

GREEN SCHOOL OPERATIONS

The Lake County Superintendent of Schools believes that all citizens have a responsibility to be stewards of the environment and desires to integrate environmental accountability into all Lake County Office of Education operations. The County Superintendent shall promote green school practices that conserve natural resources, reduce the impact of LCOE operations on the environment, and protect the health of students, staff, and community.

The County Superintendent or designee may involve LCOE and site administrators and operations and maintenance staff; representatives of local governmental agencies, utilities, solid waste and recycling companies, and community organizations; health professionals; and/or others as appropriate in the assessment of current LCOE operations and the development of strategies to improve the environmental impact of LCOE operations.

(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 County Superintendent or designee shall give consideration to the initial cost, long-term potential cost savings, quality and performance of the product or service, health impacts, and environmental considerations.

(cf. 3100 - Budget)

(cf. 3460 - Financial Reports and Accountability)

Such strategies may include, but not be limited to:

1. Reducing energy and water consumption and exploring renewable and clean energy technologies

(cf. 3511 - Energy and Water Management)

2. Establishing recycling programs in LCOE 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. Purchasing and 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

GREEN SCHOOL OPERATIONS (continued)

- d. Conserve energy and water
 - e. Produce a low amount of waste
- (cf. 3514 - Environmental Safety)*
(cf. 3514.1 - Hazardous Substances)
(cf. 3514.2 - Integrated Pest Management)
(cf. 5141.23 - Asthma Management)
(cf. 6161.3 - Toxic Art Supplies)
- 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. Focusing on green building standards, sustainability, and student health in facilities construction and modernization projects, including decisions about site selection, building design, and landscaping and grounds
- (cf. 7110 - Facilities Master Plan)*
(cf. 7111 - Evaluating Existing Buildings)
(cf. 7150 - Site Selection and Development)
- 8. Reducing vehicle traffic by encouraging students to walk or bicycle to school or use LCOE or public transportation
- (cf. 3541 - Transportation Routes and Services)*
(cf. 5142.2 - Safe Routes to School Program)
- 9. Providing fresh, unprocessed food in LCOE's food services program
- (cf. 3550 - Food Service/Child Nutrition Program)*
- 10. Providing instruction to students on the importance of the environment and involving students in the implementation and evaluation of green school activities and projects as appropriate
- (cf. 6142.5 - Environmental Education)*

GREEN SCHOOL OPERATIONS (continued)

Legal Reference:

EDUCATION CODE

8700-8707 *Environmental education*

17070.96 *Leroy F. Greene School Facilities Act of 1996, consideration of high performance standards*

17072.35 *New construction grants; use for designs and materials for high performance schools*

32370-32376 *Recycling paper*

33541 *Environmental education*

101012 *Kindergarten-University Public Education Facilities Bond Act of 2006, allocations*

PUBLIC CONTRACT CODE

12400-12404 *Environmentally preferable purchasing*

PUBLIC RESOURCES CODE

25410-25421 *Energy conservation assistance*

40050-40063 *Integrated waste management act*

42630-42647 *Schoolsite source reduction and recycling*

CODE OF REGULATIONS, TITLE 2

1859.70.4 *Funding for high performance incentive grants*

1859.71.6 *Additional grant for high performance incentive, new construction*

1859.77.4 *Additional grants for high performance incentive, site and modernization*

CODE OF REGULATIONS, TITLE 5

14010 *Standards for school site selection*

Management Resources:

CSBA PUBLICATIONS

Green Schools: An Overview of Key Policy Issues, Policy Brief, August 2009

CALIFORNIA DEPARTMENT OF GENERAL SERVICES PUBLICATIONS

Environmentally Preferable Purchasing Best Practices Manual

COLLABORATIVE FOR HIGH PERFORMING SCHOOLS PUBLICATIONS

CHPS Best Practices Manual, 2006

GLOBAL GREEN USA PUBLICATIONS

Healthier, Wealthier, Wiser: A Report on National Green Schools

GREEN SCHOOLS INITIATIVE PUBLICATIONS

Green Schools Buying Guide

HEALTHY SCHOOLS CAMPAIGN PUBLICATIONS

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

WEB SITES

CSBA: <http://www.csba.org>

California Department of General Services, Green California: <http://www.green.ca.gov>

California Energy Commission: <http://www.energy.ca.gov>

Collaborative for High Performance Schools: <http://www.chps.net>

Global Green USA: <http://www.globalgreen.org>

Green Schools Initiative: <http://www.greenschools.net>

Healthy Schools Campaign: <http://www.healthyschoolscampaign.org/programs/gcs>

U.S. Environmental Protection Agency: <http://www.epa.gov>

U.S. Green Building Council, LEED Green Building Rating System: <http://www.usgbc.org>

ENERGY AND WATER MANAGEMENT

The Lake County Superintendent of Schools recognizes the importance of minimizing the Lake County Office of Education's use of natural resources, providing a high-quality environment that promotes health and productivity, and effectively managing LCOE's fiscal resources. To that end, the County Superintendent or designee shall develop a resource management program which includes strategies for implementing effective and sustainable resource practices, exploring renewable and clean energy technologies, reducing energy and water consumption, minimizing utility costs, reducing the amount of waste of consumable materials, encouraging recycling and green procurement practices, and promoting conservation principles.

(cf. 3100 - Budget)

(cf. 3300 - Expenditures and Purchases)

(cf. 3511.1 - Integrated Waste Management)

(cf. 3512 - Equipment)

(cf. 6142.5 - Environmental Education)

The County Superintendent or designee shall regularly inspect LCOE facilities and operations and make recommendations for maintenance and capital expenditures which may help LCOE reach its conservation and management goals.

(cf. 7110 - Facilities Master Plan)

(cf. 7111 - Evaluating Existing Buildings)

The County Superintendent or designee shall make every effort to identify funding opportunities and cost-reducing incentive programs to help LCOE achieve its conservation and management goals.

Legal Reference: (see next page)

ENERGY AND WATER MANAGEMENT (continued)

Legal Reference:

EDUCATION CODE

41422 School term or session length, failure to comply due to disaster

46392 Emergency conditions; ADA estimate

PUBLIC RESOURCES CODE

25410-25421 Energy conservation assistance

WATER CODE

13383.5 Storm water discharge monitoring requirements

CODE OF REGULATIONS, TITLE 23

2200 Discharge permit fees

UNITED STATES CODE, TITLE 33

1342 National pollutant discharge elimination system

CODE OF FEDERAL REGULATIONS, TITLE 40

122.1-122.64 National pollutant discharge elimination system

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION MANAGEMENT ADVISORIES

0118.01 California's Energy Challenge

0706.90 Water Conservation Advisory, 90-09

0222.90 Average Daily Attendance Credit During Periods of Emergency 90-01

WEB SITES

CSBA: <http://www.csba.org>

Alliance to Save Energy: <http://www.ase.org>

California Department of Education, Facilities: <http://www.cde.ca.gov/ls/fa>

California Energy Commission: <http://www.energy.ca.gov>

California State Water Resources Control Board: <http://www.swrcb.ca.gov>

Department of General Resources, Green California, Sustainable Schools:

<http://www.green.ca.gov/GreenBuildings/schools>

ENERGY AND WATER MANAGEMENT

Resource Management Program

In the development of the Lake County Office of Education's resource management program, the Lake County Superintendent of Schools shall analyze and review the lighting; heating, ventilation, and air conditioning systems; water heaters; electrical equipment and appliances; water use and irrigation; and solid waste and recycling systems. The following LCOE operations shall be incorporated into LCOE's resource management program:

1. Educational programs
2. Classroom and building management and maintenance
3. Food services and equipment maintenance

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

4. Landscaping
5. Transportation services and maintenance

(cf. 3540 - Transportation)

6. New construction

(cf. 7110 - Facilities Master Plan)

7. Administrative operations
8. Use of facilities by outside groups

(cf. 1330 - Use of School Facilities)

(cf. 3512 - Equipment)

(cf. 7111 - Evaluating Existing Buildings)

The County Superintendent or designee may solicit input from staff, students, and parents/guardians about LCOE's program. The County Superintendent or designee shall provide staff and students with training and guidance on best practices to achieve LCOE's goals, such as a reward program to recognize outstanding accomplishments.

INTEGRATED WASTE MANAGEMENT

The Lake County Board of Education believes that the conservation of water, energy and other natural resources as well as the protection of the environment are essential to the health and well-being of the community.

(cf. 3511 - Energy and Water Management)

(cf. 3514 - Environmental Safety)

(cf. 3514.2 - Integrated Pest Management)

The Lake County Superintendent of schools or designee may collaborate with city, county, and state agencies in developing and implementing LCOE's integrated waste management solutions.

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

(cf. 7131 - Relations With Local Agencies)

The County Superintendent or designee shall provide appropriate training opportunities to students and staff regarding the benefits and methods of conserving natural resources and protecting the environment.

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

(cf. 6142.5 - Environmental Education)

(cf. 6142.93 - Science Instruction)

Legal Reference:

EDUCATION CODE

32370-32376 *Recycling paper*

33541 *Environmental education*

PUBLIC RESOURCES CODE

25410-25421 *Energy conservation assistance*

40050-40063 *Integrated waste management act*

41780 *Waste diversion*

42620-42622 *Source reduction and recycling programs*

42630-42647 *Schoolsite source reduction and recycling*

Management Resources:

A District-wide Approach to Recycling-A Guide for School Districts, Pub. # 500-94-009

Seeing Green through Waste Prevention-A Guide for School Districts, Pub. # 500-94-010

Going Beyond Recycling, Buying Recycled-A Guide for School Districts, Pub. # 322-95-001

Reusable School News

WEB SITES

CSBA: <http://www.csba.org>

California Department of Resources Recycling and Recovery: <http://www.calrecycle.ca.gov>

California Division of State Architect: <http://www.dsa.ca.gov>

California Energy Commission: <http://www.energy.ca.gov>

California Environmental Protection Agency: <http://www.calepa.ca.gov>

U.S. EPA: <http://www.epa.gov>

INTEGRATED WASTE MANAGEMENT

To ensure efficient utilization of natural and material resources, the Lake County Superintendent of Schools shall work towards instituting the following measures and/or practices:

1. Reduce waste generation by reducing the consumption of disposable materials, and fully utilizing all materials prior to disposal.
2. Recycle materials such as paper, glass, plastic and aluminum, and minimize the use of non-biodegradable products.
3. Prefer recycled and other environmentally preferable products when procuring materials for use in Lake County Office of Education (LCOE) schools and buildings or contracting for the construction or modernization of any LCOE building.

(cf. 3300 - Expenditures and Purchases)

(cf. 3311 - Bids)

(cf. 3312 - Contracts)

(cf. 7110 - Facilities Master Plan)

EQUIPMENT

Employees and/or students shall use Lake County Office of Education equipment only for school-related tasks. The Lake County Superintendent of Schools or designee shall ensure that all employees understand that personal use of LCOE equipment is prohibited and that a violation may be cause for disciplinary action.

(cf. 3515.4 - Recovery for Property Loss or Damage)

(cf. 4040 - Employee Use of Technology)

(cf. 4118 - Suspension/Disciplinary

Action)

(cf. 4218 - Dismissal/Suspension/Disciplinary Action)

(cf. 5144 - Discipline)

(cf. 6163.4 - Student Use of Technology)

LCOE shall provide comparable basic equipment and supplies for all classes. When equipment cannot be supplied to every class, the County Superintendent or designee shall ensure that it will be shared within and among the schools.

(cf. 6000 - Concepts and Roles)

(cf. 6171 - Title I Programs)

When school equipment is not being used by students or employees, school-connected organizations may be granted reasonable use of the equipment for school-related matters.

(cf. 1230 - School-Connected Organizations)

(cf. 1330 - Use of School Facilities)

The program manager/director shall approve the removal of LCOE-owned equipment from the school site. When any equipment is taken off-site, the borrower is responsible for its safe return and shall be fully liable for any loss or damage.

Transfer of Equipment to a New Site

Employees transferred to another school shall take with them only those personal items that have been purchased with their own funds. Items paid for by LCOE, school-connected organizations or grants shall remain at the initial location unless the directors of both sites make special arrangements that serve the best interests of LCOE's instructional program.

Equipment and materials unique to a special program being moved to another site may be moved to the new location upon the approval of both program managers.

Equipment Acquired by Federal Funds

Equipment purchased for use in a federal program shall be used in that program as long as needed, whether or not the program continues to be supported by federal funds. When no

longer needed for the original program, the equipment may be used in other activities currently or previously supported by a federal agency. (34 CFR 80.32)

SP 3512(b)

EQUIPMENT (continued)

All equipment purchased with Consolidated Application funds shall be labeled with the name of the project, identification number and name of LCOE. (5 CCR 3946)

Each program director/manager or designee shall ensure that the following management provisions are established and maintained for equipment acquired in whole or in part with federal funds until such property is disposed: (34 CFR 80.32)

1. A control system shall be developed to ensure adequate safeguards to prevent loss, damage or theft of the property. Any loss, damage or theft shall be investigated.
2. Adequate maintenance procedures shall be developed to keep the property in good condition.

(cf. 3530 - Risk Management/Insurance)

(cf. 4156.3/4256.3/4356.3 - Employee Property Reimbursement)

If equipment is used for a purpose other than that for which it was originally purchased, the inventory shall include a dated statement justifying its current use.

(cf. 3440 - Inventories)

Legal Reference:

EDUCATION CODE

35160 Authority of governing boards

35168 Inventory of equipment

CODE OF REGULATIONS, TITLE 5

3946 Control, safeguards, disposal of equipment purchased with state and federal consolidated application funds

4424 Comparability of services

16023 Class 1- Permanent records

CODE OF FEDERAL REGULATIONS, TITLE 34

80.1-80.52 Uniform administration requirements for grants to state and local governments

UNITED STATES CODE, TITLE 20

6321 Fiscal requirements

EQUIPMENT

EQUIPMENT LOAN FORM

I assume the responsibility for the following Lake County Office of Education equipment:

<u>Description</u>	<u>ID Number</u>
_____	_____
_____	_____
_____	_____

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

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

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

Signed: _____

Date: _____

Approved: _____

Date: _____

CELLULAR PHONE REIMBURSEMENT

When a Lake County Office of Education employee's position requires frequent use of a cell phone, the Lake County Superintendent of Schools shall provide either a cell phone for the employee's use or an allowance to the employee for the business use of his/her personally owned cell phone, whichever is the most cost-effective. In determining whether an employee's position requires frequent use of a cell phone, the factors to be considered shall include, but not be limited to, whether the job responsibilities require:

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

(cf. 3542 - School Bus Drivers)

(cf. 4156.3/4256.3/4356.3 - Employee Property Reimbursement)

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

LCOE-Owned Cellular Phones Assigned to Staff

In some instances, the County Superintendent may provide a pool of LCOE-owned cellular telephones which employees may check out for business related use. All calls made or received on these cellular phones must be business related. The initial purchase of the phone and the monthly service fees are the responsibility of LCOE.

Each program manager will review and approve the monthly statement to ensure that calls made are for a business purpose.

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

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

CELLULAR PHONE REIMBURSEMENT (continued)**LCOE-Owned Cellular Telephones Assigned to a Specific Site/Location**

There are situations that warrant cellular phones to be assigned to a specific site or location. Each program manager is responsible for approving this assignment. Primary consideration should be given to student/staff safety and accessibility to regular land lines or site personnel. Often student needs and programs outside normal school hours/days and/or field trips warrant the assignment of cellular phones.

The following guidelines apply:

1. A land line is the preferred choice for phone communication.
2. Cellular phones are to remain at the site and/or within the assigned vehicle for field trips. They are not to be taken home.
3. Cellular phones are not for personal use. In the rare case of an emergency when an incoming personal call is received, the date, time, and name and telephone number of caller is to be documented and reported to the facilitator/supervisor. In the monthly detailed billing the call will be identified and the employee will reimburse the program accordingly.
4. Periodically the program manager will monitor detailed billings for higher than expected usage and/or calls outside the normal program working days/hours.
5. The cellular phone number is to be made available only to required persons, i.e. program office, staff and parents specific to the particular program and location.

