Employee Handbook
# BOARD OF TRUSTEES

Dr. Gary Davis  
Mr. Wayne Edmonds  
Dr. Steve Hall  
Mrs. Beatriz R. Herrera  
Ms. Karen M. Sher

# DISTRICT ADMINISTRATION

<table>
<thead>
<tr>
<th>Name</th>
<th>Title</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dr. Thomas Mc Coy</td>
<td>Interim Superintendent of Schools</td>
</tr>
<tr>
<td>Vacant</td>
<td></td>
</tr>
<tr>
<td>Dr. Deborah Salgado</td>
<td>Assistant Superintendent, Educational Services</td>
</tr>
<tr>
<td>Jeffrey Weinstein</td>
<td>Assistant Superintendent, Business Services</td>
</tr>
<tr>
<td>Monica Salas Phillippe</td>
<td>Director, Career Education</td>
</tr>
<tr>
<td>Guadalupe Reyes-Castillo</td>
<td>Director, Categorical Programs</td>
</tr>
<tr>
<td>Patsy Thomas</td>
<td>Director, Fiscal Services</td>
</tr>
<tr>
<td>Dr. Kimberly Tresvant</td>
<td>Director, Human Resources</td>
</tr>
<tr>
<td>Marianne Ramos</td>
<td>Director, Instructional Support Services</td>
</tr>
<tr>
<td>Reina Bejerano</td>
<td>Director, Learning Support Services</td>
</tr>
<tr>
<td>Joshua Koenig Brown</td>
<td>Director, Maintenance, Operations and Transportation</td>
</tr>
<tr>
<td>Deanna Rantz</td>
<td>Director, Purchasing</td>
</tr>
<tr>
<td>Stephanie Gillenberg</td>
<td>Director, Nutrition Services</td>
</tr>
<tr>
<td>Dr. Darlene Garcia</td>
<td>Director, Special Education</td>
</tr>
<tr>
<td>Shannon Houston Scott</td>
<td>Director, Student Support Services</td>
</tr>
<tr>
<td>Jay Sorensen</td>
<td>Coordinator, Education Technology</td>
</tr>
<tr>
<td>Clara Galvez</td>
<td>Coordinator, Student Data Systems</td>
</tr>
<tr>
<td>Teresa Telles</td>
<td>Coordinator, Work Based Learning</td>
</tr>
<tr>
<td>Poul Hansen</td>
<td>Bond Project Manager</td>
</tr>
<tr>
<td>Henry Williams</td>
<td>Operations Manager</td>
</tr>
<tr>
<td>Mary Ann Larrieu</td>
<td>Risk Manager</td>
</tr>
<tr>
<td>Yazdan Soltanipour</td>
<td>Senior Network Administrator</td>
</tr>
<tr>
<td>Joanne Powers</td>
<td>Systems Administrator</td>
</tr>
<tr>
<td>Corina Cherry</td>
<td>Transportation Supervisor</td>
</tr>
</tbody>
</table>
# TABLE OF CONTENTS

Employee Handbook Overview .................................................. 6
Professional Standards ............................................................. 6
Code of Ethics ............................................................................ 6
  Preamble ............................................................................. 6
  Principle I: Commitment to the Student ............................... 7
  Principle II: Commitment to the Profession ....................... 7
California Professional Standards for Educational Leaders (CPSEL) ............................................. 8
  Code of Ethics: Campus Supervisor Employees ............... 23
Dress and Grooming .............................................................. 23
Identification Badges ............................................................. 23
Customer Service Measure ..................................................... 23
District Information ............................................................... 25
Employment Documents ......................................................... 25
District Employment Documents .......................................... 25
Employee and Supervisor Relationship .............................. 25
Employee Responsibilities and Expectations .................... 26
Infectious Disease Control Information ............................... 27
  For a full description of Infectious Disease/Bloodborne Pathogens Exposure Control Information, Asbestos Management Plan, Pesticide Use Notification, Automated External Defibrillator (AED), please see the OUHSD Risk Management webpage at : https://www.oxnardunion.org/risk-management/ .................................................. 27
Universal Precautions ............................................................ 27
Hazard Assessment ............................................................... 28
Hazard Correction ............................................................... 28
  Accident/Exposure Reporting and Investigation ............ 28
Mandated Suspected Child Abuse Reporting .................... 28
  Definition of Child Abuse ................................................ 28
  Types of Child Abuse ....................................................... 29
  Indicators of Child Abuse .................................................. 29
  Suspected Child Abuse Reporting Procedures ................ 30
Tobacco-Free Schools Policy ................................................. 31
Drug and Alcohol-Free Workplace Policy ........................ 31
Sexual Harassment ............................................................... 31
  Sexual Harassment Policy .................................................. 32
  How do you know if it is sexual harassment? .................... 32
  Forms of Sexual Harassment ............................................ 32
Reasonable Accommodations (AR 4032) ......................... 32
Workers’ Compensation ........................................................ 34
  Pre-Designation of Personal Physician Form ................. 35
Leaves of Absence ............................................................... 35
  Sick Leave .................................................................. 35
  Personal Necessity Days (PN) ......................................... 35
Annual Employee Notification ............................................. 36
Volunteer Guidelines ............................................................ 36
  Types of Volunteers ........................................................ 37
Access to Student Records ................................................... 37
  Access to Individualized Education Plans (IEP) ................ 38
Suspension Notification to Teachers ............................... 39
NOTICE TO TEACHERS IN ACCORDANCE WITH EDUCATION CODE SECTION 49079,
BOARD POLICY 4158, 4258 and 4358 39
EDUCATION CODE SECTION 48900.2 - SEXUAL HARASSMENT 41
EDUCATION CODE SECTION 48900.3 - HATE VIOLENCE 42
EDUCATION CODE SECTION 48900.4 - HARASSMENT, THREATS, OR INTIMIDATION 42
EDUCATION CODE SECTION 48915(a) 42
EDUCATION CODE SECTION 48915(c) 43
Employee Use of Technology Policy 43
Phone Usage Guidelines 44
Employee cell phone use 44
Laws for cell phone use while driving 44
District personnel driving district vehicles 44
Telephone and Voicemail Guidelines 44
Telephone Protocols to Enhance Customer Service 44
Voice Mail Protocols 45
E-mail Protocol for Effective Communication 46
Due Process Protections and Complaints 48
Non-Discrimination 48
Non-Discrimination in Employment Policy 48
Complaint Procedures 48
Complaint Procedure: Employee to Employee 48
Filing a Complaint, Uniform Complaint Procedures 48
District’s Uniform Complaint Officer 49
Complaint Chart 50
Employee Property Reimbursement 50
Loaning Out of District Equipment 51
Instructional and CSEA Work Calendars 51
Payroll and Pay Stub Information 51
Benefits Information 52
Insurance Plan Summary 52
Additional Information You Need to Know 52
Calling 911 for Emergency Services 52
Steps to access 911 from your workplace 52
Accidentally Dialing 911 53
Legal Obligation to Serve as Disaster Service Workers 53
When Disaster Strikes While School IS NOT In Session 53
Superintendent, Director of MOT, All Assistant Superintendents 53
District MOT 53
Communications 54
Building Evacuation vs. Site Evacuation 54
When Disaster Strikes While School IS In Session 54
Re-Entering Buildings 54
Release of Students to Authorized Persons during an Emergency 54
District Emergency Operations Center (EOC) 55
Administrative Regulations/Board Policies 56
DRUG and ALCOHOL-FREE WORKPLACE 56
NON-DISCRIMINATION IN EMPLOYMENT 58
REASONABLE ACCOMMODATION 61
LACTATION ACCOMMODATION 65
WORKPLACE BULLYING 67
APPOINTMENT AND CONDITIONS OF EMPLOYMENT 81
<table>
<thead>
<tr>
<th>Topic</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>CONTRACTS</td>
<td>83</td>
</tr>
<tr>
<td>OATH AND AFFIRMATION</td>
<td>84</td>
</tr>
<tr>
<td>CRIMINAL RECORD CHECK</td>
<td>87</td>
</tr>
<tr>
<td>MODIFIED/TEMPORARY LIGHT DUTY</td>
<td>89</td>
</tr>
<tr>
<td>PROFESSIONAL STANDARDS</td>
<td>91</td>
</tr>
<tr>
<td>DRESS AND GROOMING</td>
<td>93</td>
</tr>
<tr>
<td>SEXUAL HARASSMENT</td>
<td>94</td>
</tr>
<tr>
<td>FAMILY CARE AND MEDICAL LEAVE</td>
<td>98</td>
</tr>
<tr>
<td>CRIMINAL RECORD CHECK</td>
<td>109</td>
</tr>
<tr>
<td>APPOINTMENT AND CONDITIONS OF EMPLOYMENT</td>
<td>111</td>
</tr>
<tr>
<td>SUSPENSION/DISCIPLINARY ACTION</td>
<td>113</td>
</tr>
<tr>
<td>APPOINTMENT AND CONDITIONS OF EMPLOYMENT</td>
<td>117</td>
</tr>
<tr>
<td>(MANAGEMENT EMPLOYEES)</td>
<td>117</td>
</tr>
<tr>
<td>CHILD ABUSE PREVENTION AND REPORTING</td>
<td>119</td>
</tr>
</tbody>
</table>
Employee Handbook Overview

This handbook is designed to be a resource guide for all employees. Please use it in conjunction with Board Policies, Collective Bargaining Agreement (CBA) of the Oxnard Federation of Teachers and School Employees (OFTSE) and California School Employees Association (CSEA) and with additional information supplied by your supervisor.

This handbook fulfills the District’s legal obligation to inform you annually of policies, procedures, and unit member responsibilities. Should any of the information presented in this handbook conflict with State or Federal Law, Board Policies of the Oxnard Union High School District, or with the respective Negotiated Agreements, the laws, policies, or agreement will be deemed to be correct. This employee handbook will continue to be a working document and it will be updated annually. The handbook can be viewed on the District’s website.

Please complete the Emergency Card and sign the Handbook Acknowledgement Form. The Emergency Card must be turned in to your supervisor and will remain at your site.

Professional Standards

The Board of Education expects District employees to maintain the highest ethical standards, follow District policies and regulations, and abide by state and federal laws. Employee conduct should enhance the integrity of the District and advance the goals of the educational programs. Each employee should make a commitment to acquire the knowledge and skills necessary to fulfill his/her responsibilities and should focus on his/her contribution to the learning and achievement of District students. (BP 4119.21/4219.21/4319.21)

Code of Ethics

Preamble

The educator, believing in the worth and dignity of each human being, recognizes the supreme importance of the pursuit of truth, devotion to excellence, and the nurture of democratic principles. Essential to these goals is the protection of freedom to learn and to teach and the guarantee of equal educational opportunity for all. The educator accepts the responsibility to adhere to the highest ethical standards.

The educator recognizes the magnitude of the responsibility inherent in the teaching process. The desire for the respect and confidence of one's colleagues, of students, of parents, and of the members of the community provides the incentive to attain and maintain the highest possible degree of ethical conduct. The Code of Ethics of the Education Profession indicates the aspiration of all educators and provides standards by which to judge conduct.

The remedies specified by the NEA and/or its affiliates for the violation of any provision of this Code shall be exclusive and no such provision shall be enforceable in any form other than one specifically designed by the NEA or its affiliates.
Principle I: Commitment to the Student

The educator strives to help each student realize his or her potential as a worthy and effective member of society. The educator, therefore, works to stimulate the spirit of inquiry, the acquisition of knowledge and understanding, and the thoughtful formulation of worthy goals.

In fulfillment of the obligation to the student, the educator -

- Shall not reasonably restrain the student from independent action in the pursuit of learning.
- Shall not unreasonably deny the student access to varying points of view.
- Shall not deliberately suppress or distort subject matter relevant to the student's progress.
- Shall make reasonable effort to protect the student from conditions harmful to learning or to health and safety.
- Shall not intentionally expose the student to embarrassment or disparagement.
- Shall not on the basis of race, color, creed, sex, national origin, marital status, political or religion beliefs, family, social, or cultural background, or sexual orientation, unfairly
  a. Exclude any student from participation in any program
  b. Deny benefits to any student
  c. Grant any advantage to any student.
- Shall not use professional relationships with students for private advantage.
- Shall not disclose information about students obtained in the course of professional service unless disclosure serves a compelling professional purpose or is required by law.

Principle II: Commitment to the Profession

The education profession is vested by the public with a trust and responsibility requiring the highest ideals of professional service.

In the belief that the quality of the services of the education profession directly influences the nation and its citizens, the educator shall exert every effort to raise professional standards, to promote a climate that encourages the exercise of professional judgment, to achieve conditions that attract persons worthy of the trust to careers in education, and to assist in preventing the practice of the profession by unqualified persons.

In fulfillment of the obligation of the profession, the educator:

- Shall not in any application for a professional position deliberately make a false statement or fail to disclose a material fact related to competency and qualifications.
- Shall not misrepresent his/her professional qualifications.
- Shall not assist any entry into the profession of a person known to be unqualified in respect to character, education, or other relevant attribute.
- Shall not knowingly make a false statement concerning the qualifications of a candidate for a professional position.
- Shall not assist a non-educator in the unauthorized practice of teaching.
- Shall not disclose information about colleagues obtained in the course of professional service unless disclosure serves a compelling professional purpose or is required by law.
- Shall not knowingly make false or malicious statements about a colleague.
- Shall not accept any gratuity, gift, or favor that might impair or appear to influence professional decisions or action.

Adopted by the NEA1975 Representative Assembly
California Professional Standards for Educational Leaders (CPSEL)

Inherent in these standards is a strong commitment to cultural diversity and the use of technology as a powerful tool. A school administrator is an educational leader who promotes the success of all students by:

Standard 1

Facilitating the development, articulation, implementation, and stewardship of a vision of learning that is shared and supported by the school community.

- Facilitate the development of a shared vision for the achievement of all students based upon data from multiple measures of student learning and relevant qualitative indicators.
- Communicate the shared vision so the entire school community understands and acts on the school’s mission to become a standards-based education system.
- Use the influence of diversity to improve teaching and learning.
- Identify and address any barriers to accomplishing the vision.
- Shape school programs, plans, and activities to ensure that they are integrated, articulated through the grades, and consistent with the vision.
- Leverage and marshal sufficient resources, including technology, to implement and attain the vision for all students and all subgroups of students.

Standard 2

Advocating, nurturing, and sustaining a school culture and instructional program conducive to student learning and staff professional growth.

- Shape a culture in which high expectations are the norm for each student as evident in rigorous academic work.
- Promote equity, fairness, and respect among all members of the school community.
- Facilitate the use of a variety of appropriate content-based learning materials and learning strategies that recognize students as active learners, value reflection and inquiry, emphasize the quality versus the amount of student application and performance, and utilize appropriate and effective technology.
- Guide and support the long-term professional development of all staff consistent with the ongoing effort to improve the learning of all students relative to the content standards.
- Provide opportunities for all members of the school community to develop and use skills in collaboration, distributed leadership, and shared responsibility.
- Create an accountability system grounded in standards-based teaching and learning.
- Utilize multiple assessments to evaluate student learning in an ongoing process focused on improving the academic performance of each student.

Standard 3

Ensuring management of the organization, operations, and resources for a safe, efficient, and effective learning environment.

- Sustain safe, efficient, clean, well-maintained, and productive school environment that nurtures student learning and supports the professional growth of teachers and support staff.
- Utilize effective and nurturing practices in establishing student behavior management systems.
- Establish school structures and processes that support student learning.
- Utilize effective systems management, organizational development, and problem-solving and decision-making techniques.
- Align fiscal, human, and material resources to support the learning of all subgroups of students.
- Monitor and evaluate the program and staff.
Manage legal and contractual agreements and records in ways that foster a professional work environment and secure privacy and confidentiality for all students and staff.

Standard 4

Collaborating with families and community members, responding to diverse community interests and needs, and mobilizing community resources.
- Recognize and respect the goals and aspirations of diverse family and community groups.
- Treat diverse community stakeholder groups with fairness and respect.
- Incorporate information about family and community expectations into school decision-making and activities.
- Strengthen the school through the establishment of community, business, institutional, and civic partnerships.
- Communicate information about the school on a regular and predictable basis through a variety of media.
- Support the equitable success of all students and all subgroups of students by mobilizing and leveraging community support services.

Standard 5

Modeling a personal code of ethics and developing professional leadership capacity.
- Model personal and professional ethics, integrity, justice, and fairness, and expect the same behaviors from others.
- Protect the rights and confidentiality of students and staff.
- Use the influence of office to enhance the educational program, not personal gain.
- Make and communicate decisions based upon relevant data and research about effective teaching and learning, leadership, management practices, and equity.
- Demonstrate knowledge of the standards-based curriculum and the ability to integrate and articulate programs throughout the grades.
- Demonstrate skills in decision-making, problem solving, change management, planning, conflict management, and evaluation.
- Reflect on personal leadership practices and recognize their impact and influence on the performance of others.
- Engage in professional and personal development.
- Encourage and inspire others to higher levels of performance, commitment, and motivation.
- Sustain personal motivation, commitment, energy, and health by balancing professional and personal responsibilities.

Standard 6

Understanding, responding to, and influencing the larger political, social, economic, legal, and cultural context.
- Work with the governing board and district and local leaders to influence policies that benefit students and support the improvement of teaching and learning.
- Influence and support public policies that ensure the equitable distribution of resources and support for all subgroups of students.
- Ensure that the school operates consistently within the parameters of federal, state, and local laws, policies, regulations, and statutory requirements.
- Generate support for the school by two-way communication with key decision-makers in the school community.
- Collect and report accurate records of school performance.
• View oneself as a leader of a team and also as a member of a larger team.
• Open the school to the public and welcome and facilitate constructive conversations about how to improve student learning and achievement.
California Standards for the Teaching Profession

1. Engaging and Supporting All Students in Learning
   1.1 Using knowledge of students to engage them in learning.
   1.2 Connecting learning to students’ prior knowledge, backgrounds, life experiences, and interests.
   1.3 Connecting subject matter to meaningful, real-life contexts.
   1.4 Using a variety of instructional strategies, resources, and technologies to meet students’ diverse learning needs.
   1.5 Promoting critical thinking through inquiry, problem-solving, and reflection.
   1.6 Monitoring student learning and adjusting instruction while teaching.

2. Creating and Maintaining Effective Environments for Student Learning
   2.1 Promoting social development and responsibility within a caring community where each student is treated fairly and respectfully.
   2.2 Creating physical or virtual learning environments that promote student learning, reflect diversity, and encourage constructive and productive interactions among students.
   2.3 Establishing and maintaining learning environments that are physically, intellectually, and emotionally safe.
   2.4 Creating a rigorous learning environment with high expectations and appropriate support for all students.
   2.5 Developing, communicating, and maintaining high standards for individual and group behaviors.
   2.6 Employing classroom routines, procedures, norms, and supports for positive behavior to ensure a climate in which all students can learn.
   2.7 Using instructional time to optimize learning.

3. Understanding and Organizing Subject Matter for Student Learning
   3.1 Demonstrating knowledge of subject matter, academic content standards, and curriculum frameworks.
   3.2 Applying knowledge of student development and proficiencies to ensure student understanding of subject matter.
   3.3 Organizing curriculum to facilitate student understanding of the subject matter.
   3.4 Utilizing Instructional strategies that are appropriate to the subject matter.
   3.5 Using and adapting resources, technologies, and standards-aligned instructional materials, including adopted materials, to make subject matter accessible to all students.
   3.6 Addressing the needs of English learners and students with special needs to provide equitable access to the content.

4. Planning Instruction and Designing Learning Experiences for All Students
   4.1 Using background knowledge of students’ academic readiness, language proficiency, cultural background, and individual development to plan instruction.
   4.2 Establishing and articulating goals for student learning.
   4.3 Developing and sequencing long-term and short-term instructional plans to support student learning.
   4.4 Planning instruction that incorporates appropriate strategies to meet the learning needs of all students.
   4.5 Adopting instructional plans and curriculum materials to meet the assessed learning needs of all students.

5. Assessing Students for Learning
   5.1 Applying knowledge of the purposes, characteristics, and uses of different types of assessments.
   5.2 Collecting and analyzing assessment data from a variety of sources to inform instruction.
   5.3 Reviewing data, both individually and with colleagues, to monitor student learning.
   5.4 Using assessment data to establish learning goals and to plan, differentiate, and modify instruction.
   5.5 Involving all students in self-assessment, goal setting, and monitoring progress.
   5.6 Using available technologies to assist in assessment, analysis, and communication of student learning.
   5.7 Using assessment information to share timely and comprehensible feedback with students and their families.

6. Developing as a Professional Educator
   6.1 Reflecting on teaching practice in support of student learning.
   6.2 Establishing professional goals and engaging in continuous and purposeful professional growth and development.
   6.3 Collaborating with colleagues and the broader professional community to support teacher and student learning.
   6.4 Working with families to support student learning.
   6.5 Engaging local communities in support of the instructional program.
   6.6 Managing professional responsibilities to maintain motivation and commitment to all students.
   6.7 Demonstrating professional responsibility, integrity, and ethical conduct.

From the work of the California Department of Education and the California Commission on Teacher Credentialing, October 2009.
Counselor Competences

The ASCA School Counselor Competencies outline the knowledge, abilities, skills and attitudes that ensure school counselors are equipped to meet the rigorous demands of the profession and the needs of pre-K–12 students. These competencies help ensure new and experienced school counselors are equipped to establish, maintain and enhance a comprehensive school counseling program addressing academic achievement, career planning and personal/social development.

Organized around and consistent with “The ASCA National Model: A Framework for School Counseling Programs (Third Edition),” the competencies can be used in a variety of ways including:

School counselors
- Self-assess their own competencies.
- Formulate an appropriate professional development plan.

School administrators
- Guide the recruitment and selection of competent school counselors.
- Develop or inform meaningful school counselor performance evaluation.

School counselor education programs
- Establish benchmarks for ensuring school education students graduate with the knowledge, skills and attitudes needed for developing comprehensive school counseling programs.

School counselors should possess the knowledge, abilities, skills and attitudes necessary to plan, organize, implement and evaluate a comprehensive, developmental, results-based school counseling program that aligns with the ASCA National Model.

I-A: Knowledge

ASCA’s position statement, The Professional School Counselor and School Counseling Preparation Programs, states that school counselors should articulate and demonstrate an understanding of:

I-A-1. The organizational structure and governance of the American educational system as well as cultural, political and social influences on current educational practices.
I-A-2. The organizational structure and components of an effective school counseling program that aligns with the ASCA National Model.
I-A-3. Barriers to student learning and use of advocacy and data-driven school counseling practices to close the achievement/opportunity gap.
I-A-5. Individual counseling, group counseling and classroom instruction ensuring equitable access to resources promoting academic achievement, career development and personal/social development for every student.
I-A-6. Collaborations with stakeholders such as parents and guardians, teachers, administrators and community leaders to create learning environments that promote educational equity and success for every student.
I-A-9. The continuum of mental health services, including prevention and intervention strategies to enhance student success.

I-B: Abilities and Skills

An effective school counselor is able to accomplish measurable objectives demonstrating the following abilities and skills.

I-B-1. Plans, organizes, implements and evaluates a school counseling program aligning with the ASCA National Model.
   I-B-1a. Creates a vision statement examining the professional and personal competencies and qualities a school counselor should possess.
   I-B-1b. Describes the rationale for a comprehensive school counseling program.
   I-B-1c. Applies the school counseling themes of leadership, advocacy, collaboration and systemic change, which are critical to a successful school counseling program.
   I-B-1d. Describes, defines and identifies the qualities of an effective school counseling program.
   I-B-1e. Describes the benefits of a comprehensive school counseling program for all stakeholders, including students, parents, teachers, administrators, school boards, department of education, school counselors, counselor educators, community stakeholders and business leaders.
   I-B-1f. Describes the history of school counseling to create a context for the current state of the profession and comprehensive school counseling programs.
   I-B-1g. Uses technology effectively and efficiently to plan, organize, implement and evaluate the comprehensive school counseling program.
   I-B-1h. Demonstrates multicultural, ethical and professional competencies in planning, organizing, implementing and evaluating the comprehensive school counseling program.

I-B-2. Serves as a leader in the school and community to promote and support student success.
   I-B-2a. Understands and defines leadership and its role in comprehensive school counseling programs.
   I-B-2b. Identifies and applies a model of leadership to a comprehensive school counseling program.
   I-B-2c. Identifies and demonstrates professional and personal qualities and skills of effective leaders.
   I-B-2d. Identifies and applies components of the ASCA National Model requiring leadership, such as an advisory council, management tools and accountability.
   I-B-2e. Creates a plan to challenge the non-counseling tasks that are assigned to school counselors.

I-B-3. Advocates for student success
   I-B-3a. Understands and defines advocacy and its role in comprehensive school counseling programs.
   I-B-3b. Identifies and demonstrates benefits of advocacy with school and community stakeholders.
   I-B-3c. Describes school counselor advocacy competencies, which include dispositions, knowledge and skills.
   I-B-3d. Reviews advocacy models and develops a personal advocacy plan.
   I-B-3e. Understands the process for development of policy and procedures at the building, district, state and national levels.

I-B-4. Collaborates with parents, teachers, administrators, community leaders and other stakeholders to promote and support student success.
   I-B-4a. Defines collaboration and its role in comprehensive school counseling programs.
I-B-4b. Identifies and applies models of collaboration for effective use in a school counseling program and understands the similarities and differences between consultation, collaboration and counseling and coordination strategies.

I-B-4c. Creates statements or other documents delineating the various roles of student service providers, such as school social worker, school psychologist or school nurse, and identifies best practices for collaborating to affect student success.

I-B-4d. Understands and knows how to apply a consensus-building process to foster agreement in a group.

I-B-4e. Understands how to facilitate group meetings to effectively and efficiently meet group goals.

I-B-5. Acts as a system’s change agent to create an environment promoting and supporting student success.

I-B-5a. Defines and understands system change and its role in comprehensive school counseling programs.

I-B-5b. Develops a plan to deal with personal (emotional and cognitive) and institutional resistance impeding the change process.

I-B-5c. Understands the impact of school, district and state educational policies, procedures and practices supporting and/or impeding student success.

I- C: Attitudes

School counselors believe:

I-C-1. Every student can learn, and every student can succeed.
I-C-2. Every student should have access to and opportunity for a high-quality education.
I-C-3. Every student should graduate from high school and be prepared for employment or college and other post-secondary education.
I-C-4. Every student should have access to a school counseling program.
I-C-5. Effective school counseling is a collaborative process involving school counselors, students, parents, teachers, administrators, community leaders and other stakeholders.
I-C-6. School counselors can and should be leaders in the school and district.
I-C-7. The effectiveness of school counseling programs should be measurable using process, perception and outcome data.

School counselors should possess the knowledge, abilities, skills and attitudes necessary to establish the foundations of a school counseling program aligning with the ASCA National Model.

II- A: Knowledge

School counselors should articulate and demonstrate an understanding of:

II-A-1. Beliefs and vision of the school counseling program that align with current school improvement and student success initiatives at the school, district and state level.
II-A-4. History and purpose of school counseling, including traditional and transformed roles of school counselors.
II-A-6. District, state and national student standards and competencies, including ASCA Student Standards and other student standards that may complement and inform the comprehensive school counseling program.
II-A-7. Legal and ethical standards and principles of the school counseling profession and educational systems, including district and building policies.
II-A-8. The three domains of academic achievement, career planning and personal/social development.

II-B: Abilities and Skills

An effective school counselor is able to accomplish measurable objectives demonstrating the following abilities and skills:

II-B-1. Develops the beliefs and vision of the school counseling program that align with current school improvement and student success initiatives at the school, district and state level.
   II-B-1a. Examines personal, district and state beliefs, assumptions and philosophies about student success, specifically what they should know and be able to do.
   II-B-1b. Demonstrates knowledge of a school’s particular educational vision and mission.
   II-B-1c. Conceptualizes and writes a personal philosophy about students, families, teachers, school counseling programs and the educational process consistent with the school’s educational philosophy and mission.
   II-B-1d. Writes a school counseling vision statement that describes a future world in which the School counseling goals and strategies are being successfully achieved.

II-B-2. Develops a school counseling mission statement aligning with the school, district and state mission.
   II-B-2a. Critiques a school district mission statement and identifies or writes a mission statement aligning with beliefs.
   II-B-2b. Writes a school counseling mission statement that is specific, concise, clear and comprehensive, describing a school counseling program’s purpose and a vision of the program’s benefits for every student.
   II-B-2c. Communicates the vision and mission of the school counseling program to all appropriate Stakeholders.

II-B-3. Uses student standards, such as ASCA Student Standards and other appropriate student standards such as district or state standards, to drive the implementation of a comprehensive school counseling program.
   II-B-3a. Crosswalks the ASCA Student Standards with other appropriate student standards.
   II-B-3b. Prioritizes student standards that align with the school’s goals.

II-B-4. Applies the ethical standards and principles of the school counseling profession and adheres to the legal aspects of the role of the school counselor.
   II-B-4a. Practices ethical principles of the school counseling profession in accordance with the ACSA Ethical Standards for School Counselors.
   II-B-4b. Understands the legal and ethical nature of working in a pluralistic, multicultural and technological society.
   II-B-4c. Understands and practices in accordance with school district policy and local, state and federal statutory requirements.
   II-B-4d. Understands the unique legal and ethical nature of working with minor students in a school setting.
   II-B-4e. Advocates responsibly for school board policy and local, state and federal statutory requirements in students’ best interests.
   II-B-4f. Resolves ethical dilemmas by employing an ethical decision-making model appropriate to work in schools.
   II-B-4g. Models ethical behavior.
II-B-4h. Continuously engages in professional development and uses resources to inform and guide ethical and legal work.

II-B-4i. Practices within the ethical and statutory limits of confidentiality.

II-B-4j. Continually seeks consultation and supervision to guide legal and ethical decision making and recognize and resolve ethical dilemmas.

II-B-4k. Understands and applies an ethical and legal obligation not only to students but to parents, administration and teachers as well.

II- C: Attitudes

_School counselors demonstrate their attitudes and beliefs that all students deserve access to a comprehensive program that:_

II-C-1. Has an impact on every student rather than a series of services provided only to students in need.

II-C-2. Is an integral component of student success and the overall mission of the school and school District.

II-C-3. Promotes and supports academic achievement, career planning and personal/social development for every student.

II-C-4. Adheres to school and district policies, state laws and regulations and professional ethics Standards.

II-C-5. Is intentional in addressing the information, opportunity and achievement gaps.

School counselors should possess the knowledge, abilities, skills and attitudes necessary to manage a school counseling program aligning with the ASCA National Model.

