

**PIEDMONT UNIFIED SCHOOL DISTRICT**  
**BOARD POLICIES & ADMINISTRATIVE REGULATIONS**

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**Revised 7-15-16**

## **Piedmont Unified SD Board Policy**

BP 3000

### **Business and Noninstructional Operations**

#### Concepts And Roles

The Board of Education recognizes that prudent financial decisions are crucial to the district's ability to provide a high-quality education for students. It is therefore essential that the Board establish reliable budget development processes and adopt a responsible budget with spending priorities which reflect the district's vision and goals. When needed, the Board shall advocate and seek community, state or federal support for additional financing.

(cf. 0100 - Philosophy)

(cf. 0200 - Goals for the School District)

The Board expects sound fiscal management from the administration. The Superintendent or designee shall prepare the detailed annual budget and present it to the Board for review and adoption. He/she shall administer the adopted budget in accordance with Board policies and accepted business procedures.

(cf. 3100 - Budget)

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

The Board shall monitor financial operations so as to ensure the district's fiscal integrity. The Superintendent or designee shall make all required financial reports, recommend auditor(s) to the Board, recommend financial plans for meeting program needs, and keep the Board fully informed about the district's fiscal and noninstructional operations.

(cf. 3460 - Financial Reports and Accountability)

The Board shall make every effort to ensure that the district provides healthy school environments and maintains high standards of safety in the operation of facilities, equipment and services. The Superintendent or designee shall establish a risk management program through Alameda Schools Insurance Group (ASIG) that promotes safety and protects district resources.

(cf. 3514 - Environmental Safety)

(cf. 3515 - Campus Security)

(cf. 3530 - Risk Management/Insurance)

(cf. 9000 - Role of the Board)

#### Legal Reference:

##### EDUCATION CODE

35035 Powers and duties of superintendent

35160 Authority of Board of Educations

35160.1 Broad authority of school district

35161 Powers and duties of Board of Educations

Policy PIEDMONT UNIFIED SCHOOL DISTRICT  
adopted: January 12, 2000 Piedmont, California

**Piedmont Unified SD  
Board Policy**

BP 3100

**Business and Noninstructional Operations**

Budget

The Board of Education accepts responsibility for adopting a sound budget that is compatible with the district's vision and goals. The Board shall establish and maintain a reserve that meets or exceeds the requirements of law.

(cf. 3300 - Expenditures/Expending Authority)

The Board encourages public input in the budget development process and shall hold public hearings in accordance with law.

The Superintendent or designee shall determine the manner in which the budget is developed and shall schedule the budget adoption process in accordance with the single budget adoption process.

Legal Reference:

**EDUCATION CODE**

1620-1630 County office of education budget approval  
33127 Development of standards and criteria for local budgets and expenditures  
33128 Standards and criteria  
33129 Standards and criteria; use by local agencies  
35035 Powers and duties of superintendent  
35161 Powers and duties, generally, of Board of Educations  
42103 Public hearing on proposed budget; requirements for content of proposed budget; publication of notice of hearing  
42103.3 Public budget information; CDE sampling and suggested improvements  
42122-42129 Budget requirements  
42132 Resolutions identifying estimated appropriations limit  
42602 Use of unbudgeted funds  
42610 Appropriation of excess funds and limitation thereon  
45253 Annual budget of personnel commission  
45254 First year budget of personnel commission

**GOVERNMENT CODE**

7900-7914 Expenditure limitations

**CODE OF REGULATIONS, TITLE 5**

15440-15452 Criteria and standards for school district budgets  
15467-15479 Criteria and standards for county office of education budgets

Management Resources:

**CDE MANAGEMENT ADVISORIES**

0203.92 Implementation of AB 1200, 92-03

Policy PIEDMONT UNIFIED SCHOOL DISTRICT  
adopted: January 12, 2000 Piedmont, California

**Piedmont Unified SD  
Administrative Regulation**

AR 3100

**Business and Noninstructional Operations**

Budget

The district budget shall be prepared annually from the best possible estimates that individual schools and district administrative staff can provide. Appropriate consolidation shall occur as the budget progresses through the various levels of review.

The district budget shall be developed in accordance with standards and criteria for fiscal accountability adopted by the State Board of Education. (Education Code 33129)

(cf. 3460 - Financial Reports and Accountability)

Before adopting the budget, the Board of Education shall hold a public hearing. The proposed budget shall be available for public inspection at least three working days before this hearing. (Education Code 42103, 42127)

An agenda for this hearing shall be posted at least 72 hours before the hearing and shall indicate the location where the budget may be inspected. (Education Code 42127)

Any district resident may appear at the public hearing and speak to the proposed budget or any item on the budget. The hearing may conclude when all residents who so desire have had the opportunity to be heard. (Education Code 42103) Sufficient time shall be allowed so that the budget can still be adopted by July 1.

(cf. 9320 - Meetings and Notices)

(cf. 9323 - Meeting Conduct)

Regulation    PIEDMONT UNIFIED SCHOOL DISTRICT  
approved: January 12, 2000 Piedmont, California

**Piedmont Unified SD  
Administrative Regulation**

AR 3110

**Business and Noninstructional Operations**

Transfer Of Funds

Transfers may be made from the designated fund balance or the unappropriated fund balance to any expenditure classification or between expenditure classifications by the Board of Education on adoption of a resolution by a majority vote.

The resolution must be filed with the County Superintendent of Schools and the county auditor. (Education Code 42600)

End-of-the-Year Procedures

At the close of the school year, the Superintendent or designee may, with Board approval, identify and request the County Superintendent of Schools to make transfers between the designated fund balance or the unappropriated fund balance and any expenditure classification(s) or balance any budget expenditure classifications as necessary to permit the payment of obligations incurred by the district during that school year. (Education Code 42601)

Temporary Transfers Between Classifications

The Board may direct that monies held in any fund or account may be temporarily transferred from one or more of these accounts to another fund or account to be used for the payment of obligations of the district, with limitations as set by Education Code 42603. The transfer shall be accounted for as temporary borrowing and shall not be available for appropriation or be considered income to the borrowing fund or account. (Education Code 42603)

Special Reserve Funds

Upon resolution of the Board, a special reserve fund may be established for such purpose(s) as specified in the resolution. A copy of the resolution shall be filed with the County Superintendent of Schools, as well as the county auditor and treasurer. As necessary, the Board may amend the resolution to specify additional purposes or to withdraw any previously designated purpose. (Education Code 42841)

The Board may expend the money in the special reserve fund for capital outlay for the purpose specified in the resolution. In addition, unless encumbered for ongoing expenses, the Board may expend money in the fund for the general operating purposes of the district. Any money in a special reserve fund that is maintained for purposes other than capital outlay must be transferred into the district's general fund before it is expended. (Education Code 42842)

Deferred Maintenance Funds

Funds deposited in the district's deferred maintenance fund may be received from any source and shall only be expended for maintenance purposes as provided for in Education Code 17582. (Education Code 17582)

Upon resolution of the Board, excess local funds deposited in the deferred maintenance fund may be transferred to other expenditure classifications when state funds provided pursuant to Education Code 17584 and 17585 are insufficient to fully match the local funds. The resolution shall be approved by a two-thirds vote of the Board and filed with the County Superintendent of Schools and the county auditor. (Education Code 17583)

Legal Reference:

EDUCATION CODE

78 Definition Board of Education

17582 Deferred maintenance fund; establishment; purpose

17583 Deferred maintenance fund; transfer

17584 Budgeting certification deferred maintenance fund; apportionment

17585 Applications for deferred maintenance funding

41301 Section A state school fund allocation schedule

42125 Designated and unappropriated fund balances

42600 District budget limitation on expenditure

42601 Transfers between funds to permit payment of obligations at close of year

42603 Transfer of monies held in any fund or account to another fund; repayment

42840-42843 Special reserve fund

52616.4 Expenditures from adult education fund

Regulation     PIEDMONT UNIFIED SCHOOL DISTRICT

approved: January 12, 2000 Piedmont, California



**Piedmont Unified SD  
Board Policy**

BP 3260

**Business and Noninstructional Operations**

Fees And Charges

The Board of Education desires to furnish books, materials and instructional equipment as needed for the educational program. Because district needs must be met with limited available funds, the Board may charge fees when specifically authorized by law.

The district shall consider the student and parent/guardian's ability to pay when establishing fee schedules and granting exceptions.

- (cf. 1321 - Solicitation of Funds from and by Students)
- (cf. 3250 - Transportation Fees)
- (cf. 3290 - Gifts, Grants and Bequests)
- (cf. 3515.4 - Recovery for Property Loss or Damage)
- (cf. 3553 - Free and Reduced Price Meals)
- (cf. 5143 - Insurance)
- (cf. 6145 - Extracurricular and Cocurricular Activities)
- (cf. 9323.2 - Actions by the Board)

Legal Reference:

EDUCATION CODE

- 8760-8773 Outdoor science and conservation programs
  - 17551 Property fabricated by students
  - 19910 Malicious cutting, tearing, defacing, breaking or injuring
  - 19911 Willful detention of property
  - 32221 Insurance for athletic team member
  - 35330 Excursions and field trips
  - 35335 School camp programs
  - 38080-38085 Cafeteria establishment and use
  - 38119 Lease of personal property; caps and gowns
  - 38120 Use of school band equipment on excursions to foreign countries
  - 39807.5 Payment of transportation cost
  - 39837 Transportation of students to places of summer employment
  - 41902 Allowances by Superintendent of Public Instruction (re driver training)
  - 48904 Liability of parent or guardian
  - 48932 Authorization for activities by student organizations; fund-raising
  - 49063 Notification of rights
  - 49490-49493 School Breakfast and Lunch Program
  - 49500-49505 Meals
  - 49530-49536 Child Nutrition Act of 1974
  - 49550-49560 Meals for needy students
  - 51810-51815 Community service classes
  - 52500 Adult classes; admission of minors
  - 52500.1 Eligibility of high school students for enrollment
  - 52523 Adult education as supplement for high school curriculum
- GOVERNMENT CODE
- 6253 Request for copy; fee

VEHICLE CODE

21113 Public grounds (parking)

CALIFORNIA CONSTITUTION

Article 9, Section 5 Common school system

CODE OF REGULATIONS, TITLE 5

350 Fees not permitted

15500 Food sales in elementary schools

15501 Food sales in high schools and junior high schools

15510 Mandatory meals for needy students

15550-15565 School lunch and breakfast programs

Policy PIEDMONT UNIFIED SCHOOL DISTRICT

adopted: January 12, 2000 Piedmont, California

**Piedmont Unified SD  
Administrative Regulation**

AR 3260

**Business and Noninstructional Operations**

Fees And Charges

The district shall not charge fees which are not specifically authorized by law. (5 CCR 350)

The following fees and charges are permissible if approved by the Board of Education:

1. Accident and medical insurance premiums (Education Code 32221)

(cf. 5143 - Insurance)

2. Expenses of students' participation in a field trip or excursion to another state, the District of Columbia or a foreign country (Education Code 35330)

(cf. 6153 - School-Sponsored Trips)

3. School outdoor science camp programs operated pursuant to Education Code 8760-8773 (Education Code 35335)

(cf. 6142.5 - Environmental Education)

4. Personal property of the district fabricated by students, at cost (Education Code 17551)

5. Home-to-school transportation (Education Code 39807.5)

(cf. 3250 - Transportation Fees)

6. Transportation to and from summer employment programs (Education Code 39837)

7. Rental or lease of personal property such as caps and gowns used by seniors in graduation ceremonies (Education Code 38119)

(cf. 5127 - Graduation Ceremonies and Activities)

8. Deposit for band instruments, music, uniforms and other regalia which school band members take on excursions to foreign countries (Education Code 38120)

9. Fees for community service classes (Education Code 51815)

10. Actual costs of duplication for copies of public records, student records or other materials (Government Code 6253; Education Code 49063)

(cf. 1340 - Access to District Records)

11. Parking on school grounds (Vehicle Code 21113)

12. Food sold at school subject to restrictions specified in law (Education Code 38080-38085, 49490-49493, 49500-49505, 49530-49536, 49550-49560; Code of Regulations, Title 5, Section 15500-15501, 15510, 15550-15565)

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

(cf. 3553 - Free and Reduced Price Meals)

(cf. 3554 - Other Food Sales)

13. Fines or reimbursements for lost or damaged district property (Education Code 19910-19911, 48904)

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

Regulation     PIEDMONT UNIFIED SCHOOL DISTRICT  
approved: January 12, 2000 Piedmont, California

**Piedmont Unified SD  
Board Policy**

BP 3270

**Business and Noninstructional Operations**

Sale And Disposal Of Books, Equipment And Supplies

When district-owned books, equipment and supplies become unusable, obsolete, or no longer needed, the Superintendent or designee shall identify these items to the Board of Education, together with their estimated value and a recommendation that they be sold or disposed of by one of the methods prescribed in law and administrative regulations. With Board approval, the Superintendent or designee shall arrange for the sale or disposal of these items.