*Legal Reference:*EDUCATION CODE*35213 Reimbursement for loss or damage of personal property**44032 Travel expense payment**48901.5 Electronic signaling devices*VEHICLE CODE*23123 Wireless telephones in vehicles**23125 Wireless telephones in school buses*UNITED STATES CODE, TITLE 26*280F Limitation on depreciation for luxury automobiles, etc.*CODE OF FEDERAL REGULATIONS, TITLE 26*1.132-5 Working conditions fringe benefit**Management Resources:*WEB SITES*Internal Revenue Service: <http://www.irs.gov>*

TOBACCO-FREE SCHOOLS

Notifications

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

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

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

(cf. 1113 - District and School Web Sites)

Signs stating "Tobacco use is prohibited" shall be prominently displayed at all entrances to school property. (Health and Safety Code 104420)

Enforcement/Discipline

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

(cf. 4118 - Suspension/Disciplinary Action)

(cf. 4218 - Dismissal/Suspension/Disciplinary Action)

(cf. 5144 - Discipline)

(cf. 5144.1 - Suspension and Expulsion/Due Process)

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

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

(cf. 1250 - Visitors/Outsiders)

(cf. 3515.2 - Disruptions)

TOBACCO-FREE SCHOOLS (continued)

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

CAMPUS SECURITY

The Lake County Superintendent of Schools is committed to providing a school environment that promotes the safety of students, employees, and visitors to school grounds. The County Superintendent also recognizes the importance of protecting Lake County Office of Education property, facilities, and equipment from vandalism and theft.

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

(cf. 0450 - Comprehensive Safety Plan)

Surveillance Systems

The County Superintendent believes that reasonable use of surveillance cameras will help LCOE achieve its goals for campus security. The County Superintendent or designee shall identify appropriate locations for the placement of surveillance cameras. Cameras shall not be placed in areas where students, staff, or community members have a reasonable expectation of privacy. Any audio capability on LCOE's surveillance equipment shall be disabled so that sounds are not recorded.

(cf. 5131.1 - Bus Conduct)

(cf. 5145.12 - Search and Seizure)

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

(cf. 5144 - Discipline)

(cf. 5144.1 - Suspension and Expulsion/Due Process)

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

(cf. 4112.6/4212.6/4312.6 - Personnel Records)

(cf. 5125 - Student Records)

CAMPUS SECURITY (continued)

(cf. 5125.1 - Release of Directory Information)

Legal Reference:

EDUCATION CODE

32020 Access gates

32211 Threatened disruption or interference with classes

32280-32288 School safety plans

35160 Authority of governing boards

35160.1 Broad authority of school districts

38000-38005 Security patrols

49050-49051 Searches by school employees

49060-49079 Student records

PENAL CODE

469 Unauthorized making, duplicating or possession of key to public building

626-626.10 Disruption of schools

CALIFORNIA CONSTITUTION

Article I, Section 28(c) Right to Safe Schools

UNITED STATES CODE, TITLE 20

1232g Family Educational Rights and Privacy Act

COURT DECISIONS

New Jersey v. T.L.O. (1985) 469 U.S. 325

ATTORNEY GENERAL OPINIONS

83 *Ops. Cal. Atty. Gen.* 257 (2000)

75 *Ops. Cal. Atty. Gen.* 155 (1992)

Management Resources:

CSBA PUBLICATIONS

Protecting Our Schools: Governing Board Strategies to Combat School Violence, 1999

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Safe Schools: A Planning Guide for Action, 2002

NATIONAL INSTITUTE OF JUSTICE PUBLICATIONS

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

WEB SITES

CSBA: <http://www.csba.org>

California Department of Education, Safe Schools Office: <http://www.cde.ca.gov/ls/ss>

National Institute of Justice: <http://www.ojp.usdoj.gov/nij>

CAMPUS SECURITY

The Lake County Superintendent of Schools shall ensure that the Lake County Office of Education campus security plan includes strategies to:

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

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

2. Secure buildings from outsiders and discourage trespassing

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

(cf. 1250 - Visitors/Outsiders)

(cf. 3515.2 - Disruptions)

(cf. 5112.5 - Open/Closed Campus)

3. Discourage vandalism and graffiti

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

(cf. 3515.4 - Recovery for Property Loss or Damage)

(cf. 5131.5 - Vandalism and Graffiti)

(cf. 5137 - Positive School Climate)

4. Control access to keys and other school inventory

(cf. 3440 - Inventories)

5. Detect and intervene with school crime

These strategies may include the creation of a school watch program, an anonymous crime reporting system, analysis of school crime incidents, and collaboration with local law enforcement agencies, including providing for law enforcement presence.

(cf. 3515.3 - District Police/Security Department)

(cf. 5116.1 - Intradistrict Open Enrollment)

(cf. 5138 - Conflict Resolution/Peer Mediation)

(cf. 5145.9 - Hate-Motivated Behavior)

CAMPUS SECURITY (continued)

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

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

Keys

All keys used in a school shall be the responsibility of the program director/program manager or designee. Keys shall be issued only to those employees who regularly need a key in order to carry out normal activities of their position.

The program director/program manager or designee shall create a key control system with a record of each key assigned and room(s) or building(s) which the key opens.

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

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

DISRUPTIONS

The Lake County Superintendent of Schools is committed to providing a safe environment for Lake County Office of Education students, staff, and others while they are on LCOE property or engaged in school activities.

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

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

Legal Reference:

EDUCATION CODE

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

PENAL CODE

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

UNITED STATES CODE, TITLE 20

- 7151 Gun-Free Schools Act

COURT DECISIONS

- Reeves v. Rocklin Unified School District*, (2003) 109 Cal.App.4th 652
- In Re Joseph F.*, (2000) 85 Cal.App.4th 975
- In Re Jimi A.*, (1989) 209 Cal.App.3d 482
- In Re Oscar R.*, (1984) 161 Cal.App.3d 770

ATTORNEY GENERAL OPINIONS

- 79 *Ops.Cal.Atty.Gen.* 58 (1996)

Management Resources: (see next page)

DISRUPTIONS (continued)

Management Resources:

CSBA PUBLICATIONS

911! A Manual for Schools and the Media During a Campus Crisis, 2001

U.S. DEPARTMENT OF EDUCATION PUBLICATIONS

Practical Information on Crisis Planning: A Guide for Schools and Communities, May 2003

WEB SITES

CSBA: <http://www.csba.org>

California Department of Education, Safe Schools Office: <http://www.cde.ca.gov/ls/ss>

U.S. Department of Education, Emergency Planning:

<http://www.ed.gov/admins/lead/safety/emergencyplan>

DISRUPTIONS

A program manager/administrator or designee may direct any person, except a student, school employee, or other person required by his/her employment to be on school grounds, to leave school grounds if: (Education Code 44810, 44811; Penal Code 415.5, 626.7, 626.8, 626.81, 626.85)

1. The program manager/administrator or designee has reasonable basis for concluding that the person is committing or has entered the campus with the purpose of committing an act which is likely to interfere with the peaceful conduct, discipline, good order, or administration of the school or a school activity, or with the intent of inflicting damage to any person or property.
2. The person fights or challenges another person to a fight, willfully disturbs another person by loud and unreasonable noise, or uses offensive language which could provoke a violent reaction.
3. The person loiters around a school without lawful business for being present or reenters a school within 72 hours after he/she was asked to leave.
4. The person is required to register as a sex offender pursuant to Penal Code 290.

However, a registered sex offender may be on school grounds if he/she has a lawful purpose and written permission from the Lake County Superintendent of Schools or designee.

5. The person is a specified drug offender as defined in Penal Code 626.85.

However, a specified drug offender may be on school grounds with written permission from the County Superintendent or designee or, if he/she is a parent/guardian of a child enrolled in that school, to attend a school activity.

6. The person has otherwise established a continued pattern of unauthorized entry on school grounds.

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

When directing any person to leave school premises, the program manager/administrator or designee shall inform the person that he/she may be guilty of a crime if he/she:

1. Fails to leave or remains after being directed to leave (Penal Code 626.7, 626.8, 626.85)

DISRUPTIONS (continued)

2. Returns to the campus without following the school's posted registration requirements (Penal Code 626.7)
3. Returns within seven days after being directed to leave (Penal Code 626.8, 626.85)

Appeal Procedure

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

RECOVERY FOR PROPERTY LOSS OR DAMAGE

The Lake County Superintendent of Schools desires to create a safe and secure learning environment and to minimize acts of vandalism and damage to school property. To discourage such acts, the Lake County Office of Education shall seek reimbursement of damages, within the limitations specified in law, from any individual, or from the parent/guardian of any minor, who has committed theft or has willfully damaged LCOE or employee property.

(cf. 0450 - Comprehensive Safety Plan)
(cf. 3515 - Campus Security)
(cf. 4156.3/4256.3/4356.3 - Employee Property Reimbursement)
(cf. 4158/4258/4358 - Employee Security)
(cf. 5125.2 - Withholding Grades, Diploma or Transcripts)
(cf. 5131 - Conduct)
(cf. 5131.5 - Vandalism and Graffiti)
(cf. 5136 - Gangs)
(cf. 5144.1 - Suspension and Expulsion/Due Process)

Rewards

When LCOE or law enforcement officials have not been able to identify the person(s) responsible for the theft or vandalism of LCOE property, the County Superintendent may authorize a reward for the identification and apprehension of the responsible person(s).

The County Superintendent shall determine the appropriate amount for the reward.

The County Superintendent or designee shall disburse the reward when the guilt of the person responsible for the act has been established by a criminal conviction or other appropriate judicial procedure.

Legal Reference: (see next page)

RECOVERY FOR PROPERTY LOSS OR DAMAGE (continued)

Legal Reference:

EDUCATION CODE

19910 Libraries, malicious cutting, tearing, defacing, breaking or injuring

19911 Libraries, willful detention of property

44810 Willful interference with classroom conduct

48904 Liability of parent/guardian for willful misconduct

CIVIL CODE

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

GOVERNMENT CODE

53069.5 Reward for information concerning person causing death, injury, or property damage

53069.6 Actions to recover damages

54951 Local agency, definition

PENAL CODE

484 Theft defined

594 Vandalism

594.1 Aerosol paint and etching cream

640.5 Graffiti; facilities or vehicles of governmental entity

640.6 Graffiti

Management Resources:

WEB SITES

CSBA: <http://www.csba.org>

California Department of Education: <http://www.cde.ca.gov>

RECOVERY FOR PROPERTY LOSS OR DAMAGE

Reports by Staff

Lake County Office of Education employees shall report any damage to or loss of school property to the program manager/administrator or designee immediately after such damage or loss is discovered. In those instances in which insurance reimbursement may be involved, the program manager/administrator or designee shall contact the appropriate LCOE official.

(cf. 3530 - Risk Management/Insurance)

(cf. 5131.5 - Vandalism and Graffiti)

Investigation

The Lake County Superintendent of Schools shall conduct a complete investigation of any instance of damage to or loss of school property and shall consult law enforcement officials when appropriate. If it is determined that the damage has been committed by any LCOE student, the County Superintendent or designee shall initiate appropriate disciplinary procedures against the student.

(cf. 3515.3 - District Police/Security Department)

(cf. 5131 - Conduct)

(cf. 5144 - Discipline)

(cf. 5144.1 - Suspension and Expulsion/Due Process)

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 5145.7 - Sexual Harassment)

(cf. 5145.9 - Hate-Motivated Behavior)

Recovery of Damages

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

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

Payment of Reward

When authorized by law, the County Superintendent or designee shall pay the reward to the party who provides information sufficient to identify and apprehend the person(s) subsequently determined to be responsible for the damage or loss. If more than one person provides information, the reward shall be divided among them as appropriate.

CRIMINAL BACKGROUND CHECKS FOR CONTRACTORS

Whenever the Lake County Office of Education contracts for school and classroom janitorial, school site administrative, school site grounds and landscape maintenance, student transportation, and school site food-related services, the Lake County Superintendent of Schools shall ensure that the contracting entity certifies in writing that any employees who may come into contact with students have not been convicted of a felony as defined in Education Code 45122.1, unless the employee has received a certificate of rehabilitation and a pardon. (Education Code 45125.1)

(cf. 3540 - Transportation)

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

(cf. 3600 - Consultants)

(cf. 7140 - Architectural and Engineering Services)

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

These requirements shall not apply if the County Superintendent or designee determines that the contracting entity is providing services in an emergency or exceptional situation, such as when student health or safety is endangered or when repairs are needed to make school facilities safe and habitable. (Education Code 45125.1)

In addition, these requirements shall not apply if the County Superintendent or designee determines that the employees of the contracting entity will have limited contact with students. In determining whether a contract employee has limited contact with students, the County Superintendent or designee shall consider the totality of the circumstances, including the following factors: (Education Code 45125.1)

1. The length of time the contractors will be on school grounds
2. Whether students will be in proximity with the site where the contractors will be working
3. Whether the contractors will be working by themselves or with others

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

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

(cf. 3515.3 - District Police/Security Department)

CRIMINAL BACKGROUND CHECKS FOR CONTRACTORS (continued)

Other Facility Contractors

When LCOE contracts for construction, reconstruction, rehabilitation or repair of a school facility where the employees of the entity will have contact, other than limited contact with students, the County Superintendent or designee shall ensure the safety of students by utilizing one or more of the following methods: (Education Code 45125.2)

1. The installation of a physical barrier at the worksite to limit contact with students.
2. Continual supervision and monitoring of all employees of the entity by an employee of the entity whom the Department of Justice has ascertained has not been convicted of a violent or serious felony.

The supervising employee may submit his/her fingerprints to the Department of Justice pursuant to Education Code 45125.1.

3. Surveillance of employees of the entity by school personnel.

These requirements shall not apply if the County Superintendent or designee determines that the contracting entity is providing construction, reconstruction, rehabilitation or repair services in an emergency or exceptional situation, such as when student health or safety is endangered or when repairs are needed to make school facilities safe and habitable. (Education Code 45125.2)

Legal Reference:

EDUCATION CODE

41302.5 School districts, definition

45122.1 Classified employees, conviction of a violent or serious felony

45125.1 Criminal background checks for contractors

45125.2 Criminal background checks for construction

PENAL CODE

667.5 Prior prison terms, enhancement of prison terms

1192.7 Plea bargaining limitation

EMERGENCIES AND DISASTER PREPAREDNESS PLAN

The Lake County Superintendent of Schools recognizes that all Lake County Office of Education staff and students must be prepared to respond quickly and responsibly to emergencies, disasters, and threats of disaster.

The County Superintendent shall develop and maintain a disaster preparedness plan which details provisions for handling emergencies and disasters and which shall be included in LCOE's comprehensive school safety plan. (Education Code 32282)

(cf. 0450 - Comprehensive Safety Plan)
(cf. 3516.3 - Earthquake Emergency Procedure System)

The County Superintendent or designee shall also develop and maintain emergency plans for each school site.

In developing LCOE and school emergency plans, the County Superintendent or designee shall collaborate with city and county emergency responders, including local public health administrators.

The County Superintendent or designee shall use state-approved Standardized Emergency Management System guidelines and the National Incident Command System when updating LCOE and site-level emergency and disaster preparedness plans.