III- A: Knowledge

_School counselors should articulate and demonstrate an understanding of:_

III-A-1. Leadership principles, including sources of power and authority and formal and informal leadership.


III-A-3. Presentation skills for programs such as teacher in-services, parent workshops and presentation of results reports to school boards.

III-A-4. Time management, including long- and short-term management using tools such as schedules and calendars.


III-A-6. Current and emerging technologies such as use of the Internet, Web-based resources and information management systems.

III-B: Abilities and Skills

_An effective school counselor is able to accomplish measurable objectives demonstrating the following abilities and skills:_

III-B-1. Self-evaluates his/her own competencies leading to and resulting in the formulation of an appropriate professional development plan.

III-B-1a. Conducts a school counseling program assessment.
III-B-1b. Negotiates a management plan for the comprehensive school counseling program with the administrator.

III-B-1c. Discusses and develops the management component of the school counseling program with the other members of the school counseling staff.

III-B-1d. Presents school counseling management tools to the principal and finalizes an annual school counseling agreement.

III-B-1e. Discusses the anticipated program results when implementing the action plans for the school year.

III-B-1f. Participates in school counseling and education-related professional organizations.

III-B-1g. Develops a yearly professional development plan demonstrating how the school counselor advances relevant knowledge, skills and dispositions.

III-B-1h. Communicates effective goals and benchmarks for meeting and exceeding expectations consistent with the administrator/school counselor annual agreement and district performance appraisals.

III-B-1i. Uses personal reflection, consultation and supervision to promote professional growth and development.

III-B-2. Establishes and convenes an advisory council for the comprehensive school counseling program.

III-B-2a. Uses leadership skills to facilitate vision and positive change for the comprehensive school counseling program.

III-B-2b. Determines appropriate education stakeholders who should be represented on the advisory council.

III-B-2c. Develops effective and efficient meeting agendas.

III-B-2d. Reviews school data, school counseling program assessment and school counseling program goals with the advisory council.

III-B-2e. Records meeting notes and distributes as appropriate.

III-B-2f. Analyzes and incorporates feedback from the advisory council related to school counseling program goals as appropriate.

III-B-3. Accesses or collects relevant data, including process, perception and outcome data, to monitor and improve student behavior and achievement.

III-B-3a. Reviews and disaggregates student achievement, attendance and behavior data to identify and implement interventions as needed.

III-B-3b. Uses data to identify policies, practices and procedures leading to successes, systemic barriers and areas of weakness.

III-B-3c. Uses student data to demonstrate a need for systemic change in areas such as course enrollment patterns; equity and access; and achievement, opportunity and/or information gaps.

III-B-3d. Understands and uses data to establish goals and activities to close the achievement, opportunity and/or information gap.

III-B-3e. Knows how to use data to identify gaps between and among different groups of students.

III-B-3f. Uses school data to identify and assist individual students who do not perform at grade level and do not have opportunities and resources to be successful in school.

III-B-3g. Knows and understands theoretical and historical basis for assessment techniques.

III-B-4. Assesses use of time in direct and indirect student services and program management and school support.

III-B-4a. Organizes and manages time to effectively implement a comprehensive school counseling program.

III-B-4b. Identifies appropriate distribution of school counselor’s time based on the school data and program goals.

III-B-4c. Creates a rationale for school counselor’s use of time in the delivery component to focus on the goals of the comprehensive school counseling program inappropriate counseling
III-B-5. Develops calendars to ensure the effective implementation of the school counseling program.
   III-B-5a. Creates annual and weekly calendars to plan activities to reflect school counseling program goals.
   III-B-5b. Demonstrates time-management skills including scheduling, publicizing and prioritizing time and tasks.

III-B-6. Designs and implements action plans aligning with school and school counseling program goals.
   III-B-6a. Uses appropriate academic and behavioral data to develop school counseling core curriculum, small-group and closing-the-gap action plans and determines appropriate students for the target group or interventions.
   III-B-6b. Identify ASCA domains, standards and competencies being addressed by each plan.
   III-B-6c. Creates lesson plans related to the school counseling core curriculum identifying what will be delivered, to whom it will be delivered, how it will be delivered and how student attainment of competencies will be evaluated.
   III-B-6d. Determines the intended impact on academics, attendance and behavior.
   III-B-6e. Identifies appropriate activities to accomplish objectives.
   III-B-6f. Identifies appropriate resources needed.
   III-B-6g. Identifies data-collection strategies to gather process, perception and outcome data.
   III-B-6h. Shares results of action plans with staff, parents and community.

III-B-7. Implements program management and school support activities for the comprehensive school counseling program.
   III-B-7a. Creates a program management and school support planning document addressing school counselor’s responsibilities for program management and professional development.
   III-B-7b. Coordinates activities that establish, maintain and enhance the school counseling program as well as other educational programs.


III-C: Attitudes

*School counselors believe:*

III-C-1. A school counseling program/department must be managed like other programs and departments in a school
III-C-2. Planning, organizing, implementing and evaluating a school counseling program are critical responsibilities for a school counselor
III-C-3. Management of a school counseling program must be done in collaboration with administrators

School counselors should possess the knowledge, abilities, skills and attitudes necessary to deliver a school counseling program aligning with the ASCA National Model.

IV-A: Knowledge

*School counselors should articulate and demonstrate an understanding of:*

IV-A-1. The distinction between direct and indirect student services
IV-A-2. The concept of a school counseling core curriculum
IV-A-3. Counseling theories and techniques that work in school, such as rational emotive behavior therapy, reality therapy, cognitive-behavioral therapy, Alderian, solution-focused brief counseling, person-centered counseling and family systems.

IV-A-4. Counseling theories and techniques in different settings, such as individual planning, group counseling and classroom lessons.


IV-A-6. Principles of career planning and college admissions, including financial aid and athletic eligibility.

IV-A-7. Principles of working with various student populations based on characteristics such as ethnic and racial background, English language proficiency, special needs, religion, gender and income.


IV-A-10. The differences between counseling, collaboration and consultation, especially the potential for dual roles with parents, guardians and other caretakers.

IV-B: Abilities and Skills

An effective school counselor is able to accomplish measurable objectives demonstrating the following abilities and skills.

Direct Student Services

School Counseling Core Curriculum

IV-B-1. Implements the school counseling core curriculum
  IV-B-1a. Identifies appropriate curriculum aligned to ASCA Student Standards.
  IV-B-1b. Develops and presents a developmental school counseling core curriculum addressing all students’ needs based on student data.
  IV-B-1c. Demonstrates classroom management and instructional skills.
  IV-B-1d. Develops materials and instructional strategies to meet student needs and school goals.
  IV-B-1e. Encourages staff involvement to ensure the effective implementation of the school counseling core curriculum.
  IV-B-1f. Knows, understands and uses a variety of technology in the delivery of school counseling core curriculum activities.
  IV-B-1g. Understands multicultural and pluralistic trends when developing and choosing school counseling core curriculum.
  IV-B-1h. Understands and is able to build effective, high-quality peer helper programs.

Individual Student Planning

IV-B-2. Facilitates individual student planning.
  IV-B-2a. Understands individual student planning as a component of a comprehensive program.
  IV-B-2b. Develops strategies to implement individual student planning, such as strategies for appraisal, advisement, goal-setting, decision-making, social skills, transition or post-secondary planning.
  IV-B-2c. Helps students establish goals and develops and uses planning skills in collaboration with parents or guardians and school personnel.
  IV-B-2d. Understands career opportunities, labor market trends and global economics and uses various career assessment techniques to help students understand their abilities and
career interests.

IV-B-2e. Helps students learn the importance of college and other post-secondary education and helps students navigate the college admissions process.

IV-B-2f. Understands the relationship of academic performance to the world of work, family life and community service.

IV-B-2g. Understands methods for helping students monitor and direct their own learning and personal/social and career development.

Responsive Services

IV-B-3. Provides responsive services

IV-B-3a. Lists and describes interventions used in responsive services, such as individual/ small-group counseling and crisis response.

IV-B-3b. Understands appropriate individual and small-group counseling theories and techniques such as rational emotive behavior therapy, reality therapy, cognitive-behavioral therapy, Adlerian, solution-focused brief counseling, person-centered counseling and family systems.

IV-B-3c. Demonstrates an ability to provide counseling for students during times of transition, separation, heightened stress and critical change.

IV-B-3d. Understands what defines a crisis, the appropriate response and a variety of intervention strategies to meet the needs of the individual, group or school community before, during and after crisis response.

IV-B-3e. Provides team leadership to the school and community in a crisis.

IV-B-3f. Involves appropriate school and community professionals as well as the family in a crisis situation.

IV-B-3g. Understands the nature of academic, career and personal/social counseling in schools and the similarities and differences among school counseling and other types of counseling, such as mental health, marriage and family and substance abuse counseling, within a continuum of care.

IV-B-3h. Understands the role of the school counselor and the school counseling program in the school crisis plan.

Indirect Student Services

Referrals

IV-B-4a. Understands how to make referrals to appropriate professionals when necessary.

IV-B-4b. Compiles referral resources to utilize with students, staff and families to effectively address issues.

IV-B-4c. Develops a list of community agencies and service providers for student referrals.

Consultation

IV-B-5a. Shares strategies that support student achievement with parents, teachers, other educators and community organizations.

IV-B-5b. Applies appropriate counseling approaches to promoting change among consultees within a consultation approach.

IV-B-5c. Works with education stakeholders to better understand student needs and to identify strategies that promote student achievement.

Collaboration

IV-B-6a. Partners with parents, teachers, administrators and education stakeholders for student achievement and success.

IV-B-6b. Conducts in-service training or workshops for other stakeholders to share school
counseling expertise.

IV-B-6c. Understands and knows how to provide supervision for school counseling interns consistent with the principles of the ASCA National Model.

IV- C: Attitudes

School counselors believe:

IV-C-1. School counseling is one component in the continuum of care that should be available to all students.
IV-C-2. School counselors coordinate and facilitate counseling and other services to ensure all students receive the care they need, even though school counselors may not personally provide the care themselves.
IV-C-3. School counselors engage in developmental counseling and short-term responsive counseling.
IV-C-4. School counselors should refer students to district or community resources to meet more extensive needs such as long-term therapy or diagnoses of disorders.

V- A: Knowledge

School counselors should articulate and demonstrate an understanding of:

V-A-1. Basic concepts of results-based school counseling and accountability issues
V-A-2. Basic research sampling, methodology and analysis concepts to understand research outcomes and conduct action research
V-A-3. Use of data to evaluate program effectiveness and to determine program needs
V-A-4. School counseling program assessments and results reports

V-B: Abilities and Skills

An effective school counselor is able to accomplish measurable objectives demonstrating the following abilities and skills.

V-B-1. Analyzes data from school data profile and results reports to evaluate student outcomes and program effectiveness and to determine program needs.
V-B-1a. Analyzes use of time to determine how much time is spent in school counseling program components and considers best use of time compared to student needs as identified through student data.
V-B-1b. Analyzes results from school counseling program assessment.
V-B-1c. Uses formal and informal methods of program evaluation to design and enhance comprehensive school counseling programs.
V-B-1d. Uses student data to support decision-making in designing effective school counseling programs and interventions.
V-B-1e. Measures and analyzes results attained from school counseling core curriculum, small group and closing-the-gap activities.

V-B-1f. Works with members of the school counseling team and with the administration to decide how school counseling programs are evaluated and how results are shared.

V-B-1g. Analyzes and interprets process, perception and outcome data.

V-B-1h. Reviews progress toward program goals.

V-B-1i. Uses technology in conducting research and program evaluation.

V-B-1j. Reports program results to the school counseling community.

V-B-1k. Uses data to demonstrate the value the school counseling program adds to student achievement.

V-B-1l. Uses results obtained for program improvement.

V-B-2. Understands and advocates for appropriate school counselor performance appraisal process based on school counselor competencies and implementation of the comprehensive school counseling program.


V-B-2b. Identifies how school counseling activities fit within categories of a performance appraisal instrument.

V-B-2c. Encourages administrators to use a performance appraisal instrument reflecting appropriate responsibilities for school counselors.

V-B-3a. Compares current school counseling program implementation with the ASCA National Model.

V-B-3b. Shares the results of the program assessment with administrators, the advisory council and other appropriate stakeholders.

V-B-3c. Identifies areas for improvement for the school counseling program.

V-C: Attitudes

School counselors believe:

V-C-1. School counseling programs should achieve demonstrable results.

V-C-2. School counselors should be accountable for the results of the school counseling program.

V-C-3. School counselors should use quantitative and qualitative data to evaluate their school counseling program and to demonstrate program results.

V-C-4. The outcomes of the school counseling program should be analyzed and presented in the context of the overall school and district performance.
Code of Ethics: Campus Supervisor Employees

School employees who are in daily contact with many phases of educational work should be persons whose conduct is beyond reproach and who sincerely believe in the advancement of education and the betterment of working conditions; therefore, the California School Employees’ Association proposes this Code of Ethics as a standard for its members.

As a School Employee I will:
1. Be proud of my vocation in order that I may use my best endeavors to elevate the standards of my position so that I may merit a reputation for high quality of service - to the end that others may emulate my example.
2. Be a person of integrity, clean speech, desirable personal habits, and physical fitness.
3. Be just in my criticism and be generous in my praise; to improve and not destroy.
4. At all times be courteous in my relations with students, parents, teachers and others.
5. Be a resourceful person who readily adapts himself to different kinds of work and changed conditions and finds better ways to do things.
6. Conduct myself in a spirit of friendly helpfulness to my fellow employees to the end that I will consider no personal success legitimate or ethical which is secured by taking unfair advantage of another.
7. Associate myself with employees of other districts for the purpose of discussing school problems and cooperating in the improvement of public school conditions.
8. Always uphold my obligations as a citizen to my nation, my state, my school district and my community, and give them unswerving loyalty.
9. Always bear in mind that the purpose of CSEA is to promote the efficiency and raise the standards of all school employees and that I shall be equally obligated to assist all my fellow workers.

Source: California School Employees’ Association

Dress and Grooming

The Board of Education believes that appropriate dress and grooming by district employees contribute to a productive learning environment and model positive behavior. During school hours and at school activities, employees shall maintain professional standards of dress and grooming that demonstrate their high regard for education, present an image consistent with their job responsibilities and assignment, and not endanger the health or safety of employees or students. All employees shall be held to the same standards unless their assignment provides for modified dress as approved by their supervisor. (BP. 4119.22, 4219.22/4319.22)

Identification Badges

For everyone’s safety and to simplify the identification of persons who do not belong on campus, the District provides identification badges for all staff, volunteers, and visitors. Please wear your badge at all times you are on a District property. If a permanent employee should misplace the badge, a new one may be obtained by contacting Human Resources Services for a replacement.

Volunteers and visitors who come to your classroom or onto the work site must stop by the main office to sign in and obtain a visitor’s badge. Please ask them to do so. All employees are to wear the District badge daily.

Customer Service Measure

Oxnard Union High School District Customer Service Goal: To Exceed Expectations
All Oxnard Union High School District Staff Members are: **Friendly • Helpful • Respectful • Professional**

<table>
<thead>
<tr>
<th>Friendly Staff Members:</th>
<th>Helpful Staff Members:</th>
<th>Respectful Staff Members:</th>
<th>Professional Staff Members:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Greet guests within 30 seconds with a smile and friendly welcome.</td>
<td>Are patient.</td>
<td>Treat all customers fairly and equally.</td>
<td>Ensure workplace is neat, clean, attractive and welcoming.</td>
</tr>
<tr>
<td>Are eager to help customers and give them their full attention.</td>
<td>Are problem-solvers.</td>
<td>Treat customers with courtesy and respect.</td>
<td>Present a professional image that conveys caring, commitment, compassion and confidence.</td>
</tr>
<tr>
<td>Answer phones within 3 rings with a smile in their voices.</td>
<td>Have “It is my job” attitudes.</td>
<td>Actively listen to customers and strive to understand their concerns and needs.</td>
<td>Are knowledgeable about schools, programs and community.</td>
</tr>
<tr>
<td>Communicate in a caring manner.</td>
<td>Seek out answers for customers, rather than just passing them on to someone else.</td>
<td>Acknowledge and apologize when anyone makes a mistake or a customer is inconvenienced.</td>
<td>Check their email, voicemail &amp; mailbox at least once, preferably twice, each day.</td>
</tr>
<tr>
<td>Have friendly voicemail greetings that include: An invitation to leave a message, the promise of a quick response, and an alternative number for immediate help.</td>
<td>Respond to calls and emails within one business day.</td>
<td>Do not discuss confidential information in public places.</td>
<td>Leave an “out of office” voicemail/email message if out for a day or more.</td>
</tr>
<tr>
<td>Strive to exceed customer expectations.</td>
<td>Walk guests to their destinations and introduce them.</td>
<td>Do not engage in gossip or make derogatory remarks about others.</td>
<td>Are flexible and open to change.</td>
</tr>
<tr>
<td></td>
<td>Try to ensure people to whom they transfer a call are available.</td>
<td></td>
<td>Act with integrity.</td>
</tr>
<tr>
<td></td>
<td>Address customer complaints in a timely and fair manner and follow up to ensure concerns have been addressed.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

*Adapted from Burbank Unified School District*
District Information

Additional District information may be viewed on the District’s Website www.oxnardunion.org.

- Did you Know videos are designed to provide a general overview of the District.
- District Directory provides the listing of site locations, maps, and their contact information.
- Weekend District emergencies: 805.207.7276.
- For specific site information, please contact your supervisor.

Employment Documents

The following are legal compliance forms for conditions required for employment:

- CALSTRS/CALPERS Retirement Information.
- Offer of Employment Contract or Assignment (bargaining unit members & management).
- Criminal Record Check. (BP 4112.5, 4212.5, 4312.5).
- No Sex Offense Violation (Ed Code 44010) or Controlled Substance Violation (Ed Code 44011).
- Completion of Child Abuse and Neglect Reporting Act, AB 1432 (annual and within 6 weeks of employment).
- TB Clearance (to be kept on file). (Ed Code 49406).
- Certificate of a Medical Examination – certificated employees (Ed Code 44839).
- Notice for the Oath of Affirmation. (AR 4112.3/4212.3/4312.3).
- Notice of compliance for Equal Employment Opportunities/ADA requirements. (BP 4030).
- Acknowledgement of legally mandated employment documents received including: Sexual Harassment Policy, Mandated Child Abuse Reporting (BP 5141.4), Nondiscrimination in Employment Policy (BP 4030, BP 5145.3), Communication (APU BP 4040).
- Program, Tobacco-Free Schools Policy (BP 3513.3).
- New Health Insurance Marketplace Coverage Options and Your Health Coverage (information only).

District Employment Documents

- Classroom Films / Media Material/ Supplementary Instructional Materials (BP 6161.1).
- Drug Free Workplace Act of 1988 (PL 100-690, Title 5, Substitute D).
- Student Conduct (BP 5131).
- Uniform Complaint Procedures (BP 1312.3).
- Voluntary 403B eligibility.
- Workplace Bullying (BP 4035).
- Frontline Technology.
- Payroll.

Employee and Supervisor Relationship

Your supervisor will work with you to help you perform effectively on the job and to learn your job faster. They will familiarize you with policies, practices and District culture and procedures. Your supervisor will assign your work, introduce you to other employees, and orient you to the job responsibilities, explain the regulations concerning lunch breaks, rest periods, reporting absences, scheduling vacations, and explain other job-related information you will need to know. When you want advice on a problem or an answer to a question, your supervisor will be able to help you. If not, he or she will find the answer or direct you to another person who can assist you. Your supervisor will also be the one who will be completing your annual evaluation. Any questions you have about your employment can be answered by Human Resources
Employee Responsibilities and Expectations

- Have a current and updated emergency card on file at the site and in Human Resources.
- Report change of status through the employee portal. Names changes must be sent to Human Resources.
- Take responsibility for a healthy, safe, and clean work environment. Think safety—work smart! Contact your supervisor to report any unsafe working conditions. Slips, falls, back and neck injuries are the greatest frequency of injuries. Be cautious.
- Know the emergency procedures at your site and be familiar with the emergency exits.
- Review the Professional Standards: Employees will conduct themselves in a professional manner and respect all employees, students, parents, and all external customers.
- Respect and value ALL confidential and private information of both students and employees.
- Confidential conversation should not be held where it can be heard by others.
- Do not discuss school business matters outside of work. Even if items are public matters, such information is given out by designated personnel. Requests for personal information about students should be referred to an administrator.
- Maintain professional standards of dress and grooming that demonstrate your high regard for education, present an image consistent with your job responsibilities and assignment, and do not endanger the health or safety of employees or students during school hours and at school activities. The Board of Education believes that appropriate dress and grooming by district employees contributes to a productive learning environment and models positive behavior. All employees shall be held to the same standards unless their assignment provides for modified dress as approved by their supervisor. (BP 4119.22)
- Be proactive…take the initiative to communicate with your supervisor if you need assistance.
- Understand your supervisor’s expectations…it is essential to have ongoing communication.
- Know the procedures for attendance reporting, know who to contact if you are out ill or for any reason and know how to access the substitute calling system if a substitute is required…. see Frontline information.
- Review assignment information in the hiring packet…if you have questions, please ask.
- Understand your job duties and responsibilities based on the job description.
- Understand your job performance as it relates to the District, division, site, and personal goals.
- Know your association representative’s name and contact information. Each employee is provided with his/her respective collective bargaining agreement.
- Understand the evaluation process and the timelines. Know who will evaluate you and be familiar with the evaluation form. Review the contract related to evaluations.
- Know when your probationary period ends. Know the process to become eligible as a permanent employee.
Infectious Disease Control Information

The District is required by Education Code to notify employees annually on Infectious Disease/Bloodborne Pathogens Exposure Control Information, Asbestos Management Plan, Pesticide Use Notification, Automated External Defibrillator (AED), Mandated Suspected Child Abuse Reporting, Tobacco, Drug, and Alcohol policies, and Sexual Harassment Policy.

Employees are expected to read, comply, and acknowledge receiving this Annual Employee Notification by signing the back of the Emergency Card and returning it to their supervisor.

For a full description of Infectious Disease/Bloodborne Pathogens Exposure Control Information, Asbestos Management Plan, Pesticide Use Notification, Automated External Defibrillator (AED), please see the OUHSD Risk Management webpage. : [https://www.oxnardunion.org/risk-management/](https://www.oxnardunion.org/risk-management/)

Universal Precautions

General precautions persons can take to prevent the spread of all infectious diseases.

General Information:
- The single most important practice is hand washing. Always wash hands with soap under running water for at least 30 seconds after taking temperatures, examining mouths or weeping eyes, when wiping a runny nose, or helping a student in the bathroom.
- Hands should always be washed before drinking, eating, and before and after going to the bathroom. If there are open cuts, abrasions or weeping lesions on hands, disposable plastic gloves should be worn and may be ordered through the District supply catalog.
- Use sanitary absorbent agents specifically intended for cleaning body fluid spills. The dry material is applied to the area, left for a few minutes to absorb the fluid, then vacuumed or swept up. If on a rug, a second step is to apply rug shampoo (germicidal detergent) with a brush and re-vacuum. The vacuum bag or sweepings should be disposed of in a plastic bag. Broom and dustpan should be rinsed in a disinfectant. No special handling is required for vacuuming equipment.

Clean-Up of Body Fluids (blood, vomit, urine, feces)

The procedure for cleaning up spills of anybody secretions is as follows:
- Wear plastic disposable gloves.
- Place tissues, paper towels, drapers, pads, gauze, bandages, etc., into a plastic bag, tie the bag, and dispose of these materials daily.
- Place plastic disposable gloves and bag inside second plastic bag.
- Tie the bag securely and place into the trash and dispose of daily.
- Clean any soiled surfaces with a disposable towel in a 1:10 solution of chlorine bleach (1-1/2 cups to one gallon of water.) Bleach may be ordered through the District supply catalog.
- Soak mop in chlorine solution and rinse thoroughly. Dispose of water used for cleaning in toilet or special drain.
- Remove gloves and wash hands with soap and water.

Laundry Instructions
- The most important factor in laundering clothing contaminated in the school setting is to eliminate of potentially infectious agents by using soap and water. Addition of bleach will further reduce the number of potentially infectious agents.
• Clothing soaked with body fluids should be washed separately from other items. Presoaking may be required for heavily soiled clothing. Otherwise, wash and dry as usual. If the material is bleachable, add 1/2 cup household bleach to the wash cycle. If material is not colorfast, add 1/2 cup non-chlorine bleach (e.g. Clorox II, Borateem) to the wash cycle.

**Hazard Assessment**

Periodic inspections to identify and evaluate workplace hazards shall be performed by a competent observer in the areas of our workplace. Report any workplace hazards to your supervisor, administrator or Maintenance, Operations and Transportation (MOT).

District-wide Material Safety Data Sheets (MSDS) are available in the Purchasing Services and from the Operations Manager.

**Hazard Correction**

Unsafe or unhealthy work conditions, practices or procedures shall be corrected in a timely manner based on the severity of the hazards. Hazards shall be corrected according to the following procedures:

- When observed or discovered; and
- When an imminent hazard exists which cannot be immediately abated without endangering employee(s) and/or property, we will remove all exposed workers from the area except those necessary to correct the existing condition. Workers who are required to correct the hazardous condition shall be provided with the necessary protection.

**Accident/Exposure Reporting and Investigation**

Procedures for reporting workplace accidents, blood borne pathogens, bodily fluids and hazardous substance exposures include:

- Report all accidents, injuries/illnesses and exposures to your supervisor, administrator and/or Administrative Services/Risk Management immediately after occurrence.
- Secure and complete the necessary paperwork including State and District forms with your supervisor or administrator and submit to Administrative Services/Risk Management Services.
- Procedures for investigating workplace accidents and hazardous substance exposures include:
  - Interviewing injured workers and witnesses;
  - Examining the workplace for factors associated with the accident/exposure;
  - Determining the cause of the accident/exposure;
  - Taking corrective action to prevent the accident/exposure from reoccurring; and
  - Recording the findings and actions taken.

**Mandated Suspected Child Abuse Reporting**

All OUHSD employees are mandated to report suspected child abuse (BP 5141.4. Penal Code 11164et.seq) and are to participate in an annual training per AB 1432.

**Definition of Child Abuse**

Any act or omission or commission that endangers a child’s physical or emotional health and development. A child is under 18 years of age.
Types of Child Abuse

- **Physical abuse** - A physical injury inflicted on a child by another person that is not an accident.
- **Emotional abuse** - Failure to provide the child with the normal experience which will make the child feel loved, wanted and secure.
- **Sexual abuse** - Sexual assault or exploitation of a child for the sexual gratification of an adult. This can include verbalization, exposure, improper touching and sexual intercourse.
  - Types of Child Sexual Abuse
    - Sexual Assault: Rape, Statutory Rape, Any sexual contact with the genitals or anal opening.
    - Sexual Exploitation: Promoting, aiding, persuading, and coercing a child to engage in obscene sexual conduct.
- **Neglect** - The negligent failure to meet the child’s basic physical and medical needs. This can include: Lack of proper supervision, food clothing, shelter, medical attention, sanitation.
- **Willful harm or endangerment** - Any situation where a person willfully causes or permits any child to suffer, or inflict thereon, unjustifiable physical pain or mental suffering, or causes the child to be placed in a situation where the child is endangered.

Indicators of Child Abuse

Indicators of suspected child abuse are listed below to assist in recognizing potential or existing problems.

- **Physical Abuse**:
  - Bruises, burns, abrasions, lacerations or swelling caused by other than accidental means
  - Belt buckle marks, handprints, bite marks and pinches
  - History of recurring injuries
  - Unexplained injuries: conflicting explanations or reasons for injury
- **Emotional Abuse**:
  - Child is frightened of parents/caretakers or at the other extreme is overprotective of parents/caretakers. Child is frightened of going home
  - Child is extremely passive, overly compliant, apathetic, withdrawn or fearful or at the other extreme, excessively aggressive, destructive or physically violent
  - Child is clingy and forms indiscriminate attachments, or is wary of physical contact
- **Physical Neglect**:
  - Child is lacking adequate medical or dental care
  - Child is often sleepy or hungry or appears malnourished
  - Child is often unsupervised. The conditions in the home are unsafe or unsanitary
- **Sexual Abuse**:
  - Child makes statements about sexual activity with parents, relatives, friends of the family or other adults. Unusually seductive with classmates and/or adults
  - Child shows an early or exaggerated awareness of sex
  - Child is known to be a victim of other forms of abuse

**NOTE**: *It is not up to the reporter to investigate or decide if the child's complaint is valid or not.*

All OUHSD employees are mandated reporters, and must:

- Report suspected child abuse immediately to both an Administrator and Child Protective Services (CPS)
- Prior to calling, make sure to have all information needed to complete the written Suspected Child Abuse Report (SCAR)
- Contact your site administrator for assistance
Suspected Child Abuse Reporting Procedures

I. Initiating the Report

A. The report is initiated by a telephone report to the appropriate agency.
B. If the suspected child abuse has taken place within the family,
   Call the Ventura County Human Services Hotline at (805)-654-3200
C. If the suspected child abuse has taken place outside the family,
   Call the local police department at:
   - Camarillo Police Department: 482-9844
   - Oxnard Police Department: 385-7600
   - Hueneme Police Department: 986-6530
D. Content of Call.
   1. Name, address and age of child involved.
   2. Clear description of suspected abuse.

II. Written Report

A. The telephone call is to be followed by completion of the Suspected Child Abuse Report (form 11166.P.C). These forms are available in the Principal’s office at the high school or you may call the Director of Student Services and Interventions at 385-2552 for a form.
B. The written report is to be addressed to the person to whom the telephone report was made.
C. The written report must follow the phone call within 36 hours.
   1. Suspected child abuse within the family,
      Children’s Protective Services
      4651 Telephone Road, Suite 201, Ventura, California 93003
   2. Suspected child abuse outside the family should be mailed to the agency to whom the report was called:
      - Camarillo Police Department
        3701 Las Posas Road, Camarillo, California 93010
      - Oxnard Police Department
        251 South ‘C’ Street, Oxnard, California 93030
      - Port Hueneme Police Department
        250 North Ventura Road, Port Hueneme, California 93041
D. The reporting party should keep the yellow copy of the Suspected Child Abuse Report form (SS8572) or verification of completion of the reporting obligation.

