

**MEETING CONDUCT** (continued)

translation equipment is used to allow the Board to hear the translated public testimony simultaneously. (Government Code 54954.3)

6. The Board president may rule on the appropriateness of a topic, subject to the following conditions:
  - a. If a topic would be suitably addressed at a later time, the Board president may indicate the time and place when it should be presented.
  - b. The Board shall not prohibit public criticism of its policies, procedures, programs, services, acts, or omissions. (Government Code 54954.3)
  - c. The Board shall not prohibit public criticism of district employees. However, whenever a member of the public initiates specific complaints or charges against an individual employee, the Board president shall inform the complainant of the appropriate complaint procedure.
7. The Board president shall not permit any disturbance or willful interruption of Board meetings. Persistent disruption by an individual or group or any conduct or statements that threaten the safety of any person(s) at the meeting shall be grounds for the president to terminate the privilege of addressing the Board.

The Board may remove disruptive individuals and order the room cleared if necessary. In this case, members of the media not participating in the disturbance shall be allowed to remain, and individuals not participating in such disturbances may be allowed to remain at the discretion of the Board. When the room is ordered cleared due to a disturbance, further Board proceedings shall concern only matters appearing on the agenda. (Government Code 54957.9)

When such disruptive conduct occurs, the Superintendent or designee shall contact local law enforcement as necessary.

**Recording by the Public**

Members of the public may record an open Board meeting using an audio or video recorder, still or motion picture camera, cell phone, or other device, provided that the noise, illumination, or obstruction of view does not persistently disrupt the meeting. The Superintendent or designee may designate locations from which members of the public may make such recordings without causing a distraction.

If the Board finds that noise, illumination, or obstruction of view related to these activities would persistently disrupt the proceedings, these activities shall be discontinued or restricted as determined by the Board. (Government Code 54953.5, 54953.6)

## MEETING CONDUCT (continued)

### Legal Reference:

#### EDUCATION CODE

- 5095 Powers of remaining board members and new appointees
- 32210 Willful disturbance of public school or meeting a misdemeanor
- 35010 Prescription and enforcement of rules
- 35145.5 Agenda; public participation; regulations
- 35163 Official actions, minutes and journal
- 35164 Vote requirements
- 35165 Effect of vacancies upon majority and unanimous votes by seven member board

#### CODE OF CIVIL PROCEDURE

- 527.8 Workplace Violence Safety Act

#### GOVERNMENT CODE

- 54953.3 Prohibition against conditions for attending a board meeting
- 54953.5 Audio or video recording of proceedings
- 54953.6 Broadcasting of proceedings
- 54954.2 Agenda; posting; action on other matters
- 54954.3 Opportunity for public to address legislative body; regulations
- 54957 Closed sessions
- 54957.9 Disorderly conduct of general public during meeting; clearing of room

#### PENAL CODE

- 403 Disruption of assembly or meeting

#### COURT DECISIONS

- City of San Jose v. Garbett*, (2010) 190 Cal.App.4th 526
- Norse v. City of Santa Cruz*, (9th Cir. 2010) 629 F3d 966
- McMahon v. Albany Unified School District*, (2002) 104 Cal.App.4th 1275
- Rubin v. City of Burbank*, (2002) 101 Cal.App.4th 1194
- Baca v. Moreno Valley Unified School District*, (1996) 936 F.Supp. 719

#### ATTORNEY GENERAL OPINIONS

- 90 Ops.Cal.Atty.Gen. 47 (2007)
- 76 Ops.Cal.Atty.Gen. 281 (1993)
- 66 Ops.Cal.Atty.Gen. 336 (1983)
- 63 Ops.Cal.Atty.Gen. 215 (1980)
- 61 Ops.Cal.Atty.Gen. 243, 253 (1978)
- 59 Ops.Cal.Atty.Gen. 532 (1976)
- 55 Ops.Cal.Atty.Gen. 26 (1972)

### Management Resources:

#### CSBA PUBLICATIONS

- Call to Order: A Blueprint for Great Board Meetings, 2015*
- The Brown Act: School Boards and Open Meeting Laws, rev. 2014*

#### ATTORNEY GENERAL PUBLICATIONS

- The Brown Act: Open Meetings for Local Legislative Bodies, 2003*

#### WEB SITES

- CSBA: <http://www.csba.org>
- California Attorney General's Office: <https://oag.ca.gov>

(10/97 11/06) 12/16

Board Bylaw adopted:

**LEASE-LEASEBACK CONTRACTS**

The district may lease currently owned district property to any person, firm, or corporation for a minimum of \$1 per year, as long as the lease requires the person, firm, or corporation to construct a building or buildings on the property for the district's use during the lease and the property and building(s) will vest in the district at the expiration of the lease ("lease-leaseback"). (Education Code 17406)

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

1. Request for Sealed Proposals: The Superintendent or designee shall prepare a request for sealed proposals which shall include:
  - a. An estimate of the project's price
  - b. A clear, precise description of any preconstruction services that may be required and the facilities to be constructed
  - c. The key elements of the contract to be awarded
  - d. A description of the format that proposals shall follow and the elements they shall contain
  - e. The standards the district will use in evaluating proposals
  - f. The date on which proposals are due
  - g. The timetable the district will follow in reviewing and evaluating proposals
2. Notice: At least 10 days before the date for receipt of the proposals, the Superintendent or designee shall give notice of the request for sealed proposals using both of the following methods:
  - a. Providing notice at least once a week for two weeks in a local newspaper of general circulation pursuant to Public Contract Code 20112
  - b. Providing notice in a trade paper of general circulation published in the county where the project is located

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

**LEASE-LEASEBACK CONTRACTS (continued)**

3. Prequalification: A proposer shall be prequalified in accordance with Public Contract Code 20111.6(b)-(m) in order to submit a proposal. Any electrical, mechanical, and plumbing subcontractors shall be subject to the same prequalification requirements.

4. Evaluation Criteria: The request for sealed proposals shall identify all criteria that the district will consider in evaluating the proposals and qualifications of the proposers, including relevant experience, safety record, price proposal, and other factors specified by the district. The price proposal shall include, at the district's discretion, either a lump-sum price for the contract to be awarded or the proposer's proposed fee to perform the services requested, including the proposer's proposed fee to perform preconstruction services or any other work related to the facilities to be constructed, as requested by the district.

The request for sealed proposals shall specify whether each criterion will be evaluated on a pass-fail basis or will be scored as part of the "best value" score, and whether proposers must achieve any minimum qualification score for award of the contract. For each scored criterion, the district shall identify the methodology and rating or weighting system that will be used by the district in evaluating the criterion, including the weight assigned to the criterion and any minimum acceptable score.

5. Evaluation of Proposals: All proposals received shall be reviewed to determine whether they meet the format requirements and the standards specified in the request for sealed proposals. The district shall evaluate the qualifications of the proposers based solely upon the criteria and evaluation methodology set forth in the request for sealed proposals, and shall assign a best value score to each proposal. Once the evaluation is complete, all responsive proposals shall be ranked from the highest best value to the lowest best value to the district.

6. Award of Contract: The award of the contract shall be made by the Governing Board to the responsive proposer whose proposal is determined, in writing by the Board, to be the best value to the district.

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

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

**LEASE-LEASEBACK CONTRACTS (continued)**

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

Prior to entering into a lease-leaseback agreement, the Superintendent or designee shall have on file the contractor's enforceable commitment that the contractor and its subcontractors at every tier will use a skilled and trained workforce to perform all work on the project or contract that falls within an apprenticeable occupation in the building and construction trades. (Education Code 17407.5)

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

*Legal Reference:*

EDUCATION CODE

17400 Definitions

17406 Lease-leaseback contract

17407.5 Use of a skilled and trained workforce

PUBLIC CONTRACT CODE

20111.6 Prequalification procedures

20112 Notices

COURT DECISIONS

McGee v. Balfour Beatty Construction, LLC, et al. (4/12/16, No. B262850)

Davis v. Fresno Unified School District, (2015) 237 Cal.App.4th 261

*Management Resources:*

WEB SITES

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

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

**DESIGN-BUILD CONTRACTS**

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

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

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

1. The district shall prepare a set of documents setting forth the scope and estimated price of the project. The documents may include, but are not limited to:
  - a. The size, type, and desired design character of the project
  - b. Performance specifications that cover the quality of materials, equipment, and workmanship
  - c. Preliminary plans or building layouts
  - d. Any other information deemed necessary to describe adequately the district's needs

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

2. The district shall prepare and issue a request for qualifications in order to prequalify, or develop a short list of, the design-build entities whose proposals shall be evaluated for final selection. The request for qualifications shall include, but is not limited to, all of the following elements:
  - a. Identification of the basic scope and needs of the project or contract, the expected cost range, the methodology that will be used by the district to evaluate proposals, the procedure for final selection of the design-build entity, and any other information deemed necessary by the district to inform interested parties of the contracting opportunity
  - b. Significant factors that the district reasonably expects to consider in evaluating qualifications, including technical design and construction expertise, acceptable safety record, and all other non-price-related factors
  - c. A standard template request for statements of qualifications prepared by the district, which shall contain all of the information required pursuant to Education Code 17250.25

**DESIGN-BUILD CONTRACTS (continued)**

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

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

3. The district shall prepare a request for proposals (RFP) that invites prequalified or short-listed entities to submit competitive sealed proposals in a manner prescribed by the district. The RFP shall include the information identified in items #2a and 2b above and the relative importance or weight assigned to each of the factors. If the district uses a best value selection method for a project, the district may reserve the right to request proposal revisions and hold discussions and negotiations with responsive proposers, in which case the district shall so specify in the request for proposals and shall publish separately or incorporate into the request for proposals applicable procedures to be observed by the district to ensure that any discussions or negotiations are conducted in good faith.
4. For those projects utilizing low bid as the final selection method, the bidding process shall result in lump-sum bids by the prequalified or short-listed design-build entities, and the contract shall be awarded to the lowest responsible bidder.
5. For those projects utilizing best value as a selection method, the following procedures shall be used:
  - a. Competitive proposals shall be evaluated using only the criteria and selection procedures specifically identified in the request for proposals. Criteria shall be weighted as deemed appropriate by the district and shall, at a minimum, include price, unless a stipulated sum is specified; technical design and construction experience; and life-cycle costs over 15 or more years.
  - b. Following any discussions or negotiations with responsive proposers and completion of the evaluation process, the responsive proposers shall be ranked on a determination of value provided, provided that no more than three proposers are required to be ranked.
  - c. The contract shall be awarded to the responsible entity whose proposal is determined by the district to have offered the best value to the public.

**DESIGN-BUILD CONTRACTS (continued)**

- d. The district shall publicly announce the contract award, identifying the entity to which the award is made and the basis of the award. This statement and the contract file shall provide sufficient information to satisfy an external audit.

*Legal Reference:*

EDUCATION CODE

17250.10-17250.55 *Design-build contracts*

*Management Resources:*

WEB SITES

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

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

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



**PROCUREMENT OF TECHNOLOGICAL EQUIPMENT**

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

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

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

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

**PROCUREMENT OF TECHNOLOGICAL EQUIPMENT (continued)**

*Legal Reference:*

PUBLIC CONTRACT CODE

*20118.2 Contracting by school districts; technological equipment*

**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 2016 (SB 826, Ch. 23, Statutes of 2016) extends the suspension of these requirements through the 2016-17 fiscal year. As a result, certain provisions of the following administrative regulation related to transportation safety plans and safety instruction for students may be suspended.

Each day, prior to driving a school bus, each school bus driver shall inspect the bus to ensure that it is in safe operating condition and equipped as required by law and that all equipment is in good working order. At the completion of each day's work, the driver shall prepare and sign a written report of the condition of the equipment specified in 13 CCR 1215. The report shall indicate any defect or deficiency discovered by or reported to the driver which would affect safe operation or result in mechanical breakdown of the bus or, if no defect or deficiency was discovered or reported, shall so indicate. Any defect or deficiency that would affect safe operation shall be repaired prior to operating the bus. (13 CCR 1215)

**Passenger Restraint Systems**

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

1. Is a Type 1 school bus manufactured on or after July 1, 2005 which is designed for carrying more than 16 passengers and the driver
2. Is a Type 2 school bus or student activity bus manufactured on or after July 1, 2004 which meets one of the following criteria:
  - a. Is designed for carrying 16 or fewer passengers and the driver
  - b. Has a manufacturer's vehicle weight rating of 10,000 pounds or less and is designed for carrying not more than 20 passengers and the driver

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

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

Bus drivers shall be instructed regarding procedures to enforce the proper use of the passenger restraint system. Students who fail to follow instructions of the bus driver may be subject to discipline, including suspension of riding privileges, in accordance with Board policy and administrative regulations.

**TRANSPORTATION SAFETY AND EMERGENCIES (continued)****Fire Extinguishers**

Each school bus shall be equipped with at least one fire extinguisher located in the driver's compartment which meets the standards specified in law. In addition, a wheelchair school bus shall have another fire extinguisher placed at the wheelchair loading door or emergency exit. All fire extinguishers shall be regularly inspected and serviced in accordance with regulations adopted by the State Fire Marshal. (Education Code 39838; 13 CCR 1242; 19 CCR 574-575.3)

**Electronic Communications Devices**

A bus driver is prohibited from driving a school bus or student activity bus while using a wireless telephone or other electronic wireless communications device except for work-related or emergency purposes, including, but not limited to, contacting a law enforcement agency, health care provider, fire department, or other emergency service agency or entity. In any such permitted situation, the driver shall only use a wireless telephone or device that is specifically designed and configured to allow voice-operated and hands-free operation or a function that requires only a single swipe or tap of the driver's finger provided the device is mounted on the windshield, dashboard, or center console of the bus. (Vehicle Code 23123.5, 23125)

**Safe Bus Operations**

School buses and student activity buses shall not be operated whenever the number of passengers exceeds bus seating capacity, except when necessary in emergency situations which require that individuals be transported immediately to ensure their safety. (Education Code 39834)

School bus operations shall be limited when atmospheric conditions reduce visibility on the roadway to 200 feet or less during regular home-to-school transportation service. Bus drivers for school activity trips may discontinue bus operation whenever they determine that it is unsafe to continue operation because of reduced visibility. (Vehicle Code 34501.6)

**Unauthorized Entry**

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

**Transportation Safety Plan for Boarding and Exiting Buses**

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

**TRANSPORTATION SAFETY AND EMERGENCIES (continued)**

1. 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. Boarding and exiting a school bus at a school or other trip destination
4. Procedures to ensure that a student is not left unattended on a school bus, student activity bus, or youth bus

Such procedures shall include, on or before the beginning of the 2018-19 school year, the installation of a child safety alert system at the interior rear of each bus that requires the driver to either manually contact or scan the device, thereby prompting the driver to inspect the entirety of the interior of the vehicle before exiting. A student activity bus may be exempt from this requirement under the conditions specified in Vehicle Code 28160.

5. Procedures and standards for designating an adult chaperone, other than the driver, to accompany students on a school activity bus

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

**Parental Notifications**

The Superintendent or designee shall provide written safety information to the parents/guardians of all students in grades prekindergarten through 6 who have not previously been transported in a district school bus or student activity bus. This information shall be provided upon registration and shall contain: (Education Code 39831.5)

1. A list of school bus stops near each student's home
2. General rules of conduct at school bus loading zones
3. Red light crossing instructions
4. A description of the school bus danger zone
5. Instructions for safely walking to and from school bus stops

## TRANSPORTATION SAFETY AND EMERGENCIES (continued)

### Student Instruction

Students who are transported in a school bus or student activity bus shall receive instruction in school bus emergency procedures and passenger safety as follows: (Education Code 39831.5; 5 CCR 14102)

1. Each year, all students who receive home-to-school transportation in a school bus shall be provided appropriate instruction in safe riding practices and emergency evacuation drills.
2. At least once each school year, all students in grades prekindergarten through 8 who receive home-to-school transportation shall receive safety instruction which includes, but is not limited to:
  - a. Proper loading and unloading procedures, including escorting by the driver
  - b. How to safely cross the street, highway, or private road
  - c. In school buses with passenger restraint systems, instruction in the use of such systems as specified in 5 CCR 14105, including, but not limited to, the proper fastening and release of the passenger restraint system, acceptable placement of passenger restraint systems on students, times at which the passenger restraint systems should be fastened and released, and acceptable placement of the passenger restraint systems when not in use
  - d. Proper passenger conduct
  - e. Bus evacuation procedures
  - f. Location of emergency equipment

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

Each time the above instruction is given, the following information shall be documented:

- a. District name
- b. School name and location
- c. Date of instruction

**TRANSPORTATION SAFETY AND EMERGENCIES (continued)**

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

This documentation shall be kept on file at the district office or the school for one year and shall be available for inspection by the CHP.

