not functioning, the notice requirement of one hour is waived and, as soon after the meeting as possible, the Board shall notify those media representatives of the meeting and shall describe the purpose of the meeting and any action taken by the Board. In the case of a dire emergency, the Board president or designee shall give such notice at or near the time notification is given to the other members of the Board ~~about the meeting.~~ (Government Code 54956.5)

The minutes of the meeting, a list of persons the Board president or designee notified or attempted to notify, a copy of the roll call vote, and any actions taken at the meeting shall be posted for at least 10 days in a public place as soon after the meeting as possible. (Government Code 54956.5)

An emergency means a work stoppage, crippling activity, or other activity that severely impairs public health and/or safety as determined by a majority of the members of the Board. (Government Code 54956.5)

A dire emergency means a crippling disaster, mass destruction, terrorist act, or threatened terrorist activity that poses peril so immediate and significant that requiring the Board to provide one-hour notice before holding an emergency meeting may endanger the public health and/or safety as determined by a majority of the members of the Board. (Government Code 54956.5)

## **Adjourned/Continued Meetings**

The Board may adjourn/continue any regular or special meeting to a later time and location that shall be specified in the order of adjournment. Less than a quorum of the Board may adjourn/continue such a meeting. If no Board members are present, the secretary or the clerk may declare the meeting adjourned/continued to a later time and place/location and shall give notice in the same manner required for special meetings. (Government Code 54955)

Within 24 hours after the time of adjournment/continuance, a copy of the order or notice of adjournment/continuance shall be conspicuously posted on or near the door of the place/location where the meeting was held. (Government Code 54955)

### **Study Sessions, Retreats, Public Forums, and Discussion Meetings**

CSBA NOTE: The following section is optional and may be revised to reflect district practice. Pursuant to Government Code 54954.2, the Board must still comply with the public notice requirements when holding a study session, retreat, public forum or other such meeting.

The Board may occasionally convene a study session or public forum to study an issue in more detail or to receive information from staff or feedback from members of the public. The Board may also convene a retreat or discussion meeting to discuss Board roles and relationships. ~~Public notice shall be given in accordance with law when a quorum of the Board is attending a study session, retreat, public forum, or discussion.~~ Any such meeting, regardless of title or topic, shall be held as a regular or special meeting, as appropriate, and shall comply with the Brown Act and shall be held in open session and within district boundaries. ~~Action items shall not be included on the agenda~~ all other requirements for these regular or special meetings. (Government Code 54956)

### **Other Gatherings**

Attendance by a majority of Board members at any of the following events is not subject to the Brown Act provided that a majority of the Board members do not discuss specific district business among themselves other than as part of the scheduled program: (Government Code 54952.2)

1. A conference or similar public gathering open to the public that involves a discussion of issues of general interest to the public or to school board members
2. An open, publicized meeting organized by a person or organization other than the district to address a topic of local community concern
3. An open and noticed meeting of another body of the district
4. An open and noticed meeting of a legislative body of another local agency
5. A purely social or ceremonial occasion
6. An open and noticed meeting of a standing committee of the Board established pursuant to Board Bylaw 9130 - Board Committees, provided that the Board members who are not members of the standing committee attend only as observers

Individual contacts or conversations between a Board member and any other person that are not subject to part of a series of communications prohibited by the Brown Act. are permitted.

(Government Code 54952.2)

## Location of Meetings

~~Meetings shall not be held in a facility that prohibits the admittance of any person on the basis of ancestry or any characteristic listed in Government Code 11135. In addition, meetings shall not be held in a facility which is inaccessible to individuals with disabilities or where members of the public must make a payment or purchase in order to be admitted. (Government Code 54961)~~

~~Meetings shall be held within district boundaries, except to do any of the following: (Government Code 54954)~~

Unless the Board is holding a teleconference meeting during a proclaimed state of emergency, all meetings shall be held within district boundaries, except to do any of the following: (Government Code 54954)

1. Comply with state or federal law or court order or attend a judicial or administrative proceeding to which the district is a party
2. Inspect real or personal property which cannot conveniently be brought into the district, provided that the topic of the meeting is limited to items directly related to the property
3. Participate in meetings or discussions of multiagency significance, provided these meetings are held within one of the other agencies' boundaries, with all participating agencies giving the notice required by law
4. Meet in the closest meeting facility if the district has no meeting facility within its boundaries or if its principal office is located outside the district
5. Meet with elected or appointed state or federal officials when a local meeting would be impractical, solely to discuss legislative or regulatory issues affecting the district over which the state or federal officials have jurisdiction
6. Meet in or near a facility owned by the district but located outside the district, provided the meeting agenda is limited to items directly related to that facility
7. Visit the office of the district's legal counsel for a closed session on pending litigation, when doing so would reduce legal fees or costs
8. Attend conferences on nonadversarial collective bargaining techniques
9. Interview residents of another district regarding the Board's potential employment of an applicant for Superintendent of the district
10. Interview a potential employee from another district

~~Meetings exempted from the boundary requirements, as specified in Items #1-10 above~~All meetings, regardless of location, shall still be subject to comply with the applicable notice and open meeting requirements for regular and special meetings when a quorum of . Additionally, no such

meeting may be held in a facility that prohibits the admittance of any person on the Board attends the meeting, basis of ancestry or any characteristic listed in Government Code 11135, which is inaccessible to individuals with disabilities, or where members of the public must make a payment or purchase in order to be admitted. (Government Code 54961)

If a fire, flood, earthquake, or other emergency renders the posted regular or special meeting ~~place~~location unsafe, ~~meetings~~ and the deadline for posting the location has passed, the meeting shall be held for the duration of the emergency at a location designated by the Board president or designee, who shall so inform all news media who have requested notice of ~~special~~ meetings pursuant to Government Code 54956 by the most rapid available means of communication. (Government Code 54954)

### **Traditional Teleconferencing**

A Board member may participate in any meeting by teleconference is a meeting of the Board in which Board members are in different locations, connected by electronic means through, which includes both audio and/or video. /audio so long as the following conditions are met: (Government Code 54953)

All teleconferenced meetings shall be

1. All votes taken during the meeting are by rollcall
2. The meeting is conducted in a manner that protects the statutory and constitutional rights of the parties or the public appearing before the Board. (Government Code 54953) legislative body of a local agency

The Board may use teleconferences for all purposes in connection with any meeting within the Board's subject matter jurisdiction.

All votes taken during a teleconference meeting shall be by roll call. (Government Code 54953)

3. The location of the Board member participating by teleconference is open and accessible to the public during the meeting, except during closed session, such that members of the public may observe in person the Board member participating by teleconference, at may hear/listen to the meeting to the same extent as the Board member participating by teleconference, and may make public comment during the same portion of the agenda as others members of the public from the same location as the Board member participating by teleconference
4. The location of the Board member participating by teleconference is noted in the agenda and the agenda is posted at the location of the Board member participating by teleconference in advance of the meeting as statutorily required based on the type of meeting
5. During the At least a quorum of the members of the Board shall participate from locations is within the district boundaries. (Government Code 54953)

Unless a Board member participates by teleconference pursuant to the provisions described in the sections "Teleconferencing During a Personal Emergency," "Teleconferencing For 'Just Cause'" or "Teleconferencing During a Proclaimed State of Emergency" below, agendas shall be posted at all teleconference locations and shall list all teleconference locations whenever they are posted elsewhere.

All teleconference locations shall be accessible to the public and the public shall have the right to address the Board directly at each teleconference location. Additional teleconference locations may be provided to the public. (Government Code 54953)

## **Teleconferencing During a Personal Emergency**

### **Teleconferencing by Individual Board Member Due to Just Cause**

CSBA NOTE: Government Code 54953, as amended by AB 2449, [557 \(Ch. 534, Statutes of 2023\)](#), authorizes a Board member, from January 1, 2023 until January 1, 2026, to attend meetings [participate in a meeting by teleconference for just cause, as described below. Districts should be aware that the choice to participate in a meeting by teleconference due to emergency circumstances, as described below, just cause is at the sole discretion of the Board member and can be exercised at any time. Therefore, it is recommended that districts consider including teleconference access, as described below, as part of every meeting. Districts are also encouraged to consult CSBA's District and County Office of Education Legal Services or district legal counsel to determine the best means of complying with Government Code 54953.](#)

Until January 1, 2026, with approval from [when there is "just cause" preventing a Board member from attending a Board meeting in person, that Board member may participate in that meeting by teleconference without: \(Government Code 54953\)](#)

- [1. Including the majority location of the Board, a Board member may be permitted to participate in a meeting remotely when a physical or family medical emergency prevents the Board member from attending in person. The Board member requesting to appear remotely shall notify the Board member participating by teleconference in the agenda](#)
- [2. Making the location of the emergency situation as soon as possible, Board member participating by teleconference open and provide a concise accessible to the public](#)
- [3. Posting the agenda at the location of the Board member participating by teleconference](#)

A Board member may not appear remotely under emergency circumstances for more than 20 percent of the Board's regular meetings or for more than three consecutive months. If the Board meets less than 10 times in a calendar year, a Board member may not appear remotely under emergency circumstances for more than two meetings. (Government Code 54953)

[A Board member needing to participate by teleconference for just cause shall notify the Board at the earliest possible opportunity, including at the start of a regular meeting, of the need to do so and include a general description of the circumstances relating to the need to appear by teleconference at the given meeting. \(Government Code 54953\)](#)

When a Board member is approved to participate remotely due to emergency circumstances, the

~~Board member is not required to participate from a location which is accessible to the public and the location does not need to be identified on the agenda. (Government Code 54953)~~

For the Board member to participate by teleconference under this section, all of the following are required: (Government Code 54953)

1. All votes taken during the meeting are by rollcall
2. At least a quorum of the Board participates in person from a singular physical location which is accessible to the public and the location does not need to be clearly identified on the agenda. (Government Code 54953)
3. If permitted to participate remotely, the Board member shall utilize participating by teleconference utilizes both audio and visual technology and publicly disclose, before any action is taken, whether to participate in the meeting

CSBA NOTE: Government Code 54953 requires Board members participating by teleconference due to just cause to publicly disclose whether any individual 18 years of age or older is present at the Board member's location and, if so, the general nature of the member's relationship with each such individual before "any" Board action is taken, but does not specify the frequency of such disclosures. One option is for the Board member to make the initial disclosure at the start of the meeting and then make additional disclosures, if needed, each time an individual 18 years of age or older enters or exits the Board member's location. Another option is for the Board member to make separate disclosures before each Board action. Districts are encouraged to consult CSBA's District and County Office of Education Legal Services or district legal counsel to determine the best means of complying with this requirement.

4. The Board member participating by teleconference publicly discloses, before any other individuals action is taken, whether any individual 18 years of age or older are is present in the remote location with at the Board member, member's location and the general nature of the member's relationship with such individuals. (Government Code 54953) each such individual
5. The district shall also provide public is able to access to the meeting via a two-way audiovisual platform or a two-way audio service and a live webcast, with real-time public comment being allowed via the remote platform as well as or service, in person and the addition to public shall be able to offer comment being available in person

The platform or service may require members of the public to register in order to make public comments in real time: so long as the platform or service is not controlled by the district.

6. The agenda shall include for the meeting includes information describing how members of the public can access the platform or service. (Government Code 54953)

~~If a disruption prevents broadcasting the meeting to members of the public using the call in option or internet based service option, or a disruption that is within the Board's control prevents~~

members of the public from offering public comments using the call-in option or internet-based service option, the Board shall not take action on agenda items until public access to the meeting is restored. (Government Code 54953)

If the platform or service is disrupted such that the public cannot access the meeting or give real-time public comment, the meeting may continue but the Board may not take action on any agenda item until the disruption is resolved. (Government Code 54953)

### **Teleconferencing for "Just Cause"**

CSBA NOTE: Government Code 54953, as amended by AB 2449, authorizes a Board member, from January 1, 2023 until January 1, 2026, to attend meetings by teleconference for just cause, as described below.

