

HEALTH CARE AND EMERGENCIES

The Board of Trustees recognizes the importance of taking appropriate action whenever an emergency threatens the safety, health or welfare of a student at school or during school-sponsored activities. The Superintendent or designee shall ask parents/guardians to provide emergency information in order to facilitate immediate contact with parents/guardians if an accident or illness occurs.

(cf. 5141.1 - Accidents)

Resuscitation Orders

The Board believes that staff members should not be placed in the position of determining whether or not to follow any parental or medical "do not resuscitate" orders. Staff shall not accept or follow any such orders unless they have been informed by the Superintendent or designee that the request to accept such an order has been submitted to the Superintendent or designee, signed by the parent/guardian, and supported by a written statement from the student's physician and an order from an appropriate court.

The Superintendent or designee shall ensure that all parents/guardians are informed of this policy.

Legal Reference:

EDUCATION CODE

49407 *Liability for treatment*

49408 *Information for use in emergencies*

FAMILY CODE

6550-6552 *Caregivers*

HEALTH CARE AND EMERGENCIES

Emergency Information

Parents/guardians shall furnish the schools with the current information specified below:

1. Home address and telephone number
2. Parent/guardian's business address and telephone number
3. Name, address and telephone number of a relative or friend who is authorized by the parent/guardian to care for the student in cases of emergency when the parent/guardian cannot be reached
4. Local physician to call in case of emergency

Under Education Code 49407, no school district shall be held liable for the reasonable treatment of a student without the consent of the parent/ guardian when the student requires medical treatment and the parent/guardian cannot be reached, unless a written objection to medical treatment has been filed with the school district.

Consent by Caregiver

Persons 18 years of age and older who file with the district a completed caregiver's authorization affidavit shall have the right to consent to or refuse school-related medical care for a district student. The caregiver's authorization shall be valid for one year after the date on which it is executed. The caregiver's decision shall be superseded by any contravening decision of the parent or other person having legal custody of the student, provided that this contravening decision does not jeopardize the student's life, health or safety. (Family Code 6550)

School-related medical care is medical care that is required by state or local governmental authority as a condition for school enrollment, including immunizations, physical examinations, and medical examinations conducted in schools for students. (Family Code 6550)

(cf. 5111.1 – District Residency)

ACCIDENTS

Although the district makes every reasonable effort to prevent student accidents and injuries, accidents occur. The Superintendent or designee shall develop procedures to ensure that first aid and/or medical attention is provided as quickly as possible and that parents/guardians are notified of accidents.

Universal precautions shall be observed whenever it is possible that students, employees or others may have contact with blood or body fluids as a result of the accident.

(cf. 4119.43/4219.43/4319.43 - Universal Precautions)

Mouthpieces, resuscitation bags or other ventilation devices shall be available at each school and during athletic competitions in the event that resuscitation is necessary.

(cf. 6145.2 - Athletic Competition)

District staff shall appropriately report and document student accidents.

(cf. 3530 - Risk Management/Insurance)

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

(cf. 5142 - Safety)

(cf. 5143 - Insurance)

Legal Reference:

EDUCATION CODE

32040-32044 First aid equipment

49300-49307 School safety patrols

49408 Emergency information

49409 Athletic events; physicians and surgeons; emergency medical care; immunity

49470 Medical and hospital services for athletic program

49471 Medical and hospital services not provided or available

49472 Medical and hospital services for pupils

49474 Ambulance services

51202 Instruction in personal and public health and safety

CODE OF REGULATIONS, TITLE 8

5193 California Bloodborne Pathogens Standard

ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS

The Board of Trustees recognizes that some students may need to take medication prescribed by a health care provider during the school day in order to be able to attend school. The Superintendent or designee shall develop processes for the administration of medication to such students by school personnel.

(cf. 5141.24 - Specialized Health Care Services)
(cf. 6159 - Individualized Education Plan)

When the Superintendent or designee has received written statements from a student's authorized health care provider and parent/guardian, prescribed medication may be administered by the school nurse or other designated school personnel. (Education Code 49423; 5 CCR 600)

(cf. 3530 - Risk Management/Insurance)

School staff who administer medication to students, including anaphylactic injections, shall receive training from qualified medical personnel on how such medication should be administered as well as training in the proper documentation and storage of the medication.

Staff authorized to administer the medication shall do so in accordance with administrative regulations and shall be afforded appropriate liability protection.

If the parent/guardian so chooses, he/she may administer the medication to his/her child. In addition, the parent/guardian may designate another individual who is not a school employee to administer the medication to the student.

Upon written request by the parent/guardian and with the approval of the student's health care provider, a student with a medical condition that requires frequent monitoring, testing or treatment may be allowed to self-administer, self-monitor, or self-test. The student shall observe universal precautions in the handling of blood and bodily fluids.

(cf. 4119.43/4219.43/4319.43 - Universal Precautions)
(cf. 5141 - Health Care and Emergencies)
(cf. 5141.23 - Infectious Disease Prevention)

Legal Reference: (see next page)

ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS
(continued)

Legal Reference:

EDUCATION CODE

48980 *Notification at beginning of term*

49407 *Liability for treatment*

49408 *Emergency information*

49414 *Emergency epinephrine auto-injectors*

49414.5 *Providing school personnel with voluntary emergency training*

49423 *Administration of prescribed medication for student*

49423.5 *Specialized health care services*

49426 *School nurses*

49480 *Continuing medication regimen; notice*

BUSINESS AND PROFESSIONS CODE

2700-2837 *Nursing, especially:*

2726 *Authority not conferred*

2727 *Exceptions in general*

CODE OF REGULATIONS, TITLE 5

600-611 *Administering medication to students*

Management Resources:

NATIONAL DIABETES EDUCATION PROGRAM PUBLICATIONS

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

WEB SITES

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

ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS

Definitions

Authorized health care provider means an individual who is licensed by the State of California to provide medication. (5 CCR 601)

Other designated school personnel may include any individual employed by the district who has consented to administer the medication or otherwise assist the student, and who may legally administer the medication. (5 CCR 601)

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)

Parent/Guardian Responsibilities

Before a designated employee administers or assists in the administration of any prescribed medication to any student during school hours, the district shall have a written statement from the student's authorized health care provider and a written statement from the student's parent/guardian initiating such a request. (Education Code 49423; 5 CCR 600)

The authorized health care provider's written statement shall clearly:

1. Identify the student
2. Identify the medication
3. Specify the dosage
4. Specify the period of time during which the medication is to be taken
5. Contain the name, address, telephone number and signature of the authorized health care provider

The parent/guardian shall annually provide the Superintendent or designee a new written statement from the designated health care provider. In addition, the parent/guardian shall provide a new statement whenever there is a change in the student's health care provider or change in medication or dosage, method, date or time which the medication is required to be taken, or any other change in the student's circumstances.

The parent/guardian's written statement shall:

1. Identify the student

ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS

(continued)

2. Grant permission for the authorized district representative to communicate directly with the student's authorized health care provider, as may be necessary, regarding the health care provider's written statement or any other question about the medication
3. Contain an acknowledgment that the parent/guardian understands how district employees will administer or otherwise assist the student in the administration of medication
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 and 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
5. Contain an acknowledgment that the parent/guardian may terminate consent for such administration at any time

Parents/guardians shall provide medications in a properly labeled, original container along with the physician's instructions. For prescribed medication, the container shall bear the name and telephone number of the pharmacy, the student's identification, name and phone number of the physician, and physician's instructions. Medications that are not in their original container shall not be accepted or administered. Medications shall be delivered to the school by the parent/guardian, unless the Superintendent or designee authorizes another method of delivery.

The parent/guardian of a student on a continuing medication regimen for a nonepisodic condition shall inform the school nurse or other designated certificated employee of the medication being taken, the current dosage and the name of the supervising physician.

Parents/guardians may request in writing that their child be allowed to self-administer, monitor or treat his/her existing medical condition. The parent/guardian shall also provide a written statement from the student's authorized health care provider, as specified above. The statement shall acknowledge that the student is capable of self-administering the medication and that the student's health care provider has trained the student in self-administration.

A parent/guardian may designate an individual who is not an employee of the district to administer medication to his/her child as long as the individual is clearly identified, willing to accept the designation, permitted to be on the school site, and any limitations on the individual's authority are clearly established. The parent/guardian shall provide a written statement designating the individual and containing the information required above.

ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS
(continued)

Designated Employee/District Responsibilities

The school nurse or designated employee shall:

1. Administer or assist in administering the medication in accordance with the authorized health care provider's written statement
2. Accept delivery of medication from the student's parent/guardian, including counting and recording the medication upon receipt
3. Maintain a list of students needing medication during the school day, including the type of medication, times and dosage, as well as a list of students who are authorized to self-administer medication
4. Maintain a medication log documenting the administration of medication including the student's name; name of medication the student is required to take; dose of medication; method by which the student is required to take the medication; time the medication is to be taken during the regular school day; date(s) on which the student is required to take the medication; authorized health care provider's name and contact information; and a space for daily recording of medication administration

The daily record shall contain the date, time, amount of medication administered and signature of the individual administering the medication.

5. Maintain a medication record including 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

(cf. 5125 - Student Records)

7. Coordinate the administration of medication during field trips and after-school activities
8. Report any refusal of a student to take his/her medication to the parent/guardian
9. Keep all medication in a locked drawer or cabinet
10. Communicate with the authorized health care provider regarding the medication and its effects

ADMINISTERING MEDICATION AND MONITORING HEALTH CONDITIONS

(continued)

11. 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.
12. Ensure that unused, discontinued and outdated medication is returned to the student's parent/guardian where possible or, if the medication cannot be returned, is disposed of in accordance with state laws and local ordinances by the end of the school year

At the beginning of each school year, the Superintendent or designee shall notify parent/guardians that students who need to take prescribed medication during the school day may be assisted by a school nurse or designated school personnel as long as the district receives a written statement from the student's physician and parent/guardian in accordance with law, Board policy and administrative regulation: (Education Code 48980, 49423)

(cf. 5145.6 - Parental Notifications)

The Superintendent or designee shall inform all parents/guardians of the following requirements: (Education Code 49480)

1. The parent/guardian of a student on a continuing medication regimen for a nonepisodic condition shall 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 drug on the student's physical, intellectual and social behavior, as well as possible behavioral signs and symptoms of adverse side effects, omission or overdose.

INFECTIOUS DISEASES

The Board of Trustees desires to protect students from risks posed by exposure to infectious diseases while providing an appropriate education for all students.

The Superintendent or designee shall determine whether to admit a student with an infectious disease, and shall exclude students only in accordance with law. In making this determination, he/she shall consult the student's parents/guardians, the student's physician and/or the county health department, in accordance with law and consistent with confidentiality provisions. Because bloodborne pathogens such as hepatitis B virus, hepatitis C virus and human immunodeficiency virus (HIV) are not casually transmitted, the sole presence of bloodborne pathogens is not sufficient reason to exclude students from attending school.

- (cf. 5112.2 - Exclusions from Attendance)*
- (cf. 5141.26 - Tuberculosis Testing)*
- (cf. 5141.3 - Health Examinations)*
- (cf. 6158 - Independent Study)*
- (cf. 6159 - Individualized Education Program)*
- (cf. 6183 - Home/Hospital Instruction)*

Parents/guardians are encouraged to inform the Superintendent or designee if their child has an infectious disease so that school staff may work cooperatively with the student's parents/guardians to minimize the child's exposure to other diseases in the school setting. The Superintendent or designee shall ensure that student confidentiality rights are strictly observed in accordance with law. No district employee shall release medical information, including knowledge of a bloodborne pathogen infection, without written consent from the parent/guardian or adult student. Such information shall be shared only with those persons specifically named in the written permission.