Caution:

1. The reporting responsibility has not been discharged until both the telephone call and written reports are complete.
2. School personnel are not to engage in any investigation of suspected cases. The investigation will be done by the child protective services office.
3. The reporting responsibility is an individual one which is NOT discharged by report to supervisors or administrators.
Tobacco-Free Schools Policy

OUHSD is a Tobacco-Free District that offers cessation services for all staff members. (BP 3513.3)

The OUHSD became tobacco-free on July 1, 1995. In order to receive funding from any State or Federal categorical program, the District must sign assurances that all buildings, vehicles, properties, and activities will be tobacco-free. Notices are posted at each site to remind our parents and community visitors that we are tobacco free. Announcements are made at all activities sponsored by the school district that schools are tobacco free and we appreciate the cooperation of parent and community participants in providing a tobacco free environment for our students.

Board Policy 3513.3 defines the District policy and states that violations of this policy by District employees will be met with progressive disciplinary measures. The District also offers a number of cessation services including the Behavioral Health Employee Assistance Program (EAP) offered through Kaiser, Anthem HMO and PacifiCare Behavior Health.

Drug and Alcohol-Free Workplace Policy

The Board of Education believes that the maintenance of drug and alcohol-free workplaces is essential to school and district operations. No employee shall unlawfully manufacture, distribute, dispense, possess, use or be under the influence of any alcoholic beverage, drug or controlled substance as defined in 21 USC 81 at any school district workplace. These prohibitions apply before, during, and after school hours. A school district workplace is any place where school district work is performed; any school-owned or school-approved vehicle used to transport students to and from school or school activities; any off school sites when accommodating a school-sponsored or school-approved activity or function where students are under district jurisdiction; or during any period of time when an employee is supervising students on behalf of the district or otherwise engaged in district business. (BP 4020)

Sexual Harassment

The Board of Education prohibits sexual harassment of district employees and job applicants. The Board also prohibits retaliatory behavior or action against district employees or other persons who complain, testify or otherwise participate in the complaint process established pursuant to this policy and administrative regulation. (BP 4030)

The Superintendent or designee shall take all actions necessary to ensure the prevention, investigation, and correction of sexual harassment, including but not limited to:

- Providing training to employees in accordance with law and administrative regulation
- Publicizing and disseminating the district's sexual harassment policy to staff
- Ensuring prompt, thorough, and fair investigation of complaints
- Taking timely and appropriate corrective/remedial action(s), which may require interim separation of the complainant and the alleged harasser and subsequent monitoring of developments
- All complaints and allegations of sexual harassment shall be kept confidential to the extent necessary to carry out the investigation or to take other subsequent necessary actions. (5 CCR 4964)
- Any district employee or job applicant who feels that he/she has been sexually harassed or who has knowledge of any incident of sexual harassment by or against another employee, a job applicant or a student, shall immediately report the incident to his/her supervisor, the principal, district administrator or Superintendent.
- A supervisor, principal or other district administrator who receives a harassment complaint shall promptly notify the Superintendent or designee.
Complaints of sexual harassment shall be filed in accordance with AR 4031 – Complaints Concerning Discrimination in Employment. An employee may bypass his/her supervisor in filing a complaint where the supervisor is the subject of the complaint.

Any district employee who engages or participates in sexual harassment or who aids, abets, incites, compels, or coerces another to commit sexual harassment against a district employee, job applicant, or student is in violation of this policy and is subject to disciplinary action, up to and including dismissal. (BP 4119.11(a), 4219.11, 4319.11)

Sexual Harassment Policy

Sexual harassment is considered to be any unwanted, unwelcomed, or unsolicited sexual conduct imposed on a person who regards it as offensive or undesirable. The key word in defining sexual harassment is unwelcome. The OUHSD has a zero tolerance for any form of sexual harassment. (BP 4119.11/4219.11 / 4319.11)

How do you know if it is sexual harassment?

If someone’s words or actions:

- Are unwelcome or offensive to you
- Make you feel uncomfortable or threatened
- Affect your job performance...

Then it may be Sexual Harassment and should be reported to your immediate supervisor for investigation.

- Employee to Student Sexual Harassment is not tolerated and may lead to disciplinary action.
- Student to Student Sexual Harassment should be reported to the site administrator.
- Contact your immediate supervisor or Human Resources if the harassment involves your supervisor.

Forms of Sexual Harassment

Verbal or Non-Verbal

<table>
<thead>
<tr>
<th>threats or insults</th>
<th>staring/leering</th>
<th>gestures/looks</th>
<th>hugging</th>
</tr>
</thead>
<tbody>
<tr>
<td>offensive comments</td>
<td>posters/photos</td>
<td>cornering</td>
<td>kissing</td>
</tr>
<tr>
<td>offensive jokes</td>
<td>drawings of sexual nature</td>
<td>pinching</td>
<td></td>
</tr>
<tr>
<td>pressure for dates</td>
<td>e-mails/texting</td>
<td>assault</td>
<td></td>
</tr>
<tr>
<td>propositions</td>
<td>cartoons</td>
<td>touching</td>
<td></td>
</tr>
</tbody>
</table>

Be careful. You may never know who is offended by your comments or action. Nothing employees do at work is really ever —private including: conversations, telephone calls, websites visited, or email.

Reasonable Accommodations (AR 4032)

Temporary Light Duty Program (BP 4113.4, 4213.4, 4313.4)
OUHSD provides all disabled applicants and employees with Reasonable Accommodation as defined by the Fair Employment and Housing Act (Government Code § 12940).
General Information Regarding OUHSD’s Temporary Light Duty Program

Regardless of the length of the leave, all employees who have been off from work due to a workers’ compensation leave (industrial injury) are to report to Human Resource Services prior to returning to work. No employee will be allowed to return to work unless first cleared by Human Resource Services to do so.

All employees desiring to return from a personal medical leave with functional limitations/ work restrictions must first report to Human Resource Services and provide a Certificate to Return to Work, or Further Treatment form. Form is available in Human Resource Services or on the District’s website. Employee requests for return to work with functional limitations/ work restrictions can take up to 5 working days for processing. Employees can ensure a timely return to work by providing Human Resource Services with a Certificate to Return to Work or Further Treatment form prior to the desired return to work date. During the period of time it may take to identify temporary modified or alternate work assignments, employees will remain off from work utilizing personal leave available and appropriate leaves. Work restrictions will be discussed with the injured/ill employee and with the site/department supervisor to ascertain if modified work (work in current classification) can be provided. If not, alternate work (performing miscellaneous work outside of current classification) will be explored. If modified or alternate work is not available employee will remain off work, utilizing all available leaves, including Family Medical Leave (FMLA).

If employee is unable to return to work before all paid leaves are expired, the employee will be contacted to discuss extended unpaid leave options and the need for long term reasonable accommodation in alternate work. An employee who remains off work due to functional limitations/work restrictions that cannot be reasonably accommodated is required to continue to provide medical certification for all days missed from work to their site and Human Resource Services/Payroll.

If a supervisor is concerned that an employee may be too injured or ill to perform all of the functions of the job without impacting performance expectations or their safety, the employee will be sent to meet with Human Resource Services to discuss any need for reasonable accommodation. This can occur even if an employee has not requested accommodation or submitted a medical note stating functional limitations / work restrictions. (cf. 4113.4, 4032)

Should an employee’s condition change such that the temporary work restrictions become permanent, Human Resource Services will engage with the employee in a more formal interactive reasonable accommodation process to determine what reasonable accommodations may be available to support the employees permanent/long-term work restrictions. Reasonable accommodation in modified work, leave extensions or reassignment options will all be explored in accordance with the state and federal laws and District policies and regulations. (cf. 4032, 4113.4, 42 U.S.C. § 12101, et seq., Gov. Code § 12940)

Employees should refer to their respective contracts for additional information regarding situations where Human Resource Services may request additional medical information prior to returning an employee back to their workplace.

Workers’ Compensation

- For an emergency, call 911 immediately.
- Report all injuries to your supervisor/administrator immediately.
- Supervisor/administrator will provide and assist with completion of claim and incident report forms.
- If medical attention is required, authorization for medical treatment at Coastal Occupational Health Center (COHC) will be provided. If after Coastal hours, treatment will be provided by Saint John Hospital.
You may pre-designate a qualifying personal physician to treat you in the case of a work-related injury (LC 4600). Pre-designation must take place prior to your date of injury. Written verification that your personal physician meets the above requirements and agrees to be pre-designated must be provided.

Contact Worker’s Compensation/Management in Business Services at 805.483.4055

Claims for Workers’ Compensation are managed by third party administrator, York Insurance Services Group.

Pre-Designation of Personal Physician Form

If you are injured on the job, you have the right to be treated by your personal physician (MD, DO) if you notify your employer, in writing, prior to the injury. Per Labor Code 4600, to qualify as your pre-designated, personal physician, the physician must agree, in writing, to treat you for a work-related injury, must have previously directed your medical care and must retain your medical history and records. Your pre-designated physician must be a general practitioner, family practitioner, board certified or board eligible internist, pediatrician, obstetrician-gynecologist or a multi-specialty medical group, whose practice is predominantly for non-occupational injuries or illnesses. Pre-designation is optional. Pre-designations remain in effect until such time as an alternate pre-designation is received. It is not necessary to repeat the pre-designation on an annual basis if your physician remains the same and continues to meet the stated requirements.

Leaves of Absence

- Request for Leaves of Absence must be submitted to the Assistant Superintendent, Human Resources Services prior to an employee taking a leave in accordance with OFTSE or CSEA contract language.
- Child Care Leave: notify Human Resources Services as early as possible so we can assist you.

Sick Leave

- Must be reported in Frontline and on your time sheet
- Requests for a substitute must be reported on the Frontline System unless it is required to be reported directly to the supervisor.
- One paid sick day per month is accrued for each employee, prorated for hourly employees in proportion to full-time employment

Pregnancy Disability Leave

Government Code section 12945 grants employees who are disabled by pregnancy, childbirth, or recovery therefrom, up to a maximum of four-month (17-1.3) weeks) of pregnancy disability leave. The leave is unpaid and can run concurrently with illness leaves and FMLA leave, but not CFRA leave. No written notice to the employee is required. An employee on PDLA leave is entitled to receive her benefits in the same manner as if she was working.

Personal Necessity Days (PN)

- For Certificated Staff request must submit their PN request no less than five (5) working days prior to the beginning of the date of leave. All other employees must refer to the provisions outlined in
your CBAs. Although your supervisor may not need to approve, they must be informed of your intent in a timely fashion.

- Can be denied if there is a District hardship. Work with your supervisor and don’t wait until the last minute to submit the Leave of Absence Form.

The Family Medical Leave Act (FMLA) and the California Family Rights Act (CFRA) (BP 4161.8)

- FMLA and CFRA are designed to assist employees for taking personal time off work when an employee or member of their family has a — Serious Health Condition (illness, injury, impairment, or physical or mental condition). Leave without pay may be granted for up to 12 workweeks.
- Employees must notify Human Resources Services and attach all the necessary documentation required to process a leave request.
- Employees should refer to their respective contract language for additional information. (BP 4161)
- Parental School Leave: Labor Code section 230.8 grants the parent, guardian, or grandparent with custody, 40 hours of unpaid leave each year (with no more than eight hours in a month) to participate in activities of the school or licensed child day care facility of any of his or her children, if the employee, prior to taking the time off, gives reasonable notice to the employee of the planned absence of the employee. The employee must use existing vacation, personal necessity, and compensatory days concurrently with the 409 hours. There are limits where both parents work for the same employer and request the same time off.
- Healthy Workplaces, Health Families Act of 2014 (AB 1522): Effective July 1, 2015, employees who work for 30 or more days in a year (which runs from the first date of employment or July 1, 2015, whichever is later) will be entitled to paid sick leave. Labor Code section 245, et seq., require employer to grant one hour of paid sick leave for every 30 hours worked. This does not apply to employees covered under a collective bargaining agreement that provide paid sick leave or paid time off for illness, binding arbitration, premium wage rates for all overtime hours work, and a regular hourly rate of pay not less than 30% more than the state minimum wage rate.

Annual Employee Notification

The District is required by Education Code to notify employees annually on Communicable Disease Control Information, Injury and Illness Prevention Program (IIPP), Mandated Suspected Child Abuse Reporting, Tobacco, Drug and Alcohol policies, and Sexual Harassment Policy.

The District notifies employees annually on, Employee Acceptable Use Policy (APU), Evaluation of Student Achievement, Report Card Notices to Parent, Test Integrity, Test Preparation, Homework, Classroom film/ Media Supplementary Materials, Student Conduct, Workplace Bullying.

Employees are expected to read, comply, and acknowledge receiving this Notification by signing the Annual Employee Notification Acknowledgement sheet and returning to their supervisor.

Volunteer Guidelines

Definition: A volunteer is a parent, community member, or other adult who assists at a school site or program on a regular or semi-regular basis, usually with an assigned schedule. A volunteer is a person who provides his/her time to the District without pay. Individuals who are at the school to attend or help at a one-time special event involving no unsupervised contact with children are not considered volunteers by this definition and are not required to be screened.
Types of Volunteers

- **Under Direct Supervision of a Certificated Employee**: (May not work unsupervised with children.)
- **General School Volunteer** – Volunteering during school hours performing duties such as breakfast/lunch assistants, and classroom aides/helpers, library, playground supervisors.
- **Activities Volunteer** – Volunteering after school hours working on the campus at events such as booster, parent support clubs or after school clubs.
- **Not Under Direct Supervision**: Coaches of performing arts and athletics, one-on-one tutoring, overnight trips, transporting students.

<table>
<thead>
<tr>
<th>Volunteer Requirements</th>
<th>Under Direct Supervision (Site Processes)</th>
<th>Not Under Direct Supervision (HR Processes)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Volunteer Application and Waiver</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>Copy of Driver’s License or California Identification Card</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>TB Test Results</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>Emergency Card</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>Volunteer Technology User Agreement</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>Coaches Code of Ethics</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>Certification of Compliance – including copies of applicable information</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>Fingerprint Clearance</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>Megan’s Law Clearance</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>First Aid and CPR Training</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Site-level Approval (Site Administrator)</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>District-level Approval (Human Resources Services Administrator)</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>District-issued Photo ID Badge</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>Site-issued ID Badge</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>*Medical Provider Network Rights Materials and Acknowledgement Form</td>
<td>X</td>
<td>X</td>
</tr>
</tbody>
</table>

*Medical Provider Network materials contain information about medical care in case of a work-related injury or illness.

Site identification must be worn while volunteering. This identification will be provided by the site coordinator or Human Resources Services. A volunteer walk-on coach (athletic or performing arts) is required to wear a photo identification badge.

**Access to Student Records**

The Board of Education recognizes the importance of keeping accurate, comprehensive student records as required by law. Procedures for maintaining the confidentiality of student records shall be consistent with state and federal law. Access to student records means a personal inspection and review of a record, an
accurate copy of a record or receipt of an accurate copy of a record, an oral description or communication
of a record, and a request to release a copy of any record. (Ed Code 49061)

The Superintendent or designee shall establish regulations governing the identification, description and
security of student records, as well as timely access for authorized persons. These regulations shall ensure
parental rights to review inspect and copy student records and shall protect the student and the student’s
family from invasion of privacy.

The Superintendent or designee shall designate a certificated employee to serve as custodian of records,
with responsibility for student records at the district level. The Custodian of Records for the District is the
Director of Student Services. The Principal is Custodian of Records at his/her site. The custodian of records
shall be responsible for implementing Board policy and administrative regulation regarding student records.

Student records are any items of information other than directory information, gathered within or outside
the district that are directly related to an identifiable student and maintained by the district or required to be
maintained by an employee in the performance of his/her duties. Any information maintained for the
purpose of secondary review is considered a student record.

Employees may only access student records if they have relevant legitimate educational interest. This means
you must be the student's teacher, counselor, psychologist or other employee assigned to provide
educational services to the student and have a legitimate reason to review the records. To inspect, review
or obtain copies of student records, authorized persons shall submit a request to the “Custodian of Records.”
(Ed Code 49076) If you have any questions, please contact the site custodian of records.

Only a parent/guardian having legal custody of the student may consent to the release of records to others.
Both parents must notify the district in writing, that such an agreement has been made. (Ed Code 49061)
Any person or agency granted access is prohibited from releasing information to another person or agency
without written permission from the parent/guardian or adult student. (Ed Code 49076)

**Access to Individualized Education Plans (IEP)**

<table>
<thead>
<tr>
<th>Level of Access</th>
<th>Site Admin</th>
<th>Special Ed Teacher</th>
<th>General Ed Teacher</th>
<th>Clerical Staff</th>
<th>Special Ed Aid</th>
</tr>
</thead>
<tbody>
<tr>
<td>May have a copy of the IEP</td>
<td>Yes</td>
<td>Yes</td>
<td>*Yes</td>
<td></td>
<td></td>
</tr>
<tr>
<td>May have a copy of only: goals, accommodations &amp; modifications in IEP</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>*Yes</td>
</tr>
<tr>
<td>May make copies of the IEP.</td>
<td>Yes</td>
<td>Yes</td>
<td>*Yes</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

* Only the general education teacher or aid of the student, not just any general education teacher or aid.
  This also indicates the clerk responsible for maintenance of records and transcripts not just any clerk at
  the site.

38
Suspension Notification to Teachers

NOTICE TO TEACHERS IN ACCORDANCE WITH EDUCATION CODE SECTION 49079, BOARD POLICY 4158, 4258 and 4358

In accordance with EC 49079 and Board Policy 4158, 4258 and 4358, your receipt of this document indicates that you have been informed of pupils who have engaged in, or are reasonably suspected to have engaged in, any of the acts described in any of the subdivisions of EC 48900, have had an asterisk placed beside their name in the attendance screen on the Synergy. Teachers may review the suspension(s) by reviewing the discipline screen in ABI. Below is Education Code section 48900 listing the grounds for suspension or expulsion of a pupil in subdivisions (a) through (w) and .2; .3; .4 .7 and 48915 (a) and (c).

You are hereby also informed of your responsibility to hold this information in strict confidence. Discussion of this information outside of this process could result in a violation of Federal and State laws concerning the privacy rights to students. If you have specific questions or concerns you may discuss these with the principal. EC 49076, BP 5125

EDUCATION CODE SECTION 48900

A pupil shall not be suspended from school or recommended for expulsion, unless the superintendent or the principal of the school in which the pupil is enrolled determines that the pupil has committed an act as defined pursuant to any of subdivisions (a) to (r), inclusive:

(a) (1) Caused, attempted to cause, or threatened to cause physical injury to another person.
(2) Willfully used force or violence upon the person of another, except in self-defense.
(b) Possessed, sold, or otherwise furnished a firearm, knife, explosive, or other dangerous object, unless, in the case of possession of an object of this type, the pupil had obtained written permission to possess the item from a certificated school employee, which is concurred in by the principal or the designee of the principal.
(c) Unlawfully possessed, used, sold, or otherwise furnished, or been under the influence of, a controlled substance listed in Chapter 2(commencing with Section 11053) of Division 10 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind.
(d) Unlawfully offered, arranged, or negotiated to sell a controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind, and either sold, delivered, or otherwise furnished to a person another liquid, substance, or material and represented the liquid, substance, or material as a controlled substance, alcoholic beverage, or intoxicant.
(e) Committed or attempted to commit robbery or extortion.
(f) Caused or attempted to cause damage to school property or private property.
(g) Stolen or attempted to steal school property or private property.
(h) Possessed or used tobacco, or products containing tobacco or nicotine products, including, but not limited to, cigarettes, cigars, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets, and betel. However, this section does not prohibit use or possession by a pupil of his or her own prescription products.
(i) Committed an obscene act or engaged in habitual profanity or vulgarity.
(j) Unlawfully possessed or unlawfully offered, arranged, or negotiated to sell drug paraphernalia, as defined in Section 11014.5 of the Health and Safety Code.
(k) Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, school officials, or other school personnel engaged in the performance of their duties.
(l) Knowingly received stolen school property or private property.
(m) Possessed an imitation firearm. As used in this section, "imitation firearm" means a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm.

(n) Committed or attempted to commit a sexual assault as defined in Section 261, 266c, 286, 288, 288a, or 289 of the Penal Code or committed a sexual battery as defined in Section 243.4 of the Penal Code.

(o) Harassed, threatened, or intimidated a pupil who is a complaining witness or a witness in a school disciplinary proceeding for the purpose of either preventing that pupil from being a witness or retaliating against that pupil for being a witness, or both.

(p) Unlawfully offered, arranged to sell, negotiated to sell, or sold the prescription drug Soma.

(q) Engaged in, or attempted to engage in, hazing. For purposes of this subdivision, "hazing" means a method of initiation or pre-initiation into a pupil organization or body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury or personal degradation or disgrace resulting in physical or mental harm to a former, current, or prospective pupil. For purposes of this subdivision, "hazing" does not include athletic events or school-sanctioned events.

(r) (1) “Bullying” means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including one or more acts committed by a pupil or group of pupils as defined in Section 48900.2, 48900.3, or 48900.4, directed toward one or more pupils that has or can be reasonably predicted to have the effect of one or more of the following:
   A. Placing a reasonable pupil or pupils in fear of harm to that pupil's or those pupils' person or property.
   B. Causing a reasonable pupil to experience a substantially detrimental effect on his or her physical or mental health.
   C. Causing a reasonable pupil to experience substantial interference with his or her academic performance.
   D. Causing a reasonable pupil to experience substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by a school.

   (2) “Electronic act” means the creation or transmission originated on or off the school site, by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager, of a communication, including, but not limited to, any of the following:
   A. A message, text, sound, video, or image.
   B. A post on a social network Internet Web site, including, but not limited to:
   C. Posting to or creating a burn page. “Burn page” means an Internet Web site created for the purpose of having one or more of the effects listed in paragraph (1).
   D. Creating a credible impersonation of another actual pupil for the purpose of having one or more of the effects listed in paragraph (1). “Credible impersonation” means to knowingly and without consent impersonate a pupil for the purpose of bullying the pupil and such that another pupil would reasonably believe, or has reasonably believed, that the pupil was or is the pupil who was impersonated.
   E. Creating a false profile for the purpose of having one or more of the effects listed in paragraph (1). “False profile” means a profile of a fictitious pupil or a profile using the likeness or attributes of an actual pupil other than the pupil who created the false profile.
   F. An act of cyber sexual bullying.
   G. For purposes of this clause, “cyber sexual bullying” means the dissemination of, or the solicitation or incitement to disseminate, a photograph or other visual recording by a pupil to another pupil or to school personnel by means of an electronic act that has or can be reasonably predicted to have one or more of the effects described in subparagraphs A to D, inclusive, of paragraph (1). A photograph or other visual recording, as described above, shall include the depiction of a nude, semi-nude, or sexually explicit photograph or other
visual recording of a minor where the minor is identifiable from the photograph, visual recording, or other electronic act.

H. For purposes of this clause, “cyber sexual bullying” does not include a depiction, portrayal, or image that has any serious literary, artistic, educational, political, or scientific value or that involves athletic events or school-sanctioned activities.

I. Notwithstanding paragraph (1) and subparagraph A, an electronic act shall not constitute pervasive conduct solely on the basis that it has been transmitted on the Internet or is currently posted on the Internet.

J. “Reasonable pupil” means a pupil, including, but not limited to, an exceptional needs pupil, who exercises average care, skill, and judgment in conduct for a person of his or her age, or for a person of his or her age with his or her exceptional needs.

(3) Engaged in an act of bullying, including, but not limited to, bullying committed by means of an electronic act, as defined in subdivisions (f) and (g) of Section 32261, directed specifically toward pupil or school personnel.

A. A pupil shall not be suspended or expelled for any of the acts enumerated in this section, unless that act is related to school activity or school attendance occurring within a school under the jurisdiction of the superintendent of the school district or principal or occurring within any other school district. A pupil may be suspended or expelled for acts that are enumerated in this section and related to school activity or attendance that occur at any time, including, but not limited to, any of the following:
   1. While on school grounds.
   2. While going to or coming from school.
   3. During the lunch period whether on or off the campus.
   4. During, or while going to or coming from, a school sponsored activity.

B. A pupil who aids or abets, as defined in Section 31 of the Penal Code, the infliction or attempted infliction of physical injury to another person may be subject to suspension, but not expulsion, pursuant to this section, except that a pupil who has been adjudged by a juvenile court to have committed, as an aider and abettor, a crime of physical violence in which the victim suffered great bodily injury or serious bodily injury shall be subject to discipline pursuant to subdivision (a).

C. As used in this section, "school property" includes, but is not limited to, electronic files and databases.

D. A superintendent of the school district or principal may use his or her discretion to provide alternatives to suspension or expulsion, including, but not limited to, counseling and an anger management program, for a pupil subject to discipline under this section.

E. It is the intent of the Legislature that alternatives to suspension or expulsion be imposed against a pupil who is truant, tardy, or otherwise absent from school activities.

EDUCATION CODE SECTION 48900.2 - SEXUAL HARASSMENT

In addition to the reasons specified in Section 48900, a pupil may be suspended from school or recommended for expulsion if the superintendent or the principal of the school in which the pupil is enrolled determines that the pupil has committed sexual harassment as defined in Section 212.5. For the purposes of this chapter, the conduct described in Section 212.5 must be considered by a reasonable person of the same gender as the victim to be sufficiently severe or pervasive to have a negative impact upon the individual's academic performance or to create an intimidating, hostile, or offensive educational environment. This section shall not apply to pupils enrolled in kindergarten and grades 1 to 3, inclusive.
EDUCATION CODE SECTION 48900.3 - HATE VIOLENCE

In addition, to the reasons specified in Sections 48900 and 48900.2, a pupil in any of grades 4 to 12, inclusive may be suspended from school or recommended for expulsion if the superintendent or the principal of the school in which the pupil is enrolled determines that the pupil has caused, attempted to cause, threatened to cause, or participated in an act of, hate violence, as defined in subdivision (e) of Section 33032.5.

EDUCATION CODE SECTION 48900.4 - HARASSMENT, THREATS, OR INTIMIDATION

In addition to the grounds specified in Section 48900 and 48900.2, a pupil enrolled in any of grades 4 to 12, inclusive, may be suspended from school or recommended for expulsion if the superintendent or the principal of the school in which the pupil is enrolled determines that the pupil has intentionally engaged in harassment, threats, or intimidation, directed against a pupil or group of pupils, or school district personnel that is sufficiently severe or pervasive to have the actual and reasonably expected effect of materially disrupting classwork, creating substantial disorder, and invading the rights of that pupil or group of pupils by creating an intimidating or hostile educational environment.

EDUCATION CODE SECTION 48900.7 - TERRORISTIC THREATS

(a) In addition to the reasons specified in Sections 48900, 48900.2, 48900.3, and 48900.4, a pupil may be suspended from school or recommended for expulsion if the superintendent or the principal of the school in which the pupil is enrolled determines that the pupil has made terroristic threats against school officials or school property, or both.

(b) For the purposes of this section, "terroristic threat" shall include any statement, whether written or oral, by a person who willfully threatens to commit a crime which will result in death, great bodily injury to another person, or property damage in excess of one thousand dollars ($1,000); with the specific intent that the statement is to be taken as a threat, even if there is no intent of actually carrying it out, which, on its face and under the circumstances in which it is made, is so unequivocal, unconditional, immediate, and specific as to convey to the person threatened, a gravity of purpose and an immediate prospect of execution of the threat, and thereby causes that person reasonably to be in sustained fear for his or her own safety or for his or her immediate family's safety, or for the protection of school district property, or the personal property of the person threatened or his or her immediate family.

EDUCATION CODE SECTION 48915(a)

Except as provided in subdivisions (c) and (e), the principal or the superintendent of schools shall recommend the expulsion of a pupil for any of the following acts committed at school or at a school activity off school grounds, unless the principal or superintendent finds that the expulsion is inappropriate, due to the particular circumstance:

1. Causing serious physical injury to another person, except in self-defense.
2. Possession of any knife, explosive, or other dangerous object of no reasonable use to the pupil.
3. Unlawful possession of any controlled substance listed in Chapter 2 (commencing with section 11053) of Division 10 of the Health and Safety Code, except for the first offense for the sale of not more than one avoirdupois ounce of marijuana, other than concentrated cannabis.
4. Robbery or extortion.
5. Assault or battery, as defined in Sections 240 and 242 of the Penal Code, upon any school employee.
EDUCATION CODE SECTION 48915(c)

The principal or superintendent of schools shall immediately suspend, pursuant to Section 48911, and shall recommend expulsion of a pupil that he or she determines has committed any of the following acts at school or at a school activity off school grounds:

1. Possessing, selling, or otherwise furnishing a firearm. This subdivision does not apply to an act of possessing a firearm if the pupil had obtained prior or written permission to possess the firearm from a certificated school employee, which is concurred in by the principal or the designee of the principal.
   This subdivision applies to an act of possessing a firearm only if the possession is verified by an employee of a school district.

2. Brandishing a knife at another person.

3. Unlawfully selling a controlled substance listed in Chapter 2 (commencing with Section 11053) of Division 10 of the Health and Safety Code.

4. Committing or attempting to commit a sexual assault as defined in subdivision (n) of Section 48900 or committing a sexual battery as defined in subdivision (n) of Section 48900.

5. Possession of an explosive.

Employee Use of Technology Policy

Employees shall be responsible for the appropriate use of technology and shall use the district's technological resources only for purposes related to their employment. Such use is a privilege which may be revoked at any time. The Governing Board recognizes that technological resources can enhance employee performance by offering effective tools to assist in providing a quality instructional program, facilitating communications with parents/guardians, students, and the community, supporting district and school operations, and improving access to and exchange of information. The Board expects all employees to learn to use the available technological resources that will assist them in the performance of their job responsibilities. As needed, employees shall receive professional development in the appropriate use of these resources.

Employees should be aware that computer files and communications over electronic networks, including e-mail and voice mail, are not private. These technologies shall not be used to transmit confidential information about students, employees or district operations outside of the District without prior authorization from the Superintendent or designee/authority.

The Superintendent or designee shall ensure that all district computers with Internet access have a technology protection measure that prevents access to visual depictions that are obscene or child pornography, and that the operation of such measures is enforced.

To ensure proper use of the system, the Superintendent or designee may monitor the district's technological resources, including e-mail and voice mail systems, at any time without advance notice or consent. If passwords are used, they may be known to the Superintendent or designee so that he/she may have system access.