A Board member may be permitted to appear remotely, pursuant to the provisions below, A Board member shall be permitted to participate by teleconference for just cause for no more than two meetings per calendar year. A Board member appearing for just cause shall notify the Board at the earliest possible opportunity of the need to participate in the meeting remotely, including at the start of a regular meeting. (Government Code 54953)

Just Cause For purposes of this section, "just cause" may exist for any of the following:  
(Government Code 54953)

1. A childcare or caregiving need of a child, parent, grandparent, grandchild, sibling, spouse, or domestic partner that requires a Board member to participate remotely
2. A contagious illness prevents a Board member from attending in person
3. A Board member has a need related to a physical or mental disability not otherwise reasonably accommodated
4. A Board member is traveling while on official business of the Board or another state or local agency

When a Board member participates remotely for just cause, the Board member is not required to participate from a location which is accessible to the public and the location does not need to be identified on the agenda. (Government Code 54953)

If the Board member participates remotely, the Board member shall utilize both audio and visual technology and publicly disclose, before any action is taken, whether any other individuals 18 years or older are present in the remote location with the Board member, and the general nature of the member's relationship with such individuals. (Government Code 54953)

The district shall also provide public access to the meeting via a two-way audiovisual platform or a two-way audio service and a live webcast, with public comment being allowed via the remote platform as well as in person and the public shall be able to offer comments in real time. The agenda shall include information describing how members of the public can access the platform.  
(Government Code 54953)

If a disruption prevents broadcasting the meeting to members of the public using the call-in option



or internet-based service option, or a disruption that is within the Board's control prevents members of the public from offering public comments using the call-in option or internet-based service option, the Board shall not take action on agenda items until public access to the meeting is restored. (Government Code 54953)

### **~~Teleconferencing During a Proclaimed State of Emergency~~**

CSBA NOTE: Pursuant to Government Code 54953, boards are authorized, until January 1, 2024, to conduct board meetings by teleconference as specified below when holding a board meeting during a proclaimed state of emergency pursuant to Government Code 8625-8629 when any of the following circumstance exist: (1) state or local officials have imposed or recommended measures to promote social distancing; (2) to determine whether, as a result of an emergency, meeting in person would present imminent risks to the health or safety of attendees; or (3) when it has been determined, as a result of an emergency, that meeting in person would impose such risks.

California's COVID-19 State of Emergency ended on February 28, 2023. However, a Board may continue to conduct Board meetings by teleconference until January 1, 2024 if there is a proclaimed state of emergency (e.g. a natural disaster) and it meets all of the necessary requirements of Government Code 54953.

While a resolution is not required by law to make findings required by Government Code 54953, CSBA offers sample resolutions available on its web site for (1) recognizing a state of emergency and authorizing teleconferenced meetings and (2) recognizing a state of emergency and re-authorizing teleconferenced meetings. CSBA recommends that if resolutions are not utilized, the motion and findings to authorize or reauthorize emergency teleconferenced meetings are included in the meeting minutes.

Until January 1, 2024, the Board may conduct Board meetings by teleconference without posting agendas at all teleconference locations, identifying teleconference locations in meeting notices and agendas, allowing public access to each teleconference location, providing an opportunity for members of the public to address the Board directly at each teleconference location, and ensuring that at least a quorum of the Board participate from locations within district boundaries, during a proclaimed state of emergency pursuant to Government Code 8625-8629 in any of the following circumstances: (Government Code 54953)

1. ~~State or local officials have imposed or recommended measures to promote social distancing~~
2. ~~For the purpose of determining, by majority vote, whether as the result of the emergency meeting in person would present imminent risks to the health or safety of attendees~~
3. ~~When it has been determined, by majority vote as described in Item #2 above, that as a result of the emergency meeting in person would present imminent risks to the health or safety of attendees~~

To conduct a teleconference meeting for these purposes the following requirements shall be satisfied: (Government Code 54953)

1. ~~The notice and agenda shall be given and posted as otherwise required by the Brown Act~~

- ~~2.—The notice and agenda of the meeting shall specify the means by which members of the public may access the meeting and offer public comments, including via a call-in or internet-based service option~~

~~Members of the public may be required to register to log in to a meeting when making public comments through an internet web site or other online platform that is operated by a third party and not under the control of the Board.~~

- ~~3.—Members of the public shall be allowed to access the meeting, and the agenda shall provide an opportunity for members of the public to address the Board directly pursuant to Government Code 54954.3~~
- ~~4.—Members of the public shall not be required to submit public comments in advance of a Board meeting and shall be provided an opportunity to address the Board and offer comments in real time~~
- ~~5.—Public comment periods shall not be closed until the timed public comment period, if such is offered by the Board, has elapsed or, if not timed, until a reasonable amount of time per agenda item has been allowed~~
- ~~6.—If during a Board meeting a disruption occurs which prevents the district from broadcasting the meeting to members of the public using the call-in option or internet-based service option, or in the event of a disruption within the district's control that prevents members of the public from offering public comments, the Board shall take no further action on any agenda item until public access via the call-in or internet-based service option to the meeting is restored~~

~~The district may, in its discretion, provide a physical location from which the public may attend or comment. (Government Code 54953)~~

~~The Board may continue to conduct meetings by teleconference, as specified above for teleconferencing during proclaimed states of emergency, by a majority vote finding within 30 days after teleconferencing for the first time, and every 30 days thereafter, that either: (Government Code 54953)~~

- ~~1.—The state of emergency continues to directly impact the ability of the Board to meet safely in person~~
- ~~2.—State or local officials continue to impose or recommend measures to promote social distancing~~

### **Teleconferencing by Individual Board Member Due to Emergency Circumstances**

CSBA NOTE: Government Code 54953, as amended by AB 557 (Ch. 534, Statutes of 2023), authorizes a Board member, until January 1, 2026, to participate in a meeting by teleconference due to emergency circumstances, as described below.

Until January 1, 2026, when a physical or family medical emergency would prevent a Board member from attending a Board meeting in person, that Board member may request to participate in such

meeting by teleconference. The Board member requesting to appear remotely shall submit the request as soon as possible and include a concise general description of the emergency that necessitated the request. The Board member shall not be required to disclose any disability, medical diagnosis, or personal medical information exempt under existing law. (Government Code 54953)

If the request is received timely, it shall be added to the agenda as the first item of business at the meeting, even before any closed session items. If the request is not received timely, it shall be taken up by the Board before the first item of business at the meeting. The request shall only be granted upon a vote by the majority of the Board. (Government Code 54953, 54954.2)

If the request is granted by the Board, the Board member may participate by teleconference without: (Government Code 54953)

1. Including the location of the Board member participating by teleconference in the agenda
2. Making the location of the Board member participating by teleconference open and accessible to the public
3. Posting the agenda at the location of the Board member participating by teleconference

For the Board member to participate by teleconference due to emergency circumstances, all of the following are required: (Government Code 54953)

1. All votes taken during the meeting are by rollcall
2. At least a quorum of the Board participates in person from a singular physical location clearly identified on the agenda
3. The Board member participating by teleconference utilizes both audio and visual technology to participate in the meeting

CSBA NOTE: Government Code 54953 requires Board members participating by teleconference due to emergency circumstances to publicly disclose whether any individual 18 years of age or older is present at the Board member's location and, if so, the general nature of the member's relationship with each such individual before "any" Board action is taken, but does not specify the frequency of such disclosures. One option is for the Board member to make the initial disclosure at the start of the meeting and then make additional disclosures, if needed, each time an individual 18 years of age or older enters or exits the Board member's location. Another option is for the Board member to make separate disclosures before each Board action. Districts are encouraged to consult CSBA's District and County Office of Education Legal Services or district legal counsel to determine the best means of complying with this requirement.

4. The Board member participating by teleconference publicly discloses, before any action is taken, whether any individual 18 years of age or older is present at the Board member's location and the general nature of the member's relationship with each such individual

5. The public is able to access the meeting via a two-way audiovisual platform or a two-way audio service and a live webcast, with real-time public comment being allowed via the platform or service, in addition to public comment being available in person

The platform or service may require members of the public to register in order to make public comments so long as the platform or service is not controlled by the district.

6. The agenda for the meeting includes information describing how members of the public can access the platform or service

If the platform or service is disrupted such that the public cannot access the meeting or give real-time public comment, the meeting may continue but the Board shall not take action on any agenda item until the disruption is resolved. (Government Code 54953)

In total, a Board member may not participate by teleconference due to emergency circumstances alone, or together with teleconference due to just cause, as specified above, for more than 20 percent of the Board's regular meetings or for more than three consecutive months. If the Board meets less than 10 times in a calendar year, a Board member may not appear remotely due to emergency circumstances for more than two meetings. (Government Code 54953)

### **Teleconference Meetings During a Proclaimed State of Emergency**

CSBA NOTE: Pursuant to Government Code 54953, as amended by AB 557 (Ch. 534, Statutes of 2023), boards are authorized to conduct board meetings by teleconference as specified below when holding a board meeting during a proclaimed state of emergency.

The Board may conduct a Board meeting entirely by teleconference during a proclaimed state of emergency pursuant to Government Code 8625-8629 in any of the following circumstances: (Government Code 54953)

1. For the purpose of determining whether meeting in person would present imminent risks to the health or safety of attendees due to the emergency
2. When the Board has been determined, pursuant to Item #1 above, that meeting in person would present imminent risks to the health or safety of attendees due to the emergency

The Board may hold a meeting by teleconference during a proclaimed state of emergency without: (Government Code 54953):

1. Including the location of the Board members in the agenda
2. Making the locations of Board members open and accessible to the public
3. Posting the agenda at the locations of Board members

For the Board to hold such meeting, all of the following are required: (Government Code 54953)

1. All votes taken during the meeting are by rollcall
2. The public is able to access the meeting via a call-in service or an internet-based platform or service, with real-time public comment being allowed via the platform or service

If an internet-based platform or service is utilized, it may require members of the public to register in order to make public comments so long as the platform or service is not controlled by the district.

3. The agenda for the meeting includes information describing how members of the public can access the platform or service

If the platform or service is disrupted such that the public cannot access the meeting or give real-time public comment, the meeting may continue but the Board may not take action on any agenda item until the disruption is resolved. (Government Code 54953)

For any public comment period with a time limit, the Board may not close that public comment period or the opportunity to register until the full time for public comment has elapsed. For any other public comment period, the Board shall allow a reasonable amount of time to allow members of the public to provide public comment and to register to do so. (Government Code 54953)

The Board may continue to conduct all meetings by teleconference throughout one or more 45-day periods so long as, prior to the beginning of each 45-day period, the Board has reconsidered the circumstances of the state of emergency and determines that it continues to directly impact the ability of the Board to meet safely in person. (Government Code 54953)

#### **Policy Reference UPDATE Service**

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#### **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.

<b>State</b>	<b>Description</b>
Ed. Code 35140	Time and place of meetings
Ed. Code 35143	Annual organizational meetings; date and notice
Ed. Code 35144	Special meeting
Ed. Code 35145	Public meetings
Ed. Code 35145.5	Agenda; public participation and regulations
Ed. Code 35146	Closed sessions; student matters
Ed. Code 35147	Open meeting laws exceptions
Gov. Code 11135	Prohibition of discrimination
Gov. Code 3511.1	Local agency executives
Gov. Code 54950-54963	The Ralph M. Brown Act
Gov. Code 54953	Oral summary of recommended salary and benefits of superintendent
Gov. Code 54954	Time and place of regular meetings

Gov. Code 54954.2	Agenda posting requirements; board actions
Gov. Code 54956	Special Meetings
Gov. Code 54956.5	Emergency meetings
Gov. Code 7920.000-7930.215	California Public Records Act
Gov. Code 8625-8629	California Emergency Services Act
<b>Federal</b>	<b>Description</b>
28 CFR 35.160	Effective communications for individuals with disabilities
28 CFR 36.303	Nondiscrimination on the basis of disability, public accommodations, auxiliary aids, and services
42 USC 12101-12213	Americans with Disabilities Act
<b>Management Resources</b>	<b>Description</b>
Attorney General Opinion	78 Ops.Cal.Atty.Gen. 327 (1995)
Attorney General Opinion	79 Ops.Cal.Atty.Gen. 69 (1996)
Attorney General Opinion	84 Ops.Cal.Atty.Gen. 181 (2001)
Attorney General Opinion	84 Ops.Cal.Atty.Gen. 30 (2001)
Attorney General Opinion	88 Ops.Cal.Atty.Gen. 218 (2005)
Court Decision	Knight First Amendment Institute at Columbia University v. Trump, (2019) 928 F.3d 226
Court Decision	Garnier v. Poway Unified School District, (S.D. Cal. September 26, 2019) No. 17-cv-2215-W (JLB), 2019 WL 4736208
Court Decision	Wolfe v. City of Fremont, (2006) 144 Cal.App. 4th 533
CSBA Publication	The Brown Act: School Boards and Open Meeting Laws, rev. 2019
Institute for Local Government Publication	The ABCs of Open Government Laws
League of California Cities Publication	Open and Public V: A Guide to the Ralph M. Brown Act, 2016
Website	CSBA District and County Office of Education Legal Services
Website	CSBA, GAMUT Meetings
Website	Institute for Local Government
Website	League of California Cities
Website	California Attorney General's Office
Website	CSBA

## Cross References

<b>Code</b>	<b>Description</b>
0410	Nondiscrimination In District Programs And Activities
0420.4	Charter School Authorization
0420.4	Charter School Authorization
0420.43	Charter School Revocation
0450	Comprehensive Safety Plan
0450	Comprehensive Safety Plan
0460	Local Control And Accountability Plan
0460	Local Control And Accountability Plan
1113	District And School Websites
1113	District And School Websites
1113-E(1)	District And School Websites
1160	Political Processes
1220	Citizen Advisory Committees
1220	Citizen Advisory Committees
1330	Use Of School Facilities
1330	Use Of School Facilities
1340	Access To District Records
1340	Access To District Records
1431	Waivers
2000	Concepts And Roles
2111	Superintendent Governance Standards
2121	Superintendent's Contract
2210	Administrative Discretion Regarding Board Policy
3100	Budget
3100	Budget
3280	Sale Or Lease Of District-Owned Real Property
3280	Sale Or Lease Of District-Owned Real Property
3311	Bids
3311	Bids
3312	Contracts