- (cf. 5125 - Student Records)*
- (cf. 5022 - Student and Family Privacy Rights)*

The Board requires students and staff to routinely observe universal precautions to prevent exposure to bloodborne pathogens and to prevent the spread of all infectious disease.

- (cf. 4119.42/4219.42/4319.42 - Exposure Control Plan for Bloodborne Pathogens)*
- (cf. 4119.43/4219.43/4319.43 - Universal Precautions)*
- (cf. 5141.23 - Infectious Disease Prevention)*

The Superintendent or designee shall ensure that the district's health education program provides information about the nature of bloodborne pathogens and their transmission.

- (cf. 5141.6 - Student Health and Social Services)*
- (cf. 6142.2 - Sexual Health and HIV/AIDS Prevention Instruction)*
- (cf. 6142.8 - Comprehensive Health Education)*

INFECTIOUS DISEASES (continued)

Legal Reference:

EDUCATION CODE

48210-48216 *Persons excluded*

49073-49075 *Privacy of pupil records*

49076 *Access to records by persons without written consent or under judicial order*

49403 *Cooperation in control of communicable disease and immunization of students*

49405 *Smallpox control*

49406 *Examination for tuberculosis (employees)*

49408 *Information of use in emergencies*

49450 *Rules to insure proper care and secrecy*

49451 *Parent's refusal to consent to medical exam*

49602 *Confidentiality of student information*

CALIFORNIA CONSTITUTION

Article 1, Section 1 Right to Privacy

CIVIL CODE

56-56.37 *Confidentiality of Medical Information Act*

1798-1798.76 *Information Practices Act*

HEALTH AND SAFETY CODE

120230 *Exclusion for communicable disease*

120325-120380 *Immunization against communicable diseases*

120875-120895 *AIDS information*

120975-121020 *Mandated blood testing and confidentiality to protect public health*

120980 *Unauthorized disclosures*

121010 *Disclosure to certain persons without written consent*

121475-121520 *Tuberculosis tests for pupils*

CALIFORNIA CODE OF REGULATIONS, TITLE 8

5193 *Bloodborne pathogen standards*

UNITED STATES CODE, TITLE 20

1232g *Family Educational and Privacy Rights Act*

1400-1482 *Individuals with Disabilities Education Act*

UNITED STATES CODE, TITLE 29

794 *Section 504 of the Rehabilitation Act of 1973*

COURT DECISIONS

Phipps v. Saddleback Valley Unified School District, (1988) 204 Cal. App. 3d 1110

Doe v. Belleville Public School District, (1987) 672 F.Supp. 342

Thomas v. Atascadero Unified School District, (1987) 662 F.Supp. 376

Management Resources:

WEB SITES

CDE: <http://www.cde.ca.gov>

California Department of Health Services: <http://www.dhs.ca.gov>

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

NSBA, School Health Programs: <http://www.nsba.org/schoolhealth/>

INFECTIOUS DISEASE PREVENTION

The Board of Trustees encourages the Superintendent or designee to work with parents/guardians and local health agencies and organizations to develop a comprehensive approach to disease prevention.

- (cf. 1020 - Youth Services)*
- (cf. 5141.31 - Immunizations)*
- (cf. 5141.6 - Student Health and Social Services)*
- (cf. 6142.2 - Sexual Health and HIV/AIDS Prevention Instruction)*
- (cf. 6142.8 - Comprehensive Health Education)*

The Superintendent or designee shall regularly review resources available from health experts to ensure that district programs are based on the most up-to-date information about healthful practices.

To protect students from contact with potentially infectious blood or other body fluids and prevent the spread of infectious disease, universal precautions shall be observed throughout the school environment.

- (cf. 4119.42/4219.42/4319.42 - Exposure Control Plan for Bloodborne Pathogens)*
- (cf. 4119.43/4219.43/4319.43 - Universal Precautions)*
- (cf. 5141.22 - Infectious Diseases)*

The Superintendent or designee shall inform students of the precautions to be used in cases of exposure to blood or other body fluids through injury, accident or classroom instruction.

- (cf. 5141.1 - Accidents)*
- (cf. 6145.2 - Athletic Competition)*

Legal Reference:

- EDUCATION CODE
- 49403 Cooperation in control of communicable disease and immunization of pupils*
- 51202 Instruction in personal and public health and safety*
- CODE OF REGULATIONS, TITLE 8
- 5193 California bloodborne pathogens standard*
- CODE OF REGULATIONS, TITLE 17
- 2500-2508 Communicable disease reporting requirements*

Management Resources:

- CDE PROGRAM ADVISORIES
- 1016.89 Guidelines for Informing School Employees about Preventing the Spread of Infectious Diseases, including Hepatitis B and AIDS/HIV Infections and Policies for Dealing with HIV-Infected Persons in School Settings*
- WEB SITES
- Centers for Disease Control and Prevention: <http://www.cdc.gov>*

INFECTIOUS DISEASE PREVENTION

Exposure to Blood During Classroom Instruction

Before students work with blood, blood products or other body fluids, the teacher shall explain the potentially hazardous nature of blood and body fluids in the transmission of various agents from one person to another, and the specific procedures and safety precautions to be used in the lesson.

The following precautions shall be used when students are working with blood or other body fluids:

1. Before and after exposure to blood or other body fluids, students shall wash their hands with soap and water, and cover any existing cut, wound or open sore with a sterile dressing.
2. Students shall wear gloves or other personal protective equipment as appropriate.
3. Blood typing or similar experiments may be conducted by teacher demonstrations. When being performed individually, students shall work with their own blood or use prepackaged ABO/Rh blood cell kits that have vials of blood previously tested for transmissible agents.
 - a. Students shall use individual sterile lancets for finger punctures and shall not reuse them.
 - b. Before the finger is punctured, it shall be wiped with a piece of cotton that has been immersed in alcohol.
 - c. If bleeding persists after the finger is punctured, the student shall apply a sterile bandage using moderate pressure.
4. Lancets and any other materials contaminated with blood or body fluids shall be discarded into a solution consisting of one part bleach to 10 parts water (1:10), made fresh daily.
5. At the end of the class, surfaces shall be wiped with alcohol or a solution of one part bleach to 10 parts water.

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

(cf. 4119.43/4219.43/4319.43 - Universal Precautions)

(cf. 6142.2 - Sexual Health and HIV/AIDS Prevention Instruction)

(cf. 6142.8 - Comprehensive Health Education)

(cf. 6142.93 - Science Instruction)

(cf. 6143 - Courses of Study)

SPECIALIZED HEALTH CARE SERVICES

The Board of Trustees is aware that some district students may require specialized physical health care services during the school day in order to attend school. In accordance with the student's individualized education program or written accommodation plan, trained and qualified personnel shall perform these services under the supervision of a school nurse, public health nurse or licensed physician.

(cf. 0430 - Comprehensive Local Plan for Special Education)
(cf. 6164.6 - Identification and Education under Section 504)

Legal Reference:

EDUCATION CODE

49423.5 *Specialized physical health care services*

56000-56606 *Special Education Programs*

CODE OF REGULATIONS, TITLE 5

3051.12 *Health and Nursing Services*

UNITED STATES CODE, TITLE 20

1400-1482 *Individuals with Disabilities Education Act*

UNITED STATES CODE, TITLE 29

701-795a. *Rehabilitation Act*

794 *Rehabilitation Act of 1973, Section 504*

CODE OF FEDERAL REGULATIONS, TITLE 34

300.24 *Related services*

Management Resources:

CDE PUBLICATIONS

Guidelines and Procedures for Meeting the Specialized Physical Health Care Needs of Pupils (The Green Book)

SPECIALIZED HEALTH CARE SERVICES

The parent/guardian of students who require specialized physical health care services during the school day shall provide a written request for the needed physical health care service. (5 CCR 3051.12(b)(3)(E)) This request shall include:

1. The student's name, address and phone number
2. The physician's name, address and phone number
3. The needed health care procedure
4. Statement authorizing qualified school personnel to perform the procedure, as approved by the physician (5 CCR 3051.12(b)(3)(E))
5. Statement agreeing to notify the school immediately of any change in the child's regimen or the authorizing physician
6. Statement agreeing to provide all supplies needed for the procedure

The student's physician shall submit a written statement authorizing the administration of the specified physical health care service (5 CCR 3051.12(b)(3)(E)) This statement shall indicate:

1. The student's name and address
2. Condition for which treatment is to be given
3. Specific procedure to be given (5 CCR 3051.12)
4. Time schedules for the procedure (5 CCR 3051.12)
5. Precautions, possible untoward reactions and recommended intervention

(cf. 5125 - Student Records)

The program administrator shall name the qualified school personnel who will perform the service in accordance with standardized procedures.

A qualified school nurse, public health nurse or licensed physician and surgeon shall supervise physical health care services in the school setting in accordance with law. (Education Code 49423.5; 5 CCR 3051.12)

SPECIALIZED HEALTH CARE SERVICES (continued)

Qualified personnel shall be trained in accordance with law. They shall possess a current valid certificate from an approved program in cardiopulmonary resuscitation and shall be able to demonstrate current knowledge of community emergency medical resources and skill in the use of equipment and the performance of techniques necessary to provide specialized health care services. (Education Code 49423.5; 5 CCR 3051.12(b)(1)(C))

Schools shall provide appropriate accommodations for safety and necessary physical care services. The student's personal privacy and dignity shall be assured. (5 CCR 3051.12)

Staff designated to perform the specialized service shall maintain and sign a daily record of these services on a district form. (5 CCR 3051.12(b)(1)(E)) This form shall be kept either in the student's classroom or in the school health office, depending on the health services being provided.

TUBERCULOSIS TESTING

The Board of Trustees recognizes that tuberculosis poses a public health threat. Treatment of active cases of this disease is the most effective means of controlling its spread.

The number of tuberculosis cases in our county is on the rise. The County Public Health Officer therefore requires tuberculosis testing, and follow-up if appropriate, before students enter school.

The Superintendent or designee may require a tuberculosis skin test when qualified medical personnel reasonably suspect that a student has active tuberculosis. If there is an outbreak of tuberculosis at any school, the Superintendent or designee may require all students at the school to undergo tuberculosis skin tests.

Students known to have had a positive tuberculosis skin test shall be excluded from school until they provide evidence of a follow-up x-ray and appropriate medical care or are no longer suspected of having active tuberculosis.

(cf. 5112.2 - Exclusions from Attendance)
(cf. 5141.3 - Health Examinations)

All district staff shall receive information on how tuberculosis is spread and how it can be prevented and treated.

(cf. 4119.43/4219.43/4319.43 - Universal Precautions)
(cf. 5141.22 - Infectious Diseases)
(cf. 5141.23 - Infectious Disease Prevention)

Legal Reference:

EDUCATION CODE

49450 Rules to insure proper care and secrecy

49451 Parent's refusal to consent

HEALTH AND SAFETY CODE

120230 Exclusion of persons from school

120875 Providing information to school districts on AIDS, AIDS-related conditions and Hepatitis B

120880 Information to employees of school district

121475-121520 Tuberculosis tests for pupils

TUBERCULOSIS TESTING

The following protocol shall be followed for any student who has a positive TB skin test:

1. The parent/guardian must provide the school with the results of a chest x-ray before the student enters class. If no x-ray has been done, the parent/guardian shall be given a TB follow-up form to take to his/her personal physician or to the county public health office. The student must then obtain a chest x-ray and bring proof that the film was taken for school entry.
2. If the TB form is not returned with x-ray results within two weeks, the Superintendent or designee shall contact the student and family for information about the x-ray report.
3. If the student is found to have active infectious tuberculosis on chest x-ray and sputum tests, the student shall not be admitted to school until a physician's note is presented, showing that the student is free of communicable tuberculosis. (Health and Safety Code 121485, 121495)
4. If the x-ray is negative and the student admitted, the Superintendent or designee may contact the student and family again in four to six weeks to determine that they have followed through with a medical appointment for the INH preventive medication program, if indicated.

