

MILLBRAE SCHOOL DISTRICT

Chapter 3: Business and Non-Instructional Operations

Series 3000

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CHAPTER 3

BUSINESS AND NON-INSTRUCTIONAL OPERATIONS

Series 3000

Article 1 - Budget System

3110 Budget

- 3110.1 The school district budget shall be made up annually from the best estimates that can be made from the individual school levels with appropriate consolidation as the estimates move upward through higher levels of administration.
- 3110.2 As early in the year as possible, but not later than 90 days before the end of the fiscal year, for the ensuing year the Superintendent will present to the Board of Trustees for informal consideration preliminary estimates of the budgetary needs of the school system for the next fiscal year.
- 3110.3 After approval, the budget shall be submitted to appropriate County and State agencies on or before the dates indicated on the budget calendar developed by the Office of the County Superintendent of Schools.
- 3110.4 After the budget has been adopted, it shall be the responsibility of the Superintendent to see that all personnel use the budget in a businesslike manner.

3120 Budget Planning

- 3120.1 As a preliminary part of the development of the budget, the Board of Trustees shall study the school program in its relation to the present and future needs of the students, the patrons and the community. In an effort to make a budget a comprehensive reflection of the financial needs of the school system, steps shall be taken to inform representatives of the lay citizenry and involve the certificated and classified staff, and the administrative staff in the development process. The procedure for the involvement of these representatives shall be

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developed by the Superintendent of Schools and implemented by the Superintendent's office upon the formal approval of the Board of Trustees.

3130 Budget Calendar

- 3130.1 On or before April 1: Submit preliminary working budget to Board of Trustees.
- On or before July 1: File tentative budget with County Superintendent of Schools, including the time, date and place where the public hearing will be held.
- On or before August 1: County Superintendent shall return tentative budget with corrections and recommendations.
- At least three days before the last week in August, County Superintendent shall publish notice of the dates and places where the proposed budget may be inspected, and the time, date and place for the public hearing on the proposed budget.
- During the first week of September: Board of Trustees will conduct a public hearing on the proposed budget.
- On or before September 7 Board of Trustees will adopt budget after the public hearing, including any tax requirements, and file the adopted budget with the County Superintendent of Schools.
- On or before September 15 County Superintendent shall approve the adopted budget and file one copy with Board of Supervisors, one with the Auditor of the County, and one with the Superintendent of Public Instruction.
- On or before September 15 The Board of Trustees shall prepare and keep on file for public inspection a statement of all receipts and expenditures of the District for the previous year and a statement of the estimated total expenses for the District for the current fiscal year.

3140 Public Hearing on Proposed Budget

- 3140.1 The Board of Trustees will hold a public hearing on the proposed budget during the first week in September, for the purpose of permitting any resident of the District to appear and object to the budget or any item in the budget.
- 3140.2 The budget hearing will be concluded on the proposed budget when there no requests for further hearing on file, and the final adoption of the budget shall not take place until the hearing is concluded.
- 3140.3 The proposed budget, including program expenditures, cash balances, and all appropriations

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from the State as required to be tabulated in the Education Code Sections 42122 and 42123 for the past and the current fiscal year, any tax requirement following subdivision (c) of the Education Code Section 42127 for the proposed budget year, and the recommendations of the County Superintendent of Schools, will be available for public inspection in each school of the District or in some other place conveniently accessible to the residents of the District, during the last week in August.

3140.4 Locations, dates and times where the proposed budget may be inspected, and the time, date and place where the public hearing on the budget will be held will be published by the County Superintendent in a newspaper of general circulation in the District, or, if there is no such newspaper, then in a newspaper of general circulation in the County, at least three days before the last week in August.

3150 Adoption of the Budget

3150.1 Following the return of the tentative budget on or before August 1 from the Office of the County Superintendent of Schools with technical corrections and changes s/he deems desirable or necessary in order to determine the tax requirement, and other recommendations to ensure that proposed expenditures do not exceed anticipated revenues, the Board of Trustees will adopt a final budget including any tax requirements computed by the County Superintendent or the County Auditor, adjusted by any amount the Board of Trustees may determine should not be levied for making payments for the interest and principal on bonds and other indebtedness approved by the voters prior to July 1, 1978.

3150.2 The adopted budget shall be filed immediately with the County Superintendent of Schools, and on or before the 15th of September the County Superintendent shall approve the adopted budget as officially adopted, and shall file one copy with the Board of Supervisors, one copy with the Auditor of this County, and one copy with the Superintendent of Public Instruction.

3160 Transfer of Funds Between Categories; Amendments

3160.1 Transfers may be made from the appropriation for contingencies to any expenditure

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classification at any time by the Board of Trustees on adoption of a resolution by a two-thirds majority vote and when it is filed with the County Superintendent of Schools and the County Auditor. Transfers may be made at any time between expenditure classifications by a majority vote of the members of the Board of Trustees approving a resolution when it is filed with the County Superintendent of Schools and the County Auditor.

3160.2 The Board of Trustees may by written resolution and two-thirds vote transfer funds from the appropriation for contingencies to any expenditure classification.

3160.3 At the close of the school year the County Superintendent may, with the consent of the Board of Trustees previously given, make transfers between the undistributed reserve and any expenditure classification or classifications or balance any expenditure classifications of the budget as are necessary to permit the payment of obligations of the District incurred during the school year.

3160.4 The Board of Trustees may by written resolution and majority vote transfer funds between expenditure classifications.

3160.5 The Board of Trustees may direct that monies held in any fund or account may be temporarily transferred from one or more of these accounts to another fund to be used for the payment of obligations of the District, with limitations as set by Education Section Code 42603.

3170 Budget as a Spending Plan

3170.1 A system of fiscal control shall be established to govern the administration of the budget and the expenditure of funds.

3170.2 The Superintendent shall not permit expenditures of funds to exceed the major budget classification allowances against which the proposed expenditure is the proper charge. The Superintendent shall set up and operate budget controls for all schools and departments and administer the budget in conformity with legal requirements and the actions of the Board of Trustees.