3314	Payment For Goods And Services
3314	Payment For Goods And Services
3516	Emergencies And Disaster Preparedness Plan
3516	Emergencies And Disaster Preparedness Plan
4117.14	Postretirement Employment
4141.6	Concerted Action/Work Stoppage
4141.6	Concerted Action/Work Stoppage
4241.6	Concerted Action/Work Stoppage
4241.6	Concerted Action/Work Stoppage
4312.1	Contracts
4317.14	Postretirement Employment
6112	School Day
6112	School Day
6117	Year-Round Schedules
6173.1	Education For Foster Youth
6173.1	Education For Foster Youth
7150	Site Selection And Development
7150	Site Selection And Development
7214	General Obligation Bonds
7214	General Obligation Bonds
7310	Naming Of Facility
9000	Role Of The Board
9005	Governance Standards
9012	Board Member Electronic Communications
9100	Organization
9121	President
9130	Board Committees
9140	Board Representatives
9220	Governing Board Elections
9230	Orientation
9270	Conflict Of Interest



9270-E(1)	Conflict Of Interest
9310	Board Policies
9321	Closed Session
9321-E(1)	Closed Session
9321-E(2)	Closed Session
9322	Agenda/Meeting Materials
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
9324	Minutes And Recordings
9400	Board Self-Evaluation

**Bylaw 9323.2: Actions By The Board**

**Status:** ADOPTED

**Original Adopted Date:** 03/01/2011 | **Last Revised Date:** 03/01/2019 2024 | **Last Reviewed Date:** 03/01/2019 2024

CSBA NOTE: Pursuant to Education Code 35164 and Government Code 54952.6, a simple majority vote of ~~all members~~ the membership of the Governing Board is necessary for an item to carry, even in those cases where some members are absent. ~~Thus~~ or seats are vacant. For instance, for districts with a five-member board, an item will pass with three votes, even if only three members are present or there is a vacancy. Education Code 35165 details the effect of a vacancy in districts with a seven-member board. For language regarding vote requirements when a board member abstains, see BB 9323 - Meeting Conduct.

The law specifies However, there are certain board actions ~~as requiring~~ by the Board that require more than a simple majority vote, or that are required to occur, or may not occur, at a certain meeting or type of meeting; see E(1) 9323.2 for a non-exhaustive list of such actions.

The Governing Board shall act by a majority vote of all of the membership constituting the Board, unless otherwise required by law. (Education Code 35164, 35165)

An "action" by the Board means: (Government Code 54952.6)

1. A collective decision by a majority of the Board members
2. A collective commitment or promise by a majority of the Board members to make a positive or negative decision
3. A vote by a majority of the Board members when sitting as the Board upon a motion, proposal, resolution, order, or ordinance

The Board shall not take action by secret ballot, whether preliminary or final. (Government Code 54953)

Actions taken by the Board in open session shall be recorded in the Board minutes. (Education Code 35145)

**Action on Non-Agenda Items**

CSBA NOTE: The Brown Act (Government Code 54950-54963) generally prohibits any action or discussion of items not on the posted agenda. However, Government Code 54954.2 provides for ~~three~~ four specific and narrow situations in which the Board can act on an item not on the agenda, as specified below. Board members may also briefly respond to questions raised by members of the public concerning items not on the agenda; see BB 9323 - Meeting Conduct.

~~After publicly identifying the item, the~~ The Board may take action on a subject not appearing on the posted meeting agenda ~~under~~ only after publicly identifying the item and if any one of the following conditions are met: (Government Code 54954.2)

1. When a majority of the Board determines that an emergency situation exists, as defined for emergency meetings pursuant to Government Code 54956.5
2. When two-thirds of the members present, or if less than two-thirds of the members are present then by a unanimous vote of all members present, determine that the need to take immediate action came to the district's attention after the agenda was posted
3. When an item appeared on the agenda of, and was continued from, a meeting that occurred not more than five days earlier

CSBA NOTE: Government Code 54954.2 provides that the Board may take action on a request by a Board member to participate by teleconference due to emergency circumstances pursuant to Government Code 54953 so long as the timing of the request did not allow for sufficient time to place it on the agenda. If the timing of the request did allow for sufficient time to place it on the agenda, it cannot be acted upon unless it was agendized. For more information regarding Board meetings by teleconference, see Board Bylaw 9320 - Meetings And Notices.

4. Until December 31, 2025, when a Board member requests to participate by teleconference due to emergency circumstances pursuant to Government Code 54953 so long as the timing of the request did not allow for sufficient time to place it on the agenda

### **Challenging Board Actions**

~~CSBA NOTE: Government Code 54960-~~54960.5 grants authority to the district attorney or any interested person to file a civil action asking the court to order the Board to stop or prevent ~~Brown Act violations specified below. The Board should respond to legal challenges to its actions and consult legal counsel when necessary.~~a Brown Act violation or to invalidate a prior action taken by the Board. Pursuant to Government Code 54960.5, a court may award court costs and reasonable attorney's fees to a plaintiff who successfully invalidates a Board action in violation of the Brown Act or successfully enforces one of the Brown Act's civil remedies provided in Government Code 54960-54960.2.successful plaintiff. Prior to filing a civil action, the district attorney or interested party must send a written demand to the Board to "cure and correct" the alleged violation or prior action. The Board should consult with CSBA's District and County Office of Education Legal Services or district legal counsel as appropriate.

~~The~~Before seeking to file a civil action to stop or prevent a Brown Act violation or to invalidate a prior action taken by the Board, the district attorney's office or interested person shall first present a demand to "cure and correct" the alleged violation to the district. If the district receives a proper demand from the district attorney's office or any interested person ~~may file to "cure and correct" an action in court for the purpose of:~~ alleged violation of the Brown Act, the Board shall consult with legal counsel on if and how to respond as provided by law. (Government Code 54960, ~~-~~54960.2)

- ~~1.—Stopping or preventing the Board's violation or threatened violation of the Brown Act~~
- ~~2.—Determining the applicability of the Brown Act to ongoing or future threatened Board actions~~

~~3.—Determining the applicability of the Brown Act to a past action of the Board that is not specified in Government Code 54960.1, provided that:~~

~~a.—Within nine months of the alleged violation, a cease and desist letter is submitted to the Board, clearly describing the past Board action and the nature of the alleged violation.~~

CSBA NOTE: Pursuant to Government Code 54960.2, the Board may respond within 30 days of receiving the cease and desist letter. If the Board decides to respond to the letter with an unconditional commitment to desist from repeating the past action, the unconditional commitment is required to be substantially in the same form provided in Government Code 54960.2 and to be approved in an open session of the Board's regular or special meeting. For a sample unconditional commitment letter, see E(2) 9323.2.

~~b.—The time for the Board to respond has expired and the Board has not provided an unconditional commitment to cease and desist from and not repeat the past action alleged to have violated the Brown Act.~~

~~c.—The action is brought within the time required by Government Code 54960.2.~~

~~4.—Determining the validity, under state or federal law, of any Board rule or action which penalizes any of its members or otherwise discourages their expression~~

~~5.—Compelling the Board to audio record its closed sessions because of a court's finding of the Board's violation of any applicable Government Code provision~~

CSBA NOTE: Pursuant to Government Code 54960.1, the district attorney's office or any interested person may file a lawsuit to invalidate (i.e., declare null and void) actions that violate specific provisions of the Brown Act listed in Government Code 54960.1 and specified below. However, even when the action may normally be subject to invalidation, Government Code 54960.1 provides that in certain circumstances (e.g., when there has been substantial compliance with the Brown Act or the Board action resulted in a contract with a party who detrimentally relied on the action in good faith and without notice of a challenge to its validity), the action may not be invalidated.

Before seeking court action, the person who believes a violation occurred must send a written demand to the Board to "cure or correct" the action as specified below. Because the laws regarding these provisions are complex, it is recommended that the district consult with legal counsel upon receipt of a "cure and correct" demand.

The district attorney or any interested person may file an action in court to nullify a Board action which is alleged to be in violation of law regarding any of the following: (Government Code 54960.1)

~~1.—Open meeting and teleconferencing (Government Code 54953)~~

~~2.—Agenda posting (Government Code 54954.2)~~

~~3.—Closed session item descriptions (Government Code 54954.5)~~

~~4.—New or increased tax assessments (Government Code 54954.6)~~

~~5.—Special meetings (Government Code 54956)~~

~~6.—Emergency meetings (Government Code 54956.5)~~

~~Prior to bringing any action to nullify a Board action, the district attorney or other interested person shall present a demand to "cure and correct" the alleged violation. The demand shall clearly describe the challenged action and the nature of the alleged violation and shall be presented to the Board in writing within 90 days of the date when the action was taken. If the alleged violation concerns action taken in an open session but in violation of Government Code 54954.2 (agenda posting), the written demand must be made within 30 days of the date when the alleged action took place. (Government Code 54960.1)~~

~~Within 30 days of receiving the demand, the Board shall do one of the following: (Government Code 54960.1)~~

~~1.—Cure or correct the challenged action and inform the demanding party in writing of its actions to cure or correct.~~

~~2.—Determine not to cure or correct the alleged violation and inform the demanding party in writing of its decision to not cure or correct.~~

~~3.—Take no action. If the Board takes no action within the 30-day period, its inaction shall be considered a decision not to cure or correct the challenged action.~~

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#### **State**

Code of Civil Procedure 1245.240

Code of Civil Procedure 1245.245

Code of Civil Procedure 425.16

Ed. Code 15266

Ed. Code 17466

Ed. Code 17481

#### **Description**

Eminent domain vote requirements

Eminent domain; resolution adopting different use

Special motion to strike in connection with a public issue

School construction bonds

Declaration of intent to sell or lease real property

Lease of property with residence for nondistrict purposes

Ed. Code 17510-17512	Leasing for production of gas; resolution requiring unanimous vote
Ed. Code 17546	Private sale of personal property
Ed. Code 17556-17561	Dedication of real property
Ed. Code 35140-35149	Meetings
<a href="#"><u>Ed. Code 35150</u></a>	<a href="#"><u>Prohibition to terminate superintendent or assistant superintendent at specified meetings or times</u></a>
Ed. Code 35160-35178.4	Powers and duties
Ed. Code 48660-48661	Community day schools; establishment and restrictions
Gov. Code 53090-53097.5	Regulation of local agencies by counties and cities
Gov. Code 53724	Parcel tax resolution requirements
Gov. Code 53790-53792	Exceeding the budget
Gov. Code 53820-53833	Temporary borrowing
Gov. Code 53850-53858	Temporary borrowing
<a href="#"><u>Gov. Code 54230.5</u></a>	<a href="#"><u>Disposal of surplus land and receipt of notice of violation</u></a>
<a href="#"><u>Gov. Code 54230.7</u></a>	<a href="#"><u>Disposal of surplus land and receipt of notice of violation</u></a>
Gov. Code 54950-54963	The Ralph M. Brown Act
Gov. Code 54952.6	Action taken; definition
Gov. Code 54953	Meetings to be open and public; attendance
Gov. Code 54960-54960.5	Actions to prevent violations
Gov. Code 65352.2	Communicating and coordinating of school sites
Pub. Cont. Code 20110-20118.44	School district contracts
Pub. Cont. Code 20113	Emergencies; award of contracts without bids
Pub. Cont. Code 20114	Repairs, maintenance, and improvements to district facilities by day labor or force account
Pub. Cont. Code 22034	Uniform Public Construction Cost Accounting Act informal bidding ordinance
Pub. Cont. Code 22035	Repair or replacement of facilities in case of emergency
Pub. Cont. Code 22050	Emergency contracting procedures
Pub. Cont. Code 3400	Bid specifications
<b>Management Resources</b> Attorney General Publication	<b>Description</b> The Brown Act: Open Meetings for Legislative Bodies, rev. 2003

Court Decision	Bell v. Vista Unified School District (2002) 82 Cal.App.4th 672
Court Decision	Boyle v. City of Redondo Beach (1999) 70 Cal.App.4th 1109
Court Decision	Los Angeles Times Communications LLC v. Los Angeles County Board of Supervisors (2003) 112 Cal.App.4th 1313
Court Decision	McKee v. Orange Unified School District (2003) 110 Cal.App.4th 1310
CSBA Publication	The Brown Act: School Boards and Open Meeting Laws, rev. 2019
League of California Cities Publication	Open and Public IV: A Guide to the Ralph M. Brown Act 2nd Edition, rev. July 2010
Website	CSBA District and County Office of Education Legal Services
Website	Institute for Local Government
Website	California Office of the Attorney General
Website	CSBA

## Cross References

<b>Code</b>	<b>Description</b>
3260	Fees And Charges
3260	Fees And Charges
3270	Sale And Disposal Of Books, Equipment And Supplies
3270	Sale And Disposal Of Books, Equipment And Supplies
3280	Sale Or Lease Of District-Owned Real Property
3280	Sale Or Lease Of District-Owned Real Property
3311	Bids
3311	Bids
3311.1	Uniform Public Construction Cost Accounting Procedures
3311.1	Uniform Public Construction Cost Accounting Procedures
3471	Parcel Taxes
6185	Community Day School
6185	Community Day School
7131	Relations With Local Agencies
7150	Site Selection And Development

7150	Site Selection And Development
7160	Charter School Facilities
7160	Charter School Facilities
7213	School Facilities Improvement Districts
7214	General Obligation Bonds
7214	General Obligation Bonds
9000	Role Of The Board
9005	Governance Standards
9012	Board Member Electronic Communications
9150	Student Board Members
9200	Limits Of Board Member Authority
9223	Filling Vacancies
9310	Board Policies
9320	Meetings And Notices
9321	Closed Session
9321-E(1)	Closed Session
9321-E(2)	Closed Session
9322	Agenda/Meeting Materials
9323	Meeting Conduct
9324	Minutes And Recordings



**Exhibit 9323.2-E(1): Actions By The Board**

**Status:** ADOPTED

**Original Adopted Date:** 10/01/2016 | **Last Revised Date:** ~~10/03/01/2020~~2024 | **Last Reviewed Date:** ~~10/03/01/2020~~2024

**RESTRICTIONS ON BOARD ACTIONS REQUIRING A SUPER-MAJORITY VOTE**

This exhibit is a non-exhaustive list of the Governing Board actions that require more than a majority vote as well as restrictions and prohibitions on when the Board may take certain actions. Other such actions may exist and may be identified in the future.

