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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** 5/22/2019

**Subject** Amendment, Board Policy – Business and Noninstructional Operations – BP 3514.1 Hazardous Substances

**Action Requested and Recommendation** Approval by the Board of Education of amendments to Board Policy – Business and Noninstructional Operations – BP 3514.1 Hazardous Substances

**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 3514.1 Hazardous Substances

# OAKLAND UNIFIED SCHOOL DISTRICT

## Board Policy

### Business and Noninstructional Operations

#### BP 3514.1

#### Hazardous Substances

The Governing Board ~~recognizes~~desires to provide a safe school environment that protects students and employees from exposure to any potentially hazardous substances ~~are~~used in the daily operations of our schools. ~~The Superintendent or Deputy Superintendent of Business Services shall ensure these substances are inventoried, used, stored and regularly disposed of in a safe and legal manner~~district's educational program and in the maintenance and operation of district facilities and equipment.

*(cf. 3514 - Environmental Safety)*

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

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

*(cf. 5141.22 - Infectious Diseases)*

*(cf. 5142 - Safety)*

Insofar as reasonably possible, the Superintendent or ~~Deputy Superintendent of Business Services~~designee shall minimize the quantities of hazardous substances stored and used on school property ~~and shall substitute less dangerous.~~ When hazardous substances must be used, the Superintendent or designee shall give preference to materials for that cause the least risk to people and the environment.

*(cf. 3510 - Green School Operations)*

*(cf. 3514.2 - Integrated Pest Management)*

The Superintendent or designee shall ensure that all potentially hazardous substances on district properties are inventoried, used, stored, and regularly disposed of in a safe and legal manner.

#### ~~Hazard Communication Program~~

The Superintendent or ~~Deputy Superintendent of Business Services~~designee shall develop, implement, and ~~monitor~~maintain a written hazard communication program in accordance with state law. ~~As part of this program, he/she~~8 CCR 5194 and shall ensure that employees, students, and others as necessary are fully informed about the properties and potential hazards of substances to which they may be exposed ~~and that material safety data sheets are readily accessible to them.~~

~~Teachers shall instruct students about the importance of proper handling, storage, disposal and protection when using any potentially hazardous substance.~~

~~(cf. 3514—Environmental Safety)~~

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

(cf. ~~5141.23—Infectious Disease Prevention~~) 1240 - Volunteer Assistance)

The Superintendent or designee shall develop specific measures to ensure the safety of students and staff in school laboratories where hazardous chemicals are used. Such measures shall include the development and implementation of a chemical hygiene plan in accordance with 8 CCR 5191 and instruction to students about proper handling of hazardous substances.

(cf. ~~6161.3—Toxic Art Supplies~~ 6142.93 - Science Instruction)

The Superintendent or designee shall not order or purchase for use in grades K-6 any arts and crafts materials containing a substance determined by the California Office of Environmental Health Hazard Assessment to be toxic. The Superintendent or designee shall not purchase any such toxic material for use in grades 7-12 unless it includes a warning label as specified in Education Code 32065 that identifies any toxic ingredients, warns of potential adverse health effects, and describes procedures for safe use and storage. (Education Code 32064)

*Legal Reference:*

*EDUCATION CODE*

32060-32066 Toxic art supplies in schools

49340-49341 Legislative findings Hazardous substances education

49401.5 Legislative intent; consultation services

49411 Chemical listing; compounds used in school programs; determination of shelf life; disposal

*FOOD AND ~~AGRICULTURE~~ AGRICULTURAL CODE*

12981 Regulations re pesticides and worker safety

*HEALTH AND SAFETY CODE*

25163 Transportation of hazardous wastes; registration; exemptions; inspection

25500-25520 Hazardous materials release response plans; inventory

108100-108515 California Hazardous Substances Act

*LABOR CODE*

6360-6363 Hazardous Substances Information and Training Act

6380-6386 List of hazardous substances

*CODE OF REGULATIONS, TITLE 8*

339 List of hazardous substances

3203 Illness and injury prevention program

3204 Records of employee exposure to toxic or harmful substances

5139-5230 Control of hazardous substances, especially

5154.1-5154.2 Ventilation

5161 Definitions

5162 Emergency eyewash and shower equipment

5163 Control of spills

5164 Storage of hazardous substances

5191 Occupational exposure to hazardous chemicals in laboratories; chemical hygiene plan

5194 Hazard ~~Communication~~ communication

*CODE OF REGULATIONS, TITLE 22*

67450.40-67450.49 School hazardous waste collection, consolidation, and accumulation facilities

*Management Resources:*

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Science Safety Handbook for California Public Schools, 2012  
CALIFORNIA OFFICE OF ENVIRONMENTAL HEALTH HAZARD ASSESSMENT PUBLICATIONS  
Art and Craft Materials in Schools: Guidelines for Purchasing and Safe Use, September 17, 2016  
WEB SITES  
CSBA: <http://www.csba.org>  
California Department of Education: <http://cde.ca.gov>  
California Office of Environmental Health Hazard Assessment: <http://www.oehha.ca.gov>  
Department of Industrial Relations, Cal/OSHA: <http://www.dir.ca.gov/dosh>

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

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## Board Policy

### Business and Noninstructional Operations

#### BP 3514.1

#### Hazardous Substances

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*(cf. 3514 - Environmental Safety)*

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

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*(cf. 3510 - Green School Operations)*

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The Superintendent or designee shall develop, implement, and maintain a written hazard communication program in accordance with 8 CCR 5194 and shall ensure that employees, students, and others as necessary are fully informed about the properties and potential hazards of substances to which they may be exposed.

*(cf. 1240 - Volunteer Assistance)*

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Science Safety Handbook for California Public Schools, 2012

**CALIFORNIA OFFICE OF ENVIRONMENTAL HEALTH HAZARD ASSESSMENT PUBLICATIONS**

Art and Craft Materials in Schools: Guidelines for Purchasing and Safe Use, September 17, 2016

**WEB SITES**

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

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

California Office of Environmental Health Hazard Assessment: <http://www.oehha.ca.gov>

Department of Industrial Relations, Cal/OSHA: <http://www.dir.ca.gov/dosh>

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