3170.3 The Superintendent or designee shall check the legality of all expenditures and shall ascertain

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that all expenditures recommended for approval are legal expenditures.

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Article 2 - Income

3210 Federal Funds

3210.1 Each year, when it is believed that the School District is eligible for federal assistance under the provisions of Public Laws, application for said assistance may be submitted, so long as acceptance of the funds does not include conditions contrary to Board of Trustees policy.

3210.2 The Board of Trustees will execute assurances of compliance, and any other legally required documents set forth as conditions for the receipt of federal funds.

3220 Materials Fees

3220.1 Sale of school supplies within a school is not consistent with the purpose and function of the public school system in the State of California.

3220.2 The Board of Trustees will make every effort to provide all instructional equipment, books and materials needed to maintain the desired instructional program so that teachers, pupils, parents, parent-teacher organizations or school fund raising activities are not needed to provide such items.(cf.6165-Student Production of Services/Materials)

3230 Sales and Disposal of Books, Equipment, and Supplies

3230.1 The Board of Trustees recognizes that the District may have, from time to time, property which is unusable or obsolete, or otherwise not needed by the District. The Superintendent is directed to develop regulations and procedures for disposing of such property in accordance with law and the policies of this Board of Trustees.

3230.2 The Superintendent shall identify to the Board of Trustees all property not needed by the District, together with estimated value of all such items.

3230.3 The Board of Trustees must approve the recommended disposition by a unanimous vote of all members present at a regular meeting or a special meeting called for the purpose. (Education Code 39521)

3230.4 Sale of property valued over \$500 may not be made until after posting in at least 3 public places for not less than 2 weeks, or by publication for at least once a week for a period of

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not less than 2 weeks in a newspaper published in the County with a general circulation in the District. The Board of Trustees shall sell the property to the highest bidder or shall reject all bids. (Education Code 29520)

3230.5 If the Board of Trustees determines the value of the property does not exceed \$500 (by unanimous vote of members present), the Superintendent will be directed to dispose of the property either by private sale or by competitive bid as specified by the Board of Trustees.

3230.6 If the Board of Trustees finds that the property is of insufficient value to defray the costs of arranging a sale, the property may be disposed of according to the appropriate methods, including disposal in the local public dump (Education Code 39521), by donation (Education Code 60510), or by mutilation/destruction (Education Code 60530).

3230.7 Any money received by the Board of Trustees from the sale of obsolete instructional material shall be deposited to any such fund of the District as the Board of Trustees prescribes, and shall be used for school purposes.

3240 Gifts, Grants, and Bequests

3240.1 The Board of Trustees may accept on behalf of and for the District any bequest or gift of money or property for a purpose deemed by the Board of Trustees to be suitable and utilize such money or property so designated.

3240.2 The Superintendent shall set up criteria to be met in the acceptance of gifts, and the procedure for examining and evaluating offers of gifts to the District.

3240.3 All gifts shall be given to the School District as a whole, and not to a particular school. At the discretion of the Board of Trustees, the gift may be used in a particular school.

Article 3 - Expenditures

3310 Expenditures/Expending Authority

- 3310.1 It is the policy of the Board of Trustees that the administration strictly observe the letter and the spirit of all laws and regulations relating to purchases by the school system and to the control of its finances and property.
- 3310.2 Within the framework of applicable laws and regulations, purchases and use of materials and manpower shall be accomplished in accordance with good business practices with the primary purpose of serving the program of instruction.
- 3310.3 The Board of Trustees holds the Superintendent directly responsible for carrying out this policy, and toward that end, the Superintendent shall detail the procedures for executing this policy in written administrative directives.

3320 Purchasing Guides

- 3320.1 It is the policy of the Board of Trustees to support the concepts set forth in the Purchasing Code of Ethics (California Association Public School Business Officials Handbook of Public School Purchasing, 1979).
- 3320.2 To regard Public Service as a sacred trust, giving primary consideration to the interests of the District by which we are employed.
- 3320.3 To purchase without prejudice, seeking to obtain the maximum benefit for each tax dollar expended.
- 3320.4 To avoid unfair and sharp practices.
- 3320.5 To respect our obligation and to require that obligations to our District be respected.
- 3320.6 To accord vendor representatives the same courteous treatment we would like to receive.
- 3320.7 To strive constantly for improvement of our purchasing methods and of the materials we buy.
- 3320.8 To counsel and assist fellow purchasing officers in the performance of their duties.
- 3320.9 To conduct ourselves with fairness and dignity, avoid any conflict of interest and to demand honesty and truth in buying and selling.

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3320.10 To cooperate with all organizations and individuals engaged in enhancing the development of the purchasing profession.

3320.11 To remember that we act as a representative of the District and to govern those actions accordingly.

3330 Purchasing Procedures

3330.1 The procurement function is one of the major business responsibilities of the Board of Trustees.

3330.2 The duties of purchasing for Board of Trustees approval should be centralized under a Chief Business Official.

3330.3 The Business Department shall conduct all purchase transactions for the District.

3330.4 The Chief Business Official shall be familiar with and perform all purchasing activities within the limitations prescribed by law, legal opinions, and in accordance with Board of Trustees policies. Four fundamental purchasing functions are:

- a. Buy the proper product for the purpose required.
- b. Have the product available when needed.
- c. Buy the proper amount of the product.
- d. Pay the proper price.

3330.5 Every transaction between a buyer and seller involving the transfer of property, equipment or supplies shall be by purchase order or formal contract.

3330.6 Purchase orders and other purchase obligations shall be signed by the Superintendent or designee.

3330.7 Specifications governing materials are a joint responsibility of the Educational and Business Departments in the procurement of the required materials.

3340 Requesting Goods and Services (Requisitions)

3340.1 Requisitions for budgeted items shall originate from the key personnel directly responsible for their use. The Superintendent shall arrange appropriate administrative reviewing

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channels whereby all requisitions will be examined and approved, or disapproved, for purchasing.

3340.2 The Chief Business Official shall receive and process requisitions in a manner most beneficial to the overall purposes of the school.

