

Employee Handbook

2015-2016



**WEST SONOMA COUNTY
HIGH SCHOOL DISTRICT**

West Sonoma County Union High School District
Human Resources Office
462 Johnson Street
Sebastopol, CA 95472
(707) 824-6403 * Fax (707) 824-6499

Equal Opportunity Employer

NOTICE OF NON-DISCRIMINATION

West Sonoma County Union High School District policy prohibits discrimination and/or harassment of students, employees and job applicants at any district site or activity on the basis of actual or perceived race, color, national origin, ancestry, ethnic group identification, medical condition, genetic condition, genetic information, disability, gender, gender identity, gender expression, sex, sexual orientation, age, political affiliation, organizational affiliation, veteran status, marital status, or parental status.

Please direct inquiries regarding the District's non-discrimination policies to any school or district administrator.

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Board of Trustees

*Lori Bruhner
Diane Landry
Kellie Noe
David Stecher
Ted Walker*

Board meetings are held at approximately 6:00 p.m.
on the 2nd Wednesday of each month.
The location rotates between Analy and El Molino high schools.
Board meeting calendars are available from the
Superintendent's Secretary or on the District website,
www.wscuhd.k12.ca.us.

District Office Administration

*Steven Kellner, Ed.D., Superintendent
Denise Calvert, Interim Chief Business Official
Mia Del Prete, Human Resources Manager*

This Employee Handbook ("Handbook") is intended to guide and direct the relationship between the West Sonoma County Union High School District ("District") and each employee. It is not intended to, nor does it, operate as a contract of employment, express or implied.

A Message to New Staff

Welcome to the West Sonoma County Union High School District!

Our district is widely known and highly regarded for our outstanding educational programs. Student achievement and measures of school quality in WSCUHSD are regularly the best among Sonoma County high schools.

The district's two comprehensive high schools, Analy High School and El Molino High School have been recognized multiple times by U.S. News and World Report as two of America's Best High Schools and each has been named a California Distinguished School four times. Laguna Continuation High School has received the State Model Continuation High School award five times. In addition to the comprehensive and continuation high schools, the district offers an independent study program at all three schools. In all of our locations we serve a diverse population across suburban and rural areas. We have worked hard to expand and develop programs to best serve the needs of our student population.

WSCUHSD employs over 200 people including classroom teachers, counselors, health technicians, librarians, career technicians, para-educators, behavior assistants, food service and clerical staff, maintenance and operations staff, psychologists, administrators, and staff in the special education consortium.

Providing the necessary resources for effective instruction is a top priority for the sites and for the school board. In addition to district funding, the West County community supports our schools with local tax measures, donations and active volunteers.

The District has a variety of special programs, for example:

- Gifted and Talented Education
- Compensatory Education
- Teacher and Principal Training and Recruitment
- English Language Learners
- Safe and Drug Free Schools
- Economic Impact Aid
- Carl Perkins Vocational Education Grant
- Agriculture Incentive Grant
- Peer Assistance and Review
- Workability
- Transition Partnership

In November 2010, the West County community passed Measure I, a school bond to pursue facility improvements. A solar project for all district sites was completed in August 2011. Restroom renovations at all school sites, El Molino science lab improvements and Analy main building improvements were completed during the Summer of 2013. This summer we broke ground on three capital projects: the Analy High School Stadium and synthetic turf field, the El Molino High School Stadium and synthetic turf field as well as the Analy band classroom.

In November 2012, the west county community passed Measure K, a parcel tax to fund needs at the high schools that would usually come out of the general fund. The Parcel Tax enables Analy, El Molino and Laguna High Schools to continue offering high-quality, diverse courses and educational services to West County high school students. The Parcel Tax will keep the schools' libraries open; maintain and improve wood shop, culinary, technology, and other career education classes; maintain and improve art, music and drama classes; maintain and improve the high schools' college prep courses; and maintain student counseling services.

On behalf of the district, I extend a warm welcome to you. Please don't hesitate to contact any member of the district office staff or me for assistance. We welcome your questions and comments. I hope that your experience as a WSCUHSD employee will be pleasant, productive, and long lasting!

Sincerely,

Steven Kellner
Superintendent

District Belief Statements

Students:

Our students are our most precious asset. With regard to each student, the District believes the following:

- **High expectations** - All students can learn. Each student has the ability to rise to a higher level and we should expect this of each student.
- **Fair and equal treatment** - Every student, regardless of academic standing, should be treated fairly and equally.
- **Civic responsibility** - These are values inherent in good citizenship. Therefore, students need to interact within our school community and provide meaningful service to the greater community.
- **Uniqueness of each student** - Each student is an individual with unique talents, abilities, and learning styles that need to be recognized and addressed.
- **Academic engagement** - Each student should be presented with an academically challenging, yet supportive, environment that is not merely entertaining, but which engages and motivates each individual to reach his or her highest potential. Learning excitement should be present in each class.
- **Skill development** - Students should develop on an equal basis both academic and pro-social skills (active listening, ability to express feelings, communication), including a solid work ethic.
- **Model respect** - Respect for the individual should be modeled and taught by all members of our school district, both adult and student.
- **Power solving tools** - Each student should be empowered with basic tools to recognize a problem, and then formulate a positive solution to the problem.

Curriculum and Instruction:

With regards to curriculum and instruction for our students, the District believes:

- **Rigor and relevancy** - All students can learn when they have access to a curriculum that provides both rigor and relevancy. The District's students will be able to recognize a problem and also be able to formulate a solution to the problem. The use of technology as a tool will be emphasized.
- **Standards** - The curriculum provided to our students will be research-based and will exceed national, state and local standards for content and performance.
- **Learning styles** - The curriculum will honor the different learning styles of our students. It will also be designed to engage the different levels of human intelligences. Our schools will teach and model respect for the individual.
- **Accountability and assessment** - Student achievement is the focal point of our curriculum and instructional programs. With that in mind, the District will use a variety of measurement devices to assess student performance. In addition to standardized tests and teacher designed tests, the District will urge teachers to use a variety of authentic assessment instruments to measure student achievement. The District expects students to know, to understand, and to be able to do. Students will be taught that technology is a powerful tool in being able to retrieve information and catalogue their newly acquired knowledge.
- **Communications** - Students will communicate by reading, writing, speaking, listening reflectively and critically, and by using technology.

Staff:

In partnership with our most valued human resources, our staff, the District believes:

- **Shared governance** - Unity and mutual respect in the District is best achieved by honest communication among all levels of staff. All interested stakeholders including staff, administration, students, parents, community members, and board members must be encouraged to participate in the decision making processes of the District.
- **Morale** - Staff members will be most effective in their jobs, to the extent they feel valued by the community, students, their colleagues, administration and the board members. Elements in maintaining high staff morale include: establishing reasonable, obtainable, and measurable performance expectations; a positive and fair

evaluation process; recognition for a job well done; and the opportunity for professional growth and renewal.

- **Skills** - *The District must provide for and encourage on-going staff development in curricular, instructional and professional qualities which serve all learning styles and students, while maintaining consistency with the District's vision and guiding principles.*
- **Human Resource Needs** - *It is critical to the current and future students of our schools that District leaders, both staff and administration, work collaboratively to attract new and retain employees who are dedicated to the education of our students. Equally important, we recognize the need to support and acknowledge staff members who demonstrate professional commitment to our district.*

WSCUHSD Guiding Principles

The following Guiding Principles are to be used when making changes and/or solving problems:

- *Make decisions that are best for kids*
- *Model respect and dignity in how we treat others*
- *Hold people accountable for doing what they agree to do*
- *Be responsive and responsible to all members of our constituency*
- *Enhance the sense of pride and inclusion throughout the District*
- *Consider both short and long term district needs*

Who to call at the District Office:

<p>Denise Calvert – Interim Chief Business Official - 6415</p> <ul style="list-style-type: none"> • Audits • Board Policies (3000, 7000 series) • Bond Oversight Committee/Accountability • Budget Advisory Committee • Budget Development • Consolidated Application (Titles I, II, III, etc.) • Consortium Business Services • Deferred maintenance • District Web Page • Enrollment Projections • Facilities construction projects • Facilities use contracts • General Student Accident reports • Insurance administration • Medi Cal Accounting • Negotiations Support (WSCTA and CSEA) • Parcel Tax Reporting/Accountability/Exemptions • Property/Liability Insurance • Requisition to Purchase Order process • RESIG liaison • Special Education Consortium accounting and budgeting • Supervise Business Services, Food Services and Maintenance Department • Transportation <p>Jeannette Messoria – Accountant/Analyst - 6417</p> <ul style="list-style-type: none"> • Accounting and Budgeting for site allocations • Accounts payable/receivable • Budget transfers, journal entries • Certificates of Insurance • Develop fee collection • District student attendance and accounting • District attendance calendar • Encumbrance increases/decreases • Food Service Budgets • Monthly GL reviews • Requisitions for District Office and M&O • Site Categorical Programs • Site checking accounts oversight • Special projects & assistance to Business Manager • Student Body oversight • Textbook ordering coordination • Vendor database maintenance • Vendor statements and inquiries <p>Candy Amos – SIS Data Coordinator - 6418</p> <ul style="list-style-type: none"> • AERIES Help Desk • CalPADS Coordinator • District course files • District Database • Food Service POS/AERIES Updates • NPS Registrar • Student Accident Reports • Summer student transcripts • Summer student work permits <p>Kimberly Lingle – Payroll Technician/HR Assistant - 6416</p> <ul style="list-style-type: none"> • Aesop Administrator • Annual Paper Order • Budget Review and Updates – Retiree Costs • Budget Review and Updates – Salary/Benefits 	<ul style="list-style-type: none"> • Bonus Days (tracking and preparation) • Catastrophic leave recordkeeping • Employee absence recording • Health benefits enrollment billing/receipts/deposits • J-90 Report • Payroll, W2-s, payroll taxes • Retirement Plans/Tax Shelter Plans (403B) • Retiree health benefit tracking/processing • Salary Notices • Special Projects & assistance to HR Manager • State/Federal Compliance Reporting <p>Karen Lamb – Superintendent’s Secretary - 6412</p> <ul style="list-style-type: none"> • Appeals to the Superintendent (suspension/credit/attendance/expulsion) • Board agenda and minutes • Board member correspondence • Board Policies • Brown Act compliance • Copier contracts • District office meeting agendas • District Web Page • Expulsion documents • Inter-/Intra-district request • Overnight chaperone clearances • Parental Annual Notice • Superintendent’s calendar • Superintendent’s correspondence • Student field trips <p>Mia Del Prete – HR Manager - 6411</p> <ul style="list-style-type: none"> • Administration of leaves (medical/unpaid/etc.) • Assist sites with staff screening, interviewing, reference checks, and selection • Board Policies (4000 series) • Comp time/vacation recordkeeping • Credentialing • District Newsletter • District Web Page • Employee Association contracts • Employee Health and Wellness Program • Enrollment Projections • Health Benefits • Negotiations Support (WSCTA and CSEA) • New employee sign-up/orientation • No Child Left Behind HQT • Personnel issues/problems/concerns • Staffing/class size overage • Special Ed. Consortium HR issues • Supervise Human Resources Department • TB clearance • Title IX Complaints • Uniform Complaint Process • Units for salary increments • Vacancy announcements • Worker’s Compensation Insurance
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Information For All Employees

Employment Requirements

T.B. Clearance

All employees are required to have on file with the District an intradermal tuberculin test showing negative results. Renewal is required every four years. If an employee tests positive to the intradermal test, he/she must undergo a chest x-ray, the results of which will be reported to the Human Resources Office. Once an employee has a documented positive skin test which has been followed by an x-ray, the foregoing examination is no longer required. (Education Code 49406)

Tuberculosis Tests -New Employees

No applicant shall be initially employed in a classified or certificated position unless he/she has submitted to an intradermal or other tuberculin test licensed by the Food and Drug Administration within the past sixty (60) days and, if that test was positive, has subsequently obtained an X-ray of the lungs. The applicant shall submit to the district a certificate signed by the examining licensed physician indicating that he/she is free of active tuberculosis.