The County Superintendent 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 County Superintendent shall cooperate with such agencies in furnishing and maintaining whatever services they deem necessary to meet the community's needs. (Education Code 32282)

(cf. 1330 - Use of School Facilities)

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

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

Legal Reference: (see next page)

EMERGENCIES AND DISASTER PREPAREDNESS PLAN (continued)

Legal Reference:

EDUCATION CODE

32001 Fire alarms and drills

32040 Duty to equip school with first aid kit

32280-32289 School safety plans

32290 Safety devices

39834 Operating overloaded bus

46390-46392 Emergency average daily attendance in case of disaster

49505 Natural disaster; meals for homeless students; reimbursement

GOVERNMENT CODE

3100 Public employees as disaster service workers

8607 Standardized emergency management system

CODE OF REGULATIONS, TITLE 5

550 Fire drills

560 Civil defense and disaster preparedness plans

CODE OF REGULATIONS, TITLE 19

2400-2450 Standardized emergency management system

UNITED STATES CODE, TITLE 42

12101-12213 Americans with Disabilities Act

Management Resources:

CSBA PUBLICATIONS

Avian Influenza, Governance and Policy Services Fact Sheet, April 2006

911! A Manual for Schools and the Media During a Campus Crisis, 2001

CENTERS FOR DISEASE CONTROL AND PREVENTION PUBLICATIONS

Pandemic Influenza Planning Checklist, 2006

CONTRA COSTA COUNTY OFFICE OF EDUCATION

Pandemic Flu School Action Kit, June 2006

GOVERNOR'S OFFICE OF EMERGENCY SERVICES

School Emergency Response: Using SEMS at Districts and Sites, June 1998

U.S. DEPARTMENT OF EDUCATION PUBLICATIONS

Practical Information on Crisis Planning: A Guide for Schools and Communities, May 2003

WEB SITES

CSBA: <http://www.csba.org>

American Red Cross: <http://www.redcross.org>

California Department of Education, Crisis Preparedness: <http://www.cde.ca.gov/ls/ss/cp>

California Emergency Management Agency: <http://www.calema.ca.gov>

California Seismic Safety Commission: <http://www.seismic.ca.gov>

Centers for Disease Control and Prevention: <http://www.cdc.gov>

Contra Costa County Office of Education, Pandemic influenza resources:

http://www.cccoe.k12.ca.us/about/flu/resources_flu_action_kit

Federal Emergency Management Agency: <http://www.fema.gov>

U.S. Department of Education, Emergency Planning:

<http://www.ed.gov/admins/lead/safety/emergencyplan>

U.S. Department of Homeland Security: <http://www.dhs.gov>

EMERGENCIES AND DISASTER PREPAREDNESS PLAN

Components of the Plan

The Lake County Superintendent of Schools shall ensure that Lake County Office of Education and school site plans address, at a minimum, the following types of emergencies and disasters:

1. Fire on or off school grounds which endangers students and staff

(cf. 3516.1 - Fire Drills and Fires)

2. Earthquake or other natural disasters

(cf. 3516.3 - Earthquake Emergency Procedure System)

3. Environmental hazards

(cf. 3514 - Environmental Safety)

(cf. 3514.2 - Integrated Pest Management)

4. Attack or disturbance, or threat of attack or disturbance, by an individual or group

(cf. 3515 - Campus Security)

(cf. 3515.2 - Disruptions)

(cf. 5131.4 - Student Disturbances)

5. Bomb threat or actual detonation

(cf. 3516.2 - Bomb Threats)

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

7. Medical emergencies and quarantines, such as a pandemic influenza outbreak

(cf. 5141.22 - Infectious Diseases)

The County Superintendent or designee shall ensure that LCOE'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 and identification of risks

(cf. 3530 - Risk Management/Insurance)

2. Instruction and practice for students and employees regarding emergency plans, including:

EMERGENCIES AND DISASTER PREPAREDNESS PLAN (continued)

- a. Training of staff in first aid and cardiopulmonary resuscitation, is needed
- b. Regular practice of emergency procedures by students and staff

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

3. Specific determination of roles and responsibilities of staff during a disaster or other emergency, including determination of:

- a. The appropriate chain of command at LCOE and, if communication between LCOE and site is not possible, at each site
- b. Individuals responsible for specific duties
- c. Designation of the program manager/administrator for the overall control and supervision of activities at each school during the emergency, including authorization to use his/her discretion in situations which do not permit execution of prearranged plans
- d. Assignment of responsibility for identification of injured persons and administration of first aid

4. Personal safety and security, including:

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

(cf. 5141 - Health Care and Emergencies)

(cf. 5142 - Safety)

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

(cf. 3543 - Transportation Safety and Emergencies)

EMERGENCIES AND DISASTER PREPAREDNESS PLAN (continued)

- e. Provision of a first aid kit to each classroom
- f. Arrangements for students and staff with special needs

(cf. 4032 - Reasonable Accommodation)
(cf. 6159 - Individualized Education Program)

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

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

5. Closure of schools, including an analysis of:

- a. The impact on student learning and methods to ensure continuity of instruction
- b. How to provide for continuity of operations for essential central office functions, such as payroll and ongoing communication with students and parents/guardians

(cf. 3516.5 - Emergency Schedules)

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

- a. Identification of spokesperson(s)

(cf. 1112 - Media Relations)

- b. Development and testing of communication platforms, such as hotlines, telephone trees, and web sites

(cf. 1113 - District and School Web Sites)

- 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 LCOE and school site emergency procedures to staff, students, and parents/guardians

EMERGENCIES AND DISASTER PREPAREDNESS PLAN (continued)

7. Cooperation with other state and local agencies, including:
 - a. Development of guidelines for law enforcement involvement and intervention
 - b. Collaboration with the local health department, including development of a tracking system to alert the local health department to a substantial increase of student or staff absenteeism as indicative of a potential outbreak of an infectious disease

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

8. Steps to be taken after the disaster or emergency, including:
 - a. Inspection of school facilities
 - b. Provision of mental health services for students and staff, as needed

(cf. 6164.2 - Guidance/Counseling Services)

FIRE DRILLS AND FIRES

Fire Drills

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

The program manager/administrator shall also hold fire drills at least once a month at the elementary level, four times every school year at the intermediate level, and not less than twice every school year at the secondary level. (Education Code 32001)

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

Fires

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

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

FIRE DRILLS AND FIRES (continued)

6. In outside assembly areas, the program manager/administrator, designee and/or each department head shall account for their staff, report missing staff, and provide assistance to any injured staff.
7. If the fire is extensive, students shall be taken to an alternate location for protective custody until parents/guardians can pick them up or until they can be safely transported to their homes.

(cf. 0450 - Comprehensive Safety Plan)

(cf. 3516 - Emergencies and Disaster Preparedness Plan)

Legal Reference:

EDUCATION CODE

17074.50-17074.56 Automatic fire detection, alarm and sprinkler systems

32001 Uniform fire signals

32040 Duty to equip school with first aid kit

CODE OF REGULATIONS, TITLE 5

550 Fire drills

BOMB THREATS

To maintain a safe and secure environment for Lake County Office of Education students and staff, the Lake County Superintendent of Schools or designee shall ensure that LCOE's emergency and disaster preparedness plan and/or each school's comprehensive safety plan includes procedures for dealing with bomb threats. He/she also shall provide training regarding the procedures to site administrators, safety personnel, and staff members who customarily handle mail, telephone calls, or email.

(cf. 0450 - Comprehensive Safety Plan)
(cf. 3516 - Emergencies and Disaster Preparedness Plan)
(cf. 4040 - Employee Use of Technology)
(cf. 4131 - Staff Development)
(cf. 4231 - Staff Development)
(cf. 4331 - Staff Development)

Receiving Threats

Any staff member receiving a telephoned bomb threat shall try to keep the caller on the line in order to gather information about the location and timing of the bomb and the person(s) responsible. To the extent possible, the staff member should also take note of the caller's gender, age, any distinctive features of voice or speech, and any background noises such as music, traffic, machinery, or voices.

If the bomb threat is received through the mail system or in writing, the staff member who receives it should handle the letter, note, or package as minimally as possible. If the threat is received through electronic means, such as email or text messaging, the staff member should not delete the message.

Response Procedure

The following procedure shall be followed when a bomb threat is received:

1. Any employee who receives a bomb threat shall immediately call 911 and also report the threat to the County Superintendent or designee. If the threat is in writing, the employee shall place the message in an envelope and take note of where and by whom it was found.
2. Any student or employee who sees a suspicious package shall promptly notify the County Superintendent or designee.
3. The County Superintendent or designee shall immediately use fire drill signals and initiate standard evacuation procedures as specified in the emergency plan.

(cf. 3516 - Emergencies and Disaster Preparedness Plan)
(cf. 3516.1 - Fire Drills and Fires)

4. The County Superintendent or designee shall turn off any two-way radio equipment which is located in a threatened building.

BOMB THREATS (continued)

Law enforcement and/or fire department staff shall conduct the bomb search. No school staff shall search for or handle any explosive or incendiary device.

(cf. 3515.3 - District Police/Security Department)

No one shall reenter the threatened building(s) until the County Superintendent or designee declares that reentry is safe based on law enforcement and/or fire department clearance.

(cf. 3516.5 - Emergency Schedules)

To the extent possible, the County Superintendent or designee shall maintain communications with staff, parents/guardians, the Lake County Board of Education, other governmental agencies, and the media during the period of the incident.

(cf. 1112 - Media Relations)

Following the incident, the County Superintendent or designee shall provide crisis counseling for students and/or staff as needed.

(cf. 6164.2 - Guidance/Counseling Services)

Any employee or student found to have made a bomb threat shall be subject to disciplinary procedures and/or criminal prosecution.

(cf. 4118 - Suspension/Disciplinary Action)

(cf. 4218 - Dismissal/Suspension/Disciplinary Action)

(cf. 5131 - Conduct)

(cf. 5131.7 - Weapons and Dangerous Instruments)

(cf. 5144.1 - Suspension and Expulsion/Due Process)

Legal Reference: (see next page)

BOMB THREATS (continued)

Legal Reference:

EDUCATION CODE

44810 *Willful interference with classroom conduct*

48900 *Grounds for suspension or expulsion*

51202 *Instruction in personal and public health and safety*

PENAL CODE

17 *Felony, misdemeanor, classification of offenses*

148.1 *False report of explosive or facsimile bomb*

245 *Assault with deadly weapon or force likely to produce great bodily injury; punishment*

594 *Vandalism; penalty*

Management Resources:

CSBA PUBLICATIONS

911: A Manual for Schools and the Media During a Campus Crisis, 2001

U.S. DEPARTMENT OF HOMELAND SECURITY PUBLICATIONS

Bomb Threat Checklist

WEB SITES

CSBA: <http://www.csba.org>

California Department of Education, Safe Schools: <http://www.cde.ca.gov/l/s/ss>

U.S. Department of Homeland Security: <http://www.dhs.gov>

U.S. Department of Treasury, Bureau of Alcohol, Tobacco, Firearms and Explosives:
<http://www.THREATPLAN.org>

EARTHQUAKE EMERGENCY PROCEDURE SYSTEM

Earthquake Preparedness

Earthquake emergency procedures shall be established in every school building having an occupant capacity of 50 or more students, or more than one classroom, and shall be incorporated into the comprehensive safety plan. (Education Code 32282)

(cf. 0450 - Comprehensive Safety Plan)

Earthquake emergency procedures shall be aligned with the Standardized Emergency Management System and the National Incident Management System. (Government Code 8607; 19 CCR 2400-2450)

(cf. 3516 - Emergencies and Disaster Preparedness Plan)

The Lake County Superintendent of Schools may work with the California Emergency Management Agency and the Seismic Safety Commission to develop and establish the earthquake emergency procedures. (Education Code 32282)

Earthquake emergency procedures shall outline the roles and responsibilities of students and staff during and after an earthquake.

Earthquake emergency procedures shall include, but not be limited to, all of the following: (Education Code 32282)

1. A school building disaster plan, ready for implementation at any time, for maintaining the safety and care of students and staff
2. A drop procedure whereby each student and staff member takes cover under a table or desk, dropping to his/her knees, with the head protected by the arms and the back to the windows

Drop procedures shall be practiced at least once each school quarter in elementary schools and at least once each semester in secondary schools.

3. Protective measures to be taken before, during, and following an earthquake
4. A program to ensure that students and staff are aware of and properly trained in the earthquake emergency procedure system

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

EARTHQUAKE EMERGENCY PROCEDURE SYSTEM (continued)

Staff and students shall be informed of the dangers to expect in an earthquake and procedures to be followed. Students shall be instructed to remain silent and follow directions given by staff in such an emergency. Staff and students also shall be taught safety precautions to take if they are in the open or on the way to or from school when an earthquake occurs.

Earthquake emergency procedures shall designate primary and alternative locations outside of buildings, which may include areas off campus if necessary, where individuals on a school site will assemble following evacuation. In designating such areas, the County Superintendent or designee shall consider potential post-earthquake hazards outside school buildings including, but not limited to, power lines, trees, covered walkways, chain link fences that may be an electric shock hazard, and areas near buildings that may have debris.

Earthquake emergency procedures also shall outline primary and alternative evacuation routes that avoid areas with potential hazards to the extent possible. The needs of students with disabilities shall be considered when planning evacuation routes.

The County Superintendent or designee shall identify at least one individual within each building to determine if an evacuation is necessary, the best evacuation location, and the best route to that location when an earthquake occurs.

The County Superintendent or designee shall identify potential earthquake hazards in classrooms and other Lake County Office of Education facilities, including, but not limited to, areas where the main gas supply or electric current enters the building, suspended ceilings, pendant light fixtures, large windows, stairwells, science laboratories, storage areas for hazardous materials, shop areas, and unsecured furniture and equipment. To the extent possible, dangers presented by such potential hazards shall be minimized by securing equipment and furnishings and removing heavy objects from high shelves.

Earthquake While Indoors at School

When an earthquake occurs, the following actions shall be taken inside buildings and classrooms:

1. Staff shall have students perform the drop procedure. Students should stay in the drop position until the emergency is over or until further instructions are given.
2. In laboratories, burners should be extinguished, if possible, before taking cover.
3. As soon as possible, staff shall move students away from windows, shelves, and heavy objects or furniture that may fall.

EARTHQUAKE EMERGENCY PROCEDURE SYSTEM (continued)

4. After the earthquake, the program manager/administrator or designee shall determine whether planned evacuation routes and assembly locations are safe and shall communicate with teachers and other staff.
5. When directed by the program manager/administrator or designee to evacuate, or if classrooms or other facilities present dangerous hazards that require immediate evacuation, staff shall account for all students under their supervision and shall evacuate the building in an orderly manner.

Earthquake While Outdoors on School Grounds

When an earthquake occurs, the following actions shall be taken by staff or other persons in authority who are outdoors on school grounds:

1. Staff shall direct students to walk away from buildings, trees, overhead power lines, power poles, or exposed wires.
2. Staff shall have students perform the drop procedure.
3. Staff shall have students stay in the open until the earthquake is over or until further directions are given.

Earthquake While on the Bus

If students are on the school bus when an earthquake occurs, the bus driver shall take proper precautions to ensure student safety, which may include pulling over to the side of the road or driving to a location away from outside hazards, if possible. Following the earthquake, the driver shall contact the County Superintendent or designee for instructions before proceeding on the route or, if such contact is not possible, drive to an evacuation or assembly location.

(cf. 3543 - Transportation Safety and Emergencies)

Subsequent Emergency Procedures

After an earthquake episode has subsided, the following actions shall be taken:

1. Staff shall extinguish small fires if safe.
2. Staff shall provide first aid to any injured students, take roll, and report missing students to the program manager/administrator or designee.
3. Staff and students shall refrain from lighting any stoves or burners or operating any electrical switches until the area is declared safe.

EARTHQUAKE EMERGENCY PROCEDURE SYSTEM (continued)

4. All buildings shall be inspected for water and gas leaks, electrical breakages, and large cracks or earth slippage affecting buildings.
5. The program manager/administrator or designee shall post staff at safe distances from all building entrances and instruct staff and students to remain outside the buildings until they are declared safe.
6. The program manager/administrator or designee shall request assistance as needed from the county or city civil defense office, fire and police departments, city and county building inspectors, and utility companies and shall confer with them regarding the advisability of closing the school.
7. The program manager/administrator or designee shall contact the County Superintendent or designee and request further instructions after assessing the earthquake damage.
8. The County Superintendent or designee shall provide updates to parents/guardians of LCOE students and members of the community about the incident, any safety issues, and follow-up directions.

(cf. 1112 - Media Relations)

Legal Reference:

EDUCATION CODE
32280-32289 *School safety plans*
GOVERNMENT CODE
3100 *Public employees as disaster service workers*
8607 *Standardized Emergency Management System*
CODE OF REGULATIONS, TITLE 19
2400-2450 *Standardized Emergency Management System*

Management Resources:

CALIFORNIA EMERGENCY MANAGEMENT AGENCY PUBLICATIONS
The ABCs of Post-Earthquake Evacuation: A Checklist for School Administrators and Faculty Guide and Checklist for Nonstructural Earthquake Hazards in California Schools, January 2003
School Emergency Response: Using SEMS at Districts and Sites, June 1998
FEDERAL EMERGENCY MANAGEMENT AGENCY PUBLICATIONS
Guidebook for Developing a School Earthquake Safety Program, 1990
WEB SITES
American Red Cross: <http://www.redcross.org>
California Emergency Management Agency: <http://www.calema.ca.gov>
California Seismic Safety Commission: <http://www.seismic.ca.gov>
Federal Emergency Management Agency: <http://www.fema.gov/hazards/earthquakes>
National Incident Management System: <http://www.fema.gov/emergency/nims>

EMERGENCY SCHEDULES

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

(cf. 0450 - Comprehensive Safety Plan)

(cf. 4157/4257/4357 - Employee Safety)

(cf. 5142 - Safety)

(cf. 6112 - School Day)

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

(cf. 3580 - District Records)

(cf. 6111 - School Calendar)

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

(cf. 1112 - Media Relations)

(cf. 1113 - District and School Web Sites)

(cf. 3542 - School Bus Drivers)

(cf. 3543 - Transportation Safety and Emergencies)

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

(cf. 3516 - Emergencies and Disaster Preparedness Plan)

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

Legal Reference: (see next page)

EMERGENCY SCHEDULES (continued)

Legal Reference:

EDUCATION CODE

41420 *Required length of school term*

41422 *Schools not maintained for 175 days*

46010 *Total days of attendance*

46100-46192 *Attendance; maximum credit; minimum day*

46390 *Calculation of ADA in emergency*

46391 *Lost or destroyed ADA records*

46392 *Decreased attendance in emergency situation*

VEHICLE CODE

34501.6 *School buses; reduced visibility*

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION CORRESPONDENCE

90-01 *Average Daily Attendance Credit During Periods of Emergency, February 10, 2005*

WEB SITES

California Department of Education: <http://www.cde.ca.gov>

FACILITIES INSPECTION

The Lake County Superintendent of Schools recognizes that the condition of school facilities may have an impact on safety, student achievement, and employee morale and desires to provide school facilities that are safe, clean, and functional, as defined in Education Code 17002.

