

# **JEHUE MIDDLE SCHOOL**

## **STAFF HANDBOOK**

**2021-2022**



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*It is possible that the content outlined in this handbook may change as challenges caused by COVID-19 evolve.*

*Please see MOU or Administration for guidance.*

REV 7/23/21

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## **EMERGENCY PHONE CALLS**

If you need to make a 911 call from your classroom, dial 9, and then 911, you must stay on the line and give the operator your location (1500 N. Eucalyptus Ave., Room #) and the nature of the emergency. The operator's screen shows 182 East Walnut as the address due to our phone system.

## **PROFESSIONAL DAY/DUTY HOURS**

Teachers are required to report to school by 7:55 a.m., thirty (30) minutes before the commencement of the first class and shall remain until the dismissal of the last regularly scheduled class at the given site and until such time as their professional duties and obligations are accomplished including IEPs, SSTs, PLCs, and/or department and staff meetings. Classified employee duty hours shall be designated and directed by the immediate supervisor.

## **CERTIFICATED STAFF ABSENCES**

Absences of Certificated Staff will be reported by the employee to the District Substitute System at AESOPeducation.com or by calling (800) 942-3767. The automated system will lead you through steps to request a substitute. You must be registered in the system. Check with Personnel for login information. Make sure you receive and record a job number for your records.

During work hours, you need to notify the school secretary to arrange substitute coverage for any period absence for the remainder of the day. All arrangements must be approved by an administrator before you leave the site. Upon your return, please see the school secretary to sign an absence affidavit. You can access your sick leave balance online on the Best Net Employee Self Service at <https://employeeselfservice.sbcss.k12.ca.us>.

Certificated employees may take up to 8 days of personal necessity, 2 days of general leave, and 6 days of family illness per school year, as described in the contract. These days are subtracted from your sick leave. Personal necessity and general leave requests should be submitted to the principal and pre-approved at least two days in advance of the absence. For information regarding FMLA or CFRA, please contact Personnel.

Certificated employees must submit a substitute folder to their Department Chair no later than August 16th. This folder must contain 5 days of plans and a general description of the day with a seating chart for each class. You must indicate where materials and copies are stored in your room. Please have all of the work ready for the substitute. For the second semester, the substitute folder should be updated by January 17th and submitted to the Department Chair.

## **CLASSIFIED STAFF ABSENCES**

Absences of Classified Staff will be reported by calling:

- |                      |  |
|----------------------|--|
| Security:            | Report absence via the Aesop system.<br>Notify your Immediate Supervisor<br><u>If arriving late or leaving early, call at 421-7609</u> |
| Custodial Staff:     | Report absence via the Aesop system.<br>Notify the School Secretary by calling 421-7377 ext. 21110                                     |
| Instructional Asst.: | Report absence via the Aesop system.<br>Call the Project Clerk, at 421-7377 ext. 21106   |
| Noon Aides:          | Report absence via the Aesop system.<br>Call Arlin at 421-7377 ext. 21116  |

### **CLASSIFIED STAFF ABSENCES (Continued)**

Classified absences must be logged into Aesop and reported to the immediate supervisor before the scheduled work time. This will allow enough time for the office to arrange coverage.

Classified employees may take up to 7 days of personal necessity and 6 days of family illness per school year as described in the contract. These days are subtracted from your sick leave. Personal necessity requests should be submitted to the immediate supervisor two days prior to the absence. Upon your return, please see the school secretary to sign an absence affidavit. Your available sick-time and vacation hours can be located online on Best Net Employee Self Service at <https://employeeselfservice.sbcss.k12.ca.us>. For information regarding FMLA or CFRA contact Personnel.

If arriving late, please notify the school secretary and immediate supervisor. If the need arises to leave early, please get approval from the immediate supervisor and notify the school secretary to make proper arrangements.

### **JURY DUTY**

In the event you are summoned for Jury Duty, you must provide a Jury Duty Slip along with your absence slip. The court will provide one after you finish each day. The slip will have a time on it. If the time is before 11:00 a.m., you must report to work. Any stipend received for jury duty (excluding mileage) should be reimbursed to the Rialto Unified School District.

### **JOB ABANDONMENT**

We all know abandoning one's job may result in dismissal and poor references. Additionally, credential holders need to know that leaving their job prior to the end of their contract without the express written consent of the District will result in a report being forwarded to the CCTC, which often leads to suspension or revocation of their credential. (This same admonition can be found on the annual Offer of Employment certified employees sign prior to every new school year.) Credential holders who are considering leaving the District prior to the end of their contracted period of employment must work with the Personnel Services division before definite plans are made. Only the Governing Board, upon the recommendation of the Superintendent or his designee, may approve you leaving the District's employment prior to the end of your contract.

### **KEYS**

All staff members must return their keys to the office when leaving at the end of the year or at the end of a designated assignment. Do not give the keys directly to the teacher taking the assignment. The keys are issued in your name and you are responsible for them until they are returned to the office. All staff members are financially responsible for the keys issued to them. Board policy indicates the loss of a key opening a single door may result in a charge of \$25.00. Loss of keys fitting multiple doors or a master key will result in the staff member paying for the actual cost of rekeying the doors or the school (all of you have at least one key fitting multiple doors).

**The staff is directed not to give their keys to students or non-employees of the district.**

## **ACCIDENTS**

*Student Related:* Whenever an accident occurs on the school premises, an accident report is completed (usually by the health office). Teachers or other staff members may be asked to provide information or statements to assist in the completion of the accident report.

Do not move or carry students when serious injury is suspected. If you are away from your classroom or are not near a school phone, send another student or adult to the office for help. Notify the health office of any head injury. For minor injuries send the student, with a messenger, directly to the health office for examination.

A first aid kit is issued to each classroom at the beginning of the year. This should be used for minor cuts, abrasions, scratches, etc.

Remember to use gloves whenever dealing with body fluids; double glove when time permits. Some students are high-risk children for Hepatitis A, B, C, and HIV. Allow the injured student to provide direct pressure to the injury while moving the student to the health office.

*Employee Related:* If an accident occurs in the course of fulfilling your professional responsibilities (teacher and staff duties), report any injuries or loss to the site administrator/ designee as soon as possible. A written report must be submitted to the Risk Management office within 24 hours of the incident. Forms SAF-6 and SAF-7 must be completed and returned to the site administrator. Forms and instructions are also available on the District's website under Risk Management Department/Workman's Compensation.

The School Secretary will be responsible for notifying the Risk Management Office. Employees must have a Personal Physician Card (available in the Principal's Office) on file if they want to see their own physician for a job related injury; otherwise, Fox Occupational must treat them.

## **ARRIVALS AND DEPARTURES**

*Students:*

Students are not permitted on the grounds before 7:50 a.m. After 7:50 a.m., they need to be in the quad/lunch area. Students will remain in this supervised area until the bell rings at 8:20 a.m. Teachers, noon aides, security officers, and administrators will provide supervision for this area. Please spread out in the area to provide coverage for the entire area. When you are on duty, please ensure you are in your assigned area.

*Staff:*

Certificated members will report to work at 7:55 a.m. (30 minutes before the first assigned class) and are required to stay until their professional duties are completed. Workshops, conferences, meetings (district and/or site), and in-services are considered part of your professional day.

## **STUDENT ADMISSIONS**

Do not allow students to start in your class without a schedule or add/drop slip. Make sure the student has dropped the other class before accepting the student into your class. We cannot carry a student on two roll sheets simultaneously.

## **EARLY RELEASE**

Students should not be released from the classroom until their parent/guardian or person authorized by the parent/guardian has followed proper checkout procedures in the front office. If a student has an early dismissal, then he/she must be called out of class by the office.

### **CALL SLIPS / PHONES**

Student runners will be used to deliver call slips to the classroom. The intercom/phone will be used only as a final resort to find a student. The phones are for teachers to use as appropriate.

### **TARDY POLICY AND PROCEDURES**

The tardy bell rings at 8:25 a.m. to start homeroom. Please have a tardy policy that is applied consistently (i.e. in the seat when the bell rings, in the room when the bell rings.) and is defensible when it is time to figure "perfect attendance" for certificates or trophies.

### **STUDENT ATTENDANCE REPORTING**

Period attendance needs to be completed immediately after the bell. Please make sure your attendance is done in a timely manner and is accurate. The Synergy/Blackboard system will call home as you enter the information and inform the parent of their student's absence. All of the PCAL Reports must be submitted by the established deadlines.

Children may be released for days of religious observance upon request of the parent. A note signed by the parent should be brought prior to the day of observance.

Students need to make up work or take work in advance if they are taking vacation time during the school year with a maximum of five (5) days without being dropped.

**Period Tardies:** Discipline will be assigned to students according to the following guidelines:

- 1<sup>st</sup> and 2<sup>nd</sup> Tardy: Teachers will issue a verbal warning.
- 3<sup>rd</sup> Tardy: Parent contact will be made by the teacher.
- 4<sup>th</sup> Tardy: Teacher will issue a consequence to the student (i.e. detention)
- 5<sup>th</sup> Tardy and beyond (8<sup>th</sup>, 11<sup>th</sup>, 14<sup>th</sup>, and so on): An Office Referral will be issued.

\*Tardy counting will begin again at semester break except for SARP process.

\*Habitual tardiness (several tardies from each of his/her teachers) - An SST meeting report may also result in a student being referred to administration. See detailed information on SST on page.

### **PERFECT ATTENDANCE POLICY (FOR ASSEMBLIES)**

The policy is a student may not have more than one early dismissal/late arrival or one tardy to qualify for perfect attendance.

### **SCHOOL ATTENDANCE REVIEW PANEL (SARP)**

Students with poor attendance or excessive tardies need to be referred to SARP. This process is closely tied with period reporting of absences. The teacher may initiate the process through an SST meeting or an attendance referral to the attendance clerk. The teacher needs to indicate what steps he/she may have taken to improve attendance. The attendance clerk will also generate an attendance letter independent of any teacher contact.

These contacts, in addition to the pre-SARP (SART) meeting with an administrator, are required before a referral to the formal SARP meeting. The School Resource Officer (SRO) will participate in meetings pertaining to truancy and excessive absences. Referrals to District held SARP will be made by the attendance clerk in conjunction with the teacher and administrator.

Attendance problems need to be handled by the School Attendance Review Panel (SARP). The School Resource Officer may cite parents with children with poor attendance. The officer may be available to do attendance visits. Coordinate those requests with the administrator assigned to your student's grade level.

## **MEDICATIONS**

No teacher may hold medication for a student. All medications will be dispensed from the Health Office. Any student having medications in his/her possession should be referred to the office. A signed Physician's Recommendation for Medication has to be on file in the Health Office stating they are allowed to carry his/her medications.

Medication will be kept in the Health Office and provided for students only upon the recommendation of a physician. The prescription should be in the original container with the physician's label attached. Form S-64 Physician's Recommendations for Medication must be completed and signed by parent or guardian and physician.

"Over-the-counter" medication (aspirin, medicated cough drops, etc.) can be given by the nurse only with a signed physician's order (Form S-64). Students will have a Health Pass when they need to take medication during the day. Please refer to your Health Problem List when dealing with students asking to visit the nurse or to use the restroom. Remember the list is confidential. Please guard against student access to the list.