The cost of the pre-employment tuberculosis examination shall be paid by the applicant.

An applicant who was previously employed in another California school district may fulfill the tuberculosis examination requirement by either producing a certificate showing that he/she was examined within the last four years and found to be free of active tuberculosis or by having his/her previous school district employer verify that it has on file a certificate which contains that evidence. (Education Code 49406)

Tuberculosis Tests - Regular Employees

Once hired by the district, employees who test negative on the initial intradermal or other tuberculin tests shall undergo a tuberculosis examination at least once every four years, or more often if so directed by the Governing Board upon recommendation of the county health officer, for as long as the employee's test remains negative. An employee with a documented positive test for tuberculosis infection shall no longer be required to submit to the examination and shall be referred to the county health officer within thirty (30) days of the examination to determine the need for follow-up care.

Tuberculosis tests for employees shall be provided by the district or at district expense. (Education Code 44839, 45122, 49406)

If an employee's religious belief prevents him/her from undergoing a tuberculosis examination, the employee shall file an affidavit stating that he/she adheres to the faith or teachings of any well-recognized religious sect, denomination, or organization and in accordance with its creed, tenets, or principles depends for healing upon prayer in the practice of religion, and that to the best of his/her knowledge or belief he/she is free from active tuberculosis. In order to exempt the individual, the Governing Board shall determine by resolution, after a hearing, that the health of students would not be jeopardized. (Education Code 49406)

The superintendent or designee may exempt a pregnant employee from the requirement that a positive tuberculin test be followed by an X-ray of the lungs, for a period not to exceed sixty (60) days following termination of the pregnancy. (Education Code 49406)

Fingerprint Clearance

Fingerprint clearance is required of all employees prior to beginning their employment with the District. The District will provide a live-scan form and information regarding getting the fingerprinting done.

Medical Assessment

The positions of Special Education Instructional Assistant, Custodian, Maintenance Worker, Food Service Worker and specific Special Education Teachers, require a post-offer, pre-employment medical assessment. This assessment is completed through the North Bay Corporate Health Services and is offered at no cost to the prospective employee. Assessment is done to assure that the prospective employee can perform the physical requirements of the position.

Nondiscrimination Notice

The West Sonoma County Union High School District does not discriminate on the basis of actual or perceived race, color, national origin, ancestry, religion, age, marital status, pregnancy, physical or mental disability, medical condition, veteran status, gender, sex, or sexual orientation in any of its policies, procedures or practices, nor does it condone such conduct by its officers, employees, agents, or students. This policy is in compliance with Title VI of the Civil Rights Act of 1964, Title VII of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, and the Age Discrimination Act of 1975. This nondiscrimination policy covers admission and access to, and treatment and employment in, the District's programs and activities.

Title IX Provisions

No person shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any academic, extracurricular, research, occupational, training, or other education program or activity operated by a recipient which receives or benefits from federal financial assistance. The District's Title IX Officer is Mia Del Prete, Human Resources Manager, 824-6411.

School Closures Due to Inclement Weather

In the event of severe winter storms or floods, listen to radio station KSRO, 1350 AM. This station will announce if any district schools have been closed due to weather conditions. If your site is closed, the announcement will indicate whether or not you are to report to work. If your site is open, report to work as usual. If, however, your site is open but you are unable to report to work due to weather conditions, you will need to use a personal necessity leave day. If you require a substitute, please logon to the Aesop system.

Employee Property Reimbursement

The Governing Board does not authorize payment for the reimbursement of employee personal property which may be stolen or intentionally destroyed or damaged while being used for work-related purposes.

Health and Welfare Benefits

Medical, Dental and Vision Coverage

Certificated employees who work 60% or more and classified employees who work six (6) hours or more per day receive health and welfare benefits. Certificated employees will contribute 5% towards CVT Blue Cross Plan 2C or Kaiser Plan 6 with Optical. Management, Confidential/Supervisory and Classified employees receive district paid benefits at the Kaiser composite rate. Benefits cover the employee, spouse and dependent children. The District also extends benefits to domestic partners and dependent children upon completion of the appropriate notarized Affidavit.

You will enroll in the various benefit plans through the Payroll/Accountant in the District Office. Coverage for the District health and welfare plans will be effective on the first day of the month after employment. If you do not enroll within thirty (30) days after employment, you must wait for the open enrollment period which is August/September of each year for benefits to be in effect October 1. Certificated employees who leave the District at the end of the school year in June will receive coverage through August. If you are a temporary employee whose contract is renewed for the next school year, there will be no break in health and welfare coverage.

Reporting Changes: Report any changes, such as marriage, divorce, birth of dependent, etc., to the Payroll/Accountant immediately. You have 30 days from the event to make a change. ***If you do not report a change or addition within 30 days you will have to wait for the next open enrollment period.***

Benefits offered by the District are listed below. For a complete description of the level of benefit coverage, refer to various benefit brochures.

Certificated Staff:

Effective October 1, 2015, for unit members employed in a regular position before July 1, 2015, the District will contribute up to 90% of any CVT medical plan stipulated in the contract. For unit members eligible for benefits having a first day of paid service on or after July 1, 2015, the District will annually contribute up to \$19,500 for medical benefits for certificated employees who have at least eight-tenths (8/10) of a regular full-time position shall be paid by the District. Premiums for other part-time certificated employees shall be prorated on the basis of their assignment to full-time.

1. Kaiser Medical Plans
 - a. CVT Kaiser Medical Plan 6 with Optical Benefits or Kaiser Plan 8

2. CVT Blue Cross
 - a. CVT Blue Cross Plan 2C, 5C, 7C, or 10C

Delta Dental - \$2000 maximum per year with 4 cleanings
VSP Vision through District self-insured program – except for those enrolled in Kaiser Medical. Kaiser Optical for those enrolled in Kaiser Medical Plan 6 with Optical

Classified Staff: (District pays Kaiser rate)

RESIG Kaiser
SISC Blue Shield
Delta Dental - \$2000 maximum per year with 4 cleanings
VSP Vision - \$20.00 deductible, 1 exam per year

Confidential/Supervisory Staff: (District pays Kaiser rate)

RESIG Kaiser
SISC Blue Shield
Delta Dental - \$2000 maximum per year with 4 cleanings
VSP Vision - \$20.00 deductible, 1 exam per year
Life Insurance - \$25,000

Management Staff: (District pays Kaiser rate)

RESIG Kaiser
SISC Blue Shield
Delta Dental - \$2000 maximum per year with 4 cleanings
VSP Vision - \$20.00 deductible, 1 exam per year
Life Insurance - \$25,000

Your Rights Regarding COBRA

In 1986, a Federal law was enacted [Public Law 99-727, Title X] requiring that most employers sponsoring group health plans offer employees and their families the opportunity to continue their coverage for a specified amount of time at group rates in certain instances where coverage under the plan would otherwise end. This notice is intended to inform you, in a summary fashion, of your rights and obligations under the continuation coverage provisions of the law.

An employee, spouse, domestic partner or dependent covered by a health plan offered by the District, has the right to choose to purchase continuation coverage if the health coverage is lost due to:

- Termination of employment (for reasons other than gross misconduct)
- Reduction of hours
- Employee's death
- Divorce/legal separation
- Employee becoming eligible for Medicare

Under the law, the employee or a family member has the responsibility to inform the Trust Administrator of a divorce, legal separation, or a child losing dependent status. The District has the responsibility to notify the Trust Administrator of the employee's death, termination of employment or reduction in hours, or Medicare eligibility. When the Trust Administrator is notified that one of these events has happened, they will in turn notify you that you have the right to purchase continuation of coverage. Under the law, you have at least sixty (60) days from the date you would lose coverage because of one of the events described above to inform the Trust Administrator that you want to continue coverage. Specifics regarding the length of time you may purchase coverage will be provided to you by the Trust Administrator. The Trust Administrator for the District is:

Certificated Staff

California's Valued Trust (CVT)
520 E. Herndon Ave.
Fresno, CA 93720
800-CVT-9870

Classified, Confidential/Supervisory, and Management Staff

Redwood Empire Schools Insurance Group (RESIG)
5760 Slylane Blvd., Suite 100
Windsor, CA 95492
707-836-0779

Reporting Child Abuse

Definition: Child abuse means a physical injury which is inflicted by other than accidental means on a child by another person. Child abuse also means sexual abuse of a child, neglect of a child, or abuse in out-of-home care.

California child abuse laws [P.C. 11166(a)] require designated persons to report any suspected child abuse. School district employees are among those persons required to report. Failure to report is punishable by six months in jail and/or a fine of up to \$1,000. In addition, professionals failing to report may be found civilly liable for subsequent injuries that occur due to the failure to report.

You are required to immediately report the suspected child abuse by phone to the Sebastopol Police Department (829-4400). You are expected to notify your immediate supervisor regarding the report.

Annual Notifications

Each year all staff receives mandated notification via District e-mail. The notifications that are sent out are:

Child Abuse Reporting Statement, Penal Code Sections 11166 and 11167, Sexual Harassment brochure from the Department of Fair Employment and Housing, Board Policy 4119.11 and 5145.7 regarding Sexual Harassment, Board Policy 4030 Non-Discrimination in Employment, Board Policy 4020 Drug- and Alcohol-Free Workplace, Board Policy 3513.3 Tobacco-Free Schools, and Board Policy 1312.3 Uniform Complaint Procedures.

Additionally, the following notifications are e-mailed to all new employees when completing employment sign-up and acknowledgment of receipt of applicable notifications is required.