HEALTH EXAMINATIONS

The Board of Trustees recognizes that periodic health examinations of students may lead to the detection and treatment of conditions that impact learning. Health examinations also may help in determining whether special adaptations of the school program are necessary.

In addition to verifying that students have complied with legal requirements for health examinations and immunizations before enrolling in school, the district shall administer tests for vision, hearing and scoliosis as required by law.

(cf. 5141.26 - Tuberculosis Testing)
(cf. 5141.31 - Immunizations)
(cf. 5141.32 - Child Health and Disability Prevention Program)
(cf. 5141.6 - Student Health and Social Services)

The Superintendent or designee shall ensure that staff employed to examine students exercise proper care of each student and that examination results are kept confidential. Records related to these examinations shall be available only in accordance with law.

(cf. 5125 - Student Records)

Reports to the Board regarding the number of students found to have physical problems and the effort made to correct them shall in no way reveal the identity of students.

Legal Reference:

- EDUCATION CODE
- 44871-44879 *Employment qualifications*
- 49400-49413 *General powers-school boards (re pupil health)*
- 49422 *Supervision of health and physical development*
- 49450-49457 *Physical examinations (of pupils)*
- 49460-49466 *Development of standardized health assessments*
- HEALTH AND SAFETY CODE
- 120325-120380 *Immunization against communicable diseases*
- 121475-121520 *Tuberculosis tests for pupils*
- CODE OF REGULATIONS, TITLE 5
- 590-596 *Vision screening*
- 3027 *Hearing and vision screening for special education*
- 3028 *Audiological screening*

HEALTH EXAMINATIONS

The principal at each school shall notify parents/guardians of the rights of students and parents/guardians related to health examinations. (Education Code 48980)

(cf. 5145.6 - Parental Notifications)

A parent/guardian may annually file a written statement with the principal withholding consent to the physical examination of his/her child. The child shall be exempt from any physical examination but shall be subject to exclusion from attendance when contagious or infectious disease is reasonably suspected. (Education Code 49451)

(cf. 5112.2 - Exclusions from Attendance)

(cf. 5141.22 - Infectious Diseases)

Vision and Hearing Tests

Students shall have their vision and hearing tested by qualified personnel authorized by the district. (Education Code 49452, 49454)

All students shall be tested for visual acuity when they first enroll in elementary school and every three years thereafter until the student completes grade 8. External observations of the student's eyes, visual performance and perception shall be made by the school nurse and the classroom teacher. (Education Code 49455)

For male students, color vision shall be tested one time, after the student reaches grade 1. Results of the test shall be entered into the student's health record. (Education Code 49455)

Evaluation of a student's vision may be waived at the parent/guardian's request if the parent/guardian presents a certificate from either a medical doctor or an optometrist specifying the results of an examination of the student's vision including visual acuity, and, in male students, color vision. (Education Code 49455)

Visual defects or any other defects found as a result of the vision examination shall be reported to the parent/guardian with a request that remedial action be taken to correct or cure the defect. If made in writing, such reports shall not include a referral to any private practitioner, and the report of a visual defect shall be made on a form prescribed by the Superintendent of Public Instruction. (Education Code 49456)

The student may be referred to a public clinic or diagnostic and treatment center operated by a public hospital or by the state, county or city department of public health. (Education Code 49456)

HEALTH EXAMINATIONS (continued)

Scoliosis Screening

Each female student in grade 7 and each male student in grade 8 shall be screened for scoliosis. This screening shall comply with California Department of Education standards and shall be performed by qualified personnel as specified in law. (Education Code 49452.5)

Persons performing the screening shall not solicit, encourage or advise treatment of the student for scoliosis or any other condition discovered in the course of the screening. (Education Code 49452.5)

The parent/guardian of any student suspected of having scoliosis shall receive a notice which includes an explanation of scoliosis and describes the significance of treatment at an early age. This notice shall also describe the public services available for treatment and include a referral to appropriate community resources. (Education Code 49452.5)

IMMUNIZATIONS

To protect the health of all students and staff and to curtail the spread of infectious diseases, the Board of Trustees desires to cooperate with state and local health agencies to encourage immunization of all district students against preventable diseases.

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

(cf. 5141.22 - Infectious Diseases)

(cf. 5141.23 - Infectious Disease Prevention)

Students entering a district school or child care and development program, or transferring between school campuses, shall present an immunization record which shows at least the month and year of each immunization in accordance with law. Students shall be excluded from school or exempted from immunization requirements only as allowed by law.

(cf. 5112.1 - Exemptions from Attendance)

(cf. 5112.2 - Exclusions from Attendance)

(cf. 5148 - Child Care and Development)

Each transfer student shall present his/her immunization record certifying that he/she has received all required immunizations currently due before he/she is admitted to school.

The Superintendent or designee may arrange for qualified medical personnel to administer immunizations at school to any student whose parent/guardian has consented in writing. (Education Code 49403)

(cf. 5141.3 - Health Examinations)

(cf. 5141.6 - Student Health and Social Services)

(cf. 5145.6 - Parental Notifications)

Legal Reference: (see next page)

IMMUNIZATIONS (continued)

Legal Reference:

EDUCATION CODE

46010 Total days of attendance

48216 Immunization

48980 Required notification of rights

49403 Cooperation in control of communicable disease and immunizations

HEALTH AND SAFETY CODE

120325-120380 Immunization against communicable disease especially:

120335 Immunization requirement for admission

120440 Disclosure of immunization information

CODE OF REGULATIONS, TITLE 17

6000-6075 School attendance immunization requirements

Management Resources:

DEPARTMENT OF HEALTH SERVICES

Commonly Asked Questions About the New School Immunization Requirements, March 1999

WEB SITES

CDE: <http://www.cde.ca.gov>

California Department of Health Services: <http://www.dhs.ca.gov>

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

IMMUNIZATIONS

The Superintendent or designee shall not unconditionally admit any student to a district school or child care and development program unless that student has presented documentation of full immunization. (Health and Safety Code 120335)

(cf. 5141.22 - Infectious Diseases)
(cf. 5141.23 - Infectious Disease Prevention)
(cf. 5148 - Child Care and Development)

At the beginning of the school year, the Superintendent or designee shall notify parents/guardians of the rights of students and parents/guardians relating to immunizations under Education Code 49403. (Education Code 48980)

(cf. 5145.6 - Parental Notifications)

Immunizations for Grades K-12

Students entering the district in grades kindergarten through 12 shall have received the following immunizations: (Health and Safety Code 120335; 17 CCR 6020)

1. Measles, mumps and rubella (MMR) vaccine
 - a. Students entering at the kindergarten level shall have received two doses on or after the first birthday, except one dose may be a measles-only vaccine.
 - b. Mumps vaccine shall not be required for students age seven or older.
 - c. Students entering or advancing to seventh grade shall be required to have a second dose of measles-containing vaccine if they have not previously obtained a second dose.
2. Diphtheria, tetanus and pertussis (whooping cough) vaccine (DTP or DTaP)
 - a. Five doses shall be required for students ages four through six. However, four doses shall meet the requirement if at least one dose was given on or after the fourth birthday.
 - b. Four doses shall be required for students age seven or older. However, three doses shall meet the requirement if at least one dose was given on or after the second birthday.
 - c. Pertussis immunization shall not be required for students age seven or older.
 - d. A tetanus and diphtheria (Td) shot is recommended but not required for seventh-grade students who have not had a booster within the past five years.

IMMUNIZATIONS (continued)

3. Poliomyelitis (polio) vaccine

Four doses shall be required at any age. However, three doses shall meet the requirement for ages four through six if at least one dose was given on or after the fourth birthday, and three doses shall meet the requirement for ages seven to seventeen if at least one dose was given on or after the second birthday.

4. Hepatitis B vaccine

- a. Three doses shall be required for entry into kindergarten.

Students admitted at the kindergarten level or below before August 1, 1997, shall be exempt from this requirement.

- b. Students shall not be unconditionally admitted or advanced to seventh grade unless they have been fully immunized against hepatitis B. A student who has previously had three doses of hepatitis B vaccine at any age before seventh grade shall not be required to receive any additional shots.

5. Varicella (chickenpox) vaccine

Any student admitted at the kindergarten level or above before July 1, 2001, shall be exempt from this requirement for school entry.

Students who skipped kindergarten shall meet immunization requirements for hepatitis B and a second measles dose prior to entering first grade.

Students transferring into the district at a grade other than kindergarten or seventh grade shall be exempt from the requirement for a second measles dose or hepatitis B immunization.

Immunizations Below Kindergarten Level

Children younger than age four years, six months shall have received haemophilus influenza type b (Hib meningitis) vaccine. (Health and Safety Code 120335)

Other immunization requirements for children below kindergarten level depend on the child's age as specified in 17 CCR 6020.

IMMUNIZATIONS (continued)

Exemptions

Exemption from immunization requirements is allowed when: (Health and Safety Code 120365, 120370, 120375; 17 CCR 6051)

1. The student's parent/guardian states in writing that immunization is contrary to his/her beliefs.

(cf. 6141.2 - Recognition of Religious Beliefs and Customs)

2. The student's parent/guardian provides a written statement by a licensed physician that the physical condition or medical circumstances of the student are such that immunization is unsafe or is permanently not indicated.

However, if there is good cause to believe that the student has been exposed to one of the communicable diseases listed above, the student may be temporarily excluded from school until the local health officer is satisfied that the student is no longer at risk of developing the disease. (Health and Safety Code 120365)

Exclusions Due to Lack of Immunizations

Any student without the required evidence of immunization may be excluded from school until the immunization is obtained or until the student presents a letter or affidavit of exemption from his/her parent/guardian or physician.

(cf. 5112.2 - Exclusions from Attendance)

(cf. 6183 - Home and Hospital Instruction)

Before a student is excluded from school attendance because of lack of immunization, the Superintendent or designee shall notify the parent/guardian that he/she has 10 school days in which to supply evidence of proper immunization or an appropriate letter of exemption. This notice shall refer the parent/guardian to the child's usual source of medical care. (Education Code 48216; 17 CCR 6040)

If no usual source of medical care exists, the parent/guardian shall be referred to the county health department. (Education Code 48216)

The Superintendent or designee shall exclude from further attendance any student who fails to obtain the required immunization within 10 school days following receipt of the parent/guardian notice specified above, unless the student is exempt from immunization for medical reasons or personal beliefs. The student shall remain excluded from school until he/she has received another dose of each required vaccine due at that time. The student shall also be reported to the attendance supervisor or principal. (17 CCR 6055)

IMMUNIZATIONS (continued)

Conditional Enrollment

The Superintendent or designee may conditionally admit a student with documentation from a physician that: (Health and Safety Code 120340; 17 CCR 6000, 6035)

1. He/she has received some but not all required immunizations and is not due for any vaccine dose at the time of admission
2. He/she has a temporary exemption from immunization for medical reasons

The Superintendent or designee shall notify the student's parents/guardians of the date by which the student must complete all the remaining doses when they become due as specified in 17 CCR 6035.