**Actions Requiring a Two-Thirds Vote of the Membership of the Board**

~~CSBA NOTE: The following exhibit lists some of the Governing Board actions that require more than a simple majority vote. Other such actions may exist and may be identified in the future.~~ CSBA NOTE: For an action requiring a two-thirds vote to pass, a three-member governing board will need two board members to vote in favor of the item and a five-member board will need four board members to vote in favor of the item. For a seven-member board, five board members will constitute two-thirds of the board except, pursuant to Education Code 35165, if there are one or two vacancies, in which case four board members will constitute two-thirds of the board.

**~~Actions Requiring a Two-Thirds Vote of the Board~~**

~~CSBA NOTE: For an action requiring a two-thirds vote to pass, a three-member board will need two board members to vote in favor of the item, a five-member board will need four board members to vote in favor of the item, and a seven-member board will need five board members to vote in favor of the item.~~

- ~~1. Resolution declaring the Governing Board's~~ Board's intention to sell or lease real property (Education Code 17466)
- ~~2. Resolution declaring the Board's~~ Board's intent to convey or dedicate property to the state or any political subdivision for the purposes specified in Education Code 17556 (Education Code 17557)
- ~~3. Resolution authorizing and directing the Board president, or any other presiding officer, secretary, or member, to execute a deed of dedication or conveyance of property to the state or a political subdivision (Education Code 17559)~~
- ~~4. Lease, for up to three months, of school property which has a residence on it and which cannot be developed for district purposes because funds are unavailable (Education Code 17481)~~

~~CSBA NOTE: Item #5 below is different from temporary borrowing pursuant to Government Code 53850-53858, which requires only a simple majority vote of the Board.~~

- ~~5. Request for temporary borrowing of funds needed for immediate requirements of the district to pay district obligations incurred before the receipt of district income for the fiscal~~

year sufficient to meet the payment(s) (Government Code 53821)

6. Upon complying with Government Code 65352.2 and Public Resources Code 21151.2, action to render city or county zoning ordinances inapplicable to a proposed use of the property by the district so long the proposed use of property is not for nonclassroom facilities (Government Code 53094)
7. When the district is organized to serve only grades K-8, action to establish a community day school for any of grades K-8 (Education Code 48660)
8. When the district is organized to serve only grades K-8, has an average daily attendance (ADA) of 2,500 or less, or desires to operate a community day school to serve any of grades K-6 (and no higher grades) and seeks to situate a community day school on an existing school site, certification that satisfactory alternative facilities are not available for a community day school (Education Code 48661)
9. ~~Resolution of intent~~ Decision to ~~issue~~ pursue the authorization and issuance of general obligation bonds ~~with the approval~~ pursuant to paragraph (3) of subdivision (b) of Section 1 of Article XIII A of the voters California Constitution and subdivision (b) of Section 18 of Article XVI of the district California Constitution (Education Code 15266)
10. ~~Resolution of intent to issue bonds within a school facilities improvement district with the approval of 55 percent of the voters of the school facilities improvement district (Education Code 15266)~~
11. ~~Resolution to place a parcel tax on the ballot (Government Code 53724)~~

~~CSBA NOTE: Code of Civil Procedure 1245.240 requires that, prior to commencing an eminent domain action, the Board adopt a resolution of necessity approved by a two-thirds vote of the Board unless a greater vote is required by statute, charter, or ordinance. In addition, if the Board desires to use the property for a different purpose than stated in the resolution of necessity, then pursuant to Code of Civil Procedure 1245.245, the Board must adopt, by two-thirds vote, another resolution authorizing the different use unless a greater vote is required by statute, charter, or ordinance.~~

10. Resolution of necessity to proceed with an eminent domain action and, if the Board subsequently desires to use the property for a different use than stated in the resolution of necessity, a subsequent resolution so authorizing the different use (Code of Civil Procedure 1245.240, 1245.245)

~~CSBA NOTE: Item #13~~11 is for use by districts governed by a three-member board that have elected to use an alternative procedure for awarding contracts for public works projects pursuant to the Uniform Public Construction Cost Accounting Act (UPCCAA) (Public Contract Code 22000-22045), which establishes a higher bid limit and a more informal bidding process for certain projects. For further information, see BP 3311.1 — Uniform Public Construction Cost Accounting Procedures. Districts with a five- or seven-member board should delete Item #11 below. See Item #4 in the section "Actions Requiring a Four-Fifths Vote of the Board" below for the corresponding language for a district with a five- or seven-member board.

11. When the district has a three-member Board and has adopted the procedures set forth in the Uniform Public Construction Cost Accounting Act (UPCCAA), action to respond to an

emergency facilities condition without giving notice for bids to let award contracts, including the repair or replacement of district facilities, the taking of any other action that is directly related to and immediately required by that emergency, the procurement of the necessary equipment, services, and supplies for those purposes, the delegation of authority to the Superintendent or designee to take such action, and the determination during a regular Board meeting of the need to continue the action (Public Contract Code 22035, 22050)

### **Actions Requiring a Two-Thirds Vote of the Board Members Present at the Meeting**

1. Determination that there is a need to take immediate action and that the need for action came to the district's attention after the posting of the agenda. If less than two-thirds of the Board members are present at the meeting, a unanimous vote of all members present is required. (Government Code 54954.2)
2. Determination that a closed session is necessary during an emergency meeting. If less than two-thirds of the Board members are present, a unanimous vote of all members present is required. (Government Code 54956.5)

### **Actions Requiring a Four-Fifths Vote of the Membership of the Board**

CSBA NOTE: For an action requiring a four-fifths vote to pass, a three-member board will need a unanimous vote in favor of the item, and a five-member board will need four board members to vote in favor of the item, and. For a seven-member board will need, six board members to vote in favor will constitute fourth-fifths of the item board except, pursuant to Government Code 35165, if there is one or two vacancies, in which case five or four board members, respectively, will constitute fourth-fifths of the board.

Items #1 and #2 below are different from borrowing pursuant to Government Code 53850-53858, which requires only a simple majority vote of the Board.

1. Resolution for district borrowing based on issuance of notes, tax anticipation warrants, or other evidences of indebtedness, in an amount up to 50 percent of the district's estimated income and revenue for the fiscal year or the portion not yet collected at the time of the borrowing (Government Code 53822, 53824)
2. Resolution for district borrowing, between July 15 and August 30 of any fiscal year, of up to 25 percent of the estimated income and revenue to be received by the district during that fiscal year from apportionments based on ADA for the preceding school year (Government Code 53823-~~r~~, 53824)
3. Declaration of an emergency in order to authorize the district to include a particular brand name or product in a bid specification (Public Contract Code 3400)

CSBA NOTE: Item #4 is for use by districts governed by a five-member or seven-member board. Districts with a three -member board should delete Item #4 below. See Item #11 in Section "Actions Requiring a Two-Thirds Vote of the Membership of the Board" above for the corresponding language for a district with a three-member board.

Items #4-5 are for use by districts that have elected to use an alternative procedure for awarding contracts for public works projects pursuant to the UPCCAA. For further information, see BP 3311.1 - Uniform Public Construction Cost Accounting Procedures.

4. When the district has a five-member or seven-member Board and has adopted the procedures set forth in UPCCAA, action to respond to an emergency facilities condition without giving notice for bids to let ~~let~~ **award** contracts, including the repair or replacement of district facilities, the taking of any other action that is directly related to and immediately required by that emergency, the procurement of the necessary equipment, services, and supplies for those purposes, the delegation of authority to the Superintendent or designee to take such action, and the determination during a regular Board meeting of the need to continue the action (Public Contract Code 22035, 22050)
5. Resolution to award a contract for a public works project at \$212,500 or less to the lowest responsible bidder, when the district is using the informal process authorized under the UPCCAA for projects of \$200,000 or less, all bids received are in excess of \$200,000, and the Board determines that the district's cost estimate was reasonable (Public Contract Code 22034)

**Action ~~Actions~~ Requiring a Four-Fifths Vote of the Board Members Present at the Meeting**

1. Approval ~~A four-fifths vote of the Board members present at the meeting shall be required to approve~~ the expenditure and transfer of necessary funds and use of district property or personnel to meet a national or local emergency created by war, military, naval, or air attack, or sabotage, or to provide for adequate national or local defense. (Government Code 53790-53792)

**~~Actions Requiring a Unanimous Vote of the Board~~ Actions Requiring a Unanimous Vote of the Membership of the Board**

1. Resolution authorizing and prescribing the terms of a lease of district property for extraction and taking of gas not associated with oil (Education Code 17510-, 17511)
2. Authorization of the use of day labor or force account, or waiver of the competitive bid process pursuant to Public Contract Code 20111, when the Board determines that an emergency exists requiring the repair, alteration, work, or improvement to any facility to permit the continuance of existing classes or to avoid danger to life or property, and upon approval of the County Superintendent of Schools (Public Contract Code 20113)

**Action ~~Actions~~ Requiring a Unanimous Vote of the Board Members Present at the Meeting**

1. Private sale of surplus property without advertisement in order to establish that such property is not worth more than \$2,500. Disposal of surplus property or donation to a charitable organization requires the unanimous vote of the Board members present to establish that the value of such property would not defray the cost of arranging its sale. (Education Code 17546)

**Actions Required to Occur During a Regular Board Meeting**

1. Termination of the Superintendent or an assistant superintendent without cause (Education Code 35150)
2. Discussion or action regarding the contract, salary, salary schedule, or other compensation of the Superintendent, assistant superintendent, or other management employee as described in Government Code 3511.1 (Government Code 54956)

## **Prohibitions on Certain Board Actions**

CSBA NOTE: Pursuant to Education Code 35150, as added by SB 494 (Ch. 875, Statutes of 2023), the Board is prohibited from taking action to terminate the Superintendent or Assistant Superintendent as specified in the following paragraph.

1. Termination of the Superintendent or an assistant superintendent without cause within 30 days after the first convening of the Board after an election at which one or more Board members are elected or recalled (Education Code 35150)

CSBA NOTE: Pursuant to Government Code 54230.7, as added by SB 229 (Ch. 774, Statutes of 2023), districts disposing of surplus land that received a notification of violation from the Department of Housing and Community Development are required to hold an open and public meeting to review and consider the substance of the notice of violation and may not take final action to ratify or approve the proposed disposal until a public meeting is held.

2. When the District is disposing of surplus land and has received a notification from the Department of Housing and Community Development pursuant to Government Code 54230.5 with regard to the surplus land, final action to ratify or approve the proposed disposal of surplus land unless the district holds an open and public meeting in compliance with Government Code 54230.7 to review and consider the substance of the notice

### **Policy Reference UPDATE Service**

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### **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.

