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**OAKLAND UNIFIED
SCHOOL DISTRICT**
Community Schools, Thriving Students

Memo

To Board of Education

From Kyla Johnson-Trammell, Superintendent
Michael Smith, Interim General Counsel

Board Meeting Date 5/8/2019

Subject Amendment, Board Policy – Business and Noninstructional Operations – BP 3514 Environmental Safety

Action Requested and Recommendation Approval by the Board of Education of amendments to Board Policy – Business and Noninstructional Operations – BP 3514 Environmental Safety

Background Periodically modifications to board policies are recommended to align with changes in law or recommended best practices. The proposed modifications to the board policies reflect the District’s standards and are based on the California School Boards Association’s model policies.

Discussion The changes to the policy are shown on the attachment. The proposed deletions are indicated with **blue strikeouts**. The recommended additions are shown in **red**.

Fiscal Impact No direct funding implications

Attachments Board Policy BP 3514 Environmental Safety

OAKLAND UNIFIED SCHOOL DISTRICT

Board Policy

Business and Noninstructional Operations

BP 3514

Environmental Safety

The Governing Board recognizes its obligation to provide a safe and healthy environment at school facilities for students, staff ~~and community members.~~ ~~The Board shall identify and address potential risks to health and the environment and shall ensure that environmental resources are used in a responsible manner,~~ and community members. The Superintendent or designee shall regularly assess school facilities to identify environmental health risks and shall develop strategies to prevent and/or mitigate environmental hazards. He/she shall consider the proven effectiveness of various options, anticipated short-term and long-term costs and/or savings to the district, and the potential impact on staff and students, including the impact on student achievement and attendance.

~~(cf. 3513.3 - Tobacco-Free Schools)~~

~~(cf. 3514.1 - Hazardous Substances)~~

~~(cf. 0200 - Goals for the School District)~~

~~(cf. 0400 - Comprehensive Plans)~~

~~(cf. 1312.4 - Williams Uniform Complaint Procedures)~~

~~(cf. 3516 - Emergencies and Disaster Preparedness Plan)~~

~~(cf. 3516.3 - Earthquake Emergency Procedure System)~~

~~(cf. 3517 - Facilities Inspection)~~

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

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

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

~~(cf. 5142 - Safety)~~

~~(cf. 6161.3 - Toxic Art Supplies)~~

~~(cf. 7111 - Evaluating Existing Buildings)~~

Such strategies shall focus on maximizing healthy indoor air quality; monitoring the quality of outdoor air and adjusting outdoor activities as necessary; reducing exposure to vehicle emissions; minimizing exposure to lead and mercury; reducing the risk of unsafe drinking water; inspecting and properly abating asbestos; appropriately storing, using, and disposing of potentially hazardous substances; using effective least toxic pest management practices; reducing the risk of foodborne illness; and addressing any other environmental hazards identified during facilities inspections.

~~(cf. 3510 - Green School Operations)~~

~~(cf. 3513.3 - Tobacco-Free Schools)~~

~~(cf. 3514.1 - Hazardous Substances)~~

~~(cf. 3514.2 - Integrated Pest Management)~~

~~(cf. 3516.5 - Emergency Schedules)~~

~~(cf. 3540 - Transportation)~~

(cf. 3541.1 - Transportation for School-Related Trips)
(cf. 3542 - School Bus Drivers)
(cf. 3550 - Food Service/Child Nutrition Program)
(cf. 5141.23 - Asthma Management)
(cf. 5141.7 - Sun Safety)
(cf. 5142.2 - Safe Routes to School Program)
(cf. 6142.7 - Physical Education and Activity)
(cf. 6163.2 - Animals at School)
(cf. 7150 - Site Selection and Development)

In developing strategies to promote healthy school environments, the Superintendent or designee may consult and collaborate with local environmental protection agencies, health agencies, water boards, and other community organizations.

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

The Superintendent or ~~Deputy Superintendent of Business Services~~designee shall ~~establish regulations to prevent and/or reduce environmental hazards in accordance with law and state guidelines. Strategies shall include but not necessarily be limited to:~~

1. ~~Considering air quality in the setting and architectural design of new or remodeled~~ provide the district's maintenance and facilities and in the selection of building materials and furnishings, staff, bus drivers, food services staff, teachers, and other staff as appropriate with professional development regarding their responsibilities in implementing strategies to improve and taking steps to reduce indoor air contaminants in maintenance operations

2. ~~Ensuring the use of effective least toxic pest management practices at all district~~ maintain environmentally safe and healthy schools.