The Superintendent or designee shall review the immunization record of each student admitted conditionally every 30 days until that student has received all the required immunizations. If the student does not receive the required immunizations within the specified time limits, he/she shall be excluded from further attendance until the immunizations are received. (Health and Safety Code 120375; 17 CCR 6070)

Records

The Superintendent or designee shall record each new entrant's immunizations in the mandatory permanent student record. District staff shall maintain the confidentiality of immunization records and may disclose such information to state and local health departments only in accordance with law. (Health and Safety Code 120375, 120440; 17 CCR 6070)

(cf. 5125 - Student Records)

CHILD HEALTH AND DISABILITY PREVENTION PROGRAM

When parents/guardians enroll their children in kindergarten, the district shall inform them about their obligation to obtain or waive a health screening for their children before they enter first grade. The district shall also inform them about the availability of free health screening for low-income children, as provided under the Child Health and Disabilities Prevention Program, and about the evaluation services and other benefits provided under Division 106, Part 2, Chapter 3, Article 6 of the Health and Safety Code. (Health and Safety Code 124100, 124105)

The above information shall be provided with notifications about immunization requirements and when parents/guardians enroll any first grade children who have not attended kindergarten in the district. The district shall encourage parents/guardians to arrange for their children to obtain their health screening prior to or during their kindergarten year.

(cf. 5141.31 - Immunizations)

The Superintendent or designee may arrange for local health authorities to offer health examinations at school sites.

(cf. 1020 - Youth Services)

During the first 90 days of school, the Superintendent or designee may contact any first grade parents/guardians who have not provided evidence of a health screening or a waiver. If any parents/guardians do not respond to this notification, the Superintendent or designee may contact them a second time to ensure that they understand that their children may be eligible to receive a health screening at no cost.

The Board shall exclude from school, for up to five days, any first grade student who does not present evidence of a health screening or an appropriate waiver on or before the 90th day after entering the first grade. This exclusion shall begin on the 91st calendar day after the student's entrance into the first grade. If school is not in session that day, the exclusion shall begin on the next succeeding schoolday. Within limits established in law, the Superintendent or designee may exempt from exclusion students whose parents/guardians failed to respond to district attempts to obtain evidence of health screening or a signed waiver. (Health and Safety Code 124105)

(cf. 5112.2 - Exclusions from Attendance)

The Superintendent or designee shall annually provide the county Child Health and Disability Prevention Program, the State Department of Health Services and the California Department of Education with the health screening information required by law. (Health and Safety Code 124100)

CHILD HEALTH AND DISABILITY PREVENTION PROGRAM (continued)

Legal Reference:

HEALTH AND SAFETY CODE

104395 Child Health Disability Prevention Program expansion

124025-124100 Child Health and Disability Prevention Program, especially:

124040 Establishment of programs; standards for procedures

124085 Certificate of receipt; health screening and evaluation services; waiver by parent or guardian

124100 School districts and private schools; information to parents or guardians of kindergarten children

124105 Hughes Children's Health Enforcement Act

HEAD LICE

To prevent the spread of head lice infestations, school employees shall report all suspected cases of head lice to the school nurse or designee as soon as possible. The nurse or designee shall examine the student and any siblings of affected students or members of the same household. If nits or lice are found, the student shall be excluded from attendance and parents/guardians informed about recommended treatment procedures and sources of further information.

(cf. 5141.3 - Health Examinations)
(cf. 5141.6 - Student Health and Social Services)

The Superintendent or designee shall send home the notification required by law for excluded students. (Education Code 48213)

(cf. 5112.2 - Exclusions from Attendance)
(cf. 5145.6 - Parental Notifications)

If there are two or more students affected in any class, all students in the class shall be examined, and information about head lice shall be sent home to all parents/guardians of those students.

Staff shall maintain the privacy of students identified as having head lice and excluded from attendance.

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

Excluded students may return to school when (1) they bring a note from the parent/guardian verifying treatment, and (2) reexamination by the nurse or designee shows that all nits and lice have been removed.

Legal Reference:
EDUCATION CODE
48210-48216 Persons excluded
49451 Physical examinations: parent's refusal to consent

CHILD ABUSE PREVENTION AND REPORTING

Child Abuse Prevention

The Board of Trustees recognizes the district’s responsibility to educate students about the dangers of child abuse so that they will acquire the skills and techniques needed to identify unsafe situations and to react appropriately and promptly.

The district’s instructional program shall include age-appropriate and culturally sensitive child abuse prevention curriculum. This curriculum shall explain students' right to live free of abuse, inform them of available support resources, and teach them how to obtain help and disclose incidents of abuse. The curriculum also shall include training in self-protection techniques.

(cf. 6143 - Courses of Study)

The Superintendent or designee shall seek to incorporate community resources into the district’s child abuse prevention programs. To the extent feasible, the Superintendent or designee shall use these community resources to provide parents/guardians with instruction in parenting skills and child abuse prevention.

(cf. 1020 - Youth Services)

Child Abuse Reporting

The Board recognizes that child abuse has severe consequences and that the district has a responsibility to protect students by facilitating the prompt reporting of known and suspected incidents of child abuse. The Superintendent or designee shall establish procedures for the identification and reporting of such incidents in accordance with law.

(cf. 0450 - Comprehensive Safety Plan)

Employees who are mandated reporters, as defined by law and administrative regulation, are obligated to report all known or suspected incidents of child abuse and neglect. Mandated reporters shall not investigate any suspected incidents but rather shall cooperate with agencies responsible for investigating and prosecuting cases of child abuse and neglect.

The Superintendent or designee shall provide training regarding the reporting duties of mandated reporters.

In the event that training is not provided to mandated reporters, the Superintendent or designee shall report to the California Department of Education the reasons that such training is not provided. (Penal Code 11165.7)

CHILD ABUSE PREVENTION AND REPORTING (continued)

Legal Reference:

EDUCATION CODE

32280-32288 *Comprehensive school safety plans*
33308.1 *Guidelines on procedure for filing child abuse complaints*
44690-44691 *Staff development in the detection of child abuse and neglect*
44807 *Duty concerning conduct of students*
48906 *Notification when student released to peace officer*
48987 *Dissemination of reporting guidelines to parents*
49001 *Prohibition of corporal punishment*
51220.5 *Parenting skills education*

PENAL CODE

152.3 *Duty to report murder, rape, or lewd or lascivious act*
273a *Willful cruelty or unjustifiable punishment of child; endangering life or health*
288 *Definition of lewd or lascivious act requiring reporting*
11164-11174.4 *Child Abuse and Neglect Reporting Act*

WELFARE AND INSTITUTIONS CODE

15630-15637 *Dependent adult abuse reporting*

CODE OF REGULATIONS, TITLE 5

4650 *Filing complaints with CDE, special education students*

Management Resources:

CDE LEGAL ADVISORIES

0514.93 *Guidelines for parents to report suspected child abuse*

WEB SITES

California Attorney General's Office, Crime and Violence Prevention Center: <http://safestate.org>

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

California Department of Social Services, Children and Family Services Division:
<http://www.childsworld.ca.gov>

U.S. Department of Health and Human Services, National Clearinghouse on Child Abuse and Neglect Information: <http://nccanch.acf.hhs.gov>

CHILD ABUSE PREVENTION AND REPORTING

Definitions

Child abuse or neglect includes the following: (Penal Code 11165.5, 11165.6)

1. A physical injury inflicted by other than accidental means on a child by another person
2. Sexual abuse of a child as defined in Penal Code 11165.1
3. Neglect as defined in Penal Code 11165.2
4. Willful harming or injuring of a child or the endangering of the person or health of a child as defined in Penal Code 11165.3
5. Unlawful corporal punishment or injury as defined in Penal Code 11165.4

Child abuse or neglect does not include:

1. A mutual affray between minors (Penal Code 11165.6)
2. An injury caused by reasonable and necessary force used by a peace officer acting within the course and scope of his/her employment (Penal Code 11165.6)

(cf. 3515.3 - District Police/Security Department)

3. An injury resulting from the exercise by a teacher, vice principal, principal, or other certificated employee of the same degree of physical control over a student that a parent/guardian would be privileged to exercise, not exceeding the amount of physical control reasonably necessary to maintain order, protect property, protect the health and safety of students, or maintain proper and appropriate conditions conducive to learning (Education Code 44807)

(cf. 5144 - Discipline)

4. An injury caused by a school employee's use of force that is reasonable and necessary to quell a disturbance threatening physical injury to persons or damage to property, to protect himself/herself, or to obtain weapons or other dangerous objects within the control of the student (Education Code 49001)
5. Physical pain or discomfort caused by athletic competition or other such recreational activity voluntarily engaged in by the student (Education Code 49001)

CHILD ABUSE PREVENTION AND REPORTING (continued)

Mandated reporters include but are not limited to teachers; instructional aides; teacher's aides or assistants; classified employees; certificated pupil personnel employees; administrative officers or supervisors of child attendance; administrators and employees of a licensed day care facility; Head Start teachers; district police or security officers; and administrators, presenters, or counselors of a child abuse prevention program. (Penal Code 11165.7)

Reasonable suspicion means that it is objectively reasonable for a person to entertain a suspicion, based upon facts that could cause a reasonable person in a like position, drawing when appropriate on his/her training and experience, to suspect child abuse or neglect. (Penal Code 11166)

Reportable Offenses

A mandated reporter shall make a report using the procedures provided below whenever, in his/her professional capacity or within the scope of his/her employment, he/she has knowledge of or observes a child whom the mandated reporter knows or reasonably suspects has been the victim of child abuse or neglect. (Penal Code 11166)

Any mandated reporter who has knowledge of or who reasonably suspects that a child is suffering serious emotional damage or is at a substantial risk of suffering serious emotional damage based on evidence of severe anxiety, depression, withdrawal, or untoward aggressive behavior toward self or others, may make a report to the appropriate agency. (Penal Code 11166.05)

Any person shall notify a peace officer if he/she reasonably believes that he/she has observed the commission of a murder, rape, or lewd or lascivious act by use of force, violence, duress, menace, or fear of immediate and unlawful bodily injury, where the victim is a child under age 14. (Penal Code 152.3, 288)

Responsibility for Reporting

The reporting duties of mandated reporters are individual and cannot be delegated to another person. (Penal Code 11166)

When two or more mandated reporters jointly have knowledge of a known or suspected instance of child abuse or neglect, and when there is agreement among them, the report may be made by a member of the team selected by mutual agreement and a single report may be made and signed by the selected member of the reporting team. Any member who has knowledge that the member designated to report has failed to do so shall thereafter make the report. (Penal Code 11166)

No supervisor or administrator shall impede or inhibit a mandated reporter from making a report. (Penal Code 11166)

CHILD ABUSE PREVENTION AND REPORTING (continued)

Any person not identified as a mandated reporter who has knowledge of or observes a child whom he/she knows or reasonably suspects has been a victim of child abuse or neglect may report the known or suspected instance of child abuse or neglect to the appropriate agency. (Penal Code 11166)

Reporting Procedures

1. Initial Telephone Report

Immediately or as soon as practicably possible after knowing or observing suspected child abuse or neglect, a mandated reporter shall make a report by telephone to any police department (excluding a school district police/security department), sheriff's department, county probation department if designated by the county to receive such reports, or county welfare department. (Penal Code 11166)

Department of Children and Family Services
800-540-4000

When the telephone report is made, the mandated reporter shall note the name of the official contacted, the date and time contacted, and any instructions or advice received.