<b>State</b>	<b>Description</b>
Code of Civil Procedure 1245.240	Eminent domain vote requirements
Code of Civil Procedure 1245.245	Eminent domain; resolution adopting different use
Code of Civil Procedure 425.16	Special motion to strike in connection with a public issue
Ed. Code 15266	School construction bonds
Ed. Code 17466	Declaration of intent to sell or lease real property
Ed. Code 17481	Lease of property with residence for nondistrict purposes
Ed. Code 17510-17512	Leasing for production of gas; resolution requiring unanimous vote
Ed. Code 17546	Private sale of personal property
Ed. Code 17556-17561	Dedication of real property

Ed. Code 35140-35149	Meetings
<a href="#"><u>Ed. Code 35150</u></a>	<a href="#"><u>Prohibition to terminate superintendent or assistant superintendent at specified meetings or times</u></a>
Ed. Code 35160-35178.4	Powers and duties
Ed. Code 48660-48661	Community day schools; establishment and restrictions
Gov. Code 53090-53097.5	Regulation of local agencies by counties and cities
Gov. Code 53724	Parcel tax resolution requirements
Gov. Code 53790-53792	Exceeding the budget
Gov. Code 53820-53833	Temporary borrowing
Gov. Code 53850-53858	Temporary borrowing
<a href="#"><u>Gov. Code 54230.5</u></a>	<a href="#"><u>Disposal of surplus land and receipt of notice of violation</u></a>
<a href="#"><u>Gov. Code 54230.7</u></a>	<a href="#"><u>Disposal of surplus land and receipt of notice of violation</u></a>
Gov. Code 54950-54963	The Ralph M. Brown Act
Gov. Code 54952.6	Action taken; definition
Gov. Code 54953	Meetings to be open and public; attendance
Gov. Code 54960-54960.5	Actions to prevent violations
Gov. Code 65352.2	Communicating and coordinating of school sites
Pub. Cont. Code 20110-20118.44	School district contracts
Pub. Cont. Code 20113	Emergencies; award of contracts without bids
Pub. Cont. Code 20114	Repairs, maintenance, and improvements to district facilities by day labor or force account
Pub. Cont. Code 22034	Uniform Public Construction Cost Accounting Act informal bidding ordinance
Pub. Cont. Code 22035	Repair or replacement of facilities in case of emergency
Pub. Cont. Code 22050	Emergency contracting procedures
Pub. Cont. Code 3400	Bid specifications
<b>Management Resources</b>	<b>Description</b>
Attorney General Publication	The Brown Act: Open Meetings for Legislative Bodies, rev. 2003
Court Decision	Bell v. Vista Unified School District (2002) 82 Cal.App.4th 672
Court Decision	Boyle v. City of Redondo Beach (1999) 70 Cal.App.4th 1109

Court Decision	Los Angeles Times Communications LLC v. Los Angeles County Board of Supervisors (2003) 112 Cal.App.4th 1313
Court Decision	McKee v. Orange Unified School District (2003) 110 Cal.App.4th 1310
CSBA Publication	The Brown Act: School Boards and Open Meeting Laws, rev. 2019
League of California Cities Publication	Open and Public IV: A Guide to the Ralph M. Brown Act 2nd Edition, rev. July 2010
Website	CSBA District and County Office of Education Legal Services
Website	Institute for Local Government
Website	California Office of the Attorney General
Website	CSBA

## Cross References

<b>Code</b>	<b>Description</b>
3260	Fees And Charges
3260	Fees And Charges
3270	Sale And Disposal Of Books, Equipment And Supplies
3270	Sale And Disposal Of Books, Equipment And Supplies
3280	Sale Or Lease Of District-Owned Real Property
3280	Sale Or Lease Of District-Owned Real Property
3311	Bids
3311	Bids
3311.1	Uniform Public Construction Cost Accounting Procedures
3311.1	Uniform Public Construction Cost Accounting Procedures
3471	Parcel Taxes
6185	Community Day School
6185	Community Day School
7131	Relations With Local Agencies
7150	Site Selection And Development
7150	Site Selection And Development
7160	Charter School Facilities
7160	Charter School Facilities

7213	School Facilities Improvement Districts
7214	General Obligation Bonds
7214	General Obligation Bonds
9000	Role Of The Board
9005	Governance Standards
9012	Board Member Electronic Communications
9150	Student Board Members
9200	Limits Of Board Member Authority
9223	Filling Vacancies
9310	Board Policies
9320	Meetings And Notices
9321	Closed Session
9321-E(1)	Closed Session
9321-E(2)	Closed Session
9322	Agenda/Meeting Materials
9323	Meeting Conduct
9324	Minutes And Recordings



**Exhibit 9323.2-E(2): Actions By The Board**

**Status:** ADOPTED

**Original Adopted Date:** 11/01/2012 | **Last Revised Date:** 03/01/2019 | **Last Reviewed Date:** 03/01/2019

**UNCONDITIONAL COMMITMENT LETTER**

CSBA NOTE: Government Code 54960 authorizes the district attorney or other interested person to file an action in court to determine the applicability of the Ralph M. Brown Act to any past Governing Board action which is not specified in Government Code 54960.1; see the accompanying board bylaw. Pursuant to Government Code 54960.2, prior to commencing such an action the district attorney or other interested person must send a cease and desist letter to the Board within nine months of the alleged violation. Within 30 days of receiving the cease and desist letter, the Board may respond by sending an unconditional commitment, substantially in the same form provided in Government Code 54960.2, to desist from repeating the past action. If the Board so responds, the district attorney or other interested person may not file an action in court. The following exhibit presents a sample unconditional commitment letter.

To: (Name of district attorney or any interested person)

The Governing Board of (name of school district) has received your cease and desist letter dated (date) alleging that the following past action taken by the Board violates the Ralph M. Brown Act: (Describe alleged past action as set forth in the cease and desist letter.)

In order to avoid unnecessary litigation and without admitting any violation of the Ralph M. Brown Act, the Board hereby unconditionally commits that it will cease, desist from, and not repeat the challenged past action described above. The Board may rescind this commitment only by a majority vote of its membership taken in open session at a regular meeting and noticed on its posted agenda as "Rescission of Brown Act Commitment." You will be provided with written notice, sent by any means or media you provide in response to this message, to whatever address(es) you specify, of any intention to consider rescinding this commitment at least 30 days before any such regular meeting. In the event that this commitment is rescinded, a notice will be delivered to you by the same means as this commitment, or by mail to an address that you have designated in writing, and you will have the right to commence legal action pursuant to Government Code 54960(a).

Sincerely,

(Name)

(Title of Board President or other designee)

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**Policy 3510: Green School Operations**

**Status: DRAFT**

**Original Adopted Date:** 08/14/2019 | **Last Revised Date:** Pending

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

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

(cf. 1220 - Citizen Advisory Committees)

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

(cf. 7131 - Relations with Local Agencies)

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

(cf. 3100 - Budget)

(cf. 3460 - Financial Reports and Accountability)

District strategies may include, but are not limited to:

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

(cf. 3511 - Energy and Water Management)

2. Establishing recycling programs in district facilities

(cf. 3511.1 - Integrated Waste Management)

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

4. Using environmentally preferable products and services whenever practical, including, but not limited to, products that:

- a. Minimize environmental impacts, toxins, pollutants, odors, and hazards
- b. Contain postconsumer recycled content
- c. Are durable and long-lasting
- d. Conserve energy and water
- e. Reduce waste

(cf. 3514 - Environmental Safety)

(cf. 3514.1 - Hazardous Substances)

(cf. 5141.23 - Asthma Management)

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

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

(cf. 4231 - Staff Development)

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

(cf. 3514.2 - Integrated Pest Management)

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

(cf. 7110 - Facilities Master Plan)

(cf. 7111 - Evaluating Existing Buildings)

(cf. 7150 - Site Selection and Development)

9. Reducing vehicle emissions by:

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

(cf. 5142.2 - Safe Routes to School Program)

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

(cf. 3540 - Transportation)

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

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

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

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

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

c. Utilizing reusable products

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

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

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

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

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

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

(cf. 6142.5 - Environmental Education)

## **12. Single Use Food Service Ware Reduction Policy**

The Board of Trustees 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.

The Board of Trustees is committed to fostering a healthy and sustainable environment for our students and staff. As part of our comprehensive wellness plan, we have implemented a policy aimed at reducing the use of single-use food service ware across our campus. This initiative not only aligns with our commitment to environmental stewardship but also promotes healthier eating habits among our school community. By transitioning to reusable or compostable alternatives, we strive to minimize waste generation, reduce our carbon footprint, and instill values of sustainability in our students. Through education, awareness campaigns, and collaboration with stakeholders, we aim to create a culture of responsible consumption and environmental consciousness. Together, we can make a significant impact on the well-being of both our community and the planet.

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### **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.

<b>State</b>	<b>Description</b>
13 CCR 2480	<a href="#">Vehicle idling; limitations</a>
2 CCR 1859.70.4	<a href="#">Funding for high performance incentive grants</a>
2 CCR 1859.71.6	<a href="#">Additional grant for high performance incentive; new construction</a>
2 CCR 1859.77.4	<a href="#">Additional grants for high performance incentive; site and modernization</a>
24 CCR 101.1-703.1	Green building standards
5 CCR 14010	Procedure for site acquisition
Ed. Code 101012	<a href="#">Kindergarten through 12th grade school facilities program</a>
Ed. Code 17070.96	<a href="#">Leroy F. Greene School Facilities Act of 1996; consideration of high performance standards</a>
Ed. Code 17072.35	<a href="#">New construction grants; use for designs and materials for high performance schools</a>
Ed. Code 17608-17614	<a href="#">Healthy Schools Act of 2000</a>
Ed. Code 32370-32376	<a href="#">Recycling paper</a>
Ed. Code 33541	<a href="#">Science requirements</a>
Ed. Code 8700-8707	<a href="#">Environmental education</a>
F&A Code 13180-13188	<a href="#">Healthy Schools Act of 2000</a>
H&S Code 114079	<a href="#">General food safety requirements; unused or returned food</a>
Pub Cont. Code 12400-12404	<a href="#">Environmentally preferable purchasing</a>
Pub. Res. Code 25410-25422	<a href="#">Energy conservation assistance</a>
Pub. Res. Code 40050-40063	<a href="#">Integrated waste management act</a>
Pub. Res. Code 42630-42647	<a href="#">Schoolsite source reduction and recycling assistance program</a>
<b>Management Resources</b>	<b>Description</b>
California Air Resources Board Publication	School Bus Fleet Webinar, April 20, 2018
CHPS Publication	CHPS Best Practices Manual
Global Green USA Publication	Healthier, Wealthier, Wiser: A Report on National Green Schools

Green Schools Initiative Publication	Green Schools Buying Guide
Healthy Schools Campaign Publication	The Quick and Easy Guide to Green Cleaning in Schools, 2nd ed., 2008
Website	<a href="#">CSBA District and County Office of Education Legal Services</a>
Website	<a href="#">U.S. Green Building Council, LEED Green Building Rating System</a>
Website	<a href="#">Global Green USA</a>
Website	<a href="#">Green Schools Initiative</a>
Website	<a href="#">Healthy Schools Campaign</a>
Website	<a href="#">California Air Resources Board</a>
Website	<a href="#">California Department of General Services, Green California</a>
Website	<a href="#">California Energy Commission</a>
Website	<a href="#">Collaborative for High Performance Schools</a>
Website	<a href="#">U.S. Environmental Protection Agency</a>
Website	<a href="#">CSBA</a>

### Cross References

<b>Code</b>	<b>Description</b>
0450	<a href="#">Comprehensive Safety Plan</a>
0450	<a href="#">Comprehensive Safety Plan</a>
1220	<a href="#">Citizen Advisory Committees</a>
1400	<a href="#">Relations Between Other Governmental Agencies And The Schools</a>
3100	<a href="#">Budget</a>
3100	<a href="#">Budget</a>
3270	<a href="#">Sale And Disposal Of Books, Equipment And Supplies</a>
3270	<a href="#">Sale And Disposal Of Books, Equipment And Supplies</a>
3311	<a href="#">Bids</a>
3311	<a href="#">Bids</a>
3460	<a href="#">Financial Reports And Accountability</a>

3460	<a href="#"><u>Financial Reports And Accountability</u></a>
3511	<a href="#"><u>Energy And Water Management</u></a>
3511	<a href="#"><u>Energy And Water Management</u></a>
3511.1	<a href="#"><u>Integrated Waste Management</u></a>
3511.1	<a href="#"><u>Integrated Waste Management</u></a>
3514	<a href="#"><u>Environmental Safety</u></a>
3514	<a href="#"><u>Environmental Safety</u></a>
3514.1	<a href="#"><u>Hazardous Substances</u></a>
3514.1	<a href="#"><u>Hazardous Substances</u></a>
3514.2	<a href="#"><u>Integrated Pest Management</u></a>
3523	<a href="#"><u>Electronic Signatures</u></a>
3523	<a href="#"><u>Electronic Signatures</u></a>
3540	<a href="#"><u>Transportation</u></a>
3540	<a href="#"><u>Transportation</u></a>
3541	<a href="#"><u>Transportation Routes And Services</u></a>
3550	<a href="#"><u>Food Service/Child Nutrition Program</u></a>
3550	<a href="#"><u>Food Service/Child Nutrition Program</u></a>
3551	<a href="#"><u>Food Service Operations/Cafeteria Fund</u></a>
3551	<a href="#"><u>Food Service Operations/Cafeteria Fund</u></a>
4231	<a href="#"><u>Staff Development</u></a>
4231	<a href="#"><u>Staff Development</u></a>
5141.22	<a href="#"><u>Infectious Diseases</u></a>
5141.22	<a href="#"><u>Infectious Diseases</u></a>
5141.23	<a href="#"><u>Asthma Management</u></a>
5141.23	<a href="#"><u>Asthma Management</u></a>
5142.2	<a href="#"><u>Safe Routes To School Program</u></a>
5142.2	<a href="#"><u>Safe Routes To School Program</u></a>
6142.5	<a href="#"><u>Environmental Education</u></a>
7110	<a href="#"><u>Facilities Master Plan</u></a>
7111	<a href="#"><u>Evaluating Existing Buildings</u></a>

**Policy 5030: Student Wellness**

**Status: ADOPTED**

**Original Adopted Date:** 10/26/2022 | **Last Reviewed Date:** 10/26/2022

The Board of Trustees recognizes the link between student health and learning and desires to provide a comprehensive program promoting healthy eating and physical activity for district students. The Superintendent or designee shall coordinate and align district efforts to support student wellness through health education, physical education and activity, health services, nutrition services, psychological and counseling services, and a safe and healthy school environment. In addition, the Superintendent or designee shall develop strategies for promoting staff wellness and for involving parents/guardians and the community in reinforcing students' understanding and appreciation of the importance of a healthy lifestyle.