Instructional materials may be considered obsolete or unusable when they:

1. Contain information rendered inaccurate or incomplete by new discoveries or technologies
2. Have been replaced by more recent versions or editions of the same material and are of no foreseeable value in other instructional areas
3. Contain demeaning, stereotyping or patronizing references to either sex, members of racial, ethnic, religious, vocational or cultural groups, or persons with physical or mental disabilities
4. Have been inspected and discovered to be damaged beyond use or repair

(cf. 3440 - Inventories)

Legal Reference:

EDUCATION CODE

17540-17542 Sale or lease of personal property by one district to another

17545-17555 Sale of personal property

42291.5 Temporary school bus designation

42303 School bus sale to another district

60500 Determination of obsolescence

60510-60511 Donation or sale

60520-60521 Disposition of sale proceeds

60530 Methods of destruction

62000.4 Instructional materials program, sunset date

GOVERNMENT CODE

25505 District property; disposition; proceeds

UNITED STATES CODE, TITLE 40

484 Surplus property

CODE OF FEDERAL REGULATIONS, TITLE 34

80.32 Equipment acquired under a grant or subgrant

adopted: January 12, 2000 Piedmont, California

**Piedmont Unified SD  
Administrative Regulation**

AR 3270

**Business and Noninstructional Operations**

Sale And Disposal Of Books, Equipment And Supplies

The Board of Education may dispose of personal property belonging to the district by any of the following methods:

1. If the Board members attending a meeting unanimously agree that the property is worth no more than \$2,500, the Board may designate any district employee to sell the property without advertising. (Education Code 17546)
2. The Board may advertise for bids and either sell the property to the highest responsible bidder or reject all bids. (Education Code 17545)

Notice for bids shall be posted in at least three public places in the district for at least two weeks or published at least once a week for at least two weeks in a newspaper having a general circulation in the district and, if possible, published within the district. (Education Code 17545)

Property for which no qualified bid has been received may be sold, without further advertising, by the Superintendent or designee. (Education Code 17546)

3. The Board may authorize the sale of the property by means of a public auction conducted by district employees, employees of other public agencies, or by contract with a private auction firm. Notice related to the auction shall be posted or published as described in item #2 above. (Education Code 17545)
4. Without advertising for bids, the Board may sell the property to agencies of federal, state or local government, to any other school district, or to any agency eligible under the federal surplus property law (40 USC 484(j)(3)). In such cases, the sale price shall equal the cost of the property plus estimated cost of purchasing, storing and handling. (Education Code 17540)
5. Without advertising for bids, the Board may sell or lease the property to agencies of federal, state or local government or to any other school district. In such cases, the price and terms of the sale or lease shall be fixed by the Board and approved by the County Superintendent of Schools. (Education Code 17542)
6. If the Board members attending a meeting unanimously find that the value of the property is insufficient to defray the costs of arranging a sale, the property may be donated to a charitable organization deemed appropriate by the Board or may be disposed of by dumping. (Education Code 17546)

Money received from the sale of surplus property shall be either deposited in the district reserve or general fund or credited to the fund from which the original purchase was made. (Education Code 17547)

Instructional Materials

Surplus or undistributed obsolete instructional materials that are usable for educational purposes may be donated to any Board of Education, county free library or other state institution; any United States public agency or institution; any nonprofit charitable organization; or children or adults in California or foreign countries for the purpose of increasing literacy. They also may be sold to any organization that agrees to use the materials for educational purposes. (Education Code 60510)

Any organization, agency or institution receiving obsolete instructional materials from the district shall certify to the Board that it agrees to use the materials for educational purposes and make no charge to any persons to whom the materials are given or lent. (Education Code 60511)

(cf. 9323 - Meeting Conduct)

Surplus or undistributed obsolete instructional materials which are unusable or which cannot be distributed as specified above may be disposed of by either of the following: (Education Code 60530)

1. By being mutilated so as not to be salable and sold for scrap at the highest obtainable price
2. By being destroyed by any economical means at least 30 days after the Board has given notice to all persons who have requested such notice

(cf. 9323.2 - Actions by the Board)

Regulation    PIEDMONT UNIFIED SCHOOL DISTRICT  
approved: January 12, 2000 Piedmont, California



**Piedmont Unified SD  
Board Policy**

BP 3280

**Business and Noninstructional Operations**

Sale, Lease, Rental Of District-Owned Real Property

The Board of Education shall dispose of district property whenever it is apparent the district will have no further use for it. If property currently unused will be needed at some future time, the Board may lease it to a governmental or private agency or individual. (Education Code 17453, 17455-17484)

When required by law, the Board shall appoint a district advisory committee to advise the Board in the development of policies and procedures governing the use or disposition of schools or school building space which is not needed for school purposes. (Education Code 17388)

Before offering to sell or lease surplus real property to any other parties, the district may offer it to designated child care providers for child care and development purposes.

(cf. 5148 - Child Care and Development)

When surplus property is not sold or leased to child care providers, the Board shall offer to sell or lease it, with an option to buy, in accordance with the priorities set forth in Education Code 17464 and 17230 and in Government Code 54222.

Any lease or sale made by the Board will conform in all particulars to the provisions of law.

Legal Reference:

EDUCATION CODE

8469.5 Use of school facilities or grounds for school age child care

17022 Approval of new facilities

17219 Acquisition of property not utilized as school site; nonuse payments; exemptions

17230 Surplus property

17385 Conveyances to and from school districts

17387-17391 Advisory committees for use of excess school facilities

17406 Right of district to lease property under lease providing for construction of building

17453 Lease of surplus district property

17455-17484 Sale or lease of real property

17515-17526 Joint occupancy

17527-17535 Joint use of district facilities

38134 Groups which may use school facilities without charge; charges for use by other groups

GOVERNMENT CODE

54222 Offer to sell or lease property

Adopted: January 12, 2000

**PIEDMONT UNIFIED SCHOOL DISTRICT  
Board Policy**

Business and Noninstructional Operations

Board Policy 3290

**GIFTS, GRANTS AND BEQUESTS**

**Coordination of Funding**

The Board of Education supports working collaboratively with the local community, Piedmont Educational Foundation and Parent Clubs/Organizations, and coordinating funding from state, federal, and local sources. This coordination is essential to helping the district fulfill its mission, annual goals and priorities, and long-term vision for the future.

The Board of Education may accept any bequest or gift of money or property on behalf of the District. While greatly appreciating suitable donations, the Board discourages any gifts, grants, or bequests which may directly or indirectly impair its commitment to providing equal educational opportunities for all District students.

**Acceptance & Expenditure of Donated Funds**

The Piedmont Unified School District recognizes the community's generous support and financial commitment to the schools. As key stakeholders, the Piedmont Unified School District, Piedmont Educational Foundation, Piedmont Parent Clubs/Organizations and local community are guided by the following shared commitments to:

- Support the District's mission, annual goals and priorities, and vision for the future.
- Attract and retain the highest quality professional staff possible for all students.
- Offer a breadth and depth of equitable program opportunities for all students district-wide.
- Respect the individuality of the schools and the autonomy of the key stakeholders.
- Work collaboratively to coordinate fund raising efforts and to collectively raise funds to support the core educational values of the school system

With the Board's final approval, the Superintendent or designee is authorized to accept grants and gifts that are consistent with this policy and the above principles. The Superintendent or designee is authorized to accept gifts, grants or bequests that:

- Have a purpose consistent with the District's mission, annual goals and priorities, curriculum standards, grade-level expectations, and long-term plan for the future.
- Do not commit the District to a program that the District would not be able to continue on an annual basis, or sustain in the future.
- Do not entail undesirable or excessive costs.
- Do not imply an endorsement of a business or product.

The Board shall carefully evaluate any conditions or restrictions imposed by the donor in light of District philosophy and operations. Although the Board will make every effort to comply with a donor's request for the purpose of a gift, grant or bequest, the District reserves the right to use the gift, grant or bequest in the capacity which best addresses the needs of the District for the educational advancement of students. The donor will be notified if their condition for use cannot be approved by the Board, and the donor will have the option to withdraw the gift, grant or bequest.

All gifts, grants and bequests shall become the property of the District.

### **Acceptance of Construction-Related Donations**

The Piedmont Unified School District recognizes the community's generous support and financial commitment to modernize and seismically strengthen school facilities. With the Board's final approval, the Superintendent or designee is authorized to accept construction-related grants and gifts that:

- Are consistent with the District's approved Facilities Design Standards
- Are consistent with the District's policies concerning sustainability and energy efficiency
- Are consistent with the District's construction plans, goals and priorities
- Include all necessary and related incremental costs of incorporating the gift into the District's design and construction plans. These costs may include, but are not limited to, architectural fees and permit fees resulting from incorporation of the gift
- Do not commit the District to maintenance or continuing expenses that the District would not be able to continue or sustain in the future, given anticipated financial resources
- Do not imply an endorsement of a business or product

All gifts, grants and bequests shall become the property of the District.

Legal Reference:

EDUCATION CODE

1834 Acquisition of materials and apparatus

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

41030 School district may invest surplus monies from bequest or gifts

41031 Special fund or account in county treasury

41032 Authority of school board to accept gift or bequest; investments; gift of land requirements

41035 Advisory committee

41036 Function of advisory committee

41037 Rules and regulations

Approved: January 12, 2000

Revised: January 26, 2005

Revised: September 23, 2009

**Piedmont Unified SD  
Board Policy**

BP 3300

**Business and Noninstructional Operations**

Expenditures/Expending Authority

The Superintendent or designee may purchase supplies, materials, equipment and services up to the amounts specified in Public Contract Code 20111, beyond which a competitive bidding process is required.

(cf. 3310 - Purchasing Procedures)

(cf. 3311 - Bids)

(cf. 3312 - Contracts)

The Superintendent or designee may authorize an expenditure which exceeds the budget classification allowance against which the expenditure is the proper charge only if an amount sufficient to cover the purchase is available in the budget for transfer by the Board of Education.

(cf. 3100 - Budget)

(cf. 3110 - Transfer of Funds)

All transactions entered into by the Superintendent or designee on behalf of the Board shall be reviewed by the Board every 60 days. (Education Code 17605)

No district funds shall be expended for the purchase of alcoholic beverages. (Education Code 32435)

The Board shall not recognize obligations incurred contrary to Board policy and administrative regulations.

Legal Reference:

EDUCATION CODE

17604 Delegation of powers to agents; liability of agents

17605 Delegation of authority to purchase supplies and equipment

32435 Prohibited use of public funds

35010 Control of district; prescription and enforcement of rules

35035 Powers and duties of superintendent

35272 Educational and athletic materials

38083 Purchase of perishable foodstuffs and seasonal commodities

41010 Accounting system

41014 Requirement of budgetary accounting

PUBLIC CONTRACT CODE

20111 Contracts over \$50,000; contracts for construction; award to lowest responsible bidder

Policy PIEDMONT UNIFIED SCHOOL DISTRICT  
adopted: January 12, 2000 Piedmont, California

**Piedmont Unified SD  
Board Policy**

BP 3310

**Business and Noninstructional Operations**

Purchasing Procedures

The Superintendent or designee shall maintain effective purchasing procedures in order to ensure that maximum value is received for money spent by the district and that records are kept in accordance with law.

Insofar as possible, goods and services purchased shall meet the needs of the person or department ordering them at the lowest price consistent with standard purchasing practices. Maintenance costs, replacement costs and trade-in values shall be considered when determining the most economical purchase price.

(cf. 3314.2 - Revolving Funds)  
(cf. 3440 - Inventories)

All purchases shall be made by formal contract or purchase orders, or shall be accompanied by a receipt.

(cf. 3300 - Expenditures/Expending Authority)  
(cf. 3312 - Contracts)

Legal Reference:

EDUCATION CODE

17604 Delegation of powers to agents; approval or ratification of contracts by Board of Education

17605 Delegation of authority to purchase supplies and equipment

35250 Duty to keep certain records and reports

GOVERNMENT CODE

4331 Preference to supplies manufactured or produced in state

PUBLIC CONTRACT CODE

3410 U.S. produce and processed foods

12168 Preference for recycled paper products

12210 Purchase of recycled products

Policy PIEDMONT UNIFIED SCHOOL DISTRICT  
adopted: January 12, 2000 Piedmont, California

**Piedmont Unified SD  
Board Policy**

BP 3311

**Business and Noninstructional Operations**

Bids

The district shall purchase equipment, supplies and services using competitive bidding when required by law and in accordance with statutory requirements for bidding and bidding procedures. In addition, formal bids may be required whenever it appears to be in the best interest of the district.

To ensure that good value is received for funds expended, specifications shall be carefully designed and shall describe in detail the quality, delivery and service required.

(cf. 9270 - Conflict of Interest)

Legal Reference:

**EDUCATION CODE**

17595 Purchases through Department of General Services

38083 Purchase of perishable foodstuffs and seasonable commodities

38110 Purchase of supplies through county superintendent

38111 Purchases by district Board of Education

38112 Purchases of necessary supplies

39801.5 Transportation bids and contracts for services

**GOVERNMENT CODE**

4330-4334 Preference of California-made materials

6252 Definitions for California Public Records Act

53060 Special services and advice

**PUBLIC CONTRACT CODE**

2000-2001 Responsive bidders

3400 Bids, specifications by brand or trade name not permitted

3410 United States produce and processed foods

12161 Definitions, recycled paper products

12168 Preference for purchase of recycled paper products

12169 Bidders to specify percentage of recycled paper product

12200 Definitions, recycled goods, materials and supplies

12210 Purchase of recycled products preferred

12213 Specification by bidder of recycled content

20107 Bidder's security

20111-20118.4 School districts especially:

20111 Contracts over \$50,000; contracts for construction; award to lowest responsible bidder

20189 Bidder's security, earthquake relief

22002 Definition of public project

22030-22045 Alternative procedures for public projects (UPCCAA), especially:

22032 Dollar amount limits for public projects

22050 Alternative emergency procedures

Policy PIEDMONT UNIFIED SCHOOL DISTRICT  
adopted: January 12, 2000 Piedmont, California

**Piedmont Unified SD  
Administrative Regulation**

AR 3311

**Business and Noninstructional Operations**

Bids

Advertised Bids

The district shall seek competitive bids through advertisement for contracts involving an expenditure of \$15,000 or more for a public project. (Public Contract Code 20111)

"Public project" includes construction, reconstruction, erection, alteration, renovation, improvement, painting, repainting, demolition and repair work involving a district owned, leased or operated facility. (Public Contract Code 22002)

The amount by which contracts shall be competitively bid shall escalate automatically based upon the annual adjustment by the Superintendent of Public Instruction.