The Superintendent or designee shall establish administrative regulations which outline employee obligations and responsibilities related to the use of district technology. He/she also may establish guidelines and limits on the use of technological resources. Inappropriate use shall result in a cancellation of the employee's user privileges, disciplinary action and/or legal action in accordance with law, Board policy and administrative regulations.
The Superintendent or designee shall provide copies of related policies, regulations and guidelines to all employees who use the district’s technological resources. Employees shall be asked to acknowledge in writing that they have read and understood these policies, regulations and guidelines. The Board of Education recognizes that technological resources can enhance employee performance by improving access to and exchange of information, offering effective tools to assist in providing a quality instructional program, and facilitating district and school operations. The Board expects all employees to learn to use the available technological resources that will assist them in the performance of their job responsibilities. As needed, employees shall receive training in the appropriate use of these resources. (BP 4040)

**Phone Usage Guidelines**

**Employee cell phone use**

Private cell phone use (including texting and email messaging) should be restricted to employee break and lunch time. The personal use of cellular phones and other paging devices during the employee work hours is considered inappropriate and should be for emergencies only. Employees are encouraged to allow the voicemail function on their cellular phones to record personal messages during work time. At no time, except in the event of an emergency, should cell phone use disrupt classroom instruction.

**Laws for cell phone use while driving**

Two laws (SB 1613 and SB 33) dealing with the use of wireless telephones while driving prohibit drivers from using a wireless telephone while operating a motor vehicle unless the driver uses a hands-free device. Drivers who violate the laws will face a fine. The law does allow for a driver to use a wireless telephone to make emergency calls to a law enforcement agency, a medical provider, the fire department, or other emergency services.

**District personnel driving district vehicles**

The law does provide an exception for those operating a commercial motor truck or truck tractor (excluding pickups), to use a two-way radio operated by a “push-to-talk” feature. Otherwise, motorists must abide by the hands-free legislation.

**Telephone and Voicemail Guidelines**

You are representing both the OUHSD and your school or department. Customer service is all about the positive attitude we embrace when dealing with the community and staff members. Please follow these protocols when answering the telephone and using voice mail.

**Telephone Protocols to Enhance Customer Service**

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Answer Promptly</strong></td>
<td>Before the third ring, if possible.</td>
</tr>
<tr>
<td><strong>Personal Greeting</strong></td>
<td>When answering the telephone, state your school/department, your name, and a warm greeting like “may I help you?” For instance, “Technology Services, Jane speaking, may I help you?”</td>
</tr>
<tr>
<td><strong>With a Visitor and the Telephone Rings</strong></td>
<td>Ask the visitor to wait just a moment. Ask the caller to hold or if you can call him or her back because you are with someone else. Help the visitor and then help the person on the telephone or call them back</td>
</tr>
</tbody>
</table>

44
| On the Telephone and a Visitor Walks In | Ask the person on the telephone if you can put him or her on hold for a moment. Ask the visitor to have a seat and you will be with them after you finish this call. Help the person on the telephone. At a minimum, the “walk-in” person must be acknowledged. |
| You are on the Telephone and a Second Line Rings | Ask the first caller if he or she can hold because your other line is ringing. Answer the second line and ask if they can please hold or if you can call him or her back because you have one call ahead of them. Go back to the first caller. When finished help the second caller or call him or her back. |
| Taking Messages | Be prepared with pen and paper when you answer the phone. When someone is out and answering calls for Jane, please state the following: “Sorry, Jane is not available. Is there anything I can help you with?” Ask the caller if you can take a message or if they would like to be transferred to Jane's voice mail?” Always ask first and do not assume the caller would rather go to voice mail. Take the telephone number and name of caller (and site, if applicable). The reason for the call, if possible. Record the date and time the message was taken, and sign the message or email it to the person. |
| Returning Telephone Calls | As soon as possible, ideally the same day No more than 24 hours should pass AND Do not let the caller “hang” for a weekend |

**Voice Mail Protocols**

| When is the use of Voice Mail Appropriate? | Never during business hours, except for the following: Department meeting, site training session, or other reason involving the entire staff. With supervisor’s permission (MUST be important). If unable to assist a customer, forward the call to appropriate person who knows what is going on. |
| How often is Voice Mail Checked? | Every day and as soon as the word, “MESSAGE” is displayed on the telephone screen, the red/green light is on, or you hear a stuttered dial tone when you lift the receiver. |
| Voice Mail Greeting | Do not leave a reason why you are not present in the office for your standard greeting. |
| Designate an Alternate Person to Speak with in your Message | Check with your principal or supervisor for who will be your backup or alternate person. Sample: Hello, you have reached Mary at Pacific View High School. Please leave a message and I will get back to you as soon as possible. If you need to speak with someone immediately, please dial extension ###### for (that person’s name), for further assistance.” |
Alternate Greetings
The voice mail system allows you to leave an alternate greeting for anything out of the norm. For instance, if Jane was out on jury duty, holiday, or on vacation, she would set up an alternate greeting to let the caller know she is out of the office. In larger offices, it is expected that others in the office or department would answer the telephone when a person out.

Use of Passwords on Voice Mail
No secret passwords to access your voice mail. Give your voice mail password to your supervisor.

E-mail Protocol for Effective Communication

Because E-mail is an essential means to communicate and conduct business, the District has compiled the following list of guidelines and expectations for all e-mail users. As a District employee, when you are provided with an e-mail account you are expected to use it and respond to your business-related e-mails in a timely manner. As you use e-mail, please be aware that there are dangers in today’s cyber-world. Do not respond to unknown e-mails and beware of hidden readers because you may never know who will read the content of your e-mail because e-mail is not private. To use e-mail effectively, please observe the following guidelines:

Be Clear with Your Message
- Use good judgment as to when to use an e-mail and when to make a phone call or have a face-to-face conversation.
- Use a good descriptive subject title in the e-mail that is appropriate for your message.
- Does the message require a formal attachment or is the e-mail message alone appropriate?
- Be clear. There is always the chance that someone will misinterpret your message.
- The type of e-mail message you send is a reflection of your character.
- Is this a personal e-mail? If so, you should not use email on company time or equipment.

Practice E-mail Etiquette to Build Relationships
- Be polite and remember the golden rule “Type unto others as you would have them type unto you.”
- Start your e-mail with Hello, Hi, Dear, or a simple greeting.
- End your e-mail with Thank You, Sincerely, Take it easy, a gentle goodbye.
- Do not e-mail or respond when angry or upset. It is best to cool off and re-read the e-mail.
- Do not send an urgent e-mail and expect everyone to act on it immediately.
- Do not forward e-mail without the permission of the author.
- Keep editorial comments to yourself.

Consider the Following when Sending E-mail to a Group
- Does this message apply to the members of this group? If not, do not send a Global Email to your site/district without authority of Principal or Superintendent.
- Is this message appropriate to the group?
- Should every member of the group receive this e-mail?
- Must you feel obligated to read and respond to a group message? No, however, if you need to respond, only respond to key personnel not the entire group.
- Do not forward e-mails to groups unless you have interacted and made a response.

Manage your E-mail
- Appropriate e-mail should be viewed and responded to within 24 hours.
- As a courtesy, if you are not able to respond within 48 hours, set e-mail to autoreply and re-direct your customer to someone in the department or site who can assist them.
• E-mail should not be read during instructional time or when participating in a meeting.
• Parents and students may send you an e-mail. This message should be treated as if you received a phone call. It requires a timely response and should not be substituted for a parent conference if one is requested.
• Only reply to the sender, not to all.
• CC only when you wish to inform others and when you do not expect them to respond.
• Do not print every e-mail, this is wasteful. Organize your e-mails into folders.
• Delete and purge e-mails and folders once a week, including the sent e-mails folder.

Employ These Top E-mail Etiquette Tips
• Remain gender neutral.
• Keep harassment and discrimination policies in mind.
• Do not use e-mail to let off steam or provide personal or political messages.
• Control the urge to “flame” a conversation. This is a lose-lose situation, which creates a hostile work environment.
• Never reply to spam and do not e-mail the world.
• Copy with care; Reply-to-all with care
• Be cautious when sending attachments.
• Edit your e-mail before you hit send. Resist the urge to capitalize.

Be aware of Spammer’s Favorite Tricks
• Phony Subject Line
• Numeric Address Formats
• Celebrity Subject Headers
• Dictionary Spam
• Doubtful content
• Fake unsubscribe links
• Phony return address
• Forged headers
• Common Categories

Know and Observe E-mail Laws
• Employee’s e-mail is the property of the employer, including the use of personal e-mail accounts such as Yahoo, Hotmail, and Google, etc… on company computers.
• E-mail is like a postcard – anyone can read it.
• E-mail is vulnerable while in transit.
• E-mail can be subpoenaed; not only yours but anyone with whom you communicate.
• E-mail has an indefinite shelf life – there is no such thing as deleted e-mail, it must be kept by law.

Review Employee Technology Use: Board Policy 4040
• Employees shall be responsible for the appropriate use of technology and shall use the district's technological resources only for purposes related to their employment. Such use is a privilege which may be revoked at any time.
• Employees should be aware that computer files and communications over electronic networks, including e-mail and voice mail, are not private. These technologies shall not be used to transmit confidential information about students, employees or district operations without authority.
• All employees should have read and signed the District’s Technology Use policy.

We hope these e-mail guidelines are helpful as everyone in the District makes an effort to communicate effectively and continue to build and improve our customer service.
Due Process Protections and Complaints

Non-Discrimination

The OUHSD shall not illegally discriminate against a pupil because of race, sex, gender, sexual orientation, color, creed, handicap, national origin, or ancestry. It is the policy of the District to provide to every person equal opportunity to receive an education as required by federal and/or state law. Complaints may be filed under the District’s Uniform Complaint Procedures, in accordance with Board Policy 1312.3: Community Relations – Uniform Complaint Procedures and Administrative Regulations 1312.3 (Uniform Complaint Procedures) and 1312.4 (Williams Uniform Complaint Procedures). Copies of the District’s Uniform Complaint Procedures are available free of charge at the District Office or at the school office, as well as on the District’s Website at http://www.OUHSD.k112.ca.us/policies.

Non-Discrimination in Employment Policy

The Board of Education prohibits unlawful discrimination against and/or harassment of district employees and job applicants on the basis of actual or perceived race, color, national origin, ancestry, religion, age, marital status, pregnancy, physical or mental disability, medical condition, veteran status, gender, sex or sexual orientation at any district site and/or activity. The Board also prohibits retaliation against any district employee or job applicant who complains, testifies or in any way participates in the district's complaint procedures instituted pursuant to this policy. Any district employee who engages or participates in unlawful discrimination, or who aids, abets, incites, compels or coerces another to discriminate, is in violation of this policy and is subject to disciplinary action, up to and including dismissal. (BP 4030). The District’s Non-Discrimination in Employment Officer is Dr. Kimberly Tresvant- Director, Human Resources.

Complaint Procedures

Complaint Procedure: Employee to Employee

If any employee perceives comments, gestures or actions deemed to be offensive from any other employee, including supervisors or members of management, the employee should notify the immediate supervisor, or the Assistant Superintendent of Human Resources. Immediate supervisors will promptly report any complaint to the Assistant Superintendent of Human Resources Services. The complainant may present such complaint orally or in writing. However, if the complaint is not resolved informally, the complainant must present such complaint in writing to the Assistant Superintendent of Human Resources Services. The statement shall be a clear, concise statement of the complaint and the circumstances involved. The District will promptly and thoroughly investigate any complaints of harassment and will take immediate action to resolve such complaints (BP 4144).

Filing a Complaint, Uniform Complaint Procedures

The District is primarily responsible for compliance with state and federal laws and regulations. The District has established procedures to address unlawful discrimination and complaints alleging violations of state or federal laws governing the following educational programs:

- Adult Basic Education established pursuant to Education Code (EC) Sections 8500 through 8538 and 52500 through 52616.5;
- Consolidated Categorical Aid programs listed in EC Section 64000(a);
- Migrant Education established pursuant to EC Sections 54440 through 54445;
- Career Technical Education established pursuant to EC Sections 52300 through 52480;
Child Care and Development programs established pursuant to EC 49490 through 49560;

- Special Education programs established pursuant to EC Sections 56000 through 56885 and EC Sections 59000 through 59300;
- Complaints which allege unlawful discrimination on the basis of ethnic group identification, religion, age, sex, color, sexual orientation, gender, race, ancestry or physical or mental disability, in program or activity conducted by a local agency, which is funded directly by, or that receives or benefits from any state financial assistance.

Unresolved complaints from Administrative Regulation 1312.4: Procedure for Complaints Concerning Instructional Materials, Facilities, Teacher Vacancy and Misassignment, and CAHSEE (California High School Exit Examination) Intensive Instruction and Services (EC Section 35186).

Non-compliance with school safety planning requirements of Title IV of the NCLB (20 USC Section 7114(d) (7)) pursuant to EC Section 32289).

Complaints may be filed under the District’s Uniform Complaint Procedures. Copies of the complaint procedures are available free of charge at the District Office or at the school office, as well as on the District’s Website at http://www.Oxnardunion.org.

The District shall promote programs which ensure that discriminatory practices are eliminated in all District activities (EC Section 56501). You have certain rights under the law, including Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, and the Individuals with Disabilities Education Act (IDEA). A handicap or limited English language skills will not be a barrier to District programs. The California Department of Education and the Office for Civil Rights of the U.S. Department of Education have authority to enforce these laws and all programs and activities that receive federal funds. If you wish further details in this regard, or wish to file a complaint, please contact the District’s Uniform Complaint Officer.

**District’s Uniform Complaint Officer**

The Governing Board designates the following compliance officer to receive and investigate all complaints and ensure District compliance with the law:

Dr. Deborah Salgado, Assistant Superintendent – Human Resources
309 South K. Street, Oxnard, CA. 93030
Telephone number 805.385.2525

You may contact the school office or the District office to obtain a copy of the District’s complaint procedures. Copies of the District’s complaint procedures and forms are available free of charge on the District’s Website at http://www.oxnardunion.org/policies.html.

1. Complaints made under this procedure shall be directed to the Uniform Complaint Officer, who is responsible for processing the claims. A complaint under the Uniform Complaint Procedure (UCP) should be completed within 60 days unless otherwise indicated.
2. You may contact the UCP Officer to obtain a copy of the complaint process.
3. The Superintendent or designee shall determine whether the complainant and the District representative will participate in mediation to resolve the complaint prior to a formal investigation.
4. Each complaint shall be investigated by the Superintendent or designee.
5. The Superintendent or designee shall prepare a proposed written decision containing findings and disposition of the complaint. The Superintendent or designee shall provide a copy of the proposed decision to the complainant and the District representative and shall place the matter of the proposed decision on the agenda for the Governing Board.
6. The complainant has a right to appeal the District’s decision to the California Department of Education (CDE) by filing a written appeal within 15 days of the decision. The complainant is required to specify if the District used incorrect facts or misinterpreted the law to arrive at its decision.

7. There is nothing in this process to preclude a complainant from pursuing available civil law remedies outside the District’s complaint procedures. Such remedies may include mediation, attorneys, and legal remedies. Civil law remedies may include, but are not limited to, injunctions and restraining orders.

For discrimination complaints, 60 days must elapse from the time an appeal is filed with CDE before pursuing civil remedies except for an injunction. Complaints may also be forwarded to appropriate state or federal agencies in the following cases:

- **American Civil Liberties Act 504** – Office of Civil Rights
- **Child Abuse** – Department of Social Services, Protective Services Division, or law enforcement
- **Discrimination/Nutritional Services** – U.S. Secretary of Agriculture
- **Employment Discrimination** – Department of Fair Employment and Housing, Equal Employment Opportunity Commission
- **General Education** – OUHSD
- **Health and Safety/Child Development** – Department of Social Services
- **Student Records** – Family Policy Compliance Officer (FPCO), U.S. Department of Education

(20 USC 11138; CFR 300.510-511, 300.513; EC Sections 232, 262.3, 33031, 33032, 33381, 48985, 56000-56885, 59000-59300, 64000(a); 5CCR 4620-4532)

### Complaint Chart

<table>
<thead>
<tr>
<th>Type of Complaint</th>
<th>Report to</th>
<th>Procedures</th>
<th>Action Steps</th>
<th>Discipline</th>
</tr>
</thead>
<tbody>
<tr>
<td>Student Initiated vs. Employee</td>
<td>Student Services Administrator</td>
<td>Follow Student or Employee Handbook</td>
<td>Board Policy &amp; CB</td>
<td>Progressive Discipline</td>
</tr>
<tr>
<td>Parent Initiated vs. Employee</td>
<td>Principal</td>
<td>Follow Uniform Complaint Procedure</td>
<td>Board Policy &amp; CB</td>
<td>Progressive Discipline</td>
</tr>
<tr>
<td>Employee vs. Employee</td>
<td>Employee Supervisor</td>
<td>Follow Contract Procedure</td>
<td>Board Policy &amp; CB</td>
<td>Progressive Discipline</td>
</tr>
<tr>
<td>Sexual Harassment Discrimination</td>
<td>Human Resources</td>
<td>Follow Penal Code, State or Federal Guidelines</td>
<td>Board Policy &amp; CB</td>
<td>Progressive Discipline</td>
</tr>
<tr>
<td>Retaliation</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Employee Property Reimbursement

The Board of Education authorizes the Superintendent or designee to pay the cost of replacing or repairing employee personal property, except cash, which has been stolen or intentionally destroyed or damaged while being used for work-related purposes.
No reimbursement shall be made for accidental damage or for any loss due to lack of personal supervision or failure to keep property in a secured area. The maximum payment shall be the amount specified by the district’s insurance carrier for such loss or the amount specified in the applicable collective bargaining agreement, whichever is less.
(cf. 3515.4; cf. 5131.5)

Reimbursement for personal items used for work-related purposes shall be made only if:
- Use of the personal property was approved by the principal, site supervisor or designee before the property was brought to school or district premises
- At that time, the employee and district representative agreed on the value of the property
- Reimbursement shall be in compliance with collective bargaining language.
(BP 4156.3/4256.3/4356.3 and Education Code 35213)

**Loaning Out of District Equipment**

Employees 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.
(AR 3512)

The employee shall assume responsibility for all equipment that is checked out for school related purposes only and the description ID number recorded. In borrowing any equipment, the employee assumes responsibility for any loss of or damage to the equipment or materials. If any items are damaged or lost, the employee will pay the cost of repairs or replacement. The employee must fill out Board Exhibit Form 3512 “Equipment Loan Form” to be used for business and non-instructional operations equipment. This form may be downloaded from the Human Resources Services website.

**Instructional and CSEA Work Calendars**

- Instructional Calendars are adopted annually by the Board of Education. See the District Website for the current school year calendars. There are three instructional calendars: School/Certificated and Adult Education.
- Work Calendar: Classified employees work under 10M, 10G and 11 Month). Please refer to classified contract language and side letters of agreement for additional information.

**Payroll and Pay Stub Information**

**Pay Checks are distributed to your primary job locations**
- Direct Deposit is encouraged. Download form and submit to payroll
- Employee portal https://myescape.vcoe.org/
- Time Sheets: Must be submitted with authorized signatures by the 5th of the month to Payroll for checks to be issued.
- PERS Deduction: Employees can get more information at (http://www.calpers.ca.gov)
- STRS Deduction: Employees can get more information at (http://www.calstrs.com)
- State and Federal Taxes are deducted based on your W-4 forms.
- 403(b) and 457 Plans
  - You must submit the form to the payroll department after completing the form.
- Vacation days: Can only be used in accordance with the Classified Contract.
- Vacation days are not available for certificated employees since they work a positive calendar.
- Pay stubs for direct deposit are emailed to district or personal email address.
Benefits Information

- The District’s primary responsibility is to make sure that all eligible employees are provided the opportunity to enroll in the appropriate plan(s). Once you have received confirmation and are signed up for the benefits plan, it is suggested that you visit your healthcare provider’s website to become familiar with their services and contact your health provider directly for specific information. (See District website for online web addresses.)
- Benefits are prorated for less than Full Time Equivalence (FTE) positions and are not available for hourly positions.
- OUHSD provides Medical, Dental, Vision, Life, and MCC-Employee Assistance Program
- Contact the insurance office for more information

Insurance Plan Summary

- Medical: Kaiser (HMO), Anthem HMO & PPO
- Dental Plans: Delta Dental (PPO)
- Vision: VSP (as of October 1, 2012)
- Life Insurance: Basic and Accidental Death and Dismemberment & Supplementary (offered through Hartford Life and AFLAC).

Additional Information You Need to Know

- It is the responsibility of your supervisor to keep you informed of new and/or revised policies.
- Student Information or photos cannot be released to any person. See your supervisor for assistance.
- Release of Social Security numbers and personal information is prohibited by law and is restricted to conducting District business such as processing employees.
- Transporting Students
  - Appropriate forms must be on file at the site level
  - Students cannot transport other students
- Approval of outside speakers, visitors, and supplemental material handouts must meet board policies and approved by the site administrator.
- Political activities are not permitted on District property including use of District communication system and email.
- Right to Due Process: Employees have the right to due process for disciplinary action. You have the right to read the complaint, respond before action is taken, and you have the right to appeal. Review your respective contract language.
- Emergency Preparedness Information

Calling 911 for Emergency Services

Please be aware there are no restrictions for dialing 911 for emergency services from any telephone within the District. However, it is critical to inform the main office at your site after dialing 911 for staff to be aware of the situation and to direct emergency services to your location.

Steps to access 911 from your workplace

- Press 9, then press 911 for emergency services (9-911)
- After placing the call:
  - Inform the office of the situation.
  - Have someone go outside to meet emergency services personnel and walk them to where the emergency is located.
  - Have the office inform the Superintendent’s Office of the situation.
Accidentally Dialing 911

- If you accidentally dial 911, **DO NOT** hang-up the telephone.
- **You MUST** inform the emergency operator there is no emergency.
  - Resist the shock and hasty reaction of quickly hanging up the telephone.
  - If you hang-up, police will be dispatched to investigate unless you state it was an accident or you are testing the system.
  - You cannot hang-up the telephone quickly enough to prevent this from occurring. Any call placed to 911 automatically has the telephone number of the caller and they will trace the number back to the address for police to investigate.
  - Remember, they have no idea if there is an actual emergency or if the call was accidental. We do not want to impact their limited resources with false alarms.
  - Operators are very friendly and would really appreciate letting them know you dialed 911 accidentally. They do not care if it was an accident and will move on to another call.

Legal Obligation to Serve as Disaster Service Workers

"All public employees are hereby declared to be disaster service workers subject to such disaster service activities as may be assigned to them by their supervisor or by law." GOVERNMENT CODE OF THE STATE OF CALIFORNIA (Chapter 8, Division 4, Title 1, Section 3100)

When Disaster Strikes While School IS NOT In Session

If the emergency occurs when employees are at home in the evening, on the weekend, holiday or some other time when school is NOT in session, employees are to secure their homes and family members and report in the following manner:

**Superintendent, Assistant Superintendents and Director of MOT**

The above-referenced individuals will report to the District Office, Board Room located at 309 South K. Street, to form and dispatch building inspection teams. **NOTE:** The Superintendent; Assistant Superintendents and Director- MOT, will be in touch via cellular telephones and radios.

**District MOT**

District MOT Services personnel are to report to the District Office building located at 309 S. K. Street for direction and assignment of duties from either the Superintendent, Assistant Superintendents or the Director MOT. Building inspection teams will be formed and dispatched to the sites in a timely manner. Signs will be posted at the main entrance at each site indicating the safety status of the buildings and that a District inspection team has been through. If the disaster occurs after regular working hours and before 12 midnight the District Operations Manager will begin a radio check (from the base station located at the District Office (Channel 1) to all sites where custodial staff are on duty; and notify the Superintendent and/or Director, MOT of their status. Site custodial personnel will respond to the radio check in numerical order. **If**, however, the telephone system is in operation, and it is during regular working hours, the Operations Manager will attempt to call each site in numerical order. **Also**, it is imperative that site radios are accessible to night staff. In the event of non-earthquake emergencies, employees should call the Custodial Supervisor at 805.432.9930 (2:30 pm - 11 pm) to report the problem. He will investigate the problem and call the appropriate emergency personnel.
Communications

Use information on local news stations to determine road conditions. Telephones will be used when possible to contact employees, but past experience has shown that the telephones do not always work. Facilities Services personnel will be communicating via two-way radios or cell phones. When it is determined the need exists, the District EOC will be activated. Local and emergency information within the County of Ventura, will be provided through radio stations KVEN 1450, KHAY 100.7 and KMLA 103.7 FM (Spanish)

Building Evacuation vs. Site Evacuation

Please use the term building evacuation when referring to students and staff leaving the building(s) after emergencies or disasters. The term site evacuation should be used when referring to students and staff leaving one site for an alternative location. Using the correct terminology will facilitate accurate communications with the media.

When Disaster Strikes While School IS In Session

If the employee is at a school site when a major incident occurs, follow building evacuation procedures and go to the pre-designated assembly area and take a staff and student accounting. The Disaster Bin should be opened immediately, and a command post and medical area established. Employees will assume their pre-assigned duties according to the site and District Disaster Plan. A building inspection must be done before search and rescue teams enter any buildings, to determine that the buildings are safe for entry.

Re-Entering Buildings

Individual sites shall follow their emergency preparedness plans - look for the obvious: fire, smoke, structural failure of buildings, gas leaks (do not turn off gas unless you detect an odor of gas), water running out of buildings or on grounds, electrical shorts, loose mission-type roofing tiles, etc. As the situation allows, the District Office personnel will conduct building inspections in a timely manner, posting applicable notices at each site after inspections have been completed.

Release of Students to Authorized Persons during an Emergency

As soon as all students have been accounted for, students may be released to authorized persons (as listed on emergency cards). No other release approval is required. The following procedures should be followed:

1. Establish a release gate.
2. Confirm that students recognize the requesting individuals and feel secure in their custody.
3. Require the requesting individuals to sign for the student(s).
4. Ensure that all records are kept on students leaving the campus.

Release of Employees

In the event of a disaster during normal working hours, all OUHSD employees shall initially remain at work. However, the OUHSD also recognizes and supports the concept that the safety of an employee's family is important. To that end, an organized schedule for employee release following a disaster will be established within each site. The release schedule will allow employees to return home to check on the welfare of their family. Once the employee has checked on the status of his/her family and condition of his/her residence, the employee is expected to return to work so that other employees may be released to check on their families.
District Emergency Operations Center (EOC)

When building evacuation procedures (at the Administration site) have been completed, the District EOC will be put into operation. Following roll call, the District's appointed Liaison to the City team will proceed to the City EOC for direction. The District's radio operators will conduct a site roll call, contacting each site in each sector, to obtain a status code, after which, follow up status reports will be done. (A site radio sector channel listing is attached). When reporting the site status on the radio system to the District EOC, please be concise and to-the-point so that the need for assistance and resources can be determined and accurate information can be documented. Each site must adhere to protocol on the radio and respond when contacted, by identifying the site name and/or radio unit number so that communication proceeds in a timely manner.

**NOTE:** All programs (Adult, Frontier HS, Condor HS, Rancho Campana HS etc.) at individual sites will participate together in emergency or disaster events. Any questions regarding your location in the assembly area should be directed to the site administrator.
The Governing Board believes that the maintenance of drug- and alcohol-free workplaces is essential to school and district operations. Pursuant to the requirement of the Drug-Free Workplace Act of 1988 (Public Law 100-690, Title V, Subtitle D), it is the policy of the Oxnard Union High School District to continue to provide a drug and alcohol-free workplace. This policy also pertains to providing an alcohol-free environment.

No employee shall unlawfully manufacture, distribute, dispense, possess, use or be under the influence of any alcoholic beverage, drug or controlled substance as defined in 21 USC 81 while on duty, at any school district property, or at a school-related activity or event. These prohibitions apply before, during and after school hours. A school district workplace is any place where school district work is performed, any school-owned or school-approved vehicle used to transport students to and from school or school activities; any off-school sites when accommodating a school-sponsored or school-approved activity or function where students are under district jurisdiction; or during any period of time when an employee is supervising students on behalf of the district or otherwise engaged in district business.

The Superintendent or designee shall notify employees of the district’s prohibition against drug use and the actions that will be taken for violation of such prohibition.

An employee shall abide by the terms of this policy and notify the district, within five days, of his/her conviction for violation in the workplace of any criminal drug statute.

The Superintendent or designee shall notify the appropriate federal granting or contracting agencies within 10 days after receiving notification, from an employee or otherwise, of any conviction for a violation occurring in the workplace.

The Board may not employ or retain in employment persons convicted of a controlled substance offense as defined in Education Code 44011. If any such conviction is reversed and the person acquitted in a new trial or the charges dismissed, his/her employment is no longer prohibited. A plea or verdict of guilty, a finding of guilt by a court in a trial without a jury, or a conviction following a plea of nolo contendere shall be deemed to be a conviction. In accordance with Education Code 44830.1, this prohibition may be waived for certificated employees who produce a Certificate of Rehabilitation pursuant to section 4852.01 of the Penal Code.
A classified employee may be reemployed after conviction of such an offense if the Board determines, from the evidence presented, that the person has been rehabilitated for at least five years.

DRUG and ALCOHOL-FREE WORKPLACE - BP 4020 (CONT.)

Page 2

Any violation of this policy by an employee of the Oxnard Union High School District shall result in disciplinary action up to and including termination. Such disciplinary action shall be consistent with state and federal law, the appropriate employment contract, applicable collective bargaining agreement, and district policy and practices. The Board may also require

the employee to satisfactorily participate in and complete a drug assistance or rehabilitation program approved by a federal, state or local health, law enforcement or other appropriate agency.

Individuals who are not district employees but perform work at the district for its benefit (e.g., independent contractors, temporary employees provided by agencies, volunteers, etc.) are required to comply with this policy. Such individuals who violate this prohibition shall be subject to progressive discipline up to and including being barred from future work or activities.

The Superintendent or designee shall establish a drug- and alcohol-free awareness program to inform employees about:

1. The dangers of drug and alcohol abuse in the workplace.
2. The district policy of maintaining drug- and alcohol-free workplaces.
3. Any available drug and alcohol counseling, rehabilitation, and employee assistance programs.
4. The penalties that may be imposed on employees for drug and alcohol abuse violations occurring in the workplace.

Legal References:
EDUCATION CODE
44011 Controlled substance offense
44425 Conviction of controlled substance offenses as grounds for revocation of credential
44830.1 Felons: certificated positions; criminal records summary; fingerprints; confidentiality
44836 Employment of certificated persons convicted of controlled substance offenses
44940 Compulsory leave of absence for certificated persons
44940.5 Procedures when employees are placed on compulsory leave of absence
45123 Employment after conviction of controlled substance offense
45304 Compulsory leave of absence for classified persons

PENAL CODE
4852.01 Petition for certificate of rehabilitation and pardon; application of chapter; gubernatorial pardon

GOVERNMENT CODE
8350-8357 Drug-free workplace
UNITED STATES CODE, TITLE 20
7111-7117 Safe and Drug Free Schools and Communities Act
UNITED STATES CODE, TITLE 21
812 Schedule of controlled substances
CODE OF FEDERAL REGULATIONS, TITLE 21
1308.01-1308.49 Schedule of controlled substances
UNITED STATES CODE, TITLE 41
701-707 Drug-Free Workplace Act

APPROVED: 5/10/89/REVISED: 7/21/93; 3/23/94; 10/29/03; 08/13/08; 10/13/10
The Governing Board desires to provide a positive work environment where employees and job applicants are free from harassment and are assured of equal access and opportunities in accordance with law. The Board prohibits any district employee from harassing or discriminating against any other district employee or job applicant on the basis of the person's actual or perceived race, religion, color, national origin, ancestry, age, marital status, pregnancy, physical or mental disability, medical condition, genetic information, veteran status, gender, gender identity, gender expression, sex, or sexual orientation.