(cf. 1020 - Youth Services)

(cf. 3513.3 - Tobacco-Free Schools) [Tobacco-Free Schools](#)

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.

(cf. 3514 - Environmental Safety) [Environmental Safety](#)

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

(cf. 5131.6 - Alcohol and Other Drugs) [Alcohol And Other Drugs](#)

The Board of Trustees believes that the use of alcohol or other drugs adversely affects a student's ability to achieve academic success, is physically and emotionally harmful, and has serious social and legal consequences. The Superintendent or designee shall develop comprehensive programs and activities to foster safe, healthy, and drug-free environments that support academic achievement.

(cf. 5131.61 - Drug Testing) [Drug Testing](#)

The Board of Trustees is committed to providing a safe, drug-free school environment to maximize the health and safety of district students and to protect them from dangers associated with illegal drug use and drug abuse. To support the district's drug abuse prevention efforts, the Board desires to establish a drug testing program in the district's high schools that will discourage illegal drug use among students and timely identify and refer drug users to appropriate counseling and rehabilitative services.

(cf. 5131.62 - Tobacco) [Tobacco](#)

The Governing Board recognizes the serious health risks presented by tobacco use and desires to ensure that, through adoption of consistent policies, district students are made aware of those risks and, to the extent possible, protected from them. The Superintendent or designee shall establish a coordinated school health system which includes a comprehensive behavioral health education component that teaches students the



knowledge, skills, and attitudes they need in order to lead healthy lives and avoid high-risk behaviors, such as tobacco use.

(cf. 5131.63 - Steroids) [Steroids](#)

The Board of Trustees recognizes that the use of steroids and other performance-enhancing supplements presents a serious health and safety hazard. As part of the district's drug prevention and intervention efforts, the Superintendent or designee and staff shall make every reasonable effort to prevent students from using steroids or other performance-enhancing supplements.

(cf. 5141 - Health Care and Emergencies) [Health Care And Emergencies](#)

(cf. 5141.22 - Infectious Diseases) [Infectious Diseases](#)

The Board of Trustees desires to protect students from risks posed by exposure to infectious diseases while providing a high-quality education for all students. The Superintendent or designee shall collaborate with local and state health officials to develop and regularly update a comprehensive plan for disease prevention that promotes preventative measures, mitigation, education, communication, and training of students and staff. All measures to limit the spread of infectious diseases shall be nondiscriminatory and ensure that equity is promoted.

(cf. 5141.3 - Health Examinations) [Health Examinations](#)

This was from 2013.... The principal at each school shall notify parents/guardians of the rights of students and parents/guardians related to health examinations. (Education Code 48980; 20 USC 1232h)

(cf. 5141.32 - Health Screening for School Entry) & (cf. 5141.31 - Immunizations) [Immunizations](#)

To protect the health of all students and staff and to curtail the spread of infectious diseases, the Governing Board shall cooperate with state and local public health agencies to encourage and facilitate immunization of all district students against preventable diseases.

(cf. 5141.6 - School Health Services) [School Health Services](#)

(cf. 6142.1 - Sexual Health and HIV/AIDS Prevention Education)

[Sexual Health And HIV/AIDS Prevention Instruction](#)

The Board of Trustees desires to provide a well-planned, integrated sequence of medically accurate and inclusive instruction on comprehensive sexual health and human immunodeficiency virus (HIV) prevention. The district's educational program shall address the goals of the California Healthy Youth Act pursuant to Education Code 51930-51939, including providing students with the knowledge and skills necessary to protect them from risks presented by sexually transmitted infections, unintended pregnancy, sexual harassment, sexual assault, sexual abuse, and human trafficking and to have healthy, positive, and safe relationships and behaviors. The district's educational program shall also promote students' understanding of sexuality as a normal part of human development and their development of healthy attitudes and behaviors concerning adolescent growth and development, body image, gender, gender identity, gender expression, sexual orientation, relationships, marriage, and family.

(cf. 6164.2 - Guidance/Counseling Services) [Guidance/Counseling Services](#)

### **School Wellness Council**

The Superintendent or designee shall encourage parents/guardians, students, food service employees, physical education teachers, school health professionals, Board members, school administrators, and members of the public to participate in the development, implementation, and periodic review and update of the district's student wellness policy. (42 USC 1758b; 7 CFR 210.30)

To fulfill this requirement, the Superintendent or designee may appoint a school wellness council or other district committee and a wellness council coordinator. The council may include representatives of the groups listed above, as well as health educators, curriculum directors, counselors, before- and after-school program staff, health practitioners, and/or others interested in school health issues.

(cf. 1220 - Citizen Advisory Committees) [Citizen Advisory Committees](#)

(cf. 9140 - Board Representatives) [Board Representatives](#)

The Superintendent or designee may make available to the public and school community a list of the names, position titles, and contact information of the wellness council members.

The wellness council shall advise the district on health-related issues, activities, policies, and programs. At the discretion of the Superintendent or designee, the duties of the council may also include the planning, implementation, and evaluation of activities to promote health within the school or community.

### **Goals for Nutrition, Physical Activity, and Other Wellness Activities**

The Board shall adopt specific goals for nutrition promotion and education, physical activity, and other school-based activities that promote student wellness. In developing such goals, the Board shall review and consider evidence-based strategies and techniques. (42 USC 1758b; 7 CFR 210.30)

(cf. 0000 - Vision) [Vision](#)

The Board of Trustees believes that a clearly stated purpose and direction for the district provides the foundation for continuous improvement and accountability. The Board shall adopt a long-range vision for district programs and activities that focuses on the achievement and well-being of all students and reflects the importance of preparing students for the future academically, professionally, and personally. The vision shall recognize the unique role of students, parents/guardians, staff, and community partners in contributing to a high-quality education for all students. The district's vision may be incorporated into its mission or purpose statement, philosophy or motto, long-term goals, short-term objectives, and comprehensive plans such as the local control and accountability plan (LCAP).

(cf. 0200 - Goals for the School District) [Goals For The School District](#)

The district's nutrition education and physical education programs shall be based on research, shall be consistent with the expectations established in the state's curriculum frameworks and content standards, and shall be designed to build the skills and knowledge that all students need to maintain a healthy lifestyle.

(cf. 6011 - Academic Standards) [Academic Standards](#)

The Board of Trustees shall adopt high standards for student achievement which challenge all students to reach their full potential and specify what students are expected to know and to be able to do at each grade level and in each area of study. These standards shall reflect the knowledge and skills needed for students to be adequately prepared for postsecondary education, employment, and responsible citizenship.

The Superintendent or designee shall provide the Board with recommended standards using a process that involves teachers, school site and district administrators, students, parents/guardians, representatives from business/industry and postsecondary institutions, and/or community members. He/she shall ensure the proper articulation of standards between grade levels and the alignment of the standards with the district's vision and goals, graduation requirements, college entrance requirements, and other desired student outcomes. He/she also shall ensure that the standards are easily understandable and measurable.

(cf. 6142.7 - Physical Education and Activity) [Physical Education And Activity](#)

Physical education is a sequential educational program that teaches students to understand and participate in regular physical activity that assists in developing and maintaining physical fitness throughout their lifetime, understand and improve their motor skills, enjoy using their skills and knowledge to establish a healthy lifestyle, and understand how their bodies work.

All students shall be provided opportunities to be physically active on a regular basis. Opportunities for moderate to vigorous physical activity shall be provided through physical education and recess and may also be provided through school athletic programs, extracurricular programs, before- and after-school programs, summer learning programs, programs encouraging students to walk or bicycle to and from school, in-class physical activity breaks, and other structured and unstructured activities.

(cf. 6142.8 - Comprehensive Health Education) [Comprehensive Health Education](#)

The Governing Board believes that health education should foster the knowledge, skills, and attitudes that students need in order to lead healthy lives and avoid high-risk behaviors, and that creating a safe, supportive, inclusive, and nonjudgmental environment is crucial in promoting healthy development for all students. The district's health education program shall be part of a coordinated school health system which supports the physical, mental, and social well-being of students and is linked to district and community services and resources.

(cf. 6143 - Courses of Study) [Courses of Study](#)

The Governing Board recognizes that a well-aligned sequence of courses fosters academic growth and provides for the best possible use of instructional time. The district's course of study shall provide students with opportunities to attain the skills, knowledge, and abilities they need to be successful academically, professionally, and personally.

The Superintendent or designee shall establish processes for ensuring the articulation of courses across grade levels within the district. As necessary, the Superintendent or designee shall work with representatives

of appropriate area districts and postsecondary institutions to ensure articulation of courses with other institutions to which district students may matriculate. The sequence of courses shall be designed to ensure that each course provides adequate preparation for the next course in the sequence, only utilizes prerequisites that are essential to success in a given program or course, avoids significant duplication of content, and allows for reinforcement and progression in the subject matter.

The district shall not provide any course separately or require or refuse participation by any student on the basis of the student's actual or perceived sex, sexual orientation, gender, gender expression, gender identity, ethnic group identification, immigration status, race, ancestry, national origin, religion, color, mental or physical disability, or any other characteristic listed in Education Code 200 and 220, Government Code 11135, or Penal Code 422.55, or the student's association with a person or group with one or more of such actual or perceived characteristics. (Education Code 200, 220; Government Code 11135; Penal Code 422.55; 5 CCR 4940)

(cf. 5148.2 - Before/After School Programs) [Before/After School Programs](#)

The district's 21st Century High School After School Safety and Enrichment for Teens (ASSETs) program shall serve students in any of grades 9-12 as the district may determine based on local needs.

(cf. 6177 - Summer Learning Programs)

The Governing Board recognizes that an extended break from the instructional program may result in significant learning loss, especially among disadvantaged and low-achieving students, and desires to provide opportunities during the summer for students to practice essential skills and make academic progress.

Summer programs offered by the district shall be aligned with the district's local control and accountability plan (LCAP), other applicable district and school plans, and the educational program provided during the school year. When feasible, summer programs shall blend high-quality academic instruction in core curricular and/or elective subjects with recreation, nutrition programs, social and emotional development, and support services that encourage attendance, student engagement in learning, and student wellness.

(cf. 5142.2 - Safe Routes to School Program) [Safe Routes To School Program](#)

The Governing Board recognizes that walking, bicycling, and other forms of active transport to school increase students' physical activity and reduce vehicle traffic and air pollution in the vicinity of schools. As part of the district's coordinated approach to supporting student wellness and safety and enhancing student learning and achievement, the Superintendent or designee shall develop and implement strategies to establish and encourage safe routes to school program activities.

(cf. 6145 - Extracurricular and Cocurricular Activities) [Extracurricular And Cocurricular Activities](#)

The Board of Trustees recognizes that extracurricular and cocurricular activities enrich the educational and social development of students and enhance students' feelings of connectedness with the schools. The district shall encourage and support student participation in extracurricular and cocurricular activities without compromising the integrity and purpose of the educational program.

(cf. 6145.2 - Athletic Competition) [Athletic Competition](#)

The Board may enter into a joint use agreement or memorandum of understanding to make district facilities or grounds available for recreational or sports activities outside the school day and/or to use community facilities to expand students' access to opportunity for physical activity.

The Board of Trustees recognizes that the district's athletic program constitutes an integral component of the educational program and helps to build a positive school climate. The athletic program also promotes the physical, social, and emotional well-being and character development of participating students. The district's athletic program shall be designed to meet students' interests and abilities and shall be varied in scope to attract wide participation.

(cf. 1330.1 - Joint Use Agreements)

In order to ensure the efficient use of public resources and increase access to needed services, the Governing Board may enter into an agreement with any public agency, public institution, and/or community organization to use community facilities for school programs or to make school facilities or grounds available for use by those entities.