3350 Soliciting Prices (Bids and Quotations) (revised 11/10/97)

3350.1 Pursuant to the provisions of Education Code '39873, all vegetables, meats and dairy products are defined as perishable commodities under the meanings of that section. Bids for these items and seasonable commodities including canned goods may be accepted in written, oral, formal or informal manner. Purchases may be made from bids or on the open market, whichever method appears to be most advantageous to the District. (5/21/90)

3350.2 Contracts for Equipment, Materials, Supplies, and Repairs including routine maintenance.

3350.2.1 For contracts ranging from \$5,000 to \$50,000 every effort will be made to secure at least three written quotations shall be obtained from bona fide vendors or contractors.

3350.2.2 For contracts in excess of \$50,000, a notice calling for bids shall be published at least once weekly, for two weeks, in a newspaper of general circulation within the County.

3350.3 Contracts for Work (Public Projects).

3350.3.1 For contracts ranging from \$5,000 to \$15,000 at least three written quotations shall be obtained from bona fide vendors or contractors. (Public Contract Code §22002.)

3350.3.2 For contracts in excess of \$15,000, a notice calling for bids shall be published at least once weekly, for two weeks, in a newspaper of general circulation within the County.

3350.4 No order for work or materials shall be split or separated into smaller orders for the purpose of evading the requirements of this article.

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- 3350.5 Formal bids shall be opened publicly at a point designated by the Chief Business Official and recommendation for award shall be made to the lowest bidder. If two or more bids are the same and lowest, the Chief Business Official may recommend the one he/she chooses as in the best interest of the District.
- 3350.6 For formal bids, quotations of \$20,000 or more, and any project to be charged to the Maintenance Assessment District, the Chief Business Official shall bring a recommendation to the Board of Trustees for approval.
- 3350.7 The request for quotation form should be prepared by the District and furnished to the bidder. The request shall include instructions and conditions with which the bidders must comply in submitting their bids. The form should indicate the date and time quotations are due.
- 3350.8 For quotations below \$20,000, the Chief Business Official shall make the award to the lowest bidder. If two or more such quotations are the same and lowest, the Chief Business Official may accept the one he/she chooses is in the best interest of the District.
- 3350.9 In case of a public calamity, as an extraordinary fire, flood, storm, epidemic or other disaster, or if it is necessary to do emergency work to prepare for national or local defense, the Chief Business Official may waive the requirements of this regulation.
- 3350.10 The above requirements shall not apply to any contract with any specially trained and experienced person, firm, or corporation for special services and advice in financial, economic, accounting, engineering, legal, or administrative matters (Government Code §37103) nor to those purchases authorized by the Board for acquisition of films, film strips, books, and instructional materials (Administrative Code, Title V, §18291-2).

3360 Contracts

- 3360.1 All contracts between the District and outside agencies shall conform to prescribed standards as required by law.
- 3360.2 All contracts between the District and outside agencies shall be prepared under the

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supervision of the Chief Business Official and where appropriate, subject to approval of the legal adviser of the District.

3360.3 This District shall enter into any contract with a person, agency or organization if it has knowledge that such person, agency or organization discriminates on the basis of race, color, creed, sex, religion, ancestry, national origin, age or non-job-related handicap or disability, either in employment practices or in the provision of benefits or services to students or employees.

3360.4 District contracts which carry a penalty clause shall be invoked as a result of a default of the contract. (10/27/97)

3370 Paying for Goods and Services

3370.1 The Board of Trustees must not enter into a contract or pay a bill until it has been passed upon at a regularly called meeting, except in the new instances allowed by law (Ed Code 40013).

3370.2 The Board of Trustees will authorize payment for goods and services under the following conditions:

- a. Contracted for within budgetary limits;
- b. Purchased according to relevant purchasing policies and regulations;
- c. Certified by the Chief Business Official as having been received in acceptable conditions.

3380 District Revolving Fund

3380.1 The Board of Trustees has established by resolution and the consent of the County Superintendent of Schools, a revolving cash fund in the amount of \$1,500 (revised 2/1/88).

3380.2 The Superintendent is the District Officer for whom the revolving cash fund is established, and the purposes for which it is established are: to provide a supplemental payment to classified employees when an error has been made in computing the payment due that employee; advance cash fund to 1each school, psychological services and maintenance;

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payment of regular accounts payable supported by receipt, properly signed by person responsible for receiving goods ordered and purchased.

3380.3 The account shall be known as "The Revolving Fund Account of the Millbrae School District" and it is placed in the custody of the Superintendent, who shall be responsible for the payment into the account or accounts of all monies required to be reimbursed into the account, and for all expenditures from it, subject to whatever restrictions are placed on its use by the Board of Trustees.

3380.4 The Superintendent shall, at the request of the County Superintendent or the Board of Trustees, give an account of the fund. The fund shall be audited annually by the accountant authorized by the Board of Trustees.

3390 Signatures/Facsimiles

3390.1 All payments made from the funds of this District shall be made by written order of the Board of Trustees on forms prescribed by the County Superintendent of Schools. Each such order must be signed by at least a majority of the members of the Board of Trustees or by the person or persons authorized by the Board of Trustees to sign orders in its name.

3390.2 The Board of Trustees shall, on request of the Superintendent, authorize one or more officers or employees of the District to sign orders in the name of the Board of Trustees, and directs the Superintendent to file or cause to be filed with the County Superintendent of Schools the verified signature of each person, including members of the Board of Trustees, who is so authorized. No order on the funds of the District shall be approved by the County Superintendent of Schools unless the signatures are on file in his/her office and he/she is satisfied that the signatures on the order are those of the persons authorized to sign the order.

3390.3 Any person authorized by the Board of Trustees to sign orders in the name of the Board of Trustees, may, after filing with the Secretary of State his/her manual signature certified under oath, use a facsimile signature in lieu of his/her manual signature on any such order.

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3395 Payment of Judgment/Settlement of Claims

3395.1 All claims against the Board of Trustees, the District, the officers or employees for money or damages will be handled by the procedure below unless a statute or regulation expressly related to the claim being made governs the procedure:

3395.1.1 A claim must be presented to and be acted upon by the Board of Trustees prior to any suit developing from the claim.