(cf. 0510 - School Accountability Report Card)
(cf. 1312.4 - Williams Uniform Complaint Procedures)
(cf. 3111 - Deferred Maintenance Funds)
(cf. 3514 - Environmental Safety)

The County Superintendent shall develop a facilities inspection and maintenance program to ensure that school facilities are maintained in good repair in accordance with law. At a minimum, the program shall analyze those facility conditions specified on the facilities inspection tool developed by the Office of Public School Construction, including the following:

1. Gas Leaks: Gas systems and pipes appear safe, functional, and free of leaks.
2. Mechanical Systems: Heating, ventilation, and air conditioning systems as applicable are functional and unobstructed.
3. Windows/Doors/Gates/Fences (interior and exterior): Conditions that pose a safety and/or security risk are not evident.
4. Interior Surfaces (floors, ceilings, walls, and window casings): Interior surfaces appear to be clean, safe, and functional.
5. Hazardous Materials (interior and exterior): There does not appear to be evidence of hazardous materials that may pose a threat to students or staff.
6. Structural Damage: There does not appear to be structural damage that could create hazardous or uninhabitable conditions.
7. Fire Safety: The fire equipment and emergency systems appear to be functioning properly.
8. Electrical (interior and exterior): There is no evidence that any portion of the school has a power failure and electrical systems, components, and equipment appear to be working properly.
9. Pest/Vermin Infestation: Pest or vermin infestation is not evident.
10. Drinking Fountains (inside and outside): Drinking fountains appear to be accessible and functioning as intended.

FACILITIES INSPECTION (continued)

11. Restrooms: Restrooms appear to be accessible during school hours, are clean, functional, and in compliance with Education Code 35292.5 (operational and supplied).
12. Sewers: Sewer line stoppage is not evident.
13. Roofs (observed from the ground, inside/outside the building): Roof system appears to be functioning properly.
14. Playground/School Grounds: The playground equipment and school grounds appear to be clean, safe, and functional.
15. Overall Cleanliness: School grounds, buildings, common areas, and individual rooms appear to be cleaned regularly.

The County Superintendent or designee shall ensure that any necessary repairs identified during the inspection are made in a timely and expeditious manner. The County Superintendent or designee shall provide the Lake County Board of Education with regular reports regarding the Lake County Office of Education facility inspection program.

*Legal Reference:*EDUCATION CODE*1240 County superintendent of schools, duties**17002 Definitions**17070.10-17077.10 Leroy F. Greene School Facilities Act of 1998**17565-17591 Property maintenance and control, especially:**17584 Deferred maintenance**17592.72 Urgent or emergency repairs, School Facility Emergency Repair Account**33126 School accountability report card**35186 Williams uniform complaint procedure*CODE OF REGULATIONS, TITLE 2*1859.300-1859.330 Emergency Repair Program**Management Resources:*CSBA PUBLICATIONS*Williams Settlement and the Emergency Repair Program, Policy Brief, January 2008*COALITION OF ADEQUATE SCHOOL HOUSING PUBLICATIONS*Facility Inspection Tool Guidebook, February 2008*WEB SITES*CSBA: <http://www.csba.org>**California County Superintendents Educational Services Association: <http://www.ccsesa.org>**California Department of Education, Williams Case: <http://www.cde.ca.gov/eo/ce/wc/index.asp>**Coalition of Adequate School Housing: <http://www.cashnet.org>**State Allocation Board, Office of Public School Construction: <http://www.opsc.dgs.ca.gov>*

RISK MANAGEMENT/INSURANCE

The Lake County Superintendent of Schools strongly supports a risk management program that protects Lake County Office of Education resources and promotes the safety of students, staff and the public.

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

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

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

(cf. 0410 - Nondiscrimination in District Programs and Activities)

(cf. 3320 - Claims and Actions Against the District)

(cf. 4030 - Nondiscrimination in Employment)

(cf. 4119.11/4219.11/4319.11 - Sexual Harassment)

(cf. 4132/4232/4332 - Publication or Creation of Materials)

(cf. 4157.1/4257.1/4357.1 - Work-Related Injuries)

(cf. 4158/4258/4358 - Employee Security)

(cf. 5141.4 - Child Abuse Prevention and Reporting)

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 5145.7 - Sexual Harassment)

(cf. 6162.6 - Use of Copyrighted Materials)

(cf. 9260 - Legal Protection)

Legal Reference: (see next page)

RISK MANAGEMENT/INSURANCE (continued)

Legal Reference:

EDUCATION CODE

17029.5 Contract funding; board liability

17565-17592 Board duties re property maintenance and control

32350 Liability on equipment loaned to district

35162 Power to sue, be sued, hold and convey property

35200-35214 Liabilities, especially:

35208 Liability insurance

35211 Driver training civil liability insurance

35213 Reimbursement for loss, destruction or damage of personal property

35214 Liability self-insurance

35331 Medical or hospital service for students on field trip

39837 Transportation of pupils to places of summer employment

41021 Requirement for employees' indemnity bonds

44873 Qualifications for physician (liability coverage)

49470-49474 District medical services and insurance

GOVERNMENT CODE

820.9 Board members not vicariously liable for injuries caused by district

989-991.2 Local public entity insurance

LABOR CODE

3200-4855 Workers' compensation

RISK MANAGEMENT/INSURANCE

Risk Management

The Lake County Superintendent of Schools shall take action to:

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

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

(cf. 0450 - Comprehensive Safety Plan)

(cf. 1240 - Volunteer Assistance)

(cf. 1330 - Use of School Facilities)

(cf. 3400 - Management of District Assets/Accounts)

(cf. 3430 - Investing)

(cf. 3440 - Inventories)

(cf. 3512 - Equipment)

(cf. 3514 - Environmental Safety)

(cf. 3514.1 - Hazardous Substances)

(cf. 3515.4 - Recovery for Property Loss or Damage)

(cf. 3516 - Emergencies and Disaster Preparedness Plan)

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

(cf. 3543 - Transportation Safety and Emergencies)

(cf. 4112.42/4212.42/4312.43 - Drug and Alcohol Testing for School Bus Drivers)

(cf. 4119.42/4219.42/4319.42 - Exposure Control Plan for Bloodborne Pathogens)

(cf. 4157/4257/4357- Employee Safety)

(cf. 4212.5 - Criminal Record Check)

(cf. 5131.1 - Bus Conduct)

(cf. 5131.61 - Drug Testing)

(cf. 5141 - Health Care and Emergencies)

(cf. 5141.22 - Infectious Diseases)

(cf. 5142 - Safety)

(cf. 6145.2 - Athletic Competition)

(cf. 6153 - School-Sponsored Trips)

(cf. 9260 - Legal Protection)

RISK MANAGEMENT/INSURANCE (continued)

Insurance

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

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

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

(cf. 1330 - Use of School Facilities)

(cf. 4154/4254/4354 - Health and Welfare Benefits)

(cf. 4156.3/4256.3/4356.3 - Employee Property Reimbursement)

(cf. 4157.1/4257.1/4357.1 - Work-Related Injuries)

(cf. 5143 - Insurance)

(cf. 9260 - Legal Protection)

TRANSPORTATION

The Lake County Superintendent of Schools desires to provide for the safe and efficient transportation of students to and from school as necessary to ensure student access to the educational program, promote regular attendance and reduce tardiness. The extent to which the Lake County Office of Education provides for transportation services shall depend upon student and community needs and a continuing assessment of financial resources.

(cf. 3100 - Budget)

(cf. 3250 - Transportation Fees)

(cf. 3541 - Transportation Routes and Services)

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

(cf. 3541.2 - Transportation for Students with Disabilities)

(cf. 5116.1- Intradistrict Open Enrollment)

(cf. 5117 - Interdistrict Attendance Agreements)

The County Superintendent or designee shall determine the most economical and appropriate means of providing transportation services.

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

(cf. 3543 - Transportation Safety and Emergencies)

(cf. 5131.1 - Bus Conduct)

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

(cf. 3542 - School Bus Drivers)

Legal Reference: (see next page)

TRANSPORTATION (continued)

Legal Reference:

EDUCATION CODE

35330 *Excursions and field trips*

35350 *Authority to transport pupils*

39800-39860 *Transportation, especially:*

39800 *Powers of governing board to provide transportation for pupils to and from school; definition of "municipally owned transit system"*

39801 *Contract with County Superintendent of Schools to provide transportation*

39802-39803 *Bids and contracts for transportation services*

39806 *Payments to parents in lieu of transportation*

39807 *Food and lodging payments in lieu of transportation*

38807.5 *Transportation fees*

39808 *District transportation of private school students*

41850-41854 *Allowances for transportation*

41860-41862 *Supplemental allowances for transportation*

45125.1 *Criminal background checks for contractors*

GOVERNMENT CODE

3540-3549.3 *Educational Employment Relations Act*

CODE OF REGULATIONS, TITLE 5

14100-14103 *Use of school buses and school pupil activity buses*

15240-15343 *Allowances for student transportation, especially:*

15253-15272 *District records related to transportation*

VEHICLE CODE

2807 *School bus inspection*

COURT DECISIONS

Arcadia Unified School District et. al. v. State Department of Education, 2 Cal. 4th 251 (1992)

TRANSPORTATION

No student shall be required to be transported for any reason without the written permission of the student's parent/guardian, except in emergency situations involving illness or injury to the student. (Education Code 35350)

Means of Transportation

To provide transportation services, the Lake County Superintendent of Schools may purchase, rent or lease vehicles; contract with a common carrier or municipally owned transit system; contract with responsible private parties including the parent/guardian of the student being transported; and/or contract with school districts within the jurisdiction of the Lake County Office of Education. (Education Code 35330, 39800, 39801)

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

(cf. 3311 - Bids)

(cf. 3312 - Contracts)

In lieu of providing transportation in whole or in part, LCOE may pay the student's parents/guardians either their actual and necessary expenses in transporting the student or the cost of the student's food and lodging at a place convenient to the school. In either case, the amount of the payment shall not exceed the cost that would be incurred by LCOE to provide for the transportation of the student to and from school. (Education Code 39806-39807)

TRANSPORTATION FOR SCHOOL-RELATED TRIPS

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

(cf. 3312.2 - Educational Travel Program Contracts)

(cf. 3540 - Transportation)

(cf. 3541 - Transportation Routes and Services)

(cf. 6153 - School-Sponsored Trips)

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

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

(cf. 3530 - Risk Management/Insurance)

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

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

(cf. 1230 - School-Connected Organizations)

Transportation by Private Vehicle

The County Superintendent or designee may authorize the transportation of students by private vehicle when the vehicle is driven by an adult age 21 or older who possesses a valid California driver's license or, if he/she is a nonresident on active military duty in California, possesses a valid license from his/her state of residence. To be approved, a driver shall have a good driving record and possess at least the minimum insurance required by law. Any person providing transportation to LCOE students in a private vehicle shall register with LCOE for such purposes.

(cf. 1240 - Volunteer Assistance)

Drivers shall receive safety and emergency instructions which shall be kept in their vehicle.

All student passengers shall submit permission slips signed by their parents/guardians. Teachers shall ensure that each driver has a copy of the permission slip for each student riding in his/her vehicle.

TRANSPORTATION FOR SCHOOL-RELATED TRIPS (continued)

The number of passengers, including the driver, shall not exceed the capacity for which the vehicle was designed. Trucks may not transport more persons than can safely sit in the passenger compartment. The driver shall ensure that the manufacturer's recommendations for his/her vehicle are followed regarding the seating of children in seats equipped with airbags.

The driver or any other person shall not smoke or have in his/her immediate possession a lighted pipe, cigar, or cigarette containing tobacco or any other plant when there is a minor in the motor vehicle, whether the motor vehicle is in motion or at rest. (Health and Safety Code 118948)

Passenger Restraint Systems

All drivers shall wear safety belts and shall ensure that all passengers are properly secured in seat belts or child passenger restraint systems in accordance with law. (Vehicle Code 27315, 27360, 27360.5, 27363)

A child who is under age 8 years shall be properly secured in a rear seat in an appropriate child passenger restraint system meeting federal safety standards, except under any of the following circumstances: (Vehicle Code 27360, 27363)

1. The child is four feet nine inches or taller, in which case a safety belt may be used.
2. Use of a child passenger restraint system would be impractical by reason of physical unfitness, medical condition, or size and an appropriate special needs child passenger restraint system is not available.
3. There is no rear seat, the rear seats are side-facing jump seats or rear-facing seats, the child passenger restraint system cannot be installed properly in the rear seat, all rear seats are already occupied by children under age 8 years, or medical reasons necessitate that the child not ride in the rear seat.
4. The child is otherwise exempted by law.

Legal Reference: (see next page)

TRANSPORTATION FOR SCHOOL-RELATED TRIPS (continued)

Legal Reference:

EDUCATION CODE

35330 *Excursions and field trips*

35332 *Transportation by air*

39830 *School bus*

39830.1 *School pupil activity bus*

39860 *Transportation to special activities by district*

44808 *Liability when students not on school property*

HEALTH AND SAFETY CODE

118947-118949 *Prohibition against smoking in motor vehicle with minor*

PUBLIC UTILITIES CODE

5384.2 *District not liable for charter-party carrier*

VEHICLE CODE

545 *School bus, definition*

12814.6 *Limitations of provisional driver's license*

27315 *Mandatory use of seat belts in private passenger vehicles*

27360-27360.5 *Child passenger restraint systems*

27363 *Child passenger restraint systems, exemptions*

Management Resources:

WEB SITES

California Department of Motor Vehicles: <http://www.dmv.ca.gov>

California Highway Patrol: <http://www.chp.ca.gov>

California Office of Traffic Safety: <http://www.ots.ca.gov>

National Highway Traffic Safety Administration: <http://www.nhtsa.dot.gov>

TRANSPORTATION FOR SCHOOL-RELATED TRIPS

ADULT DRIVER/USE OF PRIVATELY OWNED VEHICLES

This form must be used when personally owned vehicles of employees, parents/guardians, and volunteers are used for school sponsored activities. **A no answer to any statement prohibits the use of this driver and/or vehicle.**

Drivers Name _____ Date of Event _____
Event _____ School _____

I CERTIFY TO THE FOLLOWING:

1. I am the registered owner/legal leasor of the vehicle, which will be transporting students. I am 21 years old or older.
If vehicle is borrowed, registered owner must verify numbers 4 and 5 below and sign below.
2. I have a valid driver's license. License Number _____
3. I have a clean driving record in that I have never been convicted of drunk driving, driving under the influence of drugs, or of reckless driving for the last five years.
4. I have liability/medical coverage on this vehicle with the following limits:
Property Damage... \$50,000 Medical... \$10,000 Bodily Injury... \$100,000-\$300,000
Name of Insurance Company: _____
Local Agent if applicable: _____
5. My vehicle is not designed to carry more than nine passengers (including driver) nor will I transport more than nine in accordance with the State Vehicle SP AB regulations. This vehicle is in good working order (tires, brakes, lights, turn signals, windshields wipres0 and that each passengers will have a seat belt.

Make/Model/Year of Vehicle _____
License Plate Number _____
Number of passengers seat belts _____

I certify that the information provided above is true and correct to the best of my knowledge. I understand that my vehicle liability/medical insurance is primary in case of an auto claim and that if the limits of liability under the owner's policy fails to satisfy the legal liability involved, the district's policy is secondary, only with regard to vehicles owned and driven for school business by school employees. There is no excess coverage provided to volunteer or student drivers.

Signature of Driver _____ Date _____
Driver's Address _____ Phone Number _____
Signature of Registered Owner of Loaned Vehicle _____ Date _____
Address _____ Phone Number _____
Student's Name _____
Reviewed by Teacher _____ Date _____

TRANSPORTATION FOR SCHOOL-RELATED TRIPS

DRIVER INSTRUCTIONS

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

1. Be sure that you have registered with the Lake County Office of Education for such purposes and have a valid driver's license and current liability insurance at or above the minimum amount required by law for each occurrence.
2. Check the safety of your vehicle: tires, brakes, lights, horn, suspension, etc.
3. Carry only the number of passengers for which your vehicle was designed. If you have a pickup truck, carry only as many as can safely sit in the passenger compartment.
4. Require each passenger to use an appropriate child passenger restraint system (child car seat or booster seat) or safety belt in accordance with law.
5. Do not smoke a pipe, cigar, or cigarette while there are minors in the vehicle, as required by law.
6. Obey all traffic laws.
7. Take the most direct route to the destination or event without unnecessary stops.