Competitive bids shall be sought through advertisement for contracts exceeding \$60,000 for the following: (Public Contract Code 20111)

1. The purchase, rent or lease of equipment, material or supplies
2. Services, not including construction services, professional services or advice, and insurance services.
3. Repairs, including maintenance that is not a public project

"Maintenance work" means routine, recurring and usual work for preserving, protecting and keeping a district facility operating in a safe, efficient and continually usable condition for the intended purpose for which it was designed, improved, constructed, altered or repaired. "Maintenance" includes, but is not limited to, carpentry, electrical, plumbing, glazing and other craft work designed to preserve the facility as well as repairs, cleaning and other operations on machinery and other permanently attached equipment. This definition does not include, among other types of work, janitorial or custodial services and protection provided by security forces, nor does it include painting, repainting or decorating other than touchup. (Public Contract Code 20115)

Unless otherwise authorized by law, contracts shall be let to the lowest responsible bidder who shall give such security as the Board of Education requires, or else all bids shall be rejected. (Public Contract Code 20111)

When letting a contract for the procurement and/or maintenance of electronic data processing systems and supporting software, the Board may contract with any one of the three lowest responsible bidders. (Public Contract Code 20118.1)

The Board shall secure bids for any transportation service expenditure of more than \$10,000 when contemplating that such a contract may be made with a person or corporation other than a common carrier, municipally owned transit system or a parent/guardian of students who are to be transported. The Board may let this contract to other than the lowest bidder. (Education Code 39801.5)



No work, project, service or purchase shall be split or separated into smaller work orders or projects for the purpose of evading the legal requirements of Public Contract Code 20111-20116 for contracting after competitive bidding. (Public Contract Code 20116)

#### Instructions and Procedures for Advertised Bids

The Superintendent or designee shall call for bids by advertising in a local newspaper or general circulation published in the district, or if no such paper exists, then in some newspaper of general circulation, circulated in the county at least once a week for two weeks. The notice shall state the work to be done or materials or supplies to be furnished and the time and place where bids will be opened. (Public Contract Code 20112)

Bid instructions and specifications shall include the following requirements and information:

1. All bidders, including bidders for printing contracts, shall specify the minimum, if not exact, percentage of recycled product in the products offered, and both the postconsumer and secondary waste content. (Public Contract Code 12169, 12213)
2. All bids for construction work shall be presented under sealed cover and shall be accompanied by one of the following forms of bidder's security: (Public Contract Code 20107, 20111)
  - a. Cash
  - b. A cashier's check made payable to the district
  - c. A certified check made payable to the district
  - d. A bidder's bond executed by an admitted surety insurer and made payable to the district

The security of unsuccessful bidders shall be returned in a reasonable period of time, in no event any later than 60 days after the bid is awarded. (Public Contract Code 20111)

3. Under no condition shall bids be accepted after the advertised bid opening time, regardless of whether the bids are actually opened at that time. (Public Contract Code 20112)
4. When two or more identical bids are received, the Board may determine by lot which bid shall be accepted. (Public Contract Code 20117)
5. Any subsequent change or alteration of a contract shall be governed by the provisions of Public Contract Code 20118.4.
6. After being opened, all submitted bids shall be made available for review by all interested parties. (Government Code 6252)

(cf. 1340 - Access to District Records)

Bids Not Required

Upon a case-by-case determination that it is in the best interests of the district and to the extent permitted by law, the Board may authorize the purchase, lease or contract for equipment and supplies through a public corporation or agency without advertising for bids. (Public Contract Code 20118)

(cf. 3310 - Purchasing Procedures)

Supplementary textbooks, library books, periodicals, educational films, audiovisual materials, test materials, workbooks and instructional computer software packages may be purchased without taking estimates or advertising for bids. (Public Contract Code 20118.3)

Perishable commodities such as foodstuffs may be purchased through bid or on the open market, depending on district preference. (Education Code 38083)

In an emergency when repairs, alterations, work or improvement to any school facility is necessary for the continuance of existing school classes or to avoid danger to life or property, the Board, by unanimous vote and with the approval of the County Superintendent of Schools, may contract for labor and materials or supplies without advertising for or inviting bids. (Public Contract Code 20113)

Bids shall also not be required for day labor under circumstances specified in law. Day labor shall include the use of maintenance personnel employed on a permanent or temporary basis. (Public Contract Code 20114)

Whenever the total number of hours on the job does not exceed 350 hours, day labor may be used to erect new buildings and for the following purposes: (Public Contract Code 20114)

1. School building repairs, alterations, additions
2. Painting, repainting or decorating of school buildings
3. Repair or building of apparatus or equipment
4. Improvements on school grounds
5. Maintenance work as defined above

#### Sole Sourcing

Specifications for contracts for construction, alteration or repair of school facilities may not limit bidding to any one product or supplier. Specifications designating a particular brand name shall list at least two brands of comparable quality and follow the description with the words "or equal." (Public Contract Code 3400)

Specifications for contracts may designate a product by brand or trade name (sole sourcing) when one or more of the following conditions apply: (Public Contract Code 3400)

1. The product is designated to match others in use on a particular public improvement that has been completed or is in the course of completion

2. One product has a unique application required to be used in the public interest
3. Only one brand name is known, or
4. Upon resolution of the Board, the Board makes a finding that the item sought is the subject of a field test to determine its suitability for future use

#### Protests by Bidders

A bidder may protest a bid award if he/she believes that the award was inconsistent with Board policy, the bid's specifications or not in compliance with law.

A protest must be filed in writing with the Superintendent or designee within five working days after receipt of notification of the contract award. The bidder shall submit all documents supporting or justifying the protest. A bidder's failure to timely file a protest shall constitute a waiver of his/her right to protest the award of the contract.

The Superintendent or designee shall review the documents submitted with the bidder's claims and render a decision in writing within 30 days. The Superintendent or designee also may convene a meeting with the bidder in order to attempt to resolve the problem.

The bidder may appeal the Superintendent or designee's decision to the Board. The Superintendent or designee shall provide reasonable notice to the bidder of the time for Board consideration of the contract award.

Regulation    PIEDMONT UNIFIED SCHOOL DISTRICT  
approved: January 12, 2000 Piedmont, California

**Piedmont Unified SD  
Board Policy**

BP 3312

**Business and Noninstructional Operations**

Contracts

The Superintendent or designee may enter into contracts on behalf of the district. All contracts must be approved or ratified by the Board.

(cf. 3300 - Expenditures/Expending Authority)  
(cf. 3314 - Payment for Goods and Services)  
(cf. 3400 - Management of District Assets/Accounts)

All contracts between the district and outside agencies shall conform to standards required by law and shall be prepared under the direction of the Superintendent or designee.

(cf. 2121- Superintendent's Contract)  
(cf. 4312.1 - Contracts)  
(cf. 9124 - Attorney)

The district upholds state nondiscrimination laws. All contracts made by the district shall contain a nondiscrimination clause in accordance with law.

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

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination on the basis of sex

14505 Provisions required in contracts for audits

17595-17606 Contracts

45103.5 Contracts for management consulting service related to food service

CODE OF CIVIL PROCEDURE

685.010 Rate of interest

GOVERNMENT CODE

12990 Nondiscrimination and compliance employment programs

53260 Contract provision re maximum cash settlement

53262 Ratification of contracts with administrative officers

LABOR CODE

1775 Penalties for violations

1810-1813 Working hours

6705 Trench excavation

PUBLIC CONTRACT CODE

4100-4114 Subletting and subcontracting fair practices

7104 Contracts for excavations; discovery of hazardous waste

7106 Noncollusion affidavit

20104.50 Construction Progress Payments

22300 Performance retentions

UNITED STATES CODE, TITLE 42

1681-1688 Title IX, discrimination

Policy PIEDMONT UNIFIED SCHOOL DISTRICT  
adopted: January 12, 2000 Piedmont, California

**Piedmont Unified SD  
Board Policy**

BP 3312.2

**Business and Noninstructional Operations**

Educational Travel Program Contracts

The Board of Education believes that field trips and other travel opportunities for students are a valuable tool in supporting classroom instruction and promoting students' awareness of places and events. In contracting with organizations to provide educational travel services, the Board desires to ensure a quality educational experience and the health, safety and welfare of each student traveler.

The Superintendent or designee shall contract only with educational travel organizations which adhere to state law and exhibit safe and reputable business practices.

(cf. 3312 - Contracts)

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

(cf. 6153 - School-Sponsored Trips)

Legal Reference:

EDUCATION CODE

35160 Authority of boards

35160.1 Broad authority of school districts

BUSINESS AND PROFESSIONS CODE

17540 Travel promoters

17550-17550.9 Sellers of travel

17552-17556.5 Educational travel organizations

Policy PIEDMONT UNIFIED SCHOOL DISTRICT  
adopted: January 12, 2000 Piedmont, California

**Piedmont Unified SD  
Administrative Regulation**

AR 3312.2

**Business and Noninstructional Operations**

Educational Travel Program Contracts

Definitions

Educational travel organization or organization means a person, partnership, corporation, or other entity which offers educational travel programs for students residing in California. (Business and Professions Code 17552)

Student traveler or student means a person who is enrolled in elementary or secondary school, grades kindergarten through grade 12, at the time an educational travel program is arranged with an educational travel organization. (Business and Professions Code 17552)

Educational travel program means travel services that are arranged through or offered to an elementary or secondary school in the state, and where the services are represented to include an educational program as a component. (Business and Professions Code 17552)

Contract Requirements

The Superintendent or designee shall ensure that each written contract with an educational travel organization includes all of the following: (Business and Professions Code 17554)

1. The travel organization's name, trade or business name, business address, business telephone number and a 24-hour emergency contact number
2. An itemized statement which shall include but not be limited to:
  - a. Services to be provided as part of the program
  - b. Agreed cost for the services
  - c. A statement as to whether or not the educational travel organization maintains insurance that supplies coverage in the event of injury to any student traveler, including the type and amount of coverage, the policy number and issuer, and the name and telephone number of the person or organization which is able to verify coverage
  - d. Any additional costs to students
  - e. The qualifications, if any, for experience and training that are required to be met by the educational travel organization's staff who shall accompany students on the educational travel program
3. A written description of the educational program being contracted for, including a copy of all materials to be provided to students

District staff shall inform all vendors representing educational travel organizations that they may not arrange a travel program before the district has first entered into a written contract with the organization.

Regulation    PIEDMONT UNIFIED SCHOOL DISTRICT  
approved: January 12, 2000 Piedmont, California



**Piedmont Unified SD  
Board Policy**

BP 3314

**Business and Noninstructional Operations**

Payment For Goods And Services

The Board of Education desires to have invoices paid on time in order that the district may take advantage of available discounts and avoid finance charges. The district shall not be responsible for unauthorized purchases.

(cf. 3300 - Expenditures/Expending Authority)  
(cf. 3312 - Contracts)  
(cf. 3314.2 - Revolving Funds)  
(cf. 3400 - Management of District Assets/Accounts)

The Superintendent or designee may pay invoices in excess of previously approved purchase order amounts without further Board approval when the excess amount represents sales tax, transportation charges or charges made for the detention of a shipment during loading or unloading.

Legal Reference:

**EDUCATION CODE**

42630-42651 General provisions - orders, requisitions and warrants

42800-42806 Revolving cash fund

42810 Alternative revolving fund

42820 Prepayment funds

**CODE OF CIVIL PROCEDURE**

685.010 Rate of interest

**GOVERNMENT CODE**

5500 Definitions (facsimile signatures)

5501 Filing and certification of manual signature

5503 Unlawful use of facsimile signatures or seals

**PUBLIC CONTRACT CODE**

7107 Retention proceeds; withholding; disbursement

20104.50 Construction progress payments

Policy PIEDMONT UNIFIED SCHOOL DISTRICT  
adopted: January 12, 2000 Piedmont, California

**Piedmont Unified SD  
Board Policy**

BP 3314.2

**Business and Noninstructional Operations**

Revolving Fund

District Revolving Fund

The Board of Education has established by resolution a revolving cash fund for use by the Superintendent or designee in paying for goods, services and other charges determined by the Board, including supplemental payments required to correct any payroll errors. (Education Code 42800-42806, 45167)

At the request of the Board, County Auditor or County Superintendent of Schools, the Superintendent or designee shall give an account of the fund. (Education Code 42804)

The funds shall be deposited in a bank doing business locally, whose deposits are insured by FDIC. The Superintendent or designee shall be responsible for all payments into the account as well as expenditures from the account subject to the restrictions established by the Board.

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

The Board shall provide an audit of the revolving fund on a regular basis. (Education Code 42810)

Legal Reference:

EDUCATION CODE

35160 Authority of Board of Educations

41020 Audits of all district funds

42238 Local taxation by school districts

42800-42806 Revolving cash fund

42810 Revolving cash funds; use; administrators

45167 Error in salary

Policy PIEDMONT UNIFIED SCHOOL DISTRICT  
adopted: January 12, 2000 Piedmont, California

**Piedmont Unified SD  
Board Policy**

BP 3315

**Business and Noninstructional Operations**

Relations With Vendors

No district employee or Board of Education member shall accept personal gifts, commissions or expense-paid trips from individuals or companies selling equipment, materials or services required in the operation of district programs. Gifts include any gift purchased specifically for an employee which is not generally offered to other buyers.

This policy does not prohibit employees from accepting promotional or advertising items such as calendars, desk pads, notebooks and other office gadgets which are offered by business concerns free to all as part of their public relations programs.

District employees who work for or serve as consultants for potential vendors shall not participate in evaluating any equipment, materials or services of that vendor or its competitors.

(cf. 6161.1 - Selection and Evaluation of Instructional Materials)  
(cf. 9270 - Conflict of Interest)

This policy does not prohibit the acceptance of materials and/or services which are of use and benefit to the district.

(cf. 3290 - Gifts, Grants and Bequests)

Legal Reference:

EDUCATION CODE

60071 Prohibited offers to influence adoption or purchase of instructional materials

60072 Acceptance of consideration or inducements by school official

60073 Penalties for violation of article

60074 Supplying sample copies

60075 Receiving sample copies

60076 Inapplicability of article; royalties or other compensation of school official for writing or preparing instructional materials; claim of district to royalty

Policy PIEDMONT UNIFIED SCHOOL DISTRICT  
adopted: January 12, 2000 Piedmont, California

**Piedmont Unified SD  
Board Policy**

BP 3320

**Business and Noninstructional Operations**

Claims And Actions Against The District

Any and all claims for money or damages against the district must be presented to and acted upon in accordance with Board of Education policy and administrative regulation. Compliance with district procedures is a prerequisite to any court action, unless the claim is governed by statutes or regulations which expressly free the claimant from the obligation to comply with this policy and the claims procedures set forth in the Government Code.

The Board delegates to the Superintendent or designee the authority to take action on claims of under \$50,000. (Government Code 935.4)

This policy is intended to apply retroactively to any existing causes of action and/or claims for money and/or damages.