2. Written Report

Within 36 hours of receiving the information concerning the incident, the mandated reporter shall prepare and send to the appropriate agency a written report which includes a completed Department of Justice form. (Penal Code 11166, 11168)

Mandated reporters may obtain copies of the above form from either the district or the appropriate agency.

Reports of suspected child abuse or neglect shall include, if known: (Penal Code 11167)

- a. The name, business address, and telephone number of the person making the report and the capacity that makes the person a mandated reporter
- b. The child's name and address, present location and, where applicable, school, grade, and class
- c. The names, addresses, and telephone numbers of the child's parents/guardians

CHILD ABUSE PREVENTION AND REPORTING (continued)

- d. The information that gave rise to the reasonable suspicion of child abuse or neglect and the source(s) of that information
- e. The name, address, telephone number, and other relevant personal information about the person(s) who might have abused or neglected the child

The mandated reporter shall make a report even if some of this information is not known or is uncertain to him/her. (Penal Code 11167)

Information relevant to the incident of child abuse or neglect may also be given to an investigator from an agency that is investigating the case. (Penal Code 11167)

3. **Internal Reporting**

Employees reporting child abuse or neglect to the appropriate agency are encouraged, but not required, to notify the principal or designee as soon as possible after the initial telephone report to the appropriate agency. When so notified, the principal shall inform the Superintendent or designee.

The principal or designee so notified shall provide the mandated reporter with any assistance necessary to ensure that reporting procedures are carried out in accordance with law, Board policy and administrative regulation. At the mandated reporter's request, the principal may assist in completing and filing the necessary forms.

The mandated reporter shall not be required to disclose his/her identity to the principal. (Penal Code 11166)

He/she may provide or mail a copy of the written report to the principal, Superintendent or designee without his/her signature or name.

Reporting the information to an employer, supervisor, school principal, school counselor, co-worker, or other person shall not be a substitute for making a mandated report to the appropriate agency. (Penal Code 11166)

Training

Training of mandated reporters shall include child abuse identification and reporting. (Penal Code 11165.7)

Training shall also include guidance in the appropriate discipline of students, physical contact with students, and maintenance of ethical relationships with students to avoid actions that may be misinterpreted as child abuse.

CHILD ABUSE PREVENTION AND REPORTING (continued)

(cf. 4131 - Staff Development)
(cf. 4231 - Staff Development)
(cf. 4331 - Staff Development)
(cf. 5145.7 - Sexual Harassment)

Victim Interviews

Whenever a representative of an agency investigating suspected child abuse or neglect deems it necessary, a suspected victim may be interviewed during school hours, on school premises, concerning a report of suspected child abuse or neglect that occurred within the child's home or out-of-home care facility. The child shall be given the choice of being interviewed in private or in the presence of any adult school employee or volunteer aide selected by the child. (Penal Code 11174.3)

A staff member or volunteer aide selected by a child may decline to be present at the interview. If the selected person accepts, the principal or designee shall inform him/her of the following requirements: (Penal Code 11174.3)

1. The purpose of the selected person's presence at the interview is to lend support to the child and enable him/her to be as comfortable as possible.
2. The selected person shall not participate in the interview.
3. The selected person shall not discuss the facts or circumstances of the case with the child.
4. The selected person is subject to the confidentiality requirements of the Child Abuse and Neglect Reporting Act, a violation of which is punishable as specified in Penal Code 11167.5.

If a staff member agrees to be present, the interview shall be held at a time during school hours when it does not involve an expense to the school. (Penal Code 11174.3)

Release of Child to Peace Officer

When a child is released to a peace officer and taken into custody as a victim of suspected child abuse or neglect, the Superintendent or designee and/or principal shall not notify the parent/guardian, but rather shall provide the peace officer with the address and telephone number of the child's parent/guardian. It is the responsibility of the peace officer or agent to notify the parent/guardian of the situation. (Education Code 48906)

Peace officers shall be asked to sign an appropriate release or acceptance of responsibility form.

CHILD ABUSE PREVENTION AND REPORTING (continued)

(cf. 5145.11 - Questioning and Apprehension)

Parent/Guardian Complaints

Upon request, the Superintendent or designee shall provide parents/guardians with procedures that describe how to report suspected child abuse occurring at a school site to appropriate agencies. For parents/guardians whose primary language is other than English, such procedures shall be in the primary language of the parent/guardian and, when communicating orally regarding those procedures, an interpreter shall be provided.

To file a complaint against a district employee or other person suspected of child abuse or neglect at a school site, parents/guardians may file a report by telephone, in person or in writing with any appropriate agency identified above under "Reporting Procedures." If a parent/guardian makes a complaint to any district employee, that employee shall notify the parent/guardian of procedures for filing a complaint with the appropriate agency. The employee also is obligated pursuant to Penal Code 11166 to file a report himself/herself using the procedures described above for mandated reporters.

(cf. 1312.1 - Complaints Concerning District Employees)

In addition, if the child is enrolled in special education, a separate complaint may be filed with the California Department of Education pursuant to 5 CCR 4650.

(cf. 1312.3 - Uniform Complaint Procedures)

Notifications

The Superintendent or designee shall provide all new employees who are mandated reporters a statement that informs them that they are mandated reporters, of their reporting obligations under Penal Code 11166, and of their confidentiality rights under Penal Code 11167. The district shall also provide these new employees with a copy of Penal Code 11165.7, 11166, and 11167. (Penal Code 11165.7, 11166.5)

Before beginning employment, employees shall sign the statement indicating that they have knowledge of the reporting obligations under Penal Code 11166 and that they will comply with those provisions. The signed statements shall be retained by the Superintendent or designee. (Penal Code 11166.5)

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

Employees who work with dependent adults shall be notified of legal responsibilities and reporting procedures pursuant to Welfare and Institutions Code 15630-15637.

CHILD ABUSE PREVENTION AND REPORTING (continued)

The Superintendent or designee shall also notify all employees that:

1. A mandated reporter who reports a known or suspected instance of child abuse or neglect shall not be held civilly or criminally liable for making a report and this immunity shall apply even if the mandated reporter acquired the knowledge or reasonable suspicion of child abuse or neglect outside of his/her professional capacity or outside the scope of his/her employment. Any other person making a report shall not incur civil or criminal liability unless it can be proven that he/she knowingly made a false report or made a report with reckless disregard of the truth or falsity of the report. (Penal Code 11172)
2. If a mandated reporter fails to report an incident of known or reasonably suspected child abuse or neglect, he/she is guilty of a misdemeanor punishable by a fine and/or imprisonment. (Penal Code 11166)
3. No employee shall be subject to any sanction by the district for making a report. (Penal Code 11166)

CHILD ABUSE PREVENTION

Every child has the right to live free of physical and emotional abuse, including neglect and sexual assault. The Board of Trustees recognizes that such abuse has severe consequences for the child, sometimes resulting in the child's own violent behavior or in drug addiction. Schools are in a position to promote the prevention of child abuse and its reoccurrence, and to reduce the general vulnerability of children.

Age-appropriate and culturally-appropriate child abuse prevention curriculum shall be a component of the district's health and safety instruction. This curriculum shall explain students' rights to live free of abuse, inform them of available support resources, and teach them how to obtain help and disclose incidents of abuse. The curriculum also shall include training in self-protection techniques.

The Superintendent or designee shall provide coordinated training for teachers who will use the child abuse prevention curriculum, including instruction in the physical and behavioral indicators of abuse, crisis counseling techniques, community resources, rights and responsibilities to report abuse or neglect, and care for a child's needs after a report is made.

(cf. 5141.4 - Child Abuse Reporting Procedures)

The Superintendent or designee shall seek to incorporate community resources into the schools' child abuse prevention programs. To the extent feasible, the Superintendent or designee shall also use these community resources to provide parents/guardians with instruction in parenting skills and child abuse prevention.

Parents/guardians shall receive prior notice of child abuse prevention instruction whenever such instruction will include family life or sex education for which notification is required by law.

(cf. 1020 - Youth Services)

(cf. 6142.1 - Sexual Health and HIV/AIDS Prevention Instruction)

Legal Reference:

WELFARE AND INSTITUTIONS CODE

18975-18979 *The Maxine Waters Child Abuse Prevention Training Act of 1984*

SUICIDE PREVENTION

The Board of Trustees recognizes that suicide is a major cause of death among youth and that all suicide threats must be taken seriously. The Superintendent or designee shall establish procedures to be followed when a suicide attempt, threat or disclosure is reported. The district shall also provide students, parents/guardians and staff with education that helps them recognize the warning signs of severe emotional distress and take preventive measures to help potentially suicidal students.

Schools are encouraged to incorporate suicide prevention instruction into the curriculum.

Schools may also offer parent education or information which describes the severity of the youth suicide problem and the district's suicide prevention curriculum. This information may help parents/guardians recognize warning signs of suicide, learn basic steps for helping suicidal youth and identify community resources that can help youth in crisis.

Suicide prevention training for certificated and classified staff is encouraged, to help staff recognize sudden changes in students' appearance, personality or behavior which may indicate suicidal intentions, help students of all ages develop a positive self-image and a realistic attitude towards potential accomplishments, identify helpful community resources, and follow procedures established by the Superintendent or designee for intervening when a student attempts, threatens or discloses the desire to commit suicide. The training should be offered under the direction of a trained district counselor/psychologist or in cooperation with one or more community mental health agencies.

(cf. 1020 - Youth Services)

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

(cf. 6164.2 - Guidance/Counseling Services)

Staff shall promptly report suicidal threats or statements to the principal or mental health counselor, who shall promptly report the threats or statements to the student's parents/guardians. These statements shall otherwise be kept confidential.

(cf. 5141 - Health Care and Emergencies)

The Board endorses the use of peer counselors who can provide an effective support system for students who may be uncomfortable communicating with adults. Peer counselors shall first complete the suicide prevention curriculum and demonstrate that they are able to identify the warning signs of suicidal behavior and rapidly refer a suicidal student to appropriate adults.

Legal Reference: (see next page)

SUICIDE PREVENTION (continued)

Legal Reference:

EDUCATION CODE

49602 Confidentiality of student information

49604 Suicide prevention training for school counselors

WELFARE AND INSTITUTIONS CODE

5698 Emotionally disturbed youth; legislative intent

Management Resources:

CDE PUBLICATIONS

Suicide Prevention Program for California Schools, 1987

Health Framework for California Public Schools, 1994

SUICIDE PREVENTION

Curriculum

The district's suicide prevention instruction shall be designed to help students:

1. Understand how feelings of depression and despair can lead to suicide
2. Identify alternatives to suicide and develop new coping skills
3. Recognize the warning signs of suicidal intentions in others
4. Learn to listen, be honest, share feelings and get help when communicating with friends who show signs of suicidal intent
5. Identify community crisis intervention resources where youth can get help

Crisis Intervention Procedures

District procedures to be followed when a suicide attempt, threat or disclosure is reported shall:

1. Ensure the student's short-term physical safety by one of the following, as appropriate:
 - a. Securing immediate medical treatment if a suicide attempt has occurred
 - b. Securing police and/or other emergency assistance if a suicidal act is being actively threatened
 - c. When a suicidal act is less actively threatened but is a serious possibility, keeping the student under continuous adult supervision until the parent/guardian can be contacted and has the opportunity to intervene
 - d. If an unsuccessful suicide attempt has been reported or threatened, monitoring the student's actions until the parent/guardian can be contacted and has the opportunity to intervene
2. Designate specific individuals to be promptly contacted, including:
 - a. The school counselor, psychologist, nurse and/or principal

SUICIDE PREVENTION (continued)

- b. The student's parent/guardian
 - c. As necessary, local police or counseling agencies
3. Set forth one or more plans by which the school can transfer responsibility for the student's welfare to the parent/guardian and/or the appropriate support agent or agency
 4. Provide for the timely follow-up by designated school staff regarding the parent/guardian and student's contact with an appropriate support agent or agency

STUDENT HEALTH AND SOCIAL SERVICES

The Board of Trustees recognizes that good physical and mental health is critical to a student's ability to learn and believes that all students should have access to comprehensive health and social services. The Board desires to collaborate with local and state health, mental health and social service providers in order to offer integrated services at or near district schools. The district may provide preventive, diagnostic, therapeutic and/or rehabilitative health services on an outpatient basis at school sites.