3395.1.2 Any claim for personal injury or damage to personnel property must be presented not later than 100 days following the accrual of the cause for action. A claim against the District for any other reason must be filed within one year of the accrual of the cause of action.

3395.1.3 The Board of Trustees shall act upon the claim no later than 45 days after presentation of the claim.

3395.1.4 A claim shall be deemed presented when delivered to the Office of the Superintendent, or sent by registered or certified mail and properly receipted by the District.

3395.1.5 Should the Board of Trustees fail to act on a claim within the specified 45 days, it shall be deemed that the Board of Trustees has rejected the claim.

Article 4 - System of Accounts

3410 System of Accounts

3410.1 All phases of general and budgetary accounting shall be as prescribed by the Education Code and in accordance with the California School Accounting Manual published by the California State Department of Education and furnished by the Superintendent of Public Instruction.

3410.2 Supplementary accounting procedures may be directed by the Chief Business Official.

3410.3 It is understood by the Board of Trustees that support for the purposes of the school shall be a prime objective of the Accounting systems and procedures, that support for the purposes of the school shall be a prime objective of the accounting systems and procedures.

3420 Periodic Financial Reports

3420.1 The Superintendent shall be responsible for maintaining the books and records of the District in auditable form. The Superintendent shall prepare all fiscal reports, keep necessary records to control adequately the financial transactions of the District, and prepare financial statements.

3420.2 Financial statements will be prepared under the direction of the Superintendent and submitted to the Board of Trustees on a monthly basis.

3420.3 The Superintendent shall file all fiscal reports with the County, State or Federal Agencies, as required. These reports will be reviewed with the Board of Trustees prior to filing with the appropriate agency.

3420.4 The Superintendent and staff shall prepare by September 15 and keep in file for public inspection a statement of all receipts and an estimate of the estimated total expenses for the District for the current fiscal year.

3430 Periodic Audit

3430.1 An audit of all accounts of the District shall be made annually by a certified public accountant or by a public accountant licensed by the State of California, selected by the

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Board of Trustees on recommendation of the Superintendent. The audit examination shall be conducted in accordance with the requirements of the Department of Finance audit procedures.

3430.2 The audit shall include all funds of the District including the student body and cafeteria funds and accounts and any other funds under the control or jurisdiction of the District, or pursuant to a joint powers agreement. The audit shall identify all expenditures by source of funds, and shall contain:

3430.2.1 A statement that the audit was conducted pursuant to standards and procedures developed in accordance with Education Code 41020.5.

3430.2.2 A summary of audit exceptions and management recommendations.

3430.3 The audit shall be arranged for by the Superintendent by May 1 of each year, and be completed not later than November 15. A report of the audit for the preceding fiscal year shall be filed with the County Clerk, the County Superintendent of Schools, the Department of Education and the Department of Finance (Education Code 41020).

3430.4 The annual audit shall be placed on the agenda of the Board of Trustees at a regularly scheduled public meeting and shall be reviewed by the Board of Trustees (Education Code 41020.3).

3440 Inventories

3440.1 Equipment

An inventory of equipment shall be maintained in a manner authorized by the State Board of Education. All items whose current value exceeds \$500 (AB 3757) shall be included in the inventory, with the exception of equipment permanently fixed in a building such as heaters or lockers. The equipment inventory shall serve both the functions of control and conservation. The inventory shall include at least the description, name, date of acquisition, identification numbers, original cost or estimate, and location of use of all items. A record of the date and mode of disposal of all equipment removed from the inventory shall also be

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kept.

3440.2 Supplies/Warehouse

An inventory of supplies which are warehoused shall be maintained for the instructional, cafeteria, maintenance, and operation departments on stock record cards. A physical inventory shall be taken annually.

3440.3 Instructional Equipment

An annual inventory of instructional equipment for each classroom (i.e., globes, maps, stands, small shop tools, etc.) shall be maintained.

3440.4 The inventory system shall be under the supervision of the Chief Business Official.

3450 Money in School Buildings

3450.1 Money collected by school district employees and by student organizations shall be handled with good and prudent business procedures, both to demonstrate the ability of school system employees to operate in that fashion, and to teach such procedures to the students.

3450.2 All money collected shall be receipted and accounted for and directed without delay to the proper location of deposit.

3450.3 In no case shall money be left overnight in schools except in safes provided for safekeeping of valuables, and even then no more than a few dollars should be so kept. All banks used by the schools shall provide for bank deposits after regular banking hours in order to avoid leaving money in a school overnight.

Article 5 - Non-Instructional Operations

3510 Safety

3510.1 The Board of Trustees believes that safety is every employee's responsibility. the Board expects all employees to use safe work practices and to report and correct any unsafe conditions which may occur. Supervisors shall constantly promote safety and correct any unsafe work practice through education, training, and enforcement. (6/17/91)

3510.1.1 No employee shall be required to work under unsafe conditions or to perform tasks which endanger his/her health, safety, or well-being. Working conditions and equipment shall be maintained in compliance with standards prescribed by federal, state, and local law and regulations.

3510.1.2 There shall be established an effective Injury prevention Program. This program shall include the identification of the position responsible for implementing the program, the method of identifying and evaluating hazards, and the methods for correcting unhealthy conditions and work practices in a timely manner. A training program complying with Labor Code 6401.7 and General Industry Safety Orders 3203 will be implemented. (See Appendix A)

3510.1.3 Procedures for communicating the Injury Prevention Program to employees and the enforcement of conditions shall be part of the program. Appropriate records shall be maintained to insure there is documentation of District compliance with the applicable code sections.

3510.2 Precautionary measures against fire, explosion or other hazards shall be established together with appropriate instructions and drill for pupils and other school personnel ion procedures to be followed in event of potential emergencies.

3510.3 Precautionary measures for safety of pupils within school buildings shall be established and observed.

3510.3.1 Rules established by administrators in charge should prevent

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The accumulation of materials anywhere, especially in industrial arts shop areas, which are flammable, noxious or otherwise dangerous unless adequate safeguards are provided;

3510.3.2 Keep stage and auditorium areas free of debris. Stage managers shall observe standing instructions to discard anything not part of regular stage equipment within 24 hours following the completion of performance.