Legal Reference:

EDUCATION CODE

35200 Liability for debts and contracts

35202 Claims against districts; applicability of Government Code

GOVERNMENT CODE

800 Cost in civil actions

810-996.6 Claims and actions against public entities

53051 Information filed with secretary of state and county clerk

Policy PIEDMONT UNIFIED SCHOOL DISTRICT  
adopted: January 12, 2000 Piedmont, California

**Piedmont Unified SD  
Administrative Regulation**

AR 3320

**Business and Noninstructional Operations**

Claims And Actions Against The District

Time Limitations

1. Claims for money or damages relating to a cause of action for death or for injury to person or personal property shall be presented to the Board of Education no later than six months after the accrual of the cause of action. (Government Code 905, 911.2)
2. Claims for money or damages as authorized in Government Code 905 and not included in paragraph #1 above, including claims for damages to real property, shall be filed not later than one year after the accrual of the cause of action. (Government Code 905, 911.2)
3. Claims for money or damages specifically excepted from Government Code 905 shall be filed not later than six months after the accrual of the cause of action. (Government Code 905, 911.2, 935)

Late Claims

Claims under paragraphs #1 and #3 above which are filed later than six months after the accrual of the cause of action must be accompanied by an application to file a late claim. Such claim and application to file a late claim must be filed not later than one year after the accrual of the cause of action.

If a claim under paragraphs #1 or #3 is filed late and is not accompanied by the application, the Board or Superintendent or designee shall, within 45 days, give written notice that the claim was not filed timely and that it is being returned without further action. The notice shall be in the form set forth in Exhibit A.

The application to file a late claim shall state the reason for the delay. The Board shall grant or deny the application within 45 days after it is presented. By mutual agreement of the claimant and the Board, this 45-day period may be extended by written agreement made before the expiration of such period. If the Board does not take action on the application within 45 days, it shall be deemed to have been denied on the 45th day unless such time period has been extended, in which case it shall be denied on the last day of the period specified in the extension agreement.

The Board or Superintendent shall grant the application to file a late claim under any one of the following circumstances: (Government Code 911.6)

1. The failure to present the claim was through mistake, inadvertence, surprise or excusable neglect and the district was not prejudiced in its defense of the claim by the failure to present the claim within the time limit.
2. The person who sustained the alleged injury, damage or loss was a minor during all of the time specified for presentation of the claim.

3. The person who sustained the alleged injury, damage or loss was physically or mentally incapacitated during all of the time specified for presentation of the claim and the disability was the reason he/she failed to present the claim.

If the application to present a late claim is denied, the claimant shall be given notice in the form set forth in Exhibit B. (Government Code 911.3)

#### Delivery and Form of Claim

A claim, any amendment thereto, or an application for leave to present a late claim shall be deemed presented when delivered to the office of the Superintendent or designee or deposited in a post office, subpost office, substation, or mail chute or other like facility maintained by the U.S. Government in a sealed envelope properly addressed to the district office with postage paid. (Government Code 915, 915.2)

Claims shall be submitted on the district claim form. (Government Code 910.4)

#### Notice of Claim Insufficiency

The Superintendent or designee shall review all claims for sufficiency of information. The Superintendent or designee may, within 20 days of receipt of claim, either personally deliver or mail to claimant a notice as set forth in Exhibit C stating deficiencies in the claim presented. If such notice is delivered or sent to claimant, the Board shall not act upon the claim until at least 15 days after such notice is sent. (Government Code 910.8, 915.4)

#### Amendments to Claim

Claims may be amended within the above time limits or prior to final action by the Board, whichever is later, if the claim, as amended, relates to the same transaction or occurrence which gave rise to the original claim. (Government Code 910.6)

#### Action on Claim

Within 45 days after the presentation or amendment of a claim, the Board (or Superintendent or designee, if delegated this authority) shall take action on the claim. This time limit may be extended by written agreement before the expiration of the 45-day period or before legal action is commenced or barred by legal limitations. (Government Code 912.4) The Superintendent or designee shall transmit to the claimant a notice of action taken. The notice shall be in the form set forth in Exhibit D. (Government Code 913)

If no action is taken within the prescribed time limits, the claim shall be deemed to have been rejected and the claimant notified in accordance with Government Code 913. (Government Code 945.6)

#### Roster of Public Agencies

The Superintendent or designee shall annually verify that all information regarding the school district and the Board is filed accurately with the Roster of Public Agencies in the office of the Secretary of State and the County Clerk. The verified information shall include the name of the school district, the mailing address of the Board, and the names and addresses of the Board presiding officer, the Board clerk or secretary and other

members of the Board. (Government Code 53051)

Regulation      PIEDMONT UNIFIED SCHOOL DISTRICT  
approved:      January 12, 2000      Piedmont, California  
revised:        May 28, 2003

**Piedmont Unified SD  
Exhibit**

E 3320

**Business and Noninstructional Operations**

Claims And Actions Against The District

Claim Form Against School District

Government Code Sections 910 and 910.2

Note: AB 3000 (Ch. 1124, Statutes of 2002) amended Government Code 910.4 to require districts, beginning on March 31, 2003, to provide a claim form for use by persons filing a claim against the district. The claim form must contain the information listed in Government Code 910 and 910.2. The following sample form contains the information specified in Government Code 910 and 910.2 and should be modified to reflect district practice. Districts are strongly encouraged to consult district legal counsel in developing this form.

Name of  
Claimant: \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_

Phone  
Number: \_\_\_\_\_ (day) \_\_\_\_\_ (evening) \_\_\_\_\_

Date the injury/damage occurred: \_\_\_\_\_

Place the injury/damage occurred: \_\_\_\_\_

Describe how and under what circumstances the injury/damage  
occurred: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

What particular action by the district and/or its employees caused the alleged damage or  
injury: (List employee name(s), if  
known): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

State the amount of the claim if it is less than \$10,000: \$ \_\_\_\_\_

Include the estimated amount of any prospective injury, damage or loss insofar as it may  
be known at the time this claim is presented and list the basis for the computation of the  
amount claimed:



If the dollar amount is more than \$10,000, no dollar amount shall be stated but please indicate whether the claim is a limited civil claim (total dollar amount less than \$25,000):  
Limited Civil Case: Yes \_\_\_\_\_ No \_\_\_\_\_

Names, addresses and phone numbers of any witnesses, doctors, and hospitals: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Warning: It is unlawful to knowingly present or cause to be presented any false or fraudulent claim for payment of a loss or injury. Penal Code Section 500 provides that a person who files such a claim may be guilty of a felony punishable by imprisonment and by a fine not exceeding \$50,000

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

**NOTICE OF FAILURE TO USE DISTRICT'S CLAIM FORM**  
Government Code Section 910.4

Note: The following form should be modified to reflect district practice. Districts are strongly encouraged to consult district legal counsel in developing this form.

\_\_\_\_\_  
TO Claimant

\_\_\_\_\_  
Address

\_\_\_\_\_  
RE Claim Filed          date

The claim you presented to the Superintendent or designee on [date] is being returned because it was not presented on the district's claim form as required by Government Code Section 910.4 and in accordance with Board policy and administrative regulation. Because the claim was not presented on the district's form, no action was taken on the claim.

You may resubmit your claim using the district's claim form, which may be obtained at the district office. Note that your claim must still comply with the time limits in the Government Code specified for filing of such claims. For further information, call [phone number].

**NOTICE OF INSUFFICIENCY**  
Government Code Section 910.8

Note: The following form should be modified to reflect district practice. Districts are strongly encouraged to consult district legal counsel in developing this form.

\_\_\_\_\_

\_\_\_\_\_  
TO Claimant

\_\_\_\_\_  
Address

\_\_\_\_\_  
RE Claim Filed          date

The claim presented by you on [date] fails to comply substantially with the requirements of Government Code Sections 910 and 910.2 or with the requirements of the district's claim form provided under Government Code Section 910.4. Specifically, your claim is insufficient because of the following defects or omissions:

Therefore, the claim is being returned to you without further action or consideration. If you wish to pursue this further, you should consult the Government Code or legal counsel.

The Governing Board will not take any action on the claim for a period of fifteen (15) days from the date of this notice.

\_\_\_\_\_  
Dated

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Typed Title of Officer

NOTICE OF FAILURE TO FILE IN A TIMELY MANNER  
Government Code Section 911.3

\_\_\_\_\_  
TO      Claimant

\_\_\_\_\_  
Address

\_\_\_\_\_  
RE Claim Filed          date

Note: Government Code 911.3 requires the following language. Districts should consult legal counsel before modifying this form.

The claim you presented to the Superintendent or designee on [date] is being returned because it was not presented within six months after the event or occurrence as required by law. See Sections 901 and 911.2 of the Government Code. Because the claim was

not presented within the time allowed by law, no action was taken on the claim.

Your only recourse at this time is to apply without delay to [district name] for leave to present a late claim. See Sections 911.4 to 912.2, inclusive, and Section 946.6 of the Government Code. Under some circumstances, leave to present a late claim will be granted. See Section 911.6 of the Government Code.

You may seek the advice of an attorney of your choice in connection with this matter. If you desire to consult an attorney, you should do so immediately.

**DENIAL OF APPLICATION TO FILE A LATE CLAIM**  
Government Code Section 911.8

---

         TO Claimant

---

         Address

---

         RE Claim Filed          date

Note: The following paragraph should be modified to reflect district practice.

Your application to file a late claim presented on [date] has been denied. The Governing Board has determined that your claim does not satisfy one of the four conditions listed in Government Code Section 911.6.

Note: Government Code 911.8 requires the following language. Districts should consult legal counsel before modifying this language.

**WARNING**

If you wish to file a court action on this matter, you must first petition the appropriate court for an order relieving you from the provisions of Government Code Section 945.4 (claims presentation requirement). See Government Code Section 945.6. Such petition must be filed with the court within six (6) months from the date your application for leave to present a late claim was denied.

You may seek the advice of an attorney of your choice in connection with this matter. If you desire to consult an attorney, you should do so immediately.

**NOTICE OF ACTION TAKEN ON CLAIM**  
Government Code Section 913

Note: Government Code 913 requires that the following language be used in the notice. Districts should consult legal counsel before modifying this language.

Dear \_\_\_\_\_:

Notice is hereby given that the claim you presented to the

---

[district name] on [date] was [rejected, allowed, allowed in the amount of [\$]and rejected to the balance, rejected by operation of law or other appropriate language, whichever is applicable] on

---

[date of action or rejection by operation of law].

**WARNING**

Subject to certain exceptions, you have only six (6) months from the date this letter was personally delivered or deposited in the mail to file a court action on this claim. See Government Code Section 945.6.

You may seek the advice of an attorney of your choice in connection with this matter. If you desire to consult an attorney, you should do so immediately.

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Dated

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Signature

---

Typed Title of Officer

**Piedmont Unified SD  
Board Policy**

BP 3350

**Business and Noninstructional Operations**

Travel Expenses

The Board of Education shall authorize payment for actual and necessary expenses, including travel, incurred by any employee performing authorized services for the district.

The Superintendent or designee may approve employee requests to attend meetings in accordance with the adopted budget.

All conference attendance of staff must be recommended by the immediate supervisor and approved by the Superintendent or designee.

(cf. 4131 - Staff Development)  
(cf. 4131.5 - Professional Growth)  
(cf. 4231 - Staff Development)  
(cf. 4331 - Staff Development)

Expenses shall be reimbursed within limits approved by the Board. The Superintendent or designee shall establish procedures for the submission and verification of expense claims.

The Board may establish an allowance on either a mileage or monthly basis to reimburse authorized employees for the use of their own vehicles in the performance of assigned duties.

The mileage rate for reimbursement of travel expenses shall be in accordance with the negotiated agreements.

(cf. 9240 - Board Development)  
(cf. 9250 - Remuneration, Reimbursement, and Other Benefits)

Legal Reference:  
EDUCATION CODE  
44016 Travel expense  
44032 Travel expense payment  
44033 Automobile allowance  
44802 Student teacher's travel expense

Policy PIEDMONT UNIFIED SCHOOL DISTRICT  
adopted: January 12, 2000 Piedmont, California

**Piedmont Unified SD  
Board Policy**

BP 3400

**Business and Noninstructional Operations**

**Management Of District Assets/Accounts**

In order to oversee the district's financial integrity, the Board of Education desires to have a clear picture of the district's current financial condition readily available at all times. Audits and quality control reviews shall be conducted in accordance with law.

The district's accounting system shall provide ongoing internal controls and a means of ascertaining that the district's income and expenditures are in keeping with the adopted budget.

(cf. 3100 - Budget)

(cf. 3300 - Expenditures/Expending Authority)

(cf. 3460 - Financial Reports and Accountability)

Legal Reference:

**EDUCATION CODE**

14500-14508 Financial and compliance audits, especially:

14503 Standards; use of audit guide; independent auditors; quality control reviews

14504.2 Quality control reviews

14505 Withholding percentage of audit fee until certification of conformance to audit guide; appeal

35035 Powers and duties of superintendent

35250 Duty to keep certain records and reports (accurate account of expenditures and receipts)

41010 Accounting system; requirements for Accounting Manual

41011 Accounting system requirements

41012 Uniform cost accounting procedure to determine allowances for handicapped minors

41013 Transfers from district general funds; accounting rules and regulations

41014 Requirement of budgetary accounting

41020 Requirement for annual audit

41020.3 Review of annual audit

41020.5 Audit not in conformance

42600 District budget limitation on expenditures

42601 Transfers between funds to permit payment of obligations at close of year

42603 Transfer of special or restricted funds moneys

42647 Drawing of warrants by district on county treasurer; form; reports, statements and other data

**GOVERNMENT CODE**

53995-53997 Obligation of contract

Policy PIEDMONT UNIFIED SCHOOL DISTRICT  
adopted: January 12, 2000 Piedmont, California

**Piedmont Unified SD  
Administrative Regulation**

AR 3400  
**Business and Noninstructional Operations**

**Management of District Assets/Accounts**

Accounts

The District's accounting system shall fully comply with the definitions, instructions and procedures set forth in the California Department of Education School Accounting Manual (Education Code 41010).

The Superintendent or designee shall ensure that funds are encumbered in the district accounting records immediately after an expenditure is committed for subsequent payment.

(cf. 3110 - Transfer of Funds)

All District-owned land shall be considered a capital asset and is never depreciated. All buildings and site improvements owned by the District with an initial cost of \$15,000 or greater shall be considered a capital asset and depreciated straight-line over its useful life.

All District-owned equipment with an initial cost of \$5,000 or greater shall be considered as capital assets and depreciated straight-line over its useful life.