## **COMPREHENSIVE GUIDANCE PROGRAM**

***8<sup>th</sup> Grade Counselor: Ed Ott***

***7<sup>th</sup> Grade Counselor: Sarah Logan***

***6<sup>th</sup> Grade Counselor: Jenise Bush***

***Counselor: Melanie Tonkinson / Iliana Mendoza***

- I. Counselors provide ongoing services, such as:
  - Orientation, registration, scheduling, program adjustments
  - Counseling for personal, interpersonal, social, and academic concerns
  - Conferences as requested, and needed
  - Monitoring academic progress
  - Classroom presentations when appropriate
  - Provide input for IEP's and SST's as requested by an administrator.
  - Provide intervention counseling for students with attendance problems.
- II. Design individual student academic programs.
- III. Interpret cognitive, aptitude and achievement tests.
- IV. Counsel students with disciplinary problems.
- V. Advise students regarding school dress code policy.
- VI. Analyze grade-point averages in relationship to achievement
- VII. Ensure student records are maintained in accordance with state and federal regulations.
- VIII. Assist school administrators with identifying and resolving student issues, needs and problems.
- IX. Collaborate with teachers to present proactive, prevention-based guidance curriculum lessons.
- X. Counselors meet with students who are performing below grade level at poor progress report time and at the end of each quarter to review student progress.
- XI. Counselors meet with students by appointment. Counselor appointment cards are available before and after school in the attendance office. Counselors will see students in crisis without appointments.
- XII. Counselors are available to consult with teachers on individual student behavior and classroom management strategies as needed. Counselors will also see students referred by administration.



## **SUPERVISION**

Supervision will be required as part of your professional day based upon a schedule provided to you. The following times are assigned for supervision duty:

Before school	8:05 a.m. – 8:20 a.m.
After school	3:08 p.m. – 3:23 p.m.
Minimum days	12:55 p.m. – 1:10 p.m.

Please arrive on time for your assignment and remain in your assigned area. If you have a conflict, you need to arrange coverage for your supervision duty. You are responsible for the supervision of students. Since no food is allowed in the Quad area, students eating in the Quad should be asked to return to the eating area(s).

Remember, the test for negligence is what a reasonable and prudent person would do in the same situation. Most litigation is based on adequate supervision, not the action of the student. The litigation is based on how many adults were present, what were their locations, and response to the incident. Do not allow yourself to become distracted (food, drink, cell phones) during supervision. Watch the students and listen to the crowd. Oftentimes you will hear a problem before you see one.

Dismissal/passing periods:

Teachers please supervise the hallways during passing periods. Many incidents that occur in the hallways can be avoided. We ask you to stand at the door where you are visible and can supervise both the hallway and your classroom.

Students must not be dismissed to the quad before the scheduled dismissal time. At the end of the day, please stand in your door and supervise your students until they clear through the exit doors.

Students riding the bus must be dismissed on time. If you cause a student to miss the bus, it is your responsibility to make sure the student is safely picked up by a parent or guardian. Teachers may not hold a student after school without prior arrangements and notification of parents in writing. Teachers assume responsibility for students they keep after school and must remain with them until they are picked up.

Negligence/failure to supervise:

Schools and school employees have a general and specific duty to supervise students in their care. When determining whether or not a school employee has adequately fulfilled his or her supervision duties, courts ask if the employee was “active and effective” while performing such duties. Among many others, your duties include:

- Not leaving students unsupervised.
- Keeping school property and equipment in a safe condition so as to prevent harm to students.
- Not acting in a negligent manner.
- Maintaining discipline and exercising reasonable care in doing so.
- Intervening in any activity, which you reasonably suspect may cause injury or illness to any student.
- Maintaining accurate attendance for students and properly reporting absences.
- Supervising of students entering, occupying and leaving: classrooms, locker rooms, instructional waiting areas, and activity areas.
- Not allowing students to access or operate teachers’ computers.
- Students are our responsibility while they are in our care. Be sure to fulfill your duty and student supervision assignments. Watch over your students as a reasonable parent would. Ask yourself, “How would I want my son/daughter to be supervised and protected at school?”
- Supervision of all students while on campus is imperative in providing a safe learning environment. Failure to

provide proper supervision may result in administrative action.

### **CLASSROOM RESPONSIBILITIES**

Do NOT leave your classroom unsupervised. If you have a personal need, call ext. 21110 and tell the School Secretary you need someone to cover your class. Someone will be sent to assist you as soon as possible. To the extent possible, limit the amount of time you are away from your classroom. Do not leave any students in your room unsupervised (i.e., T.A.s, etc.). You cannot leave students with instructional assistants. A certificated person must be in the room at all times. T.A's will not be assigned during conference periods. Your credential is at risk when you violate these rules. All teachers are expected to be at their doors ushering students to their class. Assist all students in sanitizing their work space at the end of each class period.

### **EVALUATION/SUPERVISION OF STAFF**

The Board believes regular and comprehensive evaluations can help instructional staff improve their teaching skills and raise students' levels of achievement. The Board further recognizes appropriate supervision and evaluations can help employees to continually improve in the performance of their responsibilities. Evaluations shall be made in accordance with law, procedures specified in negotiated contracts, and based on job standards of performance. Employees should refer to the Evaluation Procedures section in the Collective Bargaining Agreement. (BP 4115, BP 4215)

### **ADJUNCT DUTIES**

Teachers will be asked to perform four adjunct duties during the school year. These duties may include, but are not limited to, student activities, such as: dances, concerts, and the 8<sup>th</sup> grade promotion ceremony. The duration of an adjunct duty may vary, depending upon the activity. However, a supervision assignment of 2.5 or more hours, beyond the contract day, constitutes one or more adjunct duties.

The important point to remember is we must provide adequate supervision at school events and when we interact with our students outside of the classroom, both parties benefit. Acting as a club advisor, athletic coach, and/or member of the School Site Council may be accepted in lieu of supervisory assignments, upon administrative approval. Adjunct duties will be coordinated through the Assistant Principal, Mr. Gray. Providing supervision at these assignments is required and is a mandatory part of your professional duties.

### **CLUBS OR ORGANIZATIONS**

All clubs or organizations must have a staff sponsor (adjunct duty), charter, constitution, and student officers on file in the Associated Student Body (ASB) Office. Clubs or organizations without charters are not allowed to operate on campus. No activities or fund-raisers will be allowed without the authorization of the ASB. Specific meeting minutes describing the sale and/or event must be submitted in a timely manner to the ASB for approval. No club meetings may be held without a sponsor present for the entire meeting.

### **FUNDRAISING**

No fundraising will be allowed without the written permission of the ASB and the approval of administration. No money is to be kept overnight in classrooms or desk drawers. No perishable foods or candy may be sold on campus in accordance with SB12. Coordinate all fundraising activities with the ASB Advisor and Administration. Students are not allowed to sell items for personal gain or non-school activities (i.e. sports, church groups, etc.).

\*No vendors are allowed in the Staff Room; except REA and District sponsored sales.

### **RAFFLES OR BENEFITS DRAWINGS**

Contrary to what most people believe, raffles and benefit drawings in public schools are illegal unless they conform to specific rules of law. A few years ago, the State Legislature changed the law, legalizing “raffles” for certain nonprofit organizations as defined by the Internal Revenue Code. Unfortunately, they excluded public schools from the definition of “nonprofit.”

One cannot make an illegal raffle or drawing “legal” simply by asking for “a donation” or by giving the person a coupon or receipt for a discount at a local store or restaurant equaling the value of the “donation.” If you are involved in any way in one of these illegal drawings, you could be arrested, lose your job and/or your credential, if applicable. If you are considering holding a benefit drawing, see the site administrator who will work with the District Office to help keep you legal.

### **THEFT / EMBEZZLEMENT / CONVERSION / MISAPPROPRIATION OF SCHOOL OR STUDENTS’ PROPERTY OR FUNDS**

Unfortunately, theft of District property or misappropriation of money and misuse of District property occurs. As a general rule, absent specific permission, the use of District property for personal gain or benefit can be illegal. Remember, District property belongs to the public. They paid for it with their tax dollars. Converting District property to our own personal use is simply illegal and can result in both disciplinary and criminal action being taken. District property may be used by employees at home if the purpose is work related (BP3512). Use of District Property Equipment forms is available from your supervisor or site administrator. You are responsible for district property assigned to you at your work site or if you have permission to use it at home. You maintain responsibility for equipment you lose or return damaged. Additionally, failure to safeguard lost and found property or confiscated property could cause problems for you.

If you find or confiscate property of any type, follow our site policies for turning it in and safeguarding it. Do not discard confiscated property, and under no circumstances may an employee convert another person’s property to his or her own use and/or benefit. Employees who are student activities advisors, club sponsors, coaches or who serve as advisors to Booster Clubs, etc., must be particularly diligent when handling and accounting for money. Money should never be left overnight in classrooms or desk drawers. Do not take school funds home. Work with your site administrator to develop a process for safekeeping these funds. Never “borrow” any of this money, even if you intend to pay it back the next day. If you are involved in any student activities, adhere to Board Policies and Administrative Regulations, as well as all instructions and procedures given to you by your site administrators. If you are involved in any way with receiving money in extracurricular activities or as a regular part of your duties, be familiar with these procedures.

### **INSTRUCTIONAL PROGRAM**

The instructional program at Jehue Middle School is based on the California Common Core State Standards (CCCSS). Coordinating your teaching with other members of your grade level and members of your department will help ensure student success.

Please remember pacing and emphasis of content mastery are the keys to successfully preparing students for the CCCSS. You are required to follow the scope and sequence and all District/State timelines. The administration is very protective of your instructional time; please use it wisely and effectively.

## **PREPARATION PERIODS**

Preparation periods are to be used by certificated members for activities improving the instructional program, including collaboration meetings with colleagues, conferences, grading assessments and/or assignments, class preparation, attendance at IEPs, SST's and 504 plans and other professional duties and obligations. If leaving campus is necessary during your preparation period, as a courtesy, please notify your immediate administrator and/or school secretary.

## **ROOM ENVIRONMENT**

Your room environment should be student-centered, orderly, safe, and organized to increase and ensure student academic success. Consider the amount of space available for students to move about and work in. It makes a difference in the morale and tenor of your classroom. Microwaves, refrigerators, and other personal items shall not be in the classrooms. There's a district procedure for approval for such items. Talk to Mr. Arratia for any questions or concerns.

Your walls should be utilized to display appropriate student work linked to your grade level standards and must be logically tied to your students' success. Materials posted must have an evident educational purpose. When posting, please do not use tape on painted surfaces.

Food and/or gum are not allowed in the classrooms. Vermin can become a consistent problem due to food and drinks in the classroom. State Code does not allow us to spray for ants or roaches. As a result, there should be no unauthorized parties or potlucks in the classroom. These types of activities must be approved by administration prior to the event.

## **SUPPLIES**

Supplies will be maintained throughout the year. Supply orders are processed through your Department Chair and our Budget Clerk, Paul Enriquez. There is a rack with rolls of colored butcher paper for bulletin board use in the mail room and library.

## **CUMULATIVE FILES**

If you need a Cumulative Folder (Cum), please inform the records clerk (**Daisy Herrera**) and sign the checkout register. Please do not remove the Cums from administrative areas without administrative approval. Use the conference or workroom to review the information.

Be careful where you leave grade books, statements, forms, and important documents. No students are to be in the Cumulative File Room, use or have access to office computers or the District Information System, or file emergency cards and/or information.

## **CONFIDENTIAL DISTRICT AND/OR STUDENT INFORMATION**

California law and the Federal Educational Right to Privacy Act (FERPA) place many restrictions on school employees as to what information may or may not be divulged about students. A well-publicized lawsuit sought to prevent teachers from having students grade each other's papers, alleging knowing another student's grade on an assignment was a FERPA violation. Fortunately, common sense prevailed when the Federal Court said FERPA never intended for the private issue to be carried to that extreme. The best advice is to remember educational records (i.e. most records personally identifying a student) and student information are private and confidential and ordinarily may not be shared with third parties without express legal authority to do so. Site administrators will assist you in this area.

## **TRANSPORTATION**

Any request for transportation for any school event must be submitted to administration for approval at least 3 weeks before the event (one week for administration approval and two weeks for transportation to process the paperwork). Trip costs can be obtained by contacting the Transportation Department at 909-820-7862.

## **VIDEO POLICY**

Follow District guidelines when planning to show a video. Every video should be approved by the administration before viewing. Preview the portions of the video you intend to use, obtain parent permission if the video is rated "PG", and be prepared to justify the curricular use of the video if the use is questioned by parents, school or district administration. Be careful if a student indicates he/she is not supposed to view a video. You may send the student to another class with an alternative assignment. If you have questions, then see an administrator.