3. Before departing on a school activity trip, all students riding on a school bus or student activity bus shall receive safety instruction which includes, but is not limited to, the location of emergency exits and the location and use of emergency equipment. This instruction also may include responsibilities of passengers seated next to an emergency exit.

**Bus Accidents**

In the event of a school bus accident, the driver shall immediately notify the CHP and the Superintendent or designee. The driver shall not leave the immediate vicinity of the bus to seek aid unless necessary. (13 CCR 1219)

The Superintendent or designee shall maintain a report of each accident that occurred on public or private property involving a school bus with students aboard. The report shall contain pertinent details of the accident and shall be retained for 12 months from the date of the accident. If the accident was not investigated by the CHP, the Superintendent or designee shall forward a copy of the report to the local CHP within five work days of the date of the accident. (13 CCR 1234)

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

**TRANSPORTATION SAFETY AND EMERGENCIES (continued)***Legal Reference:*EDUCATION CODE

- 39830-39843 *Transportation, school buses*  
 39860 *Contract for transportation; requirement that student not be left unattended*  
 51202 *Instruction in personal and public health and safety*

PENAL CODE

- 241.3 *Assault against school bus driver*  
 243.3 *Battery against school bus driver*

VEHICLE CODE

- 415 *Definition of motor vehicle*  
 545-546 *Definition of school bus and student activity bus*  
 22112 *Loading and unloading passengers*  
 23123.5 *Use of wireless telephone or communications device while driving; exceptions*  
 23125 *Use of wireless telephone prohibited while driving school bus*  
 27316-27316.5 *Passenger restraint systems*  
 28160 *Child safety alert system*  
 34500 *California Highway Patrol responsibility to regulate safe operation of school buses*  
 34501.5 *California Highway Patrol responsibility to adopt rules re: safe operation of school buses*  
 34501.6 *School buses; reduced visibility*  
 34508 *California Highway Patrol responsibility to adopt rules re: equipment and bus operations*

CODE OF REGULATIONS, TITLE 5

- 14100-14105 *School buses and student activity buses*

CODE OF REGULATIONS, TITLE 13

- 1200-1293 *Motor carrier safety*  
 2480 *Airborne toxic control measure; limitation on bus idling*

CODE OF REGULATIONS, TITLE 19

- 574-575.3 *Inspection and maintenance of fire extinguishers*

CODE OF FEDERAL REGULATIONS, TITLE 49

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

*Management Resources:*CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

*Passenger Restraints Frequently Asked Questions*

WEB SITES

- California Association of School Business Officials: <http://www.casbo.org>*  
*American School Bus Council: <http://www.americanschoolbuscouncil.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/tu>*  
*California Highway Patrol: <http://www.chp.ca.gov>*  
*National Transportation Safety Board: <http://www.nts.gov>*  
*U.S. Department of Transportation, National Highway Traffic Safety Administration:  
<http://www.nhtsa.dot.gov>*



## NONDISCRIMINATION IN EMPLOYMENT

The Governing Board is determined to provide district employees, interns, volunteers, and job applicants a safe, positive environment where they are assured of full and equal employment access and opportunities, protection from harassment or intimidation, and freedom from any fear of reprisal or retribution for asserting their employment rights in accordance with law. This policy shall apply to all district employees and, to the extent required by law, to interns, volunteers, and job applicants.

No district employee shall be discriminated against or harassed by any coworker, supervisor, manager, or other person with whom the employee comes in contact in the course of employment, on the basis of the employee's actual or perceived race, religious creed, color, national origin, ancestry, age, marital status, pregnancy, physical or mental disability, medical condition, genetic information, military and veteran status, gender, gender identity, gender expression, sex, or sexual orientation or his/her association with a person or group with one or more of these actual or perceived characteristics.

Discrimination in employment based on the characteristics listed above is prohibited in all areas of employment and in all employment-related practices, including the following:

1. Discrimination in hiring, compensation, terms, conditions, and other privileges of employment
2. Taking of an adverse employment action, such as termination or the denial of employment, promotion, job assignment, or training
3. Unwelcome conduct, whether verbal, physical, or visual, that is so severe or pervasive as to adversely affect an employee's employment opportunities, or that has the purpose or effect of unreasonably interfering with the individual's work performance or creating an intimidating, hostile, or offensive work environment
4. Actions and practices identified as unlawful or discriminatory pursuant to Government Code 12940 or 2 CCR 11006-11086, such as:
  - a. Sex discrimination based on an employee's pregnancy, childbirth, breastfeeding, or any related medical condition or on an employee's gender, gender expression, or gender identity, including transgender status
  - b. Religious creed discrimination based on an employee's religious belief or observance, including his/her religious dress or grooming practices, or based on the district's failure or refusal to use reasonable means to accommodate an employee's religious belief, observance, or practice which conflicts with an employment requirement.
  - c. Disability discrimination based on a district requirement for a medical or psychological examination of a job applicant, or an inquiry into whether a job

**NONDISCRIMINATION IN EMPLOYMENT (continued)**

applicant has a mental or physical disability or a medical condition or as to the severity of any such disability or condition, without the showing of a job-related need or business necessity

- d. Disability discrimination based on the district's failure to make reasonable accommodation for the known physical or mental disability of an employee or to engage in a timely, good faith, interactive process with an employee, to determine effective reasonable accommodations for the employee, when he/she has requested reasonable accommodation for a known physical or mental disability or medical condition

The Board also prohibits retaliation against any district employee who opposes any discriminatory employment practice by the district or its employees, agents, or representatives or who complains, testifies, assists, or in any way participates in the district's complaint process pursuant to this policy. No employee who requests an accommodation for any protected characteristic listed in this policy shall be subjected to any punishment or sanction, regardless of whether the request was granted. (Government Code 12940)

Complaints concerning employment discrimination, harassment, or retaliation shall immediately be investigated in accordance with procedures specified in the accompanying administrative regulation.

Any supervisory or management employee who observes or has knowledge of an incident of prohibited discrimination or harassment shall report the incident to the Superintendent or designated district coordinator as soon as practical after the incident. All other employees are encouraged to report such incidents to their supervisor immediately. The district shall protect any employee who reports such incidents from retaliation.

The Superintendent or designee shall use all appropriate means to reinforce the district's nondiscrimination policy. He/she shall provide training and information to employees about how to recognize harassment, discrimination, or other related conduct, how to respond appropriately, and components of the district's policies and regulations regarding discrimination. The Superintendent or designee shall regularly review the district's employment practices and, as necessary, shall take action to ensure district compliance with the nondiscrimination laws.

In addition, the Superintendent or designee shall post, in a conspicuous place on district premises, the California Department of Fair Employment and Housing publication on workplace discrimination and harassment issued pursuant to 2 CCR 11013.

Any district employee who engages in prohibited discrimination, harassment, or retaliation or who aids, abets, incites, compels, or coerces another to engage or attempt to engage in such behavior in violation of this policy shall be subject to disciplinary action, up to and including dismissal.

**NONDISCRIMINATION IN EMPLOYMENT (continued)***Legal Reference:*EDUCATION CODE

200-262.4 Prohibition of discrimination

CIVIL CODE

51.7 Freedom from violence or intimidation

GOVERNMENT CODE

11135 Unlawful discrimination

11138 Rules and regulations

12900-12996 Fair Employment and Housing Act

PENAL CODE

422.56 Definitions, hate crimes

CODE OF REGULATIONS, TITLE 2

11006-11086 Discrimination in employment

11013 Recordkeeping

11019 Terms, conditions and privileges of employment

11023 Harassment and discrimination prevention and correction

11024 Sexual harassment training and education

CODE OF REGULATIONS, TITLE 5

4900-4965 Nondiscrimination in elementary and secondary education programs

UNITED STATES CODE, TITLE 20

1681-1688 Title IX of the Education Amendments of 1972

UNITED STATES CODE, TITLE 29

621-634 Age Discrimination in Employment Act

794 Section 504 of the Rehabilitation Act of 1973

UNITED STATES CODE, TITLE 42

2000d-2000d-7 Title VI, Civil Rights Act of 1964, as amended

2000e-2000e-17 Title VII, Civil Rights Act of 1964, as amended

2000ff-2000ff-11 Genetic Information Nondiscrimination Act of 2008

2000h-2-2000h-6 Title IX of the Civil Rights Act of 1964

6101-6107 Age discrimination in federally assisted programs

12101-12213 Americans with Disabilities Act

CODE OF FEDERAL REGULATIONS, TITLE 28

35.101-35.190 Americans with Disabilities Act

CODE OF FEDERAL REGULATIONS, TITLE 34

100.6 Compliance information

104.7 Designation of responsible employee for Section 504

104.8 Notice

106.8 Designation of responsible employee and adoption of grievance procedures

106.9 Dissemination of policy

110.1-110.39 Nondiscrimination on the basis of age

COURT DECISIONSThompson v. North American Stainless LP, (2011) 131 S.Ct. 863Shephard v. Loyola Marymount, (2002) 102 Cal.App.4th 837*Management Resources: (see next page)*

**NONDISCRIMINATION IN EMPLOYMENT (continued)**

*Management Resources:*

CALIFORNIA DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING PUBLICATIONS

California Law Prohibits Workplace Discrimination and Harassment, December 2014

U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS PUBLICATIONS

Notice of Non-Discrimination, August 2010

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION PUBLICATIONS

Questions and Answers: Religious Discrimination in the Workplace, 2008

New Compliance Manual Section 15: Race and Color Discrimination, April 2006

Enforcement Guidance: Vicarious Employer Liability for Unlawful Harassment by Supervisors, June 1999

WEB SITES

California Department of Fair Employment and Housing: <http://www.dfeh.ca.gov>

U.S. Department of Education, Office for Civil Rights: <http://www.ed.gov/about/offices/list/ocr>

U.S. Equal Employment Opportunity Commission: <http://www.eeoc.gov>

**All Personnel****NONDISCRIMINATION IN EMPLOYMENT**

All allegations of discrimination in employment, including those involving an intern, volunteer, or job applicant, shall be investigated and resolved in accordance with procedures specified in this administrative regulation.

The district designates the position identified below as its coordinator for nondiscrimination in employment (coordinator) to coordinate the district's efforts to comply with state and federal nondiscrimination laws and to answer inquiries regarding the district's nondiscrimination policies. The coordinator may be contacted at:

Superintendent

12726 Dent Street, Knights Ferry, CA 95361

209-881-3382

JSkulina@stancoe.org

**Measures to Prevent Discrimination**

To prevent unlawful discrimination, harassment, and retaliation in district employment, the Superintendent or designee shall implement the following measures:

1. Publicize the district's nondiscrimination policy and regulation, including the complaint procedures and the coordinator's contact information, by: (5 CCR 4960; 34 CFR 100.6, 106.9)
  - a. Including them in each announcement, bulletin, or application form that is used in employee recruitment
  - b. Posting them in all district schools and offices, including staff lounges and other prominent locations
  - c. Posting them on the district's web site and providing easy access to them through district-supported social media, when available
2. Disseminate the district's nondiscrimination policy to all employees by one or more of the following methods: (2 CCR 11023)
  - a. Printing and providing a copy of the policy to all employees, with an acknowledgment form for each employee to sign and return
  - b. Sending the policy via email with an acknowledgment return form
  - c. Posting the policy on the district intranet with a tracking system ensuring all employees have read and acknowledged receipt of the policies

**NONDISCRIMINATION IN EMPLOYMENT (continued)**

- d. Discussing the policy with employees upon hire and/or during a new hire orientation session
  - e. Any other way that ensures employees receive and understand the policy
3. Provide to employees a handbook that contains information that clearly describes the district's nondiscrimination policy, procedures for filing a complaint, and resources available to anyone who feels that he/she has been the victim of any discriminatory or harassing behavior
  4. Provide training to employees, volunteers, and interns regarding the district's nondiscrimination policy, including what constitutes unlawful discrimination, harassment, and retaliation and how and to whom a report of an incident should be made

Training for supervisors shall include the requirement to report any complaint of misconduct to a designated representative, such as the coordinator, human resources manager, or Superintendent or designee as a topic in the sexual harassment prevention training required pursuant to 2 CCR 11024 (2 CCR 11023)

5. Periodically review the district's recruitment, hiring, and promotion processes and regularly monitor the terms, conditions, and privileges of employment to ensure district compliance with law
6. For any district facility where 10 percent of employees have a language other than English as their spoken language, translate the policy into every language spoken by at least 10 percent of the workforce

**Complaint Procedure**

Any complaint alleging unlawful discrimination or harassment shall be addressed in accordance with the following procedures:

1. **Notice and Receipt of Complaint:** A complainant may inform his/her direct supervisor, another supervisor, the coordinator, the Superintendent or, if available, a complaint hotline or an ombudsman.

The complainant may file a written complaint in accordance with this procedure, or if he/she is an employee, may first attempt to resolve the situation informally with his/her supervisor.

A supervisor or manager who has received information about an incident of discrimination or harassment, or has observed such an incident, shall report it to the coordinator, whether or not the complainant files a written complaint.

**NONDISCRIMINATION IN EMPLOYMENT** (continued)

The written complaint should contain the complainant's name, the name of the individual who allegedly committed the act, a description of the incident, the date and location where the incident occurred, any witnesses who may have relevant information, other evidence of the discrimination or harassment, and any other pertinent information which may assist in investigating and resolving the complaint.

2. **Investigation Process:** The coordinator shall initiate an impartial investigation of an allegation of discrimination or harassment within five business days of receiving notice of the alleged discriminatory or harassing behavior, regardless of whether a written complaint has been filed or whether the written complaint is complete.

The coordinator shall meet with the complainant to describe the district's complaint procedure and discuss the actions being sought by the complainant in response to the allegation. The coordinator shall inform the complainant that the investigation of the allegations will be fair, timely, and thorough and will be conducted in a manner that provides all parties due process and reaches reasonable conclusions based on the evidence collected. He/she shall also inform the parties that the investigation will be kept confidential to the extent possible, but that some information may be revealed as necessary to conduct an effective investigation.

If the coordinator determines that a detailed fact-finding investigation is necessary, he/she shall begin the investigation immediately. As part of this investigation, the coordinator should interview the complainant, the person accused, and other persons who could be expected to have relevant information.

The coordinator shall track and document the progress of the investigation to ensure reasonable progress and shall inform the parties as necessary.

When necessary to carry out his/her investigation or to protect employee safety, the coordinator may discuss the complaint with the Superintendent or designee, district legal counsel, or the district's risk manager.

The coordinator also shall determine whether interim measures, such as scheduling changes, transfers, or leaves, need to be taken before the investigation is completed to ensure that further incidents are prevented. The coordinator shall ensure that such interim measures do not constitute retaliation.

3. **Written Report on Findings and Remedial/Corrective Action:** No more than 20 business days after receiving the complaint, the coordinator shall conclude the investigation and prepare a written report of his/her findings. This timeline may be extended for good cause. If an extension is needed, the coordinator shall notify the parties and explain the reasons for the extension.

**NONDISCRIMINATION IN EMPLOYMENT (continued)**

The report shall include the decision and the reasons for the decision and shall summarize the steps taken during the investigation. If a determination has been made that discrimination or harassment occurred, the report also shall include any corrective action(s) that have been or will be taken to address the behavior, provide appropriate options for remedial actions and resolutions for the complainant, and ensure that retaliation or further discrimination or harassment is prevented.

The report shall be presented to the complainant, the person accused, and the Superintendent or designee.

4. **Appeal to the Governing Board:** The complainant or the person accused may appeal any findings to the Board within 10 business days of receiving the written report of the coordinator's findings. The Superintendent or designee shall provide the Board with all information presented during the investigation. Upon receiving an appeal, the Board shall schedule a hearing as soon as practicable. Any complaint against a district employee shall be addressed in closed session in accordance with law. The Board shall render its decision within 10 business days.