Prohibited discrimination consists of any adverse employment action, including termination or denial of promotion, job assignment, or training, based on any of the prohibited categories of discrimination listed above. Harassment consists of any unwelcome verbal, physical, or visual conduct that is based on any of the prohibited categories of discrimination listed above and that is so severe and pervasive that it adversely affects an individual's employment opportunities, has the purpose or effect of unreasonably interfering with the individual's work performance, or creates an intimidating, hostile, or offensive work environment.

The Board also prohibits retaliation against any district employee or job applicant who complains, testifies, assists, or in any way participates in the district's complaint procedures instituted pursuant to this policy.

Any district employee who engages in prohibited discrimination, harassment, or retaliation or who aids, abets, incites, compels, or coerces another to engage or attempt to engage in such behavior in violation of this policy shall be subject to disciplinary action, up to and including dismissal.

The following position is designated as Coordinator for Nondiscrimination in Employment:

Kimberly Tresvant, Ed.D, Director- Human Resources
309 South K. Street
Oxnard, CA. 90305
805.385.2541

Any employee or job applicant who believes that he/she has been or is being discriminated against or harassed in violation of district policy should, as appropriate, immediately contact his/her supervisor, the Coordinator, or the Superintendent who shall advise the employee or applicant about the district's procedures for filing, investigating, and resolving any such complaint.

Complaints regarding employment discrimination or harassment shall immediately be investigated in accordance with AR 4031 - Complaints Concerning Discrimination in Employment.

Any supervisory or management employee who observes or has knowledge of an incident of prohibited discrimination or harassment shall report the incident to the Coordinator or Superintendent as soon as
practical after the incident. All other employees are encouraged to report such incidents to their supervisor immediately.

Training and Notifications:
The Superintendent or designee shall provide training to employees about how to recognize harassment and discrimination, how to respond appropriately, and components of the district's policies and regulations regarding discrimination.

The Superintendent or designee shall regularly publicize, within the district and in the community, the district's nondiscrimination policy and the availability of complaint procedures. Such publication shall be included in each announcement, bulletin, or application form that is used in employee recruitment.

The district's policy shall be posted in all district schools and offices including staff lounges and student government meeting rooms.

Legal Reference:
EDUCATION CODE
   200-262.4 Prohibition of discrimination
CIVIL CODE
   51.7 Freedom from violence or intimidation
GOVERNMENT CODE
   11135 Unlawful discrimination
   12900-12996 Fair Employment and Housing Act
PENAL CODE
   422.56 Definitions, hate crimes
CODE OF REGULATIONS, TITLE 2
   7287.6 Terms, conditions and privileges of employment
CODE OF REGULATIONS, TITLE 5
   4900-4965 Nondiscrimination in elementary and secondary education programs
UNITED STATES CODE, TITLE 20
   1681-1688 Title IX of the Education Amendments of 1972
UNITED STATES CODE, TITLE 29
   621-634 Age Discrimination in Employment Act
   794 Section 504 of the Rehabilitation Act of 1973
UNITED STATES CODE, TITLE 42
   2000d-2000d-7 Title VI, Civil Rights Act of 1964, as amended
   2000e-2000e-17 Title VII, Civil Rights Act of 1964, as amended
   2000h-2-2000h-6 Title IX of the Civil Rights Act of 1964
   6101-6107 Age discrimination in federally assisted programs
   12101-12213 Americans with Disabilities Act
CODE OF FEDERAL REGULATIONS, TITLE 28
   35.101-35.190 Americans with Disabilities Act
CODE OF FEDERAL REGULATIONS, TITLE 34
   100.6 Compliance information
   104.7 Designation of responsible employee for Section 504
   104.8 Notice
106.8 Designation of responsible employee and adoption of grievance procedures
106.9 Dissemination of policy
110.1-110.39 Nondiscrimination on the basis of age

COURT DECISIONS

Management Resources:
EQUAL EMPLOYMENT OPPORTUNITY COMMISSION PUBLICATIONS
Questions and Answers: Religious Discrimination in the Workplace, 2008
Enforcement Guidance: Reasonable Accommodation and Undue Hardship under the Americans with Disabilities Act, October 2002
Enforcement Guidance: Vicarious Employer Liability for Unlawful Harassment by Supervisors, June 1999

U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS PUBLICATIONS
Notice of Non-Discrimination, August 2010

WEB SITES
California Department of Fair Employment and Housing: http://www.dfeh.ca.gov
U.S. Department of Education, Office for Civil Rights: http://www.ed.gov/about/offices/list/ocr

Board Adopted: 09/12/12
Except when undue hardship would result to the district, the Superintendent or designee shall provide reasonable accommodation:

1. In the job application process, to any qualified job applicant with a disability
2. To enable any qualified employee with a disability to perform the essential functions of the position he/she holds or desires to hold or to enjoy equal benefits or other terms, conditions, and privileges of employment as other similarly situated employees without disabilities

The district designates the position specified in BP 4030 - Nondiscrimination in Employment as the coordinator of its efforts to comply with the Americans with Disabilities Act (ADA) and to investigate any and all related complaints.

Definitions:
Disability, with respect to an individual, is defined as any of the following:
1. A physical or mental impairment that limits one or more of the major life activities
2. A record of such an impairment
3. Being regarded as having such an impairment

Limits shall be determined without regard to mitigating measures such as medications, assistive devices, prosthetics or reasonable accommodations, unless the mitigating measure itself limits a major life activity.

Essential functions are the fundamental job duties of the position the individual with a disability holds or desires. The term does not include the marginal functions of the position.

Reasonable accommodation means:
1. For a qualified job applicant with a disability, modifications or adjustments to the job application process that enable him/her to be considered for the position he/she desires
2. For a qualified employee with a disability, modifications or adjustments to the work environment, or to the manner or circumstances under which the position the employee holds or desires is customarily performed, that enable him/her to perform the essential functions of that position or to enjoy equal benefits and privileges of employment as are enjoyed by the district's other similarly situated employees without disabilities

Qualified individual with a disability means a job applicant or employee with a disability who:
1. Satisfies the requisite skill, experience, education, and other job-related requirements of the employment position he/she holds or desires
2. Can perform the essential functions of the position with or without reasonable accommodation
3. Would not pose a significant risk of substantial harm, which cannot be eliminated or reduced by reasonable accommodation, to himself/herself or others in the job he/she holds or desires.
Undue hardship is a determination based on an individualized assessment of current circumstances that shows that the provision of a specific accommodation would cause significant difficulty or expense to the district.

Request for Reasonable Accommodation:
When requesting reasonable accommodation, an employee or his/her representative shall inform the employee's supervisor that he/she needs a change at work for a reason related to a medical condition. The supervisor shall inform the coordinator of the employee's request as soon as practicable.

When requesting reasonable accommodation for the hiring process, a job applicant shall inform the coordinator that he/she will need a reasonable accommodation during the process.

When the disability or the need for accommodation is not obvious, the coordinator may ask the employee to supply reasonable documentation about his/her disability. In requesting this documentation, the coordinator shall specify the types of information that are being sought about the employee's condition, the employee's functional limitations, and the need for reasonable accommodation. The employee may be asked to sign a limited release allowing the coordinator to submit a list of specific questions to his/her health care or vocational professional.

If the documentation submitted by the employee does not indicate the existence of a qualifying disability or explain the need for reasonable accommodation, the coordinator shall request additional documentation that specifies the missing information. If the employee does not submit such additional documentation in a timely manner, the coordinator may require him/her to submit to an examination by a health care professional selected and paid for by the district.

The district may make a medical or psychological inquiry of a job applicant or require him/her to submit to a medical or psychological examination after he/she has been given a conditional offer of employment but before the commencement of his/her job duties, provided the inquiry or examination is job-related, consistent with business necessity, and required for all incoming employees in the same job classification.

The coordinator shall not request any job applicant's or employee's genetic information except as authorized by law.

In accordance with law, the coordinator shall take steps to ensure the confidentiality of information related to medical conditions or history. As applicable, he/she shall notify the supervisor or manager of the qualified individual of any reasonable accommodation granted the individual and may notify first aid and safety personnel when the disability of the qualified individual may require emergency treatment.

Granting Reasonable Accommodation:
Upon receiving a request for reasonable accommodation from a qualified individual with a disability, the coordinator shall:
1. Determine the essential functions of the job involved.
2. Engage in an informal, interactive process with the individual to review the request for accommodation, identify the precise limitations resulting from the disability, identify potential accommodations, and assess their effectiveness.
3. Develop a plan for reasonable accommodation which will enable the individual to perform the essential functions of the job or gain equal access to a benefit or privilege of employment without imposing undue hardship on the district.

REASONABLE ACCOMMODATION-AR 4032 (CONTINUED)
Page 3

A determination of undue hardship should be based on several factors, including:

a. The nature and net cost of the accommodation needed, taking into consideration the availability of tax credits and deductions and/or outside funding
b. The overall financial resources of the facility making the accommodation, the number of persons employed at this facility, and the effect on expenses and resources of the facility
c. The overall financial resources, number of employees, and the number, type, and location of facilities of the district
d. The type of operation of the district, including the composition, structure, and functions of the workforce and the geographic separateness and administrative or fiscal relationship of the facility making the accommodation to other district facilities
e. The impact of the accommodation on the operation of the facility, including the impact on the ability of other employees to perform their duties and the impact on the facility's ability to conduct business

The coordinator may confer with the site administrator, any medical advisor chosen by the district, and/or other district staff before making a final decision as to the accommodation.

Reasonable Accommodation Committee:
The coordinator may appoint a committee to review or assist in the development of appropriate plans to reasonably accommodate qualified individuals who request modifications or adjustments in their work duties or environment because of known physical or mental disabilities.

Committee members shall be selected on the basis of their knowledge of the specific functions and duties required in the position, the physical work environment, available accommodations, and other relevant issues. The committee may include a district administrator, site administrator, medical advisor or rehabilitation specialist, and as necessary, a certificated and/or classified employee. Membership may change on a case-by-case basis.

At the coordinator's discretion, the employee or applicant requesting accommodation may participate in the committee's meetings. If the employee or applicant is excluded from the committee's meetings, the coordinator shall communicate with him/her so that he/she has the opportunity to interact and contribute to planning the reasonable accommodation.

Appeal Process:
Any qualified individual with a disability who is not satisfied with the decision of the coordinator may appeal in writing to the Superintendent or designee. This appeal shall be made within 10 working days of receiving the decision and shall include:

1. A clear, concise statement of the reasons for the appeal
2. A statement of the specific remedy sought

The Superintendent or designee shall consult with the coordinator and review the appeal, together with any available supporting documents. The Superintendent or designee shall give the individual his/her decision within 15 working days of receiving the appeal.
Any further appeal for reasonable accommodation shall be considered a complaint concerning discrimination in employment and may be taken to the Governing Board in accordance with the district's procedure for such complaints.

**REASONABLE ACCOMMODATION-AR 4032 (CONTINUED)**

Page 4

Legal Reference:
- CIVIL CODE
  - 51 Unruh Civil Rights Act
- GOVERNMENT CODE
  - 12900-12996 Fair Employment and Housing Act
- UNITED STATES CODE, TITLE 29
  - 701-794e Vocational Rehabilitation Act
- UNITED STATES CODE, TITLE 42
  - 12101-12213 Americans with Disabilities Act
- CODE OF FEDERAL REGULATIONS, TITLE 28
  - 35.101-35.190 Americans with Disabilities Act, especially:
    - 35.107 Designation of employee
    - 36.101-36.608 Nondiscrimination on the basis of disability by public facilities
- CODE OF FEDERAL REGULATIONS, TITLE 29
  - 1630.2 Definitions
- COURT DECISIONS

Management Resources:
- EQUAL EMPLOYMENT OPPORTUNITY COMMISSION PUBLICATIONS
  - Enforcement Guidance: Reasonable Accommodation and Undue Hardship under the Americans with Disabilities Act, October 2002
- WEB SITES
  - Department of Fair Employment and Housing: http://www.dfeh.ca.gov
  - U.S. Department of Education, Office for Civil Rights: http://www.ed.gov/about/offices/list/ocr

Board Adopted: 09/12/12
The Governing Board recognizes the immediate and long-term health advantages of breastfeeding for infants and mothers and desires to provide a supportive environment for any district employee to express milk for her infant child upon her return to work following the birth of the child. The Board prohibits discrimination, harassment, and/or retaliation against any district employee who chooses to express breast milk for her infant child while at work.

The district shall provide a reasonable amount of break time to accommodate an employee each time she has a need to express breast milk for her infant child.

To the extent possible, such break time shall run concurrently with the break time already provided to the employee. Any additional break time used by a non-exempt employee for this purpose shall be unpaid.

The employee shall be provided a private location, other than a restroom, which is in close proximity to her work area and meets the requirements of Labor Code 1031 and 29 USC 207, as applicable.

Employees are encouraged to notify their supervisor or other appropriate personnel in advance of their intent to make use of the accommodations offered for employees who are nursing mothers. As needed, the supervisor shall work with the employee to address arrangements and scheduling in order to ensure that the employees' essential job duties are covered during the break time.

Lactation accommodations may be denied only in limited circumstances in accordance with law.

Before an employee's supervisor makes a determination to deny lactation accommodations, he/she shall consult the Superintendent or designee. In any case in which lactation accommodations are denied, the Superintendent or designee shall document the options that were considered and the reasons for denying the accommodations.

Legal Reference:

EDUCATION CODE
  200-262.4 Prohibition of discrimination on the basis of sex

CIVIL CODE
  43.3 Right of mothers to breastfeed in any public or private location

GOVERNMENT CODE
  12940 Discriminatory employment practices
  12945 Discrimination based on pregnancy, childbirth, or related medical conditions

LABOR CODE
  1030-1033 Lactation accommodation

CODE OF REGULATIONS, TITLE 2
  7291.2-7291.16 Sex discrimination; pregnancy and related medical conditions
UNITED STATES CODE, TITLE 29
207 Fair Labor Standards Act; lactation accommodation

FAIR EMPLOYMENT AND HOUSING COMMISSION DECISIONS
Department of Fair Employment and Housing v. Acosta Tacos (Chavez), FEHC Precedential Decision 09-03P, 2009

Management Resources:
CALIFORNIA DEPARTMENT OF INDUSTRIAL RELATIONS PUBLICATIONS
Rest Periods/Lactation Accommodation, Frequently Asked Questions
CALIFORNIA DEPARTMENT OF PUBLIC HEALTH PUBLICATIONS
Minimum Requirements of the California Lactation Accommodation Law
CENTERS FOR DISEASE CONTROL AND PREVENTION PUBLICATIONS
Lactation Support Program Toolkit

FEDERAL REGISTER
Reasonable Break Time for Nursing Mothers, December 21, 2010, Vol. 75, No. 244, pages 80073-80079

OFFICE OF THE SURGEON GENERAL PUBLICATIONS
The Surgeon General's Call to Action to Support Breastfeeding, 2011

HEALTH RESOURCES AND SERVICES ADMINISTRATION PUBLICATIONS

U.S. DEPARTMENT OF LABOR, WAGE AND HOUR DIVISION, PUBLICATIONS
Fact Sheet #3: Break Time for Nursing Mothers under the FLSA, rev. December 2010

WEB SITES
California Department of Industrial Relations, Division of Labor and Standards Enforcement: http://www.dir.ca.gov/dlse
California Department of Public Health: http://www.cdph.ca.gov
California Women, Infants and Children: http://www.wicworks.ca.gov
Centers for Disease Control and Prevention: http://www.cdc.gov
Health Resources and Services Administration: http://www.hrsa.gov
U.S. Department of Labor, Wage and Hour Division, Break Time for Nursing Mothers: http://www.dol.gov/whd/nursingmothers

Board Adopted: 09/12/12
WORKPLACE BULLYING

The purpose of this Board policy is to promote a workplace climate that enables every District employee to contribute fully to the District’s educational community. The Board of Education believes that every employee should be afforded dignity and respect in their workplace.

The Board finds that workplace bullying is detrimental to an efficient, effective, and healthy workplace. District management shall be responsible for taking reasonable action to ensure that workplace bullying does not occur, to promptly address allegations of workplace bullying, and to take remedial action to minimize the likelihood that such workplace bullying will reoccur.

For purposes of this policy, workplace bullying is defined as intentional and repeated conduct, directed toward a District employee(s), without reasonable justification, and which a reasonable person would find hostile, intimidating, threatening, sabotaging, offensive, humiliating, or an abuse of authority. It may be verbal or nonverbal, public or private. It is typically behavior that is repeated and spanning several incidents; a single incident is rarely a violation.

Subject to Board approval, the Superintendent or designee shall be responsible for developing and implementing administrative regulations to carry out the intent of this Board policy. This policy and related administrative regulation(s) shall apply to all employees, parents, and other persons who utilize or visit District facilities.

ADOPTED: 07/13/11
WORKPLACE BULLYING

Workplace bullying is detrimental to an efficient, effective, and healthy workplace environment, and District management shall be responsible for taking reasonable action to ensure that workplace bullying does not occur. District management shall also be responsible for promptly addressing allegations of workplace bullying and to take remedial action to minimize the likelihood that such workplace bullying will reoccur.

Workplace bullying is defined as intentional and repeated conduct, directed toward a District employee(s), without reasonable justification, which a reasonable person would perceive to be hostile, intimidating, threatening, sabotaging, offensive, humiliating, or an abuse of authority, and which the alleged victim actually perceives as being objectionable. It may be verbal or nonverbal, public or private. It is typically behavior that is repeated and spanning several incidents; a single incident is rarely a violation.

Common tactics adopted by workplace bullies include, but are not limited to:

- **Verbal and Non-Verbal Communication:** Yelling or shouting at a person; provocative or dehumanizing name-calling, nicknaming, or insulting of a person; slandering, ridiculing, or maligning a person or his/her family; starting or perpetuating rumors or gossip about a person; making non-verbal gestures which are threatening, menacing, hostile, or obscene;
- **Exclusion:** Ostracizing a person; physically isolating a person from others without a legitimate reason; arbitrarily directing a person not to communicate with others; excluding a person from requisite job training; arbitrarily excluding a person from job-critical decision-making opportunities;
- **Interference:** Intentionally preventing a person from performing his/her job duties; moving or hiding items required for a person to productively work; interfering with a person’s mail or other communications; setting a person up for failure through unrealistic deadlines, inadequate resources, withholding required information, or refusing to collaborate;
- **Discipline and Complaints:** Persistently disciplining a person for conduct which is later found to be unproven; persistently complaining about a person for conduct which is later found to be unproven.

It is acknowledged that the nature of any employee interaction is fact-specific and must be viewed in its context. Workplace bullying must not, in any way, be confused with the non-abusive exercise of the District’s managerial prerogative to direct, coach, reprimand, or discipline District employees. Some examples of conduct that does not constitute workplace bullying include:

- Use of a passionate, loud, or expressive communication style;
- Differences of opinion on work-related concerns, and the expression of such differences;
Conflicts between employees that can be resolved through traditional conflict resolution techniques or managerial interventions;
Respectful coaching and counseling; and
Legitimate applications of progressive discipline.

For an employee to allege that workplace bullying has occurred in violation of Board Policy 4035 or Administrative Regulation 4035, the targeted employee must describe the conduct of another which meets the definition of “workplace bullying,” and must also demonstrate that, due to the alleged bullying activity, he/she has actually suffered a negative consequence that substantially affects his/her ability to perform his/her job duties.

Workplace bullying should be identified early and the parties involved should attempt to resolve the issue at the earliest possible stage. If such attempts have been reasonably made and the dispute has not been resolved, a targeted employee or witness should file a complaint regarding the alleged workplace bullying with the Director of Human Resources or any other available administrator in the Human Resources Department. Upon notification, the Human Resources Department shall investigate and process the complaint in a timely manner and shall present written factual findings to the parties directly involved. Factual findings may be appealed to the Superintendent first, and then to the Board of Education, whose decision shall be final. The Board’s decision shall be based upon the record of evidence gathered at lower levels in the process. The written factual findings of investigation shall not, in-and-of itself, constitute disciplinary action against any employee, but may be used as evidence upon which disciplinary action may be based. No employee shall be subjected to retaliation for submitting a good-faith complaint of workplace bullying under this Regulation, or for his/her good-faith cooperation in an investigation of workplace bullying.

If a complaining employee is abusing the process set forth in this Regulation, such abuse itself shall constitute a violation of Board Policy 4035 and Administrative Regulation 4035. Abuse of the Regulation is defined as two unconfirmed complaints of workplace bullying (formal complaints which do not result in a finding of prohibited workplace bullying) filed by an employee against the same individual, or three unconfirmed complaints filed by an employee against any number of persons in a three-year period. Abuse of the process set forth in this Regulation may result in disciplinary action, up to and including dismissal.

Board Policy 4035 and Administrative Regulation 4035 do not replace the District’s Non-Discrimination In Employment Policy, which should be followed if workplace bullying is alleged to be evidence of prohibited employment discrimination. Employee protections in Board Policy 4035 and Administrative Regulation 4035 do not supersede the terms of any enforceable collective bargaining agreement.

ADOPTED: 07/13/11
EMPLOYEE USE OF TECHNOLOGY

The Governing Board recognizes that technological resources can enhance employee performance by offering effective tools to assist in providing a quality instructional program, facilitating communications with parents/guardians, students, and the community, supporting district and school operations, and improving access to and exchange of information. The Board expects all employees to learn to use the available technological resources that will assist them in the performance of their job responsibilities. As needed, employees shall receive professional development in the appropriate use of these resources.

Employees shall be responsible for the appropriate use of technology and shall use the district's technological resources only for purposes related to their employment. Such use is a privilege which may be revoked at any time.

Employees should be aware that files and electronic communications including e-mail and voice mail, are not private. These technologies shall not be used to transmit confidential information about students, employees or district operations outside of the District without prior authorization from the Superintendent or designee/authority.

Online/Internet Services
The Superintendent or designee shall ensure that all district devices connected to the network have a technology protection measure that makes every effort to prevent access to visual depictions that are obscene or child pornography, and that the operation of such measures is monitored and enforced.

To ensure proper use of the system, the Superintendent or designee will monitor employee usage of technological resources, including e-mail, stored files and voice mail systems, at any time without advance notice or consent. If passwords are used, they may be reset by the Superintendent or designee so that he/she may gain system access.

The Superintendent or designee shall establish administrative regulations which outline employee obligations and responsibilities related to the use of district technology in the Acceptable Use Policy (AUP) which establishes guidelines and limits on the use of technological resources. Inappropriate use shall result in a cancellation of the employee's user privileges, disciplinary action and/or legal action in accordance with law, Board policy and administrative regulations.

The Superintendent or designee shall provide copies of related policies, regulations and guidelines to all employees who use the district’s technological resources. Employees will be required annually to acknowledge in writing that they have read and understood these policies, regulations and guidelines.

Use of Cellular Phone or Mobile Communications Device
An employee shall not use a cellular phone or other mobile communications device for personal business while on duty, except in emergency situations and/or during scheduled work breaks.
Any employee that uses a cell phone or mobile communications device in violation of law, Board policy, or administrative regulation shall be subject to discipline and may be referred to law enforcement officials as appropriate.

Legal Reference:

**EDUCATION CODE**
- 51870-51874 Education technology
- 52270-52272 Education technology and professional development grants
- 52295.10-52295.55 Implementation of Enhancing Education Through Technology grant program

**GOVERNMENT CODE**
- 3543.1 Rights of employee organizations

**PENAL CODE**
- 502 Computer crimes, remedies
- 632 Eavesdropping on or recording confidential communications

**VEHICLE CODE**
- 23123 Wireless telephones in vehicles
- 23123.5 Mobile communication devices; text messaging while driving
- 23125 Wireless telephones in school buses

**UNITED STATES CODE, TITLE 20**
- 6751-6777 Enhancing Education Through Technology Act, Title II, Part D, especially:
  - 6777 Internet safety

**UNITED STATES CODE, TITLE 47**
- 254 Universal service discounts (E-rate)

**CODE OF FEDERAL REGULATIONS, TITLE 47**
- 54.520 Internet safety policy and technology protection measures, E-rate discounts

Management Resources:

**WEB SITES**
- CSBA: [http://www.csba.org](http://www.csba.org)
- American Library Association: [http://www.ala.org](http://www.ala.org)
- California Department of Education: [http://www.cde.ca.gov](http://www.cde.ca.gov)

REVISED: 06/20/18
EMPLOYEE USE OF TECHNOLOGY

A. Purpose

1. The purpose of District-provided technology, (i.e. computers, software, Internet and intranet access, server-based storage and email) is to improve student academic learning and achievement and to facilitate the administrative processes of the Oxnard Union High School District (“OUHSD”). Employees must restrict their activities to endeavors which support these purposes. The intent of this use policy is to make clear cases consistent with the objectives of the OUHSD and is not intended to exhaustively enumerate all possible uses or misuses.

2. Notice: These guidelines and provisions are subordinate to local, state and federal statutes. All users of the OUHSD’s network must also comply with agreements specified in the contract with the Internet Service Provider. A copy of these agreements is available upon request from the office of the Assistant Superintendent, Business.

B. Internet

The OUHSD is pleased to offer its employees, students, volunteers, and authorized visitors ("users") filtered access to the Internet.

C. Educational Objectives

In making decisions regarding access to the Internet, the OUHSD considers its own stated educational mission, goals, and objectives. The OUHSD expects faculty and staff to blend Digital Literacy standards throughout the curriculum and provide guidelines and instruction through Digital Citizenship curriculum to students in its use. Access from school to Internet resources should be structured to point students to those resources that have been evaluated prior to use.

D. Privacy is Not Guaranteed

The Superintendent, administrative designees and authorized Information Technology personnel may review all electronic files and monitor all computer and Internet activity to maintain system integrity and ensure that users are acting responsibly. Privacy is not guaranteed, nor should it be expected.

E. Questions

Any questions or issues regarding the Employee Acceptable Use Policy and procedures should be directed to the Office of the Assistant Superintendent, Human Resources. Violation of any conditions of use described herein may be cause for disciplinary action or termination of employment. When or where applicable, law enforcement agencies may be involved.

F. Use is a Privilege

Use of the OUHSD’s systems, network, Internet and/or Email is a privilege granted by the OUHSD to its employees and students; it is not a right. Users violating policies pertaining to standards of conduct or acceptable use shall be subject to disciplinary and/or appropriate legal action.

G. Liability
The OUHSD makes no assurances of any kind, expressed or implied, regarding any technology services provided and will not be responsible for any damages incurred by users. Use of information obtained via the Internet is at the user's own risk. The OUHSD will not be responsible for any damages users suffer, including - but not limited to - loss of data resulting from delays or interruptions in service. The OUHSD will not be responsible for the accuracy, nature, or quality of information on storage media; nor for the accuracy, nature or quality of information gathered through OUHSD-provided Internet access. The OUHSD will not be responsible for unauthorized financial obligations resulting from OUHSD-provided access to the Internet.

H. Modifications
The Superintendent or designee is authorized to amend or revise the Employee Acceptable Use Policy Administrative Procedures as deemed necessary and appropriate to carry out school board objectives.

I. Network Procedures
The OUHSD, in order to implement the Employee Acceptable Use policy, will enforce the following procedures. Although some specific examples of prohibited use are stated, these procedures do not attempt to state all required or proscribed behavior. Failure to comply with these policies and procedures shall be deemed unacceptable, and subject to disciplinary and/or appropriate legal action.

J. Acceptable Use (General)
1. Appropriate Internet access is the joint responsibility of students, teachers, parents and employees of OUHSD. Since access to the Internet is a valuable and limited resource, employees and students are expected to place a premium on the quality of its use. Taking up valuable bandwidth and access time to pursue personal or frivolous activities, not consistent with the mission of the OUHSD, is prohibited.
2. All use must be consistent with the educational and administrative goals of the OUHSD.
3. The Superintendent or designee may at any time make determinations that particular uses are or are not consistent with the objectives of the OUHSD.
4. Computers must have OUHSD-approved and up-to-date anti-virus software protection prior to use.

K. Acceptable Uses (Specific)
1. Outside Research. Users may use the Internet to communicate with outside researchers and educators in connection with research or instruction.
2. Professional Development. Communication and exchange for professional development, to maintain currency, or to debate issues in a field or sub-field of knowledge.
3. Professional Association. Use for disciplinary-society, university-association, government-advisory, or standards activities related to the user's research and instructional activities.
4. Grants, Contracts. Use in applying for or administering grants or contracts for research or instruction.
5. Administrative Communication. Any other administrative communications or activities in direct support of research and instruction.
6. Announcements. Announcements of new products or services for use in research or instruction, but not advertising of any kind.
7. Governmental/School Activities. Interaction with other school districts or governmental agencies.
8. Incidental Activities (Limited). Communication incidental to otherwise acceptable use, except for illegal or specifically unacceptable use.
9. Publishing Instructional Materials. Posting or publishing instructional materials on web pages or certain sites on the Internet, so long as such postings and/or publication do not violate the policies and procedures of the OUHSD.
10. Duplicating. Downloading, copying, otherwise duplicating, and/or distributing copyrighted materials without the specific written permission of the copyright owner is prohibited, except that
duplication and/or distribution of materials for educational purposes is permitted when such duplication and/or distribution would fall within the Fair Use Doctrine of the United States Copyright Law (Title 17, USC).