All Staff: Child Abuse Reporting Statement, Penal Code Sections 11166 and 11167, Sexual Harassment brochure from the Department of Fair Employment and Housing, Board Policy 4119.11 Sexual Harassment-Personnel, 5145.7 Sexual Harassment-Students, 4030 Non-Discrimination, 4020 Drug-Alcohol Free Workplace, 3513.3 Tobacco Free Schools, and 1312.3 Uniform Complaint Procedures, 4119.42 Exposure Control Plan for Bloodborne Pathogens, 4112.6 Personnel Files.

Certificated Staff Only: 4154 Health and Welfare Benefits, 4115 Evaluation/Supervision, 4112.2 Certification, 4117.3 Personnel Reduction, 4118 Suspension/Disciplinary Action, 4158 Employee Security.

Classified Staff Only: 4212 Appointment and Conditions of Employment, 4217.3 Layoff/Rehire, 4261.1 Personal Illness and Injury Leave, 4261.11 Industrial Accident/Illness Leave, 4218 Dismissal/Suspension/disciplinary Action.

Administrative Staff Only: 4313.2 Promotion/Demotion/Reclassification, 4315 Evaluation/ Supervision, 4317.3 Personnel Reduction.

Travel Expense Reimbursement

Travel includes attendance at workshops, seminars, conventions, conferences or other meetings of interest to the District. Expenditures incurred for curricular, special services and other activities must be legally authorized to be performed by the superintendent or designee.

Reimbursement for travel and or meal expenses shall be based upon actual and necessary expense. District employees, while on school business, may receive mileage reimbursement at the IRS-approved rate for use of their own vehicles when approved in advance.

The following are approved meal limitations: Breakfast = \$5.50; Lunch = \$9.50; Dinner = \$17.50. Gratuities may be paid if the total payment of the meal and gratuity do not exceed the limit for meal reimbursement.

Lodging shall be reimbursement for the employee only. If a spouse is in attendance, reimbursement shall not exceed the rate for single occupancy.

Economy, standard, tourist, or similar air fare rates are allowed. The employee has the option of selecting the mode of transportation, but the District shall make reimbursement for the mode of transportation least costly to the District.

The employee is responsible for securing proper authorization for travel, and is required to prepare a claim which shows in detail all expenditures incurred. Receipts for expenses incurred shall be attached to the claim and the claimant shall certify by signature that all amounts were actual and necessary.

Claims shall be filed within 30 days after return from travel or be considered null and void.

Supplemental Pay Claim

When a classified or certificated employee is authorized by the site principal to provide additional work at a paid rate, a Classified or Certificated Supplemental Time Sheet must be completed by the employee. These time sheets are available from the Business Office.

Claim for Reimbursement

A Claim for Reimbursement may be completed when an employee has made an out-of-pocket purchase that has been authorized by the site principal. The forms are available from the Business Office. Please contact the Business Office regarding restrictions that may apply before making any out-of-pocket purchases. Employees will not be reimbursed for unauthorized purchases.

Board Policies and Administrative Regulations

Board Policy 4030(a)
All Personnel

NONDISCRIMINATION IN EMPLOYMENT

The Governing Board desires to provide a positive work environment where employees and job applicants are assured of equal access and opportunities and are free from harassment in accordance with law. The Board prohibits district employees from discriminating against or harassing any other district employee or job applicant on the basis of the person's actual or perceived race, religious creed, color, national origin, ancestry, age, marital status, pregnancy, physical or mental disability, medical condition, genetic information, veteran status, gender, gender identity, gender expression, sex, or sexual orientation.

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

(cf. 4032 - Reasonable Accommodation)

(cf. 4033 - Lactation Accommodation)

(cf. 4119.11/4219.11/4319.11 - Sexual Harassment)

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

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

(cf. 5145.7 - Sexual Harassment)

Prohibited discrimination consists of the taking of any adverse employment action against a person, including termination or denial of promotion, job assignment, or training, or in discriminating against the person in compensation, terms, conditions, or other privileges of employment based on any of the prohibited categories of discrimination listed above.

The prohibition against discrimination based on the religious creed of an employee or job applicant includes any discrimination based on the person's religious dress or grooming practices or any conflict between the person's religious belief, observance, or practice and an employment requirement. The prohibition against discrimination based on the sex of an employee or job applicant shall include any discrimination based on the person's pregnancy, childbirth, breastfeeding, or any related medical conditions. (Government Code 12926, 12940)

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

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

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

(cf. 4117.4 - Dismissal)

(cf. 4118 - Suspension/Disciplinary Action)

(cf. 4218 - Dismissal/Suspension/Disciplinary Action)

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

Superintendent or Designee
462 Johnson Street
Sebastopol, CA 95472

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

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

(cf. 4031 - Complaints Concerning Discrimination in Employment)

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

Training and Notifications

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

(cf. 4131- Staff Development)

(cf. 4231- Staff Development)

(cf. 4331- Staff Development)

The Superintendent or designee shall regularly publicize, within the district and in the community, the district's nondiscrimination policy and the availability of complaint procedures. Such publication shall be included in each announcement, bulletin, or application form that is used in employee recruitment. (34 CFR 100.6, 106.9)

The district's policy shall be posted in all district schools and offices including staff lounges and student government meeting rooms. (5 CCR 4960)

Legal Reference:

EDUCATION CODE

200 262.4 Prohibition of discrimination

CIVIL CODE

51.7 Freedom from violence or intimidation

GOVERNMENT CODE

11135 Unlawful discrimination

12900-12996 Fair Employment and Housing Act

PENAL CODE

422.56 Definitions, hate crimes

CODE OF REGULATIONS, TITLE 2

7287.6 Terms, conditions and privileges of employment

CODE OF REGULATIONS, TITLE 5

4900-4965 Nondiscrimination in elementary and secondary education programs

UNITED STATES CODE, TITLE 20

1681-1688 Title IX of the Education Amendments of 1972

UNITED STATES CODE, TITLE 29

621-634 Age Discrimination in Employment Act
794 Section 504 of the Rehabilitation Act of 1973
UNITED STATES CODE, TITLE 42
2000d-2000d-7 Title VI, Civil Rights Act of 1964, as amended
2000e-2000e-17 Title VII, Civil Rights Act of 1964, as amended
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:

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
Enforcement Guidance: Reasonable Accommodation and Undue Hardship under the Americans with Disabilities Act, October 2002
Enforcement Guidance: Vicarious Employer Liability for Unlawful Harassment by Supervisors, June 1999
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>

Adoped: August 24, 1993
Revised: 11/18/99; 4/13/00; 1/11/01; 1/14/03
3/17/04; 2/9/11; /6/26/13
Reviewed: 11/15/94

WEST SONOMA COUNTY UHSD
Sebastopol, CA

Board Policy 4119.11(a)

All Personnel
SEXUAL HARASSMENT

Purpose

It is the position of this Board that sexual harassment is unlawful and will not be tolerated. It is a violation of this policy for any employee, agent, student, or party with which the district has a cooperative agreement, to engage in sexual harassment.

It is the policy of the Governing Board of the West Sonoma County Union High School District to provide an employment environment free of sexual harassment. To accomplish this, the policy is designed to secure, at the earliest level possible, an appropriate resolution to incidents and allegations of harassment.

This policy is intended to supplement, and not replace, any applicable state or federal laws and regulations. Complaints under these laws and regulations shall be processed through the procedures established by the appropriate state and/or federal agencies.

Definition

For the purposes of this policy, sexual harassment is defined by Education Code Section 212.5, “Sexual harassment means unwelcome sexual conduct including, advances, requests for sexual favors, and other verbal, visual or physical conduct of a sexual nature, made by someone from or in the work or educational setting, under any of the following conditions:

- (a) Submission to the conduct is explicitly or implicitly made a term or condition of an individual’s employment, academic status, or progress.
- (b) Submission to, or rejection of, the conduct by the individual is used as the basis of employment or academic decisions affecting the individual.
- (c) The conduct has the purpose or effect of having a negative impact upon the individual’s work or academic performance, or of creating an intimidating, hostile, or offensive work or educational environment.
- (d) Submission to, or rejection of, the conduct by the individual is used as the basis for any decision affecting the individual regarding benefits and services, honors, programs, or activities available at or through the educational institution.”

Specifically, sexual harassment may occur as a pattern of degrading sexual speech or actions ranging from verbal or physical annoyances or distractions to deliberate intimidations and frank threats or sexual demands. Examples of conduct which may constitute sexual harassment include, but are not limited to:

- (1) Suggestive or obscene letters, notes, invitations, derogatory comments, slurs, jokes, epithets, assault, touching, impeding or blocking movement, leering, gesture, display of sexually suggestive objects or pictures, or cartoons.
- (2) Among peers, continuing to express sexual interest after being informed that the interest is unwelcome.
- (3) Within the employment environment, implying or actually withholding satisfactory evaluations or suggesting that promotion or favorable evaluations will be denied as a condition of receiving sexual favors.
- (4) Offering favors or employment benefits, such as promotions, favorable performance evaluations, favorable assignments, favorable duties or shifts, recommendations, reclassifications, etc., in exchange for sexual favors.

Reporting Procedure

Any employee who believes he or she has been sexually harassed by an employee, agent or student of the District should report the facts of the incident(s) to the site administrator or supervisor. If the site administrator or supervisor is the alleged harasser, the employee should report to the Superintendent. A written report of the alleged incident will be filed and forwarded to the Superintendent. A copy of Board policy will be provided to the employee who makes the complaint.

Employees who feel aggrieved because of unwelcome conduct that may constitute sexual harassment are not required to inform the person that the conduct is unwanted, offensive, and must stop, but are encouraged to do so. An aggrieved individual is not required to complain to his or her supervisor if that supervisor is the individual who is harassing them.

Filing Complaints with State and Federal Agencies

Aggrieved parties may wish to file complaints with other appropriate state and federal agencies, including:

U.S. Equal Employment Opportunity Commission
350 The Embarcadero, Suite 500
San Francisco, CA 94105-1260

Confidentiality

An allegation of sexual harassment and the results of the investigation shall be kept confidential to the extent reasonably possible under the investigation process. The site administrator will inform the employee making the report that the allegation and the results of the investigation shall be kept confidential to the extent reasonably possible under the investigation process. In addition, witnesses and those interviewed shall be informed of the confidential nature of the issue and the investigation, as well as the reason for confidentiality. The alleged harasser will also be informed as to the confidential nature of the procedure. Anyone violating confidentiality by disclosing the nature of the allegation or the investigation to others shall be subject to disciplinary action.

Retaliation is Prohibited

The initiation of an allegation of sexual harassment will not cause any reflection on the individual reporting the incident or witnesses nor will it affect such persons' future business dealings with the District, his or her employment, compensation or work assignments, or other matters pertaining to his or her status in any District programs or activities. It shall be a violation of this policy to engage in such retaliation. An allegation of retaliation shall be considered as a separate incident, shall be investigated, and shall be subject to disciplinary action as defined in this policy.