**Other Remedies**

In addition to filing a discrimination or harassment complaint with the district, a person may file a complaint with either the California Department of Fair Employment and Housing (DFEH) or the Equal Employment Opportunity Commission (EEOC). The time limits for filing such complaints are as follows:

1. To file a valid complaint with DFEH, within one year of the alleged discriminatory act(s), unless an exception exists pursuant to Government Code 12960
2. To file a valid complaint directly with EEOC, within 180 days of the alleged discriminatory act(s) (42 USC 2000e-5)
3. To file a valid complaint with EEOC after first filing a complaint with DFEH, within 300 days of the alleged discriminatory act(s) or within 30 days after the termination of proceedings by DFEH, whichever is earlier (42 USC 2000e-5)



**All Personnel**

BP 4119.11(a)  
4219.11  
4319.11

**SEXUAL HARASSMENT**

The Governing Board prohibits sexual harassment of district employees. The Board also prohibits retaliatory behavior or action against district employees or other persons who complain, testify, or otherwise participate in the complaint process established pursuant to this policy and accompanying administrative regulation. This policy shall apply to all district employees and, when applicable, to interns, volunteers, and job applicants.

The Superintendent or designee shall take all actions necessary to ensure the prevention, investigation, and correction of sexual harassment, including but not limited to:

1. Providing training to employees in accordance with law and administrative regulation
2. Publicizing and disseminating the district's sexual harassment policy to staff
3. Ensuring prompt, thorough, and fair investigation of complaints
4. Taking timely and appropriate corrective/remedial action(s), which may require interim separation of the complainant and the alleged harasser and subsequent monitoring of developments

All complaints and allegations of sexual harassment shall be kept confidential to the extent necessary to carry out the investigation or to take other subsequent necessary actions. (2 CCR 11023)

Any district employee who feels that he/she has been sexually harassed or who has knowledge of any incident of sexual harassment by or against another employee shall immediately report the incident to his/her supervisor, the principal, district administrator, or Superintendent.

A supervisor, principal, or other district administrator who receives a harassment complaint shall promptly notify the Superintendent or designee.

Complaints of sexual harassment shall be filed in accordance with AR 4030 - Nondiscrimination in Employment. An employee may bypass his/her supervisor in filing a complaint where the supervisor is the subject of the complaint.

Any district employee who engages or participates in sexual harassment or who aids, abets, incites, compels, or coerces another to commit sexual harassment in violation of this policy is subject to disciplinary action, up to and including dismissal.

## SEXUAL HARASSMENT (continued)

### Legal Reference:

#### EDUCATION CODE

200-262.4 Prohibition of discrimination on the basis of sex

#### GOVERNMENT CODE

12900-12996 Fair Employment and Housing Act, especially:

12940 Prohibited discrimination

12950.1 Sexual harassment training

#### LABOR CODE

1101 Political activities of employees

1102.1 Discrimination: sexual orientation

#### CODE OF REGULATIONS, TITLE 2

11009 Employment discrimination

11021 Retaliation

11023 Harassment and discrimination prevention and correction

11024 Sexual harassment training and education

11034 Terms, conditions, and privileges of employment

#### CODE OF REGULATIONS, TITLE 5

4900-4965 Nondiscrimination in elementary and secondary education programs receiving state financial assistance

#### UNITED STATES CODE, TITLE 42

2000d-2000d-7 Title VI, Civil Rights Act of 1964

2000e-2000e-17 Title VII, Civil Rights Act of 1964, as amended

2000h-2-2000h-6 Title IX, 1972 Education Act Amendments

#### CODE OF FEDERAL REGULATIONS, TITLE 34

106.9 Dissemination of policy

#### COURT DECISIONS

*Department of Health Services v. Superior Court of California*, (2003) 31 Cal.4th 1026

*Faragher v. City of Boca Raton*, (1998) 118 S.Ct. 2275

*Burlington Industries v. Ellreth*, (1998) 118 S.Ct. 2257

*Gebser v. Lago Vista Independent School District*, (1998) 118 S.Ct. 1989

*Oncale v. Sundowner Offshore Serv. Inc.*, (1998) 118 S.Ct. 998

*Meritor Savings Bank, FSB v. Vinson et al.*, (1986) 447 U.S. 57

### Management Resources:

#### OFFICE OF CIVIL RIGHTS AND NATIONAL ASSOCIATION OF ATTORNEYS GENERAL

*Protecting Students from Harassment and Hate Crime*, January 1999

#### WEB SITES

California Department of Fair Employment and Housing: <http://www.dfeh.ca.gov>

Equal Employment Opportunity Commission: <http://www.eeoc.gov>

U.S. Department of Education, Office for Civil Rights:

<http://www.ed.gov/about/offices/list/ocr/index.html>

All Personnel

AR 4119.11(a)  
4219.11  
4319.11

## SEXUAL HARASSMENT

This administrative regulation shall apply to all allegations of sexual harassment involving employees, interns, volunteers, and job applicants, but shall not be used to resolve any complaint by or against a student.

### Definitions

*Prohibited sexual harassment* includes, but is not limited to, unwelcome sexual advances, unwanted requests for sexual favors, or other unwanted verbal, visual, or physical conduct of a sexual nature made against another person of the same or opposite sex in the work or educational setting when: (Education Code 212.5; Government Code 12940; 2 CCR 11034)

1. Submission to the conduct is made explicitly or implicitly a term or condition of the individual's employment.
2. Submission to or rejection of the conduct is used as the basis for an employment decision affecting the individual.
3. Submission to or rejection of the conduct is used as the basis for any decision affecting the individual regarding benefits, services, honors, programs, or activities available at or through the district.

*Prohibited sexual harassment* also includes conduct which, regardless of whether or not it is motivated by sexual desire, is so severe or pervasive as to unreasonably interfere with the victim's work performance or create an intimidating, hostile, or offensive work environment.

Examples of actions that might constitute sexual harassment in the work or educational setting, whether committed by a supervisor, a co-worker, or a non-employee, include, but are not limited to:

1. Unwelcome verbal conduct such as sexual flirtations or propositions; graphic comments about an individual's body; overly personal conversations or pressure for sexual activity; sexual jokes or stories; unwelcome sexual slurs, epithets, threats, innuendoes, derogatory comments, sexually degrading descriptions, or the spreading of sexual rumors
2. Unwelcome visual conduct such as drawings, pictures, graffiti, or gestures; sexually explicit emails; displaying sexually suggestive objects
3. Unwelcome physical conduct such as massaging, grabbing, fondling, stroking, or brushing the body; touching an individual's body or clothes in a sexual way; cornering, blocking, leaning over, or impeding normal movements

## **SEXUAL HARASSMENT (continued)**

### **Training**

The Superintendent or designee shall ensure that all employees receive training regarding the district's sexual harassment policies when hired and periodically thereafter. The training shall include the procedures for reporting and/or filing complaints involving an employee, employees' duty to use the district's complaint procedures, and employee obligations when a sexual harassment report involving a student is made to the employee.

Every two years, the Superintendent or designee shall ensure that supervisory employees receive at least two hours of classroom or other effective interactive training and education regarding sexual harassment. All such newly hired or promoted employees shall receive training within six months of their assumption of the new position. (Government Code 12950.1)

*A supervisory employee* is any employee having the authority, in the interest of the district, to hire, transfer, suspend, lay off, promote, discharge, assign, reward, or discipline other employees, or the responsibility to direct them, adjust their grievances, or effectively recommend such action, when the exercise of the authority is not of a merely routine or clerical nature, but requires the use of independent judgment. (Government Code 12926)

The district's sexual harassment training and education program for supervisory employees shall be aimed at assisting them in preventing and effectively responding to incidents of sexual harassment, as well as implementing mechanisms to promptly address and correct wrongful behavior. The training shall include, but is not limited to, the following: (Government Code 12950.1; 2 CCR 11024)

1. Information and practical guidance regarding federal and state laws on the prohibition, prevention, and correction of sexual harassment, the remedies available to sexual harassment victims in civil actions, and potential district and/or individual exposure or liability
2. The types of conduct that constitute sexual harassment and practical examples which illustrate sexual harassment, discrimination, and retaliation using training modalities such as role plays, case studies, and group discussions, based on factual scenarios taken from case law, news and media accounts, and hypotheticals based on workplace situations and other sources
3. A supervisor's obligation to report sexual harassment, discrimination, and retaliation of which he/she becomes aware and what to do if the supervisor himself/herself is personally accused of harassment

**SEXUAL HARASSMENT** (continued)

4. Strategies for preventing harassment, discrimination, and retaliation and appropriate steps to ensure that remedial measures are taken to correct harassing behavior, including an effective process for investigation of a complaint
5. The essential elements of the district's anti-harassment policy, including the limited confidentiality of the complaint process and resources for victims of unlawful sexual harassment, such as to whom they should report any alleged sexual harassment, and how to use the policy if a harassment complaint is filed
6. A copy of the district's sexual harassment policy and administrative regulation, which each participant shall acknowledge in writing that he/she has received
7. The definition and prevention of abusive conduct that addresses the use of derogatory remarks, insults, or epithets, other verbal or physical conduct that a reasonable person would find threatening, intimidating, or humiliating, and the gratuitous sabotage or undermining of a person's work performance

The Superintendent or designee shall retain for at least two years the records of any training provided to supervisory employees. Such records shall include the names of trained employees, date of the training, the type of training, and the name of the training provider. (2 CCR 11024)

**Notifications**

A copy of the Board policy and this administrative regulation shall: (Education Code 231.5)

1. Be displayed in a prominent location in the main administrative building, district office, or other area of the school where notices of district rules, regulations, procedures, and standards of conduct are posted
2. Be provided to every district employee at the beginning of the first quarter or semester of the school year or whenever a new employee is hired
3. Appear in any school or district publication that sets forth the school's or district's comprehensive rules, regulations, procedures, and standards of conduct

All employees shall receive either a copy of information sheets prepared by the California Department of Fair Employment and Housing (DFEH) or a copy of district information sheets that contain, at a minimum, components on: (Government Code 12950)

1. The illegality of sexual harassment

**SEXUAL HARASSMENT** (continued)

2. The definition of sexual harassment under applicable state and federal law
3. A description of sexual harassment, with examples
4. The district's complaint process available to the employee
5. The legal remedies and complaint process available through DFEH and the Equal Employment Opportunity Commission (EEOC)
6. Directions on how to contact DFEH and the EEOC
7. The protection against retaliation provided by 2 CCR 11021 for opposing harassment prohibited by law or for filing a complaint with or otherwise participating in an investigation, proceeding, or hearing conducted by DFEH and the EEOC

In addition, the district shall post, in a prominent and accessible location, DFEH's poster on discrimination in employment and the illegality of sexual harassment. (Government Code 12950)

**STUDENT WELLNESS**

The Governing Board recognizes the link between student health and learning and desires to provide a comprehensive program promoting healthy eating and physical activity for district students. The Superintendent or designee shall coordinate and align district efforts to support student wellness through health education, physical education and activity, health services, nutrition services, psychological and counseling services, and a safe and healthy school environment. In addition, the Superintendent or designee shall develop strategies for promoting staff wellness and for involving parents/guardians and the community in reinforcing students' understanding and appreciation of the importance of a healthy lifestyle.

**School Wellness Council**

The Superintendent or designee shall encourage parents/guardians, students, food service employees, physical education teachers, school health professionals, Board members, school administrators, and members of the public to participate in the development, implementation, and periodic review and update of the district's student wellness policy. (42 USC 1758b; 7 CFR 210.30)

To fulfill this requirement, the Superintendent or designee may appoint a school wellness council or other district committee and a wellness council coordinator. The council may include representatives of the groups listed above, as well as health educators, curriculum directors, counselors, before- and after-school program staff, health practitioners, and/or others interested in school health issues.

The Superintendent or designee may make available to the public and school community a list of the names, position titles, and contact information of the wellness council members.

The wellness council shall advise the district on health-related issues, activities, policies, and programs. At the discretion of the Superintendent or designee, the duties of the council may also include the planning, implementation, and evaluation of activities to promote health within the school or community.

**Goals for Nutrition, Physical Activity, and Other Wellness Activities**

The Board shall adopt specific goals for nutrition promotion and education, physical activity, and other school-based activities that promote student wellness. In developing such goals, the Board shall review and consider evidence-based strategies and techniques. (42 USC 1758b; 7 CFR 210.30)

The district's nutrition education and physical education programs shall be based on research, shall be consistent with the expectations established in the state's curriculum frameworks and content standards, and shall be designed to build the skills and knowledge that all students need to maintain a healthy lifestyle.

The nutrition education program shall include, but is not limited to, information about the benefits of healthy eating for learning, disease prevention, weight management, and oral

**STUDENT WELLNESS (continued)**

health. Nutrition education shall be provided as part of the health education program and, as appropriate, shall be integrated into other academic subjects in the regular educational program, before- and after-school programs, summer learning programs, and school garden programs.

All students shall be provided opportunities to be physically active on a regular basis. Opportunities for moderate to vigorous physical activity shall be provided through physical education and recess and may also be provided through school athletic programs, extracurricular programs, before- and after-school programs, summer learning programs, programs encouraging students to walk or bicycle to and from school, in-class physical activity breaks, and other structured and unstructured activities.

The Board may enter into a joint use agreement or memorandum of understanding to make district facilities or grounds available for recreational or sports activities outside the school day and/or to use community facilities to expand students' access to opportunity for physical activity.

Professional development may be regularly offered to the nutrition program director, managers, and staff, as well as health education teachers, physical education teachers, coaches, activity supervisors, and other staff as appropriate to enhance their knowledge and skills related to student health and wellness.

In order to ensure that students have access to comprehensive health services, the district may provide access to health services at or near district schools and/or may provide referrals to community resources.

The Board recognizes that a safe, positive school environment is also conducive to students' physical and mental health and thus prohibits bullying and harassment of all students, including bullying on the basis of weight or health condition.

The Superintendent or designee shall encourage staff to serve as positive role models for healthy eating and physical fitness. He/she shall promote work-site wellness programs and may provide opportunities for regular physical activity among employees.

**Nutrition Guidelines for All Foods Available at School**

For all foods and beverages available on each campus during the school day, the district shall adopt nutrition guidelines which are consistent with 42 USC 1758, 1766, 1773, and 1779 and federal regulations and which support the objectives of promoting student health and reducing childhood obesity. (42 USC 1758b)



**STUDENT WELLNESS (continued)**

In order to maximize the district's ability to provide nutritious meals and snacks, all district schools shall participate in available federal school nutrition programs, including the National School Lunch and School Breakfast Programs and after-school snack programs, to the extent possible. When approved by the California Department of Education, the district may sponsor a summer meal program.

The Superintendent or designee shall provide access to free, potable water in the food service area during meal times in accordance with Education Code 38086 and 42 USC 1758, and shall encourage students' consumption of water by educating them about the health benefits of water and by serving water in an appealing manner.

The Board believes that all foods and beverages sold to students at district schools, including those available outside the district's reimbursable food services program, should support the health curriculum and promote optimal health. Nutrition standards adopted by the district for foods and beverages provided through student stores, vending machines, or other venues shall meet or exceed state and federal nutrition standards.

The Superintendent or designee shall encourage school organizations to use healthy food items or non-food items for fundraising purposes.

He/she also shall encourage school staff to avoid the use of non-nutritious foods as a reward for students' academic performance, accomplishments, or classroom behavior.

School staff shall encourage parents/guardians or other volunteers to support the district's nutrition education program by considering nutritional quality when selecting any snacks which they may donate for occasional class parties. Class parties or celebrations shall be held after the lunch period when possible.

To reinforce the district's nutrition education program, the Board prohibits the marketing and advertising of foods and beverages that do not meet nutrition standards for the sale of foods and beverages on campus during the school day. (7 CFR 210.30)

**Program Implementation and Evaluation**

The Superintendent designates the individual(s) identified below as the individual(s) responsible for ensuring that each school site complies with the district's wellness policy. (42 USC 1758b; 7 CFR 210.30)

Superintendent

209-881-3382

JSkulina@stancoe.org

**STUDENT WELLNESS** (continued)

The Superintendent or designee shall assess the implementation and effectiveness of this policy at least once every three years. (42 USC 1758b; 7 CFR 210.30)

The assessment shall include the extent to which district schools are in compliance with this policy, the extent to which this policy compares to model wellness policies available from the U.S. Department of Agriculture, and a description of the progress made in attaining the goals of the wellness policy. (42 USC 1758b)

The Superintendent or designee shall invite feedback on district and school wellness activities from food service personnel, school administrators, the wellness council, parents/guardians, students, teachers, before- and after-school program staff, and/or other appropriate persons.