In case of emergency, keep all students together and call 911 and LCOE.

TRANSPORTATION FOR SCHOOL-RELATED TRIPS

FIELD TRIP TRANSPORTATION ROSTER
(Separate form required for each vehicle)

Teacher _____ Class (Group or Club) _____

Destination _____

Date and Time of Departure _____ Date and Time of Return _____

The students and adults listed below will be traveling by:

A. Bus _____ B Car _____ driven by _____

- 1. _____ 26. _____
- 2. _____ 27. _____
- 3. _____ 28. _____
- 4. _____ 29. _____
- 5. _____ 30. _____
- 6. _____ 31. _____
- 7. _____ 32. _____
- 8. _____ 33. _____
- 9. _____ 34. _____
- 10. _____ 35. _____
- 11. _____ 36. _____
- 12. _____ 37. _____
- 13. _____ 38. _____
- 14. _____ 39. _____
- 15. _____ 40. _____
- 16. _____ 41. _____
- 17. _____ 42. _____
- 18. _____ 43. _____
- 19. _____ 44. _____
- 20. _____ 45. _____
- 21. _____ 46. _____
- 22. _____ 47. _____
- 23. _____ 48. _____
- 24. _____ 49. _____
- 25. _____ 50. _____

TRANSPORTATION FOR SCHOOL-RELATED TRIPS

PARENT/GUARDIAN AUTHORIZATION FOR MEDICAL TREATMENT
(Confidential Information)

Student's Name _____

Address _____

Birthdate _____ Male _____ Female _____ Telephone Number _____

Cell Phone _____ Message Phone _____

Father, Mother, or Guardian's Name(s) (please print) _____

Doctor's Name _____ Phone _____

Name of Health Insurance _____ Membership# _____

Any known allergies _____

In the event of an emergency, if parents/guardian cannot be reached, please contact:

(Name and Relationship) (Phone)

(Name and Relationship) (Phone)

(I)(We), the undersigned, parent(s)/guardian(s) of _____, a minor, do hereby authorize the principal, or designee, as agent for the undersigned to consent to any X-ray examination, anesthetic, medical or surgical diagnosis or treatment and hospital care which is deemed advisable by, and is to be rendered under the general or special supervisor of any physician and surgeon licensed under the provisions of the Medicine Practice Act, whether such a diagnosis or treatment is rendered at the office of said physician or at said hospital.

It is understood that this authorization is given in advance of any specific diagnosis, treatment or hospital care being required but is given to provide authority and power on the part of our aforesaid agent(s) to give specific consent to any and all such diagnosis, treatment or hospital care which the aforementioned physician in the exercise of his best judgment may deem advisable.

This authorization shall remain effective until _____ 20_____, unless sooner revoked in writing delivered to said agent(s).

Parent/Guardian(s) Signature

Date

TRANSPORTATION FOR SCHOOL-RELATED TRIPS

FIELD TRIP PERMISSION FORM

This paper must be completed and filed with the sponsoring teacher at least five days before the date of the trip. The student must obtain:

1. The signature of those teachers whose classes the student will miss while engaged in the activity, and
2. The parent's/guardian's signature when the activity necessitates the student's leaving the building.

(Student)	(Class or Activity)	(Teacher)
-----------	---------------------	-----------

(Location)	(Time Leaving)	(Time Returning)
------------	----------------	------------------

(Nature of the Field Trip or Activity)	(Date)
--	--------

(Means of Transportation)	(Cost to Student, If any)
---------------------------	---------------------------

APPROVED TEACHERS: Please sign below to acknowledge you have seen this form and check the appropriate column next.

- | | | | |
|----|-------|---------|------------|
| 1. | _____ | Approve | Disapprove |
| 2. | _____ | Approve | Disapprove |

Parent/Guardian

I understand that all student going on this trip will be responsible in conduct to teachers or adult sponsors. It is further understood that students will go and return from the event on the transportation provided.

(Date)	(Parent/Guardian Signature)
--------	-----------------------------

Business and Noninstructional Operations

BP 3541.2(a)
-SP

TRANSPORTATION FOR STUDENTS WITH DISABILITIES

The Lake County Superintendent of Schools shall ensure that appropriate transportation services are provided for students with disabilities as specified in their individualized education program (IEP) or accommodation plan. The Lake County Office of Education shall make home-to-school transportation available for students at no cost to parents/guardians as specified in the student's IEP.

(cf. 0430 - Comprehensive Local Plan for Special Education)

(cf. 3250 - Transportation Fees)

(cf. 6159 - Individualized Education Program (IEP))

(cf. 6159.2 - Nonpublic, Nonsectarian School and Agency Services for Special Education)

(cf. 6164.4 - Identification and Evaluation of Individuals for Special Education)

(cf. 6164.6 - Identification and Education Under Section 504)

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

(cf. 3541 - Transportation Routes and Services)

The County Superintendent or designee shall establish procedures to ensure compatibility between mobile seating devices and bus securement systems.

(cf. 3542 - School Bus Drivers)

Legal Reference: (see next page)

TRANSPORTATION FOR STUDENTS WITH DISABILITIES (continued)

Legal Reference:

EDUCATION CODE

- 39807.5 *Payment of transportation cost*
- 39839 *Guide dogs, signal dogs and service dogs on bus*
- 41850-41854 *Allowances for transportation*
- 48300-48315 *Alternative interdistrict attendance program*
- 48915.5 *Expulsion of students with exceptional needs*
- 56195.8 *Adoption of policies*
- 56327 *Assessment for special education and related services*
- 56345 *Individualized education program*
- 56366 *Nonpublic nonsectarian schools or agencies*
- 56366.1 *Waiver of requirements under section 56365 and 56366*

CODE OF REGULATIONS, TITLE 5

15050 *Transfer of funds to child development fund and development center for handicapped pupils fund*

15243 *Physically handicapped minors*

15271 *Exclusion from report*

UNITED STATES CODE, TITLE 20

1400-1482 *Individuals with Disabilities Education Act*

UNITED STATES CODE, TITLE 29

794 *Section 504 of the Rehabilitation Act of 1973*

CODE OF FEDERAL REGULATIONS, TITLE 34

104.4 *Equal opportunity under the Rehabilitation Act of 1973, Section 504*

CODE OF FEDERAL REGULATIONS, TITLE 49

571.222 *Federal requirements for bus securement systems*

Management Resources:

CDE MANAGEMENT ADVISORIES

0500.92 *Implementation of Special Education Transportation Apportionment (#92-02)*

CDE PROGRAM ADVISORIES

0609.95 *School transportation fee exemption for handicapped children and pupils whose parents or guardians are indigent (LO: 2-95)*

TRANSPORTATION FOR STUDENTS WITH DISABILITIES

Transportation for students with disabilities shall be provided in accordance with a student's Individualized Education Program (IEP) or Section 504 accommodation plan.

(cf. 3540 - Transportation)

(cf. 6159 - Individualized Education Program (IEP))

(cf. 6164.4 - Identification and Evaluation of Individuals for Special Education)

(cf. 6164.6 - Identification and Education Under Section 504)

If a disabled student is excluded from school bus transportation, the Lake County Office of Education (LCOE) shall provide alternative transportation at no cost to the student or parent/guardian provided that transportation is specified in the student's IEP. (Education Code 48915.5)

(cf. 5131.1 - Bus Conduct)

(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))

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

(cf. 6159.2 - Nonpublic, Nonsectarian School and Agency Services for Special Education)

Guide dogs, signal dogs and service dogs trained to provide assistance to disabled persons may be transported in a school bus when accompanied by disabled students, disabled teachers or persons training the dogs. (Education Code 39839)

approved: August 13, 2014

Lakeport, California

SCHOOL BUS DRIVERS

Authority

Students transported in a school bus or in a student activity bus shall be under the authority of, and responsible directly to, the driver of the bus. The driver shall be held responsible for the orderly conduct of the students while they are on the bus or being escorted across a street, highway or road. (5 CCR 14103)

(cf. 3540 - Transportation)

A bus driver shall have the authority to discontinue the operation of a school bus whenever he/she determines that it is unsafe to continue.

Administrative regulations related to bus driver authority shall be made available to parents/guardians, students, teachers and other interested parties. (5 CCR 14103)

(cf. 3516.5 - Emergency Schedules)

(cf. 3543 - Transportation Safety and Emergencies)

(cf. 5131.1 - Bus Conduct)

Qualifications, Training and Monitoring

All drivers employed to operate school buses or student activity buses shall possess, at a minimum, both of the following documents issued by the state Department of Motor Vehicles: (Education Code 39830.1; Vehicle Code 12517)

1. A valid driver's license for the appropriate class of vehicle to be driven
2. A certificate which permits the driver to operate either school buses or student activity buses, as applicable

(cf. 4200 - Classified Personnel)

(cf. 4211 - Recruitment and Selection)

The Lake County Superintendent of Schools or designee may use an electronic fingerprinting system, managed by the California Department of Justice, to fingerprint an applicant for an original certificate to drive a school bus or student activity bus. (Vehicle Code 12517.3)

(cf. 4212.5 - Criminal Record Check)

The County Superintendent or designee shall ensure that school bus drivers receive training which includes:

1. First aid practices (Vehicle Code 12522)

SCHOOL BUS DRIVERS (continued)

2. The proper actions to be taken in the event that a school bus is hijacked (Education Code 39831)
3. The proper installation of mobile seating devices in the bus securement systems (Education Code 56195.8)

(cf. 3541.2 - Transportation for Students with Disabilities)

(cf. 4231 - Staff Development)

School bus drivers shall be subject to drug and alcohol testing in accordance with Board policy and the requirements of federal law.

(cf. 4112.42/4212.42/4312.42 - Drug and Alcohol Testing for School Bus Drivers)

The County Superintendent or designee shall notify the Department of Motor Vehicles within five days whenever any school bus driver has tested positive for drugs or alcohol, is dismissed for a cause related to student transportation safety, or whenever a driver so dismissed has been reinstated. (Vehicle Code 1808.8, 13376)

(cf. 4215 - Evaluation/Supervision)

(cf. 4218 - Dismissal/Suspension/Disciplinary Action)

Responsibilities

The school bus driver's primary responsibility is to safely transport students to and from school and school activities. He/she shall follow procedures contained in the Lake County Office of Education (LCOE's) transportation safety plan.

The driver shall not require any student to leave the bus en route between home and school or other destinations. (5 CCR 14103)

The driver shall stop to load or unload students only at school bus stops designated by the County Superintendent or designee, or authorized by the County Superintendent or designee for school activity trips. (Vehicle Code 22112)

(cf. 3541 - Transportation Routes and Services)

The driver shall activate the amber warning light system, flashing red signal lights and stop arm signal and shall escort students in accordance with Vehicle Code 22112.

The driver shall immediately report all school bus accidents to the California Highway Patrol, the County Superintendent or designee, and the driver's employer. (13 CCR 1219)

SCHOOL BUS DRIVERS (continued)

The driver also shall report the following to the County Superintendent or designee:

1. Recurring and serious student misbehavior
2. Parental and student complaints
3. Traffic violations
4. Consistently late school dismissals which cause transportation delays
5. Overload runs
6. Mechanical or other problems with buses and equipment

Legal Reference: (see next page)

SCHOOL BUS DRIVERS (continued)

Legal Reference:

EDUCATION CODE

39830-39842 *School buses*

40080-40090.5 *Training required to obtain or renew bus driver certificate*

45125.1 *Criminal background checks for contractors*

56195.8 *Training in installation of mobile seating devices*

PENAL CODE

241.3 *Assault against school bus driver*

243.3 *Battery against school bus driver*

VEHICLE CODE

1808.8 *Dismissal for safety-related cause*

2570-2575 *Transportation of students*

12517-12517.4 *Certification requirements*

12522 *First aid training for school bus drivers*

13376 *Driver certificates; revocation or suspension; sex offense prosecution*

22112 *School bus signals; roadway crossings*

25257 *School bus; flashing light signal system*

25257.2 *School bus used for transportation of developmentally disabled person*

34501.6 *School buses; reduced visibility*

34508.5 *Investigation of accidents*

CODE OF REGULATIONS, TITLE 5

14103 *Authority of the driver*

14104 *School bus driver instructor*

CODE OF REGULATIONS, TITLE 13

1200-1228 *General provisions, school bus regulations*

CODE OF FEDERAL REGULATIONS, TITLE 49

571.222 *Federal motor vehicle safety standard #222*

Management Resources:

WEB SITES

California Highway Patrol: <http://www.chp.ca.gov>

California Department of Motor Vehicles: <http://www.dmv.ca.gov>

California Department of Justice: <http://caag.state.ca.us>

TRANSPORTATION SAFETY AND EMERGENCIES

Cautionary Notice: Government Code 17581.5 relieves districts from the obligation to perform specified mandated activities when the Budget Act does not provide reimbursement during that fiscal year. The Budget Act of 2014 (SB 852, Ch. 25, Statutes of 2014) extends the suspension of these requirements through the 2014-15 fiscal year. As a result, certain provisions of the following administrative regulation related to the removal of chemicals may be suspended.

Safety Equipment

Each school bus shall be equipped with at least one fire extinguisher located in the driver's compartment which meets the standards specified in law. (Education Code 39838; 13 CCR 1242)

The Lake County Superintendent of Schools shall ensure that any school bus which is purchased or leased by the Lake County Office of Education is equipped with a combination pelvic and upper torso passenger restraint system at all designated seating positions if that bus: (Vehicle Code 27316, 27316.5; 13 CCR 1201)

1. Is a Type 1 school bus designed for carrying more than 16 passengers and the driver and is manufactured on or after July 1, 2005
2. Is a Type 2 school bus or student activity bus designed for carrying 16 or fewer passengers and the driver, or designed for carrying 20 or fewer passengers and the driver and having a manufacturer's vehicle weight rating of 10,000 pounds or less, and is manufactured on or after July 1, 2004

The County Superintendent or designee shall prioritize the allocation of school buses purchased, leased, or contracted to ensure that elementary students receive first priority for new school buses equipped with passenger restraint systems whenever feasible.

When a school bus or student activity bus is equipped with a passenger restraint system, all passengers shall use the passenger restraint system. (5 CCR 14105)

Safe Bus Operations

School buses and student activity buses shall not be operated whenever the number of passengers exceeds bus seating capacity, except when necessary in emergency situations which require that individuals be transported immediately to ensure their safety.

(cf. 3516 - Emergencies and Disaster Preparedness Plan)

School bus operations shall be limited when atmospheric conditions reduce visibility on the roadway to 200 feet or less during regular home-to-school transportation service. Bus drivers

TRANSPORTATION SAFETY AND EMERGENCIES (continued)

for school activity trips shall have the authority to discontinue bus operation whenever they determine that it is unsafe to continue operation because of reduced visibility. (Vehicle Code 34501.6)

(cf. 3516.5 - Emergency Schedules)

(cf. 3540 - Transportation)

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

(cf. 3542 - School Bus Drivers)

A person shall not drive a motor vehicle while using a wireless telephone, except under the following conditions: (Vehicle Code 23123, 23125)

1. When he/she uses a wireless telephone that is specifically designed and configured to allow hands-free listening and talking, provided it is used in that manner while driving
2. For emergency purposes, including, but not limited to, an emergency call to a law enforcement agency, health care provider, fire department, or other emergency service agency or entity
3. In the case of a school bus driver only, for work-related purposes

(cf. 3513.1 - Cellular Phone Reimbursement)

(cf. 4040 - Employee Use of Technology)

A person shall not drive a motor vehicle while using an electronic wireless communications device to write, send, or read a text-based communication, including, but not limited to, text messages, instant messages, and email. This prohibition does not include reading, selecting, or entering a telephone number or name in an electronic wireless communications device for the purpose of making or receiving a telephone call. (Vehicle Code 23123.5)

The County Superintendent or designee shall review all investigations of bus incidents and accidents to develop preventative measures.