3510.3.3 Keep walkways clear of obstructions and safe for pedestrian traffic at all times.

3520 Facilities: Security

3520.1 Buildings constitute one of the greatest investments of the school district. It is in the best interest of pupils and taxpayers to protect that investment adequately.

3520.2 Security means more than having locks and being sure that they are locked at the proper times. Security also means: 1) minimizing fire hazards; 2) reducing the probability of faulty equipment; 3) guarding against the chance of electrical shock; 4) keeping records and funds in a safe place; and 5) protection against vandalism and burglary.

3520.3 The Superintendent of Schools is directed to establish such rules and regulations as may be needed to provide for security.

3530 Insurance

3530.1 The insurance coverage of the District should provide the broadest, most complete coverage available, but should be secured at the most economical cost to the District consistent with sound insurance principles. Since good service is vital to an effective insurance program, the insurance company which is awarded any part of the District's insurance business must be able to provide prompt and efficient service.

3530.2 The Superintendent may, at his/her discretion, create an insurance advisory panel to assist in developing criteria for designing the insurance program for the District, and to develop criteria for selection of an agent (broker of record) or agents.

3530.3 This District shall purchase all needed liability insurance to the extent permitted, or

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otherwise not restricted by law.

3530.4 All District employees who handle funds shall be covered for \$25,000 under a blanket fidelity bond purchased by the Board of Trustees.

3540 Workers Compensation Coverage for Volunteers

3540.1 All volunteer workers in Millbrae School District shall be provided Workers Compensation coverage for any job-related injuries which may occur while the Volunteer Worker is performing services on behalf of Millbrae School District subject to the conditions described and District regulations.

3540.2 A Volunteer Worker shall be defined as an individual who voluntarily performs an identifiable service (other than study of an issue and giving advice) without payment of any type, under the supervision, control and management of Millbrae School District, and who is not enrolled as a student of Millbrae School District.

3540.3 Procedures to implement coverage of volunteer workers for Workers Compensation following

3540.3.1 Effective Date of Coverage: Volunteer workers shall become covered for Workers Compensation injuries beginning on the date and time they begin performing their services (subject to all other rules and regulations contained herein).

3540.3.2 Conditions of Coverage: The services performed by volunteer workers of this school district which are covered for Workers Compensation consist of the following:

3540.3.2.1 All services performed on the premises of any school or site of this District, subject to all other rules and regulations contained herein.

3540.3.2.1 Services performed during officially scheduled field trips taken by classes of this District away from the premises of this

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District, subject to all other rules and regulations contained herein.

3540.3.3 Supervision of volunteer workers

3540.3.3.1 Student related services performed by volunteers shall be performed under the immediate supervision and direction of persons holding certification as teachers or supervisors.

3540.3.3.2 Notwithstanding 3540.3.3 above, approved volunteers may be utilized to perform duties of supervision of pupils during the lunch period or during any breakfast period or other nutrition period.

3540.3.3.3 Volunteers performing services not directly related to students may be supervised by non-certificated District personnel.

3540.3.4 Liability of volunteer workers

3540.3.4.1 Volunteer workers shall be provided with protection against liability arising from services provided in accordance with District policy, as though they were employees of the District.

3540.3.5 Freedom from Tuberculosis

3540.3.5.1 Each Volunteer Worker who regularly performs any service in the classroom shall have on file with Millbrae School District, a certificate which indicates freedom from active Tuberculosis.

3540.3.6 Designation of Agent (for the purpose of authorizing volunteer workers): The Superintendent shall designate those persons whom s/he has empowered to authorize volunteer workers.

3540.3.7 Use of Volunteer Services requires that the principal or other designated agent be responsible for the following:

3540.3.7.1 Verifying and keeping records of required Tuberculosis clearance

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documents on volunteers.

3540.3.7.2 Maintaining a "Sign-In" log of volunteers by name, who qualify for Workers Compensation coverage. The principal, or other designated agent, is the only person empowered to sign for a volunteer who neglects to sign in or out.

3540.3.7.3 Communicating School and District policies to volunteers.

3540.3.7.4 Submitting Workers Compensation claim forms through the District Office when injuries occur to qualified volunteers.

3540.3.7.5 Ensuring that volunteers have the required supervision.

3540.3.7.6 Performing routine background check on any volunteer not related to a student or known to staff members.

3540.4 The following categories shall not be considered as District volunteers (or Employees) for purposes of Workers Compensation coverage:

3540.4.1 PTA or school-parent clubs, officers, committees or workers, when their work is primarily promoting the goals of their organizations. (Even when those goals are rendering a direct service to the school.)

3540.4.2 Advisory committee members, such as School Improvement Program, Site Advisory Council, etc.

3540.4.3 Private car drivers except when on an approved field trip and meeting all other criteria contained herein.

3540.4.4 Other categories as (and when) identified by the Superintendent.

3550 Transportation

3550.1 The District will provide transportation for pupils under provisions of State law and regulations. The Superintendent is asked to administer the operation so as to: 1) provide for maximum safety of pupils; 2) supplement and reinforce desirable pupil behavior patterns; 3) assist handicapped pupils appropriately; and 4) enrich the instructional program through

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carefully planned field trips as recommended by the staff.

- 3550.2 All transportation of students to and from school, on field trips, student activities trips or any other group activity under the control of the District shall be in school buses as defined in Education Code ' 39830 or District-owned vehicles or in cars driven by volunteer drivers meeting the requirement of insurance liability. Such buses may be publicly or privately owned, but must be serviced and maintained as acquired by the Vehicle Code and regulations of the California Highway Patrol.
- 3550.3 Individual children may be transported to and from school or part way by their parents under provisions of Education Code '39806, and students may be transported home in vehicles owned by members of the staff under emergency conditions.
- 3550.4 Transportation by private carrier may be provided whenever such practice is more economical than using school district-owned vehicles. Parents may be reimbursed for transportation of eligible students whenever such practice is more economical or convenient.