The Board and the Superintendent or designee shall establish indicators that will be used to measure the implementation and effectiveness of the district activities related to student wellness. Such indicators may include, but are not limited to:

1. Student participation rates in all school meal and/or snack programs, including the number of students enrolled in the free and reduced-price meals program compared to the number of students eligible for that program
2. Extent to which foods and beverages sold on campus outside the food services program, such as through vending machines, student stores, or fundraisers, comply with nutrition standards
3. Results of the state's physical fitness test at applicable grade levels
4. Number of minutes of physical education offered at each grade span, and the estimated percentage of class time spent in moderate to vigorous physical activity

As feasible, the assessment report may include a comparison of results across multiple years, a comparison of district data with county, statewide, or national data, and/or a comparison of wellness data with other student outcomes such as academic indicators or student discipline rates.

In addition, the Superintendent or designee shall prepare and maintain the proper documentation and records needed for the administrative review of the district's wellness policy conducted by the California Department of Education (CDE) every three years.

The assessment results of both the district and state evaluations shall be submitted to the Board for the purposes of evaluating policy and practice, recognizing accomplishments, and making policy adjustments as needed to focus district resources and efforts on actions that are most likely to make a positive impact on student health and achievement.

**STUDENT WELLNESS (continued)****Notifications**

The Superintendent or designee shall inform the public about the content and implementation of the district's wellness policy and shall make the policy, and any updates to the policy, available the public on an annual basis. He/she shall also inform the public of the district's progress towards meeting the goals of the wellness policy, including the availability of the triennial district assessment. (Education Code 49432; 42 USC 1758b; 7 CFR 210.30)

The Superintendent or designee shall distribute this information through the most effective methods of communication, including district or school newsletters, handouts, parent/guardian meetings, district and school web sites, and other communications. Outreach to parents/guardians shall emphasize the relationship between student health and wellness and academic performance.

Each school may post a summary of nutrition and physical activity laws and regulations prepared by the CDE.

**Records**

The Superintendent or designee shall retain records that document compliance with 7 CFR 210.30, including, but not limited to, the written student wellness policy, documentation of the triennial assessment of the wellness policy for each school site, and documentation demonstrating compliance with the community involvement requirements, including requirements to make the policy and assessment results available to the public. (7 CFR 210.30)

*Legal Reference:*EDUCATION CODE

- 33350-33354 CDE responsibilities re: physical education
- 38086 Free fresh drinking water
- 49430-49434 Pupil Nutrition, Health, and Achievement Act of 2001
- 49490-49494 School breakfast and lunch programs
- 49500-49505 School meals
- 49510-49520 Nutrition
- 49530-49536 Child Nutrition Act
- 49540-49546 Child care food program
- 49547-49548.3 Comprehensive nutrition services
- 49550-49562 Meals for needy students
- 49565-49565.8 California Fresh Start pilot program
- 49570 National School Lunch Act
- 51210 Course of study, grades 1-6
- 51210.1-51210.2 Physical education, grades 1-6
- 51210.4 Nutrition education
- 51220 Course of study, grades 7-12
- 51222 Physical education
- 51223 Physical education, elementary schools
- 51795-51798 School instructional gardens
- 51880-51921 Comprehensive health education

**STUDENT WELLNESS (continued)**CODE OF REGULATIONS, TITLE 5

15500-15501 Food sales by student organizations  
 15510 Mandatory meals for needy students  
 15530-15535 Nutrition education  
 15550-15565 School lunch and breakfast programs

UNITED STATES CODE, TITLE 42

1751-1769j National School Lunch Program, especially:  
 1758b Local wellness policy  
 1771-1793 Child Nutrition Act, especially:  
 1773 School Breakfast Program

1779 Rules and regulations, Child Nutrition Act

CODE OF FEDERAL REGULATIONS, TITLE 7

210.1-210.33 National School Lunch Program, especially:  
 210.30 Wellness policy  
 220.1-220.22 National School Breakfast Program

COURT DECISIONS

Frazer v. Dixon Unified School District, (1993) 18 Cal.App.4th 781

Management Resources:CSBA PUBLICATIONS

Integrating Physical Activity into the School Day, Governance Brief, April 2016

Increasing Access to Drinking Water in Schools, Policy Brief, April 2013

Monitoring for Success: A Guide for Assessing and Strengthening Student Wellness Policies, rev. 2012

Nutrition Standards for Schools: Implications for Student Wellness, Policy Brief, rev. April 2012

Student Wellness: A Healthy Food and Physical Activity Policy Resource Guide, rev. 2012

Physical Activity and Physical Education in California Schools, Research Brief, April 2010

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

Engagement, 2009

CSBA PUBLICATIONS (continued)

Safe Routes to School: Program and Policy Strategies for School Districts, Policy Brief, 2009

Physical Education and California Schools, Policy Brief, rev. October 2007

School-Based Marketing of Foods and Beverages: Policy Implications for School Boards, Policy Brief, March 2006

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Physical Education Framework for California Public Schools, Kindergarten Through Grade Twelve, 2009

Health Framework for California Public Schools, Kindergarten Through Grade Twelve, 2003

CALIFORNIA PROJECT LEAN PUBLICATIONS

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

CENTER FOR COLLABORATIVE SOLUTIONS

Changing Lives, Saving Lives: A Step-by-Step Guide to Developing Exemplary Practices in Healthy

Eating, Physical Activity and Food Security in Afterschool Programs, January 2015

CENTERS FOR DISEASE CONTROL AND PREVENTION PUBLICATIONS

School Health Index for Physical Activity and Healthy Eating: A Self-Assessment and Planning Guide, rev. 2012

FEDERAL REGISTER

Rules and Regulations, July 29, 2016, Vol. 81, Number 146, pages 50151-50170

NATIONAL ASSOCIATION OF STATE BOARDS OF EDUCATION PUBLICATIONS

Fit, Healthy and Ready to Learn, rev. 2012

U.S. DEPARTMENT OF AGRICULTURE PUBLICATIONS

Dietary Guidelines for Americans, 2016

WEB SITES

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

**STUDENT WELLNESS (continued)**

*Management Resources: (continued)*

*Action for Healthy Kids: <http://www.actionforhealthykids.org>*  
*Alliance for a Healthier Generation: <http://www.healthiergeneration.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>*  
*California School Nutrition Association: <http://www.calsna.org>*  
*Center for Collaborative Solutions: <http://www.ccscenter.org>*  
*Centers for Disease Control and Prevention: <http://www.cdc.gov>*  
*Dairy Council of California: <http://www.dairycouncilofca.org>*  
*National Alliance for Nutrition and Activity: <http://www.cspinet.org/nutritionpolicy/nana.html>*  
*National Association of State Boards of Education: <http://www.nasbe.org>*  
*School Nutrition Association: <http://www.schoolnutrition.org>*  
*Society for Nutrition Education: <http://www.sne.org>*  
*U.S. Department of Agriculture, Food Nutrition Service, wellness policy:*  
*<http://www.fns.usda.gov/in/Healthy/wellnesspolicy.html>*  
*U.S. Department of Agriculture, Healthy Meals Resource System: <http://healthymeals.fns.usda.gov>*

**DISTRICT RESIDENCY**

**Criteria for Residency**

A student shall be deemed to have complied with district residency requirements for enrollment in a district school if he/she meets any of the following criteria:

1. The student's parent/guardian resides within district boundaries. (Education Code 48200)
2. The student is placed within district boundaries in a regularly established licensed children's institution, a licensed foster home, or a family home pursuant to a court-ordered commitment or placement. (Education Code 48204)
3. The student is admitted through an interdistrict attendance option, such as an interdistrict attendance agreement, "school district of choice" transfer, or Open Enrollment Act transfer. (Education Code 46600, 48204, 48301, 48356)
4. The student is an emancipated minor residing within district boundaries. (Education Code 48204)
5. The student lives with a caregiving adult within district boundaries and the caregiving adult submits an affidavit to that effect. (Education Code 48204)
6. The student resides in a state hospital located within district boundaries. (Education Code 48204)
7. The student is confined to a hospital or other residential health facility within district boundaries for treatment of a temporary disability. (Education Code 48204, 48207)
8. The student's parent/guardian resides outside district boundaries but is employed within district boundaries and lives with the student at the place of employment for a minimum of three days during the school week. (Education Code 48204)
9. The student's parent/guardian, while on active military duty pursuant to an official military order, is transferred or is pending transfer to a military installation within district boundaries. (Education Code 48204.3)

**DISTRICT RESIDENCY (continued)**

**Residency Based on Parent/Guardian Employment (Allen Bill Transfers)**

District residency status may be granted to a student if at least one of his/her parents/guardians is physically employed within district boundaries for a minimum of 10 hours during the school week. No student seeking residency on this basis shall be denied enrollment based on race, ethnicity, sex, parental income, scholastic achievement, or any of the individual characteristics set forth in Education Code 220. However, the Superintendent or designee may deny enrollment into the district if any of the following circumstances is present: (Education Code 48204)

1. The additional cost of educating the student would exceed the amount of additional state aid received as a result of the transfer.
2. Enrollment of the student would adversely affect the district's court-ordered or voluntary desegregation plan as determined by the Governing Board.
3. Other circumstances exist that are not arbitrary.

Such circumstances may include, but are not limited to, overcrowding of school facilities at the relevant grade level.

Once a student establishes residency on this basis, he/she shall not be required to reapply for enrollment in subsequent years. The student may continue to attend school in the district through the highest grade level offered by the district if the parent/guardian so chooses and if at least one parent/guardian of the student continues to be physically employed by an employer situated within district boundaries, subject to the exceptions in items #1-3 above. (Education Code 48204)

The Superintendent or designee may deny a transfer out of the district by a student whose parent/guardian is employed within the boundaries of another district if the difference between the number of students entering and exiting the district on the basis of parent/guardian employment exceeds the limits prescribed in Education Code 48204. (Education Code 48204)

**Proof of Residency**

Evidence of residency may be established by documentation showing the name and address of the parent/guardian within the district, including, but not limited to, any of the following: (Education Code 48204.1)

1. Property tax payment receipt
2. Rental property contract, lease, or payment receipt

**DISTRICT RESIDENCY (continued)**

3. Utility service contract, statement, or payment receipt
4. Pay stub
5. Voter registration
6. Correspondence from a government agency
7. Declaration of residency executed by the student's parent/guardian
8. If the student is an unaccompanied youth as defined in 42 USC 11434a, a declaration of residency executed by the student
9. If the student is residing in the home of a caregiving adult within district boundaries, an affidavit executed by the caregiving adult in accordance with Family Code 6552

A parent/guardian seeking residency status on the basis of his/her employment within district boundaries shall submit proof of the employment which may include, but not be limited to, a paycheck stub or letter from his/her employer listing a physical address within district boundaries. Such evidence shall also indicate the number of hours or days per school week that the parent/guardian is employed at that location.

A parent/guardian who is transferred or pending transfer into a military installation within district boundaries shall provide proof of residence within 10 days after the published arrival date provided on official documentation. For this purpose, he/she may use as his/her address a temporary on-base billeting facility, a purchased or leased home or apartment, or federal government or public-private venture off-base military housing. (Education Code 48204.3)

Any homeless or foster youth or student who has had contact with the juvenile justice system shall be immediately enrolled in school even if he/she is unable to provide proof of residency. (Education Code 48645.5, 48852.7, 48853.5; 42 USC 11432)

**Safe at Home/Confidential Address Program**

When a student or parent/guardian participating in the Safe at Home program requests that the district use the substitute address designated by the Secretary of State, the Superintendent or designee may request the actual residence address for the purpose of establishing residency within district boundaries but shall use the substitute address for all future communications and correspondence and shall not include the actual address in the student's file or any other public record. (Government Code 6206, 6207)

(11/11 12/15) 12/16



**ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS**

The Governing Board believes that regular school attendance is critical to student learning and that students who need to take medication prescribed or ordered for them by their authorized health care providers should have an opportunity to participate in the educational program.

Any medication prescribed for a student with a disability who is qualified to receive services under the Individuals with Disabilities Education Act or Section 504 of the Rehabilitation Act of 1973 shall be administered in accordance with the student's individualized education program or Section 504 services plan, as applicable.

For the administration of medication to other students during school or school-related activities, the Superintendent or designee shall develop protocols which shall include options for allowing a parent/guardian to administer medication to his/her child at school, designate other individuals to do so on his/her behalf, and, with the child's authorized health care provider's approval, request the district's permission for his/her child to self-administer a medication or self-monitor and/or self-test for a medical condition. Such processes shall be implemented in a manner that preserves campus security, minimizes instructional interruptions, and promotes student safety and privacy.

The Superintendent or designee shall make available epinephrine auto-injectors at each school for providing emergency medical aid to any person suffering, or reasonably believed to be suffering, from an anaphylactic reaction. (Education Code 49414)

The Board authorizes the Superintendent or designee to make available naloxone hydrochloride or another opioid antagonist for emergency medical aid to any person suffering, or reasonably believed to be suffering, from an opioid overdose. (Education Code 49414.3)

The Superintendent or designee shall collaborate with city and county emergency responders, including local public health administrators, to design procedures or measures for addressing an emergency such as a public disaster or epidemic.

**Administration of Medication by School Personnel**

When allowed by law, medication prescribed to a student by an authorized health care provider may be administered by a school nurse or, when a school nurse or other medically licensed person is unavailable and the physician has authorized administration of medication by unlicensed personnel for a particular student, by other designated school personnel with appropriate training. School nurses and other designated school personnel shall administer medications to students in accordance with law, Board policy, administrative regulation, and, as applicable, the written statement provided by the student's parent/guardian and authorized health care provider. Such personnel shall be afforded appropriate liability protection.

## ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS (continued)

The Superintendent or designee shall ensure that school personnel designated to administer any medication receive appropriate training and, as necessary, retraining from qualified medical personnel before any medication is administered. At a minimum, the training shall cover how and when such medication should be administered, the recognition of symptoms and treatment, emergency follow-up procedures, and the proper documentation and storage of medication. Such trained, unlicensed designated school personnel shall be supervised by, and provided with immediate communication access to, a school nurse, physician, or other appropriate individual. (Education Code 49414, 49414.3, 49414.5, 49423, 49423.1)

The Superintendent or designee shall maintain documentation of the training and ongoing supervision, as well as annual written verification of competency of other designated school personnel.