(cf. 4112.42/4212.42/4312.42 - Drug and Alcohol Testing for School Bus Drivers)

The County Superintendent or designee may place a notice at bus entrances that warns against unauthorized entry. The driver or another school official may order any person to disembark if that person enters a bus without prior authorization. (Education Code 39842; 13 CCR 1256.5)

(cf. 3515.2 - Disruptions)

TRANSPORTATION SAFETY AND EMERGENCIES (continued)**Transportation Safety Plan for Boarding and Exiting Buses**

The County Superintendent or designee shall develop a transportation safety plan containing procedures for school personnel to follow to ensure the safe transport of students. The plan shall include all of the following: (Education Code 39831.3)

1. Procedures for determining if students in grades prekindergarten through 8 require an escort to cross a private road or highway at a bus stop pursuant to Vehicle Code 22112
2. Procedures for all students in grades prekindergarten through 8 to follow as they board and exit the bus at their bus stops
3. Procedures for boarding and exiting a school bus at a school or other trip destination

A copy of the plan shall be kept at each school site and made available upon request to the California Highway Patrol. (Education Code 39831.3)

Student Instruction

All students who are transported in a school bus or student activity bus shall receive instruction in school bus emergency procedures and passenger safety. (Education Code 39831.5)

The County Superintendent or designee shall ensure that instruction is provided to students as follows:

1. The County Superintendent or designee shall annually provide appropriate instruction in safe riding practices and emergency evacuation drills to each student who receives home-to-school transportation in a school bus. (5 CCR 14102)
2. At least once each school year, all students in grades prekindergarten through 8 who receive home-to-school transportation shall receive safety instruction which includes, but is not limited to: (Education Code 39831.5)
 - a. Proper loading and unloading procedures, including escorting by the driver
 - b. How to safely cross the street, highway, or private road
 - c. In school buses with passenger restraint systems, instruction in the use of such systems as specified in 5 CCR 14105, including, but not limited to, the proper fastening and release of the passenger restraint system, acceptable placement

TRANSPORTATION SAFETY AND EMERGENCIES (continued)

of passenger restraint systems on students, times at which the passenger restraint systems should be fastened and released, and acceptable placement of the passenger restraint systems when not in use

- d. Proper passenger conduct

(cf. 5131.1 - Bus Conduct)

- e. Bus evacuation procedures
- f. Location of emergency equipment

As part of this instruction, students shall evacuate the school bus through emergency exit doors. Instruction also may include responsibilities of passengers seated next to an emergency exit. (Education Code 39831.5)

Each time the above instruction is given, the following information shall be documented: (Education Code 39831.5)

- a. LCOE name
- b. School name and location
- c. Date of instruction
- d. Names of supervising adults
- e. Number of students participating
- f. Grade levels of students
- g. Subjects covered in instruction
- h. Amount of time taken for instruction
- i. Bus driver's name
- j. Bus number
- k. Additional remarks

TRANSPORTATION SAFETY AND EMERGENCIES (continued)

This documentation shall be kept on file at LCOE office or the school for one year and shall be available for inspection by the California Highway Patrol. (Education Code 39831.5)

3. Before departing on a school activity trip, all students riding on a school bus or student activity bus shall receive safety instruction which includes, but is not limited to: (Education Code 39831.5)
 - a. Location of emergency exits
 - b. Location and use of emergency equipment

This instruction also may include responsibilities of passengers seated next to an emergency exit. (Education Code 39831.5)

Legal Reference: (see next page)

TRANSPORTATION SAFETY AND EMERGENCIES (continued)

Legal Reference:

EDUCATION CODE

39830-39842 *Transportation, school buses*

51202 *Instruction in personal and public health and safety*

PENAL CODE

241.3 *Assault against school bus driver*

243.3 *Battery against school bus driver*

VEHICLE CODE

415 *Definition of motor vehicle*

545-546 *Definition of school bus and school pupil activity bus*

22112 *Loading and unloading passengers*

23123 *Use of wireless telephone prohibited while driving motor vehicle*

23123.5 *Text communications prohibited while driving motor vehicle*

23125 *Use of wireless telephone prohibited while driving school bus*

27316 *Passenger restraint systems*

34500 *California Highway Patrol responsibility to regulate safe operation of school buses*

34501.5 *California Highway Patrol responsibility to adopt rules re: safe operation of school buses*

34501.6 *School buses; reduced visibility*

34508 *California Highway Patrol responsibility to adopt rules re: equipment and operations of school buses*

CODE OF REGULATIONS, TITLE 5

14100-14105 *School buses and student activity buses*

CODE OF REGULATIONS, TITLE 13

1200-1293 *Motor carrier safety*

CODE OF FEDERAL REGULATIONS, TITLE 49

571.1-571.500 *Motor vehicle standards, including school buses*

Management Resources:

WEB SITES

California Association of School Business Officials: <http://www.casbo.org>

California Association of School Transportation Officials: <http://www.castoways.org>

California Department of Education, Office of School Transportation: <http://www.cde.ca.gov/ls/tn>

California Highway Patrol: <http://www.chp.ca.gov>

National Coalition for School Bus Safety: <http://www.ncsbs.org>

National Transportation Safety Board: <http://www.ntsb.gov>

*U.S. Department of Transportation, National Highway Traffic Safety Administration:
<http://www.nhtsa.dot.gov>*

VEHICLE TRANSPORTATION FOR OFFICIAL BUSINESS

Methods of authorized transportation for employees of the Lake County Superintendent of Schools conducting official business are available as follows:

1. Fleet vehicles parked at the Lake County Office of Education.
2. Fleet vehicles parked at an approved location other than LCOE.
3. Privately-owned vehicles with mileage reimbursement.
4. Other means of transportation approved by the County Superintendent or designee.

All LCOE employees who operate a fleet vehicle or privately-owned vehicle on official business must be 18 years of age or older and carry a valid California driver's license and must observe all applicable provisions of the California Vehicle Code and the requirements of this policy. Employees must submit a copy of their California drivers license and Proof of Insurance with responsible Supervisor to be authorized to drive a fleet vehicle or privately-owned vehicle on official business.

Use of Fleet Vehicles

The County Superintendent will provide and maintain fleet vehicles for use by employees for official business of LCOE. Fleet vehicles will be assigned at the discretion of the County Superintendent or designee on the basis of need and availability. Utilization should be distributed fairly among all programs.

Only employees, including employees of school districts on contract with LCOE, are authorized to drive fleet vehicles. Employees using fleet vehicles must be informed of and comply with the following regulations:

1. Employees must have completed Keenan Associates' online Defensive Driver Course to be permitted to drive a fleet vehicle. Verification of completion is available through the Human Resources Department.
2. Employees shall sign out and sign in for use of fleet vehicles. Request for vehicles should be made to the County Superintendent's administrative assistant by phone or in person. Reservations of fleet vehicles should be made 24 hours in advance when possible. When reserving vehicles, employees should indicate the date and time needed. The employee is responsible for coordinating with his/her supervisor to assure the proper child restraint system is installed. Vehicles should be checked out no earlier than 30 minutes prior to departure. Fleet vehicles shall not be checked out for the purpose of going to lunch or for personal use.

VEHICLE TRANSPORTATION FOR OFFICIAL BUSINESS (continued)

3. An employee may be authorized to drive a fleet vehicle home for an overnight stay if duties require attendance at a location other than the employee's work site before 8 a.m. or after 5 p.m. However, every attempt should be made to return the vehicle to LCOE facilities at night or prior to the weekend. Privately-owned vehicles may be parked at LCOE facilities overnight. In cases where a privately owned vehicle is left at a LCOE facility, LCOE will assume no risk or liability.
4. The LCOE *Vehicle Checkout* form assigned to each fleet vehicle must be completed by the driver. Employees who are assigned a fleet vehicle shall submit a monthly usage report to their supervisor.
5. Fuel cards will be provided as needed to purchase gas and oil. Major repairs needed should be reported to the County Superintendent's administrative assistant prior to any authorization for repair.
6. Vehicle accidents shall be reported immediately to the employee's supervisor and the Senior Director of Business Services regardless of fault or amount of damage. Personal injuries shall be reported as soon as possible to Human Resources and the *Supervisor's Accident Investigation Report* shall be completed.
7. Insurance coverage for fleet vehicles is the responsibility of LCOE. Evidence of insurance shall be carried in all fleet vehicles.
8. Traffic and/or parking citations issued to an employee while on official business shall be the responsibility of the employee.
9. Employees should be aware that driver distractions are a major cause of traffic accidents and should avoid activities that interfere with safe driving. Proven accident-causing distractions including the use of cell phones, eating and drinking, smoking, and adjusting audio controls.
10. Employees shall observe the following rules when operating a fleet vehicle:
 - a. The use of alcohol or drugs or driving under the influence of alcohol or drugs is prohibited.
 - b. The use of tobacco products is prohibited.
 - c. The use of a cell phone while driving a motor vehicle is prohibited unless the phone is operated in a hands-free mode or is used for emergency purposes, including, but not limited to, a 911-emergency call to a law enforcement agency, health care provider, fire department, or other emergency services agency.

VEHICLE TRANSPORTATION FOR OFFICIAL BUSINESS (continued)

- d. The use of an electronic wireless communications device to write, send, or read a text-based communication while driving a motor vehicle is prohibited.
- e. Except in an emergency situation, when transporting students:
 - (1) Written or documented verbal permission of the parent/guardian is required.
 - (2) A minimum of two adults must be in the vehicle or the student must be seated in the back seat.
- f. Drivers and all passengers must use separate seat belts and other safety restraint systems that meet federal motor vehicle standards. The driver shall ensure that the number of people in the vehicle does not exceed the number of available seat belts. California law requires that any child under 6 years of age or under 60 pounds must be transported in a child safety restraint system. When vehicles are used to transport children under 16 years of age, the child safety restraint practices below shall be followed.
 - (1) Child passenger restraint systems that meet federal motor vehicle safety standards, are in good and safe condition, have no missing original parts, and are not older than five years must be used.
 - (2) The driver is responsible for ensuring that all children under the age of 18 are properly secured in a safety belt or child passenger restraint system meeting federal motor vehicle safety standards as follows:
 - (i) Children under six years who weigh less than 60 pounds must ride in the back seat unless specifically exempted by California law.
 - (ii) Infants must ride in a rear-facing safety seat until they are at least one year old and weigh 20 pounds. The rear-facing safety seat must be installed in the back seat.
 - (ii) Children over one year old and between 20 and 40 pounds must use forward-facing safety seats.
 - (iv) Children between 40 and 60 pounds shall be placed in booster seats and must face forward.

VEHICLE TRANSPORTATION FOR OFFICIAL BUSINESS (continued)

- (v) All children over 6 years, and under 18 years of age and weighing over 60 pounds must be properly secured in a safety belt.
- (vi) If possible, all children age 12 years and under should ride in the back seat. Any child riding in the front seat in vehicles equipped with front passenger seat air bags should be seated as far back from the air bag as is reasonably possible.
- g. Employees who transport children with disabilities must comply with any transportation requirements specified in the students' individualized education programs (IEPs) and shall be appropriately trained to perform this duty.

Regulation for Use of Privately-Owned Vehicles for Official Business

Employees of the County Superintendent using their privately-owned vehicles on official business of LCOE must be informed of and comply with the following regulations:

1. Employees must carry a valid California driver license and proof of automobile insurance coverage when operating a privately-owned vehicle.
2. An employee using his/her privately owned vehicle for transporting children shall maintain personal automobile insurance coverage as follows:
 - a. \$100,000/\$300,000 for Liability/Bodily Injury
 - b. \$50,000 for Liability/Property Damage
 - c. Collision and Comprehensive insurance coverage is optional.
3. An employee using his/her privately owned vehicle for official business shall maintain personal automobile insurance coverage that complies with the minimum liability insurance requirements for private passenger vehicles as monitored by the DMV (California Insurance Code 11580.1b). *(Updated 1/13/15)*

The employee's personal insurance shall provide primary coverage, with LCOE's insurance providing excess coverage. Employees shall carry verification of insurance coverage when using privately-owned vehicles for official business. Employees using their vehicles for official business on a regular basis should refer to their insurance policies for reporting requirements.

4. LCOE will not pay for any of the following for an employee's privately-owned vehicle while on official business or parked at any LCOE facility:
 - a. Collision damage.
 - b. The deductible amount of any insurance claim or adjustment.

VEHICLE TRANSPORTATION FOR OFFICIAL BUSINESS (continued)

- c. Repair or replacement of vehicle damage by vandalism or theft of vehicle.
 - d. Damage or theft of vehicle and/or vehicle contents.
 - e. Traffic and/or parking citations issued to the employee while on official business.
5. Vehicle accidents involving employees driving privately-owned vehicles on official business shall be reported immediately to Human Resources. The employee shall also report the accident to his/her insurance company and, within ten days, to the California Department of Motor Vehicles if damage exceeds \$750 or there is a death or injury. Personal injuries shall be reported as soon as possible to Human Resources, and a *Supervisor's Accident Investigation Report* shall be completed.

Mileage Reimbursement

Employees using their privately-owned vehicles for official business may claim reimbursement for mileage driven in accordance with the following regulations:

- 1. All employees will be assigned a primary worksite. It is the responsibility of the employee to get to and from work at their primary site.
- 2. In the event that an employee has multiple primary worksites (e.g. Monday, Wednesday, Friday at Kelseyville, Tuesday and Thursday at Lakeport), it is the responsibility of the employee to get to and from the proper worksite for that day.
- 3. If an employee is required to report to an alternate worksite that is not the primary site, mileage reimbursement can be claimed on the lesser of the mileage from
 - a. The primary site to the alternate site or
 - b. Home of record to alternate site.

If the mileage to the alternate site is less than from the home of record to the primary site, there is no mileage reimbursement claimable.

- 4. Employees directed to travel between worksites during the workday may claim mileage reimbursement. Travel done without specific direction from a supervisor may not be reimbursed.

VEHICLE TRANSPORTATION FOR OFFICIAL BUSINESS (continued)

5. For travel out of the county, supervisors, at their discretion, will arrange the least expensive means of travel available, including, but not limited to, fleet vehicles, rental vehicles, privately-owned vehicles, train travel, and air travel.
6. At the supervisor's discretion, an employee may be authorized to use his/her privately-owned vehicle instead of other means of travel for transportation to out-of-county activities/meetings. In such cases, reimbursement will be made on the least expensive means of travel (air fare, rental vehicle, or mileage reimbursement rate) based on mutual agreement with the supervisor.
7. Reimbursement for use of a privately-owned vehicle on official business shall be claimed on *Travel Reimbursement Request* form. Toll charges and parking fees may be reimbursed with appropriate receipt. Travel reimbursement claims must be submitted to the appropriate manager within 30 days of travel and to the business office within 60 days of travel. Failure to meet the above timelines may result in forfeiture of reimbursement. *Travel Reimbursement Request* will not be accepted after July 10th following the fiscal year in which travel occurred.
8. For in-county travel, employees will be limited to the mileage shown on LCOE *Approved Mileage Chart*.
9. The mileage reimbursement rate paid by LCOE includes the cost of insurance for those miles driven on official business. Mileage reimbursement shall be at the IRS-approved rate and is non-reportable as income to the employee. The County Superintendent may adjust this reimbursement rate to reflect adjustments by the Internal Revenue Service.

Legal Reference: (see next page)

VEHICLE TRANSPORTATION FOR OFFICIAL BUSINESS (continued)

Legal Reference:

EDUCATION CODE

1081 *Travel expenses*

35350 *Authority to transport pupils*

48901 *Prohibition against tobacco use by students*

HEALTH A

ND SAFETY CODE

104420 *Risk Reduction; Tobacco Control; Tobacco Use Prevention*

INSURANCE CODE

11580

VEHICLE CODE

16020 *Records, general provisions*

16056

16430

16541

23123-23124 *Wireless telephones in vehicles*

23152-23153

27315 *Mandatory use of seat belts in private passenger vehicles*

27360-27360.5 *Child passenger restraint systems*

27363 *Child passenger restraint systems, exemptions*

Management Resources:

WEB SITES

National Highway Traffic Safety Administration: www.nhtsa.gov

California Department of Education, Office of School Transportation: www.cde.ca.gov/Is/tm

California Department of Education, Special Education Division: www.cde.ca.gov/sp/se

FOOD SERVICE/CHILD NUTRITION PROGRAM

The Lake County Superintendent of Schools recognizes that adequate, nourishing food is essential to student health, development, and ability to learn. The County Superintendent shall develop strategies to increase students' access to the Lake County Office of Education food service programs and to maximize their participation in available programs.

Foods and beverages available to students shall:

1. Be carefully selected so as to contribute to students' nutritional well-being and the prevention of disease

(cf. 5141.27 - Food Allergies/Special Dietary Needs)

2. Meet or exceed nutrition standards specified in law and administrative regulation

(cf. 3552 - Summer Meal Program)

(cf. 3554 - Other Food Sales)

(cf. 5030 - Student Wellness)

(cf. 5148 - Child Care and Development)

(cf. 5148.2 - Before/After School Programs)

(cf. 5148.3 - Preschool/Early Childhood Education)

3. Be prepared in ways that will appeal to students, retain nutritive quality, and foster lifelong healthful eating habits

4. Be served in age-appropriate portions

5. Be available to students who meet federal eligibility criteria at no cost or at reduced prices, and to other students at reasonable prices

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

(cf. 3553 - Free and Reduced Price Meals)

LCOE schools are encouraged to establish school gardens and/or farm-to-school projects to increase the availability of safe, fresh, seasonal fruits and vegetables for school meals and to support LCOE's nutrition education program.