Time Limits

Allegations of sexual harassment shall be reported as soon as reasonably possible after the conduct in question has taken place.

Disciplinary Action

Employees who violate this policy shall be subject to disciplinary action up to and including dismissal. Such disciplinary action will be in accordance with applicable policies, laws, and/or collective bargaining agreements.

When disciplinary action is necessary the Superintendent will be consulted to determine what course of action is appropriate.

Investigation

The Superintendent is authorized to develop regulations by which reports of sexual harassment shall be addressed. Such process shall include an informal resolution process, an investigation, and issuance of a summary report.

Appeal Procedure

Either the complaining party or the accused may appeal the summary report to the Governing Board of the District. Appeals should be made within 10 business days from the date of the issuance of the summary report. Procedures shall be set forth in the Administrative Regulations.

Administrative Regulations

The Superintendent shall adopt, and from time to time may revise, further procedures as may be necessary to implement this policy and provide for a means of enforcing this policy.

Training and Curriculum

To implement this policy, West Sonoma County Union High School District will provide appropriate training programs for staff and students. Employees in a supervisory capacity will be trained, as required by law, at least every two (2) years beginning January 1, 2006. Teachers are not considered to be supervisory.

Notification

There will be adequate notification of the policy to include public posting. The policy will be published in site handbooks and/or the District Summer Mailing.

Special Assistance

It is expected that questions may arise concerning this policy. For assistance in these matters, individuals may contact the Superintendent or designee.

Legal Reference:

Title VII of the Civil Rights Act
42 USC Section 2000-e-2(a)(1)
California Fair Employment and Housing act
Government Code section 12940
Education Code section 212.5
Government Code section 12950.1

Adopted: January 14, 1993
Revised: 8/93; 11/18/99; 1/11/01; 1/14/03; 11/17/04;
9/21/05; 11/19/08; 9/22/10
Reviewed: 11/15/94

WEST SONOMA COUNTY UHSD
Sebastopol, California

Administrative Regulation 4119.11(a)

All Personnel

SEXUAL HARASSMENT

Purpose

It is the purpose of this Administrative Regulation to implement the District's Adult Sexual Harassment Policy. The regulation is designed to outline the procedures that are to be followed to maintain the Board of Education's commitment to providing a work environment free from sexual harassment as defined by board policy.

Reporting Procedure

Any employee who believes he or she has been sexually harassed by an employee, student, or agent of the District, should promptly report the facts of the alleged incident(s) and the name of the individual involved to the school site administrator/site manager.

Employees may, at any time during the process, bring an advocate to support them in meeting with the site administrator or other staff. The site administrator or designee will gather the information from the employee to complete the Sexual Harassment Incident Report. A copy of the report will be forwarded to the site manager/administrator and the Superintendent. The Superintendent shall determine who shall conduct the investigation. A copy of Board Policy will be given to the employee.

Confidentiality

The site administrator will inform the employee making the report that the allegation and the results of the investigation shall be kept confidential to the extent reasonably possible under the investigation process. In addition, witnesses and those interviewed shall be informed of the confidential nature of the issue and the investigation, as well as the reason for confidentiality. The alleged harasser will also be informed as to the confidential nature of the procedure. Anyone violating confidentiality by disclosing the nature of the allegation or the investigation to others shall be subject to disciplinary action.

Retaliation

The initiation of an allegation of sexual harassment by an employee will not adversely effect employment status in any way. The site administrator or designee will inform all parties that retaliation is illegal and that an allegation of retaliation, following a report of sexual harassment shall be considered as a separate incident, shall be investigated, and shall be subject to disciplinary action.

Time Limits

Allegations of sexual harassment shall be reported as soon as reasonably possible after the conduct in question has taken place. Employees wishing to report allegations to additional agencies, such as the Equal Employment Opportunity Commission, should know that these agencies follow a time limit for reporting alleged incidents of sexual harassment.

Informal Process

Upon receipt of a complaint either verbally or in writing, the complaining party will be advised of their right to explore resolution of the matter by way of an informal mediation process. If the complaining party wishes to use the informal process, the site administrator in consultation with the Superintendent shall set up a process. If the informal process does not result in a mutually agreeable resolution to the complaint, the investigation procedure shall be initiated.

If the complaining party or accused does not wish to participate in the informal process, the investigation procedure will be initiated.

Investigation Procedure

All complaints shall be investigated if not resolved by way of the informal process.

All investigations of allegations of sexual harassment shall be handled promptly, in a serious, sensitive, and confidential manner. Although the employee who believes they have been sexually harassed is not required to confront the person who is engaging in the unwelcome and unsolicited sexual conduct, the administrator/investigator should determine if the employee has informed the person engaging in the behavior that the behavior is offensive and must stop.

1. Upon receipt of a complaint, the site administrator or Superintendent shall develop a written report of the allegations. This will be done in consultation with the employee making the complaint. The Superintendent shall then designate an investigator.
2. The investigator shall, as soon as possible after the incident has been reported, inform the employee accused of sexual harassment of the allegation and they will be given an opportunity to respond. During the investigation phase, the person accused shall not receive a copy of the complaint but shall be informed of the allegations. The name of the complaining party shall remain confidential to the extent possible. The accused will be given a copy of Board Policy. Should the investigation result in a recommendation of discipline, the person accused will be afforded all applicable rights under the law, including the right to receive a copy of the complaint. If the discipline results in a hearing, the complainant may be required to testify.
3. The investigator shall inform all parties, including the employee making the allegation, witnesses, and the accused, of their rights, including the fact that the employee making the allegation and witnesses will not be retaliated against and the confidential nature of the allegation and investigation.
4. The investigator shall conduct an investigation to determine if the allegation of sexual harassment is supported. The investigation findings shall be filed within twenty-five (25) business days from the date the employee made the allegation with the Superintendent or from the date the informal process is terminated. The Superintendent may extend the timeline depending on the nature of the investigation. Written notice of the extension shall be provided to all parties. Upon completion of the investigation, the Superintendent, within ten (10) business days, will provide by mail a summary of the findings to the employee who reported the harassment and to the person accused.
5. When the Superintendent determines that sexual harassment has occurred, and/or disciplinary action is necessary, the Superintendent shall determine what course of action is appropriate.

6. The District will maintain a separate file of sexual harassment complaints received. This file is in addition to and separate from any documents entered into an employee's personnel file.

Disciplinary Action/Remedial Action

Employees who are found to have engaged in sexual harassment or inappropriate conduct may be subject to discipline up to and including dismissal. Such disciplinary action shall be in accordance with board policy, state law, and applicable collective bargaining agreements.

In identifying appropriate disciplinary action, note that repeated incidents following intervention, intensity of the behavior, and multiple victims will yield more severe penalties. Disciplinary actions may include oral warnings, written warnings, mandatory training, counseling, suspension, transfer, demotion, or termination.

Because of rights to privacy regarding discipline, the nature of the discipline will not be disclosed to the individual filing the complaint unless authorized by the person being disciplined.

Depending on the findings of the investigation, the District will also review and consider possible actions to remedy any harm suffered by the employee who is determined to be a victim of sexual harassment. Depending on the results of the investigation, the District shall consider needs of the victim, including counseling services.

Appeal Procedures

Either the complaining party or the accused may appeal the summary report of the investigation to the Board of Education. Appeals must be made in writing within 10 business days from the date of the issuance of the summary report.

The appeal shall set forth the reasons for the appeal. The Superintendent shall schedule a closed session of the Board to hear the appeal. The Superintendent or designee shall be responsible for responding to the appeal before the Board. The decision of the Board shall be in writing and shall be final. The written decision shall be issued within 20 calendar days of the Board meeting.

Notification

There will be adequate notification of the policy to include public posting. The policy will be published in site handbooks and/or the District Summer mailing.

Special Assistance

To obtain additional information regarding any of the procedures outlined in this administrative regulation, one should contact the Superintendent or designee.

Approved: January 14, 1993

Revised: 11/14/96; 11/18/99; 1/11/01; 1/14/03;

11/17/04; 9/21/05; 9/22/10

Reviewed: 11/15/94

WEST SONOMA COUNTY UHSD
Sebastopol, California

Board Policy 5145.7

Students

SEXUAL HARASSMENT POLICY

Purpose of Policy

It is the policy of the Governing Board of the West Sonoma County Union High School District to provide an educational environment free of sexual harassment. To accomplish this purpose, the policy is designed to secure, at the earliest level possible, an appropriate resolution to an allegation of sexual harassment.

This policy is intended to supplement, and not replace, any applicable state or federal laws and regulations. Complaints under these laws and regulations shall be processed through the procedures established by the appropriate state and/or federal agencies.

It is the position of this Board that sexual harassment is unlawful and will not be tolerated. It is a violation of this policy for any employee, agent, student, or party with which the District has a cooperative agreement, to engage in sexual harassment.

Definition of Sexual Harassment

As defined by Education Code Section 212.5, "Sexual harassment means unwelcome sexual conduct including advances, requests for sexual favors, and other verbal, visual, or physical conduct of a sexual nature, made by someone from or in the work or educational setting, under any of the following conditions:

- (a) Submission to the conduct is explicitly or implicitly made a term or condition of an individual's employment, academic status, or progress.
- (b) Submission to, or rejection of, the conduct by the individual is used as the basis of employment or academic decisions affecting the individual.
- (c) The conduct has the purpose or effect of having a negative impact upon the individual's work or academic performance, or of creating an intimidating, hostile, or offensive work or educational environment.
- (d) Submission to, or rejection of, the conduct by the individual is used as the basis for any decision affecting the individual regarding benefits and services, honors, programs, or activities available at or through the educational institution."

Specifically, sexual harassment may occur as a pattern of degrading sexual speech or actions ranging from verbal or physical annoyances or distractions to deliberate intimidations and frank threats or sexual demands. Examples of conduct which may constitute sexual harassment included, but are not limited to:

- (1) Suggestive or obscene letters, notes, invitations, derogatory comments, slurs, jokes, epithets, assault, touching, impeding or blocking movement, leering, gestures, display of sexually suggestive objects or pictures, or cartoons.
- (2) Among peers, continuing to express sexual interest after being informed that the interest is unwelcome. (Reciprocal attraction, among peers, is not considered sexual harassment.)
- (3) Within the educational environment, implying or actually withholding grades earned or deserved; suggesting a poor performance evaluation will be prepared; or suggesting a scholarship recommendation or college application will be denied as a condition of receiving sexual favors.
- (4) Within the educational environment, engaging in sexual behavior to control influence, or affect the educational opportunities, grades, and/or learning environment of a student.
- (5) Offering favors or education or employment benefits, such as grades or promotions, favorable performance evaluations, favorable assignments, favorable duties or shifts, recommendations, reclassifications, etc., in exchange for sexual favors.