Audit

By April 1 of each year, the Board of Education shall provide for an audit of all District accounts, any other funds which are administered pursuant to a joint powers agreement, and attendance procedures. To conduct this audit, the Board shall select a certified public accountant or public accountant licensed by the State Board of Accountancy. The Superintendent or designee shall establish a timetable for the completion and review of the audit within the deadlines established by law.

The audit shall be conducted in accordance with General Accounting Office standards for financial and compliance audits (Education Code 14503). (cf. 3451 - Petty Cash Funds)

(cf. 3452 - Student Activity Funds)

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

The audit shall identify all expenditures by source of funds and shall contain:  
(Education Code 41020)

1. A statement that the audit was conducted pursuant to standards and procedures established in the audit guides developed by the State Controller
2. A summary of audit exceptions and management improvement recommendations
3. A description of the specific actions that are planned or that have been taken to correct any problem identified by the auditor

The Superintendent or designee shall file the report of the audit with the County Superintendent of Schools, the Department of Education, and the State Controller no later than December 15. (Education Code 41020)

By January 31 of each year, the Board shall review, at an open meeting, the annual District audit for the prior year, any audit exceptions identified in that audit, the recommendations or findings of any management letter issued by the auditor, and any description of correction or plans to correct any exceptions or any issue raised in a management letter. (Education Code 41020.3)

(cf. 9322 - Agenda/Meeting Materials)

Approved: January 12, 2000  
Revised: October 22, 2003



## **Piedmont Unified SD Board Policy**

BP 3430

### **Business and Noninstructional Operations**

#### Investing

The Superintendent or designee may invest as permitted by law all or part of the special reserve fund of the district or any surplus monies not required for immediate district operations. Such investments shall be limited to securities specified in Government Code 16430, 53601, 53635.

The Board of Education recognizes that the Superintendent or designee has fiduciary responsibility and is subject to prudent investor standards for all investment decisions. As such, district investments must be made with skill, prudence, diligence with the primary objective of safeguarding the principal of the funds and with the secondary objective of meeting the district's liquidity needs. In order to enhance investment return, the district's third investment objective shall be to generate an investment yield that attains or exceeds a market-average rate of return through economic cycles.

The Board recognizes the importance of overseeing investments made with district funds, including investments by the county treasurer. As coordinated by the Alameda County Superintendent of Schools, the Board president shall participate with Board presidents of all school districts and community college districts in the county to select a representative to the county treasury oversight committee. The Superintendent or designee shall maintain ongoing communication with this representative and shall keep the Board well informed about the policies that guide the investment of these funds.

The Superintendent or designee shall annually provide to the Board and any oversight committee a statement of the district's investment policy. At a public meeting, the Board shall review this policy and discuss any changes to be made. In accordance with law and administrative regulations, the Superintendent or designee shall also provide the Board quarterly reports with specified components, including a statement of how the district portfolio compares with the district's investment policy.

#### Legal Reference:

##### EDUCATION CODE

- 41001 Deposit of money in county treasury
- 41002 General fund deposits and exceptions
- 41002.5 Deposit of certain funds in insured institutions
- 41003 Funds received from rental of real property
- 41015 Authorization of and limitation investment of district funds
- 41017 Deposit of miscellaneous receipts
- 41018 Disposition of money received
- 42840-42843 Special reserve fund

##### GOVERNMENT CODE

- 16430 Eligible securities for investment of surplus moneys
- 27130-27137 County treasury oversight committees
- 53600-53609 Investment of surplus

53630-53686 Deposit of funds, especially:  
53635 Local agency funds; deposit or investment  
53646 Treasurer reports and statements of investment policy  
53852.5 Investment term for funds designated for repayment of notes  
53859.02 Borrowing by local agency  
CIVIL CODE  
2261-2262 Obligations of trustees, investments

Policy PIEDMONT UNIFIED SCHOOL DISTRICT  
adopted: May 28, 1997 Piedmont, California

**Piedmont Unified SD  
Administrative Regulation**

AR 3430

**Business and Noninstructional Operations**

Investing

It shall be the investment policy if the Piedmont Unified School District to:

1. Achieve the best fiscal return on monies derived from district's available cash for all funds under the direct authority of the district, in accordance with legal requirements, with the following priority of objectives:

- a. Preservation of capital
- b. A liquid position to meet all probable cash requirements
- c. Yield; generation of a favorable return on investments without undue compromise of the first two objectives.

2. Limit Investments to:

- a. Alameda County Treasurer;
- b. Local Agency Investment Fund;
- c. Federal Government issues

(1) Further limited to:

- (a) An investable fund of over five hundred thousand dollars (\$500,000)\*
- (b) A maturity date of five years or less;
- (2) Not to exceed one-fifth (1/5) of the investable fund;

d. State of California issues not exceeding one-fifth (1/5) of the investable fund;

e. Time Certificates of Deposit further limited to:

- (1) One Hundred Thousand Dollars (\$100,000) per financial institution;
- (2) Financial institutions insured by the Federal Savings and Loan Insurance Corporation and/or the Federal Deposit Insurance Corporation;
- (3) Financial institutions with offices located within the State of California

\* Any amounts in excess of this amount can be invested in Federal Govt. Issues.

f. Other Investments

- (1) Guaranteed Investments contracts where expressly directed and allowed per

individual issue by a resolution of the Board of Education

(2) Proceeds from the sale of notes or bonds - In accordance with each issue's bond indenture.

3. Report as follows:

a. The Chief Fiscal Officer shall be responsible for maintaining complete and accurate records for management purpose of all investment transactions, including all documents and reports required by law.

b. In addition, the Chief Fiscal Officer shall provide the Board with quarterly reports describing the types and amounts of investments, purchase and maturity dates and yield on investments, including a statement of how the district portfolio compares with the district's investment policy.

4. Approve Investment transaction in the following manner

a. Approval of deposits and withdrawals in the investment account shall require the written authorization of at least two of the officers, of the Superintendent or designee.

Regulation    PIEDMONT UNIFIED SCHOOL DISTRICT  
approved: January 12, 2000 Piedmont, California

**Piedmont Unified SD  
Administrative Regulation**

AR 3440

**Business and Noninstructional Operations**

Inventories

In order to provide for the proper control and conservation of district property, the Superintendent or designee shall maintain an inventory of equipment in accordance with law for the following:

1. All items currently valued in excess of \$500 (Education Code 35168)
2. All items purchased with federal funds that have a useful life of more than one year with an acquisition cost per unit of \$5,000 or more (34 CFR 80.3)

(cf. 3270 - Sale and Disposal of Books, Equipment and Supplies)  
(cf. 3290 - Gifts, Grants and Bequests)  
(cf. 3512 - Equipment)

The Superintendent or designee shall maintain an inventory of all property. The following information must be recorded: (Education Code 35168)

1. Name and description of the property
2. Name of titleholder
3. Serial number or other identification number
4. Cost of the property (a reasonable estimate may be used if original cost is unknown)
5. Acquisition date
6. Location of use
7. Any ultimate disposition data including the date and method of disposal and sale price

The following information must also be recorded for items acquired with federal funds: (34 CFR 80.32)

1. Source of the property (funding source)
2. Use and condition of property
3. Percentage of federal participation in the cost of the property

At least once every two years, a physical inventory shall be conducted and the results reconciled with the property records. (34 CFR 80.32)

Each school shall maintain a copy of its inventory and provide a copy of this inventory to the district office. Copies of all district inventories shall be kept at the district office.

Legal Reference:

EDUCATION CODE

35168 Inventory of equipment

CODE OF REGULATIONS, TITLE 5

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

16023 Class 1 - Permanent records

16035 Historical inventory of equipment

UNITED STATES CODE, TITLE 20

2301-2471 Carl D. Perkins Vocational Education Act

CODE OF FEDERAL REGULATIONS, TITLE 34

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

Regulation     PIEDMONT UNIFIED SCHOOL DISTRICT

approved: January 12, 2000 Piedmont, California

**Piedmont Unified SD  
Board Policy**

BP 3452

**Business and Noninstructional Operations**

Student Activity Funds

Student organizations may raise and spend money in order to promote the general welfare, morale and educational experiences of the students. Student funds shall finance worthwhile activities which go beyond those provided by the district. Minutes shall be kept of student organization meetings and shall properly reflect all financial activities.

(cf. 1321 - Solicitation of Funds from and by Students)

(cf. 3554 - Other Food Sales)

Student funds shall be managed in accordance with sound business procedures designed to encourage the largest possible educational return to students without sacrificing the safety of funds or exposing students to undue responsibility or unnecessary routine.

With Board of Education approval, student funds shall be held or invested in one of the following ways:

1. Deposited or invested in a federally insured bank or savings and loan; or in a state or federally insured credit union. (Education Code 48933)
2. Invested in U.S. savings bonds or obligations. (Education Code 48933)
3. Loaned to other district student organizations or invested in district property improvements pursuant to Education Code 48936.

Student funds shall be disbursed according to procedures established by the student organization. All disbursements must be approved by a Board-designated official, the certificated employee who is the student organization advisor and a student organization representative. (Education Code 48933)

The principal or designee shall be responsible for the proper conduct of all student organization financial activities. The Superintendent or designee shall periodically review the organizations' general financial structures and accounting procedures.

The Board shall provide an annual audit of student accounts by a certified public accountant or licensed public accountant. Auditing cost shall be paid from district funds. (Education Code 41020)

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

Legal Reference:

EDUCATION CODE

41020 Requirement for annual audit

48930-48938 Student body organization

Policy PIEDMONT UNIFIED SCHOOL DISTRICT  
adopted: January 12, 2000 Piedmont, California



**Piedmont Unified SD  
Board Policy**

BP 3460

**Business and Noninstructional Operations**

Financial Reports And Accountability

The Board of Education is committed to ensuring accountability to the public for the fiscal health of the district. The Board shall adopt sound fiscal policies and oversee the district's financial condition. The Superintendent or designee shall regularly keep the Board informed about the district's finances and shall submit timely reports so that the Board can take appropriate action to ensure the district's financial stability. The Superintendent or designee may recommend amendments to the district's budgeted revenues and expenditures as may be necessary to maintain a balanced budget.

(cf. 3020 - Fiscal Policy Team)

(cf. 3100 - Budget)

(cf. 3300 - Expenditures/Expending Authority)

(cf. 3430 - Investing)

(cf. 9000 - Role of the Board)

Legal Reference:

EDUCATION CODE

17150 Public disclosure of non-voter-approved debt

33127 Standards and criteria for local budgets and expenditures

33128 Standards and criteria; inclusions

33129 Standards and criteria; use by local agencies

35035 Powers and duties of superintendent

41010 Accounting system

41020 Requirement for annual audit by county superintendent of schools

41450 Assistance and guidance to local offices of education

41455 Examination of financial problems of local districts

42100 Requirement to prepare and file annual statement

42127.6 School district operations monitoring; financial obligation nonpayment

42130-42134 Financial reports and certifications

42140-42142 Public disclosure of fiscal obligations

42647 Drawing of warrants by district on county treasurer; form of warrant; application and approval

GOVERNMENT CODE

3540.2 School district; qualified or negative certification; proposed agreement review and comment

16429.1 Local agency investment fund

53646 Reports of investment policy and compliance

CODE OF REGULATIONS, TITLE 5

15453-15466 Criteria and Standards for School District Interim Reports

15480-15493 Criteria and Standards for County Office of Education Reports

**Piedmont Unified SD  
Administrative Regulation**

AR 3460

**Business and Noninstructional Operations**

Financial Reports And Accountability

Interim Reports

The Superintendent or designee shall submit two interim fiscal reports to the Board of Education, the first report covering the district's financial and budgetary status for the period ending October 31 and the second report covering the period ending January 31. The reports and supporting data shall also be made available by the district for public review. (Education Code 35035, 42130)

(cf. 1340 - Access to District Records)

Within 45 days after the close of the period reported, the Board shall assess these reports of the district's financial condition on the basis of criteria adopted by the State Board of Education and on current information regarding the adopted state budget, district property tax revenues if any, and ending balances for the preceding year. The Board shall approve the fiscal reports and send the County Superintendent of Schools these reports and its certification of the district's financial status based on current projections, in accordance with the following: (Education Code 42131)

1. A "positive certification" will indicate that the district will meet its financial obligations for the current fiscal year and subsequent two fiscal years.
2. A "qualified certification" will indicate that the district may not meet its financial obligations for the current fiscal year or two subsequent fiscal years.
3. A "negative certification" will indicate that the district will be unable to meet its financial obligations for the remainder of the fiscal year or the subsequent fiscal year.