### *Legal Reference:*

#### EDUCATION CODE

48980 Notification at beginning of term

49407 Liability for treatment

49408 Emergency information

49414 Emergency epinephrine auto-injectors

49414.3 Emergency medical assistance; administration of medication for opioid overdose

49414.5 Providing school personnel with voluntary emergency training

49422-49427 Employment of medical personnel, especially:

49423 Administration of prescribed medication for student

49423.1 Inhaled asthma medication

49480 Continuing medication regimen; notice

#### BUSINESS AND PROFESSIONS CODE

2700-2837 Nursing, especially:

2726 Authority not conferred

2727 Exceptions in general

3501 Definitions

4119.2 Acquisition of epinephrine auto-injectors

4119.8 Acquisition of naloxone hydrochloride or another opioid antagonist

#### CODE OF REGULATIONS, TITLE 5

600-611 Administering medication to students

#### UNITED STATES CODE, TITLE 20

1232g Family Educational Rights and Privacy Act of 1974

1400-1482 Individuals with Disabilities Education Act

#### UNITED STATES CODE, TITLE 29

794 Rehabilitation Act of 1973, Section 504

#### COURT DECISIONS

*American Nurses Association v. Torlakson*, (2013) 57 Cal.4th 570

### *Management Resources:*

#### AMERICAN DIABETES ASSOCIATION PUBLICATIONS

*Glucagon Training Standards for School Personnel: Providing Emergency Medical Assistance to Pupils with Diabetes*, May 2006

*Training Standards for the Administration of Epinephrine Auto-Injectors*, rev. 2015

*Legal Advisory on Rights of Students with Diabetes in California's K-12 Public Schools*, August 2007

*Program Advisory on Medication Administration*, 2005

**ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS**  
(continued)

NATIONAL DIABETES EDUCATION PROGRAM PUBLICATIONS

Helping the Student with Diabetes Succeed: A Guide for School Personnel, June 2003

WEB SITES

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

American Diabetes Association: <http://www.diabetes.org>

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

National Diabetes Education Program: <http://www.ndep.nih.gov>

U.S. Department of Health and Human Services, National Institutes of Health, Blood Institute, asthma information: <http://www.nhlbi.nih.gov/health/public/lung/index.htm#asthma>

**Students****ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS****Definitions**

*Authorized health care provider* means an individual who is licensed by the State of California to prescribe or order medication, including, but not limited to, a physician or physician assistant. (Education Code 49423; 5 CCR 601)

*Other designated school personnel* means any individual employed by the district, including a nonmedical school employee, who has volunteered or consented to administer medication or otherwise assist the student and who may legally administer the medication to the student or assist the student in the administration of the medication. (5 CCR 601, 621)

*Medication* may include not only a substance dispensed in the United States by prescription, but also a substance that does not require a prescription, such as over-the-counter remedies, nutritional supplements, and herbal remedies. (5 CCR 601)

*Epinephrine auto-injector* means a disposable delivery device designed for the automatic injection of a premeasured dose of epinephrine into the human body to prevent or treat a life-threatening allergic reaction. (Education Code 49414)

*Anaphylaxis* means a potentially life-threatening hypersensitivity to a substance, which may result from an insect sting, food allergy, drug reaction, exercise, or other cause. Symptoms may include shortness of breath, wheezing, difficulty breathing, difficulty talking or swallowing, hives, itching, swelling, shock, or asthma. (Education Code 49414)

*Opioid antagonist* means naloxone hydrochloride or another drug approved by the federal Food and Drug Administration that, when administered, negates or neutralizes in whole or in part the pharmacological effects of an opioid in the body and that has been approved for the treatment of an opioid overdose. (Education Code 49414.3)

**Notifications to Parents/Guardians**

At the beginning of each school year, the Superintendent or designee shall notify parents/guardians of the options available to students who need to take prescribed medication during the school day and the rights and responsibilities of parents/guardians regarding those options. (Education Code 49480)

**ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS**  
(continued)

In addition, the Superintendent or designee shall inform the parents/guardians of any student on a continuing medication regimen for a nonepisodic condition of the following requirements: (Education Code 49480)

1. The parent/guardian is required to inform the school nurse or other designated employee of the medication being taken, the current dosage, and the name of the supervising physician.
2. With the parent/guardian's consent, the school nurse or other designated employee may communicate with the student's physician regarding the medication and its effects and may counsel school personnel regarding the possible effects of the medication on the student's physical, intellectual, and social behavior, as well as possible behavioral signs and symptoms of adverse side effects, omission, or overdose.

When a student requires medication during the school day in order to participate in the educational program, the Superintendent or designee shall, as appropriate, inform the student's parents/guardians that the student may qualify for services or accommodations pursuant to the Individuals with Disabilities Education Act (20 USC 1400-1482) or Section 504 of the federal Rehabilitation Act of 1973 (29 USC 794).

**Parent/Guardian Responsibilities**

The responsibilities of the parent/guardian of any student who may need medication during the school day shall include, but are not limited to:

1. Providing parent/guardian and authorized health care provider written statements each school year as described in the sections "Parent/Guardian Statement" and "Health Care Provider Statement" below. The parent/guardian shall provide a new authorized health care provider's statement if the medication, dosage, frequency of administration, or reason for administration changes. (Education Code 49414.5, 49423, 49423.1; 5 CCR 600, 626)
2. If the student is on a continuing medication regimen for a nonepisodic condition, informing the school nurse or other designated certificated employee of the medication being taken, the current dosage, and the name of the supervising physician and updating the information when needed. (Education Code 49480)
3. Providing medications in properly labeled, original containers along with the authorized health care provider's instructions. For prescribed or ordered medication, the container also shall bear the name and telephone number of the pharmacy, the student's identification, and the name and phone number of the authorized health care provider. (5 CCR 606)

**ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS**  
(continued)

**Parent/Guardian Statement**

When district employees are to administer medication to a student, the parent/guardian's written statement shall:

1. Identify the student
2. Grant permission for an authorized district representative to communicate directly with the student's authorized health care provider and pharmacist, as may be necessary, regarding the health care provider's written statement or any other questions that may arise with regard to the medication
3. Contain an acknowledgment that the parent/guardian understands how district employees will administer the medication or otherwise assist the student in its administration
4. Contain an acknowledgment that the parent/guardian understands his/her responsibilities to enable district employees to administer or otherwise assist the student in the administration of medication, including, but not limited to, the parent/guardian's responsibility to provide a written statement from the authorized health care provider, to ensure that the medication is delivered to the school in a proper container by an individual legally authorized to be in possession of the medication, and to provide all necessary supplies and equipment
5. Contain an acknowledgment that the parent/guardian understands that he/she may terminate the consent for the administration of the medication or for otherwise assisting the student in the administration of medication at any time

In addition to the requirements in items #1-5 above, if a parent/guardian has requested that his/her child be allowed to carry and self-administer prescription auto-injectable epinephrine or prescription inhaled asthma medication, the parent/guardian's written statement shall: (Education Code 49423, 49423.1)

1. Consent to the self-administration
2. Release the district and school personnel from civil liability if the student suffers an adverse reaction as a result of self-administering the medication

In addition to the requirements in items #1-5 above, if a parent/guardian wishes to designate an individual who is not an employee of the district to administer medication to his/her child, the parent/guardian's written statement shall clearly identify the individual and shall state:

1. The individual's willingness to accept the designation

**ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS**  
(continued)

2. That the individual is permitted to be on the school site
3. Any limitations on the individual's authority

**Health Care Provider Statement**

When any district employee is to administer prescribed medication to a student, or when a student is to be allowed to carry and self-administer prescribed medication during school hours, the authorized health care provider's written statement shall include:

1. Clear identification of the student (Education Code 49423, 49423.1; 5 CCR 602)
2. The name of the medication (Education Code 49423, 49423.1; 5 CCR 602)
3. The method, amount, and time schedules by which the medication is to be taken (Education Code 49423, 49423.1; 5 CCR 602)
4. If a parent/guardian has requested that his/her child be allowed to self-administer medication, confirmation that the student is able to self-administer the medication (Education Code 49414.5, 49423, 49423.1; 5 CCR 602)
5. For medication that is to be administered by unlicensed personnel, confirmation by the student's health care provider that the medication may safely and appropriately be administered by unlicensed personnel (Education Code 49423, 49423.1; 5 CCR 602)
6. For medication that is to be administered on an as-needed basis, the specific symptoms that would necessitate administration of the medication, allowable frequency for administration, and indications for referral for medical evaluation
7. Possible side effects of the medication
8. Name, address, telephone number, and signature of the student's authorized health care provider

**District Responsibilities**

The Superintendent or designee shall ensure that any unlicensed school personnel authorized to administer medication to a student receives appropriate training from the school nurse or other qualified medical personnel.

The school nurse or other designated school personnel shall:

**ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS**  
(continued)

1. Administer or assist in administering medication in accordance with the authorized health care provider's written statement
2. Accept delivery of medications from parents/guardians and count and record them upon receipt
3. Maintain a list of students needing medication during the school day, including those authorized to self-administer medication, and note on the list the type of medication and the times and dosage to be administered
4. Maintain for each student a medication log which may:
  - a. Specify the student's name, medication, dose, method of administration, time of administration during the regular school day, date(s) on which the student is required to take the medication, and the authorized health care provider's name and contact information
  - b. Contain space for daily recording of the date, time, and amount of medication administered, and the signature of the individual administering the medication
5. Maintain for each student a medication record which may include the authorized health care provider's written statement, the parent/guardian's written statement, the medication log, and any other written documentation related to the administration of medication to the student
6. Ensure that student confidentiality is appropriately maintained
7. Coordinate and, as appropriate, ensure the administration of medication during field trips and other school-related activities
8. Report to a student's parent/guardian and the site administrator any refusal by the student to take his/her medication
9. Keep all medication to be administered by the district in a locked drawer or cabinet
10. As needed, communicate with a student's authorized health care provider and/or pharmacist regarding the medication and its effects
11. Counsel other designated school personnel regarding the possible effects of a medication on a student's physical, intellectual, and social behavior, as well as possible behavioral signs and symptoms of adverse side effects, omission, or overdose



## **ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS**

(continued)

12. Ensure that any unused, discontinued, or outdated medication is returned to the student's parent/guardian at the end of the school year or, if the medication cannot be returned, dispose of it in accordance with state laws and local ordinances
13. In the event of a medical emergency requiring administration of medication, provide immediate medical assistance, directly observe the student following the administration of medication, contact the student's parent/guardian, and determine whether the student should return to class, rest in the school office, or receive further medical assistance
14. Report to the site administrator, the student's parent/guardian, and, if necessary, the student's authorized health care provider any instance when a medication is not administered properly, including administration of the wrong medication or failure to administer the medication in accordance with authorized health care provider's written statement

### **Emergency Epinephrine Auto-Injectors**

The Superintendent or designee shall provide epinephrine auto-injectors to school nurses or other employees who have volunteered to administer them in an emergency and have received training. The school nurse, or a volunteer employee when a school nurse or physician is unavailable, may administer an epinephrine auto-injector to provide emergency medical aid to any person suffering, or reasonably believed to be suffering, from potentially life-threatening symptoms of anaphylaxis at school or a school activity. (Education Code 49414)

At least once per school year, the Superintendent or designee shall distribute to all staff a notice requesting volunteers to be trained to administer an epinephrine auto-injector and describing the training that the volunteer will receive. (Education Code 49414)

The principal or designee at each school may designate one or more volunteers to receive initial and annual refresher training, which shall be provided by a school nurse or other qualified person designated by a physician and surgeon authorized pursuant to Education Code 49414 and shall be based on the standards developed by the Superintendent of Public Instruction (SPI). Written materials covering the required topics for training shall be retained by the school for reference. (Education Code 49414)

A school nurse or other qualified supervisor of health, or a district administrator if the district does not have a qualified supervisor of health, shall obtain a prescription for epinephrine auto-injectors for each school from an authorized physician and surgeon. Such prescription may be filled by local or mail order pharmacies or epinephrine auto-injector manufacturers. Elementary schools shall, at a minimum, be provided one adult (regular) and one junior epinephrine auto-injector. Secondary schools shall be provided at least one adult (regular)

# Knights Ferry School District

## 2017-2018

### Comprehensive School Safety Plan

#### SB 187 Compliance Document

Knights Ferry School District  
 12726 Dent St  
 Knights Ferry, CA 95361

*Formally adopted on Thursday, March 9, 2017*

*Approved by:*

<b>Name</b>	<b>Title</b>	<b>Signature</b>	<b>Date</b>
<i>Janet Skulina</i>	<i>Superintendent/ Principal</i>		<i>2-13-2017 3-2-2017</i>
<i>Lisa Fogarty/Bridgette Vandries Hobbs</i>	<i>Safety Committee, Teacher Representative Administrative Intern</i>		<i>2-13-2017 3-2-2017</i>
<i>Louis Morua Ron Reid</i>	<i>Safety Committee, Parent Representative Office of Emergency Services</i>		<i>2-13-2017 3-2-2017</i>

*This document is to be maintained for public inspection during business hours*

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## **Senate Bill 187: Comprehensive School Safety Plan Purpose**

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The California Education Code (sections 32280-32288) outlines the requirements of all schools operating any kindergarten and any grades 1 to 12, inclusive, to write and develop a school safety plan relevant to the needs and resources of that particular school.

In 2004, the Legislature and Governor recast and renumbered the Comprehensive School Safety Plan provisions in SB 719 and AB 115. It is the intent of the Legislature in enacting the provisions to support California public schools as they develop their mandated comprehensive safety plans that are the result of a systematic planning process, that include strategies aimed at the prevention of, and education about, potential incidents involving crime and violence on school campuses.

The historical requirement of the Comprehensive School Safety Plan was presented in Senate Bill 187, which was approved by the Governor and chaptered in 1997. This legislation contained a sunset clause that stated that this legislation would remain in effect only until January 1, 2000. Senate Bill 334 was approved and chaptered in 1999 and perpetuated this legislation under the requirement of the initial legislation.

Comprehensive School Safety Plans are required under SB 719 & AB 115 and contains the following elements:

Assessment of school crime committed on school campuses and at school-related functions

- Child abuse reporting procedures
- Disaster procedures
- Suspension and expulsion policies
- Procedures to notify teachers of dangerous pupils
- Discrimination and harassment policies
- School wide dress code policies
- Procedures for safe ingress and egress
- Policies enacted to maintain a safe and orderly environment
- Rules and procedures on school discipline

The Comprehensive School Safety Plan will be reviewed and updated by March 1<sup>st</sup> every year. In July of every year, the school will report on the status of its school safety plan including a description of its key elements in the annual school accountability report card.

A copy of the Comprehensive School Safety Plan is available for review at the Knights Ferry School office.

## **Safety Plan Vision**

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*Provide a safe school with a clear and well understood plan for responding to emergencies.*

# **Components of the Comprehensive School Safety Plan (EC 32281)**

## ***Knights Ferry School Safety Committee***

- Janet Skulina, Lisa Fogarty, Bridgette Vandries Hobbs and Louie Morua, Ron Reid-consultant

## ***Assessment of School Safety***

Knights Ferry School is remarkably free of discipline issues, crime and vandalism. There have been zero crimes committed on campus and the school is free of graffiti and other property damage.

School safety data sources included:

- Suspension and expulsion
- CSSA reports
- Student progress reports
- Law enforcement interventions and crime reports
- Staff, student and community surveys
- Property loss, vandalism and insurance reports
- Attendance Data
- Enrollment Increase
- CRISG Safety Award 2012

There were no reported incidences of expulsion and 2 suspensions during the 15-16 school year and no reported incidences of crime related to the school in 2016.

## ***Strategies and Programs to Provide and Maintain a High Level of Safety (EC 32281(a)1, items A-J)***

It is a priority of the administration and staff in the Knights Ferry School District that every student who attends our schools will be provided with an environment in which the students not only feel physically safe, but that there is also a positive school climate in all activities both in and out of the classroom.

Our administration and staff desire to provide a caring, nondiscriminatory, and orderly learning environment in which all students can feel comfortable and take pride in their school and their achievements.

Our administration encourages staff to teach students the meaning of equality, human dignity, and mutual respect, and to employ cooperative learning strategies that foster positive interactions in the classroom among students from diverse backgrounds.

Students shall have opportunities to voice their concerns about school policies and practices and to share responsibility for solving problems that affect their school. Staff shall encourage and reward success and achievement, participation in community projects, and positive student conduct.

During the 16-17 school year, Knights Ferry School adopted Everyday Kindness and began recognizing and emphasizing kind acts. Students give each other Kindness Shout-outs and written notes of appreciation known as the Toodle Wall in the cafeteria.

Our school district promotes nonviolent resolution techniques in order to encourage attitudes and behaviors that foster harmonious relations. Staff shall receive training which implements and supports conflict resolution (California Education Code Sections 32228 – 3228.6, 35160, 35160.1, 44806).

Parent Teacher Club, the Knights Ferry Community Club, and other school-community partnerships are actively involved in support of Knights Ferry Elementary School's students.

### **(A) Child Abuse Reporting Procedures (EC 35294.2 [a] [2]; PC 11166)**

All staff members are considered 'mandated reporters' and are required, as required by law, to contact County Child Protective Services (558-3665) when child abuse is suspected.

### **(B) Disaster Procedures (EC 35295-35297; GC 8607 and 3100)**

#### ***Disaster Plan (See Appendix C-F)***

The Knights Ferry School District will take all necessary measures to keep students, staff and visitors safe in the event of a disaster. The Knights Ferry School Crisis Response plan is shown in Appendix C through F and accomplishes the following:

- Incorporates strategies of the Incident Command System, the Standardized Emergency Management System and the National Incident Management System.
- Maps out specific evacuation procedures within the school building disaster plan.
- Provides guidance for emergency response to a variety of potential hazards and incidents, including "duck and cover" procedures following an earthquake.
- Identifies emergency response training and exercise opportunities for students and staff.

#### ***Public Agency Use of School Buildings for Emergency Shelters***

Knights Ferry School will coordinate with the Stanislaus County American Red Cross for school facility use as a mass care and welfare shelter during an emergency as required. After a shelter assessment has been conducted, the school board will take appropriate action on proposed agreements from the American Red Cross. (BP 3516)

### **(C) School Suspension, Expulsion and Mandatory Expulsion Guidelines**

The Knights Ferry School District's Suspension/Due Process Policy (AR 5144.1) can be found in the Knights Ferry School District Policies, Regulations, Bylaws manual, located in the superintendent/principal's office.