Any expression of sexual interest between adults and students, regardless of reciprocity is considered inappropriate and shall be subject to discipline under applicable state law.

Reporting Procedure

Any student who believes he or she has been sexually harassed by an employee, agent, or student of the District, should promptly report the facts of the incident(s) and the name of the individual involved to an adult staff member with whom they feel comfortable, and that person shall report the incident to the school site administrator or Superintendent. A written report of the alleged incident will be developed by the site administrator or Superintendent. A copy of the report, along with a copy of this policy, shall be mailed to the parent of the student who initiated the complaint.

All staff, upon personal knowledge of an incident of sexual harassment, are obligated to report it to the school principal. Failure to do so is a violation of this policy. Failure of staff to report student allegations of sexual harassment within three (3) school days is a violation of this policy.

Students who feel aggrieved because of unwelcome conduct that may constitute sexual harassment are not required to inform the person engaging in such conduct that the conduct is unwanted, offensive and must stop, but are encouraged to do so. An aggrieved individual is not required to complain to his or her instructor if that instructor is the individual who is harassing the student. Any individuals making a report may bring an advocate to assist them.

Filing Complaints With State and Federal Agencies

Aggrieved parties may wish to file complaints with other appropriate state and federal agencies, including:

U.S. Office for Civil Rights

50 United Nations Plaza, Room 239, San Francisco, CA 94102 (415) 556-7000

Confidentiality

An allegation of sexual harassment and the results of the investigation shall be kept confidential to the extent reasonably possible under the investigative process. Witnesses and those interviewed shall be informed of the confidential nature of the issues and the investigation, and shall be informed that it will be a violation of this policy to disclose the allegation or the nature of the investigation to others and shall be subject to disciplinary action as defined in this policy.

Retaliation is Prohibited

The initiation of an allegation of sexual harassment will not cause any reflection on the individual reporting the incident or witnesses nor will it affect such persons' future business dealings with the District, his or her employment, compensation or work assignments, or, in the case of students, grades, class section or other matters pertaining to his or her status as a student of any District programs. It shall be a violation of this policy to engage in such retaliation. An allegation of retaliation shall be considered as a separate incident, shall be investigated, and shall be subject to disciplinary action.

Time Limits

Allegations of sexual harassment shall be reported as soon as reasonably possible after the conduct in question has taken place.

Investigation Guidelines

All investigations of allegations of sexual harassment shall be handled promptly, in a serious, sensitive and confidential manner. The Superintendent shall determine who shall do the investigation.

- (1) The designated investigator shall, as soon as reasonably possible after the incident has been reported, inform the student, employee, or other person accused of sexual harassment of the allegation, and they will be given an opportunity to respond. The person accused shall not be given a copy of the complaint but shall be informed of the allegations. The name of the complaining party shall remain confidential to the extent possible.

- (2) All parties, specifically including complainants, and witnesses, will be promptly and fully informed of their rights pursuant to this policy, including the fact that complainant and witnesses will not be retaliated against and the confidential nature of the allegation and investigation.
- (3) A written report of the investigation findings shall be filed by the investigator with the Superintendent within twenty-five (25) business days of the date the student filed the incident report. The Superintendent may extend the timeline depending on the nature of the investigation. Written notice of the extension shall be provided to all parties. Upon completion of the investigation and receipt of the findings, the superintendent shall, within ten (10) business days provide a summary of the findings to the student who filed the complaint, their parents, and the accused and their parent (if a student)

Disciplinary Action

When an allegation of sexual harassment is supported by the investigation and disciplinary action is necessary, the Superintendent will determine what course of action is appropriate, depending upon whether the harasser is a student, staff member, or agent of the District.

Employees who violate this policy may be subject to discipline up to and including dismissal. Such disciplinary action shall be in accordance with applicable policies, laws, and/or collective bargaining agreements.

Students who violate this policy may be subject to discipline up to and including expulsion. Such disciplinary action shall be in accordance with board policy and state law.

Agents of the District who violate this policy may be subject to penalties and sanctions as may be available to the District, including termination of business relationships and contracts.

Appeal Procedures

Either the complaining party or the accused may appeal the summary report of an investigation to the Governing Board of the District. Appeals shall be made in writing within ten (10) business days from the date of a finding.

The appeal shall set forth the reasons for the appeal. The Superintendent shall schedule a closed session of the Board to hear the appeal. The Superintendent or designee shall be responsible for responding to the appeal before the Board. The decision of the Board shall be in writing and shall be final. The written decision shall be issued within 20 calendar days of the Board meeting.

Training and Curriculum

To implement this policy, West Sonoma County Union High School District will provide appropriate training programs for staff and students.

Notification

There will be adequate notification of the policy to include permanent posters in public areas, offices, and hallways. The policy will be published in site handbooks and the District Summer Mailing.

Administrative Regulation

The Superintendent shall adopt, and from time to time may revise, further procedures as may be necessary to implement this policy and provide for a means of enforcing this policy. Such further procedures may include the following: posting and other means of distributing the policy; a process under which complaints will be handled, formally or informally, an explanation of possible civil proceedings and potential legal consequences of sexual harassment. The Superintendent will initiate training and education programs to enable all persons, and in particular, supervisors, to better understand the problem of sexual harassment. In addition, the Superintendent shall designate appropriate employees to enforce or administer this policy within the District and shall provide for appropriate training for Principals on an annual basis.

Special Assistance

It is expected that questions may arise concerning the interpretation of the prohibition against sexual harassment, the methods and procedures to be following in the investigation of complaints, and the appropriateness of specific solutions in disposition of complaints. For assistance in these matters, individuals may contact the Superintendent.

Current Legal references barring sexual harassment in education:

Title VII of the Civil Rights Act – 42 CUS Section 2000-e-2(a)(1)

California Fair Employment & Housing Act – Government Code Section 12940

Title IX of the Education Amendments of 1972 29 USC Section 1681 et. seq.

California Education Code, Section 200 et seq.

Adopted: January 16, 1997

Revised: 11/13/97; 1/14/03; 9/21/05;

9/22/10

WEST SONOMA COUNTY UHSD

Sebastopol, California

Administrative Regulation 5145.7(a)

Students

SEXUAL HARASSMENT

Purpose

It is the purpose of this Administrative Regulation to implement the District Student Sexual Harassment Policy. The regulation is designed to outline the procedures that are to be followed to maintain the Board of Education's commitment to providing an educational environment free from sexual harassment as defined by board policy.

Reporting Procedure

Any student who believes he or she has been sexually harassed by an employee, agent, or student of the District, should promptly report the facts of the alleged incident(s) and the name of the individual involved to any adult staff member with whom they feel comfortable, and that person shall report the incident to the school site administrator or if the administrator is the alleged harasser, to the Superintendent. The employee who has knowledge of a student allegation of sexual harassment is required to report to the site administrator within three (3) business days.

Students may, at any time during the process, bring an advocate to support them in meeting with the site administrator or other staff. The site administrator or designee will gather the information from the student to complete the Sexual Harassment Incident Report. A copy of the report will be forwarded to the Superintendent and the parent(s), who will also receive a copy of the District policy on Student Sexual Harassment.

Confidentiality

The site administrator will inform the student making the report that the allegation and the results of the investigation shall be kept confidential to the extent reasonably possible under the investigation process. In addition, witnesses and those interviewed shall be informed of the confidential nature of the issue and the investigation as well as the reason for confidentiality. Anyone violating confidentiality by disclosing the nature of the allegation or the investigation to others shall be subject to disciplinary action.

Retaliation

The initiation of an allegation of sexual harassment by a student will not adversely effect grades, class section or other matters pertaining to his or her status in any District program. The site administrator or designee will inform all parties that retaliation is illegal and that an allegation of retaliation, following a report of sexual harassment shall be considered as a separate incident, shall be investigated, and shall be subject to disciplinary action.

Time Limits

Allegations of sexual harassment shall be reported as soon as reasonably possible after the conduct in question has taken place. Students wishing to report allegations to additional agencies, such as the U.S. Office for Civil Rights, should know that this agency follows a 180 day time limit for reporting alleged incidents of sexual harassment.

Informal Process

Upon receipt of a complaint either verbally or in writing, the complaining party will be advised of their right to explore resolution of the matter by way of an informal mediation process. If the complaining party wishes to use the informal process, the site administrator in consultation with the Superintendent shall set up a process. If the complaining party or accused is not satisfied with the process or conclusion, the investigation procedure shall be initiated.

If the complaining party does not wish to participate in the informal process, the investigation procedure will be initiated.

Investigation Procedure

All complaints shall be investigated if not resolved by way of the informal process.

All investigations of allegations of sexual harassment shall be handled promptly, in a serious, sensitive, and confidential manner. Although the student who believes he/she has been sexually harassed is not required to confront the person who is engaging in the unwelcome and unsolicited sexual conduct, the investigator should determine if the student has informed the person engaging in the behavior that the behavior is offensive and must stop.

1. The investigator shall, as soon as reasonably possible after the incident has been reported, inform the student, employee, or other person accused of sexual harassment of the allegation, in accordance with Board policy, and they will be given an opportunity to respond.
2. The investigator shall inform all parties, including the student making the allegation, witnesses, and the accused, of their rights, including the fact that the student making the allegation and witnesses will not be retaliated against and the confidential nature of the allegation and investigation.
3. The investigator shall, conduct an investigation to determine if the allegation of sexual harassment is supported. The investigation finding shall be filed twenty-five (25) business days from the date the student made the allegation with the Superintendent. A summary of the findings shall be mailed to the student who reported the harassment, their parent(s), and the person accused within ten (10) business days.
4. When the site principal and/or Superintendent determine that sexual harassment has occurred, and disciplinary action is necessary, they will determine what course action is appropriate. Depending upon whether the harasser is a student, staff member, or agent of the District, appropriate disciplinary action will be taken.
5. Any student report of assault and/or physical battery that is gender based or sexual in nature shall be reported to the police for investigation.

Disciplinary Action

Students who are found to have engaged in sexual harassment may be subject to discipline up to and including expulsion. Such disciplinary action shall be in accordance with board policy and state law. Suspension and recommendations for expulsion must follow applicable law.

Staff members who are found to have engaged in sexual harassment of students will be subject to discipline up to and including dismissal. Such disciplinary action shall be determined by site and

District Administration in accordance with applicable policies, laws, and/or collective bargaining agreement.

Agents of the District who are found to have engaged in sexual harassment of students will be subject to penalties and sanctions as may be available to the District, including termination of business relationships and contracts.

In identifying appropriate disciplinary action, note that repeated incidents following intervention, intensity of the behavior, and multiple victims will yield more severe penalties. Disciplinary actions may include oral warnings, written warnings, mandatory training, counseling, suspension, transfer, demotion, or termination of employees, and expulsion for students.