Qualified or negative certifications shall also be sent to the Superintendent of Public Instruction and State Controller, together with a copy of the fiscal report and a completed transmittal form provided by the Superintendent of Public Instruction. (Education Code 42131)

If the Board files a qualified or negative certification for the second report of the fiscal year, or if its second report is classified as qualified or negative by the County Superintendent of Schools, the Superintendent or designee shall provide to the County Superintendent of Schools, the Controller, and the Superintendent of Public Instruction, no later than June 1, a financial statement that reports data for the period ending April 30 and projects the district's fund and cash balances as of June 30. (Education Code 42131)

Annual Financial Report

On a form prescribed by the Superintendent of Public Instruction, the Superintendent or designee shall prepare a statement of all receipts and expenditures of the district for the preceding fiscal year. On or before September 15, the Board shall approve this

statement and file it with the County Superintendent of Schools. (Education Code 42100)

#### Appropriations Limit Report

The Board shall adopt a resolution by September 30 of each year to identify the estimated appropriations limit for the district for the current fiscal year and the actual appropriations limit of the district during the preceding year. Documentation used to identify these limits shall be made available to the public on the day of the meeting. (Education Code 42132)

(cf. 1340 - Access to District Records)

#### Non-Voter-Approved Debt Report

Whenever the Board approves the issuance of certificates of participation or revenue bonds, the Superintendent or designee shall notify the County Superintendent of Schools and the county auditor. The Superintendent or designee shall provide the Board, the county auditor, the County Superintendent of Schools and the public with related repayment schedules and evidence of the district's ability to repay the obligation. Within 15 days, the County Superintendent and county auditor may comment publicly to the Board regarding the district's capability to repay the debt. (Education Code 17150)

#### Accrued Benefits and Claims Report

The Superintendent or designee shall annually provide the Board, at a public meeting, information and related actuarial reports showing the estimated accrued but unfunded cost of health and welfare benefits for retired employees after they turn 65. Costs shall be reported whether the district is responsible individually or as a member of a joint powers agency. The Board shall disclose, as a separate agenda item, whether or not it will reserve in the budget sufficient amounts to fund the present value of these benefits for existing retirees or the future cost of employees eligible for benefits in the current fiscal year, or both. The Board shall annually certify to the County Superintendent of Schools the amount, if any, that it has decided to reserve in the budget for these costs. The Board shall submit to the County Superintendent any budget revisions that may be necessary to account for this budget reserve. (Education Code 42140)

#### Investment Reports

Within 30 days of the end of each quarter, the Superintendent or designee shall provide the Board with quarterly reports of district investments that are more than \$25,000. This report shall include the following: (Government Code 53646)

1. The extent to which the portfolio complies and/or does not comply with the district's investment policy

(cf. 3430 - Investing)

2. A statement denoting the district's ability to meet its pool's expenditure requirements for the next six months, or an explanation of why sufficient money shall or may not be available

3. The most recent statement(s) received from the state's local agency investment fund, the National Credit Union Share Insurance Fund-insured accounts in a credit union or

from FDIC-insured accounts in a bank or savings and loan association, in a county investment pool or in any combination of these

4. The type of investment, issuer, date of maturity, par and dollar amount invested on all securities, investments and monies held by the district other than those specified in item #3 above

5. A description of any district funds, investments or programs that are under the management of contracted parties, including lending programs

6. The current market value, and the source of this information, for all securities held by the district and under management of any outside party that is not another local agency or the state's local agency investment fund

In the above report, a subsidiary ledger of investments may be used in accordance with accepted accounting practices. (Government Code 53646)

Regulation     PIEDMONT UNIFIED SCHOOL DISTRICT  
approved: January 12, 2000 Piedmont, California

**PIEDMONT UNIFIED SCHOOL DISTRICT**  
**Board Policy**

**Business & Non-Instructional Operations**

**Board Policy 3510**

**GREEN INITIATIVE**

As a school community, the Piedmont Unified School District is committed to providing an excellent academic experience to all students. Embedded in this commitment is the responsibility of the school community to be stewards of the environment, appreciating and understanding the flow of resources that sustain us, and ways in which we can minimize the impact of our activities on resources. Supporting environmentally “green initiatives” and creating a culture of sustainability afford us opportunities to achieve integration among the District’s curriculum, values, and educational mission. The Governing Board will review progress annually. The administrative regulations address criteria and procedures to address the following issues (in development):

1. **Reducing Waste:** The District shall develop a waste management plan for all aspects of its operation in concert with the goals developed by the City of Piedmont that follow the principles of “reduce, reuse, recycle, rot.”
2. **Sustainability in Construction/Modernization:** The District shall ensure that every new school and building, and every modernization project incorporate LEED/CHPS criteria and best practices from the beginning of the design process, to the extent feasible and cost effective given available financial resources. Each project shall at least meet minimal applicable LEED/CHPS qualifying criteria where cost-effective given available financial resources.
3. **Environmentally Preferable Purchasing:** The District shall make efforts to purchase environmentally preferable products and services for use in day-to-day operations when quality, performance, price, functionality, and safety are comparable to their less-environmentally preferable counterparts.
4. **Energy Conservation:** The District shall establish a plan for resource and energy conservation at all school sites and facilities.
5. **Climate Action:** The District shall work with the City of Piedmont in support of its efforts to reduce global warming through promising means that positively impact students.
6. **Environmental Education:** Schools play a crucial role in educating students about the importance of the environment and in preparing them to be stewards of natural resources. The District’s program shall incorporate efforts to fulfill this role, including emphasis on the incorporation of active student participation into instructional program and school culture, when feasible and effective.
7. **Landscaping & Grounds:** The Governing Board encourages the ongoing development of natural landscaping and grounds care at District facilities to achieve reduction in water and pesticide/herbicide usage, and supports integrated pest management systems.

## LEGAL REFERENCES:

### EDUCATION CODE

8700-8707 Environmental education  
8720-8723 Conservation education service  
33541 Science requirements  
51210 Curricular areas of study, grades 1-6  
51220 Curricular areas of study, grades 7-12  
51795-51797 School instructional gardens  
60041 Ecological systems and their protection  
32370-32376 Recycling paper  
17608-17613 Integrated Pest Management

### CITY OF PIEDMONT

General Plan Draft: Policy 17:1, Solid waste reduction  
General Plan Draft: Goal 16, Sustainable development  
General Plan Draft: Policy 17.4, Greening the Government  
General Plan Draft: Policy 17.2, Energy conservation  
General Plan Draft: Policy 15.5, Integrated Pest Management  
General Plan Draft: Action 17.C Education & Outreach

### FOOD AND AGRICULTURAL CODE

11401-12408 Pest control operations and agricultural chemicals  
13180-13188 Healthy Schools Act of 2000 - pest management practices

### HEALTH AND SAFETY CODE

105400-105430 Indoor environmental quality

### CALIFORNIA CODE OF REGULATIONS, TITLE 8

337-339 Hazardous substances list  
340-340.2 Occupational safety and health, rights of employees  
1528-1533 Construction safety orders; exposure to hazards  
5139-5223 Control of hazardous substances

### UNITED STATES CODE, TITLE 7

136-136y Use of pesticides

### UNITED STATES CODE, TITLE 15

2601-2629 Control of toxic substances

### PUSD BOARD POLICY

BP 3514 Environmental Safety/Education, Air Quality, Pest Management,  
Lead Exposure Reduction  
BP 3514.1 Hazardous Substances, Hazard Communication Program

(Sources: California School Boards Association, City of Piedmont, Piedmont Unified School District Board Policies, California Education Code)

ADOPTED: February 11, 2009

**Piedmont Unified SD  
Administrative Regulation**

AR 3512

**Business and Noninstructional Operations**

Equipment

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

(cf. 3515.4 - Recovery for Property Loss or Damage)  
(cf. 4040 - Employee Use of Technology)  
(cf. 4118 - Suspension/Disciplinary Action)  
(cf. 4218 - Dismissal/Suspension/Disciplinary Action)  
(cf. 5144 - Discipline)  
(cf. 6163.4 - Student Use of Technology)

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

(cf. 6000 - Concepts and Roles)  
(cf. 6171 - Title I Programs)

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

(cf. 1230 - School-Connected Organizations)  
(cf. 1330 - Use of School Facilities)

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

**Transfer of Equipment to a New Site**

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

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

**Equipment Acquired by Federal Funds**

Equipment purchased for use in a federal program shall be used in that program as long as needed, whether or not the program continues to be supported by federal funds.

When no longer needed for the original program, the equipment may be used in other activities currently or previously supported by a federal agency. (34 CFR 80.32)

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

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

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

(cf. 3530 - Risk Management/Insurance)

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

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

(cf. 3440 - Inventories)

Legal Reference:

EDUCATION CODE

35160 Authority of Board of Educations

35168 Inventory of equipment

CODE OF REGULATIONS, TITLE 5

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

4424 Comparability of services

16023 Class 1- Permanent records

CODE OF FEDERAL REGULATIONS, TITLE 34

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

UNITED STATES CODE, TITLE 20

6321 Fiscal requirements

Regulation     PIEDMONT UNIFIED SCHOOL DISTRICT

approved: January 12, 2000 Piedmont, California



**Piedmont Unified SD  
Exhibit**

E 3512

**Business and Noninstructional Operations**

Equipment

Equipment Loan Form

I assume the responsibility for the following district equipment:

Description    ID Number

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

I will return the above equipment to \_\_\_\_\_  
(administrator or designee)

no later than \_\_\_\_\_.  
(date)

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

Signed: \_\_\_\_\_

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

Approved: January 12, 2000

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

Exhibit PIEDMONT UNIFIED SCHOOL DISTRICT  
version: January 12, 2000    Piedmont, California

**PIEDMONT UNIFIED SCHOOL DISTRICT**  
**Board Policy**

**Business and Noninstructional Operations**

**BP 3513.3**

**TOBACCO-FREE SCHOOLS**

The Board of Education recognizes the health hazards associated with tobacco products, including the breathing of second-hand smoke from cigarettes or electronic smoking devices, and desires to provide a healthy environment for students and staff. Employees are encouraged to serve as models for good health practices that are consistent with the district's instructional programs.

In accordance with state and federal law, smoking is prohibited in all district facilities and vehicles. (20 USC 6083; Labor Code 6404.5; Health and Safety Code 104495)

(cf. 5131.62 - Tobacco)

(cf. 6142.8 - Comprehensive Health Education)

(cf. 6143 - Courses of Study)

The Board further prohibits the use of tobacco products and electronic smoking devices at all times on district grounds. This prohibition applies to all employees, students and visitors at any activity or athletic event on property owned, leased or rented by or from the district.

The Superintendent or designee shall inform students, parents/guardians, employees and the public about this policy and related procedures.

(cf. 4118 - Suspension/Disciplinary Action)

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

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

Signs prohibiting the use of tobacco and electronic smoking devices shall be prominently displayed at all entrances to school property.

The Superintendent or designee shall maintain a list of clinics and other resources which may assist individuals who wish to stop using tobacco products.

Legal Reference:

**EDUCATION CODE**

48901 Smoking or use of tobacco; steps to discourage

**HEALTH AND SAFETY CODE**

39002 Control of air pollution from nonvehicular sources

104420 Implementation of tobacco use prevention program

**LABOR CODE**

6404.5 Occupational safety and health: use of tobacco products

**UNITED STATES CODE, TITLE 20**

6083 Nonsmoking policy for children's services

**CITY OF PIEDMONT**

Ordinance 715 N.S.

Adopted: January 12, 2000

Revised: February 11, 2015

**PIEDMONT UNIFIED SCHOOL DISTRICT**  
**Administrative Regulation**

**Business and Noninstructional Operations**

**AR 3513.3**

**TOBACCO-FREE SCHOOLS**

**Employee Notifications**

The Superintendent or designee shall notify employees of the district's tobacco-free schools policy. The notification shall also inform them of:

1. Their need to abide by District policy as a condition of employment.
2. The dangers of tobacco use in the workplace, including its threat to the health and safety of employees, students and the public.
3. Available resources which may help employees stop using tobacco.
4. Possible disciplinary actions in accordance with Board policy, state law and applicable collective bargaining agreements.

**Enforcement Procedures for Visitors**

1. A visitor who smokes on district property shall be informed of the District's tobacco-free schools policy and asked to refrain from smoking. If the person fails to comply with this request, the following actions may ensue:
  2. The matter may be referred to the superintendent or designee responsible for the area or the event.
  3. The superintendent or designee may direct the person to leave school property.
  4. If necessary, the superintendent or designee may request local law enforcement assistance in removing the person from school premises.
  5. If the person repeatedly violates the tobacco-free schools policy, the Superintendent or designee may prohibit him/her from entering district property for a specified period of time.

(cf. 1250 - Visitors/Outsiders)

(cf. 3515.2 - Disruptions)

Approved: January 12, 2000

Revised: February 11, 2015

## **Piedmont Unified SD Board Policy**

BP 3514

### **Business and Noninstructional Operations**

#### Environmental Safety

The Board of Education believes that students and employees have the right to learn and work in a safe, clean and healthy environment. The district has an obligation to locate and reduce or eliminate potential risks to health and the environment, to use environmental resources in a responsible way, and to educate students and staff about environmental issues.

(cf. 6142.5 - Environmental Education)

The Superintendent or designee shall establish regulations to guard against environmental hazards. Students and staff are encouraged to report any unsafe conditions they may observe.

(cf. 3513.3 - Tobacco-Free Schools)

(cf. 3514.1 - Hazardous Substances)

(cf. 3516 - Emergencies and Disaster Preparedness Plan)

(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)

(cf. 7150 - Site Selection and Development)

#### Air Quality

The Board recognizes that clean air contributes to a favorable learning environment for students, productivity for staff, and the health of all school occupants. Adequate ventilation, appropriate housekeeping and maintenance procedures, and the removal of pollution sources are all necessary to achieve good indoor air quality. The Superintendent or designee shall ensure that staff implement measures that will maintain good air quality in classrooms and offices.

Air quality shall be considered in the siting and architectural design of new or remodeled facilities and in the selection of building materials and furnishings.

#### Pest Management

Sanitary measures shall be enforced and buildings regularly cleaned and repaired in order to prevent infestations, minimize the use of pesticides, and eliminate routine spraying.

#### Lead Exposure Reduction

The Board recognizes that exposure to lead is especially damaging to young children and that hazardous levels of lead may sometimes be present in paint, soil or drinking

water. In order to minimize any harmful exposure, the district shall follow guidelines recommended by the Department of Health Services.

Legal Reference:

EDUCATION CODE

17366 Legislative intent (fitness of buildings for occupancy)

17582 Deferred maintenance fund; use for determining presence and encapsulation or removal of asbestos-containing materials

17590 Asbestos abatement fund

32020 Access gates

32240-32245 Lead-Safe Schools Protection Act

49410-49410.7 Asbestos materials containment or removal

FOOD AND AGRICULTURE CODE

11401-15206.6 Pest Control Operations and Agricultural Chemicals

GOVERNMENT CODE

3543.2 Scope of representation; right to negotiate safety conditions

CALIFORNIA STATE CONSTITUTION

"Right to Safe Schools" Article 1, Section 28(c)

CODE OF REGULATIONS, TITLE 8

340-340.3 Employer's obligation to provide safety information

1532.1 Construction safety orders, lead standard

5142 Heating, ventilating and air conditioning systems; minimum ventilation

5143 Mechanical ventilating systems; inspection and maintenance

CODE OF REGULATIONS, TITLE 17

35001-35099 Accreditation in Lead Abatement Services

UNITED STATES CODE, TITLE 7

136 et seq. Insecticide, Fungicide and Rodenticide Act

UNITED STATES CODE, TITLE 15

2641-2656 Asbestos Hazard Emergency Response Act

CODE OF FEDERAL REGULATIONS, TITLE 40

763.93 Management Plans

763.94 Record keeping

Policy PIEDMONT UNIFIED SCHOOL DISTRICT

adopted: January 12, 2000 Piedmont, California

**Piedmont Unified SD  
Board Policy**

BP 3514.1

**Business and Noninstructional Operations**

Hazardous Substances

The Board of Education recognizes that potentially hazardous substances are used in the daily operations of our schools. The Superintendent or designee shall ensure these substances are inventoried, used, stored and regularly disposed of in a safe and legal manner.