### **(D) Procedures to Notify Teachers of Dangerous Pupils (EC 49079)**

The Knights Ferry School District's policy (BP4158/4258/4358) can be found in the Knights Ferry School District Policies, Regulations, Bylaws manual, located in the superintendent/principal's office. Teachers will be notified by confidential memorandum of any pupil identified as dangerous under Ed. Code 49079. The administration will meet with teachers to discuss student behavior plans and precautionary measures as appropriate.

### **(E) Sexual Harassment Policies (EC 212.6 [b])**

The Knights Ferry School District's harassment policy (BP5145.7) can be found in the Knights Ferry School District Policies, Regulations, Bylaws manual, located in the superintendent/principal's office.

Any student who feels that he/she is being harassed should immediately contact the Superintendent / Principal. Any student who observes an incident of harassment should report the harassment to a school employee, whether or not the victim files a complaint. Likewise, any employee who witnesses an act of sexual harassment should immediately notify the Superintendent/Principal.

The Board hereby designates the following position as Coordinator for Nondiscrimination to handle complaints regarding discrimination and inquiries regarding the district's nondiscrimination policies:

Superintendent/Principal  
P.O. Box 840 / 12726 Dent Street  
Knights Ferry, CA 95361  
(209) 881-3382

Employees who become aware of an act of harassment shall immediately report the incident to the Coordinator for Nondiscrimination. Upon receiving a complaint of discrimination or harassment, the Coordinator shall immediately investigate the complaint in accordance with site-level grievance procedures specified in AR 5145.7 - Sexual Harassment. Where the Coordinator finds that harassment has occurred, he/she shall take prompt, appropriate action to end the harassment and address its effects on the victim.

The Coordinator shall also advise the victim of any other remedies that may be available. The Coordinator shall refer the matter to law enforcement where required.

### **(F) School-wide Dress Code Relating to Gang-Related Apparel (EC 35183)**

Students should dress properly and neatly for school. The following are acceptable guidelines to be followed by all students:

1. Shoes must be worn at all times. Shoes appropriate for running (closed toes) must be worn for physical education. Students K through 3<sup>rd</sup> must wear shoes with a back on them.
2. Halter tops, midriff blouses or shirts, football practice half jerseys, spaghetti strap tops, and "T" back tank shirts shall not be worn. Shorts should be long enough to at a minimum cover pockets.
3. Hats, sunglasses, etc., shall not be worn in the instructional area.
4. Clothing and attire shall not be designed to disrupt the normal school operation or be a safety concern. Clothing should be free of distracting images including but not limited to weapons, alcohol, drugs, gang affiliation, and or sexual content. Images may include art, words, or pictures on clothing. Administration shall determine if the apparel is gang-related and shall determine the proper remedy and / or consequence, including sending the student home to change or suspension (for multiple violations). Gang-related apparel is not considered to be free speech and is hazardous to the health and safety of the school environment.

### **(G) Procedure for Safe Ingress and Egress of Pupils, Parents, and Staff to and from School (EC 35294.2)**

Knights Ferry School takes pride in being part of a school district that has a mission to provide a safe environment for all students, parents, and school employees. Our School will take measures to ensure safe ingress and egress to and from the school for pupils, parents, and school employees. Safe ingress and egress will be maintained by periodic reviews of the procedures for ingress and egress. The school will ensure that all passageways to and from school buildings, corridors within school buildings and emergency exits remain clear of all obstruction to allow flow of pedestrian and vehicular traffic. The school will also ensure that potential obstructions and hazards are removed from such areas. To achieve this goal, the school works closely with local law enforcement agencies and the city of Knights Ferry to ensure that the school's immediate community is safe.

A large majority of students arrive and leave school in private vehicles. Students should use the loading and unloading zone next to the school ramp when arriving and leaving. Students walking to school should not use Dent Street where the parking lot is located unless accompanied by an adult. Their ingress and egress to the school is on the east side near the cafeteria and down Dane Street.

A map showing emergency evacuation procedures can be found in Appendix C.

*Visitors on Campus*

The following procedures are to be followed in order to maintain a safe environment for students and staff at Knights Ferry School,

1. All visitors are to check into the office and sign in and obtain a visitors badge.
2. Before leaving the school site, all visitors are to check into the office and sign out.
3. Police services will be called upon as deemed appropriate by the administrator or teacher in charge in the event any visitor is not complying with posted regulations.



**(H) A Safe and Orderly School Environment Conducive to Learning (EC 35294.2)**

<b>Component:</b>	Health & Safety			
<b>Element:</b>	Current safety and preventative measures			
<b>Opportunity for Improvement:</b>	Staff will maintain current CPR, AED certification and participate in blood borne pathogen training; all current systems including PA, window tinting and will be maintained.			
<b>Objectives</b>	<b>Action Steps</b>	<b>Resources</b>	<b>Lead Person</b>	<b>Evaluation</b>
To provide a first response to medical emergencies within the limits of training and to protect staff, volunteers and students from bio-hazardous materials.	Provide CPR and AED training 8/2018; all staff current per legal requirements at this time;  Continue to monitor and use PA system; fire and burglar alarms; surveillance system; tinted windows and all-call phone system  Install smoke detectors by 8/1/2017	General fund for all current safety measure already in place;  Parent volunteer training for August	Superintendent/ Principal, with support from school nurses; and local first responder volunteers	Project completion – Ongoing  August Staff meeting minutes- 2018

<b>Component:</b>	Health & Safety			
<b>Element:</b>	Emergency shut-offs for water and electricity			
<b>Opportunity for Improvement:</b>	Staff must know how to access and turn off utilities in the event of an emergency.			
<b>Objectives</b>	<b>Action Steps</b>	<b>Resources</b>	<b>Lead Person</b>	<b>Evaluation</b>
All staff will be able to locate emergency shut-off equipment for utilities; the items necessary to turn valves as needed and to be able to turn off utilities.	Work with custodian and local emergency responders to locate shut-off areas;  Train staff;  Keys to areas and equipment are readily available	Local Fire Department, parent volunteers, custodian   No cost	Superintendent/ Principal  Custodian	All staff will be able to locate emergency water main valves near the back gate   On-going

<b>Component:</b>	Health & Safety			
<b>Element:</b>	Emergency Communication System			
<b>Opportunity for Improvement:</b>	Review walkie-talkies for efficiency and cost for EACH classroom and front office: up to 11 walkie-talkies; train all staff to use PA system in each classroom			
<b>Objectives</b>	<b>Action Steps</b>	<b>Resources</b>	<b>Lead Person</b>	<b>Evaluation</b>
Create viable communication emergency communication between classrooms and / or between all staff at any time	<p>Review types of walkie-talkies appropriate to our needs;</p> <p>Determine costs and utilization aspects</p> <p>Request funds from PTC if appropriate</p> <p>Provide first aid fanny packs for minor incidents</p> <p>Explore safety features: blinds, automatically locking doors</p>	General Fund 8900 local revenue (SaveMart, MAA, etc)	Superintendent/ Principal	Review and purchase appropriate devices by 8-30-2017

<b>Component:</b>	Health & Safety			
<b>Element:</b>	Positive School Climate			
<b>Opportunity for Improvement:</b>	Continue to promote an atmosphere of kindness and personal responsibility; award students who make good choices and demonstrate kindness to others on a regular basis.			
<b>Objectives</b>	<b>Action Steps</b>	<b>Resources</b>	<b>Lead Person</b>	<b>Evaluation</b>
Count everyday acts of kindness.. Recognize and award acts of kindness and positive character traits borrowed from Character Counts	<p>Use Toodle Wall for students to record acts;</p> <p>Award monthly class prize to most acts of kindness.</p> <p>Award monthly individual kindness award.</p>	<p>Funding</p> <p>General Fund, lottery, instructional materials</p> <p>PTC</p>	<p>Student Council</p> <p>Dr. Skulina and Mrs. Dickens</p>	<p>Review materials created by SSC;</p> <p>Dispensing awards;</p> <p>Continued positive climate at school</p>

<p>Create an award or positive reinforcement of some sort, including awards at school-wide assemblies.</p>	<p>Monthly character trait awards. Kindness Shout-Outs Cyber-Safety training for students and parents</p>			
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<b>Component:</b>	Health & Safety			
<b>Element:</b>	Community Awareness and Support			
<b>Opportunity for Improvement:</b>	Collaboration with local community agencies such as the Stanislaus Consolidated Fire District (Knights Ferry), Municipal Advisory Council and Community Club is important in the event off-site evacuation or major emergency.			
<b>Objectives</b>	<b>Action Steps</b>	<b>Resources</b>	<b>Lead Person</b>	<b>Evaluation</b>
<p>Ensure that school personnel knows where to evacuate in the event that an off-site evacuation is necessary; Review needs and supplies such as keys to Community Club, are available to all. Solicit community support and awareness.</p>	<p>Share safety plan with local fire fighters. Develop new evacuation routes and plans for off-site evacuations and situations. Share safety plan with MAC and Community Club.</p>	<p>No funding required; volunteers</p>	<p>Superintendent / Principal</p>	<p>The Community Club is the local evacuation point in the event of a campus evacuation.</p>

## **(I) School Discipline Rules and Consequences (EC 35291 and EC 35291.5)**

### **Knights Ferry Student Conduct Code**

*School rules exist for the purpose of facilitating a safe learning environment at school. Generally, these rules are:*

- **Classroom Rules that are uniform across all grade levels**
  - Respect others. Be kind with your words and actions.
  - Respect School and Personal Property
  - Listen carefully and thoughtfully
  - Do your best everyday
  - Help others do their best everyday
  
- **General School Rules**
  - Students are to be courteous and respectful to other students and staff at all times.
  - Students will be courteous and respectful to those in charge at all times.
  - Students are to respect school property. School property is to be used only for the purpose for what it is intended.
  - Students are to practice proper table manners while eating meals in the cafeteria. Students will enter and exit in an orderly fashion. They will eat in assigned areas. Students are not to take others food.
  - Respect the privilege of using the library. Loud talking is not permitted.
  - Students are to play on the playground where there is supervision. Students are not play in the restrooms, in the hallways or in the classrooms.
  - Gum is not allowed at school.
  - Students are to comply with all school rules:
    - No student is to be in the multipurpose room without a staff member present.
    - Standards of good courtesy are expected during assemblies.

- Fighting is not tolerated at school. In the event of a dispute, the superintendent- principal or designee will investigate the incident and assign the appropriate disciplinary action which may include suspension and up to expulsion depending on the Education Code violation and overall situation.
- Toys are not allowed at school without the consent of the superintendent- principal or designee.
- Equipment or personal items such as roller blades, skateboards, etc. are not allowed at school without the approval of the superintendent- principal or designee. Jacks, marbles, jump ropes, tennis balls, Nerf balls and mitts with the student's name labeled on them are examples of acceptable items to be brought from home. The student assumes responsibility for these items if they are lost or stolen.
- Electronic devices, e.g. iPods, CD's, CD players, radios, cameras, games, etc., are not allowed at school without the consent of the superintendent or designee. Cell phones must be turned off and put away while at school. Other valuable items (such as expensive jewelry and/or items of sentimental value) should not be brought to school. Students should maintain the ability of a direct-line-of-sight to their backpacks/possessions when these items are not locked or stowed in a secured area.
- Weapons or replicas of weapons are not allowed. These include, but are not limited to guns, knives, water pistols or any object fashioned into a weapon. Certain exceptions for instructional purposes may apply with specific and prior approval by the superintendent- superintendent/principal or designee.

• **Posted, KNIGHTS FERRY SCHOOL PLAYGROUND RULES**

1. All students will show RESPECT to all adults, other students, and all property
2. Students will use appropriate language at all times and be considerate of others feelings.
3. Students will keep their hands, feet, and objects to themselves.
4. All students are expected to use common sense and follow the school rules.
  - a. Students will walk in corridors/designated areas
  - b. Students will not loiter around bathrooms and drinking fountains.
  - c. Students will run and play ball in designated areas only
  - d. Students will use equipment [balls, jump ropes, hula-hoops etc.] as intended
  - e. No playing with balls after bells or in line [balls should be left in designated area: ball bins on upper blacktop
  - f. No tag in bark area or on the blacktop. Tag only on lower grassy area
  - g. No jumping from playground equipment or swings.
  - h. Use swings appropriately
  - i. No playing out of sight of the Supervisor
  - j. No closed games unless closed by the Supervisor
  - k. Eating allowed only in designated area
  - l. Trading of Pokemon cards is not allowed at school.

Any additional rules and/ or directions given by a  
Supervisor are to be followed at all times.

The use of Knights Ferry School District computer equipment is a privilege for which all users accept responsibility. Inappropriate conduct in the use of this equipment includes but is not limited to:

- Damage, vandalism or theft of equipment
- Piracy: altering and/or theft of software
- Use of systems to transmit computer viruses
- Accessing, communicating or printing information that is deemed inappropriate in nature by school personnel
- Plagiarism
- Any conduct in violation of school rules

The Knights Ferry School District staff members will determine what is appropriate and inappropriate use of computer equipment and their decision is final. Any student involved in inappropriate use of any computer equipment will be referred to the superintendent/principal or designee for disciplinary action and may lose the privilege to access any or all computer equipment for the remainder of the school year. In addition, parents may be held responsible for damages to any Knights Ferry School District computer equipment incurred during the course of inappropriate action by a student.

### **Conduct Code Violation Procedures**

Knights Ferry students may be referred to the Superintendent/Principal by school personnel using a Knights Ferry School Office Visit Form

### **Consequences for Violations (may be cumulative)**

- \*All staff may give warnings
- \*Restitution / apology
- \*All staff may give recess detention or “bench” a child for minor violations
- \*Students frequently benched at recess for short periods of time may be given full lunch or recess detention in the office as determined by principal
- \*After school detention as determined by principal or teacher
- \*In-house suspension based on Ed Code violation and principal determination
- \*Out-of-school suspension based on Ed Code violation and principal determination
- \*Expulsion based on Ed Code violation and principal determination

### ***Safety Plan Review, Evaluation and Amendment Procedures***

The Knights Ferry Elementary School comprehensive safety plan will be reviewed, evaluated and amended (if necessary) each school year.

Pursuant to Education Code Section 35294.6[a], Knights Ferry Elementary School District adopted this annual comprehensive school safety plan at the regular meeting of the Board of Trustees held **March 9, 2017**. An opportunity for public comment was also provided during this meeting, prior to the plan’s adoption.

An updated file containing all safety related plans and materials are available for public inspection in the Knights Ferry School Office. Documentation of this meeting will be filed alongside the plan then recorded in Appendix B, and may include the meeting agenda, minutes and copies of materials provided for the plan presentation.

**Safety Plan Appendices**

*(FOUO: For Official Use Only)*

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**Appendix A: Emergency Contact Numbers –**

**Utilities, Responders and Communication Resources**

<b>Vendor</b>	<b>Number</b>	<b>Comments</b>
PG&E	1(800) 743-5000	Outages
Alert Now	1(800) 947-1515	Emergency Notification Phone System
County Public Works	525-6550 or 575-5235	Water Emergency
Sheriff- Riverbank	9-1-1 or 869-7162	*24 Hour Non-Emergency
Animal Control	847-5625 or 847-2231	
Child Welfare Service	558-3665	
Tree Trimming (Public Works)	525-4130	Hazardous limbs/fallen trees
County Health Dept.	558-7000	
Fire Station	9-1-1 or 847-6898 or 881-3358	
American Red Cross	523-6451	Disaster Assistances
<b>Radio Stations</b>	523-7756 or 766-5000	KATM
WeTip	800-78-CRIME, 800-47-ARSON and 800-US-FRAUD	

Staff Contact information is available in the crisis response clipboard.