Appeal Procedures

The appeal timeline is set forth in Policy. Upon receipt of an appeal, the Board shall schedule a special meeting to hear the appeal in closed session.

Approved: January 16, 1997

Revised: 10/9/97; 10/9/97; 1/14/03; 9/21/05; 9/22/10

WEST SONOMA COUNTY UHSD

Sebastopol, California

Board Policy 4020(a)

All Personnel

DRUG AND ALCOHOL-FREE WORKPLACE

The Governing Board believes that the maintenance of drug and alcohol-free workplaces is essential to school and district operations.

No employee shall unlawfully manufacture, distribute, dispense, possess, use or be under the influence of any alcoholic beverage, drug or controlled substance as defined in the Controlled Substances Act and Code of Federal Regulations before, during or after school hours at school or in any other district workplace.

The Superintendent or designee shall:

1. Publish and give to each employee a notification of the above prohibitions. The notification shall specify the actions that will be taken against employees who violate these prohibitions. The notification shall also state that as a condition of employment, the employee 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.

For the purpose of this policy, "conviction" shall mean a finding of guilt, including a plea of nolo contendere, or imposition of sentence, or both, by any judicial body charged to determine violations of federal or state criminal drug or alcohol statutes.

2. Establish a drug and alcohol-free awareness program to inform employees about:
 - a. The dangers of drug and alcohol abuse in the workplace.
 - b. The district policy of maintaining drug and alcohol-free workplaces.
 - c. Any available drug and alcohol counseling, rehabilitation, and employee assistance programs, and
 - d. The penalties that may be imposed on employees for drug and alcohol abuse violations.

3. Notify the appropriate federal granting or contracting agencies within ten days after receiving notification, from an employee or otherwise, of any conviction for a violation occurring in the workplace.
4. Initiate disciplinary action within 30 days after receiving notice of a conviction for a violation in the workplace from an employee or otherwise. Such action shall be consistent with state and federal law, the appropriate employment contract, the applicable collective bargaining agreement, and district policy and practices.
5. Make a good faith effort to continue maintaining a drug and alcohol-free workplace through implementation of Board policy.

In taking disciplinary action, the Board shall require termination when termination is required by law. When termination is not required by law, the Board shall either take disciplinary action, up to and including termination, or shall require the employee to satisfactorily participate and complete a drug assistance or rehabilitation program approved by a federal, state or local health, law enforcement or other appropriate agency. The Board's decision shall be made in accordance with relevant state and federal laws, employment contracts, collective bargaining agreements, and district policies and practices.

(cf. 4117.4 - Dismissal)

(cf. 4118/4218 - Dismissal/Suspension/Disciplinary Action)

(cf. 4159 - Employee Assistance Programs)

Legal Reference:

THE DRUG-FREE WORKPLACE ACT OF 1988

Public Law 5151-5160

United States Code, Title 20 Reference

DRUG-FREE SCHOOLS AND COMMUNITIES ACT AMENDMENT OF 1989

H.R. 3614

CONTROLLED SUBSTANCES ACT,

202 schedules I-V, 21 U.S.C., 812

21 CODE OF FEDERAL REGULATIONS

1300.1-1300.15

EDUCATION CODE

44011 Controlled substance offense

44065 Issuance of credentials

44425 Conviction of controlled substance offenses as grounds for revocation of credential

44836 Employment of certificated persons convicted of controlled substance offenses

44940 Compulsory leave of absence for certificated persons

44940.5 Procedures when employees are placed on compulsory leave of absence

45123 Employment after conviction of controlled substance offense

45304 Compulsory leave of absence for classified persons

GOVERNMENT CODE

8350-8357 Drug-free workplace

Adopted: August 24, 1993

Revised:

Reviewed: 11/15/94; 12/16/99

WEST SONOMA COUNTY UHSD

Sebastopol, California

All Personnel

DRUG AND ALCOHOL-FREE WORKPLACE NOTICE TO EMPLOYEES

YOU ARE HEREBY NOTIFIED that it is a violation of Board policy for any employee at a school district workplace to 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.

"School district workplace" is defined as any place where school district work is performed, including a school building or other school premises; any school-owned or school-approved vehicle used to transport students to and from school or school activities; any off-school sites when accommodating a school-sponsored or school-approved activity or function, such as a field trip or athletic event, where students are under district jurisdiction; or during any period of time when an employee is supervising students on behalf of the district or otherwise engaged in district business.

As a condition of your continued employment with the district, you will comply with the district's policy on Drug and Alcohol-Free Workplace and will, any time you are convicted of any criminal drug or alcohol statute violation occurring in the workplace, notify your supervisor of this conviction no later than five days after such conviction.

Pursuant to California Education Code 44836 and 45123, the Board may not employ or retain in employment persons convicted of a controlled substance offense as defined in Education Code 44011. If any such conviction is reversed and the person acquitted in a new trial or the charges dismissed, his/her employment is no longer prohibited.

Pursuant to Education Code 45123, the district may employ for classified service a person who has been convicted of a controlled substance offense only if it determines, from evidence presented, that the person has been rehabilitated for at least five years. The Board shall determine the type and manner of presentation of the evidence, and the Board's determination as to whether or not the person has been rehabilitated is final.

Pursuant to Education Code 44425, whenever the holder of any credential issued by the State Board of Education or the Commission for Teacher Preparation and Licensing has been convicted of a controlled substance offense as defined in Education Code 44011, the commission shall forthwith suspend the credential. Pursuant to Education Code 44065, the district may not employ noncertificated persons in positions requiring a certificate. When the conviction becomes final or when imposition of sentence is suspended, the commission shall revoke the credential. (Education Code 44425)

Pursuant to Education Code 44940 and 45304, the district must immediately place on compulsory leave of absence any employee charged with involvement in the sale, use or exchange to minors of certain controlled substances.

Pursuant to Education Code 44940 and 45304, the district may immediately place on compulsory leave of absence any employee charged with certain controlled substance offenses.

The following drug and alcohol counseling, rehabilitation, and/or employee assistance programs are available locally:

List of people/agencies to help with drug/alcohol abuse:

1. Private medical doctor
2. Kaiser Hospital (depending on insurance)
571-4599

3. Sonoma County Alcohol Service - Orenda Center
2759 Bennett Valley Road
Santa Rosa, CA 95404
527-3110
4. Drug Abuse Alternative Center
2403 Professional Dr.
Santa Rosa, CA 95401
544-3295
5. West County Community Services
15999 River Road
Guerneville, CA
869-0654; 887-2226
West County Community Services
6782 Sebastopol Road
Sebastopol, CA 95472
829-5717
6. Local Alcoholic Anonymous
544-1300
7. Local Narcotics Anonymous
575-7837

Referral List Updated: 5/11/95

WEST SONOMA COUNTY UHSD
Sebastopol, California

Safety

Workers' Compensation

The Redwood Empire Schools Insurance Group provides Worker's Compensation coverage for the District. All employees of the District are covered by the insurance for illness/injury that occurs because of your job.

The California workers' compensation law guarantees you three kinds of benefits:

- Medical treatment to cure the injury . . . and no deductibles.
- Tax-free payments to help replace lost wages while you're temporarily disabled. Additional payments are made if the injury results in a permanent disability or death.
- Rehabilitation services necessary to get you back to work. The amount of the payments, and when and how they're paid, are part of state law. Only the state Legislature can change the amounts.

WORKERS' COMPENSATION FRAUD IS A FELONY

Anyone who knowingly files or assists in the filing of a false workers' compensation claim may be fined up to \$50,000 and sent to prison for up to five years (Insurance Code section 1871.4).

Illness and Injury Prevention

In accordance with SB 198, the District has in place an Illness and Injury Prevention Plan. It is available for employees to review in the main office of each school site, and in the district Human Resources Office. Forms for reporting unsafe working conditions can be obtained from those offices, and will also be available in each site's lunch room. The District works with RESIG to rectify safety problems as quickly as possible once reported. You may contact the Human Resources Manager if you have questions about the plan.

Board Policy 4119.42

All Personnel

EXPOSURE CONTROL PLAN FOR BLOODBORNE PATHOGENS

As part of its commitment to provide a safe and healthful work environment, the Governing Board recognizes the importance of developing an exposure control plan. The Superintendent or designee shall establish a written exposure control plan in accordance with state and federal standards for dealing with potentially infectious materials in the workplace to protect employees from possible infection due to contact with bloodborne pathogens, including but not limited to hepatitis B virus, hepatitis C virus and human immunodeficiency virus (HIV).

(cf. 4119.43/4219.43/4319.43 - Universal Precautions)

(cf. 4157/4257/4357 - Employee Safety)

The Superintendent or designee shall determine which employees may 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.

Any employee not identified by the Superintendent or designee as one who may have occupational exposure may submit a request to the Superintendent or designee to be included in the training and hepatitis B vaccination program. The Superintendent or designee may deny a request when there is no reasonable anticipation of contact with any infectious material.

Adopted February 24, 2000:

Revised:

WEST SONOMA COUNTY UHSD

Sebastopol, California

All Personnel

EXPOSURE CONTROL PLAN FOR BLOODBORNE PATHOGENS

Definitions

Occupational exposure means reasonably anticipated skin, eye, mucous membrane, or parenteral contact with blood or other potentially infectious materials that may result from the performance of an employee's duties. (8 CCR 5193(b))

Exposure incident means a specific eye, mouth, other mucous membrane, nonintact skin, or parenteral contact with blood or other potentially infectious materials that result from the performance of an employee's duties. (8 CCR 5193 (b))

Parenteral contact means piercing mucous membranes or the skin barrier through such events as needle sticks, human bites, cuts, and abrasions. (8 CCR 5193(b))

A sharp is any object that can be reasonably anticipated to penetrate the skin or any other part of the body and to result in an exposure incident. (8 CCR 5193(b))

A sharps injury is any injury caused by a sharp, including but not limited to cuts, abrasions or needle sticks. (8 CCR 5193(b))

Work practice controls are controls that reduce the likelihood of exposure by defining the manner in which a task is performed. (8 CCR 5193(b))

Engineering controls are controls, such as sharps disposal containers, needleless systems, and sharps with engineered sharps injury protection, that isolate or remove the bloodborne pathogens hazard from the workplace. (8 CCR 5193(b))

Engineered sharps injury protection is a physical attribute built into a needle device or into a non-needle sharp which effectively reduces the risk of an exposure incident. (8 CCR 5193(b))

Exposure Control Plan

The District's exposure control plan shall contain at least the following components: (8 CCR 5193(c))

1. A determination of which employees may have occupational exposure to blood or other potentially infectious materials

The District's exposure determination shall be made without regard to the use of personal protective equipment and shall include a list of:

- a. All job classifications in which all employees may have occupational exposure
- b. Job classifications in which some employees may have occupational exposure
- c. All tasks and procedures, or groups of closely related tasks and procedures, in which occupational exposure may occur and which are performed by employees listed in item #b above

2. The schedule and method of implementing:

- a. Methods of compliance required by 8 CCR 5193(d), such as universal precautions, general and specific engineering and work practice controls, and personal protective equipment.