Insofar as possible, the Superintendent or designee shall minimize the quantities of hazardous substances stored on school property and shall substitute less dangerous materials for hazardous substances.

Hazard Communication Program

The Superintendent or designee shall develop, implement and monitor a written hazard communication program in accordance with state law. As part of this program, he/she shall ensure that employees 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)  
(cf. 6161.3 - Toxic Art Supplies)

Legal Reference:

EDUCATION CODE

49341 Legislative findings

49401.5 Legislative intent; consultation services

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

FOOD AND AGRICULTURE 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

LABOR CODE

6360-6363 Hazardous Substances Information and Training Act

CODE OF REGULATIONS, TITLE 8

5194 Hazard Communication

adopted: January 12, 2000 Piedmont, California

**Piedmont Unified SD  
Board Policy**

BP 3515.4

**Business and Noninstructional Operations**

Recovery For Property Loss Or Damage

The Board of Education shall seek reimbursement of damages and rewards from any individual or from the custodial parent/guardian of any minor who commits any act of theft or vandalism.

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

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

(cf. 5125.2 - Withholding Grades, Diploma or Transcripts)

(cf. 5131.5 - Vandalism, Theft and Graffiti)

(cf. 5136 - Gangs)

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

Rewards

If law enforcement officials are unable to fix responsibility for the theft or vandalism, the Board may authorize a reward in any amount it deems appropriate for information leading to the identification and apprehension of the guilty party.

A reward shall be paid only when the guilt of the person responsible for the crime has been established by a criminal conviction or other appropriate judicial procedures.

Legal Reference:

EDUCATION CODE

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

19911 Libraries, willful detention of property

44810 Willful interference with classroom conduct

48904 Liability of parent or guardian for willful misconduct; withholding of grades, diplomas and transcripts

CIVIL CODE

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

GOVERNMENT CODE

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

53069.6 Actions to recover damages

54951 Local agency, definition

61601.1 Graffiti abatement district

PENAL CODE

484 Theft defined

594 Vandalism

594.1 Aerosol paint and etching cream

640.5 Graffiti; facilities or vehicles of governmental entity

640.6 Graffiti



Policy PIEDMONT UNIFIED SCHOOL DISTRICT  
adopted: January 12, 2000 Piedmont, California

**Piedmont Unified SD  
Administrative Regulation**

AR 3515.4

**Business and Noninstructional Operations**

Recovery For Property Loss Or Damage

Reports

District employees shall report all damage or loss of school property to the principal or designee immediately after such damage or loss is discovered. In those instances in which insurance reimbursement may be involved, the principal or designee shall contact the appropriate district official.

(cf. 3530 - Risk Management/Insurance)  
(cf. 5131.5 - Vandalism, Theft and Graffiti)

Investigation

The Superintendent or designee shall ensure that a complete investigation is conducted at the site where the vandalism occurred.

The principal or designee shall conduct a complete investigation of any instance of damage or loss of school property. The investigation shall be carried out in cooperation with law enforcement officials when appropriate.

(cf. 3515.3 - District Police Department)

Recovery of Damages

When the person causing the damage or loss has been identified and the costs of repair, replacement or cleanup determined, the Superintendent or designee shall take all practical and reasonable steps to recover these costs, including consulting district's legal counsel if necessary. Reasonable steps may include the filing of a civil complaint in a court of competent jurisdiction to recover damages from the responsible person.

If the responsible person is a minor, recovery may be sought from the minor's custodial parent/guardian in accordance with Education Code 48904.

Damages may include the cost of repair or replacement of the property, the payment of any reward, interest, court costs and all other damages as provided by law.

Payment of Reward

When authorized according to Board of Education policy, the reward shall be paid to the party who provides information sufficient to identify and apprehend the person or persons subsequently found responsible for the damage or loss. If more than one informant provides information, the reward shall be divided among the informants. The Superintendent or designee shall determine who is entitled to what portion of the reward. The identity of the informant shall be considered confidential and shall not be made public by the district.

Regulation    PIEDMONT UNIFIED SCHOOL DISTRICT  
approved: January 12, 2000 Piedmont, California

## **Piedmont Unified SD Board Policy**

BP 3515.5

### **Business and Noninstructional Operations**

#### Sex Offender Notification

In order to protect students while they are traveling to and from school, attending school or at a school-related activity, the Board of Education believes it is important that the district respond appropriately when a law enforcement agency contacts the district about registered sex offenders who may reside or work within district boundaries.

The Superintendent or designee shall establish an ongoing relationship with law enforcement officials to coordinate the receipt and dissemination of such information. To the extent authorized by law, the Superintendent or designee also shall establish procedures for notifying appropriate staff as necessary.

The district and its employees shall be immune from liability for the good faith dissemination of sex offender information provided by a law enforcement agency or an employee of a law enforcement agency, so long as the dissemination is in the manner and to the extent authorized by the law enforcement agency. (Penal Code 290)

The Superintendent or designee shall annually notify parents/guardians of the availability of the CD-ROM regarding registered sex offenders and recommend that they utilize the information contained on the disk.

(cf. 0450 - Comprehensive Safety Plan)

(cf. 1240 - Volunteer Assistance)

(cf. 1250 - Visitors/Outsiders)

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

(cf. 3515 - Campus Security)

(cf. 3515.3 - District Police Department)

(cf. 5142 - Safety)

#### Legal Reference:

##### EDUCATION CODE

32211 Threatened disruption or interference with classes; offense

35160 Authority of boards

35160.1 Board authority of school districts

##### PENAL CODE

290 Registration of sex offenders

290.4 Sex offender registration; compilation of information; 900 number

626.8 Disruptive entry or entry of sex offender upon school grounds

##### UNITED STATES CODE, TITLE 42

14071 Jacob Wetterling Crimes Against Children and Sexually Violent Offender  
Registration Program Act

#### Management Resources:

##### WEB SITES

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

Policy PIEDMONT UNIFIED SCHOOL DISTRICT  
adopted: January 12, 2000 Piedmont, California

**Piedmont Unified SD  
Administrative Regulation**

AR 3515.6

**Business and Noninstructional Operations**

**Criminal Background Checks For Contractors**

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

(cf. 3540 - Transportation)  
(cf. 3551 - Food Service Operations/Cafeteria Fund)  
(cf. 3600 - Consultants)  
(cf. 7140 - Architectural and Engineering Services)

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

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

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

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

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

**Other Facility Contractors**

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

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

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

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

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

Legal Reference:

EDUCATION CODE

41302.5 School districts, definition

45122.1 Classified employees, conviction of a violent or serious felony

45125.1 Criminal background checks for contractors

45125.2 Criminal background checks for construction

PENAL CODE

667.5 Prior prison terms, enhancement of prison terms

1192.7 Plea bargaining limitation

Regulation     PIEDMONT UNIFIED SCHOOL DISTRICT  
approved: January 12, 2000 Piedmont, California





**PIEDMONT UNIFIED SCHOOL DISTRICT  
Board Policy**

**Business and Non-Instructional Operations**

**BP 3515.7**

**FIREARMS ON SCHOOL GROUNDS**

The Governing Board is committed to providing a safe environment for students, staff, and visitors on campus. The Superintendent or designee shall consult with local law enforcement, insurance carriers, and other appropriate individuals and agencies to address the security of school campuses.

(cf. 3515 - Campus Security)  
(cf. 3515.2 - Disruptions)  
(cf. 3515.3 - District Police/Security Department)  
(cf. 4158/4258/4358 - Employee Security)  
(cf. 5131.4 - Student Disturbances)  
(cf. 5131.7 - Weapons and Dangerous Instruments)

District policy regarding the possession of firearms and/or ammunition on school grounds shall be included in the district's comprehensive safety plan and shall be communicated to district staff, parents/guardians, and the community.

(cf. 0450 - Comprehensive Safety Plan)  
(cf. 1112 - Media Relations)  
(cf. 1113 - District and School Web Sites)  
(cf. 1114 - District-Sponsored Social Media)

Any person specified in Penal Code 626.9(l)-(o) and 30310 is authorized to possess a firearm and/or ammunition on school grounds. School grounds include, but are not limited to, school buildings, fields, storage areas, and parking lots.

The Superintendent or designee shall not grant permission to any other individual to carry a firearm or ammunition on school grounds.

**Legal Reference:**

**EDUCATION CODE**

Comprehensive safety plan

Powers and duties of the board

Powers and duties of the board; authority to delegate

District security officers; requirements if carry firearm

**PENAL CODE**

Gun Free School Zone Act

District police department; district decision to authorize carrying of firearm

Definition of ammunition

Definition of firearm

-26225 Concealed weapons permit

Prohibition against ammunition on school grounds

UNITED STATES CODE, TITLE 18

Definitions, firearms and ammunition

Firearms, unlawful acts

Firearm licensing

UNITED STATES CODE, TITLE 20

Gun-Free Schools Act; student expulsions for possession of firearm

Management Resources:

WEB SITES

Office of the Attorney General: <https://oag.ca.gov/firearms>

Adopted: June 22, 2016

## **Piedmont Unified SD Board Policy**

BP 3516

### **Business and Noninstructional Operations**

#### Emergencies And Disaster Preparedness Plan

In order to save lives and protect property, all district staff and students must be prepared to respond quickly and responsibly to emergencies, disasters and events which threaten to result in a disaster.

The Superintendent or designee shall develop and maintain a disaster preparedness plan which details provisions for handling all foreseeable emergencies and disasters. The Superintendent or designee may appoint a committee to regularly review the disaster preparedness plan and recommend changes.

The principal or designee shall augment the district plan with working plans and procedures specific to each school. He/she shall present a copy of these site plans and procedures to the Superintendent.

District and site plans shall address at least the following situations:

1. Fire on or off school grounds which endangers students
2. Natural or man-made disasters

(cf. 3516.3 - Earthquake Emergency Procedure System)

3. Bomb threat or actual detonation

(cf. 3516.2 - Bomb Threats)

4. Attack or disturbance by individuals or groups

(cf. 0450 - Comprehensive Safety Plan)

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

(cf. 3514 - Environmental Safety)

(cf. 3515 - Campus Security)

(cf. 3515.2 - Disruptions)

(cf. 3530 - Risk Management/Insurance)

(cf. 5131.4 - Campus Disturbances)

The Superintendent or designee should ensure that the plan includes:

1. Procedures for personal safety and security
2. Ways to ensure smooth administrative control of operations during a crisis
3. Procedures to establish a clear, effective communications system
4. Guidelines for law enforcement involvement, including specific steps for law enforcement intervention depending upon the intensity of the crisis

The Superintendent or designee shall use state-approved Standard Emergency Management System guidelines when updating district and site-level emergency and disaster preparedness plans.

Disaster preparedness exercises shall be held regularly at each school site and shall demonstrate how safety procedures may be applied to various types of emergencies. All students and employees shall receive instruction regarding emergency plans.

Legal Reference:

EDUCATION CODE

32001 Fire alarms and drills

32040 Duty to equip school with first aid kit

35295-35297 Earthquake emergency procedures

38051 Operating overloaded bus

38132 Mass care and welfare shelters

46390-46392 Emergency average daily attendance in case of disaster

49505 Natural disaster; meals for homeless students; reimbursement

GOVERNMENT CODE

3100 Public employees as disaster service workers

8607 Standard emergency management system

CODE OF REGULATIONS, TITLE 5

550 Fire drills

560 Civil defense and disaster preparedness plans

CODE OF REGULATIONS, TITLE 19

2400 et seq. Standardized Emergency Management System Regulations

Management Resources:

CDE PROGRAM ADVISORIES

0224.94 Contingency Planning for School Campus Emergencies, CIL: 93/94-04

GOVERNOR'S OFFICE OF EMERGENCY SERVICES

Standardized Emergency Management System (SEMS) Guidelines, March 1995

SEMS Approved Course of Instruction, March 1995

Policy PIEDMONT UNIFIED SCHOOL DISTRICT  
adopted: January 12, 2000 Piedmont, California

**Piedmont Unified SD  
Administrative Regulation**

AR 3516

**Business and Noninstructional Operations**

Emergencies And Disaster Preparedness Plan

Role of Staff

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

(cf. 4112.3/4212.3/4312.3 - Oath or Affirmation)

During an emergency, staff shall fulfill the following roles:

(cf. 4119.3/4219.3/4319.3 - Duties of Personnel)

1. The principal or designee shall assume overall control and supervision of activities at the school site during an emergency. He/she shall have authority to use discretionary judgment in emergency situations which do not permit execution of prearranged plans. The principal or designee shall:

- a. Direct evacuation of buildings
- b. Arrange for transfer of students when their safety is threatened
- c. Inform the Superintendent or designee of all emergency actions taken as soon as possible
- d. Schedule periodical fire drills and other disaster preparedness exercises and keep appropriate records
- e. Post directions for fire drills and civil defense drills in classrooms, multipurpose rooms, etc.

2. Teachers shall be responsible for supervision of students in their charge. Teachers shall:

- a. Direct evacuation of students in their charge in accordance with the principal's instruction
- b. Give the DROP command as necessary
- c. Take attendance, stay with the students and provide supervision
- d. Report missing students to the principal or designee
- e. Send students in need of first aid to the school nurse or a person trained in first aid

3. Custodians are responsible for the use of emergency equipment, the handling of supplies and the use of available utilities. Custodians shall:

- a. Survey and report damage to the principal
  - b. Direct rescue operations as required
  - c. Direct fire-fighting efforts until regular fire-fighting personnel take over
  - d. Control main shutoff valves for gas, water and electricity and ascertain that no hazard results from broken gas, water mains or fallen electrical lines
  - e. Disburse supplies and equipment as needed
4. The school secretary and secretarial staff shall:
- a. Report a fire or disaster to the appropriate authorities
  - b. Answer telephones and monitor radio emergency broadcasts
  - c. Provide for the safety of essential school records and documents
  - d. Assist the principal as needed

Regulation    PIEDMONT UNIFIED SCHOOL DISTRICT  
approved: January 12, 2000 Piedmont, California

**Piedmont Unified SD  
Administrative Regulation**

AR 3516.1

**Business and Noninstructional Operations**

Fire Drills And Fires

Principals shall hold fire drills at least once a month in all elementary and middle schools and at least twice each school year in all high schools. (5 CCR 550)

1. Whenever the fire signal is given, all students, teachers and other employees shall quickly leave the building in an orderly manner. Teachers shall ascertain that no student remains in the building.
2. Teachers shall be prepared to select alternate exits and shall direct their classes to these exits whenever the designated escape route is blocked.
3. The principal or designee shall keep a record of each fire drill conducted and file a copy of this record with the office of the Superintendent or designee.