3560 Food Service

3560.1 Purposes and Facilities:

- 3560.1.1 The school lunch program shall be an integral part of the total educational program. An attractive, wholesome, well-balanced lunch is essential for the best work from the students.
- 3560.1.2 To accomplish this objective with appropriate economy, all administration of the food services program will be coordinated in the office of the Chief Business Official. Business functions to be centralized will include central purchasing of food and supplies, a District-wide salary schedule for all food service employees, centrally planned menus, and regular audit of all accounts.
- 3560.1.3 The educational aspects of the school lunch program will be the responsibility of each school principal, subject to advice, counsel and direction from the Chief

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Business Official and the Superintendent of Schools, who is ultimately responsible for executing this policy.

3560.1.4 The following persons and groups are exempt, and are permitted to use the food service facilities: 1) members of the staff of the State Department of Education and the Office of the County Superintendent of Schools; 2) members of parent-teacher organizations; and 3) guests of District employees. (Ed Code '39872)

3560.2 Meals for Needy Children:

3560.2.1 National School Lunch Program regulations require that lunches be provided for needy pupils when family income is insufficient to provide the basic necessities, including food of the proper quality and amount for good nutrition.

3560.2.2 Parents shall be informed of the District policy concerning "Meals for Needy Children". A letter and application form will be distributed to all parents during the first few weeks of school. The letter will contain information on the eligibility standards, procedures for applying for free "Meals for Needy Children", and how an appeal may be filed for an adjustment in the decision with respect to their application. This information and an application form will be provided whenever a new pupil is enrolled.

3560.2.3 A public news release containing this same information will be made available to local news representatives early in the school year. Copies of this public release will be made available upon request to any interested party. Subsequent changes in the District eligibility standards during the school year, which are approved by the state agency, will also be announced publicly.

3560.2.3.1 Free or reduced price lunches will be provided for all pupils who qualify on the basis of financial need.

3560.2.3.2 There shall be no discrimination in the furnishing of meals (because of race, religion, source of income, etc.).

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- 3560.2.3.3 The anonymity of pupils receiving assistance under this policy shall be protected. The names of these pupils will be treated in a confidential manner. They will use the same tickets for lunch and will obtain these items in the same manner and place as do all other children.
- 3560.2.3.4 Requests for free lunches and reduced-price lunches, which have been denied, may be appealed to the Chief Business Official.
- 3560.2.3.5 Records of pupils receiving assistance will be kept in each school. A monthly report will be submitted to the District Office where records for audit purposes will be maintained.
- 3560.2.3.6 Eligibility for the "Meals for Needy Children" program will be based on the following:
- 3560.2.3.6.1 Emergency Situations: A child's statement of need is sufficient for providing assistance on a temporary basis. A family contact should be made immediately to determine extent and probable duration of need. In cases of family emergency such as sudden unemployment, illness, death, desertion or similar situation, assistance will be provided as needed.
 - 3560.2.3.6.2 Objective Standards of Need: Eligibility for assistance, other than that for emergency situations, will be determined on the basis of income and family size as indicated on

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the scale provided by the Federal Government.

3560.2.3.6.3 Priority for Provision of Services: Priorities for provision of free or reduced price meals shall be those established by Education Code '49518, if it is not possible for the District to meet all requests for such meals.

3560.2.3.7 If school authorities feel that a family's financial situation has changed, and the pupils are no longer eligible for free meals, a hearing procedure will be used by the Chief Business Official to challenge the continued eligibility. In the event of such a challenge, the family will be given a reasonable period of time in advance of the hearing to review the information on which the challenge is based. Children will continue to receive free meals until the conclusion of the hearing.

3560.3 Food Service Finance:

Food in the school cafeteria shall be sold to patrons of the food service program at such price as will pay the cost of maintaining the program, exclusive of the costs which are made a charge against the funds of the District by provisions of the Education Code and items which are made a charge against the funds of the District by resolution of the Board of Trustees under authority of provisions of the Education Code.

3560.4 Meals for Needy Pupils:

As provided in Education Code Sections 49500-49504, meals for needy pupils shall be an expense charged to the general fund.

3560.5 Participation in the National School Lunch Program:

Participation in the National School Lunch Program is herewith authorized. Authorization is

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granted to the Superintendent to act on behalf of this school district for purposes of participating in the National School Lunch Program.

3560.6 Approval of Menu Prices:

Prices of all items on the menu shall be submitted to the Board of Trustees of the District annually for its approval. Revenues from lunchroom sales should offset the costs which are to be borne by the food service program.

3560.7 Food Storage Provisions:

Storage of food and supplies shall be done so as to prevent waste, spoilage, or pilferage, and the issuance of food and supplies shall be restricted to purposes of school food service only.

3560.8 Monthly Financial Report:

A financial report, current and accumulative, of the operation of the food services program, shall be presented monthly to the Board of Trustees of this school district. Yearly, a complete audit of the operation of the food service program shall be performed in accordance with legal requirements.

3560.9 Fund Custodian: (8/11/86)

Pursuant to the provisions of Education Code 39892, the Board of Trustees designates the Chief Business Official to be the custodian of the Fund with the responsibility for the payment into the account or accounts, and for all expenditures therefrom, subject to such regulations as the Governing Board prescribes. The Chief Business Official will charge the Fund with all direct and support costs generated by the cafeteria operations. The Chief Business Official, as the Fund Custodian, may request consideration for relief of charges placed against the Cafeteria Fund from the Board of Trustees on an annual basis.

3570 Other Food Sales (1/00)

3570.1 With the approval of the Superintendent/designee, food sales may be held by school-related groups, including but not limited to students; teachers, and nonpartisan, charitable

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parents/guardians and booster groups authorized to sell food items per §51520 provided that these sales are in compliance with state and federal regulations.

