

**EL DORADO UNION HIGH SCHOOL DISTRICT
BOARD POLICY**

Students

**SAFETY
BP 5142**

Note: The California Tort Claims Act (Government Code 810-96.6) provides that a district may be held liable for personal injuries caused by dangerous conditions on school property and could be liable for its employees' failure to use reasonable care to prevent foreseeable injuries resulting from school activities. Within the scope of their employment, school staff must exercise the degree of care "which a person of ordinary prudence, charged with (comparable) duties, would exercise under the same circumstances." Daily v. Los Angeles Unified School District

The Governing Board recognizes the importance of providing a safe school environment in order to help ensure student safety and the prevention of student injury. The Superintendent or designee shall implement appropriate practices to minimize the risk of harm to students, including, but not limited to, practices relative to school facilities and equipment, the outdoor environment, educational programs, and school-sponsored activities.

(cf. 0450 - Comprehensive Safety Plan)
(cf. 3320 - Claims and Actions Against the District)
(cf. 3514 - Environmental Safety)
(cf. 3514.1 - Hazardous Substances)
(cf. 3514.2 - Integrated Pest Management)
(cf. 3516 - Emergencies and Disaster Preparedness Plan)
(cf. 3530 - Risk Management/Insurance)
(cf. 3542 - School Bus Drivers)
(cf. 3543 - Transportation Safety and Emergencies)
(cf. 4119.42 / 4219.42 / 4319.42 - Exposure Control Plan for Bloodborne Pathogens)
(cf. 4119.43 / 4219.43 / 4319.43 - Universal Precautions)
(cf. 5131 - Conduct)
(cf. 5131.1 - Bus Conduct)
(cf. 5131.7 - Weapons and Dangerous Instruments)
(cf. 5141 - Health Care and Emergencies)
(cf. 5141.22 - Infectious Diseases)
(cf. 5142.1 - Identification and Reporting of Missing Children)
(cf. 5143 - Insurance)
(cf. 5144 - Discipline)
(cf. 5144.1 - Suspension and Expulsion / Due Process)
(cf. 6145.2 - Athletic Competition)
(cf. 6161.3 - Toxic Art Supplies)
(cf. 6163.2 - Animals at School)
(cf. 7111 - Evaluating Existing Buildings)

Staff shall be responsible for the proper supervision of students during school hours, while at school-sponsored activities and while students are using district transportation to and from school.

The Superintendent or designee shall ensure that students receive appropriate instruction on topics related to safety, injury prevention, and disease prevention.

(cf. 6142.8 - *Comprehensive Health Education*)

Legal Reference:

EDUCATION CODE

- 8482-8484.6 *After School Learning and Safe Neighborhood Partnerships Program*
- 17280-17317 *Approvals (Field Act)*
- 17365-17374 *Fitness of school facilities for occupancy*
- 32001 *Fire alarms and drills*
- 32020 *School gates; entrances for emergency vehicles*
- 32030-32034 *School eye safety*
- 32040 *First aid equipment*
- 32225-32226 *Two-way communication devices in classrooms*
- 32240-32245 *Lead-free schools*
- 32250-32254 *CDE school safety and security resources unit*
- 32280-32289 *Safety plans*
- 44807 *Duty of teachers concerning conduct of pupils*
- 44808 *Exemption from liability when students are not on school property*
- 44808.5 *Permission for pupils to leave school grounds; notice (high school)*
- 45450-45441 *Crossing guards*
- 48900 *Hazing*
- 49300-49307 *School safety patrol*
- 49330-49335 *Injurious objects*
- 49341 *Need for safety in school science laboratories*
- 51202 *Instruction in personal and public health and safety*

GOVERNMENT CODE

- 810-996.6 *California Tort Claims Act, especially:*

HEALTH AND SAFETY CODE

- 115725-115735 *Playground Equipment*
- 115775-115800 *Wooden Playground Safety*
- 115810-115816 *Playground safety and recycling grants*

PENAL CODE

- 245.6 *hazing*

PUBLIC RESOURCES CODE

- 5411 *Purchase of equipment usable by physically handicapped persons*

VEHICLE CODE

- 21100 *Rules and regulations; crossing guards*
- 21212 *Use of helmets*
- 42200 *Fines and forfeitures, disposition by cities*
- 42201 *Fines and forfeitures, disposition by counties*

CODE OF REGULATIONS, TITLE 5

- 202 *Exclusion of pupils with a contagious disease*
- 570-576 *School safety patrols*

5531 Supervision of social activities
5552 Playground supervision
5570 When school shall be open and teachers present
14103 Bus driver; authority over pupils

COURT DECISIONS

Wiener v. Southcoast Childcare Centers, (2004) 32 Cal.4th 1138
Kath v. East Side Union High School District, (2003) 31 Cal.4th 990
Hoyem v. Manhattan Beach City School District (1978) 22 Cal. 3d 508
Dailey v. Los Angeles Unified School District (1970) 2 Cal 3d 741

Management Resources:

AMERICAN SOCIETY FOR TESTING AND MATERIALS

F 1487-05, Standard Consumer Safety Performance Specifications for Playground Equipment for Public Use, 2005

U.S. CONSUMER PRODUCT SAFETY COMMISSION PUBLICATIONS

Handbook for Public Playground Safety, Pub. No. 325, 1994, rev. 1997

WEB SITES

American Society for Testing and Materials: <http://www.astm.org>
CDE, School Safe Schools Office: <http://www.cde.ca.gov/ls/ss>
California Department of Health Services: <http://dhs.ca.gov>
Environmental Protection Agency: <http://www.epa.gov>
Centers for Disease Control: <http://www.cdc.gov>
U.S. Consumer Product Safety Commission: <http://www.cpsc.gov>
U.S. Department of Education, Safe Schools: <http://www.ed.gov/about/offices/list/osers/osep/gtss.html>