Legal Reference:

EDUCATION CODE

32000-32004 Uniform fire signals

32040 Duty to equip school with first aid kit

CODE OF REGULATIONS, TITLE 5

550 Fire drills

Regulation    PIEDMONT UNIFIED SCHOOL DISTRICT  
approved: January 12, 2000 Piedmont, California

**Piedmont Unified SD  
Administrative Regulation**

AR 3516.3

**Business and Noninstructional Operations**

Earthquake Emergency Procedure System

The Superintendent or designee shall establish an emergency procedure system to be followed in case of earthquakes. This system shall include, but not be limited to, the following: (Education Code 35297)

1. A school building disaster plan, ready for implementation at any time, for maintaining the safety and care of students and staff
2. A DROP procedure in which students and staff members:
  - a. Take cover under a table or desk
  - b. Drop to their knees
  - c. Protect their head with their arms
  - d. Face away from the windows
3. Protective measures to be taken before, during and after an earthquake
4. A training program to ensure that all students and all certificated and classified staff are aware of, and properly skilled in, the earthquake emergency procedure system

School disaster plans shall outline roles, responsibilities and procedures for students and staff.

(cf. 3516 - Emergency and Disaster Preparedness Plan)

DROP procedures may be expanded to ensure that students get under stationary desks or tables where available, or otherwise get next to an inside wall or under an inside doorway. Students should stay in the drop position until the emergency is over or until further instructions are given.

Earthquake Education

DROP procedures shall be practiced at least once each school quarter in elementary schools and at least once each semester in secondary schools. (Education Code 35297)

Students also shall be taught to take the following safety precautions during an earthquake if adults are not present to give specific directions:

1. If you are in the open, stay there.
2. Move away from buildings, trees and exposed wires.



3. After the earthquake, if you are on your way to school, continue to school.
4. After the earthquake, if you are on your way home, continue home.

#### Earthquake While Indoors at School

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

1. Teachers shall have students perform the DROP procedure.
2. As soon as possible, teachers shall move the students away from windows and out from under heavy suspended light fixtures.
3. Teachers shall have students leave the building in an orderly manner when the earthquake is over.

#### Earthquake While on School Grounds

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

1. The teacher shall direct students to walk away from buildings, trees, poles or exposed wires.
2. The teacher shall have students perform the drop procedure, covering as much skin surface as possible, closing eyes and covering ears.
3. Teachers and students shall stay in the open until the earthquake is over or until further directions are given.

#### Subsequent Emergency Procedures

1. In outside assembly areas, teachers shall provide assistance to any injured students, take roll and report missing students to the principal or designee.
2. The principal shall request assistance as needed from the county or city civil defense office or fire and police departments. He/she shall consider the possibility of aftershocks and shall determine the advisability of closing the school, with the advice of the county or city officials, as appropriate. He/she shall also contact the Superintendent or designee for further instructions.
3. The principal shall post guards at a safe distance from all building entrances to see that no one reenters until the buildings are declared safe. Monitors may be custodians, teachers or students.
4. Following the earthquake, the principal and custodian shall inspect all buildings for water and gas leaks, electrical breakages and large cracks or earth slippage affecting buildings. The principal shall notify utility companies of any break or suspected break in lines which may present an additional hazard. If damage has occurred, the custodian shall shut off all utilities at the main valve.
5. Teachers or students shall not light any stoves or burners after the earthquake until the area is declared safe.

6. If the principal believes the school is damaged sufficiently to be a hazard, he/she shall notify the Superintendent or designee and ask that the county or city building inspector check for structural failure and equipment adequacy. Until this is done, the building shall not be occupied.

Legal Reference:

EDUCATION CODE

35295-35297 Emergency earthquake procedures

Regulation     PIEDMONT UNIFIED SCHOOL DISTRICT

approved: January 12, 2000 Piedmont, California

**Piedmont Unified SD  
Board Policy**

BP 3516.5

**Business and Noninstructional Operations**

Emergency Schedules

In order to provide for the safety of students and staff, the Board of Education authorizes the Superintendent or designee to close a school site, to change the regular school day schedule, or to take any necessary action when adverse weather conditions or other emergencies warrant.

The Superintendent or designee shall establish a system for informing students and parents/guardians when the school day schedule is changed or the school is closed.

(cf 3542 - Schoolbus Drivers)

(cf 3543 - Transportation Safety and Emergencies)

In the event that students arrive at school when the school day schedule changes or the schedule changes after school has begun, the Superintendent or designee shall ensure that supervision is provided in accordance with the procedures specified in the district's emergency and disaster preparedness plan.

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

Legal Reference:

EDUCATION CODE

41422 Schools not maintained for 175 days

46010 Total days of attendance

46100 - 46192 Attendance; maximum credit; minimum day

46390 Calculation of ADA in emergency

46392 Decreased attendance in emergency situation

VEHICLE CODE

34501.6 School buses; reduced visibility

Policy PIEDMONT UNIFIED SCHOOL DISTRICT  
adopted: January 12, 2000 Piedmont, California

**Piedmont Unified SD  
Board Policy**

BP 3540

**Business and Noninstructional Operations**

Transportation

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

(cf. 3543 - Transportation Safety and Emergencies)  
(cf. 5131.1 - Bus Conduct)

Legal Reference:

EDUCATION CODE

35330 Excursions and field trips

35350 Authority to transport pupils

39800 - 39860 Transportation, especially:

39800 Powers of Board of Education to provide transportation for pupils to and from school; definition of "municipally owned transit system"

39801 Contract with County Superintendent of Schools to provide transportation

39802 - 39803 Bids and contracts for transportation services

39806 Payments to parents in lieu of transportation

39807 Food and lodging payments in lieu of transportation

39807.5 Transportation fees

39808 District transportation of private school students

41850-41854 Allowances for transportation

41860-41862 Supplemental allowances for transportation

45125.1 Criminal background checks for contractors

GOVERNMENT CODE

3540-3549.3 Educational Employment Relations Act

CODE OF REGULATIONS, TITLE 5

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

15240-15343 Allowances for student transportation, especially:

15253-15272 District records related to transportation

VEHICLE CODE

2807 School bus inspection

Policy PIEDMONT UNIFIED SCHOOL DISTRICT  
adopted: January 12, 2000 Piedmont, California

**Piedmont Unified SD  
Administrative Regulation**

AR 3540

**Business and Noninstructional Operations**

Transportation

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

Means of Transportation

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

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

(cf. 3311 - Bids)

(cf. 3312 - Contracts)

Regulation     **PIEDMONT UNIFIED SCHOOL DISTRICT**  
approved: January 12, 2000 Piedmont, California

**Piedmont Unified SD  
Administrative Regulation**

AR 3541.1

**Business and Noninstructional Operations**

Transportation For School-Related Trips

Transportation by Private Vehicle

The Superintendent or designee may authorize the transportation of students by private vehicle. Drivers shall be required to possess a valid California driver's license and at least the minimum insurance required by law.

(cf. 1240 - Volunteer Assistance)

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

All student passengers shall provide permission slips signed by their parents/guardians. Teachers shall ensure that all drivers have a copy of each student's permission slip.

Owners, drivers and passengers shall be informed that the registered owner and his/her insurance company are responsible for any accidents or violations which may occur.

The number of passengers, including the driver, shall not exceed the capacity for which the vehicle was designed. Motor trucks may not transport more persons than can safely sit in the passenger compartment.

All drivers and passengers shall wear seat belts in accordance with law. (Vehicle Code 27315)

Legal Reference:

EDUCATION CODE

35330 Excursions and field trips

35332 Transportation by air

39830 School bus

39830.1 School pupil activity bus

39860 Transportation to special activities by district

44808 Liability when students not on school property

VEHICLE CODE

27315 Mandatory use of seat belts in private passenger vehicles

Regulation     **PIEDMONT UNIFIED SCHOOL DISTRICT**  
approved: January 12, 2000 Piedmont, California

**Piedmont Unified SD  
Exhibit**

E 3541.1

**Business and Noninstructional Operations**

Transportation For School-Related Trips

**PRIVATE CAR TRAVEL CHECK**

I, \_\_\_\_\_, will be using my car to transport students to  
\_\_\_\_\_ on \_\_\_\_\_,

Please respond "yes" or "no" to the following statements.

- (1) I have a valid driver's license
- (2) I have insurance coverage (\$2,000

medical, \$100,000 - \$300,000 minimum, bodily injury, \$10,000 property damage liability),  
and am not currently assigned a high risk status.

- (3) I have seat belts in my automobile for each passenger.
- (4) I have checked:

Tires, Lights, Brakes, Signals

- (5) I understand that I may not overload my vehicle or use the back of an open truck  
in transporting passengers.

\_\_\_\_\_  
Name

\_\_\_\_\_  
(Parent Teacher Student Other)

\_\_\_\_\_  
Address

\_\_\_\_\_  
Phone

\_\_\_\_\_  
Insurance Carrier/Policy #

\_\_\_\_\_  
Vehicle License #, Make, Model, Year

**DRIVER STATEMENT**

I certify that I have not been convicted of reckless driving or driving under the influence of drugs or alcohol within the past five years and that the information given above is true and correct. I understand that if an accident occurs, my insurance coverage shall bear primary responsibility for any losses or claims for damages.

Signed Name \_\_\_\_\_ Date \_\_\_\_\_  
\_\_\_\_\_

Exhibit PIEDMONT UNIFIED SCHOOL DISTRICT  
version: January 12, 2000 Piedmont, California



**PIEDMONT UNIFIED SCHOOL DISTRICT  
Administrative Regulation**

**Business and Noninstructional Operations**

**AR 3543**

**TRANSPORTATION SAFETY AND EMERGENCIES**

**Student Instruction**

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

1. Each school year, the Superintendent or designee shall provide appropriate instruction in safe riding practices and emergency evacuation drills. Each student who receives home-to-school transportation in a school bus shall be required to receive this instruction.
2. Before departing on a school activity trip, all students riding on a school bus or student activity bus shall receive safety instruction which includes, but is not limited to:
  - a. Location of emergency exits
  - b. Location and use of emergency equipment

**Plan for Evacuation in Case of Emergency**

In case of an emergency that requires pupils to be moved immediately in order to ensure their safety, the bus driver is authorized to load students on a school bus in excess of the seating capacity.

**Legal Reference:**

**EDUCATION CODE**

39834(b) Plan for Evacuation in Case of Emergency

39831.5 Student instruction in bus safety; notification

**CODE OF REGULATIONS, TITLE 5**

14102 Instruction in bus safety and evacuation

Approved: January 12, 2000

Revised: August 26, 2009

**PIEDMONT UNIFIED SCHOOL DISTRICT  
Board Policy**

**Business and Non-Instructional Operations**

**BP 3580**

District Records *Management*

***Records management is the systematic control of records from creation to final disposition.***

District records shall be developed and disposed of in accordance with law and California Department of Education regulations.

The Superintendent or designee shall establish regulations that define records which are permanent, optional and disposable and specify how each type of record is to be maintained or destroyed. Any microfilm or electronic copies of original records shall be permanently retained.

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

District public records shall not include the actual addresses of students, parents/guardians or employees when a substitute address is designated by the Secretary of State for victims of domestic violence. (Government Code 6207)

***Electronic Mail or Instant Messaging Technologies***

***Email is one of the District's core internal and external communications methods. Email includes official District correspondence, as well as non-official correspondence, attachments, and forms transmitted electronically. Copies of email messages, including personal as well as business communications, may be released to the public under the California Freedom of Information Law (check). In addition, all email messages, including personal email, may be subject to and released in response to various government and court-ordered legal actions.***

***All employees are expected to familiarize themselves with the email retention topic.***

Legal Reference:

EDUCATION CODE

35145 Public meetings

35163 Official actions, minutes and journal

35250-35255 Records and reports

44031 Personnel file contents and inspection

49065 Reasonable charge for transcripts

GOVERNMENT CODE

6205 - 6211 Confidentiality of addresses for victims of domestic violence

6252-6265 Inspection of public records

12946 Retention of employment applications and records for two years

CODE OF REGULATIONS, TITLE 5

432 Varieties of pupil records  
16020-16022 Records-general provisions  
16023-16027 Retention of records

Management Resources:

SECRETARY OF STATE

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

WEB SITES

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

Adopted: January 12, 2000

Revised for First Reading at Board Meeting of \_\_\_\_\_



***All employees are expected to familiarize themselves with the email retention topic.***

**Piedmont Unified SD  
Board Policy**

BP 3600

**Business and Noninstructional Operations**

Consultants

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

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

(cf. 4117.12/4317.12 - Retirement Consultancy Contracts)

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

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

(cf. 3311 - Bids)

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

(cf. 4030 - Nondiscrimination in Employment)

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

(cf. 9270 - Conflict of Interest)

Legal Reference:

EDUCATION CODE

10400-10407 Cooperative improvement programs

17596 Limit on continuing contracts

35010 Control of districts; prescription and enforcement of rules

35172(a) Promotional activities

35204 Contract with attorney

44925 Part-time readers employed as independent contractors

45103 Classified service in districts not incorporating the merit system  
45103.5 Contracts for food service consulting services  
45134-45135 Employment of retired classified employee  
45256 Merit system districts; classified service; positions established for professional experts on a temporary basis  
GOVERNMENT CODE  
53060 Contract for special services and advice

Management Resources:  
INTERNAL REVENUE SERVICE PUBLICATIONS  
15-A Employer's Supplemental Tax Guide

Policy PIEDMONT UNIFIED SCHOOL DISTRICT  
adopted: January 12, 2000 Piedmont, California