L. Unacceptable Uses
1. **Unlawful Purposes.** Uses that violate any state of federal law or municipal ordinance are unacceptable. Unacceptable uses include, but are not limited to, selling or purchasing any illegal substance; accessing, transmitting, or downloading child pornography, harmful materials, or materials that encourage others to violate the law; or copying, transmitting or downloading copyrighted materials.
2. **Inappropriate Material.** Users may not access, display, transmit, download, or in any way communicate text or imagery including, but not limited to, pornography, sexually explicit material, obscene depictions real or animated, or information promoting racism, “hate” or violence.
3. **Malicious Intent.** Users shall not rename, or make unusable anyone else's computer files, programs or storage media. Users shall not intentionally damage the system, damage information belonging to others, misuse system resources, or allow others to misuse system resources. Users shall not deliberately use the computer to annoy or harass others with language, images, or threats. Users shall not access or create any obscene or objectionable information, language or images. Adult Users shall not use system resources to fraternize with students via websites or any social networking platform (such as Facebook); blog sites, chat rooms; instant messenger programs, or any other electronic means sponsored by the district.
4. **Unauthorized Access.** Users shall not divulge nor use or try to discover another’s password. Users shall not gain unauthorized access to resources or entities. Accessing another’s materials, information, or files without authorization is prohibited. Employees using the Student Information System will not use another person’s account nor allow anyone to use their account. Unattended computers must not be left logged in, and students must never be allowed access to the Student Information System.
5. **Internet Security.** Users shall not bypass the OUHSD’s Internet filter or firewall. The use of modems is prohibited.
6. **Personal Profit/Advertising.** Using OUHSD computers or networks for purposes of personal profit or for buying or selling personal items is prohibited. Users shall not use the network for commercial or private advertising. OUHSD resources shall not be used for private or commercial offerings of products or services for sale, or to solicit products or services or to raise funds for non-OUHSD related activities or organizations. Disseminating material or information on the behalf of or with regard to private businesses or associations, political campaigns or organizations without the express consent of the Superintendent is prohibited.
7. **Unauthorized Document Alteration.** Copying, changing or transferring any software or documentation provided by the OUHSD, employees, teachers, or a student without permission from the Superintendent or designee is prohibited.
8. **Posting Material.** Users shall not post material owned, copyrighted or created by another without their prior written consent. Users shall not post anonymous messages nor forge electronic mail messages or web pages.
9. **Destructive Software (Bugs, Viruses, Worms, Ransomware etc.).** Users shall not attempt to write, produce, generate, copy, or introduce any computer code that self-replicates, damages, or otherwise hinders the performance of the network or any computer.
10. **Equipment.** Users shall not tamper with computers, networks, printers or other associated equipment. OUHSD equipment (hardware or software) shall not be taken home without prior written permission of the Superintendent or designee. Home or non-OUHSD purchased computers and/or peripherals or wireless networking devices may only be accessed using the BYOD network.
11. **Unauthorized Software.** Users shall not download and/or install any unauthorized software, including shareware and freeware, for use on OUHSD computers.
12. **Downloads.** Users shall not access the OUHSD network for downloading entertainment software or other files unrelated to the mission and objectives of the OUHSD, including transferring to a user’s home computer or other personal computer. This prohibition pertains to freeware, shareware, copyrighted commercial and non-commercial software, and all other forms of software or files not directly related to the instructional or administrative purposes of the OUHSD.

13. **Online Services.** Users shall not subscribe or use fee based on-line services without the prior written approval of the Superintendent or designee.

14. **Proxy.** Use of a proxy service or proxy server is prohibited.

15. **Profanity.** Use of profanity, obscenity, racist terms, or other language that may be offensive to another user is prohibited.

16. **Political Activities.** Users may not conduct lobbying activities, as defined under Education Code section 7054. This provision shall not limit the use of the system by students or staff for the purposes of communicating with elected representatives, including the expression of their views on political issues.

M. **Employee Responsibility**

Employees are to understand and enforce acceptable use when their duties include supervising students or other employees using the Internet. Users shall report illegal or unauthorized use of the network to an administrator or the Director of Learning Support Services. When employees become aware of violations of the Employee Acceptable Use Policy or the Student Acceptable Use Policy, they should correct the user and address the matter in accordance with this document, and/or other policies governing employee and/or student conduct.

N. **Electronic Mail**

Electronic mail (email) is available to most District staff. It is a valuable tool in improving business communication within and outside of OUHSD. The system belongs to OUHSD and is to be used for business purposes. There should be no expectation of privacy in anything created, stored, sent, or received on the email system. To ensure compliance and proper usage, the following regulations have been established:

1. **Basic Guidelines**
   a. All email messages, as all paper documents, are the property of the district and are subject to office policy, procedures, and control.
   b. Email is for business use. Messages can be stored, forwarded and printed. As such, the department has the right to review them. The messages become public documents available to the public and subject to court subpoena in any legal proceedings.
   c. Correspondence via email should comply with all the same requirements for correspondence prepared by staff as identified in the OUHSD Procedures and Policies Style Guide.
   d. A pertinent subject title should be included.
   e. Messages should be brief and concise.
   f. Email messages should not contain profanity, racial or sexual slurs, or other unprofessional language.
      1. Email messages should include professional fonts, colors, backgrounds, logos, etc.
      2. Information which falls under any applicable privacy regulation shall not be communicated through or attached to email. Specific examples are:
         i. Social Security Numbers
         ii. Employee’s salary, address or telephone number
         iii. Disciplinary action or documentation of performance problems
         iv. Details of a health or medical condition
   g. Mailbox space should be kept to a minimum. Unneeded messages should be deleted.
   h. Employees are responsible for any messages sent using their email account.
Email messages **should** include the Oxnard Union High School District Disclaimer indicating that if the individual is not the intended recipient of the message, any reproduction contained in the transmission is strictly prohibited unless it is subject to review by OUHSD, specifically:

**OXNARD UNION HIGH SCHOOL DISTRICT EMAIL DISCLAIMER**

This communication and any documents, files, or previous e-mail messages attached to it, constitute an electronic communication within the scope of the Electronic Communication Privacy Act, 18 USCA 2510.

This communication may contain non-public, confidential, or legally privileged information intended for the sole use of the designated recipient(s). The unlawful interception, use or disclosure of such information is strictly prohibited under 18 USCA 2511 and any applicable laws.

OUHSD business shall be conducted using an OUHSD email account.

### 2. Distribution – Departments, Sites or District

**a. Announcements**

1. Announcements shall abide by the guidelines in Section A.
2. Announcements to “all district or global” should be approved by their supervisor as to appropriateness.
3. “Global” email access is only approved by Learning Support Services.
4. By default principals, directors, executive assistants and Cabinet have default rights to send “to their specific site or groups” emails.

**b. Announcements such as birth, death, or marriage notices are to be sent by a Human Resources representative.**

**c. Notification of Separated Employees:**

a. Human Resources are required to notify Learning Support Services to remove employees from the system when they have separated employment with OUHSD. Exceptions will be made by the Superintendent.

**d. Notification of Information Changes:**

a. Human Resources is required to notify Learning Support Services to amend employee information when staff is promoted, demoted, changes locations, or changes names.

### 3. Passwords

**a.** Employees are responsible for their passwords on their email account.

**b.** Each user is expected to change the password from the generic password to a personalized password and keep it secure – **including not sharing passwords with other parties.** Continued use of the generic password can result in someone else sending messages in the owner’s name, in which case the owner is held responsible. Automatic logging onto email should **NOT** be used. Passwords should be created with the following:

1. Use **BOTH** upper- and lower-case letters. It is preferable to use upper case letters on any character but the first character.
2. Place numbers and punctuation marks randomly in your password.
3. Make password long and complex, so it is hard to crack. Between 8 to 20 characters long is recommended.
4. Use one or more of these special characters: ! @# $ % * ()-= ,
5. Spaces are not allowed.
6. Make your password easy to type quickly. This will make it harder for someone looking over your shoulder to steal it.
7. Passwords should be written and stored in a secure location.

### 4. Email Retention
Email messages, created or received in the transaction of OUHSD business, are public records and are open to public inspection. Depending on the content and topic of a particular message, it may or may not be exempt from public inspection under the California Public Records Act.

Emails will be retained for a reasonable time frame for both disaster recovery and to comply with federal legislation.

O. Privacy
Users do not have a personal privacy right in any matter created, received, stored in or sent from the OUHSD Email system. OUHSD may at times and without prior notice, monitor and review Email messages and web site retrieval by users to insure proper use.

P. Accounts and Passwords
Users must obtain an authorized account and password from Learning Support Services to access Email. Accounts and passwords are confidential and shall not be shared with any other person. Users should not leave accounts open or unattended.

Q. Use of Email System
The following additional provisions apply to users of the Email system:
1. **Personal Information.** Personal information about students and/or employees including, but not limited to photographs, names, addresses and phone numbers shall not be transmitted outside the OUHSD network.
2. **Harassment.** Email shall not be used in any way that would be considered damaging to another’s reputation; abusive; obscene; sexually orientated; offensive; threatening; harassing; illegal; or contrary to school policy. Inappropriate Email should be reported immediately to an administrator or the Director of Learning Support Services.
3. **Interference.** Users shall not deliberately interfere with the ability of other users to send/receive Email.
4. **Etiquette.** Email shall not be used in a fashion that is inconsistent with the provisions of this policy or generally accepted network etiquette.
5. **Content.** Email messages and attachments shall be solely for the purpose of exchanging information consistent with the educational mission of the OUHSD. Jokes, hoaxes, chain letters or other frivolous or misleading messages and/or attachments are prohibited.

R. System Use and Maintenance
Users should backup or remove email from the OUHSD file server regularly. Email or other files stored on an OUHSD file server are not considered private property or communications and may be removed by authorized Information Technology personnel without prior notice to the user.

S. Controversial Material
Education, by its nature, is a controversial activity. However, it is against district policy to use district resources for access to inappropriate or offensive material. In an effort to comply with the Children's Internet Protection Act (CIPA) the district uses blocking and filtering services, which will make it difficult for students to gain access to inappropriate or offensive sites on the Internet. Users should realize, however, that it would be impossible to find and block all objectionable content on the Internet. Therefore, if a user encounters material inappropriate to an educational environment, s/he should report the URL (Internet address) to the Learning Support Services Department.

T. Social Networking
1. **Access to Social Networking Sites**
An employee with a business-related need to access a social networking site using OUHSD Technology and/or for OUHSD business may request approval. All postings to the site shall be business-related and consistent with OUHSD policy.

2. Creation of OUHSD- Websites and Social Media
   a. Facebook, Twitter, Instagram, Google Plus, blogs, wikis, and chat-rooms, allow users to interact and collaborate with each other in a social media dialogue as creators of user-generated content in a virtual community, in contrast to non-interactive websites where users are limited to the passive viewing of content that was created for them.
   b. The Director of Learning Support Services or designee shall be responsible for monitoring the postings to district level-maintained websites and social media accounts. The district website should direct visitors to make complaints to the district webmaster. The following types of postings shall be removed immediately:
      • Obscenity
      • Pornography/child pornography
      • Material that is harmful to minors as defined in 47 U.S.C. 254
      • Material that constitutes or advocates illegal activity
      • Material that promotes the use of alcohol, tobacco or illegal drugs
      • Material that advocates violence, hate groups or other dangerous groups
      • Bullying
      • Material that discriminates against people based on a protected characteristic
      • Materials that violate copyright laws
      • Commercial advertising
      • Defamatory information
      • Private information concerning another person, including photographs, posted without that person’s permission
   f. Material that urges the support or defeat of a political candidate or ballot proposition. Teachers and others may not post student names, photographs, or work without prior written authorization from the student’s parent or guardian, or responsible agency, if applicable.

U. Consequences
   The consequences for violating this policy include, but are not limited to, one or more of the following:
   • Suspension of district network privileges or,
   • Revocation of network privileges;
   • Suspension of Internet access or
   • Revocation of Internet access;
   • Suspension of computer access, or
   • Revocation of computer access;
   • Disciplinary action up to and including dismissal, or
   • Referral to legal authorities for prosecution under California Penal Code Section 502.

V. Use of Electronic Recording Devices
   Use of electronic recording devices to facilitate specific instructional and administrative services is permitted based on established policies and practices. Such uses include but are not limited to the school or district identification card program and related uses, school or district publications and broadcast facilities, athletic programs and theatrical productions, scheduled distance learning classes, video conferences, digitally streamed class content (live or recorded), and video tape recording of classes or related academic events by Information Technology Services Media Distribution Services when requested to capture video, audio or still images.
Electronic devices may be used to record a lecture, presentation, interview or similar activity with prior permission of the individual being recorded. This permission does not extend to others who may be present. Absence of permission may constitute copyright infringement. Verbal permission may be sufficient for recording within a class or meeting for personal use. However, written permission must be obtained prior to recording or transmitting someone’s image or speech over the airwaves, in public, on the web, as part of a class assignment or any district sponsored activity or program.

It is the responsibility of the user, host, event sponsor or department to provide notification and obtain the necessary permissions in advance or at the time of the recording/transmission.

In accordance with the Americans with Disabilities Act (ADA) and applicable policies and laws, instructional materials and school or district information presented in electronic form must be accessible to persons with disabilities. This includes recordings of lectures, events, DVDs and other recordings shown in class or posted on the web. In general, this requires that the recording be captioned.

1. **Expectation of Privacy**
   Taking photos or making audio or video recordings without permission in ANY context in which the person has a reasonable expectation of privacy is prohibited. Such physical areas on campus include but are not limited to private offices, restrooms, changing rooms, labs, classrooms, and conference rooms. In such areas, permission must be granted by all persons being photographed or recorded.

2. **Surveillance Equipment and Software**
   Surveillance equipment and software may be placed on campus and monitored by authorized personnel to prevent or deter crimes and protect public safety and to facilitate official investigations into criminal activities or violations of district policy. Such uses must be coordinated with the Police Department or Learning Support Services as appropriate.

W. **Cellular Phone Use**
   For the purpose of this policy, the term “cellular phone” is defined as any handheld electronic device with the ability to receive and/or transmit voice, text, or data messages. Oxnard Union High School District reserves the right to modify or update these policies at any time.

1. **Personal Cellular Phones**
   While at work, employees are expected to exercise discretion in using personal cellular phones. Personal calls during the work hours, regardless of the phone used can interfere with employee productivity, safety and may be distracting to others. Employees are encouraged to make personal calls during breaks and lunch and to ensure that friends and family members are aware of the District’s policy. The District will not be liable for the loss of personal cellular phones brought into the workplace. Cellular telephones may not be used to defame, harass, intimidate, or threaten any other person. Employees are prohibited from using their cell phones in any illegal, illicit or offensive manner.

2. **Personal Use of District-Provided Communication Devices**
   Where job or business needs demand immediate access to an employee a department may authorize issue of a business cell phone, and/or two-way radio for work-related communications. In order to protect the employee from incurring a tax liability for the personal use of equipment, such equipment should be used for business reasons.

   A District provided phone is intended for business calls and texts only. Call summary reports (i.e. number of minutes used) are distributed to supervisors on a periodic basis and are to be reviewed for reasonableness.

3. **Employees will reimburse the District for any charges related to personal calls.**
The call detail records generated from assigned cell phones are considered records of the District and may, on occasion, be subject to internal and outside audits by the District and/or official agencies.

Employees in possession of District equipment (e.g., cellular phones, radios, etc.) are expected to protect the equipment from loss damage or theft. Upon resignation, termination of employment, or at any time upon request, the employee will be asked to produce the equipment for return or inspection. Employees unable to present the equipment in good working condition within a reasonable time period (7 days) will bear the cost of a replacement. Employees who separate from employment with outstanding debts for equipment loss or unauthorized charges will be considered to have left employment on unsatisfactory terms and may be subject to legal action for recovery of the loss. Any outstanding debt will be deducted from the employee’s final pay check.

4. Cellular Phone Use while Operating a Vehicle

Employees whose job responsibilities include driving or equipment operation should refrain from using their phone/communication device while driving a District vehicle or while driving any other vehicle (rented, leased, borrowed, or their own vehicle) while conducting District business.

Drivers shall comply with all federal, state, and local laws and regulations regarding the use of mobile technology devices including cell phones. Incoming or outgoing cellular phone calls are not allowed while driving. Sending or reading text messages, emails, dialing cellular phones, viewing television, videos, or DVD’s and inputting data into laptop computers, personal digital assistants or navigation systems are prohibited while driving. The cellular phone voicemail feature should be on to store incoming calls while driving and all message retrievals and calls should be made after the vehicle is safely parked.

If acceptance of a call is unavoidable and pulling over is not an option, employees are expected to keep the call short, use hands-free options if available, refrain from complicated or emotional discussions and keep their eyes on the road. Special care should be taken in situations where there is traffic, inclement weather, or the employee is driving in an unfamiliar area.

In situations where job responsibilities include regular driving and acceptance of business calls, hands-free equipment may be provided to facilitate the provisions of this policy. Executive vehicles are furnished with hands-free cellular equipment. Under no circumstances are employees required to place themselves at risk to fulfill business needs.

Driving while distracted in the State of California is a moving violation. Accidents incurred while the driver is using a cellular phone may be considered to be preventable and the driver may be subject to disciplinary action. Employees who are charged with traffic violations resulting from the use of their phone while driving will be responsible for all financial liabilities (fines associated with citations) that result from such actions.

Failure to follow this policy may result in disciplinary action, including and up to termination.

I have read and understand the OUHSD Staff Acceptable Use Policy

Employee Name___________________________________________________________

Employee Signature_______________________________________________________

Date_________ ______________________________

REVISED: 06/20/18
Upon recommendation from the Superintendent or designee, the Governing Board shall approve the appointment of all certificated personnel. The position and the salary classification shall be reported to the Board at a regular meeting.

Individuals appointed to the certificated staff shall:
1. Possess the appropriate certification qualifications and register the certification document in accordance with law and Board policy.
2. Demonstrate proficiency in basic skills as required by law and Board policy.
3. When required by the federal No Child Left Behind Act for teachers of core academic subjects, possess the qualifications of "highly qualified" teachers as defined in law, Board policy and administrative regulations.
4. Submit to fingerprinting as required by law.
5. Not have been convicted of a violent or serious felony as defined in Penal Code 667.5 or 1192.7, unless the individual has received a certificate of rehabilitation and pardon.
6. Not have been convicted of any sex offense as defined in Education Code 44010.
7. Not have been required to register as a sex offender pursuant to Penal Code 290 because of a conviction for a crime where the victim was a minor under the age of 16.
8. Not have been determined to be a sexual psychopath pursuant to Welfare and Institutions Code 6300-6332 (Education Code 44837)
9. Not have been convicted of any controlled substance offense as defined in Education Code 44011.
10. Submit to a physical examination, tuberculosis testing and/or provide a medical certificate as required by law and Board policy.
11. Submit to drug and alcohol testing as required by Board policy.
12. Furnish a statement of military service and, if any was rendered, a copy of the discharge or release from service or, if no such document is available, other suitable evidence of the termination of service.
13. File the oath or affirmation of allegiance required by Government Code 3100-3109.
14. Fulfill any other requirements as specified by law, collective bargaining agreement, Board policy or administrative regulation.

Legal Reference:
EDUCATION CODE
35161 Powers and duties
44008 Effect of termination of probation
44009 Conviction of specified crimes; definitions
44010 Sex offense
44011 Controlled substance offense
44066 Limitation on certification requirements
44250-44277 Credential types
44330 Effect of registration of certification document
44830.1 Felons; certificated positions; criminal record summary; fingerprints
44836 Employment of person convicted of sex offenses or controlled substance offenses
44837 Employment of sexual sociopath
44838 Statement of military service
44839 Medical certificate
44839.5 Medical certificate for retirant
49406 Examination for tuberculosis

GOVERNMENT CODE
3100-3109 Oaths or affirmations of allegiance for disaster service workers and public employees
12940-12950 Unlawful employment practices

PENAL CODE
290 Registration of sex offenders
290.95 Disclosure by persons required to register as sex offenders
667.5 Prior prison terms, enhancement of prison terms
1192.7 Plea bargaining limitation

WELFARE AND INSTITUTIONS CODE
6300-6332 Sexual psychopaths

CODE OF REGULATIONS, TITLE 5
6100-6125 Teacher qualifications, No Child Left Behind Act

UNITED STATES CODE, TITLE 20
6319 Highly qualified teachers
7801 Definitions, highly qualified teacher

CODE OF FEDERAL REGULATIONS, TITLE 34
200.55-200.57 Highly qualified teachers
CONTRACTS

When initially employed, certificated employees shall receive a written statement of their employment status and salary. In the case of temporary employees, this statement shall clearly indicate the temporary nature of the employment and the length of time for which the person is being employed.

Reemployment Notices:
By May 30 of each year, the clerk or secretary of the Board may give, or mail by certified mail with return receipt requested, written notices to probationary and permanent certificated employees requesting that they notify the district of their intent to remain in district service for the next school year. This notice shall include a copy of Education Code 44842. If an employee, without good cause, fails to notify the district before July 1 that he/she will remain in district service, the employee may be deemed to have declined reemployment and the employee's services may be terminated on June 30 of that year.

An employee on leave of absence shall notify the district of his/her intent to remain in service the following year in accordance with law, Board policy and administrative regulation.

Legal Reference:
ED44955 Reduction in number of employees
UCATION CODE
44843 Notice of employment (to county superintendent)
44916 Time of classification; statement of employment status

Board Adopted: 03/09/78
Revised: 04/27/94;
OATH AND AFFIRMATION

This oath or affirmation is different from the oath or affirmation required of certificated employees as a licensing requirement pursuant to Education Code 44334, in which credential candidates must affirm that they support the Constitution of the United States of America, the Constitution of the State of California, and the laws of the United States and the State of California. Thus, the district should require all employees to take the oath or affirmation required by Government Code 3100-3102.

The California Constitution requires that Board members take the same oath; see BB 9224 - Oath or Affirmation.

All district employees are declared by law to be disaster service workers and thus shall take the oath or affirmation required for disaster service workers before beginning employment with the district. In the event of natural, manmade or war-caused emergencies which result in conditions of disaster or extreme peril to life, property and resources, all district employees are subject to disaster service activities as assigned to them by their supervisors or by law.

Legally employed noncitizens shall be exempt from taking this oath.

At the advice of legal counsel, the Superintendent or designee may exempt an employee from taking the oath if he/she raises a valid religious objection.

The Superintendent, deputy or assistant superintendent, principal or other person authorized in Education Code 60 shall administer the oath or affirmation when a district employee is hired.

In the case of intermittent, temporary, emergency or successive employments, the Superintendent or designee may determine that the oath shall be effective for all successive periods of employment which begin within one calendar year from the date that the oath was subscribed.

The Superintendent or designee shall file the executed oath or affirmation within 30 days of the date on which it is taken and subscribed. An employee's oath or affirmation may be destroyed five years after the termination of employment. (Government Code 3105)

Reimbursement of Expenses for Disaster Service Workers:
Whenever an employee seeks compensation or reimbursement of expenses as a disaster service worker, the Superintendent or designee shall ascertain and certify that the employee has taken the oath or affirmation.
Legal Reference:

EDUCATION CODE
- 60 Persons authorized to administer and certify oaths
- 44334 Oath or affirmation required for credential
- 44354 Administration of oath required for credential

GOVERNMENT CODE
- 3100-3109 Oath or affirmation of allegiance

CALIFORNIA CONSTITUTION
- Article 20, Section 3 Oath of office

COURT DECISIONS
- Vogel v. County of Los Angeles (1967) 68 Cal. 2d 18, 22

Board Adopted: 09/12/12
STATE OF CALIFORNIA
}
COUNTY OF VENTURA S.S.
}

As an officer, member, or employee of OXNARD UNION HIGH SCHOOL DISTRICT,
Name of Public Agency

I, __________________________, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States and the Constitution of the State of California against all enemies, foreign and domestic; that I will bear true faith and allegiance to the Constitution of the United States and the Constitution of the State of California; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter.

I understand that as a public employee I am a disaster service worker pursuant to Government Code 3100 and 3102 and that I am required to take this oath before entering the duties of my employment. In the event of natural, manmade or war-caused emergencies which result in conditions of disaster or extreme peril to life, property and resources, I am subject to disaster services activities assigned to me by my supervisor.

______________________________
Signature of Employee

Subscribed and sworn to before me this

______________ Day of ________________________, 20______________

__________________________________  __________________________
Signature Title
Applicants for Employment:
The Superintendent or designee shall ensure that each person to be employed submits fingerprints, either electronically through the Live Scan system or on fingerprint identification cards, for processing by the Department of Justice. If the district is using the Live Scan system, the Superintendent or designee shall also provide the applicant with a Live Scan request form and a list of nearby Live Scan locations.

The Superintendent or designee shall ensure that no person is hired in a position requiring certification qualifications or supervising positions requiring certification qualifications who has been convicted of a violent or serious felony as listed in Penal Code 667.5(c) or 1192.7(c), unless that person has obtained a certificate of rehabilitation and a pardon.

However, a certificated employee may be hired by the district, without obtaining a criminal record summary, if that employee became a permanent employee of another school district as of October 1, 1997.

Temporary Certificate of Clearance:
Before issuing a temporary certificate of clearance to an applicant whose credential is being processed, the Superintendent or designee shall obtain a criminal record summary from the Department of Justice. The Superintendent or designee shall not issue a temporary certificate of clearance if the applicant has been convicted of a violent or serious felony, unless the applicant has obtained a certificate of rehabilitation and pardon.

The Superintendent or designee may issue a temporary certificate of clearance without obtaining a criminal record summary to an employee currently and continuously employed by a district within the county who is serving under a valid credential and has applied for a renewal of that credential or for an additional credential.

The Superintendent or designee may issue a temporary certificate of clearance to a person who has been convicted of a serious felony that is not also a violent felony, if that person can prove to the sentencing court of the offense in question, by clear and convincing evidence, that he/she has been rehabilitated for the purposes of school employment for at least one year.

Subsequent Arrest Notification:
The Superintendent or designee shall request subsequent arrest notification from the Department of Justice as provided under Penal Code 11105.2.
Current Employees:
The Superintendent or designee shall not retain in employment any current certificated employee who is a temporary employee, substitute employee or probationary employee serving before March 15 of the employee's second probationary year if he/she has been convicted of a violent or serious felony.

Upon notification by the Department of Justice of such conviction, the Superintendent or designee shall immediately place that employee on leave without pay.

When the district receives written electronic notification of the fact of conviction from the Department of Justice, the Superintendent or designee shall terminate that employee without regard to any other procedure for termination specified in the Education Code or district procedures, unless that employee has received a certificate of rehabilitation and a pardon.

If the employee challenges the Department of Justice record and the Department of Justice withdraws in writing its notification, the Superintendent or designee shall immediately reinstate that employee with full restoration of salary and benefits for the period of time from the suspension without pay to the reinstatement.

Legal Reference:
EDUCATION CODE
- 44010 Sex offense
- 44332 Temporary certificate
- 44332.5 Registering certificates by certain districts
- 44332.6 Criminal record check, county board of education
- 44346.1 Applicants for credential, conviction of a violent or serious felony
- 44830.1 Certificated employees, conviction of a violent or serious felony
- 44830.2 Certificated employees; interagency agreement
- 44836 Conviction of a sex offense
- 45122.1 Classified employees, conviction of a violent or serious felony
- 45125 Use of personal identification cards to ascertain conviction of crime
- 45125.01 Classified employees; interagency agreements
- 45125.5 Automated records check
- 45126 Duty of Department of Justice to furnish information

PENAL CODE
- 667.5 Prior prison terms, enhancement of prison terms
- 1192.7 Plea bargaining limitation
- 11105.2 Subsequent arrest notification

CODE OF REGULATIONS, TITLE 11
- 703 Release of criminal offender record information
- 708 Destruction of criminal offender record information

Management Resources:
WEB SITES
- Department of Justice/Attorney General's Office: http://www.caag.state.ca.us/app
- CSBA: http://www.csba.org

Board Adopted: 09/12/12
SECTION 4000  BOARD POLICY
PERSONNEL  BP 4113.4/4213.4/4313.4

MODIFIED/TEMPORARY LIGHT DUTY

The Governing Board recognizes that, when employees have temporarily disabling medical conditions, temporary modified or light-duty assignments can allow the district to continue to use their valuable knowledge, skills, and abilities while minimizing time away from work. Temporary modified/light-duty assignments may also serve to facilitate the employee's transition back to his/her regular duties or full-time work.

Any employee may request a modified or light-duty assignment when he/she has a temporary medical condition which prevents the performance of the essential functions of his/her current assignment or position. The Superintendent or designee shall determine, on a case-by-case basis, whether a suitable temporary position currently exists to accommodate the physical restrictions specified by the employee's medical provider.

An employee's initial assignment to a temporary modified or light-duty position shall be for a limited duration, not to exceed 30 days. At the end of the initial assignment, the employee may request that the Superintendent or designee extend the assignment. When requesting any such extension, the employee shall submit documentation from his/her medical provider verifying that the employee is still temporarily disabled and is not medically able to return to his/her regular assignment. Temporary assignments generally shall not exceed 90 days, but may be extended at the discretion of the Superintendent or designee for an additional 90 days upon verification by the employee's medical provider that such an extension will allow the employee to return to unrestricted regular duties.

An employee who rejects a temporary modified/light-duty assignment may be subject to a loss of workers' compensation benefits in accordance with district's insurance policy.

Legal Reference:
EDUCATION CODE
44984 Required rules for industrial accident and illness leave
45192 Industrial accident and illness leave for classified employees
GOVERNMENT CODE
12900-12996 Fair Employment and Housing Act
12945.1-12945.2 California Family Rights Act
UNITED STATES CODE, TITLE 29
2601-2654 Family Care and Medical Leave Act
UNITED STATES CODE, TITLE 42
12101-12213 Americans with Disabilities Act
COURT DECISIONS

Management Resources:
WEB SITES
California Department of Fair Employment and Housing: http://www.dfeh.ca.gov

Board Adopted: 09/12/12
The Governing Board expects district employees to maintain the highest ethical standards, exhibit professional behavior, follow district policies and regulations, and abide by state and federal laws. Employee conduct should enhance the integrity of the district and advance the goals of the district's educational programs. Each employee should make a commitment to acquire the knowledge and skills necessary to fulfill his/her responsibilities and should focus on his/her contribution to the learning and achievement of district students.

The Board encourages district employees to accept as guiding principles the professional standards and codes of ethics adopted by educational or professional associations to which they may belong.

Staff Conduct with Students:
The Board expects all employees to exercise good judgment and maintain professional standards and boundaries when interacting with students both on and off school property. Inappropriate employee conduct shall include, but not be limited to, engaging in harassing or discriminatory behavior; engaging in inappropriate socialization or fraternization with a student; soliciting, encouraging, or establishing an inappropriate written, verbal, or physical relationship with a student; furnishing tobacco, alcohol, or other illegal or unauthorized substances to a student; or engaging in child abuse.

An employee who observes or has evidence of inappropriate conduct between another employee and a student shall immediately report such conduct to the principal or Superintendent or designee. An employee who has knowledge of or suspects child abuse shall file a report pursuant to the district's child abuse reporting procedures as detailed in AR 5141.4 - Child Abuse Prevention and Reporting.

Any employee who is found to have engaged in inappropriate conduct with a student in violation of the law or this policy shall be subject to disciplinary action.