(cf. 6142.8 - Comprehensive Health Education)

The County Superintendent desires to provide students with adequate time and space to eat meals. To the extent possible, school, recess, and transportation schedules shall be designed to encourage participation in school meal programs.

The County Superintendent or designee shall periodically review the adequacy of school facilities for cafeteria eating and food preparation.

FOOD SERVICE/CHILD NUTRITION PROGRAM (continued)

(cf. 1312.4 - Williams Uniform Complaint Procedures)
(cf. 3517- Facilities Inspection)
(cf. 7110 - Facilities Master Plan)

In accordance with law, the County Superintendent or designee shall develop and maintain a food safety program in order to reduce the risk of foodborne hazards at each step of the food preparation process, from receiving to service.

Legal Reference:

EDUCATION CODE

35182.5 *Contracts, non-nutritious beverages*
38080-38103 *Cafeteria, establishment and use*
45103.5 *Contracts for management consulting services; restrictions*
49430-49436 *Pupil Nutrition, Health, and Achievement Act of 2001*
49490-49494 *School breakfast and lunch programs*
49500-49505 *School meals*
49510-49520 *Nutrition*
49530-49536 *Child Nutrition Act*
49540-49546 *Child care food program*
49547-49548.3 *Comprehensive nutrition services*
49550-49562 *Meals for needy students*
49570 *National School Lunch Act*
51795-51797 *School gardens*

HEALTH AND SAFETY CODE

113700-114437 *California Retail Food Code*
CODE OF REGULATIONS, TITLE 5
15510 *Mandatory meals for needy students*
15530-15535 *Nutrition education*
15550-15565 *School lunch and breakfast programs*
15575-15578 *Requirements for foods and beverages outside federal meal programs*

UNITED STATES CODE, TITLE 42

1751-1769j *National School Lunch Program, including:*
1758b *Local wellness policy*
1761 *Summer Food Service Program and Seamless Summer Feeding Option*
1769a *Fresh Fruit and Vegetable Program*
1771-1793 *Child nutrition, especially:*
1772 *Special Milk Program*
1773 *National School Breakfast Program*

CODE OF FEDERAL REGULATIONS, TITLE 7

210.1-210.31 *National School Lunch Program*
215.1-215.18 *Special Milk Program*
220.1-220.21 *National School Breakfast Program*
245.1-245.13 *Eligibility for free and reduced-price meals and free milk*

Management Resources: (see next page)

BP 3550(c)
-SP

FOOD SERVICE/CHILD NUTRITION PROGRAM (continued)

Management Resources:

CSBA PUBLICATIONS

Building Healthy Communities: A School Leader's Guide to Collaboration and Community Engagement, 2009

Nutrition Standards for Schools: Implications for Student Wellness, Policy Brief, rev. October 2007

Monitoring for Success: Student Wellness Policy Implementation Monitoring Report and Guide, 2007

Student Wellness: A Healthy Food and Physical Activity Policy Resource Guide, rev. April 2006

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

School Meals Initiative Summary

Healthy Children Ready to Learn, January 2005

CALIFORNIA PROJECT LEAN PUBLICATIONS

Policy in Action: A Guide to Implementing Your Local School Wellness Policy, October 2006

U.S. DEPARTMENT OF AGRICULTURE PUBLICATIONS

School Breakfast Toolkit

Fresh Fruit and Vegetable Program: Handbook for Schools, December 2010

Food Buying Guide for Child Nutrition Programs, December 2007

Civil Rights Compliance and Enforcement - Nutrition Programs and Activities, FNS Instruction 113-1, November 2005

Guidance for School Food Authorities: Developing a School Food Safety Program Based on the Process Approach to HACCP Principles, June 2005

Dietary Guidelines for Americans, 2005

WEB SITES

CSBA: <http://www.csba.org>

California Department of Education, Nutrition Services Division: <http://www.cde.ca.gov/ls/nu>

California Department of Public Health: <http://www.cdph.ca.gov>

California Farm Bureau Federation: <http://www.cfbf.com>

California Food Policy Advocates: <http://www.cfpa.net>

California Healthy Kids Resource Center: <http://www.californiahealthykids.org>

California Project LEAN (Leaders Encouraging Activity and Nutrition):

<http://www.californiaprojectlean.org>

California School Nutrition Association: <http://www.calsna.org>

Centers for Disease Control and Prevention: <http://www.cdc.gov>

National Alliance for Nutrition and Activity: <http://www.cspinet.org/nutritionpolicy/nana.html>

U.S. Department of Agriculture, Food and Nutrition Service: <http://www.fns.usda.gov/fns>

Policy
adopted: August 13, 2014
Business and Noninstructional Operations

LAKE COUNTY OFFICE OF EDUCATION
Lakeport, California
AR 3550(a)

FOOD SERVICE/CHILD NUTRITION PROGRAM

Nutrition Standards for School Meals

Meals or food items provided through the Lake County Office of Education's food services program shall: (Education Code 49430, 49430.5, 49430.7, 49550, 49553; 42 USC 1758, 1773; 7 CFR 210.10, 220.8)

1. Comply with the National School Lunch and/or Breakfast 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, or the state's menu planning options of Shaping Health as Partners in Education
2. Not be deep fried, par fried, or flash fried by LCOE or school or as part of the manufacturing process
3. Not contain artificial trans fat as defined in Education Code 49430.7

(cf. 3552 - Summer Meal Program)
(cf. 3553 - Free and Reduced Price Meals)
(cf. 5030 - Student Wellness)
(cf. 5141.27 - Food Allergies/Special Dietary Needs)
(cf. 5148 - Child Care and Development)
(cf. 5148.3 - Preschool/Early Childhood Education)

Nutrition Standards for Foods and Beverages Sold Outside the Reimbursable Meal Programs

Any foods or beverages that are not sold as part of the National School Lunch or Breakfast Program shall be sold to students only if they meet the nutrition standards specified in Education Code 49430-49431.7 and 5 CCR 15575-15578.

(cf. 3554 - Other Food Sales)

Drinking Water

The Lake County Superintendent of Schools shall provide access to free, fresh drinking water during meal times in food service areas at all LCOE 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

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 215.1)

AR 3550(b)

FOOD SERVICE/CHILD NUTRITION PROGRAM (continued)

Food Safety

The County Superintendent shall ensure that LCOE'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.

Inspection of Food Facilities

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

Policy
adopted: August 13, 2014

LAKE COUNTY OFFICE OF EDUCATION
Lakeport, California

Business and Noninstructional Operations

BP 3553(a)
-SP

FREE AND REDUCED PRICE MEALS

The Lake County Superintendent of Schools recognizes that adequate nutrition is essential to the development, health, and learning of all students. The County Superintendent shall facilitate and encourage the participation of students from low-income families in the Lake County Office of Education food service program.

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

(cf. 3552 - Summer Meal Program)

(cf. 5030 - Student Wellness)

(cf. 5148 - Child Care and Development)

(cf. 5148.2 - Before/After School Programs)

(cf. 6177 - Summer School)

LCOE shall provide at least one nutritionally adequate meal each school day, free of charge or at a reduced price, for students whose families meet federal eligibility criteria. (Education Code 49550, 49552)

The County Superintendent or designee shall ensure that meals provided through the free and reduced-price meals program meet applicable state and/or federal nutritional standards in accordance with law, Board policy, and administrative regulation.

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

LCOE schools participating in the Special Milk Program pursuant to 42 USC 1772 shall provide milk at no charge to students who meet federal eligibility criteria for free or reduced-price meals.

The County Superintendent shall approve, and shall submit to the California Department of Education for approval, a plan that ensures that students eligible to receive free or reduced-price meals and milk are not treated differently from other students. (Education Code 49557)

(cf. 0410 - Nondiscrimination in District Programs and Activities)

(cf. 3555 - Nutrition Program Compliance)

(cf. 5145.3 - Nondiscrimination/Harassment)

Confidentiality/Release of Records

All applications and records related to eligibility for the free and reduced-price meals program shall be confidential except as provided by law. (Education Code 49558)

The County Superintendent authorizes designated employees to use individual records pertaining to student eligibility for the free and reduced-price meals program for the purposes of: (Education Code 49558)

1. Disaggregation of academic achievement data

FREE AND REDUCED PRICE MEALS (continued)

2. In any school identified as a Title I program improvement school pursuant to 20 USC 6316, identification of students eligible for school choice and supplemental educational services

(cf. 0520.2 - Title I Program Improvement Schools)
(cf. 5125 - Student Records)
(cf. 6162.51 - Standardized Testing and Reporting Program)
(cf. 6171 - Title I Programs)

The County Superintendent further authorizes the release of information on the school lunch program application to the local agency that determines Medi-Cal program eligibility, provided that the student is approved for free meals and the parent/guardian consents to the sharing of information in accordance with Education Code 49557.2.

(cf. 5141.6 - School Health Services)

In addition, information on the school lunch program application may be released to the local agency that determines eligibility for participation in the CalFresh program or other nutrition assistance program, provided the student whose information is to be released is approved for free or reduced-price meals and his/her parent/guardian consents to the sharing of the information. Prior to releasing information to any such local agency, the County Superintendent or designee and the local agency shall enter into a memorandum of understanding that, at a minimum, shall include the roles and responsibilities of LCOE and the local agency, the process for sharing the information, and a statement that the local agency may use the information only for purposes directly related to the enrollment of families in the CalFresh or other nutrition assistance program. (Education Code 49557.3, 49558)

Legal Reference: (see next page)

FREE AND REDUCED PRICE MEALS (continued)

Legal Reference:

EDUCATION CODE

48980 *Notice at beginning of term*

49430-49436 *Pupil Nutrition, Health, and Achievement Act of 2001*

49490-49494 *School breakfast and lunch programs*

49500-49505 *School meals*

49510-49520 *Nutrition*

49530-49536 *Child Nutrition Act of 1974*

49547-49548.3 *Comprehensive nutrition service*

49550-49562 *Meals for needy students*

CODE OF REGULATIONS, TITLE 5

15510 *Mandatory meals for needy students*

15530-15535 *Nutrition education*

15550-15565 *School lunch and breakfast programs*

UNITED STATES CODE, TITLE 20

1232g *Federal Educational Rights and Privacy Act*

6301-6514 *Title I programs*

UNITED STATES CODE, TITLE 42

1751-1769j *School lunch program*

1771-1791 *Child nutrition, especially:*

1773 *School breakfast program*

CODE OF FEDERAL REGULATIONS, TITLE 7

210.1-210.31 *National School Lunch Program*

220.10-220.21 *National School Breakfast Program*

245.1-245.13 *Determination of eligibility for free and reduced-price meals and free milk*

Management Resources: (see next page)

FREE AND REDUCED PRICE MEALS (continued)

Management Resources:

CSBA PUBLICATIONS

Monitoring for Success: Student Wellness Policy Implementation Monitoring Report and Guide, 2007

Student Wellness: A Healthy Food and Physical Activity Policy Resource Guide, rev. April 2006

CALIFORNIA DEPARTMENT OF EDUCATION MANAGEMENT BULLETINS

USDA-SNP-07-2010 Change in Free and Reduced-Price Meal Application Approval Process, September 2010

NSD-SNP-12-2010 Clarification Regarding the Ability to Share Student Meal Program Eligibility Information Between School Food Authorities, April 2010

04-103 Implementation of Final Rule on Verification of Applications for Free and Reduced-Price Meals, August 2004

98-101 Confidentiality of Free and Reduced-Price Eligibility Information, February 1998

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Feed More Kids, Improve Program Participation

Direct Certification Implementation Checklist, May 2008

U.S. DEPARTMENT OF AGRICULTURE PUBLICATIONS

Eligibility Manual for School Meals: Federal Policy for Determining and Verifying Eligibility, January 2008

Provision 2 Guidance: National School Lunch and School Breakfast Programs, Summer 2002

WEB SITES

CSBA: <http://www.csba.org>

California Department of Education, Nutrition Services Division: <http://www.cde.ca.gov/ls/nu>

California Healthy Kids Resource Center: <http://www.californiahealthykids.org>

California Project LEAN (Leaders Encouraging Activity and Nutrition):

<http://www.californiaprojectlean.org>

U.S. Department of Agriculture, Food and Nutrition Service: <http://www.fns.usda.gov/cnd>

FREE AND REDUCED PRICE MEALS

Applications

The Lake County Superintendent of Schools shall ensure that the Lake County Office of Education's application form for free and reduced-price meals and related materials include the statements specified in Education Code 49557 and 7 CFR 245.5. In addition, the application packet may include the notifications and information listed in Education Code 49557.2.

The application form and related information shall be distributed to all parents/guardians at the beginning of each school year and shall be available to students at all times during the school day. (Education Code 48980, 49520; 42 USC 1758; 7 CFR 245.5)

(cf. 3550 - Food Service/Child Nutrition Program)
(cf. 3551 - Food Service Operations/Cafeteria Fund)
(cf. 3552 - Summer Meal Program)
(cf. 5145.6 - Parental Notifications)

The form and information shall also be provided whenever a new student is enrolled.

At the beginning of each school year, the County Superintendent or designee shall send a public release, containing the same information supplied to parents/guardians and including eligibility criteria, to local media, the local unemployment office, and any major employers contemplating large layoffs within Lake County. Copies of the public release shall be made available upon request to any interested person. (7 CFR 245.5)

(cf. 1112 - Media Relations)

Eligibility

The County Superintendent or designee shall determine students' eligibility for the free and reduced-price meals program based on the criteria specified in 42 USC 1758 and 1773 and 7 CFR 245.1-245.13 and made available by the California Department of Education.

When authorized by law, participants in other federal or state programs may be directly certified, without further application, for enrollment in the free and reduced-price meals program. (Education Code 49561; 42 USC 1758)

(cf. 6173 - Education for Homeless Children)
(cf. 6173.1 - Education for Foster Youth)
(cf. 6175 - Migrant Education Program)

Verification of Eligibility

Not later than November 15 of each year, the County Superintendent or designee shall verify the eligibility of a sample of household applications approved for the school year in accordance with the sample sizes and procedures specified in 42 USC 1758 and 7 CFR 245.6a. (42 USC 1758; 7 CFR 245.6a)

FREE AND REDUCED PRICE MEALS (continued)

If the review indicates that the initial eligibility determination is correct, the County Superintendent or designee shall verify the approved household application. If the review indicates that the initial eligibility determination is incorrect, the County Superintendent or designee shall: (42 USC 1758; 7 CFR 245.6a)

1. If the eligibility status changes from reduced price to free, make the increased benefits immediately available and notify the household of the change in benefits
2. If the eligibility status changes from free to reduced price, first verify the application, then notify the household of the correct eligibility status, and, when required by law, send a notice of adverse action as described below
3. If the eligibility status changes from free or reduced price to paid, send the household a notice of adverse action as described below

If any household is to receive a reduction or termination of benefits as a result of verification activities, or if the household fails to cooperate with verification efforts, the County Superintendent or designee shall reduce or terminate benefits, as applicable, and shall properly document and retain on file the reasons for ineligibility. He/she also shall send a notice of adverse action to any household that is to receive a reduction or termination of benefits. Such notice shall be provided 10 days prior to the actual reduction or termination of benefits. The notice shall advise the household of: (7 CFR 245.6a)

1. The change and the reasons for the change
2. The right to appeal, when the appeal must be filed to ensure continued benefits while awaiting a hearing and decision, and instructions on how to appeal
3. The right to reapply at any time during the school year

Confidentiality/Release of Records

The County Superintendent designates the following LCOE employee to use individual records pertaining to student participation in the free and reduced-price meals program for the purpose of disaggregation of academic achievement data or for the identification of students in any program improvement school eligible for school choice and supplemental educational services pursuant to 20 USC 6316:

Director, Alternative Education

In using the records for such purposes, the following conditions shall be satisfied: (Education Code 49558)

FREE AND REDUCED PRICE MEALS (continued)

1. No individual indicators of participation in the free and reduced-price meals program shall be maintained in the permanent records of any student if not otherwise allowed by law.

(cf. 5125 - Student Records)

2. Information regarding individual student participation in the free and reduced-price meals program shall not be publicly released.

(cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information)

3. All other confidentiality provisions required by law shall be met.
4. Information collected regarding individual students certified to participate in the free and reduced-price meals program shall be destroyed when no longer needed for its intended purpose.