(cf. 4331 - Staff Development) [Staff Development](#)

The Board of Trustees recognizes that professional development opportunities enhance employee effectiveness and contribute to personal growth. Staff development for management, supervisory and confidential personnel shall be designed to guide instructional improvement, build leadership skills, and enhance overall management efficiency.

(cf. 5131.2 - Bullying) [Bullying](#)

The Board recognizes that a safe, positive school environment is also conducive to students' physical and mental health and thus prohibits bullying and harassment of all students, including bullying on the basis of weight or health condition.

The Board of Trustees recognizes the harmful effects of bullying on student well-being, student learning, and school attendance and desires to provide a safe school environment that protects students from physical and emotional harm. No individual or group shall, through physical, written, verbal, visual, or other means, harass, sexually harass, threaten, intimidate, cyberbully, cause bodily injury to, or commit hate violence against any student or school personnel, or retaliate against them for filing a complaint or participating in the complaint resolution process.

(cf. 5145.3 - Nondiscrimination/Harassment) [Nondiscrimination/Harassment](#)

The Superintendent or designee shall encourage staff to serve as positive role models for healthy eating and physical fitness. He/she shall promote work-site wellness programs and may provide opportunities for regular physical activity among employees.

**Nutrition Guidelines for All Foods Available at School**

For all foods and beverages available on each campus during the school day, the district shall adopt nutrition guidelines which are consistent with 42 USC 1758, 1766, 1773, and 1779 and federal regulations and which support the objectives of promoting student health and reducing childhood obesity. (42 USC 1758b)

In order to maximize the district's ability to provide nutritious meals and snacks, all district schools shall participate in available federal school nutrition programs, including the National School Lunch and School Breakfast Programs and after-school snack programs, to the extent possible. When approved by the California Department of Education, the district may sponsor a summer meal program.

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

### **Single Use Food Service Ware Reduction Policy**

The Board of Trustees 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.

The Board of Trustees is committed to fostering a healthy and sustainable environment for our students and staff. As part of our comprehensive wellness plan, we have implemented a policy aimed at reducing the use of single-use food service ware across our campus. This initiative not only aligns with our commitment to environmental stewardship but also promotes healthier eating habits among our school community. By transitioning to reusable or compostable alternatives, we strive to minimize waste generation, reduce our carbon footprint, and instill values of sustainability in our students. Through education, awareness campaigns, and collaboration with stakeholders, we aim to create a culture of responsible consumption and environmental consciousness. Together, we can make a significant impact on the well-being of both our community and the planet.

(cf. 3552 - Summer Meal Program) [Summer Meal Program](#)

(cf. 3553 - Free and Reduced Price Meals) [Free And Reduced Price Meals](#)

(cf. 5141.27 - Food Allergies/Special Dietary Needs) [Food Allergies/Special Dietary Needs](#)

(cf. 3312 - Contracts) [Contracts](#)

(cf. 3554 - Other Food Sales) [Other Food Sales](#)

The Superintendent or designee shall encourage school organizations to use healthy food items or non-food items for fundraising purposes.

He/she also shall encourage school staff to avoid the use of non-nutritious foods as a reward for students' academic performance, accomplishments, or classroom behavior.

School staff shall encourage parents/guardians or other volunteers to support the district's nutrition education program by considering nutritional quality when selecting any snacks which they may donate for occasional class parties. Class parties or celebrations shall be held after the lunch period when possible.

To reinforce the district's nutrition education program, the Board prohibits the marketing and advertising of foods and beverages that do not meet nutrition standards for the sale of foods and beverages on campus during the school day. (7 CFR 210.30)

Food and beverage sales outside the district's food service program shall comply with applicable nutritional standards specified in Education Code 49431, 49431.2, 49431.5, and 49431.7 and 5 CCR 15575-15578.

(cf. 1325 - Advertising and Promotion) [Advertising And Promotion](#)

The Board of Trustees establishes this policy to ensure effective and consistent standards for advertisements and promotions by nonschool groups in school-sponsored publications, on district and school web sites and social media, and on school facilities and grounds. Student speech shall be regulated in accordance with BP/AR 5145.2 - Freedom of Speech/Expression.

### **Program Implementation and Evaluation**

The Superintendent designates the individual(s) identified below as the individual(s) responsible for ensuring that each school site complies with the district's wellness policy. (42 USC 1758b; 7 CFR 210.30)

Lisa Phillips  
Director of Health Services  
1010 Wheatland Road  
Wheatland, CA 95692  
530-633-3100 x249  
[lphillips@wheatlandhigh.org](mailto:lphillips@wheatlandhigh.org)

(cf. 0500 - Accountability) [Accountability](#)

The Board of Trustees recognizes its responsibility to ensure accountability to the public for the performance of the district and each district school. The Board shall regularly review the effectiveness of district programs, personnel, and fiscal operations, with a focus on the capacity to improve student achievement. The Board shall establish appropriate processes and measures to monitor results and to evaluate progress toward accomplishing the district's vision and goals set forth in the local control and accountability plan (LCAP).

(cf. 3555 - Nutrition Program Compliance) [Nutrition Program Compliance](#)

The Superintendent or designee shall assess the implementation and effectiveness of this policy at least once every three years. (42 USC 1758b; 7 CFR 210.30)

The assessment shall include the extent to which district schools are in compliance with this policy, the extent to which this policy compares to model wellness policies available from the U.S. Department of Agriculture, and a description of the progress made in attaining the goals of the wellness policy. (42 USC 1758b)

The Superintendent or designee shall invite feedback on district and school wellness activities from food service personnel, school administrators, the wellness council, parents/guardians, students, teachers, before-

and after-school program staff, and/or other appropriate persons.

The Board and the Superintendent or designee shall establish indicators that will be used to measure the implementation and effectiveness of the district activities related to student wellness. Such indicators may include, but are not limited to:

1. Descriptions of the district's nutrition education, physical education, and health education curricula and the extent to which they align with state academic content standards and legal requirements
2. An analysis of the nutritional content of school meals and snacks served in all district programs, based on a sample of menus and production records
3. Student participation rates in all school meal and/or snack programs, including the number of students enrolled in the free and reduced-price meals program compared to the number of students eligible for that program
4. Extent to which foods and beverages sold on campus outside the food services program, such as through vending machines, student stores, or fundraisers, comply with nutrition standards
5. Extent to which other foods and beverages that are available on campus during the school day, such as foods and beverages for classroom parties, school celebrations, and rewards/incentives, comply with nutrition standards
6. Results of the state's physical fitness test at applicable grade levels
7. Number of minutes of physical education offered at each grade span, and the estimated percentage of class time spent in moderate to vigorous physical activity
8. A description of district efforts to provide additional opportunities for physical activity outside of the physical education program
9. A description of other districtwide or school-based wellness activities offered, including the number of sites and/or students participating, as appropriate

As feasible, the assessment report may include a comparison of results across multiple years, a comparison of district data with county, statewide, or national data, and/or a comparison of wellness data with other student outcomes such as academic indicators or student discipline rates.

In addition, the Superintendent or designee shall prepare and maintain the proper documentation and records needed for the administrative review of the district's wellness policy conducted by the California Department of Education (CDE) every three years.

The assessment results of both the district and state evaluations shall be submitted to the Board for the purposes of evaluating policy and practice, recognizing accomplishments, and making policy adjustments as needed to focus district resources and efforts on actions that are most likely to make a positive impact on student health and achievement.



## Notifications

The Superintendent or designee shall inform the public about the content and implementation of the district's wellness policy and shall make the policy, and any updates to the policy, available the public on an annual basis. He/she shall also inform the public of the district's progress towards meeting the goals of the wellness policy, including the availability of the triennial district assessment. (Education Code 49432; 42 USC 1758b; 7 CFR 210.30)

(cf. 5145.6 - Parental Notifications) [Parental Notifications](#)

The Superintendent or designee shall distribute this information through the most effective methods of communication, including district or school newsletters, handouts, parent/guardian meetings, district and school web sites, and other communications. Outreach to parents/guardians shall emphasize the relationship between student health and wellness and academic performance.

(cf. 1100 - Communication with the Public) [Communication with the Public](#)

The Board of Trustees recognizes the district's responsibility to keep the public informed regarding the goals, programs, achievements, and needs of the schools and district and to be responsive to the concerns and interests of the community. The Superintendent or designee shall establish strategies for effective two-way communications between the district and the public and shall consult with the Board regarding the role of Board members as advocates for the district's students, programs, and policies.

(cf. 1112 - Media Relations) [Media Relations](#)

The Board of Trustees respects the public's desire for and right to information and recognizes that the media significantly influence the community's understanding of school programs, student achievement, and school safety. In order to develop and maintain positive media relations, the Board and Superintendent shall reasonably accommodate media requests for information and provide accurate, reliable, and timely information.

(cf. 1113 - District and School Web Sites) [District and School Web Sites](#)

The Superintendent or designee shall develop design standards for district and school web sites that include, but are not limited to, guidelines to ensure the clear organization of the material, readability of the font type and size, and simplicity of the navigation structure linking the content on the web site. Such standards shall take into consideration the ease of use on a wide range of devices.

(cf. 1114 - District-Sponsored Social Media) [District Sponsored Social Media](#)

Social media means any online platform for collaboration, interaction, and active participation, including, but not limited to, social networking sites such as Facebook, Twitter, YouTube, LinkedIn, or blogs.

Official district social media platform is a site authorized by the Superintendent or designee. Sites that have not been authorized by the Superintendent or designee but that contain content related to the district or

comments on district operations, such as a site created by a parent-teacher organization, booster club, or other school-connected organization or a student's or employee's personal site, are not considered official district social media platforms.

(cf. 6020 - Parent Involvement) [Parent Involvement\[NN9\] \[LP10\]](#)

The Board of Trustees recognizes that parents/guardians are their children's first and most influential teachers and that sustained parent/guardian involvement in the education of their children contributes greatly to student achievement and a positive school environment. The Superintendent or designee shall work with parents/guardians and family members to jointly develop and agree upon policy and strategies to meaningfully involve parents/guardians and family members in district and school activities at all grade levels; advisory, decision-making, and advocacy roles; and activities to support learning at home.

Parents/guardians shall be notified of their rights to be informed about and to participate in their children's education and of the opportunities available to them to do so.

The district's local control and accountability plan (LCAP) shall include goals and strategies for parent/guardian involvement and family engagement, including district efforts to seek parent/guardian input in district and school site decision making and to promote parent/guardian participation in programs for English learners, foster youth, students eligible for free and reduced-price meals, and students with disabilities. (Education Code 42238.02, 52060)

The Superintendent or designee shall regularly evaluate and report to the Board on the effectiveness of the district's parent/guardian and family engagement efforts, including, but not limited to, input from parents/guardians, family members, and school staff on the adequacy of involvement opportunities and on barriers that may inhibit participation.

## **Records**

The Superintendent or designee shall retain records that document compliance with 7 CFR 210.30, including, but not limited to, the written student wellness policy, documentation of the triennial assessment of the wellness policy for each school site, and documentation demonstrating compliance with the community involvement requirements, including requirements to make the policy and assessment results available to the public. (7 CFR 210.30)

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### 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.