Inappropriate movies, videos, and other materials

Board Policy 6161.11 states the conditions under which books, films, and videos, and other instructional materials may be used in the classroom. Films and videos must be curriculum related, age appropriate, consistent with the maturity level of the students, a quality use of students' time, pre-screened by the teacher and previously approved by the site administrator. Films not previously approved should not be shown.

A word of caution and advice: Irrespective of film's rating, if the content or language is not age appropriate or contains any questionable content, language, or scenes, the best course of action is to stop showing it and advise the site administrator in the event what was shown may result in student or parent concerns.

Textbooks and other classroom instructional materials shall be chosen from lists approved by the State Board of Education and Rialto School Board. Supplementary books, workbooks, programmed learning materials and special instructional kits require approval from the Lead Academic Agents, Instructional Services. If a parent, student, or community member challenges a textbook, supplementary classroom materials, or school library books, they should complete the form "Citizens Request for Reconsideration of a Book" available from the site librarian or library technician. The completed form should be returned to the site principal with a copy to the Instructional Materials Specialist.

## **GRADING POLICY**

Demonstrating proficiency on California State Content/Common Core and grade level Standards will determine student grades. Grades during the year should be seen as benchmarks toward the attainment of these standards. The grades for English Learners (EL) are based on English Language Development (ELD) Standards.

Teachers: It is part of your professional duty to keep accurate and organized records of the student achievement for those students assigned to your classes. Your records must accurately reflect the individual assignments you have given to your students along with their scores. They must be kept from day 1 to day 180 and not destroyed/deleted until you have confirmation they are no longer needed by school administration. Copies of your grade book (legal back-up information) for every quarter are due during the checkout process at the end of the school year. All grades earned by middle school students will be earned on the following scale:

- a. 100-90 = A
- b. 89- 80 = B
- c. 79- 70 = C
- d. 69-60 = D
- e. 59-50 = F

## **GRADE PROCESSING SCHEDULE**

<b>Qtr.</b>	<b>Dates</b>	<b>Start of Grade Input</b>	<b>End of Grade Input</b>
<b>1</b>	08/09/2021 - 10/08/2021	12:00 PM on 10/01/2021	10/08/2021 <b>by 3:30 PM</b>
<b>2</b>	10/11/2021 - 12/17/2021	12:00 PM on 12/10/2021	12/17/2021 <b>by 3:30 PM</b>
<b>3</b>	01/11/2022 - 03/25/2022	12:00 PM on 03/18/2022	03/25/2022 <b>by 3:30 PM</b>
<b>4</b>	03/28/2022 - 06/02/2022	12:00 PM on 05/26/2022	06/02/2022 <b>by 3:30 PM</b>

### **POOR PROGRESS REPORTS**

Parents need to be informed (poor progress report, letter, conference) on a regular basis about their child's progress. We have a legal obligation to notify parents if their child is receiving an unsatisfactory grade. Poor Progress Reports are sent each quarter as part of the Education Code requirement. You are required to send out a notice to any student receiving a "D" or "F" in your class. It is not encouraged to utilize a poor progress report as a scare tactic for students to perform better academically. Communication with parents regarding student grades is of paramount importance. Take the following scenario, for example:

If a student did not receive a Poor Progress notice, but sometime within the remaining grading period their grade drops to a "D" or "F", you must notify parents before quarter grades are officially reported. You can do this by completing a Special Report to Parents form (NCR form) available to you in the back office. After you complete the form and mail it to the student's home, protect yourself and the integrity of your grading documentation, by sending a Poor Progress Report. Failure to adequately inform parents of a "D" or "F" will result in a teacher changing the grade. Teacher documentation of all teacher-parent correspondence regarding grades is of utmost importance.

### **RETENTION**

Student retention is the decision of the Principal. District and site procedures are required before student retention is considered. This will include multiple teacher contacts, parent teacher conferences, and interventions that are documented.

### **HOMEWORK**

Homework needs to be an extension of the instructional day. It should not be the deciding factor whether a student is proficient against grade level standards. Use homework as practice and make parts of it integral to your next instructional day. Inform parents their students must do the homework to be prepared or ready for the instructional day. Also provide parents with the school web address so they may be able to access the ParentVUE portal for homework assignments.

Homework will take more time to prepare; however, it becomes an integral part of your program, when it is Standards-based. It is important you do not use homework to teach new concepts, since some students may not have the support at home to be successful.

### **MAKE-UP WORK**

Students who miss school work because of an **excused** absence shall be given the opportunity to complete all assignments and tests that can be reasonably provided. As determined by the teachers, the assignments and tests shall be reasonably equivalent to, but not necessarily identical to, the assignments and tests missed during the absence. Students shall receive full credit for work satisfactorily completed within a reasonable period of time. Students who miss school work because of **unexcused** absences shall be given the opportunity to make up missed work for full or reduced credit. Teachers shall assign such work as necessary to ensure academic progress, not as a punitive measure. Teachers are to give suspended students full credit for work turned in according to a reasonable, make-up schedule.

## **STUDENT STUDY TEAM (SST)**

The SST process is a positive intervention tool used to identify and resolve student's needs. The team consists of the student, parent, teachers, counselors, and administration. Together, this team will identify the student's strengths and struggles in academics and behavior in order to design a practical improvement plan. This plan will review specific data and bridge gaps for individual students. Information from the SST will be followed by the team and monitored to maximize the students' success.

### **Student Study Team (SST) Level I**

Individual who initiates the SST process needs to follow these steps:

1. Make parent contact and schedule a meeting.
2. Notify all teachers, including P.E, of meeting date, time, and place. You may choose to include an administrator if you feel one is necessary.
3. Come prepared with grades and student work to discuss attendance, behavior, academics, counseling, and promotion/retention issues.
4. Create outcomes that include altering assignments, curriculum or instructional changes, behavior plans, and/or establishing home/school communication.
5. Record all required information on the appropriate form (which can be obtained from the Counselor's Office). Make sure all required signatures are included.
6. Return form to the student's counselor. If the counselor was present at the SST, he/she will see the SST forms are appropriately distributed.

**\*\*Cumulative Records may be requested from the Records Clerk \*\***

### **Student Study Team (SST) Level II**

Level II SST's need to be held to review progress of interventions included in the Level I SST.

1. Determine what is working for the student.
2. Emphasize communication between home and school.
3. Student work and grades should be displayed to assist parents in understanding the working level of their child.
4. Discuss retention and promotion issues (refer to grading section) with parents using a cause and effect argument.

## **AWARDS / RECOGNITION ASSEMBLIES**

1st Quarter Honor Roll – October

1st Semester Honor Roll – January

End of the Year Award Ceremony – May

## **8TH GRADE PROMOTION CEREMONY**

TBD. *Location and date/time are subject to change.*

Promotion Participation Policy: All 8th grade students being promoted to the 9th grade may participate in the promotion ceremony. However, students who have poor behavior/academic progress may have this privilege revoked by administration.



## **FIELD TRIPS/STUDENT STUDY TRIPS**

Decisions on these trips must be approved by administration and are to be based upon District field/study trip guidelines. No trips shall be planned without the written consent of administration.

Required funding sources must also be available in order for trips to be approved. Money is not available if it has not been previously allocated by administration. ASB funds are not to be used to fund individual group/class field trips and study trips. Classroom related field trips during the school day cannot be paid for by the student.

All field trips must follow the District's policies and procedures (Board Policy 6153). Be sure to submit paperwork for approval in advance. All volunteers and non-employee chaperones need prior approval.

You must provide supervision to ensure the safety and well-being of all students during field trips. If you do not find coverage, someone will have to stay behind. All school rules and policies must be followed on field/study trips.

Problems arising may include, but are not limited to:

- Failure to determine if students attending Field Trip have medical needs, including medications or procedures. The teacher will be responsible for dispensing medication as prescribed. Notify the health office well in advance of the trip (at least a week in advance).
- Failure to process paperwork far enough in advance to secure administrative and board approval.
- Failure to provide the Attendance Office with a tentative list of students attending.
- Failure to submit the names of volunteers/chaperones. Remember, student safety is of paramount importance when you take them on trips. Chaperones should be parents or legal guardians, not older siblings. On occasion there are legitimate reasons why certain people, including parents, will not be approved by your site or district administration and/or the Governing Board.
- Improperly excluding students from participating in field trips. As a general rule, students may not be prohibited from participating in classroom-related trips during the regular school day because they do not have the money to pay for it.
- Failure to supervise. See "Negligence/Failure to Supervise" section (the same rules apply).
- Failure to obtain parent permission or administrative approval. Students who participate in field trips require prior administrative approval and parent permission. Do not allow students to attend field trips if they have not been approved.

## **NON-DISTRICT SPONSORED SPECIAL ACTIVITIES**

Employees/volunteers often initiate special off-campus activities for students on weekends or after school hours. Whether the employee/volunteer is a club sponsor, or not, the employee/volunteer, the District, or both could be held liable if a student participant sustains an injury. Examples of activities are: swim parties, picnics, barbecues, hiking, and trips to amusement parks. The District's Administration should be notified of any events or activities of this type.

Due to the nature of certain activities, there may be an inference of District participation or sponsorship. For instance, the activity may be promoted on campus, using District supplies, equipment, and/or the District's name. If the event is a District-sponsored activity, use the appropriate notice forms, such as the "Assumption of Risk" form. If this is a non-District sponsored activity, reasonable steps should be taken to notify the public and participants of the District's non-involvement to reduce unwanted exposure.

Steps to be taken include:

1. Prohibit use of District supplies and equipment to promote the activity.
2. Prohibit publicizing the activity on campus.
3. Advertise on school social media notifying students the activity is not district-sponsored.
4. Post notices on campus the activity is not District sponsored.
5. Mail a notice of non-sponsorship to those students who are likely participants.



## **PARENT COMMUNICATION**

In any educational environment, the cooperation of the parents can make a teacher's job much easier. Phone calls, weekly progress reports, ParentVUE portal, conferences, and SSTs, should be used to keep parents informed of what is going on (assignments, projects, tests/quizzes, etc.) in class and how their child is doing. Discuss with parents at conferences and SST meetings grades are based on standards to be attained at the end of the year. Students may begin the year below grade level standards. Grades represent work in progress to achieve standards. Parents need to understand how critical it is for students to show progress towards standards.

If requested by parents, use the weekly progress report to provide them with a weekly grade and progress report. For weekly progress reports, follow this procedure:

- The student takes a weekly progress report form home for the parents to sign.
- On Friday, the student will have each teacher complete his/her section.
- Student is responsible for taking the progress report home Friday after school.

Please follow through with what you agree to with parents. Your credibility and their cooperation depend on it.

## **PARENT VISITATION RIGHTS TO CLASSROOM/CAMPUS**

Parents are permitted and encouraged to visit the campus. All parents are required to check in at the front office for all campus visits. Parents must complete a "Classroom Visitation Request" form prior to visiting any classroom, giving teachers a 24-hour notice. Office staff will notify teachers of the parent's desired visit. If the teacher is unavailable at the requested date, the teacher should contact the parent to reschedule.

## **DISCIPLINE (SCHOOL-WIDE)**

The Student Expectation Center (SEC) will be responsible for providing consequences for students sent from the classroom or misbehave on school grounds. The discipline used is progressive in nature, depending on the severity of the incident. Administration recognizes, due to the severity of some infractions, teachers must use their discretion in deciding if a student should be sent immediately to the SEC. On campus or to/from school, fighting, threatening to fight, or inciting a fight could result in a suspension and/or citation. Remember, our options on discipline are defined by Ed. Codes and have to be progressive. Even if a student has moved through all of your discipline consequences, the Student Expectation Center will have to move through their progressive steps. Ed. Code states you cannot suspend a student for disruption the first time he/she is referred to the office.