~~(cf. 3514.2 - Integrated Pest Management)~~

~~***Note: Item #3 below addresses the need to minimize lead exposure and recognizes that lead exposure may be harmful to young children. Pursuant to Education Code 32240-32245, the Lead Safe Schools Protection Act, the state Department of Health Services conducted a survey to estimate the extent and nature of lead hazards in California elementary schools and child care facilities. In April 1998, the Department of Health Services issued its report to the legislature with recommendations on reducing lead hazards related to the maintenance and renovation of schools. These measures are set forth in AR 3514.***~~

3. ~~Minimizing the exposure to lead in paint, soil or drinking water, especially in areas accessible to very young children~~

4. ~~Inspecting and testing facilities for asbestos-containing materials and protecting persons during encapsulation and removal of any asbestos~~

(cf. 4131 - Staff Development)

The Superintendent or ~~Deputy Superintendent of Business Services~~ designee shall notify the Board, staff, parents/guardians, students, and/or governmental agencies, as appropriate, if an environmental hazard is discovered at a school site. The notification shall ~~detail~~ provide information about the district's ~~efforts~~ actions to remedy the hazard. ~~and may recommend health screening of staff and students.~~

(cf. 5141.6 - School Health Services)

Legal Reference:

EDUCATION CODE

~~17366 Legislative intent (fitness of buildings for occupancy)~~

17002 Definition of "good repair"

17070.75 Facilities inspection

17582 Deferred maintenance fund

17590 Asbestos abatement fund

17608-~~17613~~ 17614 Healthy Schools Act of 2000, least toxic pest management practices

32080-32081 Carbon monoxide devices

32240-32245 Lead-Safe Schools Protection Act

48980.3 Notification of pesticides

49410-49410.7 Asbestos materials containment or removal

FOOD AND AGRICULTURAL CODE

11401-12408 Pest ~~Control Operations and Agricultural Chemicals~~ control operations and agricultural chemicals

13180-13188 Healthy Schools Act of 2000, least toxic pest management practices

GOVERNMENT CODE

3543.2 Scope of representation; right to negotiate safety conditions

HEALTH AND SAFETY CODE

105400-105430 Indoor environmental quality

113700-114437 California Retail Food Code, sanitation and safety requirements

116277 Lead testing of potable water at schools and requirements to remedy

CODE OF REGULATIONS, TITLE 5

14010 Standards for school site selection

CODE OF REGULATIONS, TITLE 8

337-339 Hazardous substances list

340-340.3 ~~Employer's obligation to provide~~ 2 Occupational safety information and health, rights of employees

~~1532-1~~ 1528-1537 Construction safety orders, lead standard; exposure to hazards

~~5142 Heating, ventilating and air conditioning systems; minimum ventilation~~

~~5143 Mechanical ventilating systems; inspection and maintenance~~

5139-5223 Control of hazardous substances

CODE OF REGULATIONS, TITLE 13

[2025 Retrofitting of diesel school buses](#)
[2480 Vehicle idling](#)
 CODE OF REGULATIONS, TITLE 17
[35001-35099—Accreditation in 36100 Lead Abatement Services](#)[abatement services](#)
 CODE OF REGULATIONS, TITLE 22
[64670-64679 Lead and copper in drinking water](#)
 CODE OF REGULATIONS, TITLE 24
[915.1-915.7 California Building Standards Code; carbon monoxide devices](#)
 UNITED STATES CODE, TITLE 7
[136-136y Insecticide, Fungicide and Rodenticide Act](#)[Use of pesticides](#)
 UNITED STATES CODE, TITLE 15
[2601-2629 Control of toxic substances](#)
[2641-2656 Asbestos Hazard Emergency Response Act](#)
 UNITED STATES CODE, TITLE 42
[1758 Food safety and inspections](#)
 CODE OF FEDERAL REGULATIONS, TITLE 40
[141.1-141.723 Drinking water standards](#)
[745.61-745.339 Lead-based paint standards](#)
[763.93—Management Plans](#)

[80-763.94—Record keeping](#)[99 Asbestos-containing materials in schools](#)
[763.120-763.123 Asbestos worker protections](#)

Management Resources:

~~CDE~~CSBA PUBLICATIONS

[Indoor Air Quality: Governing Board Actions for Creating Healthy School Environments, Policy Brief, July 2008](#)

[Asthma Management in the Schools, Policy Brief, March 2008](#)

[Food Safety Requirements, Fact Sheet, October 2007](#)

[Sun Safety in Schools, Policy Brief, July 2006](#)

~~CALIFORNIA DEPARTMENT OF EDUCATION~~ PUBLICATIONS

[School Site Selection and Approval Guide, 2000](#)

[Indoor Air Quality, A Guide for Educators, 1995](#)

~~CALIFORNIA DEPARTMENT OF HEALTH SERVICES~~ ~~ADVISORIES~~ PUBLICATIONS

[Report to the Legislature: Lead Hazards in California's Public Elementary Schools and Child Care Facilities:—](#)

[Report to the California State Legislature, April 1998](#)

~~CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY: AIR RESOURCES BOARD~~ PUBLICATIONS