(cf. 1020 - Youth Services)

(cf. 5131.6 - Alcohol and Other Drugs)

(cf. 5141.21 - Administering Medication and Monitoring Health Conditions)

(cf. 5141.22 - Infectious Diseases)

(cf. 5141.24 - Specialized Health Care Services)

(cf. 5141.26 - Tuberculosis Testing)

(cf. 5141.3 - Health Examinations)

(cf. 5141.31 - Immunizations)

(cf. 5141.32 - Child Health and Disability Prevention Program)

(cf. 5148 - Child Care and Development)

(cf. 6159 - Individualized Education Program)

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

The district shall serve as a Medi-Cal provider to the extent feasible, comply with all related legal requirements and seek reimbursement of costs to the extent allowed by law.

To further encourage students' access to health care services, the Superintendent or designee shall develop and implement strategies for outreach and enrollment of eligible students from low- to moderate-income working families in affordable, comprehensive state or federal health coverage programs and local health initiatives.

Legal Reference: (see next page)

STUDENT HEALTH AND SOCIAL SERVICES (continued)

Legal Reference:

EDUCATION CODE

8800-8807 *Healthy Start support services for children*

49073-49079 *Privacy of student records*

49423.5 *Specialized physical health care services*

GOVERNMENT CODE

95020 *Individualized family service plan*

WELFARE AND INSTITUTIONS CODE

14124.90 *Third-party health coverage*

14132.06 *Covered benefits; health services provided by local educational agencies*

14132.47 *Administrative claiming process and targeted case management*

CODE OF REGULATIONS, TITLE 10

2699.6500-2699.6815 *Healthy Families Program*

CODE OF REGULATIONS, TITLE 17

2951 *Testing standards*

CODE OF REGULATIONS, TITLE 22

51009 *Confidentiality*

51050-51190.5 *Definitions of Medi-Cal providers and services*

51200 *Requirements for providers*

51231.2 *Wheelchair van requirements*

51270 *Local educational agency provider; conditions for participation*

51309 *Psychology, physical therapy, occupational therapy, speech pathology, audiological services*

51323 *Medical transportation services*

51351 *Targeted case management services*

51360 *Local educational agency; types of services*

51491 *Local educational agency eligibility for payment*

51535.5 *Reimbursement to local educational agency providers*

UNITED STATES CODE, TITLE 20

1232g *Family Educational and Privacy Rights Act (FERPA)*

CODE OF FEDERAL REGULATIONS, TITLE 45

164.500-164.534 *Health Insurance Portability and Accountability Act (HIPAA)*

Management Resources:

DEPARTMENT OF HEALTH SERVICES PUBLICATIONS

Medi-Cal Provider Manual

California School-Based Medi-Cal Administrative Activities Manual

DEPARTMENT OF HEALTH SERVICES POLICY LETTERS

00-06 *Managed Care Plan Relationships with Local Education Agency Providers, December 11, 2000*

WEB SITES

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

CSBA, Medi-Cal Services Program: http://www.csba.org/ds/medi_cal.htm

Centers for Medicare and Medicaid Services: <http://www.cms.hhs.gov>

Healthy Families Program: <http://www.healthyfamilies.ca.gov>

Department of Health Services, LEA Medi-Cal Billing Option: <http://www.dhs.ca.gov/lea>

Department of Health Services, Administrative Activities Operations: <http://www.dhs.ca.gov/maa>

STUDENT HEALTH AND SOCIAL SERVICES

Medi-Cal Billing

In order to provide services as a Medi-Cal provider, the district shall enter into and maintain a contract with the California Department of Health Services. (Welfare and Institutions Code 14132.06)

The Superintendent or designee shall submit a claim for Medi-Cal reimbursement whenever the district provides one or more of the following services to a Medi-Cal-eligible student under age 22 and/or a member of his/her family: (Welfare and Institutions Code 14132.06; 22 CCR 51051, 51190.1, 51360)

1. Health and mental health evaluation and educational services described in 22 CCR 51360

(cf. 5141.3 - Health Examinations)

2. Physical therapy services described in 22 CCR 51309(b)
3. Occupational therapy services described in 22 CCR 51309(c)
4. Speech pathology services described in 22 CCR 51096 and audiology services described in 22 CCR 51098
5. Psychology and counseling services consisting of diagnosis and psychological counseling of identified mental health, substance abuse, behavioral adjustment or social problems

(cf. 5131.6 - Alcohol and Other Drugs)

6. Preventive and medically necessary nursing services rendered at the school site and services for accompanying the student off campus for health services specified as medically necessary in the student's individualized education program (IEP) or individualized family service plan (IFSP) pursuant to Government Code 95020

(cf. 5141.26 - Tuberculosis Testing)

(cf. 5141.31 - Immunizations)

(cf. 6159 - Individualized Education Program)

7. School health aide services consisting of the direct provision of specialized physical health care services at the school site and services for accompanying the student off campus for health services specified as medically necessary in the student's IEP or IFSP

(cf. 5141.24 - Specialized Health Care Services)

STUDENT HEALTH AND SOCIAL SERVICES (continued)

8. Medical transportation services and associated mileage in accordance with 22 CCR 51323(a) and 51360
9. Physician services
10. For students with an IEP or IFSP, targeted case management services which may include determining needs, developing a plan, linking and consulting, accessing services outside the school system, assisting with crises and reviewing progress

The district shall maintain records of the type and extent of services provided to a Medi-Cal beneficiary. (22 CCR 51270)

The Superintendent or designee shall maintain the confidentiality of student health records in accordance with law.

(cf. 5125 - Student Records)

The Superintendent or designee shall ensure that all practitioners employed by or under contract with the district possess the appropriate license, certification, registration or credential and provide only those services that are within their scope of practice. (22 CCR 51190.3, 51270, 51491)

Any federal funds received by the district as reimbursement for the costs of services under the Medi-Cal billing option shall be reinvested in services for students and their families as specified in Education Code 8804(g). The Superintendent or designee shall consult with a local school-linked services collaborative group, such as that defined in Education Code 8806, regarding decisions on reinvestment of federal funds. (22 CCR 51270)

Medi-Cal Administrative Activities

Designated school staff shall document, on a time survey form, the amount of time spent on activities identified by the California Department of Health Services which are related to the administration of the Medi-Cal program. Such activities include, but may not limited be to, outreach; referral of health and mental health services; translation services; facilitation of applications; nonemergency, nonmedical transportation of eligible individuals; contracting for services; program planning and policy development; claims administration; and general administration.

The Superintendent or designee shall, on a quarterly basis, submit an invoice to the local educational consortium or local governmental agency through which the district has contracted to receive reimbursement.

STUDENT HEALTH AND SOCIAL SERVICES

BOARD RESOLUTION ON STUDENT HEALTH AND LEARNING

WHEREAS, the Board of Trustees of the Acton-Agua Dulce Unified School District recognizes that good health is a prerequisite to optimal learning and that absenteeism among students is clearly associated with school failure; and

WHEREAS, health is defined in a broad sense as a state of complete physical, mental and social well-being and not merely the absence of disease or infirmity; and

WHEREAS, health services are an important element of a comprehensive approach to promoting health and preventing disease and disability in children and youth; and

WHEREAS, access to regular medical care is improved through health insurance, inasmuch as children without health insurance are less likely to have a family doctor, receive timely preventive care, and receive medical treatment; and

WHEREAS, nearly one in five of California's children has no health care coverage, and nearly one in five children without health care coverage do not receive necessary medical treatment for a chronic illness that was serious enough to keep the child from functioning in school; and

WHEREAS, families have a variety of options for health care coverage, including but not limited to California's low-cost Healthy Families program, no-cost Medi-Cal for Children program and local county health initiatives such as Healthy Kids, which provide comprehensive health, dental and vision care coverage to low-income, uninsured children under 19 years of age who represent the state's most vulnerable population; and

WHEREAS, after one year of coverage in the Healthy Families program, California children in the poorest health significantly improved their health, missed less school and improved their school performance; and

WHEREAS, schools can help students achieve academic success by participating in efforts that promote good health and have already demonstrated their commitment to students' health through the institution of such programs as Healthy Start and after-school programs, early care and education programs, school-based/school-linked health services, child nutrition services, school readiness, counseling services, and immunization programs; and

WHEREAS, children's access to health care services requires collaboration with local agencies and community-based organizations so that, through the shared responsibility and collective action of schools, local agencies and/or community-based organizations, we can ensure positive outcomes for our children and youth;

STUDENT HEALTH AND SOCIAL SERVICES (continued)

NOW THEREFORE BE IT RESOLVED that the Board of the Acton-Agua Dulce Unified School District will work to improve children's health, thereby improving their academic performance, by helping to ensure that all children have health insurance coverage. To this end, the district will participate in outreach and enrollment efforts related to California's low-cost Healthy Families Program, no-cost Medi-Cal for Children, and other affordable health programs including local county health initiatives such as Healthy Kids. This will help assure optimal learning for every child by addressing children's health problems and maximizing school attendance.

PASSED AND ADOPTED THIS _____ day of _____, _____ at a regular meeting, by the following vote:

AYES: _____

NOES: _____

ABSENT: _____

Attest:

Secretary

President

SAFETY

The Board of Trustees recognizes the importance of providing a safe school environment in order to help ensure student safety and the prevention of student injury. The Superintendent or designee shall implement appropriate practices to minimize the risk of harm to students, including practices relative to school facilities and equipment, outdoor environment, educational programs and school-sponsored activities.

(cf. 0450 - Comprehensive Safety Plan)
(cf. 3320 - Claims and Actions Against the District)
(cf. 3514 - Environmental Safety)
(cf. 3514.1 - Hazardous Substances)
(cf. 3514.2 - Integrated Pest Management)
(cf. 3516 - Emergencies and Disaster Preparedness Plan)
(cf. 3530 - Risk Management/Insurance)
(cf. 3542 - School Bus Drivers)
(cf. 3543 - Transportation Safety and Emergencies)
(cf. 4119.42/4219.42/4319.42 - Exposure Control Plan for Bloodborne Pathogens)
(cf. 4119.43/4219.43/4319.43 - Universal Precautions)
(cf. 5131 - Conduct)
(cf. 5131.1 - Bus Conduct)
(cf. 5141 - Health Care and Emergencies)
(cf. 5141.1 - Accidents)
(cf. 5142.1 - Identification and Reporting of Missing Children)
(cf. 5142.2 - Crossing Guards)
(cf. 5143 - Insurance)
(cf. 5144 - Discipline)
(cf. 5144.1 - Suspension and Expulsion/Due Process)
(cf. 6145.2 - Athletic Competition)
(cf. 6161.3 - Toxic Art Supplies)
(cf. 7111 - Evaluating Existing Buildings)

Staff shall be responsible for the proper supervision of students during school hours, while at school-sponsored activities and while students are using district transportation to and from school.