Avoid physical contact with students, except where permitted or authorized by law. School employees are authorized to use physical force only to the extent necessary to protect themselves & others from harm, protect the property of the District, and then, only to the extent necessary to control the situation and maintain order. Problems arise when reasonable force is exceeded, usually in anger or frustration.

The Education Code prohibits corporal punishment. Prohibitive acts include:

- Making students perform push-ups or running for discipline.
- Not allowing them restroom passes.
- Restraining them from movement (the key word is restraining.)
- Taping their mouths shut.
- Allowing them to be bullied.
- Forcefully grabbing them as a means of control.
- Using various forms of hitting, slapping, pinching, ear pulling, and kicking.

## **DISCIPLINE (CLASSROOM)**

Classroom management is one of the most difficult areas to master as a new or experienced teacher. Consequences for discipline need to be fair, consistent, and compassionate if you are to be successful. Have consequences believable to the students. You must follow through with your classroom discipline ladder when addressing infractions occurring in the classroom. Always contact the parents for inappropriate student behavior and teacher consequences.

***Use the Student Expectation Center (SEC) as a final resort for problems in the classroom***

## **PBIS REFERRALS/ INCIDENT REPORTS**

PBIS referrals to the office should be used as a part of your progressive discipline structure. The online form contains some general areas to check and space to describe the problem in the classroom. It is important you use class interventions to address student discipline problems. Please let us know the interventions which have been used in the classroom. It is also important for us to know how and when the parents have been contacted. Keeping lines of communication with parents can alleviate chronic discipline problems from reoccurring.

Remember your incident report gives the disciplinary problem to the office. The incident report does not need to be long. You need to write a brief, yet complete, description of what occurred and what previous discipline steps you have taken regarding the situation.

When you write a referral/incident report to the office, remember parents have a right to copies of it and any student statements generated from the incident report. This is different from previous years where we did not allow parents to have copies of anything except their child's statement. The wording you use is critical in gaining parent support for the issue. If you say "this child is driving me crazy", then it sounds personal- not professional. Stick to the facts of the event and describe behaviors. Do not let personal feelings undermine your efforts to control your class. When a student determines he/she upset you and you stop instruction, you have given them control over both yourself and the class.

## **CLASSROOM SUSPENSION**

Ed. Code permits Period Suspensions for the period that day and one additional day. Use this type of discipline wisely. Period suspensions may not be done the following day for defiance of a substitute. Remember you cannot suspend for defiance without showing progressive discipline. You must contact the parent or guardian when you period-suspend a student within 24-hours. Ed. Code states, "The teacher shall ask the parent or guardian of the pupil to attend a parent-teacher conference regarding the suspension." Leaving one or two phone messages does not constitute parent contact. You must submit the documentation of messages/contacts on the PBIS classroom suspension referral. Remember: we do not have an on-campus suspension room (OCS); therefore, class suspensions should be used as a last resort of your classroom progressive discipline.

The use of suspension from class, on-campus suspension, and off-campus suspension as the only discipline alternatives have been called into question. The Education Codes state a student must receive other documented disciplinary consequences for defiance and disruption before suspension of any kind is used. The burden of proof falls to the teacher and administrator doing the discipline.

## **TIME-OUT**

If you send a student to another classroom for “time-out”, then you must follow this procedure and use the form available from the office.

- Please advise the receiving teacher before sending a student on time-out.
- Students should arrive at the receiving teacher prepared with work/assignment. If the student is becoming a problem, do not send the student to the office, send the student back to the sending teacher.
- Limit the amount of time-out to a maximum of 15 minutes.
- Students must sign the time-out log. Students are required to sign-out when they leave and sign-in when they return.
- Receiving teachers must not accept a student without the Time-Out form. The white copy will remain with the sending teacher. The yellow copy stays with the receiving teacher. The pink copy is a student pass to return to class.

Large numbers of students should not be sent out on a time-out from class in a single period. If this is occurring, please contact an administrator for advice and/or assistance.

**\*\*This time-out procedure has become necessary because of the high volume of class suspensions. Teachers, please understand any time you remove a student from the instructional program, it is considered a class suspension.**

## **EXPULSIONS**

Student behavior may result in expulsion from the Rialto Unified School District. Classroom discipline and academic interventions are an important part of preparing an expulsion packet to present to the administrative panel and School Board members. They want to see all of the interventions have been used to attempt to change the student's behavior at school. This includes classroom discipline structures, SST meetings, testing, after school tutoring, and other interventions. The Administrative panel and the Board also want to see documented proof parents have been contacted during the disciplinary or academic process.

Teacher comments are also an important part of the expulsion packet. You will need to limit your comments to observable and measurable behaviors or actions. If you say, "This is the worst student I have ever had to work with!", then the expulsion panel may view the action as personal, not business, and negate the entire expulsion. We have four days to prepare and submit the expulsion package to Child Welfare & Attendance. You must submit your comments to the discipline secretary within 24-hours from which you receive the request. We can lose the expulsion if the packet is not submitted within the timeline.

At an expulsion, for most recommendations we submit, the panel must decide two questions:

1. Does the child present a danger to himself/herself or others?
2. Have other means been used to change the behavior and did they fail?

**\*\*We must be careful and consistent in how we apply discipline. Please document your discipline. It can make the difference between a "yes" and "no" answer to these questions.**

\*\*\*\*\*REMEMBER\*\*\*\*\*

### **Teachers:**

1. Make sure all of the discipline alternatives are documented (anecdotal records) as part of classroom discipline.
2. Remember: Time-out is a form of suspension. Use it carefully and for short periods of time. Use the forms to document the time-out intervention. All time-outs will be documented.
3. Due process of a student class suspended has become very important. Due Process means you allowed the student to tell his or her side of the incident, and you explained why the student is receiving a class suspension.
4. Notification of parents must be verified and documentation given to the secretary in the discipline office. This documentation could mean the difference between a successful expulsion and a decision "not to expel."
5. When we ask for comments about the student going through the expulsion process, you must include the interventions you have tried in the classroom (parent conferences, tutoring, change of assignments, seating, peer tutoring, testing, etc.).
6. Use a Class Suspension Form to process a class suspension listing previous interventions.

## **INTRUDER ON CAMPUS**

Please watch for individuals on campus you feel do not belong. Call extension 21110 if you see someone without a Visitor Pass. Security or an administrator will be sent to your location.

The official District warning for an Intruder on Campus is “Attention teachers, there is an intruder on campus. Please lock your doors”. At that time, lock your doors and have students move to an area away from windows and doors. If students are outside (quad or P.E.) move them to the nearest available rooms. Send students from the quad into the multipurpose room. The School Secretary and/or Administration will come on the intercom and announce when the incident is over. Do not allow students out of class for any reason. Please remain in your classrooms unless otherwise directed. Physical Education Teachers will need to have their students enter an available building or lie down on the field. In the case of an incident on the fields, you make the call to run or lie down.

## **How to Respond to an Active Shooter**

Quickly determine the most reasonable way to protect your own life. Remember that students are likely to follow the lead of staff during an active shooter situation.

### **1. *Evacuate***

If there is an accessible escape path, attempt to evacuate the premises.

### **2. *Hide out***

If evacuation is not possible, find a place to hide where the active shooter is less likely to find you.

### **3. *Take action against the active shooter***

As a last resort, and only when your life is in imminent danger, attempt to disrupt and/or incapacitate the active shooter.

## **LOCK-DOWN PROCEDURES**

In the event a situation arises, either on campus, in the immediate neighborhood, or an adjacent local area, where the safety of students, staff and/or community members on campus may be negatively affected, school/district administration or local police may deem it necessary to place the school on “Lock-down”.

At that time an all-call will be made over the campus PA system directing staff to “Lock down all rooms immediately!”

When you hear this announcement, follow these procedures:

1. Teachers are to report directly to their assigned room bringing with them any and all students in the area, even if they are not their students. If you are outside, go into the nearest building and lock the door. This applies to teachers supervising in the quad or outdoors, P.E., after school programs, etc. – if you and your students are in the MPR or library (for example) – you are to remain indoors and keep the students behind locked doors. Do not expose your students to potential or eminent danger by walking them across campus or to their assigned classrooms when they are already in a secure area.
2. Teachers are to lock their doors.  
\*\*Please ensure you are able to lock your classroom doors prior to any incident occurring. \*\*
3. Teachers should not let anyone in the room after the door is locked.  
\*\* No exceptions!! \*\*
4. Have students lie on the floor away from any windows. Movement attracts attention.
5. Stay off radio/phones unless an immediate emergency is occurring in your room.  
Administration will issue instructions and periodic updates via radio/phone.
6. Keep all students in classrooms until the all clear signal/announcement has been given.

## **FIRE DRILL**

When the fire alarm sounds, exit your classroom, leave the door shut, and follow the exit route map in your class. There is a school wide exit plan in the back of the Staff Handbook. Stay with your students and keep them together as a class. Exit according to the map and proceed to the basketball courts and then unto the field. Each class has been assigned a numbered area where to line up. The list with coordinating numbers and classes is in the appendix to the staff handbook.

Teachers, be sure to bring your roll book and emergency bag. Students need to bring their backpacks. We need to maintain order and take roll to determine if any students are missing. When you have taken attendance, an adult will come to your line to collect the "Disaster and Fire Drill Class Status Report". Any student becoming disruptive or threatens the safety of others, refer the student to the office after the drill.

## **EARTHQUAKE/ DISASTER DRILL**

An announcement over the intercom or an earthquake may indicate an emergency. If the earth is shaking, have students duck, cover and hold, until the shaking stops, then follow the same evacuation procedure as indicated for a fire drill. Classroom door is to be locked and closed. Teachers in portable classrooms, students should sit or lie on the tables and hold on or exit the room as quickly as possible due to the risk of building support failure.

## **FIRE PREVENTION COMPLIANCE**

The following Fire Prevention Requirements must be complied with at all public schools:

1. No flammable or combustible liquids may be stored in classrooms.
2. Use of flammable or combustible liquids in a classroom will be permitted only at the end of the day. They must be returned to the appropriate storage area for the night.
3. Flammable or combustible liquids shall be stored in an approved cabinet or cupboards in a designated storage area. The cabinet shall be marked on the outside with flame retardant paint stating FLAMMABLES - KEEP FIRE AWAY. At no time shall there be more than a total of five (5) gallons of flammable or combustible liquids stored in this cabinet. This includes duplicating fluid, spray paints, rubber cement, and paint thinner, etc. These containers shall be tightly sealed with lids so no vapors can escape.
4. Extension Cords are prohibited in schools. These cords drop from tables, are laid across floors, and are very dangerous. Students can trip over these cords and pull equipment off of tables or counters. The result may be an injury to the student from the equipment or the contents. Sometimes appliances are not unplugged or turned off and represent an extreme fire hazard.
5. Do not plug one surge protector into another to make an extension cord.
6. Live or fresh cut Christmas Trees shall not be permitted in classrooms. Electric lights on artificial fire retardant trees should be of the no heat variety.
7. Student art and other items shall not be hung from the ceiling due to the flash fire danger.
8. Fire extinguishers must be accessible. Do not place cabinets, bookcases, etc, in front of the extinguisher.
9. Tops of closets should remain free of books, papers, etc.

## **CELL PHONES**

While cell phones are now a standard means of communication, they should be used for emergencies only while on duty. It is neither professional nor appropriate to use a cell phone while teaching, working at your workstation or during supervision. Cell phones are disruptive, distracting, and intrusive in the classroom and workplace. All sites have procedures for contacting employees in case of an emergency. Employees should inform family members of the procedures. Contact the supervisor or administrator for the procedures.