Legal Reference:
EDUCATION CODE
   200-262.4 Prohibition of discrimination on the basis of sex
PENAL CODE
   11164-11174.4 Child Abuse and Neglect Reporting Act
CODE OF REGULATIONS, TITLE 5
   80331-80338 Rules of conduct for professional educators

Management Resources:
COUNCIL OF CHIEF STATE SCHOOL OFFICERS PUBLICATIONS
   Standards for School Leaders, 1996
NATIONAL EDUCATION ASSOCIATION PUBLICATIONS
  Code of Ethics of the Education Profession, 1975
WEB SITES
  CSBA: http://www.csba.org
  Association of California School Administrators: http://www.acsa.org
  California Department of Education: http://www.cde.ca.gov
  California Federation of Teachers: http://www.cft.org
  California School Employees Association: http://www.csea.com
  California Teachers Association: http://www.cta.org
  Commission on Teacher Credentialing: http://www.ctc.ca.gov
  Council of Chief State School Officers: http://www.ccsso.org

Board Adopted: 09/12/12
DRESS AND GROOMING

The Governing Board believes that appropriate dress and grooming by district employees contribute to a productive learning environment and model positive behavior. During school hours and at school activities, employees shall maintain professional standards of dress and grooming that demonstrate their high regard for education, present an image consistent with their job responsibilities and assignment, and not endanger the health or safety of employees or students. All employees shall be held to the same standards unless their assignment provides for modified dress as approved by their supervisor.

Legal Reference:
- EDUCATION CODE
  - 35160 Authority of governing boards
  - 35160.1 Broad authority of school districts
- GOVERNMENT CODE
  - 3543.2 Scope of representation
  - 12949 Dress standards, consistency with gender identity
- COURT DECISIONS
  - San Mateo City School District v. PERB (1983) 33 Cal. 3d 850
  - Domico v. Rapides Parish School Board (5th Cir. 1982) 675 F.2d 100
  - East Hartford Education Assn. v. Board of Education (2d Cir. 1977) 562 F. 2d 856
- PUBLIC EMPLOYMENT RELATIONS BOARD DECISIONS
  - Inglewood Unified School District (1985) 10 PERC P17, 000

Management Resources:
- WEB SITES
  - Public Employment Relations Board: http://www.perb.ca.gov

Board Adopted: 09/12/12
SECTION 4000
PERSONNEL

SEXUAL HARASSMENT

The Governing Board prohibits sexual harassment of district employees and job applicants. The Governing Board also prohibits retaliatory behavior or action against district employees or other persons who complain, testify or otherwise participate in the complaint process established pursuant to this policy and the administrative regulation.

The Superintendent or designee shall take all actions necessary to ensure the prevention, investigation and correction of sexual harassment, including but not limited to:

1. Providing training to employees in accordance with law and administrative regulation.
2. Publicizing and disseminating the district's sexual harassment policy to staff.
3. Ensuring prompt, thorough and fair investigation of complaints.
4. Taking timely and appropriate corrective/remedial action(s) after completion of investigation. This may require interim separation of the complainant and the alleged harasser, and subsequent monitoring of developments.

All complaints and allegations of sexual harassment shall be kept confidential to the extent necessary to carry out the investigation or to take other subsequent necessary actions.

Any district employee or job applicant who feels that he/she has been sexually harassed, or who has knowledge of any incident of sexual harassment by or against another employee, a job applicant or a student, shall immediately report the incident to his/her supervisor, the principal, district administrator or Superintendent.

A supervisor, principal or other district administrator who receives a harassment complaint shall promptly notify the Superintendent or designee.

Complaints of sexual harassment shall be filed in accordance with AR 4031 - Complaints Concerning Discrimination in Employment. An employee may bypass his/her supervisor in filing a complaint where the supervisor is the subject of the complaint.

All complaints and allegations of sexual harassment shall be kept confidential to the extent necessary to carry out the investigation or to take other subsequent necessary actions.

Any district employee who engages or participates in sexual harassment, or who aids, abets, incites, compels or coerces another to commit sexual harassment against a district employee, job applicant or student, is in violation of this policy and is subject to disciplinary action, up to and including dismissal.

Legal Reference:
EDUCATION CODE
200-262.4 Prohibition of discrimination on the basis of sex
GOVERNMENT CODE
12900-12996 Fair Employment and Housing Act

SEXUAL HARASSMENT- BP 4119.11/4219.11/4319.11 (CONT.)
Page 2

12940 Prohibited discrimination
12950.1 Sexual harassment training

LABOR CODE
1101 Political activities of employees
1102.1 Discrimination: sexual orientation

CODE OF REGULATIONS, TITLE 2
7287.8 Retaliation
7288.0 Sexual harassment training and education

CODE OF REGULATIONS, TITLE 5
4900-4965 Nondiscrimination in elementary and secondary education programs receiving state financial assistance

UNITED STATES CODE, TITLE 42
2000d-2000d-7 Title VI, Civil Rights Act of 1964
2000e-2000e-17 Title VII, Civil Rights Act of 1964 as amended
2000h-2-2000h-6 Title IX, 1972 Education Act Amendments

CODE OF FEDERAL REGULATIONS, TITLE 34
106.9 Dissemination of policy

COURT DECISIONS
Department of Health Services v. Superior Court of California, (2003) 31 Cal.4th 1026

Adopted: 03/11/92
Revised:: 02/15/06; 12/08/10
SEXUAL HARASSMENT

Prohibited sexual harassment includes, but is not limited to, unwelcome sexual advances, unwanted requests for sexual favors, or other unwanted verbal, visual, or physical conduct of a sexual nature made against another person of the same or opposite sex in the work or educational setting when:

1. Submission to the conduct is made explicitly or implicitly a term or condition of the individual's employment.
2. Submission to or rejection of such conduct by the individual is used as the basis for an employment decision affecting him/her.
3. The conduct has the purpose or effect of having a negative impact upon the individual's work or has the purpose or effect of creating an intimidating, hostile, or offensive work environment. The conduct is sufficiently severe, persistent, pervasive, or objectively offensive so as to create a hostile or abusive working environment or to limit the individual's ability to participate in or benefit from an education program or activity.
4. Submission to or rejection of the conduct by the other individual is used as the basis for any decision affecting him/her regarding benefits, services, honors, programs, or activities available at or through the district.

Other examples of actions that might constitute sexual harassment, whether committed by a supervisor, a co-worker, or a non-employee, in the work or educational setting, include, but are not limited to:

1. Unwelcome verbal conduct such as sexual flirtations or propositions; graphic comments about an individual's body; overly personal conversations or pressure for sexual activity; sexual jokes or stories; unwelcome sexual slurs, epithets, threats, innuendoes, derogatory comments, sexually degrading descriptions, or the spreading of sexual rumors.
2. Unwelcome visual conduct such as drawings, pictures, graffiti, or gestures; sexually explicit emails; displaying sexually suggestive objects.
3. Unwelcome physical conduct such as massaging, grabbing, fondling, stroking, or brushing the body; touching an individual's body or clothes in a sexual way; cornering, blocking, leaning over, or impeding normal movements.

Prohibited sexual harassment may also include any act of retaliation against an individual who reports a violation of the district's sexual harassment policy or who participates in the investigation of a sexual harassment complaint.

Every two years, the Superintendent or designee shall ensure that supervisory employees receive at least two hours of classroom or other effective interactive training and education regarding sexual harassment. All newly hired or promoted supervisory employees shall receive training within six months of their assumption of the supervisory position.
The district's training and education program for supervisory employees shall include information and practical guidance regarding the federal and state laws on the prohibition against and the prevention of sexual harassment. The training shall also include all of the content specified in 2 CCR 7288.0 and practical examples aimed at instructing supervisors in the prevention of harassment, discrimination, and retaliation.

In addition, the Superintendent or designee shall ensure that all employees receive periodic training regarding the district's sexual harassment policy, particularly the procedures for filing complaints and employees' duty to use the district's complaint procedures.

A copy of the Board policy and this administrative regulation shall:

1. Be displayed in a prominent location in the main administrative building, district office, or other area of the school where notices of district rules, regulations, procedures, and standards of conduct are posted.
2. Be provided to each faculty member, all members of the administrative staff, and all members of the support staff at the beginning of the first quarter or semester of the school year or whenever a new employee is hired.
3. Appear in any school or district publication that sets forth the school's or district's comprehensive rules, regulations, procedures, and standards of conduct.

All employees shall receive either a copy of information sheets prepared by the California Department of Fair Employment and Housing (DFEH) or a copy of district information sheets that contain, at a minimum, components on:

1. The illegality of sexual harassment.
2. The definition of sexual harassment under applicable state and federal law.
3. A description of sexual harassment, with examples.
4. The district's complaint process available to the employee.
6. Directions on how to contact DFEH and the EEOC.
7. The protection against retaliation provided by 2 CCR 7287.8 for opposing harassment prohibited by law or for filing a complaint with or otherwise participating in an investigation, proceeding, or hearing conducted by DFEH and the EEOC.

In addition, the district shall post, in a prominent and accessible location, DFEH's poster on discrimination in employment and the illegality of sexual harassment.
The district shall not interfere with, restrain, or deny the exercise of any right for family care and medical leave provided to an eligible employee, as defined below, under the law. In addition, the district shall not discharge or discriminate against any employee for opposing any practice made unlawful by, or because of, his/her involvement in any inquiry or proceeding related to the family care and medical leave.

Definitions:

Any word or phrase defined below shall have the same meaning throughout this administrative regulation except where otherwise specifically defined.

Child means a biological, adopted, or foster child; a stepchild; a legal ward; or a child of a person standing in loco parentis as long as the child is under 18 years of age or an adult dependent child.

Eligible employee means an employee who has been employed with the district for at least 12 months and who has at least 1,250 hours of service with the district during the previous 12-month period.

Parent means a biological, foster, or adoptive parent; a stepparent; a legal guardian; or another person who stood in loco parentis to the employee when the employee was a child. Parent does not include a spouse's parents.

Serious health condition means an illness, injury, impairment, or physical or mental condition that involves either of the following:

1. Inpatient care in a hospital, hospice, or residential health care facility
2. Continuing treatment or continuing supervision by a health care provider, including one or more of the following:
   a. A period of incapacity of more than three consecutive full days
   b. Any period of incapacity or treatment for such incapacity due to a chronic serious health condition
   c. For purposes of leave under the Family and Medical Leave Act (FMLA), any period of incapacity due to pregnancy or for prenatal care
   d. Any period of incapacity which is permanent or long term due to a condition for which treatment may not be effective
   e. Any period of absence to receive multiple treatments, including recovery, by a health care provider

Spouse means a partner in marriage as defined in Family Code 300 or 1 USC 7. In addition, for purposes of rights under the California Family Rights Act (CFRA), a registered domestic partner shall have the same rights, protections, and benefits as a spouse and protections provided to a spouse's child shall also apply to a child of a registered domestic partner.
Eligibility:
The district shall grant family care and medical leave to eligible employees for the following reasons:
1. Because of the birth of a child of the employee or placement of a child with the employee in connection with the employee's adoption or foster care of the child
2. To care for the employee's child, parent, or spouse with a serious health condition
3. Because of the employee's own serious health condition that makes him/her unable to perform one or more essential functions of his/her position, except that CFRA leave shall not cover an employee's disability on account of pregnancy, childbirth, or related medical conditions
4. Because of any qualifying exigency arising out of the fact that the employee's spouse, child, or parent is a covered military member on covered active duty (or has been notified of an impending call or order to covered active duty)
5. To care for a covered service member with a serious injury or illness if the employee is the spouse, child, parent, or next of kin, as defined, of the service member

In addition to FMLA leave for disability on account of a pregnancy, childbirth, or related medical conditions pursuant to item #3 above, a female employee disabled by pregnancy, childbirth, or related medical conditions may be entitled to take leave for a reasonable period of time, not to exceed four months.

Terms of Leave:
An eligible employee shall be entitled to a total of 12 work weeks of family care and medical leave during any 12-month period, except in the case of leave to care for a covered service member as provided under "Military Caregiver Leave" below.

This 12-month period shall coincide with the fiscal year.
Leave taken pursuant to the CFRA shall run concurrently with leave taken pursuant to the FMLA, except in the following circumstances:
1. Leave taken to care for a registered domestic partner or a child of a domestic partner. Such leave shall count as leave under the CFRA only.
2. Leave taken for disability on account of pregnancy, childbirth, or related medical conditions. FMLA leave taken for these purposes shall run concurrently with the California pregnancy disability leave granted pursuant to Government Code 12945. CFRA leave related to the birth of a child shall not commence until the expiration of the pregnancy disability leave.

Leave taken for the birth or placement of a child must be concluded within the 12-month period beginning on the date of the birth or placement of the child. Such leave does not need to be taken in one continuous period of time. The basic minimum duration of the leave for birth or placement of a child shall be two weeks. However, the district shall grant a request for leave of less than two weeks' duration on any two occasions.

If both parents of a child work for the district, their family care and medical leave related to the birth or placement of the child shall be limited to a combined total of 12 weeks. This restriction shall apply whether or not the parents are married, not married, or registered domestic partners.

Use/Substitution of Paid Leave:
During the period of family care and medical leave or pregnancy disability leave, the employee may elect to use his/her accrued vacation leave, other accrued time off, or any other paid or unpaid time off
negotiated with the district. If the leave is because of the employee's own serious health condition, the employee may use accrued sick leave pursuant to the collective bargaining agreement and/or Board policy.

**Intermittent Leave/Reduced Leave Schedule:**
Leave related to the serious health condition of the employee or his/her child, parent, or spouse may be taken intermittently or on a reduced leave schedule when medically necessary, as determined by the health care provider of the person with the serious health condition. However, the district may limit leave increments to the shortest period of time that the district's payroll system uses to account for absences or use of leave.

If an employee needs intermittent leave or leave on a reduced work schedule that is foreseeable based on planned medical treatment for the employee or a family member, the district may require the employee to transfer temporarily to an available alternative position. This alternative position must have equivalent pay and benefits, the employee must be qualified for the position, and the position must better accommodate recurring periods of leave than the employee's regular job. Transfer to an alternative position may include altering an existing job to better accommodate the employee's need for intermittent leave or a reduced leave schedule.

**Request for Leave:**
An employee shall provide at least verbal notice sufficient to make the district aware that he/she needs family care and medical leave and the anticipated timing and duration of the leave. The employee need not expressly assert or mention FMLA/CFRA to satisfy this requirement; however, he/she must state the reason the leave is needed (e.g., birth of child, medical treatment). If more information is necessary to determine whether the employee is eligible for family care and medical leave, the Superintendent or designee shall inquire further and obtain the necessary details of the leave to be taken.

Based on the information provided by the employee, the Superintendent or designee shall designate the leave, paid or unpaid, as FMLA/CFRA qualifying leave and shall give notice of such designation to the employee.

When the need for the leave is foreseeable based on an expected birth, placement for adoption or foster care, or planned medical treatment for a serious health condition of the employee or a family member, the employee shall provide the district with at least 30 days advance notice before the leave. The employee shall consult with the district and make a reasonable effort to schedule, subject to the health care provider's approval, any planned medical treatment or supervision so as to minimize disruption to district operations.

When the 30 days notice is not practicable because of a lack of knowledge of approximately when leave will be required to begin, a change in circumstances, or a medical emergency, the employee shall provide the district with notice as soon as practicable.

**Certification of Health Condition:**
At the time of the employee's request for leave for his/her own or his/her child's, parent's, or spouse's serious health condition, or within five business days of the request, the Superintendent or designee shall request that the employee provide certification by a health care provider of the need for leave. Upon receiving the district's request, the employee shall provide the certification within 15 days, unless either
the Superintendent or designee provides additional time or it is not practicable under the particular circumstances, despite the employee's diligent, good faith efforts.

The certification shall include the following:
1. The date on which the serious health condition began
2. The probable duration of the condition
3. If the employee is requesting leave to care for a child, parent, or spouse with a serious health condition, both of the following:
   a. Statement that the serious health condition warrants the participation of a family member to provide care during a period of the treatment or supervision of the child, parent, or spouse
   b. Estimated amount of time the health care provider believes the employee needs to care for the child, parent, or spouse
4. If the employee is requesting leave because of his/her own serious health condition, a statement that due to the serious health condition, he/she is unable to work at all or is unable to perform one or more essential functions of his/her job
5. If the employee is requesting leave for intermittent treatment or is requesting leave on a reduced leave schedule for planned medical treatment, a statement of the medical necessity for the leave, the dates on which treatment is expected to be given, the duration of such treatment, and the expected duration of the leave

The Superintendent or designee shall not request any genetic information, as defined in 42 USC 2000ff, from any employee or his/her family member except as necessary to comply with a certification requirement for FMLA/CFRA leave purposes or with the prior written authorization of the employee. Any such genetic information received by the district shall be kept confidential in accordance with law.

When an employee has provided sufficient medical certification to enable the district to determine whether the employee's leave request is FMLA-eligible, the Superintendent or designee shall notify the employee within five business days whether the leave is FMLA-eligible. The Superintendent or designee may also retroactively designate leave as FMLA/CFRA as long as there is no individualized harm to the employee.

If the Superintendent or designee doubts the validity of a certification that accompanies a request for leave for the employee's own serious health condition, he/she may require the employee to obtain a second opinion from a district-approved health care provider, at district expense. If the second opinion is contrary to the first, the Superintendent or designee may require the employee to obtain a third medical opinion from a third health care provider approved by both the employee and the district, again at district expense. The opinion of the third health care provider shall be final and binding.

If additional leave is needed when the time estimated by the health care provider expires, the district may require the employee to provide recertification in the manner specified in items #1-5 above.

Fitness for Duty Upon Return to Work:
Upon expiration of leave taken for his/her own serious health condition, an employee shall present certification from his/her health care provider that he/she is able to resume work.

The certification from the employee's health care provider shall address the employee's ability to perform the essential functions of his/her job.
Rights to Reinstatement and Maintenance of Benefits:
Upon granting an employee's request for family care and medical leave, the Superintendent or designee shall guarantee to reinstate the employee in the same or a comparable position when the leave ends.

However, the district may refuse to reinstate an employee returning from leave to the same or a comparable position if all of the following apply:
1. The employee is a salaried "key employee" who is among the highest paid 10 percent of those district employees who are employed within 75 miles of the employee's worksite.
2. The refusal is necessary to prevent substantial and grievous economic injury to district operations.
3. The district informs the employee of its intent to refuse reinstatement at the time it determines that the refusal is necessary, and the employee fails to immediately return to service.

During the period when an employee is on family care and medical leave, he/she shall maintain his/her status with the district and the leave shall not constitute a break in service for purposes of longevity, seniority under any collective bargaining agreement, or any employee benefit plan.

For a period of 12 work weeks, the district shall continue to provide an eligible employee on family care and medical leave the group health plan coverage that was in place before he/she took the leave. The employee shall reimburse the district for premiums paid during the family care and medical leave if he/she fails to return to district employment after the expiration of the leave and the failure is for any reason other than the continuation, recurrence, or onset of a serious health condition or other circumstances beyond his/her control.

In addition, during the period when an employee is on family care and medical leave, he/she shall be entitled to continue to participate in other employee benefit plans including life insurance, short-term or long-term disability insurance, accident insurance, pension and retirement plans, and supplemental unemployment benefit plans to the same extent and under the same conditions as apply to an unpaid leave taken for any other purpose. However, for purposes of pension and retirement plans, the district shall not be required to make plan payments for an employee during the leave period and the leave period shall not be counted for purposes of time accrued under the plan.

Military Family Leave Resulting from Qualifying Exigencies:
An eligible employee may take up to 12 work weeks of unpaid leave during the 12-month period established by the district while a covered military member is on covered active duty or call to covered active duty status.

Covered military member means an employee's spouse, son, daughter, or parent on covered active duty or call to covered active duty status.

Covered active duty means duty during the deployment of a member of the regular Armed Forces to a foreign country or duty during the deployment of a member of the National Guard or Reserves to a foreign country under a call or order to active duty.

Qualifying exigencies include time needed to:
1. Address issues arising from short notice deployment (up to seven calendar days from the date of receipt of call or order of short notice deployment)
2. Attend military events and related activities, such as any official ceremony or family assistance program related to the active duty or call to active duty status
3. Arrange childcare or attend school activities arising from the active duty or call to active duty, such as arranging for alternative childcare, enrolling or transferring a child to a new school, or attending meetings
4. Make or update financial and legal arrangements to address a covered military member's absence
5. Attend counseling provided by someone other than a health care provider
6. Spend time (up to five days of leave per instance) with a covered military member who is on short-term temporary rest and recuperation leave during deployment
7. Attend to certain post-deployment activities, such as arrival ceremonies or reintegration briefings
8. Address any other event that the employee and district agree is a qualifying exigency

The employee shall provide the Superintendent or designee with notice of the need for the qualifying exigency leave as soon as practicable, regardless of how far in advance such leave is foreseeable.

An employee who is requesting such leave for the first time shall provide the Superintendent or designee with a copy of the covered military member's active duty orders, or other documentation issued by the military, and the dates of the service. In addition, the employee shall provide the Superintendent or designee with certification of the qualifying exigency necessitating the leave. The certification shall contain the information specified in 29 CFR 825.309.

The employee's qualifying exigency leave may be taken on an intermittent or reduced leave schedule basis.

During the period of qualified exigency leave, the district's rule regarding an employee's use of his/her accrued vacation leave and any other accrued paid or unpaid time off, as specified in "Use/Substitution of Paid Leave" above, shall apply.

Military Caregiver Leave:
The district shall grant up to a total of 26 work weeks of leave during a single 12-month period, measured forward from the first date of leave taken, to an eligible employee to care for a covered servicemember with a serious illness or injury. In order to be eligible for such military caregiver leave, an employee must be the spouse, son, daughter, parent, or next of kin of the covered servicemember. This 26-week period is not in addition to, but rather is inclusive of, the 12 work weeks of leave that may be taken for other FMLA qualifying reasons.

Covered servicemember may be either:
1. A member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy; is otherwise in outpatient status; or is otherwise on the temporary disability retired list for a serious injury or illness
2. A veteran who, within the five years preceding his/her undergoing of medical treatment, recuperation, or therapy for a serious injury or illness, was a member of the Armed Forces, including the National Guard or Reserves

Son or daughter of a covered servicemember means the biological, adopted, or foster child, stepchild, legal ward, or a child of any age for whom the covered servicemember stood in loco parentis.
Parent of a covered servicemember means the covered servicemember's biological, adopted, step or foster parent, or any other individual who stood in loco parentis to the covered servicemember (except "parents in law").

Next of kin means the nearest blood relative to the covered servicemember, or as designated in writing by the covered servicemember.

Outpatient status means the status of a member of the Armed Forces assigned to a military medical treatment facility as an outpatient or a unit established for the purpose of providing command and control of members of the Armed Forces receiving medical care as outpatients.

Serious injury or illness means:
1. For a member of the Armed Forces, an injury or illness incurred or aggravated by the member's service in the line of duty while on active duty in the Armed Forces that may render the member medically unfit to perform the duties of the member's office, grade, rank, or rating
2. For a veteran, an injury or illness incurred or aggravated by the member's service in the line of duty on active duty in the Armed Forces, including the National Guard or Reserves, that manifested itself before or after the member became a veteran

The employee shall provide reasonable and practicable notice of the need for the leave in accordance with the procedures in the section entitled "Request for Leave" above.

An employee requesting leave to care for a covered servicemember with a serious injury or illness shall provide the Superintendent or designee with certification from an authorized health care provider of the servicemember that contains the information specified in 29 CFR 825.310.

The leave may be taken intermittently or on a reduced schedule when medically necessary. An employee taking military caregiver leave in combination with other leaves pursuant to this administrative regulation shall be entitled to a combined total of 26 work weeks of leave during a single 12-month period. When both spouses work for the district and both wish to take such leave, the spouses are limited to a maximum combined total of 26 work weeks during a single 12-month period. (29 USC 2612)

During the period of military caregiver leave, the district's rule regarding an employee's use of his/her accrued vacation leave and other accrued paid or unpaid time off, as specified in "Use/Substitution of Paid Leave" above, shall apply.

Notifications:
The Superintendent or designee shall provide the following notifications about state and federal law related to FMLA/CFRA:

1. General Notice: Information explaining the provisions of the FMLA/CFRA and employee rights and obligations shall be posted in a conspicuous place on district premises, or electronically, and shall be included in employee handbooks. The general notice shall also explain an employee's obligation to provide the Superintendent or designee with at least 30 days notice of the need for the leave, when the need for the leave is reasonably foreseeable.

2. Eligibility Notice: When an employee requests leave or when the Superintendent or designee acquires knowledge that an employee's leave may be for an FMLA/CFRA qualifying reason, the
Superintendent or designee shall, within five business days, provide notification to the employee of his/her eligibility to take such leave.

3. Rights and Responsibilities Notice: Each time the eligibility notice is provided to an employee, the Superintendent or designee shall provide written notification explaining the specific expectations and obligations of the employee, including any consequences for a failure to meet those obligations. Such notice shall include, as appropriate:

a. A statement that the leave may be designated and counted against the employee's annual FMLA/CFRA leave entitlement and the appropriate 12-month entitlement period, if qualifying

b. Any requirements for the employee to furnish medical certification of a serious health condition, serious injury or illness, or qualifying exigency arising out of active duty or call to active duty status and the consequences of failing to provide the certification

c. The employee's right to substitute paid leave, whether the district will require substitution of paid leave, conditions related to any substitution, and the employee's entitlement to take unpaid leave if the employee does not meet the conditions for paid leave

d. Any requirements for the employee to make any premium payments to maintain health benefits, the arrangement for making such payments, and the possible consequences of failure to make payments on a timely basis

e. If applicable, the employee's status as a "key employee," potential consequence that restoration may be denied following the FMLA leave, and explanation of the conditions required for such denial

f. The employee's right to maintenance of benefits during the leave and restoration to the same or an equivalent job upon return from leave

g. The employee's potential liability for health insurance premiums paid by the district during the employee's unpaid FMLA leave should the employee not return to service after the leave

Any time the information provided in the above notice changes, the Superintendent or designee shall, within five business days of his/her receipt of an employee's first notice of need for leave, provide the employee with a written notice referencing the prior notice and describing any changes to the notice.

4. Designation Notice: When the Superintendent or designee has information (e.g., sufficient medical certification) to determine whether the leave qualifies as FMLA/CFRA leave, he/she shall, within five business days, provide written notification designating the leave as FMLA/CFRA qualifying or, if the leave will not be so designated, the reason for that determination.

If the amount of leave needed is known, the notice shall include the number of hours, days, or weeks that will be counted against the employee's FMLA/CFRA entitlement. If it is not possible to provide that number at the time of the designation notice, notification shall be provided of the amount of leave counted against the employee's entitlement upon request by the employee and at least once in every 30-day period if leave was taken in that period.

If the district requires paid leave to be substituted for unpaid family care and medical leave, the notice shall so specify. If the district requires an employee to present a fitness-for-duty certification that addresses the employee's ability to perform the essential functions of the job, the notice shall also specify that requirement.
Any time the information provided in the designation notice changes, the Superintendent or designee shall, within five business days, provide the employee with written notice referencing the prior notice and describing any changes to the notice.

Records:
The Superintendent or designee shall maintain records pertaining to an individual employee's use of family care and medical leave in accordance with law.

Legal Reference:
EDUCATION CODE
  44965 Granting of leaves of absence for pregnancy and childbirth
FAMILY CODE
  297-297.5 Rights, protections and benefits under law; registered domestic partners
  300 Validity of marriage
GOVERNMENT CODE
  12940 Unlawful employment practices
  12945 Pregnancy; childbirth or related medical condition; unlawful practice
  12945.1-12945.2 California Family Rights Act
CODE OF REGULATIONS, TITLE 2
  7291.2-7291.16 Sex discrimination: pregnancy and related medical conditions
  7297.0-7297.11 Family care leave
UNITED STATES CODE, TITLE 1
  7 Definition of marriage, spouse
UNITED STATES CODE, TITLE 29
  2601-2654 Family and Medical Leave Act of 1993, as amended
UNITED STATES CODE, TITLE 42
CODE OF FEDERAL REGULATIONS, TITLE 29
  825.100-825.800 Family and Medical Leave Act of 1993
COURT DECISIONS
  Tellis v. Alaska Airlines, (9th Cir., 2005) 414 F.3d 1045

Management Resources:
FEDERAL REGISTER
  Final Rule and Supplementary Information, November 17, 2008. Vol. 73, No. 222, pages 67934-68133
U.S. DEPARTMENT OF LABOR PUBLICATIONS
  Military Family Leave Provisions of the FMLA Frequently Asked Questions and Answers
WEB SITES
  California Department of Fair Employment and Housing: http://www.dfeh.ca.gov
  U.S. Department of Labor, FMLA: http://www.dol.gov/whd/fmla

Board Adopted: 09/12/12
YOUR RIGHTS UNDER THE
FAMILY AND MEDICAL LEAVE ACT OF 1993

FMLA requires covered employers to provide up to 12 weeks of unpaid, job-protected leave to "eligible" employees for certain family and medical reasons. Employees are eligible if they have worked for a covered employer for at least one year, and for 1,250 hours over the previous 12 months, and if there are at least 50 employees within 75 miles.

REASONS FOR TAKING LEAVE
Unpaid leave must be granted for any of the following reasons:
- to care for the employee's child after birth, or placement for adoption or foster care;
- to care for the employee's spouse, son or daughter, or parent, who has a serious health condition; or
- for a serious health condition that makes the employee unable to perform the employee's job.

At the employee’s or employer’s option, certain kinds of paid leave may be substituted for unpaid leave.

ADVANCE NOTICE AND MEDICAL CERTIFICATION
The employee may be required to provide advance leave notice and medical certification. Taking of leave may be denied if requirements are not met.
- The employee ordinarily must provide 30 days’ advance notice when the leave is “foreseeable.”
- An employer may require medical certification to support a request for leave because of a serious health condition, and may require second or third opinions (at the employer’s expense) and a fitness for duty report to return to work.
- For the duration of FMLA leave, the employer must maintain the employee’s health coverage under any “group health plan.”
- Upon return from FMLA leave, most employees must be restored to their original or equivalent positions with equivalent pay, benefits and other employment terms.
- The use of FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of an employee’s leave.

UNLAWFUL ACTS BY EMPLOYERS
FMLA makes it unlawful for any employer to:
- interfere with, restrain, or deny the exercise of any right provided under FMLA;
- discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relating to FMLA.

ENFORCEMENT
- The U.S. Department of Labor is authorized to investigate and resolve complaints of violations.
An eligible employee may bring a civil action against an employer for violations.