The principal or designee shall establish school rules for the safe and appropriate use of school equipment and materials and for student conduct consistent with law, Board policy and administrative regulation. Copies of the rules shall be sent to parents/guardians and be readily available at the school at all times.

The Superintendent or designee shall ensure that students receive appropriate instruction on topics related to safety, injury prevention and disease prevention.

Legal Reference: (see next page)

SAFETY (continued)

Legal Reference:

EDUCATION CODE

8482-8484.6 *Before and After School Learning and Safe Neighborhood Partnerships Program*

17280-17317 *Building approvals (Field Act)*

17365-17374 *Fitness of school facilities for occupancy*

32001 *Fire alarms and drills*

32020 *School gates; entrances for emergency vehicles*

32030-32034 *Eye safety*

32040 *First aid equipment*

32050-32051 *Hazing*

32225-32226 *Two-way communication devices in classrooms*

32240-32245 *Lead-free schools*

32250-32254 *CDE school safety and security resources unit*

35183.5 *Sun protection*

32280-32288 *Safety plans*

44807 *Duty of teachers concerning conduct of students to and from schools, on playgrounds, and during recess*

44808 *Exemption from liability when students are not on school property*

44808.5 *Permission for students to leave school grounds; notice (high school)*

49300-49307 *School safety patrol*

49330-49335 *Injurious objects*

49341 *Hazardous materials in school science laboratories*

51202 *Instruction in personal and public health and safety*

GOVERNMENT CODE

810-996.6 *California Tort Claims Act, especially:*

815 *Liability for injuries generally; immunity of public entity*

835 *Conditions of liability*

4450-4458 *Access to public buildings by physically disabled persons*

HEALTH AND SAFETY CODE

115725-115750 *Playground safety*

115775-115800 *Wooden playground equipment*

115810-115816 *Playground safety and recycling grants*

PUBLIC RESOURCES CODE

5411 *Purchase of equipment usable by physically disabled persons*

VEHICLE CODE

21212 *Use of helmets*

CODE OF REGULATIONS, TITLE 5

202 *Exclusion of students with a contagious disease*

5531 *Supervision of social activities*

5552 *Playground supervision*

5570 *When school shall be open and teachers present*

14103 *Bus driver; authority over pupils*

CODE OF REGULATIONS, TITLE 22

65700-65750 *Safety regulations for playgrounds; definitions and general standards*

COURT DECISIONS

Hoyem v. Manhattan Beach City School District, (1978) 22 Cal. 3d 508

Dailey v. Los Angeles Unified School District, (1970) 2 Cal 3d 741

Management Resources: (see next page)

SAFETY (continued)

Management Resources:

OFFICE OF THE STATE ARCHITECT ADVISORIES

400.90 Death and Injury from Collapse of Free-Standing Walls

U.S. CONSUMER PRODUCT SAFETY COMMISSION

Handbook for Public Playground Safety, 1997, Pub. No. 325

AMERICAN SOCIETY FOR TESTING AND MATERIALS

F 1487-98, Standard Consumer Safety Performance Specifications for Playground Equipment for Public Use, 1998

CENTERS FOR DISEASE CONTROL PUBLICATIONS

Guidelines for School Programs to Prevent Skin Cancer, April 26, 2002

WEB SITES

CDE, School Safety Branch: <http://www.cde.ca.gov/spbranch/safety>

California Department of Health Services: <http://www.dhs.ca.gov>

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

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

SAFETY

Release of Student to Adult

Students shall be released during the school day in the custody of an adult only if:

1. The adult is the student's parent/guardian with custody.

(cf. 5021 - Noncustodial Parents)

2. The adult has been authorized on the student's emergency card as someone to whom the student may be released when the parent/guardian cannot be reached, and the principal or designee verifies the individual's identification.

(cf. 5141 - Health Care and Emergencies)
(cf. 5141.1 - Accidents)

3. The adult is a properly authorized law officer acting in accordance with law.

(cf. 5145.11 - Questioning and Apprehension)

4. The adult is taking the student to emergency medical care at the request of the principal or designee.

(cf. 5141.4 - Child Abuse Prevention and Reporting)

Supervision of Students

Teachers shall be present at their respective rooms and shall open them to admit students not less than 30 minutes before the time when school starts. (5 CCR 5570)

(cf. 6112 - School Day)

Every teacher shall hold students to a strict account for their conduct on the way to and from school, on the playgrounds and during recess. (Education Code 44807)

Where playground supervision is not otherwise provided, the principal of each school shall provide for certificated employees to supervise the conduct and safety, and direct the play, of students who are on school grounds before and after school and during recess and other intermissions. (5 CCR 5552)

The principal or designee shall:

1. Clearly identify supervision zones on the playground and require that all individuals supervising students remain outside at a location from which they can observe their entire zone of supervision

SAFETY (continued)

2. Require that all supervisors remain alert in spotting dangerous conditions, promptly report any such conditions to the principal or designee, and file a written report on such conditions as appropriate
3. Establish emergency procedures that ensure swift response to accidents, fighting and situations that could become dangerous, such as overcrowding or unusual gatherings of students

When determining the ratio of playground supervisors to students, the Superintendent or designee shall consider the size of the playground area, the number of areas that are not immediately visible, and the age of the students.

The Superintendent or designee shall ensure that teachers, teacher aides, yard aides and volunteers who supervise students receive training in safety practices and in supervisory techniques that will help them to forestall problems and resolve conflicts. Such training shall be documented and kept on file.

Playground Safety

The Superintendent or designee shall ensure that playgrounds comply with 22 CCR 65700-65750 pertaining to the design, installation, inspection and maintenance of playgrounds and playground equipment.

New playground equipment shall be either: (22 CCR 65730)

1. Assembled and installed by or under the direct supervision of an individual authorized by the manufacturer
2. Inspected by a certified playground safety inspector prior to its first use

The Superintendent or designee shall ensure that district personnel have read and understood the requirements in 22 CCR 65700-65750 before participating in the design, installation or maintenance of a playground. (22 CCR 65740)

Activities with Safety Risks

Because of concerns about the risk to student safety, the principal or designee shall not permit the following activities on campus or during school-sponsored events unless the activity is properly supervised, students wear protective gear as appropriate, and each participant has insurance coverage:

1. Trampolining

SAFETY (continued)

2. Scuba diving
3. Skateboarding or use of nonmotorized scooters
4. In-line or roller skating
5. Hang gliding
6. Sailing
7. Water skiing
8. Snow trips
9. Motorcycling
10. Target shooting
11. Horseback riding
12. Rodeo
13. Other activities determined by the school principal to have a high risk to student safety

(cf. 6145 - Extracurricular and Cocurricular Activities)

The cost of insurance coverage for such activities shall be borne by the student and/or student body consistent with law and Board of Trustees policy.

(cf. 3260 - Fees and Charges)

(cf. 3530 - Risk Management/Insurance)

(cf. 5143 - Insurance)

Students who operate or ride as a passenger on a bicycle, nonmotorized scooter or skateboard upon a street, bikeway or any other public bicycle path or trail shall wear a properly fitted and fastened bicycle helmet that meets the standards of law. Students also shall be required to wear such helmets while wearing in-line or roller skates. (Vehicle Code 21212)

Laboratory Safety

The principal of each school offering laboratory work to students shall designate a trained certificated employee to review, update and carry out the school's procedures for laboratory safety.

SAFETY (continued)

Hearing Protection

The Superintendent or designee shall monitor students' exposure to excessive noise in classrooms and provide protection as necessary. The Superintendent or designee also may provide hearing conservation education to teach students ways to protect their hearing.

Eye Safety Devices

The Superintendent or designee shall provide schools with eye safety devices for use whenever students are engaged in or observing an activity or using hazardous substances likely to cause injury to the eyes. (Education Code 32030, 32031)

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

Eye safety devices may be sold to students for an amount not to exceed their actual cost to the district. (Education Code 32033)

(cf. 3260 - Fees and Charges)

Sun Safety

Students shall be allowed to use sunscreen during the school day without a physician's note or prescription. (Education Code 35183.5)

The Superintendent or designee may incorporate sun safety into the curriculum in order to increase students' understanding of the health risks associated with overexposure to ultraviolet radiation and to encourage students to engage in preventative practices.

Protection Against Insect Bites

To help protect students against insect bites or stings that may spread disease or cause allergic reactions, students shall be allowed to apply insect repellent, under the supervision of school personnel and in accordance with the manufacturer's directions, when engaging in outdoor activities.

IDENTIFICATION AND REPORTING OF MISSING CHILDREN

District personnel, including but not limited to teachers, administrators, school aides, school playground workers and school bus drivers, are encouraged to report missing children to a law enforcement agency in a timely manner in order to provide those children a necessary level of protection.

Legal Reference:

EDUCATION CODE

32390 Voluntary program for fingerprinting students

38139 Posting of information about missing children

48980 Parental notification of district programs, rights and responsibilities

49068.5-49068.6 Missing children; transfers

49370 Legislative intent re: reporting of missing children

CODE OF REGULATIONS, TITLE 5

640-641 Student fingerprinting program

Management Resources:

WEB SITES

Department of Justice/Attorney General's Office: <http://www.caag.state.ca.us/app>

IDENTIFICATION AND REPORTING OF MISSING CHILDREN

Notices About Missing Children

Every school shall post in an appropriate area information provided by the Department of Justice on missing children. For elementary schools, such information shall be posted in an area restricted to adults. (Education Code 38139)

Elementary school principals are urged to review missing children's pictures whenever a new student enrolls or transfers into the school. (Education Code 49068.5)

(cf. 5111 - Admission)

If a school receives notice from a law enforcement agency that a child enrolled in that school has been reported missing, the principal or designee shall place a notice that the child has been reported missing on the front of the child's school record. If a school receives a record inquiry or request from any person or entity regarding a missing child about whom the school has been notified, the principal or designee shall immediately notify the law enforcement authorities who informed the school of the missing child's status. (Education Code 49068.6)

(cf. 5125 - Student Records)

CROSSING GUARDS

The Board of Trustees is concerned about the safety of students as they walk to and from school. The Board desires that crossing guards be provided to help elementary children cross busy streets.

The Superintendent or designee shall periodically examine traffic patterns within elementary school attendance areas in order to identify locations where crossing assistance may be needed.

The Superintendent or designee shall seek reimbursement for the cost of these guards from the city, county, or other sources. If reimbursement is not forthcoming, the cost of providing crossing guards may be included in the district budget.

(cf. 3100 - Budget)

Student Safety Patrols

The Superintendent or designee may establish safety patrols at elementary schools for the purpose of assisting students in safely crossing streets and highways adjacent to or near the school. (Education Code 49300)

Legal Reference:

EDUCATION CODE

45450 *Guards at pedestrian crossings; employment*

45451 *School crossing guards; reimbursement of districts*

49300-49307 *School Safety Patrols*

VEHICLE CODE

21100 *Rules and regulation: subject matter*

42200 *Fines and forfeitures, disposition by cities*

42201 *Fines and forfeitures, disposition by counties*

CODE OF REGULATIONS, TITLE 5

570-576 *School safety patrols*

CROSSING GUARDS

Safety Patrols

Student safety patrol members shall be selected by the principal and serve only with written parental consent. (Education Code 49302)

Patrol members must be at least 10 years old and at least in the fifth grade. (5 CCR 571)

Safety patrol members shall be authorized to give traffic signals and directions only in order to assist students in safely crossing streets and highways. (Education Code 49304)

Patrols shall be used only at locations where the nature of the traffic permits their safe operation, as determined by a joint agreement between the district and the local law enforcement agency. (5 CCR 572)

Patrol members shall be under the supervision and control of the principal or designee.