## **CHILD ABUSE REPORTING**

All school employees are mandated (required) by law to report suspected child abuse or as soon as possible or within 24 hours to Child Protective Services (CPS), the school resource officer or a local law enforcement agency such as a city police department or county sheriff's department. Within 36 hours you must complete and submit a written notification to Child Protective Services. (Notify administration)

### **A few points to remember:**

- A child is a person under 18 years of age.
- You do not investigate. You must report if you have any cause to suspect child abuse. Call the agency first within 24 hours, complete the necessary report form within 36 hours, and let them do the investigation. The law requires you to complete both of these tasks within established timelines. Also, do not call the parents. Allow the appropriate investigative agency to make all necessary contacts.
- Child abuse includes:
  - Physical abuse
  - Sexual abuse
  - Emotional abuse
  - General/severe neglect
- You are protected from civil and criminal liability if you comply with your reporting requirements.
- Your name remains confidential.
- Failure to report is a misdemeanor and may also subject credential holders to adverse action on their credentials.
- A mandated reporter cannot turn their reporting obligation over to another person. Your obligation to report is not met when you tell an administrator or supervisor or counselor or other employees of your suspicions. In that case, both of you now have the duty to report.

## **FIRST AMENDMENT ISSUES**

Religion: While you may or may not agree with the current state of the law, ask yourself this question: "If this was my child, would I want his or her teacher (or other school employee) trying to convert him or her to that person's religion?" Suffice it to say, for employment purposes, school employees may not engage in proselytizing activities while engaged in the course and scope of their duties. School employees do not shed their constitutional rights to believe as they wish when they walk into the school. The First Amendment prohibits public schools and their employees from engaging in activities, which would either favor or disfavor a particular religion of faith.

Offensive Communications: The use of improper language by school employees is improper and unprofessional. Even the use of so-called "mild profanity" is improper. The use of vulgarity, profanity, racially offensive and/or sexual language or innuendo constitutes misconduct and may subject you to disciplinary action and/or CCTC action if you possess a credential.

### **UNIFORM COMPLAINT PROCEDURE**

If you feel you have been discriminated against or sexually harassed, please inform school administration immediately. If resolution is not obtained please contact the District Administration.

For sexual harassment contact the appropriate persons below at (909) 820-7700.

Dr. Rhea McIver Gibbs , Lead Personnel Agent, Personnel Services, x2401

Mrs. Rhonda Kramer, Lead Personnel Agent, Personnel Services, x2410

For all complaints - the Lead Personnel Agent will explain the filing procedures.

- o Complaints should be filed within six months of occurrence or when knowledge is obtained.
- o Investigations will focus on a satisfactory resolution.

\*If other assistance is needed you may contact the following:

Legal Aid Clinic - (909) 889-7328

Inland Counties Legal Service - (909) 884-8615

Anti-discrimination and Sexual Harassment policies are posted in the staff room.



**A GUIDE FOR PROFESSIONAL CONDUCT/RESPONSIBILITIES CONDUCT WITH STUDENTS**

The information in this guide has been prepared by the District to provide you with guidelines on professional conduct and responsibilities. Our first and foremost concern is to ensure employees carry out their duties and responsibilities ethically, honestly, and professionally. All employees should recognize the magnitude of the responsibility of teaching or working in a school setting. The information in the guide reinforces the importance of professional conduct in our contacts and interactions with students, parents, community members, and colleagues.

Sexual contact and conduct with any student is prohibited by law. As it relates to public school employees, there is no such thing as “consensual sex” with a minor or K-12 student. Touching, petting, kissing, rubbing against a student in a provocative or sexual manner, engaging in any sexual activities or lewd behavior, and/or having a student engage in that behavior with you or others are all prohibited by law. Even if a student is 18 years of age or older, if that person is still a K-12 student, you could face charges of misconduct from the District resulting in dismissal, and, for credential holders, the CCTC may impose sanctions. You could also face civil action for sexual harassment if the student alleges you conditioned any school-related benefit on his or her participation in sexually related benefit or his or her participation in sexually related conduct.

Showing, providing, exchanging, creating or making available any type of pornography to students is also prohibited and school employees are subject to prosecution and/or disciplinary action. Showing inappropriate movies or videos also frequently leads to allegations of misconduct against employees. (See the section on showing videos and movies to students.) Possession of adult magazines or novelties often leads to trouble for public school employees. If you find a student in possession of these materials, follow your site rules and directives from your supervisors on how to handle this issue and take possession of the materials. In all cases, report this student behavior to your immediate supervisor, immediately. If you keep the materials too long, one may report you as being in possession of adult-oriented materials.

Numerous discipline and/or legal problems occur as a result of inappropriate discussions or communications with students. Seemingly innocent conversations related to dating, sex, or family relationships can easily be misinterpreted by students and their parents and possibly lead to allegations of misconduct.

Limit all Email correspondence to school-related matters and follow the rules prescribed in the District Internet Use Agreement. See your administrator or supervisor if you have any questions about how and when you may and should communicate with students and/or their parents via e-mail. The CCTC reports a growing reason for taking action against a person’s credential is improper Internet behavior. If a student initiates improper Internet or e-mail contact with you, print copies of the e-mail or information sent to you, and again, immediately advise your supervisor and provide him/her with the documentation. Then, work with your supervisor to resolve the issue so the improper communication from the student ceases. Note too, consensual exchange of sexually oriented materials with adults using District equipment will also cause problems for you and may result in disciplinary action.

Avoid all adult-related Internet sites. If you are subjected to adult-content or sexually-oriented Spam or communications at work-site computers, report it immediately to your site administrator, who will work the District Information Systems technicians to help you block out such mail.

## **PHYSICAL CONTACT**

One of the most perplexing and difficult type of case we handle is when a student alleges an employee inappropriately “touched” him or her. Often, the allegation is the touching occurred in a “private” area, or the “touch” was overly physical, or threatening or intimidating. These charges often occur when an employee touches a student while guiding them to their seat, or directing them to stay in line, or when breaking up an argument or a fight, or when an employee simply gives a student a hug or a pat on the back or arm for positive or supportive reasons. Oftentimes these allegations are groundless; the result of a student’s desire to “get the teacher,” or the custodian, or other employee as “pay-back” for a perceived harm. Sometimes, however, the allegations are meritorious and cause licensure, legal and employment problems for the employee.

The best advice we can give is to avoid circumstances where you are alone with a student so other eyewitnesses may refute untrue or exaggerated allegations. Don’t be alone in classrooms with a student. Keep your class or office door or workstation door open. Have other adults or students present when students want to be in your classroom or work area outside of class time. Be especially cautious with students whom you have recently disciplined. If a student vows or hints or threatens they will “get you” someday, always report it immediately to your supervisor. Take notes, list witness names, and give this information to your supervisor.

## **FRATERNIZATION WITH STUDENTS**

Fraternization with students can best be described as associating with students in a manner, which is inappropriate, or beyond the normal or reasonable student/teacher or student/employee relationship. Befriending a student or providing counsel or guidance is not fraternization. Entering into a personal relationship with a student is fraternization. Fraternization sometimes leads to challenges and temptations, which should be avoided at all costs.

Under any circumstances you should not take students to your home. Do not transport students to movies or meals unless the activity is part of a school related program. The best advice is to remember you are the adult and the student is the child. Do not write personal notes or give personal gifts to students. Maintain a professional relationship. Also, it helps to assess your relationship with a student by asking yourself, “If this were my child, would I want him or her to have this type of relationship with one of his or her teachers or a school employee?” If you sense a student is developing a dependent, romantic or sexual interest in you, you should end that relationship and work with your supervisor to prevent it from occurring.

## **ARRESTS AND CONVICTIONS**

Certain arrests (specifically controlled substances and sex arrests) and convictions of employees may have serious implications for school employees; particularly credential holders. The number one reason teachers are referred to the CCTC for investigation is for “driving under the influence” convictions. Even though this conduct is almost always non-work-related, credential holders routinely suffer adverse action against their credential if convicted of this crime. Credential holders need to know any conviction can lead to suspension or revocation of one’s teaching credentials. Education Codes 44010 and 44011 define specific sex and drug convictions which bar all persons, credentialed or not, from remaining in the employ of, or being hired by, a public K-12 school district. Often, certain arrests mandate suspension pending resolution of the case. In any event, if a public school employee is arrested and/or convicted, particularly if the employee is credentialed, he or she may also be subject to District and CCTC discipline depending on the nature of the offense.

We often handle cases where applicants fail to divulge prior convictions on their employment applications. When confronted, they maintain “the judge (or my attorney) told me it didn’t count and I didn’t have to report it once I served probation.” As a general rule, this statement is not true for public school employees or applicants. It’s not that the new employee is necessarily being untruthful; it’s just as a general rule, this is a misstatement of law, especially for public school employees. ALL convictions must be reported unless the person has gone back to the original court and filed a Penal Code Section 1203.4 motion to expunge the conviction, and the judge actually issued a court order to that effect. An applicant for the public schools need

not divulge juvenile court convictions having actually been sealed by a court order pursuant to Penal Code section 1203.45, or an arrest for which a pretrial drug court diversion program was successfully completed pursuant to Penal Code Sections 1000.5 and 1001.5.

Note too, a plea of “nolo contendere” and/or “no contest” carries the same legal weight as a plea or finding of guilty. Although you already work for us and have already filled out your employment application before you were hired, we thought you should know this information in the event you apply for other positions in or outside the District.

## **HARASSMENT**

Sexual harassment is against federal and state law, and RUSD Board Policy.

There are two types of sexual harassment:

1. “Quid Pro Quo,” or “Something for Something.” This usually involves a supervisor who uses threats and/or rewards to encourage sexual behavior from employees. It can also involve a teacher or other employee who makes these same demands on a student.
2. “Hostile Environment.” This is an environment in which repeated unwelcome and offensive words, actions or displays of a sexual nature are present. This type of atmosphere is intimidating, hostile and offensive, and illegally interferes with a person’s ability to work (or a student’s ability to succeed in school).

Managers and supervisors who display “deliberate indifference” toward offending employees are subject to discipline. In addition, teachers may also display “deliberate indifference” toward offending students by doing little or nothing to stop a student’s offending behavior once that behavior is made known to the teacher. This, too, is subject to discipline.

It is important for all employees to know employers also have a duty to enforce sexual harassment or hostile environment laws and policies in work-related social activities. In other words, sexual harassment or hostile environment, which occurs at staff parties and work-related social gatherings, may also be subject to disciplinary action. These problems often arise at work-related social gatherings where alcohol is consumed. Remember, no one should be subject to harassment at work based upon his or her gender, even at work-related social events.

If you believe you are the victim of sexual harassment, you should first make it known to the harasser the conduct is unwelcome and ask him/her to stop. You may, however, report the behavior directly to your or the alleged harasser’s supervisor. If your supervisor is the alleged harasser, go to his or her supervisor. If the behavior continues, or if you do not believe your complaint was handled to your satisfaction, you shall immediately notify the District’s Title IX Coordinator in the Personnel office with your complaint. Additionally, retaliation against a person simply because they filed a sexual harassment complaint is prohibited by law.

If you are the harasser, you may be subject to discipline and civil liability to the victim. If you have any questions as to what conduct is appropriate or inappropriate, contact your supervisor or the District’s Title IX Coordinator.

Harassment based on other immutable characteristics may also be grounds for discipline and legal action. Harassment based on sex, color, religion, national origin, ancestry, ethnicity, disability, medical status or sexual orientation is also illegal and contrary to federal and state law, and/or Governing Board Policies and Regulations. Remember, all members of the education community deserve to be treated fairly and equally.

Threatening colleagues, other District employees, students, parents or anyone else during the course and scope of your employment may also constitute grounds for legal and/or disciplinary action. If you are experiencing difficulty with a person associated in any manner with your employment, report those problems immediately to your supervisor so he or she may assist you in resolving this matter in a professional and amicable manner.

## **ALCOHOL/TOBACCO AND/OR CONTROLLED SUBSTANCES ISSUES**

The Board believes 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 the Controlled Substances Act and Code of Federal Regulations before, during or after school hours at school or in any other district workplace.

As a condition of employment employees will abide by the terms of this policy and notify the employer, within five days, of any criminal drug or alcohol statute conviction which he/she receives for a violation occurring in the workplace. Failure to notify the District of such conviction may be grounds for disciplinary action. (BP 4020)

Federal law mandates public schools and school property such as District vehicles are to be “tobacco free.” This means all people who come onto school grounds, including employees and the public, may not use tobacco products therein. This includes employees who smoke in District vehicles and/or their personal vehicles parked on District property.