Nondiscrimination Plan

LCOE's plan for students receiving free or reduced-price meals shall ensure the following: (Education Code 49557; 42 USC 1758)

1. The names of the students shall not be published, posted, or announced in any manner, or used for any purpose other than the National School Lunch and School Breakfast Programs, unless otherwise provided by law.
2. There shall be no overt identification of any of the students by the use of special tokens or tickets or by any other means.
3. The students shall not be required to work for their meals or for milk.
4. The students shall not be required to use a separate dining area, go through a separate serving line or entrance, or consume their meals or milk at a different time.

(cf. 0410 - Nondiscrimination in District Programs and Activities)

(cf. 3555 - Nutrition Program Compliance)

When more than one lunch, breakfast, or type of milk is offered, the students shall have the same choice of meals or milk as is available to all students. (Education Code 49557; 7 CFR 245.8)

FREE AND REDUCED PRICE MEALS (continued)

Prices

All meals are provided free regardless of qualification. (42 USC 1758, 1773)

OTHER FOOD SALES

The Lake County Superintendent of Schools believes that sales of foods and beverages at school during the school day should be aligned with the Lake County Office of Education's goals to promote student wellness. Any food sales conducted outside LCOE's food service program shall meet nutritional standards specified in law, and administrative regulation and shall not reduce student participation in the food service program.

(cf. 3550 - Food Service/Child Nutrition Program)
(cf. 3551 - Food Service Operations/Cafeteria Fund)
(cf. 3553 - Free and Reduced Price Meals)
(cf. 5030 - Student Wellness)
(cf. 5141.27 - Food Allergies/Special Dietary Needs)

The County Superintendent may approve the sale of foods and beverages outside LCOE's food service program, including sales by student or school-connected organizations, sales through vending machines, and/or sales at secondary school student stores for fundraising purposes.

(cf. 1230 - School-Connected Organizations)
(cf. 1321 - Solicitations of Funds from and by Students)

When vending machines are sponsored by LCOE or a student or adult organization, the County Superintendent or designee shall determine how and where vending machines may be placed at school sites, LCOE offices, or other school facilities.

(cf. 3312 - Contracts)

Legal Reference: (see next page)

OTHER FOOD SALES (continued)*Legal Reference:*EDUCATION CODE35182.5 *Contracts, non-nutritious beverages*48931 *Authorization and sale of food*49430-49436 *Pupil Nutrition, Health, and Achievement Act of 2001*51520 *School premises; prohibited solicitations*CODE OF REGULATIONS, TITLE 515500 *Food sales in elementary schools*15501 *Sales in high schools and junior high schools*15575-15578 *Requirements for foods and beverages outside federal meals program*HEALTH AND SAFETY CODE113700-114437 *California Retail Food Code*UNITED STATES CODE, TITLE 421751-1769h *National School Lunch Act, including:*1751 *Note Local wellness policy*1771-1791 *Child nutrition, School Breakfast Program*CODE OF FEDERAL REGULATIONS, TITLE 7210.1-210.31 *National School Lunch Program*220.1-220.21 *National School Breakfast Program**Management Resources:*CSBA PUBLICATIONS*Nutrition Standards for Schools: Implications for Student Wellness, Policy Brief, rev. October 2007**Monitoring for Success: Student Wellness Policy Implementation Monitoring Report and Guide, 2007**Student Wellness: A Healthy Food and Physical Activity Policy Resource Guide, rev. April 2006*CALIFORNIA DEPARTMENT OF EDUCATION MANAGEMENT BULLETINS06-110 *Restrictions on Food and Beverage Sales Outside of the School Meal Program, August 2006*FISCAL CRISIS AND MANAGEMENT ASSISTANCE TEAM PUBLICATIONS*Associated Student Body Accounting Manual and Desk Reference, 2002*NATIONAL ASSOCIATION OF STATE BOARDS OF EDUCATION PUBLICATIONS*Fit, Healthy and Ready to Learn, 2000*WEB SITESCSBA: <http://www.csba.org>California Department of Education, Nutrition Services Division: <http://www.cde.ca.gov/ls/nu>California Department of Public Health: <http://www.cdph.ca.gov>California Healthy Kids Resource Center: <http://www.californiahealthykids.org>

California Project LEAN (Leaders Encouraging Activity and Nutrition):

<http://www.californiaprojectlean.org>Centers for Disease Control and Prevention: <http://www.cdc.gov>Fiscal Crisis and Management Assistance Team: <http://www.fcmat.org>National Association of State Boards of Education (NASBE): <http://www.nasbe.org>U.S. Dept. of Agriculture, Food and Nutrition Information Center: <http://www.nal.usda.gov/fnic>

OTHER FOOD SALES

Nutritional Standards for Foods and Beverages

Food and beverage sales outside the Lake County Office of Education'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. 3550 - Food Service/Child Nutrition Program)
(cf. 5030 - Student Wellness)
(cf. 5141.27 - Food Allergies/Special Dietary Needs)

At an elementary school, the sale of foods or beverages that do not comply with the standards in Education Code 49431 and 49431.5 may be permitted, as part of a fundraising event, only when the items are sold by students of the school and the sale meets either of the following conditions: (Education Code 49431, 49431.5)

1. It takes place off and away from school premises.
2. It takes place at least one-half hour after the end of the school day.

(cf. 1230 - School-Connected Organizations)
(cf. 1321 - Solicitations of Funds from and by Students)

At a middle, junior high, or high school, the sale of food items that do not comply with the standards in Education Code 49431.2 may be permitted in any of the following circumstances: (Education Code 49431.2)

1. The sale takes place off and away from school premises.
2. The sale takes place on school premises at least one-half hour after the end of the school day.
3. The sale occurs during a school-sponsored student activity after the end of the school day.

(cf. 6145 - Extracurricular and Cocurricular Activities)

Beverage sales that do not comply with the standards in Education Code 49431.5 may be permitted at a middle or junior high school as part of a school event under either of the following circumstances: (Education Code 49431.5)

1. The sale occurs during a school-sponsored event and takes place at the location of the event at least one-half hour after the end of the school day.
2. Vending machines, student stores, and cafeterias are used later than one-half hour after the end of the school day.

OTHER FOOD SALES (continued)

Additional Requirements for Schools Participating in the National School Lunch or Breakfast Program

The sale of foods outside of LCOE's food service program during meal periods in food service areas shall be allowed only if all income from the sale, including the sale of approved foods or drinks from vending machines, accrues to the benefit of the school, the school food service program, or the student organization(s) sponsoring the sale. (7 CFR 210.11, 220.12)

No foods of minimal nutritional value, as listed in 7 CFR 210, Appendix B, and 7 CFR 220, Appendix B, shall be sold in food service areas during breakfast and lunch periods. (7 CFR 210.11, 220.12)

In a school with any of grades K-8 the Lake County Superintendent of Schools shall not permit the sale of foods by a student organization except when all of the following conditions are met: (5 CCR 15500)

1. The student organization shall sell only one food item per sale.
2. The specific nutritious food item is approved by the County Superintendent or designee.
3. The sale does not begin until after the close of the regularly scheduled midday food service period.
4. The sale during the regular school day is not of food items prepared on the premises.
5. There are no more than four such sales per year per school.
6. The food sold is a dessert-type food, such as pastry, ice cream, or fruit.
7. The food sold is not one sold in LCOE's food service program at that school during that school day.

In junior high and high schools, a student organization may be approved to sell food items during or after the school day if all of the following conditions are met: (5 CCR 15501)

1. Only one student organization conducts a food sale on a given school day and the organization sells no more than three types of food or beverage items, except that up to four days during the school year may be designated on which any number of organizations may conduct the sale of any food items.
2. The specific nutritious food items are approved by the County Superintendent or designee.

OTHER FOOD SALES (continued)

3. Food items sold during the regular school day are not prepared on the premises.
4. The food items sold are not those sold in LCOE's food service program at that school during that school day.

COUNTY OFFICE OF EDUCATION RECORDS

The Lake County Superintendent of Schools recognizes the importance of securing and retaining Lake County Office of Education documents. The County Superintendent or designee shall ensure that LCOE records are developed, maintained, and disposed of in accordance with law, Board policy, and administrative regulation. (Education Code 1040)

The County Superintendent or designee shall establish regulations that define records by one of three classes: permanent, optional or disposable, and specify how each record shall be retained and/or destroyed.

The County Superintendent or designee shall ensure the confidentiality of records as required by law and shall establish regulations to safeguard data against damage, loss, or theft.

The County Superintendent or designee shall ensure that employees receive information about LCOE's document management system, including retention and confidentiality requirements and an employee's obligations in the event of a litigation hold established on the advice of legal counsel.

Safe at Home Program

LCOE public records shall not include the actual addresses of students, parents/guardians, or employees when a substitute address is designated by the Secretary of State pursuant to the Safe at Home program. (Government Code 6206, 6207)

When a substitute address card is provided pursuant to this program, the confidential, actual address may be used only to establish appropriate residency requirements for enrollment and for school emergency purposes.

Legal Reference: (see next page)

COUNTY OFFICE OF EDUCATION RECORDS (continued)

Legal Reference:

EDUCATION CODE

35145 *Public meetings*

35163 *Official actions, minutes and journal*

35250-35255 *Records and reports*

44031 *Personnel file contents and inspection*

49065 *Reasonable charge for transcripts*

CODE OF CIVIL PROCEDURE

2031.010-2031.060 *Civil Discovery Act, scope of discovery demand*

2031.210-2031.320 *Civil Discovery Act, response to inspection demand*

GOVERNMENT CODE

6205-6210 *Confidentiality of addresses for victims of domestic violence, sexual assault or stalking*

6252-6265 *Inspection of public records*

12946 *Retention of employment applications and records for two years*

PENAL CODE

11170 *Retention of child abuse reports*

CODE OF REGULATIONS, TITLE 5

432 *Varieties of student records*

16020-16022 *Records, general provisions*

16023-16027 *Retention of records*

Management Resources:

SECRETARY OF STATE PUBLICATIONS

Letter re: California Confidential Address Program Implementation (SB 489), August 27, 1999

WEB SITES

California Secretary of State: <http://www.ss.ca.gov/safeathome>

COUNTY OFFICE OF EDUCATION RECORDS

The Lake County Superintendent of Schools or designee shall ensure that appropriate computer software is used to safeguard any data stored on computers, including computers connected to networks. To further prevent the damage or theft of data, computers and related equipment, he/she shall maintain complete and accurate inventories, specify user responsibilities for damages, and provide appropriate supervision in areas where computers are used.

Classification of Records

Before January 1, the County Superintendent or designee shall review documents and papers originating during the prior school year and classify them as Class 1 (Permanent), Class 2 (Optional), or Class 3 (Disposable). Records of continuing nature (active and useful for administrative, legal, fiscal or other purposes over a period of years) shall not be classified until such usefulness has ceased. A student's cumulative record is a continuing record until the student ceases to be enrolled in department programs. (5 CCR 16022)

Class 1 - Permanent Record (5 CCR 16023)

The original of each of the following records or one exact copy of it when the original is required by law to be filed with another agency, is a Class 1 (Permanent) Record and shall be retained indefinitely. When an electronic or photographed copy of a Class 1 (Permanent) record has been made, the electronic image may be classified as Class 1 (Permanent) and the original classified as either Class 2 (Optional) or Class 3 (Disposable). Class 1 Permanent records shall include:

1. Annual Reports
 - a. Official budget
 - b. Financial reports of all funds, including cafeteria and student body funds
 - c. Audit of all funds
 - d. Average daily attendance, including Period 1 and Period 2 reports
 - e. Other major annual reports, including:
 - (1) Those containing information relating to property, activities, financial condition or transactions
 - (2) Those declared by the County Superintendent to be permanent

COUNTY OFFICE OF EDUCATION RECORDS (continued)

2. Official Actions

- a. Minutes of the Lake County Board of Education, County Superintendent, or County Board committees, including the text of rules, regulations, policies or resolutions included by reference only
- b. The call for and the result of any elections called, conducted or canvassed by the County Board
- c. Records transmitted by another agency pertaining to its action with respect to school district reorganization

3. Personnel Records

a. Employees

All detailed records relating to employment, assignment, amounts and dates of service rendered, termination or dismissal of an employee in any position, sick leave record, rate of compensation, salaries or wages paid, deductions or withholdings made and the person or agency to whom such amounts were paid. In lieu of the detailed records, a complete proven summary payroll record for each employee containing the same data may be classified as Class 1 (Permanent), and the detailed records may then be classified as Class 3 (Disposable).

Information of a derogatory nature as defined in Education Code 44031 shall be Class 1 (Permanent) only when the time for filing a grievance has passed or the document has been sustained by the grievance process.

b. Students

The records of enrollment and scholarship for each student required by 5 CCR 432, and all records pertaining to any accident or injury involving a minor for which a claim for damages had been filed as required by law. This includes any related policy of liability insurance except that these records cease to be Class 1 (Permanent) one year after the claim has been settled or the statute of limitations has run.

4. Property Records

All detailed records relating to land, buildings, and equipment. In lieu of detailed records, a complete property ledger may be classified as Class 1 (Permanent). The detailed records may then be classified as Class 3 (Disposable) if the property ledger

COUNTY OFFICE OF EDUCATION RECORDS (continued)

includes all fixed assets, an equipment inventory and, for each piece of property, the date of acquisition, name of previous owner, a legal description, the amount paid, and comparable data if the unit is disposed of.

Class 2 - Optional Records (5 CCR16024)

Any record considered worth keeping, but which is not a Class 1 record, may be classified as Class 2 (Optional) and shall be retained until it is reclassified as Class 3 (Disposable). If by agreement of the County Board and County Superintendent or designee, classification of the prior year records has not been made before January 1, all records of the prior year may be classified Class 2 (Optional) until they are classified as required by 5 CCR 16022. Such classification must occur within one year.

Class 3 - Disposable Records (5 CCR 16025, 16026, 16027)

All records not classified as Class 1 (Permanent) or as Class 2 (Optional) shall be classified as Class 3 (Disposable). These include but are not limited to: detailed records basic to audit, including those relating to attendance, average daily attendance, or business or financial transactions; detailed records used in preparing another report; teachers' registers if all information required by 5 CCR 432 is retained in other records or if the General Records pages are removed from the register and classified as Class 1 (Permanent); and periodic reports, including daily, weekly and monthly reports, bulletins and instructions.

Class 3 (Disposable) records shall be destroyed during the third school year after the later of the following:

1. The completion of any legally required audit
2. The retention period required by any agency other than the State of California
3. The school year in which the records originated

CONSULTANTS

The Lake County Superintendent of Schools authorizes the use of consultants to provide expert professional advice or specialized technical or training services which are not needed on a continuing basis and which cannot be provided by Lake County Office of Education staff because of limitations of time, experience, or knowledge. Individuals, firms or organizations employed as consultants may assist management with decisions and/or project development related to financial, economic, accounting, engineering, legal, administrative, instructional or other matters.

As part of the contract process, the County Superintendent or designee shall determine, in accordance with Internal Revenue Service guidelines, that the consultant is properly classified as an independent contractor. LCOE employees who perform extra-duty consultant services shall not be retained as independent contractors. They shall be considered employees for all purposes, even if the additional services are not related to their regular duties.

All consultant contracts requiring a budget transfer in excess of \$25,000 shall be incorporated in the next interim financial report or other LCOE report when the report is submitted to the Lake County Board of Education for discussion/approval at a regularly scheduled meeting of the County Board. (Education Code 1280, 1281)

LCOE shall not contract for consulting services that can be performed without charge by a public agency or official unless these services are unavailable from the public source for reasons beyond LCOE's control.

All qualified firms or resource persons shall be accorded equal opportunity for consultant contracts regardless of race, creed, color, gender, national or ethnic origin, age or disability.

Independent contractors applying for a consultant contract shall submit a written conflict of interest statement disclosing financial interests as determined necessary by the County Superintendent or designee, depending on the range of duties to be performed by the consultant. The County Superintendent or designee shall consider this statement when deciding whether to recommend the consultant's employment.

When employees of a public university, county office of education or other public agency serve as consultant or resource persons for LCOE, they shall certify as part of the consultant agreement that they will not receive salary or remuneration other than vacation pay from any other public agency for the specific days when they work for LCOE.

CONSULTANTS (continued)

Legal Reference:

EDUCATION CODE

10400-10407 *Cooperative improvement programs*

17596 *Limit on continuing contracts*

35010 *Control of districts; prescription and enforcement of rules*

35172 *Promotional activities*

35204 *Contract with attorney*

44925 *Part-time readers employed as independent contractors*

45103 *Classified service in districts not incorporating the merit system*

45103.5 *Contracts for food service consulting services*

45134-45135 *Employment of retired classified employee*

45256 *Merit system districts; classified service; positions established for professional experts on a temporary basis*

GOVERNMENT CODE

53060 *Contract for special services and advice*

Management Resources:

INTERNAL REVENUE SERVICE PUBLICATIONS

15-A *Employer's Supplemental Tax Guide*