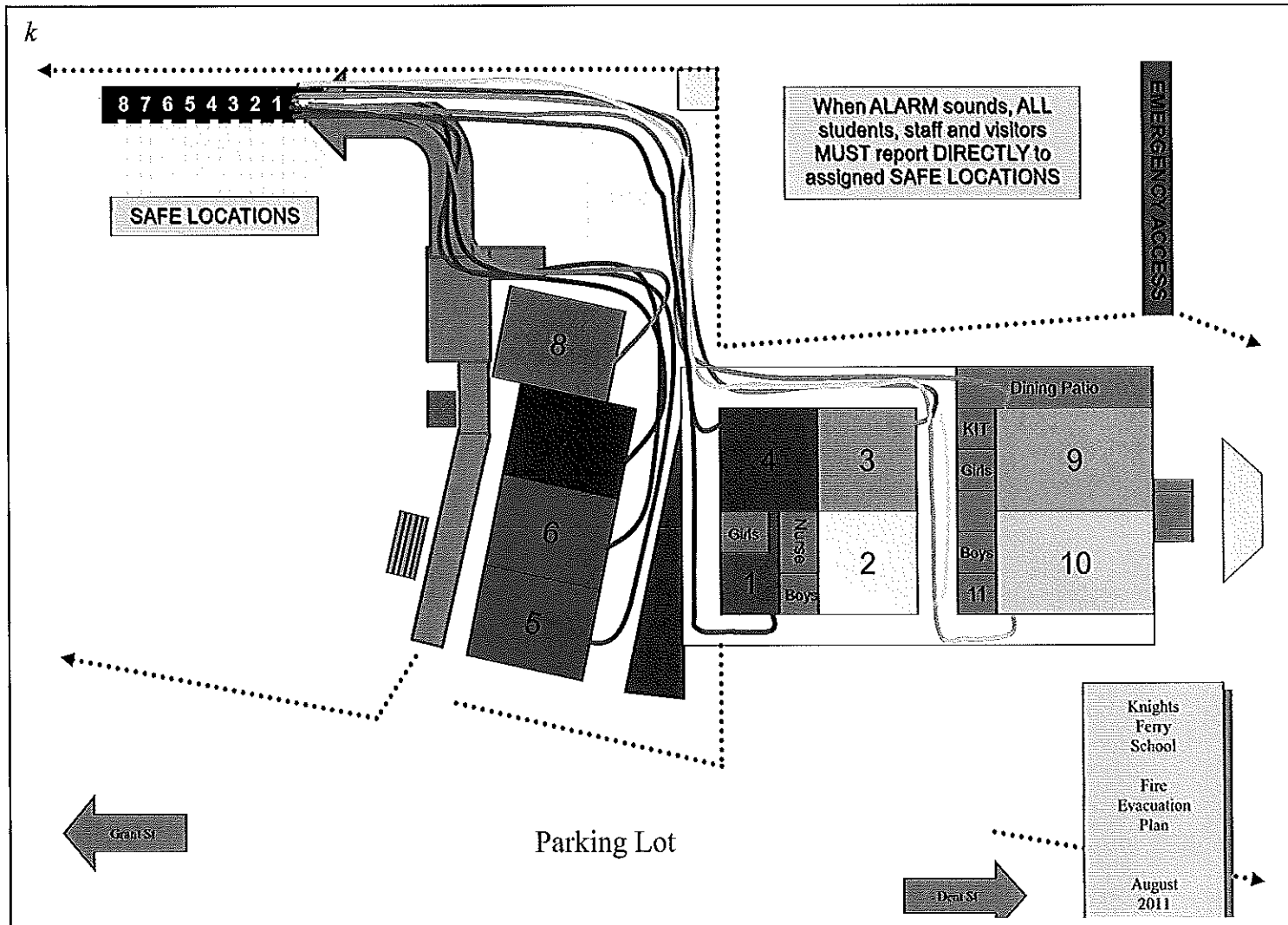


**Appendix B: Safety Plan Review, Evaluation and Amendment Procedures**

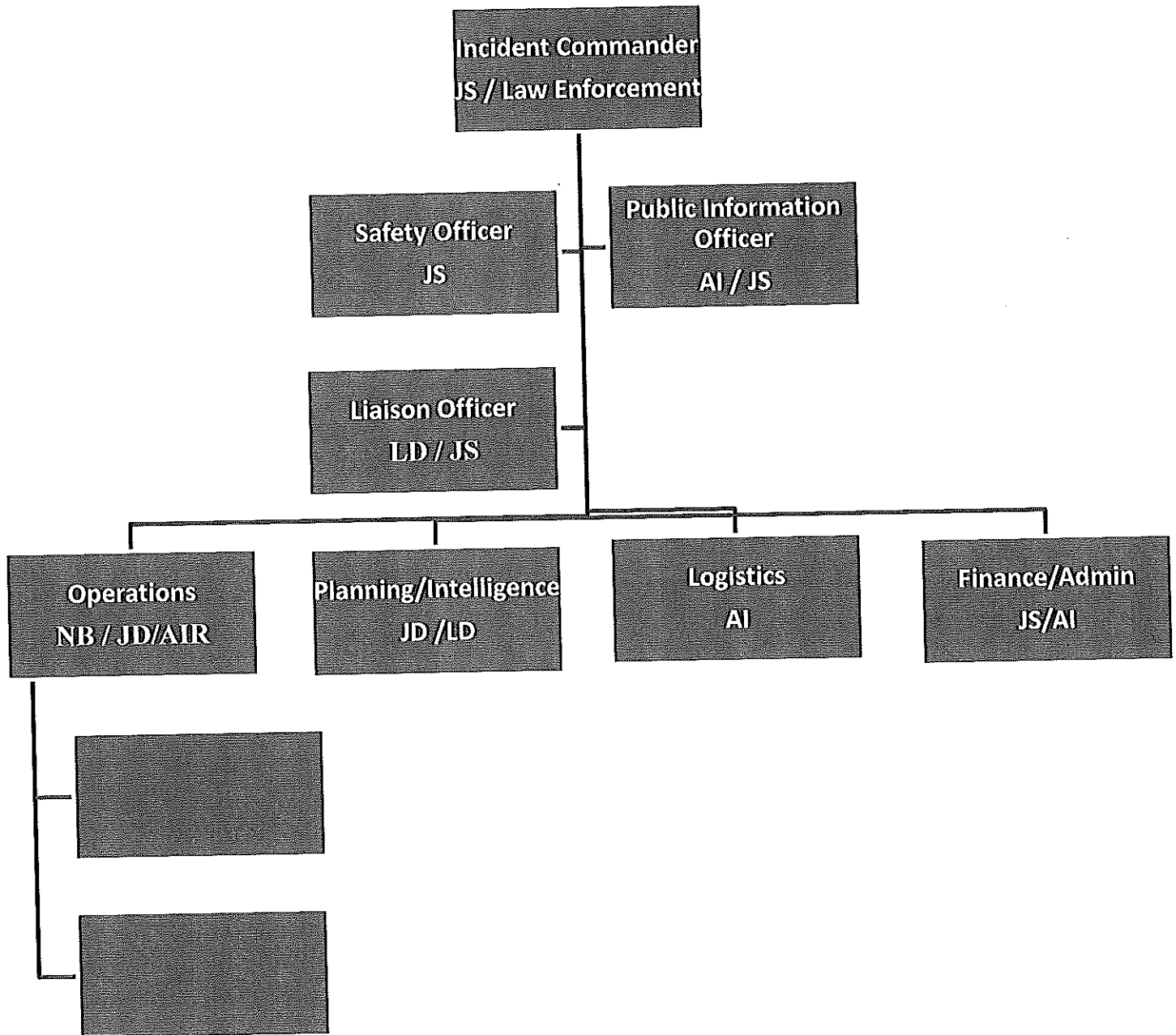
Activity Description <i>(i.e. review steps, meetings conducted, approvals, etc)</i>	Date and Time	Attached Document <i>(description and location)</i>
Safety Assessment	2-3-2017	Stanislaus County Sheriff's Department
Safety Assessment CRSIG	10-13-2015	Completed by CRSIG
Safety Assessment/School	2-16-2017	Review of proposed new goals
Safety Plan Meeting	2-6-2017 2-13-2017	Parent discussion Teachers and parents review (including First Responders)
Board Meeting	3-9-17	
Safety Plan Development Training School Crisis Response Training	1-26-2016	Superintendent / Principal

# Appendix C: Emergency On-Campus Evacuation Map

Insert Current map



**Appendix D: Knights Ferry School Incident Command System**



## **Standardized Emergency Response Management System Overview**

The California Standardized Emergency Management System (SEMS) is designed to centralize and coordinate emergency response through the use of standardized terminology and processes. This greatly facilitates the flow of information and resources among the agencies participating in response to an emergency. SEMS consists of five functions:

### **Management**

During an emergency, the Incident Commander directs response actions from a designated Command Post. To effectively do this, the Incident Commander must constantly assess the situation, and develop and implement appropriate strategies. The Incident Commander must be familiar with the available resources, accurately document all response actions, and effectively communicate response strategies to others participating in the response. This function is typically filled by the school principal. The principal is assisted in carrying out this function by a Public Information & Liaison Officer and Safety Officer.

### **Planning & Intelligence**

Planning and Intelligence involves the use of various methods to efficiently gather information, weigh and document the information for significance, and actively assess the status of the emergency. This understanding and knowledge about the situation at hand is vital to the effective management of a response. These activities are performed by a single person who reports directly to the Incident Commander.

### **Operations**

All response actions are implemented under by Operations. This includes staff performing first aid, crisis intervention, search and rescue, site security, damage assessment, evacuations, and the release of students.

### **Logistics**

Logistics supports the response by coordinating personnel; assembling and deploying volunteers; providing supplies, equipment, and services; and facilitating communications among emergency responders.

### **Finance & Administration**

Finance & Administration involves the purchasing of all necessary materials, tracking financial records, timekeeping for emergency responders, and recovering school records following an emergency. These activities are performed by a single person who reports directly to the Incident Commander.

## ***Appendix E: Emergency Response Guidelines***

### **STEP ONE: IDENTIFY THE TYPE OF EMERGENCY**

The first response to an emergency is to determine the type of emergency that has occurred. Procedures for 17 different types of emergencies are listed in the following section.

### **STEP TWO: IDENTIFY THE LEVEL OF EMERGENCY**

The second step in responding to an emergency is to determine the level of the emergency. For schools, emergency situations can range from a small fire to a major earthquake. To assist schools in classifying emergency situations, there is a three-tiered rating below:

- **Level 1 Emergency:** A *minor* emergency that is handled by school personnel without the assistance from outside agencies, e.g., a temporary power outage, a minor earthquake, or a minor injury in the play yard.
- **Level 2 Emergency:** A *moderate* emergency that requires assistance from outside agencies, such as a fire or a moderate earthquake, or a suspected act of terrorism involving a potentially hazardous material, e.g., “unknown white powder.”
- **Level 3 Emergency:** A *major* emergency event that requires assistance from outside agencies such as a major earthquake, civil disturbance or a large-scale act of terrorism. For Level 3 emergencies, it is important to remember that the response time of outside agencies may be seriously delayed.

### STEP THREE: DETERMINE THE IMMEDIATE RESPONSE ACTION

Once the type and extent of an emergency have been identified, school personnel can determine if an *immediate response action* is required. The most common immediate response actions initiated during school emergencies are:

- **Duck & Cover:** Students and staff protect themselves by crouching under a table, desk, or chair until the danger passes.
- **Shelter in Place:** Students and staff are kept indoors in order to isolate them from the outdoor environment.
- **Lock Down:** Students and staff are kept in a designated locked area with blinds closed and lights off sitting quietly until a danger has passed, such as an intruder being on campus.
- **Evacuate Building:** Students and staff are escorted outside to an assembly area if it has been determined that it is too dangerous to remain indoors.
- **Evacuate Campus:** Students and staff are escorted to an off-site assembly area if it has been determined that it is too dangerous to remain on campus.
- **All Clear:** Notification is given that normal school operations should resume.
- **Alice Training/Run, Hide, Fight:** Students and staff protect themselves by using these steps; 1st step: run, second step: hide, 3rd step: fight.

### STEP FOUR: COMMUNICATE THE APPROPRIATE RESPONSE ACTION

Once the type of *immediate response action* is determined, the incident commander must immediately inform the site’s staff which response action to take. The most appropriate method of communication depends on the response action selected. When announcing what response to take, avoid codes, jargon, or any other potentially confusing vocabulary. Be calm, direct, and clear in your announcements.

- **Duck & Cover:** Immediately use the site’s school-wide communication system to instruct students and staff to protect themselves by moving into a “duck & cover” position by crouching under a table, desk, or chair until the danger passes. Time is the most urgent matter with this response action as the emergency may take place before the announcement can be made. However, do not assume that all members of the site are already in a “duck & cover” position. Make the announcement even if the immediate crisis has passed.
- **Shelter in Place:** Immediately use the site’s school-wide communication system to instruct students and staff that they are to stay indoors until further notice, even if the heating and air conditioning system is disabled.
- **Lock Down:** Immediately use the site’s school-wide communication system to instruct staff to lock all exterior doors, to close any open windows along with blinds, and to keep students as far away as possible from any windows until further notice

- **Evacuate Building:** Immediately use the site's fire alarm bell system to notify students and staff that they are to proceed to the site's outside assembly area.
- **Evacuate Campus:** Using school-wide communication system notify staff that they are to evacuate to a pre-determined site off campus immediately.
- **All Clear:** Use the site's school-wide communication system to notify staff and students that normal school operations should resume.

## ***Appendix F: Types of Emergencies & Specific Procedures***

### ***AIRCRAFT CRASH***

The administrator or designee will initiate appropriate actions, which may include Duck & Cover, Shelter-in-Place, Evacuate Building, or Evacuate Campus depending on the nature of the accident, the location of damage, and the existence of any chemical and/or fuel spills.

### ***ANIMAL DISTURBANCE***

This procedure should be implemented when the presence of a coyote, mountain lion, or any other wild animal threatens the safety of students and staff. The administrator or designee will initiate appropriate actions, which may include but not be limited to Shelter In Place or Evacuate Building, depending on the level of threat.

### ***ARMED ASSAULT ON CAMPUS***

This involves one or more individuals who attempt to take hostages or cause physical harm to students and staff. Such an incident may involve individuals who possess a gun, a knife or other harmful item. The administrator or designee will decide the appropriate response, which may include Shelter-in-Place, Lock Down, Evacuate Building, or Evacuate Campus.

### ***BIOLOGICAL OR CHEMICAL RELEASE***

This is an incident involving the discharge of a biological or chemical substance in a solid, liquid, or gaseous state. Such incidents may also include the release of radioactive materials. Common chemical threats within or adjacent to schools include the discharge of acid in a school laboratory, an overturned truck of hazardous materials in proximity of the school, or an explosion at a nearby oil refinery or other chemical plant. The following indicators may suggest the release of a biological or chemical substance: Multiple victims suffering from watery eyes, twitching, choking or loss of coordination, or having trouble breathing. Other indicators may include the presence of distressed animals or dead birds. The administrator or designee will initiate appropriate actions, which may include Shelter-in-Place or Evacuate Building.

### ***BOMB THREAT / THREAT OF VIOLENCE***

This occurs upon the discovery of a suspicious package on campus grounds or receipt of a threatening phone call that may or may not present a risk of an explosion. If the threat is received by telephone, the person receiving the call should attempt to keep the caller on the telephone as long as possible and alert someone else to call the Stanislaus County Sheriff's Department at 209-525-7114 or 911. The person answering the threat call should ask the questions listed on the "Bomb Threat Checklist." During a bomb threat, cellular phones and/or handheld radios should not be used because their transmission could set off a radio-controlled bomb. The fire alarm and school bells should also be silenced so that they do not set off a radio-controlled bomb. Do not turn on or off the electricity to a building because this could set off a photoelectric bomb. The administrator or designee will initiate appropriate actions, which may include Duck & Cover, Lock Down, Evacuate Building, or Evacuate Campus.

## **DISORDERLY CONDUCT**

This involves a student or staff member exhibiting threatening or irrational behavior who does not have a weapon. The administrator or designee will initiate appropriate actions, which may include Shelter-in-Place, Lock Down, Evacuate Building, or Evacuate Campus.

## **EARTHQUAKE**

Earthquakes occur without warning and may cause minor to serious ground shaking, damage to buildings, and injuries. It is important to note that even a mild tremor can create a potentially hazardous situation. The administrator or designee will initiate appropriate actions, which may include Duck & Cover, Evacuate Building, or Evacuate Campus.

## **EXPLOSION OR RISK OF EXPLOSION**

This involves an explosion on school property, the risk of an explosion on school property, an explosion or risk of explosion near the school, or a nuclear explosion involving radioactive materials. The administrator or designee will initiate appropriate actions, which may include Duck & Cover, Shelter-in-Place, Evacuate Building, or Evacuate Campus.