<b>State</b>	<b>Description</b>
5 CCR 15500-15501	Food sales by student organizations
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 33350-33354	<a href="#">CDE responsibilities re: physical education</a>
Ed. Code 38086	<a href="#">Free fresh drinking water</a>
Ed. Code 49430-49434	<a href="#">Pupil Nutrition, Health, and Achievement Act of 2001</a>
Ed. Code 49490-49494	<a href="#">School breakfast and lunch programs</a>
Ed. Code 49500-49505	<a href="#">School meals</a>
Ed. Code 49510-49520	<a href="#">Nutrition</a>
Ed. Code 49530-49536	<a href="#">Child Nutrition Act</a>
Ed. Code 49540-49546	<a href="#">Child care food program</a>
Ed. Code 49547-49548.3	<a href="#">Comprehensive nutrition services</a>
Ed. Code 49550-49562	<a href="#">Meals for needy students</a>
Ed. Code 49565-49565.8	California Fresh Start pilot program
Ed. Code 49570	<a href="#">National School Lunch Act</a>
Ed. Code 51210	<a href="#">Course of study for grades 1-6</a>
Ed. Code 51210.1-51210.2	<a href="#">Physical education; grades 1-6</a>
Ed. Code 51210.4	<a href="#">Nutrition education</a>
Ed. Code 51220	<a href="#">Course of study for grades 7-12</a>
Ed. Code 51222	<a href="#">Physical education</a>
Ed. Code 51223	<a href="#">Physical education; elementary schools</a>
Ed. Code 51795-51798	<a href="#">School instructional gardens</a>
Ed. Code 51880-51921	<a href="#">Comprehensive health education</a>
<b>Federal</b>	<b>Description</b>
42 USC 1751-1769j	School Lunch Program
42 USC 1758b	Local wellness policy
42 USC 1771-1793	Child Nutrition Act
42 USC 1773	School Breakfast Program
42 USC 1779	Rules and regulations, Child Nutrition Act
7 CFR 210.1-210.33	<a href="#">National School Lunch Program</a>
7 CFR 210.31	Wellness policy
7 CFR 220.1-220.22	National School Breakfast Program

## Management Resources

California Department of Education  
Publication

California Department of Education  
Publication

California Project Lean Publication

Center for Collaborative Solutions

Centers for Disease Control&Prevention  
Publication

Court Decision

CSBA Publication

CSBA Publication

CSBA Publication

CSBA Publication

CSBA Publication

CSBA Publication

CSBA Publication

CSBA Publication

CSBA Publication

CSBA Publication

Federal Register

National Assoc of State Boards of Education  
Pub

## Description

Physical Education Framework for California Public Schools,  
Kindergarten Through Grade 12, 2009

Health Framework for California Public Schools: Kindergarten  
through Grade 12, 2003

[Policy in Action: A Guide to Implementing Your Local School  
Wellness Policy, October 2006](#)

Changing Lives, Saving Lives: A Step-by-Step Guide to Developing  
Exemplary Practices in Healthy Eating, Physical Activity and Food  
Security, Jan 2015

School Health Index for Physical Activity and Healthy Eating: A Self-  
Assessment and Planning Guide, rev. 2012

Frazer v. Dixon Unified School District (1993) 18 Cal.App.4th 781

[Building Healthy Communities: A School Leader's Guide to  
Collaboration and Community Engagement, 2009](#)

School-Based Marketing of Foods and Beverages: Policy  
Implications for School Boards, Policy Brief, March 2006

Safe Routes to School: Program and Policy Strategies for School  
Districts, Policy Brief, 2009

Student Wellness: A Healthy Food and Physical Activity Policy  
Resource Guide, 2012

Increasing Access to Drinking Water in Schools, Policy Brief, April  
2013

Integrating Physical Activity into the School Day, Governance Brief,  
April 2016

[Monitoring for Success: A Guide for Assessing and Strengthening  
Student Wellness Policies, rev. 2012](#)

Nutrition Standards for Schools: Implications for Student Wellness,  
Policy Brief, rev. April 2012

Physical Activity and Physical Education in California Schools,  
Research Brief, April 2010

Physical Education and California Schools, Policy Brief, October  
2007

Rules and Regulations, July 29, 2016, Vol. 81, Number 146, pages  
50151-50170

Fit, Healthy and Ready to Learn, rev. 2012

U.S. Department of Agriculture Publication	<a href="#">Dietary Guidelines for Americans, 2016</a>
Website	<a href="#">CSBA District and County Office of Education Legal Services</a>
Website	<a href="#">California Project LEAN (Leaders Encouraging Activity and Nutrition)</a>
Website	<a href="#">California School Nutrition Association</a>
Website	<a href="#">Center for Collaborative Solutions</a>
Website	<a href="#">Dairy Council of California</a>
Website	<a href="#">National Alliance for Nutrition and Activity</a>
Website	<a href="#">National Association of State Boards of Education</a>
Website	<a href="#">School Nutrition Association</a>
Website	<a href="#">Society for Nutrition Education</a>
Website	<a href="#">U.S. Department of Agriculture, Food Nutrition Service, wellness policy</a>
Website	<a href="#">U.S. Department of Agriculture, Healthy Meals Resource System</a>
Website	<a href="#">Action for Healthy Kids</a>
Website	<a href="#">Alliance for a Healthier Generation</a>
Website	<a href="#">California Department of Education, School Nutrition</a>
Website	<a href="#">California Department of Public Health</a>
Website	<a href="#">California Healthy Kids Resource Center</a>
Website	<a href="#">Centers for Disease Control and Prevention</a>
Website	<a href="#">CSBA</a>

### **Cross References**

<b>Code</b>	<b>Description</b>
0200	<a href="#">Goals For The School District</a>
0460	<a href="#">Local Control And Accountability Plan</a>
0460	<a href="#">Local Control And Accountability Plan</a>
1220	<a href="#">Citizen Advisory Committees</a>
1230	<a href="#">School-Connected Organizations</a>
1230	<a href="#">School-Connected Organizations</a>
1325	<a href="#">Advertising And Promotion</a>
1330.1	<a href="#">Joint Use Agreements</a>

1400	<a href="#"><u>Relations Between Other Governmental Agencies And The Schools</u></a>
1700	<a href="#"><u>Relations Between Private Industry And The Schools</u></a>
3000	<a href="#"><u>Concepts And Roles</u></a>
3290	<a href="#"><u>Gifts, Grants And Bequests</u></a>
3312	<a href="#"><u>Contracts</u></a>
3452	<a href="#"><u>Student Activity Funds</u></a>
3513.3	<a href="#"><u>Tobacco-Free Schools</u></a>
3513.3	<a href="#"><u>Tobacco-Free Schools</u></a>
3513.4	<a href="#"><u>Drug And Alcohol Free Schools</u></a>
3550	<a href="#"><u>Food Service/Child Nutrition Program</u></a>
3550	<a href="#"><u>Food Service/Child Nutrition Program</u></a>
3551	<a href="#"><u>Food Service Operations/Cafeteria Fund</u></a>
3551	<a href="#"><u>Food Service Operations/Cafeteria Fund</u></a>
3552	<a href="#"><u>Summer Meal Program</u></a>
3553	<a href="#"><u>Free And Reduced Price Meals</u></a>
3553	<a href="#"><u>Free And Reduced Price Meals</u></a>
3554	<a href="#"><u>Other Food Sales</u></a>
3554	<a href="#"><u>Other Food Sales</u></a>
3555	<a href="#"><u>Nutrition Program Compliance</u></a>
3555-E(1)	<a href="#"><u>Nutrition Program Compliance</u></a>
4131	<a href="#"><u>Staff Development</u></a>
4131	<a href="#"><u>Staff Development</u></a>
4231	<a href="#"><u>Staff Development</u></a>
4231	<a href="#"><u>Staff Development</u></a>
5113.1	<a href="#"><u>Chronic Absence And Truancy</u></a>
5113.1	<a href="#"><u>Chronic Absence And Truancy</u></a>
5113.12	<a href="#"><u>District School Attendance Review Board</u></a>
5113.12	<a href="#"><u>District School Attendance Review Board</u></a>
5131.2	<a href="#"><u>Bullying</u></a>
5131.2	<a href="#"><u>Bullying</u></a>
5131.6	<a href="#"><u>Alcohol And Other Drugs</u></a>

5131.6	<a href="#"><u>Alcohol And Other Drugs</u></a>
5131.61	<a href="#"><u>Drug Testing</u></a>
5131.62	<a href="#"><u>Tobacco</u></a>
5131.62	<a href="#"><u>Tobacco</u></a>
5131.63	<a href="#"><u>Steroids</u></a>
5131.63	<a href="#"><u>Steroids</u></a>
5137	<a href="#"><u>Positive School Climate</u></a>
5141	<a href="#"><u>Health Care And Emergencies</u></a>
5141	<a href="#"><u>Health Care And Emergencies</u></a>
5141.22	<a href="#"><u>Infectious Diseases</u></a>
5141.22	<a href="#"><u>Infectious Diseases</u></a>
5141.23	<a href="#"><u>Asthma Management</u></a>
5141.23	<a href="#"><u>Asthma Management</u></a>
5141.27	<a href="#"><u>Food Allergies/Special Dietary Needs</u></a>
5141.27	<a href="#"><u>Food Allergies/Special Dietary Needs</u></a>
5141.3	<a href="#"><u>Health Examinations</u></a>
5141.3	<a href="#"><u>Health Examinations</u></a>
5141.31	<a href="#"><u>Immunizations</u></a>
5141.31	<a href="#"><u>Immunizations</u></a>
5142.2	<a href="#"><u>Safe Routes To School Program</u></a>
5142.2	<a href="#"><u>Safe Routes To School Program</u></a>
5144	<a href="#"><u>Discipline</u></a>
5144	<a href="#"><u>Discipline</u></a>
5145.3	<a href="#"><u>Nondiscrimination/Harassment</u></a>
5145.3	<a href="#"><u>Nondiscrimination/Harassment</u></a>
5145.6	<a href="#"><u>Parent/Guardian Notifications</u></a>
5145.6-E PDF(1)	<a href="#"><u>Parent/Guardian Notifications</u></a>
5145.6-E PDF(2)	<a href="#"><u>Parent/Guardian Notifications</u></a>
5145.6-E(1)	<a href="#"><u>Parent/Guardian Notifications</u></a>
5145.71	<a href="#"><u>Title IX Sexual Harassment Complaint Procedures</u></a>
5145.71-E PDF(2)	<a href="#"><u>Title IX Sexual Harassment Complaint Procedures</u></a>

5146	<a href="#"><u>Married/Pregnant/Parenting Students</u></a>
5146	<a href="#"><u>Married/Pregnant/Parenting Students</u></a>
5147	<a href="#"><u>Dropout Prevention</u></a>
5148.2	<a href="#"><u>Before/After School Programs</u></a>
5148.2	<a href="#"><u>Before/After School Programs</u></a>
6020	<a href="#"><u>Parent Involvement</u></a>
6020	<a href="#"><u>Parent Involvement</u></a>
6112	<a href="#"><u>School Day</u></a>
6112	<a href="#"><u>School Day</u></a>
6142.1	<a href="#"><u>Sexual Health And HIV/AIDS Prevention Instruction</u></a>
6142.1	<a href="#"><u>Sexual Health And HIV/AIDS Prevention Instruction</u></a>
6142.5	<a href="#"><u>Environmental Education</u></a>
6142.7	<a href="#"><u>Physical Education And Activity</u></a>
6142.7	<a href="#"><u>Physical Education And Activity</u></a>
6142.8	<a href="#"><u>Comprehensive Health Education</u></a>
6142.8	<a href="#"><u>Comprehensive Health Education</u></a>
6145.2	<a href="#"><u>Athletic Competition</u></a>
6145.2	<a href="#"><u>Athletic Competition</u></a>
6176	<a href="#"><u>Weekend/Saturday Classes</u></a>
6176	<a href="#"><u>Weekend/Saturday Classes</u></a>
6177	<a href="#"><u>Summer Learning Programs</u></a>
6184	<a href="#"><u>Continuation Education</u></a>
7110	<a href="#"><u>Facilities Master Plan</u></a>



**2024-2025 Designation of CIF Representatives to League**

Please complete the form below for each school under your jurisdiction and **RETURN TO THE CIF SECTION OFFICE no later than June 28, 2024.**

Wheatland Union High School District/Governing Board at its April 17, 2024 meeting,  
(Name of school district/governing board) (Date)

appointed the following individual(s) to serve for the 2024-2025 school year as the school's league representative:

**PHOTOCOPY THIS FORM TO LIST ADDITIONAL SCHOOL REPRESENTATIVES**


NAME OF SCHOOL Wheatland Union High School District  
NAME OF REPRESENTATIVE Dr. Nicole Newman POSITION Superintendent  
ADDRESS 1010 Wheatland Road CITY Wheatland ZIP 95692  
PHONE 530-633-3100 x101 FAX \_\_\_\_\_ E-MAIL nnewman@wheatlandhigh.org  
\*\*\*\*\*

NAME OF SCHOOL Wheatland Union High School  
NAME OF REPRESENTATIVE Schandia Edwards POSITION Principal  
ADDRESS 1010 Wheatland Road CITY Wheatland ZIP 95692  
PHONE 530-633-3100 FAX \_\_\_\_\_ E-MAIL sedwards@wheatlandhigh.org  
\*\*\*\*\*

NAME OF SCHOOL Wheatland Union High School  
NAME OF REPRESENTATIVE Brandon Moore POSITION Assistant Principal  
ADDRESS 1010 Wheatland Road CITY Wheatland ZIP 95692  
PHONE 530-633-3100 FAX \_\_\_\_\_ E-MAIL bmoore@wheatlandhigh.org  
\*\*\*\*\*

NAME OF SCHOOL \_\_\_\_\_  
NAME OF REPRESENTATIVE Jason Soderlund POSITION Athletic Director  
ADDRESS 1010 Wheatland Road CITY Wheatland ZIP 95692  
PHONE 530-633-3100 FAX \_\_\_\_\_ E-MAIL jsoderlund@wheatlandhigh.org

If the designated representative is not available for a given league meeting, an alternate designee of the district governing board may be sent in his/her place. **NOTE:** League representatives from public schools and private schools must be designated representatives of the school's governing boards in order to be eligible to serve on the section and state governance bodies.

Superintendent's or Principal's Name Dr. Nicole Newman Signature   
Address 1010 Wheatland Road City Wheatland Zip 95692  
Phone 530-633-3100 x101 FAX \_\_\_\_\_

**PLEASE RETURN THIS FORM DIRECTLY TO THE CIF SECTION OFFICE.**