BP 3514 Environmental Safety

Note: Education Code 17070.75 requires each district participating in the state's School Facility Program to have a facility inspection system to ensure that each school facility is kept in good repair. Pursuant to Education Code 17002, a facility is in "good repair" when it is maintained in a manner that ensures that it is clean, safe, and functional in accordance with criteria set forth in the Facility Inspection Tool developed by the Office of Public School Construction. See AR 3517 - Facilities Inspection. In addition, the U.S. Environmental Protection Agency (EPA) has developed the Healthy School Environments Assessment Tool (HealthySEAT), a software program designed to be customized by districts to conduct voluntary self-assessments of environmental conditions, such as chemical management, hazardous materials and waste, indoor and outdoor air quality, moisture/mold control, pest control, ultraviolet radiation, and construction/renovation of school facilities. For further information, see EPA's web site.

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

(cf. 0200 - Goals for the School District)
(cf. 0400 - Comprehensive Plans)
(cf. 1312.4 - Williams Uniform Complaint Procedures)
(cf. 3516 - Emergencies and Disaster Preparedness Plan)
(cf. 3516.3 - Earthquake Emergency Procedure System)
(cf. 3517 - Facilities Inspection)
(cf. 4157/4257/4357 - Employee Safety)
(cf. 5142 - Safety)
(cf. 7111 - Evaluating Existing Buildings)

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

(cf. 3510 - Green School Operations)
(cf. 3513.3 - Tobacco-Free Schools)
(cf. 3514.1 - Hazardous Substances)
(cf. 3514.2 - Integrated Pest Management)
(cf. 3516.5 - Emergency Schedules)
(cf. 3540 - Transportation)

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

Note: Health and Safety Code 116277, as added by AB 746 (Ch. 746, Statutes of 2017), requires a community water system serving a school to test for lead in the potable water system of the school and, if the school's lead level exceeds a defined level, the district must notify parents/guardians, take immediate steps to shut down all fountains and faucets where the excess lead levels may exist, and provide a potable source of drinking water to students. Schools that have their own water supply, such as a well, are required to test for lead, copper, and other contaminants in tap water pursuant to other state and federal law and regulations, including 22 CCR 64670-64679 and 40 CFR 141.80-141.91. See the California Water Boards' "Frequently Asked Questions about Lead Testing of Drinking Water in California Schools: Updated for Assembly Bill 746/Health and Safety Code 116277." For more information in regard to lead exposure and remediation, see the accompanying administrative regulation.

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

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

The Superintendent or designee shall provide the district's maintenance and facilities staff, bus drivers, food services staff, teachers, and other staff as appropriate with professional development regarding their responsibilities in implementing strategies to improve and maintain environmentally safe and healthy schools.

(cf. 4131 - Staff Development)
(cf. 4231 - Staff Development)
(cf. 4331 - Staff Development)

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

(cf. 5141.6 - School Health Services)

Legal Reference:

EDUCATION CODE
17002 Definition of "good repair"
17070.75 Facilities inspection
17582 Deferred maintenance fund
17590 Asbestos abatement fund
17608-17614 Healthy Schools Act of 2000, least toxic pest management practices
32080-32081 Carbon monoxide devices
32240-32245 Lead-Safe Schools Protection Act
48980.3 Notification of pesticides
49410-49410.7 Asbestos materials containment or removal

FOOD AND AGRICULTURAL CODE
11401-12408 Pest control operations and agricultural chemicals
13180-13188 Healthy Schools Act of 2000, least toxic pest management practices

GOVERNMENT CODE
3543.2 Scope of representation; right to negotiate safety conditions

HEALTH AND SAFETY CODE
105400-105430 Indoor environmental quality
113700-114437 California Retail Food Code, sanitation and safety requirements
116277 Lead testing of potable water at schools and requirements to remedy

CODE OF REGULATIONS, TITLE 5
14010 Standards for school site selection

CODE OF REGULATIONS, TITLE 8
337-339 Hazardous substances list
340-340.2 Occupational safety and health, rights of employees
1528-1537 Construction safety orders; exposure to hazards
5139-5223 Control of hazardous substances

CODE OF REGULATIONS, TITLE 13
2025 Retrofitting of diesel school buses
2480 Vehicle idling

CODE OF REGULATIONS, TITLE 17
35001-36100 Lead abatement services

CODE OF REGULATIONS, TITLE 22
64670-64679 Lead and copper in drinking water

CODE OF REGULATIONS, TITLE 24
915.1-915.7 California Building Standards Code; carbon monoxide devices

UNITED STATES CODE, TITLE 7

136-136y Use of pesticides

UNITED STATES CODE, TITLE 15
2601-2629 Control of toxic substances
2641-2656 Asbestos Hazard Emergency Response Act

UNITED STATES CODE, TITLE 42
1758 Food safety and inspections

CODE OF FEDERAL REGULATIONS, TITLE 40
141.1-141.723 Drinking water standards
745.61-745.339 Lead-based paint standards
763.80-763.99 Asbestos-containing materials in schools
763.120-763.123 Asbestos worker protections
Management Resources:

CSBA PUBLICATIONS
Indoor Air Quality: Governing Board Actions for Creating Healthy School Environments, Policy Brief, July 2008
Asthma Management in the Schools, Policy Brief, March 2008
Food Safety Requirements, Fact Sheet, October 2007
Sun Safety in Schools, Policy Brief, July 2006

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS
School Site Selection and Approval Guide, 2000
Indoor Air Quality, A Guide for Educators, 1995

CALIFORNIA DEPARTMENT OF HEALTH SERVICES PUBLICATIONS
Report to the Legislature: Lead Hazards in California's Public Elementary Schools and Child Care Facilities, April 1998

CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY: AIR RESOURCES BOARD PUBLICATIONS
Facts about Truck and Bus Regulation School Bus Provisions, rev. March 22, 2011

CALIFORNIA STATE WATER RESOURCES CONTROL BOARD PUBLICATIONS
Frequently Asked Questions about Lead Testing of Drinking Water in California Schools; Updated for Assembly Bill 746/Health and Safety Code 116277, December 15, 2017

DIVISION OF THE STATE ARCHITECT PUBLICATIONS
K-12 Occupancy Classification and Load Factors, IR A-26, rev. April 18, 2012

U.S. ENVIRONMENTAL PROTECTION AGENCY PUBLICATIONS
A Citizen's Guide to Radon: The Guide to Protecting Yourself and Your Family from Radon, 2016
Healthy School Environments Assessment Tool, rev. 2015

Indoor Air Quality Tools for Schools, rev. 2009
Mold Remediation in Schools and Commercial Buildings, September 2008
The ABCs of Asbestos in Schools, rev. August 2003
How to Manage Asbestos in School Buildings: AHERA Designated Person's Self-Study Guide, 1996

WEB SITES
CSBA: http://www.csba.org
AirNow: http://www.airnow.gov
American Association of School Administrators: http://www.aasa.org
California Air Resources Board: http://www.arb.ca.gov
California Building Standards: http://www.bsc.ca.gov/codes.aspx
California Department of Education, Health and Safety: http://www.cde.ca.gov/ls/fa/hs
California Department of Pesticide Regulation: http://www.cdpr.ca.gov
California Department of Public Health: http://www.cdph.ca.gov
California State Water Resources Control Board: http://www.waterboards.ca.gov
Centers for Disease Control and Prevention: http://www.cdc.gov
Consumer Product Safety Commission: http://www.cpsc.gov
National Center for Environmental Health: http://www.cdc.gov/nceh
Occupational Safety and Health Administration: http://www.osha.gov
U.S. Environmental Protection Agency: http://www.epa.gov

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