3570.2 Student organizations may sell one nutritious food item from the list in §3570.6 during the regular school day and within one hour after the time of closing the school (the "Regular School Day") if:

3570.2.1 the sales do not begin until after the close of the regularly scheduled midday food service period;

3570.2.2 the food item is a dessert-type food, such as pastry, ice cream, or fruit that is not prepared on school premises and is not otherwise offered by the school's food service program; and

3570.2.3 the student organization offers no more than four (4) such food sales per year (5 CCR §15500)

3570.3 These limitations do not apply to nonpartisan charitable adult organizations that are permitted by the Governing Board to sell food items under Education Code §51520. Moreover, these limitations do not apply to food sales by student organizations that do not occur during the Regular School Day or within one hour after the time of closing of school.

3570.4 Sanitation and safety procedures shall comply with the requirements of the California Uniform Retail Food Facilities Law as set forth in Health and Safety code §113700-114455, including the necessity to obtain applicable permits where food sales occur more than three (3) days within a ninety (90) day period.

3570.5 No foods of minimal nutritional value shall be sold in food service areas during breakfast and lunch periods (CFR 210.11 and 210.12).

3570.6 All foods offered for sale at any school during the Regular School Day by any student or adult entity or organization must be approved by the Governing Board as delegated to the Superintendent/designee and at least 50% of these foods shall be selected from the following nutritious foods as listed in Education Code §38085:

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- 3570.6.1 Milk and dairy products, including cheese, yogurt, frozen yogurt, and ice cream;
 - 3570.6.2 Full-strength fruit and vegetable juices and fruit drinks containing 50% or more full-strength fruit juice, and fruit nectars containing 35% or more full-strength fruit juice.;
 - 3570.6.3 Fresh, frozen, canned, and dried fruits and vegetables;
 - 3570.6.4 Nuts, seeds, and nut butters;
 - 3570.6.5 Non-confection grain products, including crackers, bread sticks, tortillas, pizza, pretzels, bagels, muffins, and popcorn;
 - 3570.6.6 Meat, poultry, and fish, and their products, including beef jerky, tacos, meat turnovers, pizza, chili, and sandwiches; or
 - 3570.6.7 Legumes and legume products, including bean burritos, chili beans, bean dip, roasted soy beans, and soups.
- 3570.7 When desiring to raise money for District schools or student groups by selling food items, organizations are encouraged to select items of good nutritional quality. All profits from such fund-raisers shall benefit the school or student groups sponsoring the sale.

Legal References:

Education Code: 38085, 48931, and 51520
Code of Regulations, Title 5: 15500 and 15501
Code of Federal Regulations, Title 7: 210-220

3580 Software Copyright (10/4/82)

- 3580.1 It is the intent of the Board of Trustees to adhere to the provisions of copyright laws in the area of microcomputer programs. In an effort to discourage violation of copyright laws and to prevent such illegal activities, the following guidelines shall be followed:
- 3580.1.1 Efforts will be made to monitor computer use to minimize opportunities for misuse or misappropriation of computer resources and proprietary interest. Copies of copyrighted computer programs may not be made without prior written authorization of the District Superintendent, or his/her designee.
 - 3580.1.2 Copies of computer programs may be made only when (a) a copy must be made

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to conform to the mechanical requirements of another computer or (b) the copy is made for archival purposes only. These copies will be destroyed in the event that continued possession of the computer program by the District should cease to be rightful.

3580.1.3 The reproduction of copyrighted software will not be made without the written authorization of the copyright owner.

3580.1.4 When software is to be used on a disk-sharing system, efforts will be made to secure this software from copying.

3580.1.5 Illegal copies of copyrighted programs will not be made or used on school equipment.

3580.1.6 Unless required by law, the legal or insurance protection of the District will not be extended to employees who violate copyright laws.

3580.1.7 Any employee making an unauthorized copy of a copyrighted computer program is acting beyond the scope of his/her employment.

3580.1.8 Any employee or student violating this regulation will be subject to disciplinary procedures.

3580.1.9 Any person violating the exclusive rights of copyright owners is engaging in an infringement of copyright and is subject to civil damages and/or criminal punishment.

3580.1.10 The Superintendent, or his/her designee, is designated as the only individual who may sign license agreements for software for schools in the District.

3580.1.11 The Superintendent, or his/her designee, is responsible for establishing practices to aid in the enforcement of this regulation at the school level.

(US Code, Title 17.117)

3600 Investment of District Funds (1/23/89)

3600.1 It is the intent of the Board of Trustees to maximize the revenue generated from any surplus

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funds available for investment. It is the further intent of the Board of Trustees that these investments be prudent and made under the provisions of current state law, current legislation, and applicable Education Codes.

3600.2 The cash management and investment transaction of the District funds are the delegated responsibility of the Chief Business Official who shall serve as treasurer of the District. The following financial instruments are designated acceptable to the Millbrae School District Board of Trustees under the provisions of Government Code 53601:

3600.2.1 Securities of the US Government or its agencies as designated in Government Code 53601(b).

3600.2.2 Securities of the State of California or its agencies as designated in Government Code 53601(c).

3600.2.3 Guaranteed Small Business Administration loans insured by agencies of the US Government.

3600.2.4 Negotiable Certificates of Deposit by banks and/or associations designated in Government Code 53601(h) insured by agencies of the US Government.

3600.2.5 Local Agency Investment Fund (State pool) Demand Deposits insured by agencies of the US Government or State of California.

3600.2.6 Passbook savings account demand deposits insured by agencies of the US Government.

3600.2.7 County Investment Pool.

3600.3 Criteria for selecting investments shall adhere to the following order of priority: safety, liquidity, and yield of investment.

3600.4 The District will make every attempt to attain the highest yield possible when selecting investments provided that the criteria for safety and liquidity are met. To accomplish this, the District shall adhere to the following conditions:

3600.4.1 The District shall maintain investments whose maturities meet anticipated cash

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needs.