FMLA does not affect any federal or state law prohibiting discrimination, or supersede any state or local law or collective bargaining agreement which provides greater family or medical leave rights.

FOR ADDITIONAL INFORMATION
Contact the nearest office of the Wage and Hour Division, listed in most telephone directories under U.S. Government, Department of Labor.
(2/94) 2/96

FAMILY CARE AND MEDICAL LEAVE (CFRA LEAVE) AND PREGNANCY DISABILITY LEAVE
Under the California Family Rights Act of 1993 (CFRA), if you have more than 12 months of service with us and have worked at least 1,250 hours in the 12-month period before the date you want to begin your leave, you may have a right to an unpaid family care or medical leave (CFRA leave). This leave may be up to 12 work weeks in a 12-month period for the birth, adoption or foster care placement of your child or for your own serious health condition or that of your child, parent or spouse.

Even if you are not eligible for CFRA leave, if you are disabled by pregnancy, childbirth or related medical conditions, you are entitled to take a pregnancy disability leave of up to four months, depending on your period(s) of actual disability. If you are CFRA-eligible, you have certain rights to take BOTH a pregnancy disability leave and a CFRA leave for reason of the birth of your child. Both leaves contain a guarantee of reinstatement to the same or to a comparable position at the end of the leave, subject to any defense allowed under law.

If possible, you must provide at least 30 days’ advance notice for foreseeable events (such as the expected birth of a child or planned medical treatment for yourself or of a family member). For events which are unforeseeable, we need you to notify us, at least verbally, as soon as you learn of the need for the leave.

Failure to comply with these notice rules is grounds for, and may result in, deferral of the requested leave until you comply with this notice policy.

We may require certification from your health care provider before allowing you a leave for pregnancy or your own serious health condition or certification from the health care provider of your child, parent or spouse who has a serious health condition before allowing you a leave to take care of that family member. When medically necessary, leave may be taken on an intermittent or reduced work schedule.

If you are taking a leave for the birth, adoption or foster care placement of a child, the basic minimum duration of the leave is two weeks and you must conclude the leave within one year of the birth or placement for adoption or foster care.

Taking a family care or pregnancy disability leave may impact certain of your benefits and your seniority date. If you want more information regarding your eligibility for a leave and/or the impact of the leave on your seniority and benefits, please contact: Human Resources Office: 805-385-2500

Authority Cited: Sections 12935, subd. (a) and 12945.2, Government Code
Applicants for Employment:
Each person to be employed in a classified position, including temporary, substitute and part-time positions, shall be required to submit fingerprint identification data. However, secondary school students attending a district school who are to be employed in a temporary or part-time position shall not be required to submit fingerprint identification data.

The Superintendent or designee shall ensure that each person to be employed submits fingerprints, either electronically through the Live Scan system or on fingerprint identification card, for processing by the Department of Justice. If the district is using the Live Scan system, the Superintendent or designee shall also provide the applicant with a Live Scan request form and a list of nearby Live Scan locations.

The Superintendent or designee shall request the Department of Justice to forward one copy of the applicant's fingerprint identification data to the Federal Bureau of Investigation for the purpose of obtaining any record of previous convictions if the applicant:
1. Has not resided in the State of California for at least one year immediately preceding the application for employment
2. Has resided for more than one year, but less than seven years, in the State of California and the Department of Justice has ascertained that the person was convicted of a sex offense where the victim was a minor or a drug offense where an element of the offense is either the distribution to or the use of a controlled substance by a minor

The Governing Board shall not employ an applicant until the Department of Justice completes its check of the state criminal history files.

The Superintendent or designee shall ensure that no person is hired who has been convicted of a violent or serious felony as listed in Penal Code 667.5(c) or 1192.7(c), unless that person has obtained a certificate of rehabilitation and a pardon.

The Superintendent or designee may hire a classified employee without waiting for the disposition of the employee's criminal history files upon a determination that an emergency or exceptional situation exists and that a delay in filling the position would endanger student health or safety.

Subsequent Arrest Notification:
The Superintendent or designee shall request subsequent arrest notification from the Department of Justice as provided under Penal Code 11105.2.

Current Employees:
Upon notification by telephone from the Department of Justice that a current temporary, substitute or probationary classified employee has been convicted of a violent or serious felony, the Superintendent or
designee shall immediately place that employee on leave without pay, unless the employee has received a certificate of rehabilitation and a pardon.

Upon receipt of written notification of the fact of conviction from the Department of Justice, the Superintendent or designee shall terminate the temporary, substitute or probationary employee without regard to any other procedure for termination specified in the Education Code or district procedures, unless that employee has received a certificate of rehabilitation and a pardon.

If the employee challenges the Department of Justice record and the Department of Justice withdraws in writing its notification, the Superintendent or designee shall immediately reinstate the employee with full restoration of salary and benefits.

Legal Reference:

EDUCATION CODE

44332.6 Criminal record check, county board of education
44346.1 Applicants for credential, conviction of a violent or serious felony
44830.1 Certified employees, conviction of a violent or serious felony
44830.2 Certificated employees; Interagency agreements
45122.1 Classified employees, conviction of a violent or serious felony
45125 Use of personal identification cards to ascertain conviction of crime
45125.01 Classified employees; interagency agreements
45125.1 Fingerprint for contractors
45125.5 Automated records check
45126 Duty of Department of Justice to furnish information

GOVERNMENT CODE

6200-6203 Crimes related to public records

PENAL CODE

502 Unauthorized access to computers
667.5 Violent felonies
1192.7 Serious felonies
11075-11081 Criminal record dissemination
11105-11105.75 Criminal identification
11140-11144 Furnishing of state criminal history information
13300-13305 Local summary criminal history information

CODE OF REGULATIONS, TITLE 11

703 Release of criminal offender record information
708 Destruction of criminal offender record information

Management Resources:

WEB SITES

Department of Justice/Attorney General's Office: http://www.caag.state.ca.us/app
CSBA: http://www.csba.org

Board Adopted: 09/12/12
SECTION 4000
PERSONNEL

APPOINTMENT AND CONDITIONS OF EMPLOYMENT

Upon recommendation of the Superintendent, the Governing Board shall approve the appointment of all classified employees. The position and the pay rate shall be reported to the Board at a regular meeting.

Individuals appointed to the classified staff shall, at a minimum:
1. Submit to fingerprinting as required by law.
2. Not have been convicted of a violent or serious felony.
3. Not have been convicted of any sex offense as defined in Education Code 44010.
4. Not have been determined to be a sexual psychopath pursuant to Welfare and Institutions Code 6300-6332.
5. If the individual will be working directly and in an unaccompanied setting with minor children on a more than incidental and occasional basis or will have supervision or disciplinary power over minor children, not be required to register as a sex offender pursuant to Penal Code 290 because of a conviction for a crime where the victim was a minor under the age of 16.
6. Not have been convicted of any controlled substance offense as defined in Education Code 44011.
7. Submit to a physical examination or provide proof thereof as required by law and Board policy.
8. File the oath or affirmation of allegiance required by Government Code 3100-3109.
9. Submit to drug and alcohol testing as required by Board policy.
10. Fulfill any other requirements as specified by law, collective bargaining agreement, Board policy or administrative regulation.

Notification of Classification and Compensation:
When first employed and upon each subsequent change in classification, classified employees other than short-term, limited-term or provisional employees shall be given two copies of their class specification, salary data, assignment or work location, duty hours and prescribed work week. Salary data shall specify pay period (monthly, semimonthly or other) and applicable rates of compensation (daily, hourly, overtime and differential rates). Employees shall keep one copy of this information and shall sign and date the other copy and return it to their supervisor.

Legal Reference:
EDUCATION CODE
35161 Powers and duties
44010 Sex offense - definitions
44011 Controlled substance offense - definitions
44066 Limitation on certification requirements
45103 Classified service in districts not incorporating the merit system
45104 Positions not requiring certification qualifications
45105 Positions under various acts not requiring certification qualifications
45108 Restricted positions
45113 Rules and regulations for classified service in districts not incorporating the merit system
45122 Physical examinations
45122.1 Classified employees, conviction of a violent or serious felony
45123 Employment after conviction of sex offense or controlled substance offense
45125 Use of personal identification cards to ascertain conviction of crime
45169 Employee salary data
49406 Examination for tuberculosis
60850-60856 High school exit exam

GOVERNMENT CODE
3100-3109 Oaths or affirmations
12940-12950 Unlawful employment practices

PENAL CODE
290 Registration of sex offenders
290.95 Disclosure by person required to register as sex offenders
667.5 Prior prison terms, enhancement of prison terms
1192.7 Plea bargaining limitation
1203.4 Discharged petitioner, change of plea

WELFARE AND INSTITUTIONS CODE
6300-6332 Sexual psychopaths

Board Adopted: 09/12/12
SUSPENSION/DISCIPLINARY ACTION

The Governing Board expects all employees to exhibit professional and appropriate conduct and serve as positive role models both at school and in the community. An employee may be suspended or disciplined for unprofessional or inappropriate conduct in accordance with law, the district's collective bargaining agreement, Board policy, and administrative regulation.

The Superintendent or designee may take disciplinary action as he/she deems appropriate in light of the particular facts and circumstances involved and based on the severity of the misconduct. Disciplinary actions may include, but not be limited to, verbal warnings, written warnings, reassignment, suspension, freezing or reduction of wages, compulsory leave, or dismissal.

The Superintendent or designee shall ensure that, consistent with law, disciplinary actions are taken in a consistent, nondiscriminatory manner and are appropriately documented.

In accordance with law, the Superintendent or designee shall notify the Commission on Teacher Credentialing when the status of a credentialed employee has been changed as a result of alleged misconduct.

Legal References:
EDUCATION CODE
44008 Effect of termination of probation
44009 Conviction of specified crimes
44010 Sex offense - definitions
44011 Controlled substance offense - definitions
44242.5 Reports and review of alleged misconduct
44425 Conviction of a sex or narcotic offense
44660-44665 Evaluation and assessment of performance of certificated employees
44830.1 Criminal record summary certificated employees
44930-44988 Resignations, dismissal, and leave of absence, especially:
44940 Sex offenses and narcotic offenses; compulsory leave of absence
44940.5 Compulsory leave of absence
45055 Drawing of warrants for teachers
48907 Exercise of free speech, expression
48950 Speech and other communication
51530 Advocacy or teaching of communism
GOVERNMENT CODE
3543.2 Scope of representation
HEALTH AND SAFETY CODE
11054 Schedule I; substances included
11055 Schedule II, substances included
11056 Schedule III, substances included
11357-11361 Marijuana
11363 Peyote
11364 Opium
11370.1 Possession of controlled substances with a firearm

PENAL CODE
187 Murder
291 School employees arrest for sex offense
667.5 Prior prison terms, enhancement of prison terms
1192.7 Plea bargaining limitation

CODE OF REGULATIONS, TITLE 5
80303 Reports of change in employment status
80304 Notice of sexual misconduct

COURT DECISIONS

Management Resources:
COMMISSION ON TEACHER CREDENTIALING PUBLICATIONS
California's Laws and Rules Pertaining to the Discipline of Professional Certificated Personnel, 2007
WEB SITES
CSBA: http://www.csba.org
Commission on Teacher Credentialing: http://www.ctc.ca.gov

Board approved: 01/24/12
Suspension without Pay
A probationary certificated employee may be suspended without pay for a specified period during the school year as an alternative to dismissal following procedures designated in Education Code 44948.3.

Prior to any disciplinary action on charges leading to suspension without pay on the grounds of unprofessional conduct, the Superintendent or designee shall give the employee written notice. This written notice shall: (Education Code 44938)

1. Indicate the nature of the employee's unprofessional conduct
2. Cite specific instances of unprofessional behavior
3. Give the employee a 45-day opportunity to correct the misconduct and overcome the ground(s) for the charge(s)
4. Include the evaluation made pursuant to Education Code 44660-44665, if applicable

Mandatory Leave of Absence
Upon being informed that a certificated employee has been charged with a "mandatory leave of absence offense," the Superintendent or designee shall immediately place the employee on a leave of absence. A mandatory leave of absence offense includes: (Education Code 44830.1, 44940)

1. Any sex offense as defined in Education Code 44010
2. Any offense involving the unlawful sale, use, or exchange to minors of controlled substances as listed in Health and Safety Code 11054, 11055, and 11056, with the exception of marijuana, mescaline, peyote, or tetrahydrocannabinols

Upon receipt of notification from the Department of Justice by telephone that a current temporary, substitute, or probationary employee serving before March 15 of the his/her second probationary year has been convicted of a violent or serious felony, that employee shall be immediately placed on leave without pay. Upon receipt of written electronic notification of the conviction from the Department of Justice, such employee shall be automatically terminated and without regard to any other termination procedure.
An employee's compulsory leave may extend for not more than 10 days after the entry of judgment in the proceedings. However, the Governing Board may extend a certificated employee's compulsory leave by giving notice, within 10 days after the entry of judgment in the proceedings, that the employee will be dismissed within 30 days from the date of service of the notice unless he/she demands a hearing.

Employee compensation during the period of compulsory leave shall be made in accordance with Education Code 44940.5.

Optional Leave of Absence
The Board may require an immediate compulsory leave of absence when a certificated employee is charged with an "optional leave of absence offense" as specified in law. Such employees shall be subject to the same requirements specified in Education Code 44940.5 regarding extension of the leave, furnishing of a bond, and payment of salaries for employees charged with mandatory leave of absence offenses.

Protection of a Student's Free Speech or Press Rights
An employee shall not be suspended, disciplined, reassigned, transferred, dismissed, or otherwise retaliated against solely for acting to protect a student, or for refusing to infringe on a student's protected conduct, when that student is exercising his/her free speech or press rights pursuant to Education Code 48907 or 48950.
SECTION 4000  ADMINISTRATIVE REGULATION
PERSONNEL  AR 4312

APPOINTMENT AND CONDITIONS OF EMPLOYMENT
(MANAGEMENT EMPLOYEES)

The Superintendent will recommend and the Governing Board shall approve the appointment of all full-
time, part-time hourly, and limited-term management employees.

Certificated and Classified Management Positions utilizing this hiring process will include all positions at
the Supervisor level or higher. Certificated and Classified Management vacancies will be filled by the
following hiring procedures:

A. Announcements
   Internal and external notices for recruitment, notices of administrative and management vacancies will
   be circulated to District staff and the District’s website, and other websites connected with the
   recruitment of Certificated or Classified management positions.

   All employees will be given the opportunity to express an interest in being considered for any
   Certificated or Classified management vacancy which may occur.

B. Procedures
   1. A hiring committee shall be assembled.
   2. The Hiring Committee shall review candidates’ applications and interview selected candidates and
      recommend candidates to the Superintendent or designee.
   4. The Superintendent or designee will interview and select a candidate for the position under
      consideration and recommend him/her to the Board of Trustees.
   5. Certain positions may require additional hiring procedures as defined by regulatory agencies and/or
      law.

   The new employee with the position and pay rate shall be reported to the Board at a regular public meeting.

C. Individuals appointed to the management staff shall:
   1. Not have been convicted of a violent or serious felony or an enumerated sex or controlled substance
      offense
   2. Meet/possess and submit proof of all documentation(s) required
   3. Submit to fingerprinting as required by law
   4. Complete all necessary employment documentation(s)
   5. Submit to a tuberculosis examination

Management staff shall also fulfill any other requirements as specified by law or Board policy.
When first employed and upon each subsequent employment, management employees other than short-term or limited-term will receive a written offer of employment. Management employees may be required to work beyond the regular work day or work week without additional compensation. Salary data shall specify pay period (monthly or hourly) and applicable rates of compensation for stipend or differential pay.

Board Adopted: 09/12/12
CHILD ABUSE PREVENTION AND REPORTING

Child Abuse Prevention

The Governing Board recognizes that the district’s has a responsibility to protect students by facilitating the prompt reporting of known and suspected incidents of child abuse and neglect and to educate students about the dangers of child abuse so that they will acquire the skills and techniques needed to identify unsafe situations and react appropriately and promptly.

The district’s instructional program shall include age-appropriate and culturally sensitive child abuse prevention curriculum. This curriculum shall explain students’ right to live free of abuse, inform them of available support resources, and teach them how to obtain help and disclose incidents of abuse. The curriculum also shall include training in self-protection techniques.

The Superintendent or designee shall seek to incorporate community resources into the district’s child abuse prevention programs. To the extent feasible, the Superintendent or designee shall use these community resources to provide parents/guardians with instruction in parenting skills and child abuse prevention.

The Superintendent or designee shall establish regulations for use by district employees in identifying and reporting such incidents. District employees are obligated to report all known or suspected incidents of child abuse and neglect in accordance with law, Board policy, and administrative regulation. Employees shall not investigate any suspected incidents but rather shall fully cooperate with agencies responsible for reporting, investigating and prosecuting cases of child abuse and neglect.

Parents/guardians may file a complaint against a district employee or other person whom they suspect has engaged in abuse of a child at a school site. The Superintendent or designee shall provide parents/guardians information about reporting procedures in accordance with law.

The Superintendent or designee shall provide training regarding the reporting duties of district employees mandated by law to report suspected child abuse and neglect.

In the event that training is not provided to the employees mandated to report child abuse and neglect, the Superintendent or designee shall report to the California Department of Education the reasons that such training is not provided. (Penal Code 11165.7)

Legal Reference:
EDUCATION CODE
32280-32288 Comprehensive school safety plans
33308.1 Guidelines on procedure for filing child abuse complaints
44690-44691 Staff development in the detection of child abuse and neglect
44807 Duty concerning conduct of students
48906 Notification when student released to peace officer
48987 Dissemination of reporting guidelines to parents
49001 Prohibition of corporal punishment
51220.5 Parenting skills education

PENAL CODE
152.3 Duty to report murder, rape, or lewd or lascivious act
273a Willful cruelty or unjustifiable punishment of child; endangering life or health
288 Definition of lewd or lascivious act requiring reporting
11164-11174.4 Child Abuse and Neglect Reporting Act

WELFARE AND INSTITUTIONS CODE
15630-15637 Dependent adult abuse reporting

CODE OF REGULATIONS, TITLE 5
4650 Filing complaints with CDE, special education students

Management Resources:
CDE LEGAL ADVISORIES
0514.93 Guidelines for parents to report suspected child abuse

WEB SITES
California Attorney General's Office, Crime and Violence Prevention Center: http://safestate.org
California Department of Education, Safe Schools: http://www.cde.ca.gov/ls/ss
California Department of Social Services, Children and Family Services Division: http://www.childsworld.ca.gov

Adopted: 09/05/02
Revised 10-24-12
CHILD ABUSE PREVENTION AND REPORTING REQUIREMENTS

Definitions

Child abuse or neglect includes the following: (Penal Code 11165.5, 11165.6)
1. A physical injury or death inflicted by other than accidental means on a child by another person
2. Sexual abuse of a child, including sexual assault or sexual exploitation, as defined in Penal Code 11165.1
3. Neglect of a child as defined in Penal Code 11165.2
4. Willful harming or injuring of a child or the endangering of the person or health of a child as defined in Penal Code 11165.3
5. Unlawful corporal punishment or injury as defined in Penal Code 11165.4

Child abuse or neglect does not include:
1. A mutual affray between minors (Penal Code 11165.6)
2. An injury caused by reasonable and necessary force used by a peace officer acting within the course and scope of his/her employment (Penal Code 11165.6)
3. An injury resulting from the exercise by a teacher, vice principal, principal, or other certificated employee of the same degree of physical control over a student that a parent/guardian would be privileged to exercise, not exceeding the amount of physical control reasonably necessary to maintain order, protect property, protect the health and safety of students, or maintain proper and appropriate conditions conducive to learning (Education Code 44807)
4. An injury caused by a school employee's use of force that is reasonable and necessary to quell a disturbance threatening physical injury to persons or damage to property, to protect himself/herself, or to obtain weapons or other dangerous objects within the control of the control of the student (Education Code 44807)
5. Physical pain or discomfort caused by athletic competition or other such recreational activity voluntarily engaged in by the student (Education Code 49001)

Mandated reporters include, but are not limited to, teachers; instructional aides; teacher's aides or assistants; classified employees; certificated pupil personnel employees; administrative officers or supervisors of child attendance; administrators and employees of a licensed day care facility; Head Start teachers; district police or security officers; licensed nurses or health care providers; and administrators, presenters, and counselors of a child abuse prevention program. (Penal Code 11165.7)

Reasonable suspicion means that it is objectively reasonable for a person to entertain a suspicion, based upon facts that could cause a reasonable person in a like position, drawing when appropriate on his/her training and experience, to suspect child abuse or neglect. However, reasonable suspicion does not require certainty that child abuse or neglect has occurred nor does it require a specific medical indication of child abuse or neglect. (Penal Code 11166)

Any mandated reporter who has knowledge of or who reasonably suspects that a child is suffering serious emotional damage or is at a substantial risk of suffering serious emotional damage, based on evidence of severe anxiety, depression, withdrawal, or untoward aggressive behavior toward self or others, may make a report to the appropriate agency. (Penal Code 11166.05, 11167)

Any district employee who reasonably believes that he/she has observed the commission of a murder, rape, or lewd or lascivious act by use of force, violence, duress, menace, or fear of immediate and unlawful bodily injury against a victim who is a child under age 14 shall notify a peace officer. (Penal Code 152.3, 288)
Responsibility for Reporting:
The reporting duties of mandated reporters are individual and cannot be delegated to another person. (Penal Code 11166)

When two or more mandated reporters jointly have knowledge of a known or suspected instance of child abuse or neglect, the report may be made by a member of the team selected by mutual agreement and a single report may be made and signed by the selected member of the reporting team. Any member who has knowledge that the member designated to report has failed to do so shall thereafter make the report. (Penal Code 11166)

No supervisor or administrator shall impede or inhibit a mandated reporter from making a report. (Penal Code 11166)

Any person not identified as a mandated reporter who has knowledge of or observes a child whom he/she knows or reasonably suspects has been a victim of child abuse or neglect may report the known or suspected instance of child abuse or neglect to the appropriate agency. (Penal Code 11166)

Reporting Procedures:
1. Initial Telephone Report
   Immediately or as soon as practicable after knowing or observing suspected child abuse or neglect, a mandated reporter shall make an initial report by telephone to any police department (excluding a school district police/security department), sheriff's department, county probation department if designated by the county to receive such reports, or county welfare department. (Penal Code 11165.9, 11166)

   Children's Protective Services
   4651 Telephone Road, Suite 201
   Ventura, California 93003

   When the initial telephone report is made, the mandated reporter shall note the name of the official contacted, the date and time contacted, and any instructions or advice received.

2. Written Report
   Within 36 hours of knowing or observing the information concerning the incident, the mandated reporter shall then prepare and either send, fax, or electronically submit to the appropriate agency a written follow-up report, which includes a completed Department of Justice form (SS 8572). (Penal Code 11166, 11168)

   The Department of Justice form may be obtained from the district office or other appropriate agencies, such as the county probation or welfare department or the police or sheriff's department.

   Reports of suspected child abuse or neglect shall include, if known: (Penal Code 11167)
   a. The name, business address, and telephone number of the person making the report and the capacity that makes the person a mandated reporter
   b. The child's name and address, present location, and, where applicable, school, grade, and class
   c. The names, addresses, and telephone numbers of the child's parents/guardians
   d. The name, address, telephone number, and other relevant personal information about the person who might have abused or neglected the child
   e. The information that gave rise to the reasonable suspicion of child abuse or neglect and the source(s) of that information

   The mandated reporter shall make a report even if some of this information is not known or is uncertain to him/her. (Penal Code 11167)
The mandated reporter may give to an investigator from an agency investigating the case, including a licensing agency, any information relevant to an incident of child abuse or neglect or to a report made for serious emotional damage pursuant to Penal Code 11166.05. (Penal Code 11167)

3. Internal Reporting
The mandated reporter shall not be required to disclose his/her identity to his/her supervisor, the principal, or the Superintendent or designee. (Penal Code 11166)

However, employees reporting child abuse or neglect to an appropriate agency are encouraged, but not required, to notify the principal as soon as possible after the initial telephone report to the appropriate agency. When so notified, the principal shall inform the Superintendent or designee.

The principal so notified shall provide the mandated reporter with any assistance necessary to ensure that reporting procedures are carried out in accordance with law, Board policy, and administrative regulation. At the mandated reporter's request, the principal may assist in completing and filing the necessary forms.

Reporting the information to an employer, supervisor, principal, school counselor, co-worker, or other person shall not be a substitute for making a mandated report to the appropriate agency. (Penal Code 11166)

Training:
Training of mandated reporters shall include identification and mandated reporting of child abuse and neglect. (Penal Code 11165.7)

Training shall also include guidance in the appropriate discipline of students, physical contact with students, and maintenance of ethical relationships with students to avoid actions that may be misinterpreted as child abuse.

(cf. 4119.21/4219.21/4319.21 - Professional Standards)
(cf. 4131 - Staff Development)
(cf. 4231 - Staff Development)
(cf. 4331 - Staff Development)
(cf. 5145.7 - Sexual Harassment)

Victim Interviews by Social Services:
Whenever a representative from the Department of Social Services or another government agency investigating suspected child abuse or neglect deems it necessary, a suspected victim may be interviewed during school hours, on school premises, concerning a report of suspected child abuse or neglect that occurred within the child's home or out-of-home care facility. The child shall be given the choice of being interviewed in private or in the presence of any adult school employee or volunteer aide selected by the child. (Penal Code 11174.3)

A staff member or volunteer aide selected by a child may decline to be present at the interview. If the selected person accepts, the principal or designee shall inform him/her of the following requirements: (Penal Code 11174.3)

1. The purpose of the selected person's presence at the interview is to lend support to the child and enable him/her to be as comfortable as possible.
2. The selected person shall not participate in the interview.
3. The selected person shall not discuss the facts or circumstances of the case with the child.
4. The selected person is subject to the confidentiality requirements of the Child Abuse and Neglect Reporting Act, a violation of which is punishable as specified in Penal Code 11167.5.

If a staff member agrees to be present, the interview shall be held at a time during school hours when it does not involve an expense to the school. (Penal Code 11174.3)

Release of Child to Peace Officer:
When a child is released to a peace officer and taken into custody as a victim of suspected child abuse or neglect, the Superintendent or designee and/or principal shall not notify the parent/guardian, but rather shall provide the peace officer with the address and telephone number of the child's parent/guardian. It is the responsibility of the peace officer or agent to notify the parent/guardian of the situation. (Education Code 48906)
(cf. 5145.11 - Questioning and Apprehension by Law Enforcement)

Parent/Guardian Complaints:
Upon request, the Superintendent or designee shall provide parents/guardians with a copy of this administrative regulation which contains procedures for reporting suspected child abuse occurring at a school site to appropriate agencies. For parents/guardians whose primary language is not English, such procedures shall be in their primary language and, when communicating orally regarding those procedures, an interpreter shall be provided.

To file a complaint against a district employee or other person suspected of child abuse or neglect at a school site, parents/guardians may file a report by telephone, in person, or in writing with any appropriate agency identified above under "Reporting Procedures." If a parent/guardian makes a complaint about an employee to any other employee, the employee receiving the information shall notify the parent/guardian of procedures for filing a complaint with the appropriate agency. The employee also is obligated pursuant to Penal Code 11166 to file a report himself/herself using the procedures described above for mandated reporters. (cf. 1312.1 - Complaints Concerning District Employees)

Notifications:
The Superintendent or designee shall provide to all new employees who are mandated reporters a statement that informs them of their status as mandated reporters, their reporting obligations under Penal Code 11166, and their confidentiality rights under Penal Code 11167. The district also shall provide these new employees with a copy of Penal Code 11165.7, 11166, and 11167. (Penal Code 11165.7, 11166.5)

Before beginning employment, any person who will be a mandated reporter by virtue of his/her position shall sign a statement indicating that he/she has knowledge of the reporting obligations under Penal Code 11166 and will comply with those provisions. The signed statement shall be retained by the Superintendent or designee. (Penal Code 11166.5)
(cf. 4112.9/4212.9/4312.9 - Employee Notifications)

Employees who work with dependent adults shall be notified of legal responsibilities and reporting procedures pursuant to Welfare and Institutions Code 15630-15637.
The Superintendent or designee also shall notify all employees that:

1. A mandated reporter who reports a known or suspected instance of child abuse or neglect shall not be held civilly or criminally liable for making a report and this immunity shall apply even if the mandated reporter acquired the knowledge or reasonable suspicion of child abuse or neglect outside of his/her professional capacity or outside the scope of his/her employment. Any other person making a report shall not incur civil or criminal liability unless it can be proven that he/she knowingly made a false report or made a report with reckless disregard of the truth or falsity of the report. (Penal Code 11172)
2. If a mandated reporter fails to report an incident of known or reasonably suspected child abuse or neglect, he/she may be guilty of a crime punishable by a fine and/or imprisonment. (Penal Code 11166)

3. No employee shall be subject to any sanction by the district for making a report. (Penal Code 11166)
OXNARD UNION HIGH SCHOOL DISTRICT
SUSPECTED CHILD ABUSE REPORTING PROCEDURES

I. Initiating the Report

A. The report is initiated by a telephone report to the appropriate agency.

B. If the suspected child abuse has taken place within the family,
   Call the Ventura County Human Services Hotline at 805-654-3200

C. If the suspected child abuse has taken place outside the family,
   Call the local police department at:
   Camarillo Police Department  482-9844
   Oxnard Police Department    385-7600
   Hueneme Police Department   986-6530

D. Content of call.
   1) Name, address and age of child involved.
   2) Clear description of suspected abuse.

II. Written Report

A. The telephone call is to be followed by completion of the Suspected Child Abuse Report (form 11166.P.C.). These forms are available in the Principal’s office at the high school

B. The written report is to be addressed to the person to whom the telephone report was made.

C. The written report must follow the phone call within 36 hours.
   1. Suspected child abuse within the family,
      Children’s Protective Services
      4651 Telephone Road, Suite 201, Ventura, California 93003
   2. Suspected child abuse outside the family should be mailed to the agency to which the report was called -
Camarillo Police Department
3701 Las Posas Road, Camarillo, CA 93010

Oxnard Police Department
251 South ‘C’ Street, Oxnard, CA 93030

Port Hueneme Police Department
250 North Ventura Road, Hueneme, CA 93041

D. The reporting party should keep a copy of the Suspected Child Abuse

Caution:

1. The reporting responsibility has not been discharged until both the telephone call and written reports are complete.

2. School personnel are not to engage in any investigation of suspected cases. The investigation will be done by the child protective services office.

2. The reporting responsibility is an individual one which is NOT discharged by report to supervisors or administrators.