### **Under the Influence Issues:**

In addition to being under the influence, consuming, possessing, manufacturing and/or furnishing alcohol or illegal controlled substances in the course and scope of your employment are all contrary to law and Board Policy. Employment issues also arise when a person reports to work after a “night of partying” or after drinking alcohol prior to reporting to work, while on their lunch hour or during work hours. When these cases arise, the police may be called to administer field sobriety tests, which could result in arrest and/or disciplinary action. Also, never drive a District vehicle, or your own vehicle while on District-related business, either alone or with co-employees or students in the vehicle, if you have consumed alcoholic beverages or if you are impaired to any degree by the use of either illegal or legally prescribed drugs or medications.

## **INSUBORDINATION**

As a general rule, employees must follow the directives of their supervisor, unless the employee reasonably believes the directive is illegal (i.e. against the law), immoral and/or unsafe.

## **MISUSE OF LEAVE PROVISIONS / FALSIFICATION OF DOCUMENTS**

Leave of any type is granted only as provided by law, collective bargaining agreements and/or Board Policy. Be sure to familiarize yourself with your rights in this area. If you have any questions, seek advice in advance from your supervisor. Misuse of leave and/or falsification of leave or any other documents may constitute sufficient grounds for disciplinary action. Absence forms must be submitted immediately following any absence. An exception is a school business pre-approved absence on form B-40.

## **VIOLATION OF SITE/DEPARTMENT/DISTRICT AND/OR BOARD POLICIES AND ADMINISTRATIVE REGULATIONS**

We all know how voluminous rules and regulations can be, especially in the public sector. However, we are all required to abide by them. Every site has a copy of the adopted Board Policies and Administrative Regulations. Answers to most policy questions may be found in these documents. The old saying “ignorance of the law is no excuse of the law” is particularly relevant here.

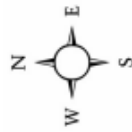
Avail yourself to site and District Board Policies and Regulations and/or work with your supervisor in this area. The superintendent’s office keeps Board Policies and Administrative Regulations up-to-date and will refer you to the proper division or department if necessary to help answer your questions and/or concerns.

## **A FINAL WORD OR TWO**

We hope this guide has been helpful to you. The intent is to help you avoid situations, which may cause you to experience legal or employment-related difficulties. If we could give you just a few words of wise advice, it would be these:

1. Use common sense.
2. Avoid situations where temptations exist to entice you into improper conduct, or commonly cause problems for public employees.
3. Be honest.
4. When in doubt, seek assistance from your supervisor.
5. Familiarize yourself with site and District policies, and regulations as they relate to you and your job responsibilities. Ignorance is not a defense.
6. And, remember, as public school employees, we are often held to a higher standard; it's the choice we make when we start working with children.

## PEPPER AVE



COMMAND CENTER

STAGING AREA

← MITCHELL	PE
← QUIROS	PE
← TORRES, A.	PE
← GOMEZ	PE
← OXLEY	PE
← RODRIGUEZ	PE
← PIERCE	P-1
← MAGDALENO(2)TRUJILLO(2)	P-2 / P-10
← MARTINEZ	P-3
← VACANT	P-4
← KUTCH(2)NUNEZ(3)VENTURA(4)	P-9
← TORREY	H-1
← DUCKWORTH	H-2
← DAHL	H-3
← LANE, S.	H-4
← WHITED	G-13
← AGUILAR	G-12
← KASHIWAGI	G-11
← CIPRES	G-10
← MONTILLA	G-9
← BRYAN	G-8
← WILLIAMS, OLIVER	G-7
← KRUIZENGA	G-6
← GEYSER	G-5
← MACIAS, K.	G-4
← LOPEZ	G-3
← CHHOU(5)SMITH, Y.(2)	G-2
← NWARAUZE	G-1
← CARLSON	F-19
← MENDOZA, J.	F-18
← DEAN	F-17
← HAROLD	F-16
← DALTON	F-15
← FERRARA	F-14
← WATKINS	F-13
← ROBINSON	F-12
← LANE, M.	F-11
← KELLMER	F-10
← SMITH, M.	F-9
← GONZALEZ	F-8
← TORRES, R.	F-7
← JACKSON	F-6
← HERNANDEZ	F-5
← ALVO	F-4
← LEWIS	F-3
← COPELAND	F-2
← WILLIAMS, ORDELL	F-1
← TEJEDA	E-11
← HOLLAND	E-10
← MONTERROSA	E-9
← O'BRIEN	E-8
← DUARTE	E-7
← GAYTON	E-6
← BURCHMORE	E-5
← KRUUK	E-4
← PETRINI	E-3
← GUTIERREZ	E-2
← MENDOZA, P.	E-1
← PRADO	B-1

SOLAR PANEL

SOLAR PANEL

SOLAR PANEL

SOLAR PANEL



## Contracts

### Initial Employment

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 hired. (Education Code [44916](#))

### Reemployment Notices

Certificated employees shall be offered reemployment unless prior to March 15th, they have been given notice, by personal service or registered mail:

1. That their services may not be required for the ensuing year
2. Of their right to a hearing as provided in Education Code [44949](#)

By April 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 certificated employees of a year-round school who are serving in a track that starts within 14 days of July 1 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 June 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 who gives notice of resignation after May 31 but before June 30 shall be released from his/her contract within 30 days of the employee's notice, or as soon as a replacement employee is obtained, whichever occurs first. (Education Code [44842](#))

(cf. [4113](#) - Assignment)

(cf. [4117.4](#) - Dismissal)

Whenever a permanent certificated employee is reemployed within 39 months after termination, all salary schedule and sick leave privileges are restored as of the date of termination. (Education Code [44931](#))

Whenever a probationary certificated employee is reemployed within 24 months after termination, all salary schedule and sick leave benefits are restored as of the date of termination. (Education Code [44957](#))

Legal Reference:

### EDUCATION CODE

[44832](#) Teachers; notice of intent to return  
[44842](#) Automatic declining of employment  
[44843](#) Notice of employment (to county superintendent)  
[44916](#) Time of classification; statement of employment status  
[44929.20](#) Continuing contract; districts with less than 250 ADA  
[44955](#) Reduction in number of employees

Regulation RIALTO UNIFIED SCHOOL DISTRICT

approved: July 28, 1999 Rialto, California

revised: November 9, 2001



## **Nondiscrimination In Employment**

The Board of Education is determined to provide district employees, interns, volunteers, and job applicants a safe, positive environment where they are assured of full and equal employment access and opportunities, protection from harassment or intimidation, and freedom from any fear of reprisal or retribution for asserting their employment rights in accordance with law. This policy shall apply to all district employees and, to the extent required by law, to interns, volunteers, and job applicants.

(cf. [1240](#) - Volunteer Assistance)

(cf. [4111/4211/4311](#) - Recruitment and Selection)

No district employee shall be discriminated against or harassed by any coworker, supervisor, manager, or other person with whom the employee comes in contact in the course of employment, on the basis of the employee's actual or perceived race, religious creed, color, national origin, ancestry, age, marital status, pregnancy, physical or mental disability, medical condition, genetic information, military and veteran status, gender, gender identity, gender expression, sex, or sexual orientation or his/her association with a person or group with one or more of these actual or perceived characteristics.

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

Discrimination in employment based on the characteristics listed above is prohibited in all areas of employment and in all employment-related practices, including the following:

1. Discrimination in hiring, compensation, terms, conditions, and other privileges of employment.
2. Taking of an adverse employment action, such as termination or the denial of employment, promotion, job assignment, or training.

(cf. [4151/4251/4351](#) - Employee Compensation)

(cf. [4154/4254/4354](#) - Health and Welfare Benefits)

3. Unwelcome conduct, whether verbal, physical, or visual, that is so severe or pervasive as to adversely affect an employee's employment opportunities, or that has the purpose or effect of unreasonably interfering with the individual's work performance or creating an intimidating, hostile, or offensive work environment.

4. Actions and practices identified as unlawful or discriminatory pursuant to Government Code [12940](#) or 2 CCR [11006-11086](#), such as:

a. Sex discrimination based on an employee's pregnancy, childbirth, breastfeeding, or any related medical condition or on an employee's gender, gender expression, or gender identity, including transgender status.

(cf. [4033](#) - Lactation Accommodation)

(cf. [4119.11/4219.11/4319.11](#) - Sexual Harassment)

b. Religious creed discrimination based on an employee's religious belief or observance, including his/her religious dress or grooming practices, or based on the district's failure or refusal to use reasonable means to accommodate an employee's religious belief, observance, or practice which conflicts with an employment requirement.

c. Disability discrimination based on a district requirement for a medical or psychological examination of a job applicant, or an inquiry into whether a job applicant has a mental or physical disability or a medical condition or as to the severity of any such disability or condition, without the showing of a job-related need or business necessity.

(cf. [4119.41/4219.41/4319.41](#) - Employees with Infectious Disease)

d. Disability discrimination based on the district's failure to make reasonable accommodation for the known physical or mental disability of an employee or to engage in a timely, good faith, interactive process with an employee, to determine effective reasonable accommodations for the employee, when he/she has requested reasonable accommodation for a known physical or mental disability or medical condition.

(cf. [4032](#) - Reasonable Accommodation)

The Board also prohibits retaliation against any district employee who opposes any discriminatory employment practice by the district or its employees, agents, or representatives or who complains, testifies, assists, or in any way participates in the district's complaint process pursuant to this policy. No employee who requests an accommodation for any protected characteristic listed in this policy shall be subjected to any punishment or sanction, regardless of whether the request was granted. (Government Code [12940](#))

Complaints concerning employment discrimination, harassment, or retaliation shall immediately be investigated in accordance with procedures specified in the accompanying administrative regulation.

Any supervisory or management employee who observes or has knowledge of an incident of prohibited discrimination or harassment shall report the incident to the Superintendent or designated district coordinator as soon as practical after the incident. All other employees are encouraged to report such incidents to their supervisor immediately. The district shall protect any employee who reports such incidents from retaliation.

The Superintendent or designee shall use all appropriate means to reinforce the district's nondiscrimination policy. He/she shall provide training and information to employees about how to recognize harassment, discrimination, or other related conduct, how to respond appropriately, and components of the district's policies and regulations regarding discrimination. The Superintendent or designee shall regularly review the district's employment practices and, as necessary, shall take action to ensure district compliance with the nondiscrimination laws.

In addition, the Superintendent or designee shall post, in a conspicuous place on district premises, the California Department of Fair Employment and Housing publication on workplace discrimination and harassment issued pursuant to 2 CCR [11013](#).

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.

(cf. [4118](#) - Dismissal/Suspension/Disciplinary Action)

(cf. [4218](#) - Dismissal/Suspension/Disciplinary Action)

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination

CIVIL CODE

51.7 Freedom from violence or intimidation

GOVERNMENT CODE

11135 Unlawful discrimination

11138 Rules and regulations

12900-12996 Fair Employment and Housing Act

PENAL CODE

422.56 Definitions, hate crimes

CODE OF REGULATIONS, TITLE 2

11006-11086 Discrimination in employment

11013 Recordkeeping

11019 Terms, conditions and privileges of employment

11023 Harassment and discrimination prevention and correction

11024 Sexual harassment training and education

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

2000ff-2000ff-11 Genetic Information Nondiscrimination Act of 2008

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

Thompson v. North American Stainless LP, (2011) 131 S.Ct. 863

Shephard v. Loyola Marymount, (2002) 102 Cal.App.4th 837

## Management Resources:

### CALIFORNIA DEPARTMENT OF FAIR EMPLOYMENT AND HOUSING PUBLICATIONS

California Law Prohibits Workplace Discrimination and Harassment, December 2014

### U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS PUBLICATIONS

Notice of Non-Discrimination, August 2010

### U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION PUBLICATIONS

Questions and Answers: Religious Discrimination in the Workplace, 2008

New Compliance Manual Section 15: Race and Color Discrimination, April 2006

Enforcement Guidance: Vicarious Employer Liability for Unlawful Harassment by Supervisors, June 1999

## 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>

U.S. Equal Employment Opportunity Commission: <http://www.eeoc.gov>

## Policy RIALTO UNIFIED SCHOOL DISTRICT

adopted: July 14, 1999 Rialto, California

revised: October 5, 2016

revised: February 8, 2017

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Rialto USD | 4000 | BP 4031 Personnel

## **Complaints Concerning Discrimination In Employment**

The Board of Education recognizes that the district has primary responsibility for ensuring that all educational programs or activities funded directly by or that receive benefits from any state financial assistance are governed within state and federal laws and regulations regarding discrimination and civil rights guarantees. The district shall investigate and seek to resolve complaints alleging violations of these statutes at the local level.