[Facts about Truck and Bus Regulation School Bus Provisions, rev. March 22, 2011](#)

~~CALIFORNIA STATE WATER RESOURCES CONTROL BOARD~~ PUBLICATIONS

[Frequently Asked Questions about Lead Testing of Drinking Water in California Schools; Updated for Assembly](#)

[Bill 746/Health and Safety Code 116277, December 15, 2017](#)

~~DIVISION OF THE STATE ARCHITECT~~ PUBLICATIONS

[K-12 Occupancy Classification and Load Factors, IR A-26, rev. April 18, 2012](#)

~~U.S. ENVIRONMENTAL PROTECTION AGENCY~~ PUBLICATIONS

[Pest Control in the School Environment: Adopting Integrated Pest Management, 1993](#)

[A Citizen's Guide to Radon: The Guide to Protecting Yourself and Your Family from Radon, 2016](#)

[Healthy School Environments Assessment Tool, rev. 2015](#)

[Indoor Air Quality Tools for Schools, rev. 2009](#)

[Mold Remediation in Schools and Commercial Buildings, September 2008](#)

[The ABCs of Asbestos in Schools, rev. August 2003](#)

[How to Manage Asbestos in School Buildings: AHERA Designated Person's Self-Study Guide, 1996](#)

WEB SITES

~~CDE~~CSBA: <http://www.cde-ca.gov/csba.org>

AirNow: <http://www.airnow.gov>

American Association of School Administrators: <http://www.aasa.org>

California Air Resources Board: <http://www.arb.ca.gov>

California Building Standards: <http://www.bsc.ca.gov/codes.aspx>

California Department of ~~Education, Health Services, Lead Poisoning Prevention Branch~~ and Safety:
<http://www.dhs.cde.ca.gov/childleadls/fa/hs>

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

California Department of Pesticide Regulation: <http://www.cdpr.ca.gov>

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

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

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

Consumer Product Safety Commission: <http://www.cpsc.gov>

National Center for Environmental Health: <http://www.cdc.gov/nceh>

Occupational Safety and Health Administration: <http://www.osha.gov>

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

7/14/04; 5/22/19 (if adopted)

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BP 3514

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EDUCATION CODE

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32080-32081 *Carbon monoxide devices*

32240-32245 *Lead-Safe Schools Protection Act*

48980.3 *Notification of pesticides*

49410-49410.7 *Asbestos materials containment or removal*

FOOD AND AGRICULTURAL CODE

11401-12408 *Pest control operations and agricultural chemicals*

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GOVERNMENT CODE

3543.2 *Scope of representation; right to negotiate safety conditions*

HEALTH AND SAFETY CODE

105400-105430 *Indoor environmental quality*

113700-114437 *California Retail Food Code, sanitation and safety requirements*

116277 *Lead testing of potable water at schools and requirements to remedy*

CODE OF REGULATIONS, TITLE 5

14010 *Standards for school site selection*

CODE OF REGULATIONS, TITLE 8

337-339 *Hazardous substances list*

340-340.2 *Occupational safety and health, rights of employees*

1528-1537 *Construction safety orders; exposure to hazards*

5139-5223 *Control of hazardous substances*

CODE OF REGULATIONS, TITLE 13

2025 *Retrofitting of diesel school buses*

2480 Vehicle idling
CODE OF REGULATIONS, TITLE 17
35001-36100 Lead abatement services
CODE OF REGULATIONS, TITLE 22
64670-64679 Lead and copper in drinking water
CODE OF REGULATIONS, TITLE 24
915.1-915.7 California Building Standards Code; carbon monoxide devices
UNITED STATES CODE, TITLE 7
136-136y Use of pesticides
UNITED STATES CODE, TITLE 15
2601-2629 Control of toxic substances
2641-2656 Asbestos Hazard Emergency Response Act
UNITED STATES CODE, TITLE 42
1758 Food safety and inspections
CODE OF FEDERAL REGULATIONS, TITLE 40
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763.120-763.123 Asbestos worker protections

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WEB SITES

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

AirNow: <http://www.airnow.gov>

American Association of School Administrators: <http://www.aasa.org>

California Air Resources Board: <http://www.arb.ca.gov>

California Building Standards: <http://www.bsc.ca.gov/codes.aspx>

California Department of Education, Health and Safety: <http://www.cde.ca.gov/ls/ja/hs>

California Department of Pesticide Regulation: <http://www.cdpr.ca.gov>

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

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

Centers for Disease Control and Prevention: <http://www.cdc.gov>
Consumer Product Safety Commission: <http://www.cpsc.gov>
National Center for Environmental Health: <http://www.cdc.gov/nceh>
Occupational Safety and Health Administration: <http://www.osha.gov>
U.S. Environmental Protection Agency: <http://www.epa.gov>

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