- 3600.4.2 The District's Chief Business Official shall investigate financial soundness, experience, and personnel of all institutions or brokerage firms prior to the committal of any funds on the behalf of the District.
- 3600.4.3 The District's Chief Business Official shall not speculate nor deal in future options.
- 3600.4.4 The Board of Trustees must approve any long-term investments (over 180 days) prior to investment. The deposit of funds in the County Investment Pool does not require specific action of the District.
- 3600.4.5 The District's Chief Business Official shall diversify the investment portfolio in such a manner as not to obligate the District toward a dependence on one institution.
- 3600.4.6 The District's Chief Business Official shall prepare monthly investment reports in accordance with AB 1073, approved by the Governor on September 16, 1984, and Government Code '53607 for review by the Board of Trustees. This report shall summarize all current investment activity by type, institutions, and maturity.
- 3600.4.7 The maturity dates of funds invested will be timed so that cash funds will be available to meet the District's financial obligations as they arise.

MILLBRAE SCHOOL DISTRICT

INJURY AND ILLNESS PREVENTION PROGRAM

Approved by Board of Trustees: 6/17/91

The following written Injury and Illness Prevention Program documents that it is the District's policy to fully comply with Labor Code '6401.7 and General Industry Safety Order '3203, Injury and Illness Prevention Program.

I. RESPONSIBILITY FOR IMPLEMENTING THE PROGRAM

The Board of Trustees has designated the Chief Business Official as the responsible person to develop, implement, and maintain records for an effective Injury and Illness Prevention Program for the Millbrae School District in compliance with California State Labor Code '6401.7, General Industrial Safety Order 3203 and local district safety policies and procedures.

It shall be the duty of the Chief Business Official of his designee to ensure the enforcement of safe work practices by assuming responsibility as follows:

- a. Inspect all facilities of the District on a quarterly basis.
- b. Identify and evaluate existing or potential hazards.
- c. Develop timely methods for correcting unhealthy or unsafe conditions and/or work practices.
- d. Develop a comprehensive safety training program for all District employees.
- e. Communicate with District employees on a regular and continuing basis all aspects of the Injury and Illness Prevention Program.
- f. Maintain the appropriate records to ensure documentation of District compliance with applicable code section.

II. ENSURING THAT EMPLOYEES COMPLY WITH SAFE AND HEALTHY WORK PRACTICES

The Business Manage/designee will notify all employees of their responsibilities regarding safe work practices and personal protective equipment by the following methods:

- a. Safety orientation: Employees shall be given a safety orientation within 21 days of hiring, covering all areas of employment.
- b. Safety communication: Written material and directives will be distributed to each employee. All employees will be informed of their responsibility to report any unsafe working conditions or potential safety hazards.

Employees understand that they are accountable to exercise safe work practices. These safe work practices will be enforced by:

- a. Recognition/Incentive for compliance: Employees who actively participate in the safety program or identify safety hazards will be recognized by letter or formal commendation at staff meetings, etc.
- b. Discipline for non-compliance:
 - 1. Employees failing to observe safety directives or repeatedly violating safe work practices will be verbally counseled and re-instructed in safe working habits.
 - 2. Employees failing to observe safety directives or continuing to repeatedly violate safe work practices after being counseled will be verbally admonished and re-instructed in safe working habits.
 - 3. Employees continuing to observe unsafe work habits will be reprimanded in writing.
 - 4. Disciplinary action will be taken against any employee for any violation of the safety rules and regulations in accordance with Labor Code '6401.9.

III. COMMUNICATIONS WITH EMPLOYEES REGARDING HEALTH AND SAFETY MATTERS

Communication of safe working conditions, safe work practices, and required personal protection equipment is included in initial training and all subsequent training.

- a. Employer to Employee: In addition to posters, letters, and staff meetings, communication on safety topics will include an onsite review of any accident with the affected employee and staff to preclude the re-occurrence of similar accidents or incidents.
- b. Employee to Employer: Employees will be advised that there will be no reprisals or other job discrimination for expressing any concern, comment, suggestion, or complaint about a safety related matter.

IV. IDENTIFYING AND EVALUATING WORKPLACE HAZARDS

The Millbrae School District will use the following system for identifying, evaluating, and preventing occupational safety and health hazards:

- a. Investigation: There will be investigations of all lost time on-the-job- accidents, injuries, or illnesses. In addition, all other potentially hazardous events that occur inside or on the premises of any school facility or in any other specific school-operated area will be investigated.
- b. Inspections: There will be periodic safety inspections of classrooms and other District grounds and workstations. Frequency of inspection should be based on need, but all areas should be inspected at least quarterly.
- c. Review: There will be review of industry and general safety information related to occupational safety and health hazards found in school environments.
- d. Evaluation: There will be an evaluation of information of hazards reported by certificated or classified employees.

V. ACCIDENT INVESTIGATION

Occupational accident and injury/illness investigation:

- a. Timeliness: Investigations are conducted as soon as possible after an accident is reported.
- b. Documentation: The investigations are documented in writing.
- c. Forms: The investigation forms are maintained in the Business Office of the Millbrae School District Office.

VI. METHODS AND PROCEDURES FOR CORRECTING UNSAFE AND UNHEALTHY CONDITIONS AND WORK PRACTICES

The following methods and/or procedures will be used to correct unsafe or unhealthy conditions, work practices, and work procedures in a timely manner based on the severity of the hazard:

- a. Imminent hazard: Personnel not needed for corrective action will be removed from the area.
- b. Less severe hazards: Problems will be dealt with in a timely manner.
- c. Methods of reducing hazards: Activities such as training or retraining of employees on safe work practices and hazard problems will be practiced to reduce unsafe or hazardous conditions.
- d. Procedures: Procedures such as a safety work order system, inspection reviews, and monitoring of employees will be utilized.

VII. DOCUMENTED EMPLOYEE SAFETY TRAINING

Employee safety training will be provided under the following guidelines:

- a. Initial training: Initial training will be provided for all current employees as soon after the establishment of the District's program as possible.
- b. New employees: New employees shall be provided initial training within 21 working days upon hiring.
- c. New task: Employees will be provided training when assigned a new task or job for which training has not been received.
- d. Supervisors: Supervisors will be trained on hazards and safe practices in their area of responsibility.
- e. Job categories: Training will include general safety and specific job safety category training.
- f. Documentation: Documentation of safety training will be maintained in writing by individual and/or group training sessions. Documentation will be located at the Business Office of the Millbrae School District Office.