Complaints about school district personnel/policy/procedures and/or practice regarding alleged unlawful discrimination on the basis of ethnic group identification, religion, age, sex, color or physical or mental disability in any program or activity conducted by the school district which is funded directly by or that reviews or benefits from any state financial assistance shall follow AR 4031.

The provisions of AR 3041 shall cover all relevant programs including Adult Basic Education, Consolidated Categorical Aid, Career Vocational Education, Child Care and Development, Child Nutrition and Special Education as well as civil rights guarantees (gender equity and nondiscrimination requirements).

All complaints regarding alleged discrimination shall be forwarded to the district Uniform Complaint Coordinator who will ensure compliance with district procedures and state and federal laws/regulations.

Discrimination complaints shall be investigated in a manner that protects the confidentiality of the parties and the facts. This includes keeping the identity of the complainant confidential except to the extent necessary to carry out the investigation or proceedings as determined by the Superintendent or designee on a case-by-case basis.

Retaliation in any form for the filing of a complaint, the reporting of instances of discrimination or for participation in complaint procedures is strictly prohibited.

Complainants shall be advised of local civil law remedies.

There shall be an annual, written notification of the district Uniform Complaint Procedures to students, employees, parents/guardians, district/school advisory committees and interested parties.

(cf. [1312.3](#) - Uniform Complaint Procedures)

Legal Reference

EDUCATION CODE

[200-262.3](#) Prohibition of discrimination

GOVERNMENT CODE

[12920-12921](#) Nondiscrimination

[12940-12948](#) Discrimination prohibited; unlawful practices, generally

TITLE VI, CIVIL RIGHTS ACT OF 1964

TITLE VII, CIVIL RIGHTS ACT OF 1964

TITLE IX, EDUCATIONAL AMENDMENTS OF 1972

SECTION 504, REHABILITATION ACT OF 1973

AGE DISCRIMINATION ACT OF 1975

AMERICANS WITH DISABILITIES ACT

Policy RIALTO UNIFIED SCHOOL DISTRICT

adopted: July 14, 1999 Rialto, California

## Health Examinations

### New Employees

The Superintendent or designee shall ensure that new district employees comply with all the health examination requirements of California law.

In addition, the Superintendent or designee may require applicants for employment in classified positions to undergo a pre-employment physical examination to show that they are physically able to perform the duties of specific jobs. (Education Code [45122](#))

### Continuing Employees

Continuing employees shall undergo periodic tuberculosis tests once every four years in accordance with law. (Education Code [49406](#))

The Board of Education is concerned about the prevalence of tuberculosis in our community and may require continuing employees to undergo tuberculosis tests when warranted upon the recommendation of the local health officer and shall continue to require all district food service employees to undergo a tuberculosis test every two years.

Employees may be required to pass a physical and/or psychological examination any time such an examination appears necessary to preserve the health and welfare of district students and employees or to furnish medical proof of physical or mental ability to satisfactorily perform the assigned duties of an individual's position. (Education Code [44839](#), [45122](#))

(cf. [4119.41](#)/[4219.41](#)/[4319.41](#) - Employees with Infectious Disease)

Legal Reference:

#### EDUCATION CODE

[44839](#) Medical certificate; periodic medical examination

[44839.5](#) Requirements for employment of retirant

[44932](#) Grounds for dismissal of permanent employee

[44942](#) Suspension or transfer of certificated employee on ground of mental illness, psychiatric examination; mandatory sick leave

[45122](#) Physical examinations

[49406](#) Examination for tuberculosis

#### CODE OF REGULATIONS, TITLE 5

[5502-5503](#) Physical examination for retirants employed as substitute teacher, etc.

[5504](#) Medical certification procedures

Policy RIALTO UNIFIED SCHOOL DISTRICT

adopted: July 28, 1999 Rialto, California

## Sexual Harassment

The Board of Education prohibits sexual harassment of district employees. 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 accompanying administrative regulation. This policy shall apply to all district employees and, when applicable, to interns, volunteers, and job applicants.

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

(cf. [4030](#) - Nondiscrimination in Employment)

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

(cf. [4112.9/4212.9/4312.9](#) - Employee Notifications)

3. Ensuring prompt, thorough, and fair investigation of complaints
4. 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. (2 CCR [11023](#))

Any district employee who feels that he/she has been sexually harassed or who has knowledge of any incident of sexual harassment by or against another employee 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 4030 - Nondiscrimination 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 in violation of this policy is subject to disciplinary action, up to and including dismissal.

(cf. [4118](#) - Dismissal/Suspension/Disciplinary Action)

(cf. [4218](#) - Dismissal/Suspension/Disciplinary Action)

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination on the basis of sex

GOVERNMENT CODE

12900-12996 Fair Employment and Housing Act, especially:

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

11009 Employment discrimination

11021 Retaliation

11023 Harassment and discrimination prevention and correction

11024 Sexual harassment training and education

11034 Terms, conditions, and privileges of employment

## 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

Fragher v. City of Boca Raton, (1998) 118 S.Ct. 2275

Burlington Industries v. Ellreth, (1998) 118 S.Ct. 2257

Gebser v. Lago Vista Independent School District, (1998) 118 S.Ct. 1989

Oncale v. Sundowner Offshore Serv. Inc., (1998) 118 S.Ct. 998

Meritor Savings Bank, FSB v. Vinson et al., (1986) 447 U.S. 57

Management Resources:

## OFFICE OF CIVIL RIGHTS AND NATIONAL ASSOCIATION OF ATTORNEYS GENERAL

Protecting Students from Harassment and Hate Crime, January 1999

## WEB SITES

California Department of Fair Employment and Housing: <http://www.dfeh.ca.gov>



Equal Employment Opportunity Commission: <http://www.eeoc.gov>

U.S. Department of Education, Office for Civil Rights:

<http://www.ed.gov/about/offices/list/ocr/index.html>

Policy RIALTO UNIFIED SCHOOL DISTRICT

adopted: July 28, 1999 Rialto, California

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revised: February 8, 2017

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Rialto USD | 4000 | BP 4119.22 Personnel

## **Dress And Grooming**

The Board of Education believes that appropriate dress and grooming by district employees contribute to a productive working and 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 the profession, present an image consistent with their job responsibilities and assignment, and protect the health and/or safety of employees and/or students. All employees shall be held to the same standards unless their assignment provides for modified dress as approved by their supervisor.

(cf. [4118](#) - Suspension/Disciplinary Action)

(cf. [4119.25/4219.25/4319.25](#) - Political Activities of Employees)

(cf. [4218](#) - Dismissal/Suspension/Disciplinary Action)

(cf. [5132](#) - Dress and Grooming)

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

Finot v. Pasadena Board of Education, (1967) 250 Cal.App.2d 189

## PUBLIC EMPLOYMENT RELATIONS BOARD DECISIONS

Santa Ana Unified School District, (1998) 22 PERC P29, 136

Inglewood Unified School District, (1985) 10 PERC P17, 000

Management Resources:

## WEB SITES

Public Employment Relations Board: <http://www.perb.ca.gov>

## Policy RIALTO UNIFIED SCHOOL DISTRICT

adopted: July 28, 1999 Rialto, California

revised: July 26, 2006

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Rialto USD | 4000 | BP 4119.43 Personnel

## Universal Precautions

Universal precautions shall be observed throughout the district to protect employees, students and any other persons in the school environment from contact with potentially infectious blood or other body fluids.

Universal precautions are appropriate for preventing the spread of all infectious diseases and shall be used regardless of whether bloodborne pathogens are known to be present.

(cf. [4119.42](#)/[4219.42](#)/[4319.42](#) - Exposure Control Plan for Bloodborne Pathogens)

(cf. 5141.1 - Accidents)

(cf. [5141.23](#) - Infectious Disease Prevention)

(cf. [6145.2](#) - Interscholastic Competition)

Legal Reference:

## HEALTH AND SAFETY CODE

[120875](#) Providing information to school districts on AIDS, AIDS-related conditions and Hepatitis B

[120880](#) Information to employees of school district

## CODE OF REGULATIONS, TITLE 8

[5193](#) California Bloodborne Pathogens Standard

## CODE OF FEDERAL REGULATIONS, TITLE 29

[1910.1030](#) OSHA Bloodborne Pathogens Standards

Management Resources:

## CDE ADVISORY

1016.89 Guidelines for Informing School Employees about Preventing the Spread of Infectious Diseases, including Hepatitis B and AIDS/HIV Infections and Policies for Dealing with HIV-Infected Persons in School Settings

Policy RIALTO UNIFIED SCHOOL DISTRICT

adopted: July 28, 1999 Rialto, California

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## Staff Development

The Board of Education believes that, in order to maximize student learning and achievement, certificated staff members must be continuously learning and improving their skills. The Superintendent or designee shall develop a program of ongoing professional development which includes opportunities for teachers to enhance their instructional and classroom management skills and become informed about changes in pedagogy and subject matter.

(cf. [6111](#) - School Calendar)

The Superintendent or designee shall involve teachers, site and District administrators, and others, as appropriate, in the development of the District's staff development program. He/she shall ensure that the District's staff development program is aligned with District priorities for student achievement, school improvement objectives, the local control and accountability plan, and other District and school plans.

(cf. [0000](#) - Vision)

(cf. [0200](#) - Goals for the School District)

(cf. [0420](#) - School Plans/Site Councils)

(cf. [0460](#) - Local Control and Accountability Plan)

(cf. [0520.2](#) - Title I Program Improvement Schools)

(cf. [0520.3](#) - Title I Program Improvement Districts)

The District's staff development program shall assist certificated staff in developing knowledge and skills, including, but not limited to:

1. The Mastery of subject-matter knowledge, including current state and District academic standards

(cf. [6011](#) - Academic Standards)

(cf. [6142.1](#) - Sexual Health and HIV/AIDS Prevention Instruction)

(cf. [6142.2](#) - World/Foreign Language Instruction)

(cf. [6142.3](#) - Civic Education)

(cf. [6142.5](#) - Environmental Education)

(cf. [6142.6](#) - Visual and Performing Arts Education)

(cf. [6142.7](#) - Physical Education and Activity)

(cf. [6142.8](#) - Comprehensive Health Education)

(cf. [6142.91](#) - Reading/Language Arts Instruction)

(cf. [6142.92](#) - Mathematics Instruction)

(cf. [6142.93](#) - Science Instruction)

(cf. [6142.94](#) - History-Social Science Instruction)

2. Use of effective, subject-specific teaching methods, strategies, and skills

3. Use of technologies to enhance instruction

(cf. [0440](#) - District Technology Plan)

(cf. [4040](#) - Employee Use of Technology)

(cf. [6163.4](#) - Student Use of Technology)

4. Sensitivity to and ability to meet the needs of diverse student populations, including, but not limited to, students of various racial and ethnic groups, students with disabilities, English learners, economically disadvantaged students, foster youth, gifted and talented students, and at-risk students

(cf. [4112.22](#) - Staff Teaching Students of Limited English Proficiency)

(cf. [4112.23](#) - Special Education Staff)

(cf. [5147](#) - Dropout Prevention)