Whenever on duty, patrol members shall wear the basic standard uniform required by 5 CCR 576.

The district may provide adequate hospital and medical attention for any injury or disability received by any student while performing safety patrol duties. No student shall be compelled to accept such services if his/her parent/guardian objects. (Education Code 49306)

INSURANCE

To ensure that injured students receive needed health care services, the Board of Trustees may make medical and/or hospital service available to district students through nonprofit membership corporations and/or group, blanket or individual policies from an authorized insurer or a district self-insurance program.

The Superintendent or designee shall provide or make available:

1. Medical or hospital service or insurance protection against injuries to students while participating in any excursion or field trip under the jurisdiction of, or sponsored by or controlled by, the district. (Education Code 35331)

The costs of the medical or hospital service or insurance protection for such students may be paid by either the district, the student, or the student's parent/guardian. (Education Code 35331)

(cf. 3260 - Fees and Charges)
(cf. 6153 - School-Sponsored Trips)

2. Insurance protection for medical and hospital expenses resulting from accidental bodily injury to each member of a school athletic team as defined in law and administrative regulation. (Education Code 32221)

The costs of insurance protection for athletic team members shall be paid by either the district, student body organization or any other persons on behalf of the individual team members or students covered by the insurance. If a parent/guardian of an athletic team member is financially unable to pay the costs of insurance protection, the costs shall be paid by the district and/or student body organization. (Education Code 32221)

(cf. 3452 - Student Activity Funds)

The insurance shall not be required of athletic team members who have insurance or a reasonable equivalent of health benefits provided through other means, including but not limited to purchase by the student or his/her parent/guardian. (Education Code 32221)

(cf. 6145 - Extracurricular and Cocurricular Activities)
(cf. 6145.2 - Athletic Competition)

In addition, the Superintendent or designee may provide or make available:

1. Medical and/or hospital service for students who are injured on school grounds during the school day, at any other place that a school-sponsored activity is being held, or while being transported by the district to and from school, another place of instruction or a school activity

INSURANCE (continued)

The costs of the medical and/or hospital service for such students may be paid by either the district, the student, or the student's parent/guardian. (Education Code 49472)

- (cf. 3530 - Risk Management/Insurance)*
- (cf. 3540 - Transportation)*
- (cf. 3541.1 - Transportation for School-Related Trips)*
- (cf. 3543 - Transportation Safety and Emergencies)*
- (cf. 5141.1 - Accidents)*
- (cf. 5141.6 - Student Health and Social Services)*

Legal Reference:

EDUCATION CODE

32220-32224 Insurance for athletic teams

33353.5 Interscholastic federation; insurance program; nontransaction of insurance

35331 Insurance for field trips and excursions

48980 Parental notifications

49470-49474 District medical services and insurance

51760 Insurance, work experience programs

52530 Insurance for healing arts program students

INSURANCE CODE

10493 Benefit and relief association

INSURANCE

Athletic Teams

"Members of a school athletic team" include: (Education Code 32220)

1. Members of any extramural athletic team engaged in athletic events on or outside school grounds
2. Members of school bands or orchestras, cheerleaders and their assistants, pompom girls, team managers and their assistants, and any student selected by the school or student body organization to directly assist in the conduct of the athletic event, including incidental activities, but only while such members are being transported by or under the sponsorship or arrangements of the district or the district's student body organization to or from a school or other place of instruction and the place at which the athletic event is being conducted

Insurance for members of school athletic teams shall provide coverage for injury arising while students are: (Education Code 32221)

1. Engaging in or preparing for an athletic event sponsored or arranged by the district or student body organization
2. Being transported by the school district, or under its sponsorship, to and from the school and place of the athletic event

(cf. 3530 - Risk Management/Insurance)
(cf. 3541.1 - Transportation for School-Related Trips)
(cf. 3543 - Transportation Safety and Emergencies)
(cf. 5141.1 - Accidents)
(cf. 5141.6 - Student Health and Social Services)
(cf. 6145 - Extracurricular and Cocurricular Activities)
(cf. 6145.2 - Athletic Competition)

For such students, the district shall provide a group or individual medical plan which is certified by the Insurance Commissioner to be equivalent to the required coverage of at least \$1,500. (Education Code 32221)

Receipt of insurance benefits may be subject to the following conditions:

1. The Superintendent or designee shall certify whether an injured student applying for insurance benefits is a district student and is a member of an athletic team.
2. The injured student or his/her parents/guardians shall notify the Superintendent or designee of the injury not later than 60 days from the date of injury.

INSURANCE (continued)

3. Medical or hospital care or treatment shall begin within 120 days from the date of injury.
4. The period of time for which benefits shall be payable shall be limited to 52 weeks from the date the student received his/her first medical or hospital care or treatment.

Other Athletic Activities

The Superintendent or designee shall provide written notification to the parents/guardians of all students participating in athletic activities, other than athletic teams, that the district does not provide or make available medical and hospital care or insurance for students who are injured while participating in athletic activities. (Education Code 49471)

(cf. 5145.6 - Parental Notifications)

(cf. 6142.7 - Physical Education)

DISCIPLINE

The Board of Trustees desires to prepare students for responsible citizenship by fostering self-discipline and personal responsibility. The Board believes that high expectations for student behavior, effective classroom management and parent involvement can minimize the need for discipline. Staff shall use preventative measures and positive conflict resolution techniques whenever possible.

(cf. 5020 - Parent Rights and Responsibilities)
(cf. 5137 - Positive School Climate)
(cf. 5145.3 - Nondiscrimination/Harassment)
(cf. 5145.9 - Hate-Motivated Behavior)
(cf. 6020 - Parent Involvement)

Board policies and regulations shall delineate acceptable student conduct and provide the basis for sound disciplinary practices. Each school shall develop disciplinary rules to meet the school's individual needs.

(cf. 5131 - Conduct)
(cf. 5131.1 - Bus Conduct)

When misconduct occurs, staff shall implement appropriate discipline and attempt to identify and address the causes of the student's behavior. Continually disruptive students may be assigned to alternative programs or removed from school in accordance with law, Board policy and administrative regulation. At all times, the safety of students and staff and the maintenance of an orderly school environment shall be priorities in determining appropriate discipline.

(cf. 0450 - Comprehensive Safety Plan)
(cf. 3515 - Campus Security)
(cf. 3515.3 - District Police/Security Department)
(cf. 3515.4 - Recovery for Property Loss or Damage)
(cf. 4158/4258/4358 - Employee Security)
(cf. 5136 - Gangs)
(cf. 5144.1 - Suspension and Expulsion/Due Process)
(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))
(cf. 6164.5 - Student Success Teams)
(cf. 6159.4 - Behavioral Interventions for Special Education Students)
(cf. 6182 - Opportunity School/Class/Program)
(cf. 6184 - Continuation Education)
(cf. 6185 - Community Day School)

Staff shall enforce disciplinary rules fairly, consistently and without discrimination.

(cf. 0410 - Nondiscrimination in District Programs and Activities)
(cf. 5145.3 - Nondiscrimination/Harassment)

The Superintendent or designee shall provide professional development as necessary to assist staff in developing classroom management skills and implementing effective disciplinary techniques.

DISCIPLINE (continued)

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

Legal Reference:

CIVIL CODE

1714.1 Parental liability for child's misconduct

EDUCATION CODE

32280-32288 School safety plans

35146 Closed sessions

35291 Rules

35291.5-35291.7 School-adopted discipline rules

37223 Weekend classes

44807.5 Restriction from recess

48630-48644.5 Opportunity schools

48900-48926 Suspension and expulsion

48980-48985 Notification of parents or guardians

49000-49001 Prohibition of corporal punishment

49330-49335 Injurious objects

CODE OF REGULATIONS, TITLE 5

307 Participation in school activities until departure of bus

353 Detention after school

Management Resources:

CSBA PUBLICATIONS

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

CDE PROGRAM ADVISORIES

1010.89 Physical Exercise as Corporal Punishment, CIL 89/9-3

1223.88 Corporal Punishment, CIL: 88/9-5

WEB SITES

CDE: <http://www.cde.ca.gov>

USDOE: <http://www.ed.gov>

DISCIPLINE

Site-Level Rules

Each school shall review its site-level discipline rules at least every four years.

It shall be the duty of each employee of the school to enforce the school rules on student discipline. (Education Code 35291)

Disciplinary strategies provided in Board policy, regulation and law may be used in developing site-level rules. These strategies include but are not limited to:

1. Referral of the student for advice and counseling

(cf. 6164.2 - Guidance/Counseling Services)

2. Discussion or conference with parents/guardians

(cf. 5020 - Parent Rights and Responsibilities)

(cf. 6020 - Parent Involvement)

3. Recess restriction

4. Detention during and after school hours

5. Community service

6. Reassignment to an alternative educational environment

(cf. 6158 - Independent Study)

(cf. 6181 - Alternative Schools)

(cf. 6182 - Opportunity School/Class/Program)

(cf. 6184 - Continuation Education)

(cf. 6185 - Community Day School)

7. Removal from the class in accordance with Board policy, administrative regulation and law

8. Suspension and expulsion

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

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

Corporal Punishment

Corporal punishment shall not be used as a disciplinary measure against any student. Corporal punishment includes the willful infliction of, or willfully causing the infliction of, physical pain on a student. (Education Code 49001)

DISCIPLINE (continued)

For purposes of this policy, corporal punishment does not include an employee's use of force that is reasonable and necessary to protect the employee, students, staff or other persons or to prevent damage to property or to obtain possession of weapons or other dangerous objects within the control of the student. (Education Code 49001)

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

(cf. 5131.7 - Weapons and Dangerous Instruments)

Recess Restriction

A teacher may restrict a student's recess time when he/she believes that this action is the most effective way to bring about improved behavior, subject to the following conditions:

1. The student shall be given adequate time to use the restroom and get a drink or eat lunch, as appropriate.
2. The student shall remain under a certificated employee's supervision during the period of restriction.
3. Teachers shall inform the principal of any recess restrictions they impose.

Detention After School

Students may be detained for disciplinary reasons up to one hour after the close of the maximum school day. (5 CCR 353)

If a student will miss his/her school bus on account of being detained after school, or if the student is not transported by school bus, the principal or designee shall notify parents/guardians of the detention at least one day in advance so that alternative transportation arrangements may be made. The student shall not be detained unless the principal or designee notifies the parent/guardian.

In cases where the school bus departs more than one hour after the end of the school day, students may be detained until the bus departs. (5 CCR 307, 353)

Students shall remain under the supervision of a certificated employee during the period of detention.

Students may be offered the choice of serving their detention on Saturday rather than after school.

(cf. 6176 - Weekend/Saturday Classes)

DISCIPLINE (continued)

Community Service

As part of or instead of disciplinary action, the Board, Superintendent, principal or principal's designee may, at his/her discretion, require a student to perform community service on school grounds, or with written permission of the student's parent/guardian off school grounds, during nonschool hours. Such service may include, but is not limited to, community or school outdoor beautification, campus betterment, and teacher, peer or youth assistance programs. (Education Code 48900.6)

This community service option is not available for a student who has been suspended, pending expulsion, pursuant to Education Code 48915. However, if the recommended expulsion is not implemented or the expulsion itself is suspended, then a student may be required to perform community service for the resulting suspension pursuant to this section. (Education Code 48900.6)

Notice to Parents/Guardians and Students

At the beginning of the school year, the Superintendent or designee shall notify parents/guardians, in writing, about the availability of district rules related to discipline. (Education Code 48980)

(cf. 5145.6 - Parental Notifications)