## **FIRE IN SURROUNDING AREA**

This procedure addresses the situation where a fire is discovered in an area adjoining the school. The initiated response actions should take into consideration the location and size of the fire, its proximity to the school and the likelihood that the fire may affect the school. After calling the local fire department in an effort to determine the seriousness of the fire, the administrator or designee will initiate appropriate actions, which may include Shelter-in-Place, Evacuate Building, or Evacuate Campus.

## **FIRE ON SCHOOL GROUNDS**

This procedure addresses situations where a fire is discovered on school grounds. A quick response to this situation is very important to prevent injuries and further property damage. Upon discovery of a fire, teachers or staff will direct all occupants out of the building, signal the fire alarm, and report the fire to the administrator or designee. The administrator or designee will immediately initiate the Evacuate Building action (fire alarm). If the size of the fire is beyond the control of staff on site, call 911 for immediate assistance from the fire department.

## **FLOODING**

This applies whenever storm water or other sources of water inundate or threaten to inundate school grounds or buildings. Flooding may occur as a result of prolonged periods of rainfall, where the school would have sufficient time to prepare. Alternatively, flooding may occur without warning, as a result of damage to water distribution systems, or a failure of a nearby man-made dam. The administrator or designee will initiate appropriate actions, which may include Shelter-in-Place, Evacuate Building, or Evacuate Campus.

## **LOSS OR FAILURE OF UTILITIES**

This addresses situations involving a loss of water, power or other utility on school grounds. This procedure should also be used in the event of the discovery of a gas leak, an exposed electrical line, or a break in sewer lines. The administrator or designee will initiate appropriate actions, which may include Shelter-in-Place or Evacuate Building.

## ***MOTOR VEHICLE CRASH***

This procedure addresses situations involving a motor vehicle crash on or immediately adjacent to school property. Given the nature of the crash, there may also be a danger from a fuel spill, which should be considered when deciding which action(s) to take. The administrator or designee will initiate appropriate actions, which may include Duck & Cover, Shelter-in-Place, Evacuate Building, or Evacuate Campus.

## ***PSYCHOLOGICAL TRAUMA***

When the administrator or designee determines that there has been an event that causes a psychological impact on students and/or staff, such as an act of violence; the death of a student or staff member; an earthquake or other natural disaster; a serious environmental problem; or ethnic and racial tensions, he or she should document conditions provide immediate assistance as necessary, and contact Stanislaus County of Education, County Behavioral Health, and / or Oakdale Unified School district for services such as counseling on campus and counseling referrals. Emergencies like those described above usually produce one or more of the following conditions: temporary disruption of regular school functions and routines, significant interference with the ability of students and staff to focus on learning, physical and/or psychological injury to students and staff, and concentrated attention from the community and news media. As a result of such emergencies, students and staff may exhibit a variety of psychological reactions. As soon as the physical safety of those involved has been insured, attention must turn to meeting the emotional and psychological needs of students and staff.

## ***SUSPECTED CONTAMINATION OF FOOD OR WATER***

This involves the suspected contamination of food or water. This procedure applies where there is evidence of tampering with food packaging, observation of suspicious individuals in proximity to food or water supplies, or if notified of possible food/water contamination by central District staff or local agencies. Indicators of contamination may include unusual odor, color, taste, or multiple employees with unexplained nausea, vomiting, or other illnesses. The administrator or designee will isolate the suspected contaminated food/water to prevent consumption, and will restrict access to the area. Second, the administrator or designee will notify the district safety coordinator of the problem and await further instructions. Meanwhile, a list will be made of all potentially affected students and staff, which will be provided to responding authorities. Law enforcement should be contacted if there is evidence of individuals purposefully contaminating the food or water source.

## ***UNLAWFUL DEMONSTRATION OR WALKOUT***

An unlawful demonstration or walkout is any unauthorized assemblage on or off campus by staff or students for the purpose of protest or demonstration. Upon indication that an unlawful demonstration or walkout is about to begin, personnel should immediately notify the administrator or designee. The administrator or designee will initiate the Shelter-in-Place action. Students who ignore this action and leave campus shall be asked to sign his or her name and record address, telephone number and time entered or departed. The main gate should not be locked, as a locked gate may create a serious hazard for students leaving or attempting to re-enter the campus. If students leave the campus, the administrator or designee will designate appropriate staff members to accompany them. This staffs members will attempt to guide and control the actions of students while offsite. The administrator or designee should proceed in good judgment on the basis of police or other legal advice, in taking action to control and resolve the situation.



July					August					September				
M	T	W	TH	F	M	T	W	TH	F	M	T	W	TH	F
3	4	5	6	7		1	2	3	4					1
10	11	12	13	14	7	8	9	10	11	4	5	6	7	8
17	18	19	20	21	14	15	16	17	18	11	12	13	14	15
24	25	26	27	28	21	22	BTS 23	24	25	18	19	20	21	22
31					28	29	30	31		25	26	27	28	29

October					November					December				
M	T	W	TH	F	M	T	W	TH	F	M	T	W	TH	F
2	3	4	5	D/F 6			1	2	T1 3					REN 1
9	10	11	12	JOG 13	6	7	8	RC 9	10	4	5	6	7	8
16	17	18	19	20	PCW 13	PCW 14	PCW 15	PCW 16	PCW 17	11	12	13	14	15
23	24	25	26	27	20	21	22	23	24	18	19	20	WP 21	22
30	HP 31				27	28	29	30		25	26	27	28	29

January					February					March				
M	T	W	TH	F	M	T	W	TH	F	M	T	W	TH	F
1	2	3	4	5				1	2				KR 1	T2 2
8	9	10	11	12	5	6	7	8	9	5	6	7	8	RC 9
15	16	17	18	D/F 19	12	13	14	15	16	12	13	14	15	16
22	23	24	25	26	20	21	22	23	24	19	20	21	22	23
29	30	31			26	27	28			26	27	28	D/F 29	30

April					May					June				
M	T	W	TH	F	M	T	W	TH	F	M	T	W	TH	F
2	3	4	5	6		1	2	3	4					1
9	10	11	12	13	7	8	9	10	SL 11	4	Koro 5	GRD 6	7	8
16	17	18	19	20	14	15	16	17	LST 18	11	12	13	14	15
23	24	25	PSN 26	27	21	HRT 22	23	24	25	18	19	20	21	22
30					28	29	30	31		25	26	27	28	29

- = Students in School (Regular Days)
  - = Holidays
  - = Students in School (Min. Days - Staff Develop. Days, 1:15 - 4 pm)
  - = Students in School (Minimum Days)
  - = Teacher work day
  - = Teacher & Aide Work Day/ staff development (non instructional days)
  - = Trimester Ends (1 & 2)
  - = Report Cards Home
- |                                   |                                 |                         |
|-----------------------------------|---------------------------------|-------------------------|
| KR= Kindergarten Registration     | PIC = School Pictures           | 8TH = 8th Grade Trip    |
| BTS = Back to School Night        | JOG = Jog-A-Thon                | BT = Band Trip          |
| SL = Staff Appreciation Luncheon  | PCW = Parent Conference Week    | HRT = Honor Roll Trip   |
| D/F = D&F Notices for 4th-8th Gr. | REN = Renaissance Assby, 2 pm   | LST = Lunch Server Trip |
| CMP = 6th Grade Camp              | PSN = Public School Night, 6 pm | GRD = Graduation, 7 pm  |
| WP = Winter Program, 6:30pm       | TF = Thanksgiving Feast         | K promotion 5 pm        |

School Begins - August 16, 2017  
 School Ends - June 7, 2018  
 1st Trimester: Nov 3, 2017 59  
 2nd Trimester: March 2, 2018 63  
 3rd Trimester: June 7, 2018 58  
**TOTAL STUDENT DAYS = 180**  
**TOTAL CONTRACT DAYS = 183**

**NOTE:** \*PIC Meetings are held the 2nd Wednesday at 3pm of each month unless otherwise stated due to holidays.  
 \*Board Meetings are held the 2nd Thursday at 5:30 pm of each month unless otherwise stated.

**Knights Ferry Elementary School District  
2017-2018**

**VERSION B**

July					August					September				
M	T	W	TH	F	M	T	W	TH	F	M	T	W	TH	F
3	4	5	6	7		1	2	3	4					1
10	11	12	13	14	7	8	9	10	11	4	5	6	7	8
17	18	19	20	21	14	15	16	17	18	11	12	13	14	15
24	25	26	27	28	21	22	BTS 23	24	25	18	19	20	21	22
31					28	29	30	31		25	26	27	28	29

October					November					December				
M	T	W	TH	F	M	T	W	TH	F	M	T	W	TH	F
2	3	4	5	D/F 6			1	2	T1 3					REN 1
9	10	11	12	JOG 13	6	7	8	RC 9	10	4	5	6	7	8
16	17	18	19	20	PCW 13	PCW 14	PCW 15	PCW 16	TF 17	11	12	13	14	15
23	24	25	26	27	20	21	22	23	24	18	19	20	WP 21	22
30	HP 31				27	28	29	30		25	26	27	28	29

January					February					March				
M	T	W	TH	F	M	T	W	TH	F	M	T	W	TH	F
1	2	3	4	5				1	2				KR 1	T2 2
8	9	10	11	12	5	6	7	8	9	5	6	7	8	RC 9
15	16	17	18	D/F 19	12	13	14	15	16	12	13	14	15	16
22	23	24	25	26	20	21	22	23	24	19	20	21	22	23
29	30	31			26	27	28			26	27	28	D/F 29	30

April					May					June				
M	T	W	TH	F	M	T	W	TH	F	M	T	W	TH	F
2	3	4	5	6		1	2	3	4					1
9	10	11	12	13	7	8	9	10	SL 11	4	5	6	7	8
16	17	18	19	20	14	15	16	17	LST 18	11	12	13	14	15
23	24	25	PSN 26	27	21	HRT 22	23	24	25	18	19	20	21	22
30					28	29	KPR 30	GRD 31		25	26	27	28	29

= Students in School (Regular Days)	= Holidays	= Students in School (Min. Days - Staff Develop. Days, 1:15 - 4 pm)
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**Knights Ferry Elementary School District  
2017-2018**

VERSION C

**July**

M	T	W	TH	F
3	4	5	6	7
10	11	12	13	14
17	18	19	20	21
24	25	26	27	28
31				

**August**

M	T	W	TH	F
	1	2	3	4
7	8	9	10	11
14	15	16	17	18
21	22	BTS 23	24	25
28	29	30	31	

**September**

M	T	W	TH	F
				1
4	5	6	7	8
11	12	13	14	15
18	19	20	21	22
25	26	27	28	29

**October**

M	T	W	TH	F
2	3	4	5	D/F 6
9	10	11	12	JOG 13
16	17	18	19	20
23	24	25	26	27
30	31			

**November**

M	T	W	TH	F
		1	2	T1 3
6	7	8	RC 9	10
PCW 13	PCW 14	PCW 15	PCW 16	PCW 17
20	21	22	23	24
27	28	29	30	

**December**

M	T	W	TH	F
				REN 1
4	5	6	7	8
11	12	13	14	15
18	19	20	WP 21	22
25	26	27	28	29

**January**

M	T	W	TH	F
1	2	3	4	5
8	9	10	11	12
15	16	17	18	D/F 19
22	23	24	25	26
29	30	31		

**February**

M	T	W	TH	F
			1	2
5	6	7	8	9
12	13	14	15	16
20	21	22	23	24
26	27	28		

**March**

M	T	W	TH	F
			KR 1	T2 2
5	6	7	8	RC 9
12	13	14	15	16
19	20	21	22	23
26	27	28	D/F 29	30

**April**

M	T	W	TH	F
2	3	4	5	6
9	10	11	12	13
16	17	18	19	20
23	24	25	PSN 26	27
30				

**May**

M	T	W	TH	F
	1	2	3	4
7	8	9	10	SL 11
14	15	16	17	LST 18
21	HRT 22	23	24	25
28	29	30	31	

**June**

M	T	W	TH	F
				1
Kp10 4	GRD 5	6	7	8
11	12	13	14	15
18	19	20	21	22
25	26	27	28	29

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	= Holidays
	= Students in School (Min. Days - Staff Develop. Days, 1:15 - 4 pm)
	= Students in School (Minimum Days)
	= Teacher work day
	= Teacher & Aide Work Day/ staff development (non instructional days)
<b>T1 &amp; 2</b>	= Trimester Ends (1 & 2)
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BACKGROUND

Oakdale Joint Unified provides meal service to all students of the district. We participate in the National School Lunch Program (NSLP) which aides in our ability to provide nutritional and cost effective meals to our students.

ANALYSIS

The district regularly reviews the fiscal health of the Food Service program to ensure meal prices cover actual operating costs of the program. Additionally, the NSLP requires the District to compare the average price per meal charged to the Federal meal reimbursement rate. If the comparison determines that the price per meal charged is less than the Federal reimbursement rate, the District is required to raise prices. The new proposed prices reflect the required minimum increase per California Department of Education, Nutrition Services Division, Management Bulletin NSD-SNP-16-2012.

**Oakdale Joint Unified School District**  
168 South Third Avenue, Oakdale, California 95361  
(209) 848-4884 office (209) 847-0155 fax

**FOOD SERVICE AGREEMENT**

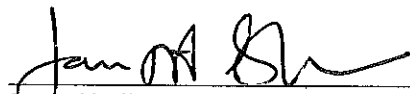
This agreement between the Oakdale Joint Unified School District, hereinafter referred to as DISTRICT and the Knights Ferry School District, hereinafter referred to as KFSD is made for the purpose of preparing meals which meet the National School Lunch meal requirements. It is hereby agreed that:

- DISTRICT shall prepare lunches which meet the National School Lunch Program meal requirements. Lunches must comply with the nutritional standards for lunches as established by the United States Department of Agriculture.
- DISTRICT shall provide the necessary utensils, straws and napkins.
- DISTRICT shall prepare the lunches at the Central Kitchen. This preparation site shall maintain the appropriate state and local health certificates for the facility.
- The number of lunches prepared by DISTRICT shall be equal to the number of lunches requested by KFSD. KFSD shall notify the Central Kitchen of the number of lunches needed no later than 8:30 a.m. each day.
- DISTRICT shall provide all equipment necessary to transport the lunches.
- DISTRICT shall be responsible for transporting the lunches from the Central Kitchen.
- DISTRICT shall be responsible for the condition or care of said meals until KFSD accepts delivery/receipt and DISTRICT shall be responsible for maintaining the proper temperature of the meals components until they are delivered.
- DISTRICT shall provide KFSD at the beginning of each month, a monthly menu covering the lunches to be served for that month.
- DISTRICT shall represent the KFSD as the "Sponsor" including the lunch participation as part of the National School Lunch Program in the process of claiming reimbursement from the California Department of Education.
- A monthly report must be sent by KFSD to the DISTRICT's Director of Food Service on the last day of each month which will include number of students enrolled, and number of approved free and reduced applications on site. The cost per student lunch is \$2.95.
- The KFSD shall comply with all rules and regulations pertaining to the National School Lunch Program as outlined by the state and federal authorities. All applications and eligibility requirements will be handled at the site by KFSD, subject to audit.

- Gifts of exchanges of commodities are not permitted. Until it is consumed by the students, the food prepared remains the property of the state and federal government and the DISTRICT. It cannot be sold, given away, or exchanged for other goods.
- The KFSD shall indemnify and hold the DISTRICT and its officers, employees and agents harmless from any and all liability, cost or expense arising out of the performance of the agreement.
- The DISTRICT shall keep and maintain liability insurance including extended coverage for product liability in an amount no less than \$1,000,000.00 and specify that the coverage shall not be canceled or modified without 30 days prior written notice to KFSD.
- KFSD and DISTRICT shall comply with all applicable federal, state, and local statutes and regulations with regard to the preparation and consumption of meals which meet the National School Lunch Program meals requirements, including, but not limited to, all applicable regulations relating to the overt identification of needy pupils, the nutritious content of meals, and nondiscrimination. All records maintained by KFSD and DISTRICT shall be open to inspection by proper federal, state and local authorities in accordance with applicable statutes and regulations.
- The term of this agreement shall be from July 1, 2017, until June 30, 2018, unless terminated by either party upon 30 days written notice with cause.
- All business and information relating to the execution of this agreement and the services thereof, including kitchen visitations, shall be directed to the Director of Food Services, DISTRICT.

KNIGHTS FERRY SCHOOL DISTRICT

OAKDALE JOINT UNIFIED  
SCHOOL DISTRICT



Janet Skulina  
District Superintendent

Susan Dyke  
Chief Business Officer

Date: 3-3-17

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