(cf. [6141.5](#) - Advanced Placement)

(cf. [6171](#) - Title I Programs)

(cf. [6172](#) - Gifted and Talented Student Program)

(cf. [6173](#) - Education for Homeless Children)

(cf. [6173.1](#) - Education for Foster Youth)

(cf. [6174](#) - Education for English Language Learners)

(cf. [6175](#) - Migrant Education Program)

5. Understanding of how academic and career technical instruction can be integrated and implemented to increase student learning

(cf. [6178](#) - Career Technical Education)

6. Knowledge of strategies that encourage parents/guardians to participate fully and effectively in their children's education

(cf. [1240](#) - Volunteer Assistance)

(cf. [5020](#) - Parent Rights and Responsibilities)

(cf. [6020](#) - Parent Involvement)

7. Effective classroom management skills and strategies for establishing a climate that promotes respect, fairness, tolerance, and discipline, including conflict resolution and hatred prevention

(cf. [5131](#) - Conduct)

(cf. [5131.2](#) - Bullying)

(cf. [5137](#) - Positive School Climate)

(cf. 5138 - Conflict Resolution/Peer Mediation)

(cf. [5145.9](#) - Hate-Motivated Behavior)

8. Ability to relate to students, understand their various stages of growth and development, and motivate them to learn

9. Ability to interpret and use data and assessment results to guide instruction

(cf. [5121](#) - Grades/Evaluation of Student Achievement)

(cf. [6162.5](#) - Student Assessment)

10. Knowledge of topics related to student health, safety, and welfare

(cf. [0450](#) - Comprehensive Safety Plan)

(cf. [5030](#) - Student Wellness)

(cf. [5131.6](#) - Alcohol and Other Drugs)

(cf. [5131.63](#) - Steroids)

(cf. [5141.21](#) - Administering Medication and Monitoring Health Conditions)

(cf. [5141.4](#) - Child Abuse Prevention and Reporting)

(cf. [5141.52](#) - Suicide Prevention)

(cf. [5145.3](#) - Nondiscrimination/Harassment)

(cf. [5145.7](#) - Sexual Harassment)

11. Knowledge of topics related to employee health, safety, and security

(cf. [3514.1](#) - Hazardous Substances)

(cf. [4119.11](#)/[4219.11](#)/[4319.11](#) - Sexual Harassment)

(cf. [4119.42](#)/[4219.42](#)/[4319.42](#) - Exposure Control Plan for Bloodborne Pathogens)

(cf. [4119.43](#)/[4219.43](#)/[4319.43](#) - Universal Precautions)

(cf. [4157](#)/[4257](#)/[4357](#) - Employee Safety)

(cf. [4158](#)/[4258](#)/[4358](#) - Employee Security)

The Superintendent or designee may, in conjunction with individual teachers, and administrators, as appropriate, develop an individualized program of professional growth to increase competence, performance, and effectiveness in teaching and classroom management and, as necessary, to assist them in meeting state or federal requirements to be fully qualified for their positions.

(cf. [4112.2](#) - Certification)

(cf. [4112.21](#) - Interns)

(cf. [4112.24](#) - Teacher Qualifications Under the No Child Left Behind Act)

(cf. [4131.1](#) - Teacher Support and Guidance)

Professional learning opportunities offered by the District shall be evaluated based on the criteria specified in Education Code [44277](#). Such opportunities may be part of a coherent plan that combines school activities within a school, including lesson study or co-teaching, and external learning opportunities that are related to academic subjects taught, provide time to meet and work with other teachers, and support instruction and student learning. Learning activities may include, but are not limited to, mentoring projects for new teachers, extra support for teachers to improve practice, and collaboration time for

teachers to develop new instructional lessons, select or develop common formative assessments, or analyze student data. (Education Code [44277](#))

The District's staff evaluation process may be used to recommend additional individualized staff development for individual employees.

(cf. [4115](#) - Evaluation/Supervision)

The Board may budget funds for actual and reasonable expenses incurred by staff who participate in staff development activities.

(cf. [3100](#) - Budget)

(cf. [3350](#) - Travel Expenses)

The Superintendent or designee shall provide a means for continual evaluation of the benefit of staff development activities to both staff and students and shall regularly report to the Board regarding the effectiveness of the staff development program. Based on the Superintendent's report, the Board may revise the program as necessary to ensure that the staff development program supports the District's priorities for student achievement.

(cf. [0500](#) - Accountability)

Legal Reference:

EDUCATION CODE

[44032](#) Travel expense payment

[44259.5](#) Standards for preparation for all students

[44277](#) Requirements for maintaining valid credentials; professional growth program

[44300](#) Emergency permits

[44325-44328](#) District interns

[44450-44468](#) University internship program

[44570-44578](#) Inservice training - personnel, secondary education

[44830.3](#) District Interns

[52060-52077](#) Local control and accountability plan

[56240-56245](#) Staff development; service to persons with disabilities

[99200-99206](#) Subject matter projects

GOVERNMENT CODE 3543.2 Scope of representation of employee organization

CODE OF REGULATIONS, TITLE 5

[13025-13044](#) Professional development and program improvement

[80021](#) Short-term staff permit

[80021.1](#) Provisional internship permit

[80023-80026.6](#) Emergency permits

UNITED STATES CODE, TITLE 20

[6319](#) Highly Qualified Teachers

[6601-6702](#) Preparing, Training, and Recruiting High Qualified Teachers and Principals

PUBLIC EMPLOYMENT RELATIONS BOARD DECISIONS

United Faculty of Contra Costa Community College District v. Contra Costa Community College District, (1990) PERB Order No. 804, 14 PERC P21, 085

Management Resources:

CSBA PUBLICATIONS

Governing to the Core: Professional Development for Common Core, Governance Brief, May 2013

COMMISSION ON TEACHER CREDENTIALING PUBLICATIONS

California Standards for the Teaching Profession: 2009

WEB SITES

CSBA: <http://www.csba.org>

California Dept. of Education, Professional Learning: <http://www.cde.ca.gov/pd>

California Subject Matter Projects: <http://csmp.ucop.edu>

<http://csmp.ucop.edu>Commission on Teacher Credentialing: <http://www.ctc.ca.gov>

Policy RIALTO UNIFIED SCHOOL DISTRICT

adopted: August 11, 1999 Rialto, California

revised: November 10, 2010

revised: October 7, 2015

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## Professional Growth

The Board of Education recognizes its obligation to help teachers meet their responsibility for fulfilling the professional growth requirements of their credentials. The Board expects that the increased competence attained by these teachers during their professional growth activities will contribute significantly to the district's educational program.

The Superintendent or designee shall maintain procedures for the selection of professional growth advisors. These procedures shall be designed to provide for the best possible match between teachers and advisors.

Legal Reference:

EDUCATION CODE

[44277-44279](#) Requirements for professional growth

CALIFORNIA CODE OF REGULATIONS, TITLE 5

[80550-80565](#) Generally, especially

[80550](#) Professional growth requirements definitions

[80552-80553](#) Specific renewal requirements

[80554-80555](#) Elements of professional growth plan and professional growth record

[80556](#) Professional growth advisors, and employing agencies; roles and responsibilities

[80558](#) Definition of professional growth activities

[80565](#) Professional service requirements

Management Resources:

Commission on Teacher Credentialing, California Professional Growth Manual, second revision (1990)

Policy RIALTO UNIFIED SCHOOL DISTRICT

adopted: August 11, 1999 Rialto, California

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## Personal Illness/Injury Leave

Sick leave shall be credited at the beginning of the school year. (Education Code [44978](#)) Employees who do not complete a year of service will be charged for any unearned sick leave used as of the date of termination.

Unused days of sick leave shall be accumulated from year to year without limitation. (Education Code [44978](#))

Upon request, employees who terminate their service to the district may have their accumulated sick leave transferred to their next district of employment. (Education Code [44979](#))

### Sick Leave Beyond 10 Days

When a certificated employee has used up all his/her current and accumulated sick leave and is still absent due to illness or accident, the employee shall receive his/her salary, minus the cost of a substitute to fill the position, for a period not to exceed five continuous school months.

Legal Reference:

#### EDUCATION CODE

[44964](#) Power to grant leave of absence in case of illness, accident or quarantine

[44965](#) Granting of leaves of absence for pregnancy and childbirth

[44977](#) Salary deduction during absence from duties

[44978](#) Provisions for sick leave of certificated employees

[44979](#) Transfer of accumulated sick leave

[44980](#) Transfer of accumulated leave for injury or illness

[44981](#) Leave of absence for personal necessity

[44983](#) Exception to sick leave when district adopts specific rule

[44986](#) Leave of absence for disability allowance applicant

Napa Valley Educator's Assn v Napa Valley Unified School District, (1987) 194 Cal. App. 3d 243.

Policy RIALTO UNIFIED SCHOOL DISTRICT

adopted: August 11, 1999 Rialto, California

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## Exposure Control Plan For Bloodborne Pathogens

The Superintendent or designee shall meet state and federal standards for dealing with bloodborne pathogens and other potentially infectious materials in the workplace. The Superintendent or designee shall establish a written Exposure Control Plan designed to protect employees from possible infection due to contact with bloodborne viruses, including human immunodeficiency virus (HIV) and hepatitis B virus (HBV).

The Board of Education shall determine which employees have occupational exposure to bloodborne pathogens and other potentially infectious materials. In accordance with the district's Exposure Control Plan, employees having occupational exposure shall be offered the hepatitis B vaccination.

The Superintendent or designee may exempt designated first-aid providers from pre-exposure hepatitis B vaccination under the conditions specified by state regulations.

The Board of Education shall determine which employees have occupational exposure to bloodborne pathogens and other potentially infectious materials. In accordance with the district's Exposure Control Plan, employees having occupational exposure shall be offered the hepatitis B vaccination.

The Superintendent or designee may exempt designated first-aid providers from pre-exposure hepatitis B vaccination under the conditions specified by state regulations.

Any employee not identified as having occupational exposure in the district's exposure determination may petition to be included in the district's employee inservice and hepatitis B vaccination program. Any such petition should be submitted to the Superintendent or designee who shall evaluate the request and notify the petitioners of his/her decision. The Superintendent or designee may deny a request when there is no reasonable anticipation of contact with infectious material.

(cf. [4119.43/4219.43/4319.43](#) - Universal Precautions)

(cf. [4157/4257/4357](#) - Employee Safety)

Legal Reference:

CODE OF REGULATIONS, Title 8

[3204](#) Access to Employee Exposure and Medical Records

[5193](#) California Bloodborne Pathogens Standard

CODE OF FEDERAL REGULATIONS, TITLE 29

[1910.1030](#) OSHA Bloodborne Pathogens Standards

Management Resources:

CDE ADVISORY

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Policy RIALTO UNIFIED SCHOOL DISTRICT

adopted: July 28, 1999 Rialto, California

## Work-Related Injuries

District employees may be insured for on-the-job specific or cumulative injuries in accordance with law. In order to reduce costs and facilitate employee recovery, the Board of Education desires to have an efficient claims handling process. Employees are required to report any work-related injuries or illnesses to their supervisor within 24 hours or as soon as practicable.

(cf. [3320](#) - Claims and Actions Against the District)

Legal Reference:

### EDUCATION CODE

[44984](#) Industrial accident and illness leaves, certificated employees

[45192](#) Industrial accident and illness leaves, classified employees

### GOVERNMENT CODE

[21153](#) Employer not to separate for disability members eligible to retire

### LABOR CODE

[3200-4855](#) Workers' compensation, especially:

[3550](#) Posting of notice re workers' compensation insurance carrier

[3551](#) Written notice to new employees

3552 Indication of employee's personal physician

[3600-3605](#) Conditions of liability

[3760](#) Report of injury to insurer

[4600](#) Provision of medical and hospital treatment by employer

[4906](#) Disclosures and statements

[5400-5404](#) Notice of injury or death

[6409.1](#) Reports

Policy RIALTO UNIFIED SCHOOL DISTRICT

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