(*cf. 4119.43/4219.43/4319.43 - Universal Precautions*)

- b. Hepatitis B vaccination
- c. Bloodborne pathogen post-exposure evaluation and follow-up
- d. Communication of hazards to employees, including labels, signs, information and training
- e. Recordkeeping

3. The District's procedure for evaluating circumstances surrounding exposure incidents

4. An effective procedure for gathering information about each exposure incident involving a sharp, as required for the log of sharps injuries
5. An effective procedure for periodically determining the frequency of use of the types and brands of sharps involved in exposure incidents documented in the sharps injury log
6. An effective procedure for identifying currently available engineering controls and selecting such controls as appropriate for the procedures performed by employees in their work areas or departments
7. An effective procedure for documenting instances when a licensed health care professional directly involved in a patient's care determines, in the reasonable exercise of clinical judgment, that the use of an engineering control would jeopardize an individual's safety or the success of a medical, dental or nursing procedure involving the individual
8. An effective procedure for obtaining the active involvement of employees in reviewing and updating the exposure control plan with respect to the procedures performed by employees in their respective work areas or departments

The exposure control plan shall be reviewed and updated at least annually and whenever necessary to: (8 CCR 5193(c))

1. Reflect new or modified tasks and procedures affecting occupational exposure
2. To the extent that sharps are used in the district, reflect progress in implementing the use of needle less systems and sharps with engineered sharps injury protection
3. Include new or revised employee positions with occupational exposure
4. Review and evaluate the exposure incidents which occurred since the previous update
5. Review and respond to information indicating that the exposure control plan is deficient in any area

The District's exposure control plan shall be accessible to employees upon request. (8 CCR 3204(e))

Preventive Measures

The Superintendent or designee shall use engineering and work practice controls to eliminate or minimize employee exposure, and shall regularly examine and update controls to ensure their effectiveness. (8 CCR 5193(d))

Hepatitis B Vaccination

The hepatitis B vaccination and vaccination series shall be made available at no cost to all employees who may have occupational exposure. The hepatitis B vaccination shall be made available after an employee with occupational exposure has received the required training and within 10 working days of initial assignment, unless the employee has previously received the complete hepatitis B vaccination series, or antibody testing has revealed that the employee is immune, or vaccination is contraindicated by medical reasons. (8 CCR 5193(f))

Employees who decline to accept the vaccination shall sign the hepatitis B declination statement. (8 CCR 5193(f))

The Superintendent or designee may exempt designated first aid providers from the pre-exposure hepatitis B vaccine in accordance with 8 CCR 5193 (f).

Information and Training

The Superintendent or designee shall ensure that all employees with occupational exposure participate in a training program containing the elements required by state regulations, during working hours and at no cost to the employee. This program shall be offered at the time of initial assignment to tasks where occupational exposure may take place, at least annually thereafter, and whenever a change of tasks or procedures affects the employee's exposure. (8 CCR 5193(g))

Designated first aid providers shall receive training that includes the specifics of reporting first-aid incidents which involve blood or body fluids which are potentially infectious. (8 CCR 5193(g))

Reporting Incidents

All exposure incidents shall be reported as soon as possible to the Superintendent or designee.

Unvaccinated designated first aid providers must report any first aid incident involving the presence of blood or other potentially infectious material, regardless of whether an exposure incident occurred, by the end of the work shift. The full hepatitis B vaccination series shall be made available to such employees no later than 24 hours after the first aid incident. (8 CCR 5193(f))

Sharps Injury Log

The Superintendent or designee shall establish and maintain a log recording each exposure incident involving a sharp. The exposure incident shall be recorded within 14 working days of the date the incident is reported to the district. (8 CCR 5193(c))

The information recorded shall include the following, if known or reasonably available: (8 CCR 5193(c))

1. Date and time of the exposure incident
2. Type and brand of sharp involved in the exposure incident
3. A description of the exposure incident, including:
 - a. Job classification of the exposed employee
 - b. Department or work area where the exposure incident occurred
 - c. The procedure that the exposed employee was performing at the time of the incident
 - d. How the incident occurred
 - e. The body part involved in the incident
 - f. If the sharp had engineered sharps injury protection, whether the protective mechanism was activated and whether the injury occurred before, during or after the protective mechanism was activated
 - g. If the sharp had no engineered sharps injury protection, the injured employee's opinion as to whether and how such a mechanism could have prevented the injury
 - h. The employee's opinion about whether any other engineering, administrative or work practice could have prevented the injury

Post-Exposure Evaluation and Follow-up

Following a report of an exposure incident, the Superintendent or designee shall immediately make available to the exposed employee, at no cost, a confidential medical evaluation, post-exposure evaluation and follow-up. The Superintendent or designee shall, at a minimum: (8 CCR 5193(f))

1. Document the route(s) of exposure and the circumstances under which the exposure incident occurred
2. Identify and document the source individual, unless that identification is not feasible or prohibited by law
3. Provide for the collection and testing of the employee's blood for hepatitis B, hepatitis C and HIV serological status
4. Provide for post-exposure prophylaxis, when medically indicated, as recommended by the U.S. Public Health Service
5. Provide for counseling and evaluation of reported illnesses

The Superintendent or designee shall provide the health care professional with a copy of 8 CCR 5193; a description of the employee's duties as they relate to the exposure incident; documentation of the route(s) of exposure and circumstances under which exposure occurred; results of the source individual's blood testing, if available; and all medical records maintained by the district relevant to the appropriate treatment of the employee, including vaccination status. (8 CCR 5193(f))

The district shall maintain the confidentiality of the affected employee and the exposure source during all phases of the post-exposure evaluation. (8 CCR 5193(f))

(cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information)
(cf. 9011 - Disclosure of Confidential/Privileged Information)

Records

Upon an employee's initial employment and at least annually thereafter, the Superintendent or designee shall inform employees with occupational exposure of the existence, location and availability of related records; the person responsible for maintaining and providing access to records; and the employee's right of access to these records. (8 CCR 3204)

(cf. 1340 - Access to District Records)
(cf. 3580 - District Records)

Medical records for each employee with occupational exposure shall be kept confidential and not disclosed or reported without the employee's written consent to any person within or outside the workplace except as required by law. (8 CCR 5193(h))

Upon request by an employee, or a designated representative with the employee's written consent, the Superintendent or designee shall provide access to a record in a reasonable time, place and manner, no later than 15 days after the request is made. (8 CCR 3204(e))

Records shall be maintained as follows: (8 CCR 3204(d), 5193(h))

1. Medical records shall be maintained for the duration of employment plus 30 years.
2. Training records shall be maintained for three years from the date of training.
3. The sharps injury log shall be maintained five years from the date the exposure incident occurred.
4. Exposure records shall be maintained for at least 30 years.
5. Each analysis using medical or exposure records shall be maintained for at least 30 years.

Approved: February 24, 2000

Revised:

WEST SONOMA COUNTY UHSD

Sebastopol, California

Information for Classified Employees

Employment Sign-up

Employees will meet individually or in a group with the Human Resources Manager to complete appropriate paperwork to sign-up as a district employee. The following items are required to complete employee sign-up:

- Driver's license
- Social Security Identification card
- Verification of TB clearance
- Receipt of fingerprints taken
- Medical exam (when required)

Probationary Period

Upon employment, classified employees serve a probationary period for six (6) months for the purpose of assessing their ability to perform the job. The six (6) month probationary period may be extended through the evaluation process. Probationary employees may be released for no cause during the probationary period.

Upon successful completion of the probationary period, the probationary employee becomes a regular employee of the District.

Evaluations

An employee is evaluated twice during the six-month probationary period. Thereafter, evaluations are given annually prior to May 1st.

Salary Placement

New employees are placed on Step 1, 2, or 3 at the Range appropriate for their job title. Employees will be given copies of the current salary schedule and their placement during employment sign-up.

Employees hired prior to January 1, advance to the next step effective July 1 of each year, until the maximum step is achieved. Employees hired after January 1, will not advance a step until July 1 of the year following the year in which hired.

Pay Period

Pay warrants are awarded on the last working day of each month for work performed during that month. Employees receive pay warrants only for those months in which work is performed.

Overtime, or other supplementary work, is paid on the supplementary payroll. The deadline for submitting claim forms for payment is the last workday of each month for payment on the 10th of the following month.

Employees may elect to have their pay warrants deposited directly to their bank account by choosing the Direct Deposit option. See the Payroll/Accountant.

Holidays

Regular, full time employees are entitled to fourteen (14) paid holidays per year.

Longevity

Longevity payments as specified on the Classified Salary Schedule are made after the completion of 10, 15, 20, and 25 years of continuous employment with the district:

Work Year, Work Hours and Rest Periods

Classified employees are hired for various work years from school year to twelve month. The variations are listed below, with their equivalent number of work days per year. The work year totals shown below include an employee's work days, holidays and vacation days.

- School Year = same as the number of student instruction days plus one (2) days
- 10 month = 220 days per year
- 10.5 month = 230 days per year

11 month = 240 days per year
12 month = 262 days per year *

Work hours per day are designated by the District per position not less than two (2) hours per day.

Rest periods (breaks) are granted at the rate of fifteen (15) minutes per four (4) hours worked, and are normally granted once during each four (4) hour block of work.

An employee working four (4) hours or more in a day shall be entitled to a 30 minute uninterrupted lunch period which shall not count as part of the employee's regular work day. Employees working more than five (5) hours per day are required to schedule a 30 minute uninterrupted lunch period which shall not count as part of the employee's regular work day.

Overtime will be paid in accordance with Board policy, the bargaining unit contract, and state and federal law.

Sick Leave

Sick leave is awarded at one day per month worked. A "day" for an employee equals the number of hours of regular work in a work day. Sick leave may be accumulated without limit and translated into service credit upon retirement. Employees may use up to seven (7) days of accumulated sick leave for personal necessity and up to three (3) days of personal necessity leave for personal business. Sick leave and/or personal necessity may be taken in increments of not less than 15 minutes. Probationary employees may use no more than six (6) days of sick leave during the probationary period.

Your sick leave balance is recorded monthly on your pay stub in the form of hours. Please review this monthly and bring any discrepancies to the attention of the Human Resources Manager.

If you leave this district and become employed at another school district within a year, you may have your sick leave balance transferred to your new district.

Personal Necessity Leave

Sick leave may be used in cases of personal necessity. Allowable personal necessity is defined in the CSEA Contract, Section 9.6. Additionally, sick leave may be used for the employee to care for the illness of a child, spouse, or parent. Personal Necessity may not be used for the sole purpose of extending a vacation or holiday.

Personal Business Leave

Employees may use up to three (3) of the allowed personal necessity days annually for personal business left to the discretion of the employee.

Aesop - Reporting Absences

When you are absent from your job for any period of time and for any reason, you are required to notify your immediate supervisor. Notification of an absence should be given at least two hours prior to the start of your work shift, or earlier if possible. All employees are required to access the Aesop system the same day as the absence to record the absence.

Requests for Sick Leave/Vacation Balance

Your sick leave and vacation balances are printed on your paycheck stub each month. You may also request a printout of your sick leave or vacation balances by contacting the Human Resources Manager. The report will be a printout showing the most recent absence screen. Every effort will be made to send this out the same day the request is made.

Medical Leaves of Absence

Should you become ill or injured and unable to perform the duties of your job, please notify the Human Resources Manager. You may be entitled to leaves of absence under Education Code, bargaining unit contract, or state or federal law.

Maternity Leave

Female employees are eligible for unpaid maternity leave beyond sick leave benefits. The employee shall provide the District with documentation from the physician verifying the commencement and termination date of the leave.

Bereavement Leave

Employees are granted paid bereavement leave not to exceed three days, or five days if travel over 400 miles is required, for the death of any member of the employee's immediate family. (See CSEA Contract, Section 9.5 for definition of family.)

Vacation

All classified employees earn vacation time. School year employees are paid an amount equal to their vacation time, rather than given the time off. Vacation is accrued at the following rate for employees working at least 11 months per year:

Years Completed	Days Earned
0-3	10
4-7	15
8-10	18
11+	21

Employees employed for less than 11 months shall accrue vacation on a pro-rated basis in such proportion as the number of months they work bears to twelve calendar months.

Overtime/Comp Time

Prior authorization is required before an employee may work overtime. The authorization must state if the employee is to be paid in comp time or overtime. Overtime is time worked in excess of 8 hours in any one day, or time worked in excess of 40 hours in any calendar week. Overtime hours are compensated at a rate equal to time-and-one-half the regular rate of pay. Overtime performed on a holiday will be paid at a rate equal to double-time. An employee may elect to accrue comp time in lieu of payment for overtime. However, overtime pay, not compensatory time, shall be provided for unit members who provide services outside the regular work day for outside groups and for non-school events. Comp time shall be calculated at the rate of one-and-one-half hours for each overtime hour worked. Holiday overtime will be calculated at a rate of two hours for each overtime hour worked. Comp time must be used with supervisor's approval by August 31 of the fiscal year following the fiscal year in which it is earned.

Bonus Days

An employee who does not use any annual sick leave during the full year and who works five (5) days per week earns two bonus days to be used the following year. One bonus day is earned if the employee has one to three occurrences of use of sick leave. An employee who work less than five (5) days per week is eligible to earn no more than one (1) bonus day per year.

Professional Growth Program

The Professional Growth Recognition Program rewards all participating classified employees for training outside of the normal workday. The training recognized must be pre-approved by the site principal or a district manager, and must be directly related to the position currently occupied by the employee.

Employees may earn yearly salary increments of \$300 per six (6) units of college credit earned. The total maximum number of units that may be earned shall be eighteen (18), for a total annual salary increment of \$900. Units

credited cannot exceed six (6) per year. Forms and detailed instructions are available from the Human Resources Office.

□ ***Retirement***

Classified employees are members of the Public Employees' Retirement System (PERS). Upon retirement, employees who have been employed by the District for ten years and retire between their 55th and 65th birthday, shall be eligible for an early retirement incentive of a sum equal to \$100.00 per year of service with the district.

Information for Certificated Employees

□ ***Employment Sign-up***

Employees will meet individually or in a group with the Human Resources Manager to complete appropriate paperwork to sign-up as a district employee. The following items are required to complete employee sign-up:

- Driver's license
- Social Security Identification card
- Verification of TB clearance
- Receipt of fingerprints taken
- Original credential
- Transcripts
- Verification of teaching experience
- CBEST card
- No Child Left Behind "Highly Qualified Teacher" certification

□ ***Hiring Status***

Teachers hired in the District are hired at Temporary status to fill district wide needs. Temporary teachers hired to replace a permanent or probationary teacher on a leave may be kept at temporary status as long as he/she is filling a vacancy caused by a leave. (EC 44918(c)).

A teacher may be hired as a "temporary" to:

1. Fill teaching sections normally taught by one or more district teachers who are on a leave of absence.
2. Fill teaching sections funded by categorical or restricted funds.
3. Fill teaching sections for a limited one-semester assignment.
4. Fill teaching sections for one semester that will be reduced due to reduced enrollment.

Each year the district must keep a balance between the number of (Full Time Equivalent) FTE's of leaves and the number of FTE's of temporary teachers. If the total FTE's of temporary teachers exceeds the total FTE's of leaves, then that number of temporary teachers must be moved to probationary to again bring the FTE's into balance.

At the start of each school year the Superintendent, Human Resources Manager and site principals review the leave and temporary teacher lists to determine which teachers will be recommended for probationary status, given the number of temporary teachers that must be moved to balance the temporary and leaves lists. The group reviews hire date, credentials held and district need. The names of those teachers who are recommended for probationary status are taken to the Board for approval. Once approved, those teachers are moved to probationary status effective: (1) at the start of the current year (or their hire date, if later) if they are fully credentialed; or (2) at the start of the previous year, or hire date of that year, if they served at least 75% of that school year, if they are fully credentialed, or (3) the date they are fully credentialed if they are recommended for probationary status while serving under an Intern permit.

□ ***Salary Placement***

Employees are given credit for years of experience as follows: five years at 1:1; three additional years at 2:1, for a maximum credit of eight years for placement on Step 9. Movement across the salary schedule is at 30, 45, 60, and 75 units.

□ ***Pay Period***

Pay warrants are awarded on the last working day of each month for work performed during that month. Full-time employees may choose 11-pay or deferred net pay. Part-time employees are paid on a 10-pay. Supplementary work, is paid on the supplementary payroll. The deadline for submitting claim forms for payment is the last working day of each month for payment on the 10th of the following month.

Employees may elect to have their pay warrants deposited directly to their bank account by choosing the Direct Deposit option. See the Payroll/Accountant.

Salary Credit for College Units

Any course work/workshop being taken for salary purposes shall be subject to approval by the principal and the superintendent/designee. A Request for Approval of College Courses form must be completed and submitted to the Human Resources Manager prior to completing the course/workshop.

A teacher may receive salary credit for up to 15 units per year, but no more than 6 units per semester during the regular school year. Units in excess of 15 earned in one school year may be carried over to the next school year.

All movements across columns will be made as of September 1 following verification by college transcripts of units earned. Verification must be submitted to the Human Resources Manager by September 1st to receive salary credit for that school year.

Stipends

Stipends are paid as follows:

- *Activity Stipends* : 1/2 paid on December 10th payroll; 1/2 paid on May 10th payroll
- *Coaching Stipends*: Full amount paid at conclusion of sport

Signed pay claim forms must be submitted in order for payment to be made.

Credential

It is the responsibility of the individual teacher to keep his/her teaching credential current. Renewals should be done approximately six months prior to expiration. In accordance with Education Code Section 45034, the district may only issue pay warrants to a teacher who holds a valid, current credential.

Aesop – Reporting an Absence and Securing a Substitute

Aesop is an integrated web and phone based substitute placement system. All District employees are required to access Aesop to register an absence and request a substitute teacher. Access the Aesop system as soon as such need is known. If the absence becomes longer than estimated, you must again access the Aesop system of the need for a substitute. If the duration of absence is unknown and becomes shorter than estimated, you must notify the district of your intent to return by at least 3:00 p.m. of the working day proceeding the day you return.

If No Substitute is Available

If the district is unable to secure a substitute to cover a teacher absence, teachers on their prep periods may be asked to cover the classes of the absent teacher. As compensation for providing that coverage, the teacher receives an in-lieu coverage slip.

Sick Leave

Ten (10) days of sick leave are awarded to full time certificated employees and is prorated for part-time employees. Sick leave may be accumulated without limit and translated into service credit upon retirement. Your sick leave balance is recorded monthly on your pay stub in the form of hours. Please review this monthly and bring any discrepancies to the attention of the Human Resources Manager.

If you leave this district and become employed at another school district within a year, you may have your sick leave balance transferred to your new district.

Personal Necessity Leave

Employees may use up to seven (7) days of accumulated sick leave for personal necessity. The District and Association agree that these days are to be taken for reasons that are serious in nature and are not intended to be used for personal vacation days.

Personal Business Leave

Three (3) days of the seven personal necessity days may be used for personal business left to the discretion of the employee.

Requests for Sick Leave Balance

Your sick leave balance is printed on your paycheck stub each month. You may also request a printout of your sick leave balance by contacting the Human Resources Manager or Payroll Technician. The report will be a printout showing the most recent absence screen. Every effort will be made to send this out the same day the request is made.

Medical Leaves of Absence

Should you become ill or injured and unable to perform the duties of your job, please notify the Human Resources Manager. You may be entitled to leaves of absence under Education Code, bargaining unit contract, or state or federal law.

Maternity/Adoption/Infant Care Leave

Female employees are eligible for twelve weeks of maternity leave. All employees are eligible for twelve weeks of adoption/infant care leave. Employees on such leave will be paid the difference between their salary and what is paid to a replacement teacher. The employee shall provide the District with a written statement indicating the beginning and ending dates of the proposed leave. Certain restrictions apply to this leave. Please review contract sections 9.14, 9.4.1 Maternity/Infant Care Leave, and 9.70 Adoption/Infant Care Leave.

Bereavement Leave

Employees are granted paid bereavement leave not to exceed three days if the funeral is within the state of California, or for up to five days for out of state funerals, for the death of any member of the employee's immediate family. (See WSCTA Contract, Section 9.13a for definition of family.)

Bonus Days

Employees who have no occurrences of use of their sick leave during a school year will receive two bonus days to be used the following school year. One to three occurrences of sick leave use allows the employee to receive one bonus day.

In-Lieu Days

If an employee is asked to cover a class during his/her prep period, the employee will be given a coupon (in-lieu) entitling him/her to one period off. When sufficient periods to equal the employee's work day are awarded, the employee may take a in-lieu day off. (See WSCTA contract section 9.71)

Retirement

Certificated employees are members of the State Teachers' Retirement System (STRS). Upon retirement, bargaining unit members who are 55 years old on or before June 30 of any school year, and who submit an irrevocable letter of resignation by March 1 of that school year for the purpose of retirement at the end of that school year, will receive a payment of \$7,500. Said funds will not be counted toward retirement credit.

Retired certificated employees may be eligible for continuation of health benefits after retirement. Please refer to WSCTA contract section 14.3.