



HANDBOOK

For

CERTIFICATED PERSONNEL

2021-2022

Board Approved
June 15, 2021

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Introduction

The Monson-Sultana Joint Elementary Unified School District (MSJEUSD) is governed by a five member Board of Trustees. The Superintendent/Principal is responsible for the overall administration of the school in accordance with state and federal law and the implementation of District policies. An employee of MSJEUSD can expect a fair and equitable salary, competitive benefits and the opportunity to be a part of the best that public education has to offer. We are pleased to have you as a member of our team and hope that you find that the satisfaction gained from doing your job matches the effort you put into your work.

This Certificated Employee Handbook has been written to provide information and guidance to Monson-Sultana's teachers. The District expressly reserves the right to change, add or delete any of the provisions in this handbook at any time. Moreover, given the reality of a complex, ever-evolving organization, the information in this handbook is not all-inclusive. The Certificated Handbook is not a contract. This handbook is provided to assist teachers in dealing with the day-to-day operations of the school. **It is crucial that all teachers read the handbook thoroughly and become familiar with its contents. You will be responsible for enforcing and following the policies contained in this handbook. All items in green text appear in this handbook for the first time.**

It is likely that as events occur over the course of the school year that additions to the handbook will become necessary. It is also likely that many of the policies and procedures that are set forth in the handbook will change over time. Pay particular attention to the wording of policies. Statements such as "teachers must", "teachers are required to", or "teachers will" indicate actions that are mandatory. This is a quick reference guide. As with all things, when you have questions or concerns you should always check with the principal.

Employee Expectations & Responsibilities

Staff Expectations

All employees are expected to demonstrate a professional, cooperative, knowledgeable and courteous demeanor in all interactions with students, parents, colleagues and members of the community. Work attire should reflect the professional responsibilities of an employee's position, exhibiting concern for safety, hygiene, neatness, cleanliness and projecting positive role models for students enrolled at Monson-Sultana School.

At a minimum, it is expected that all employees will follow general and specific work and employment guidelines, carry out instructions and directions appropriately issued by supervisors or administrators and perform job responsibilities in a satisfactory manner. Employees are expected to be regular in attendance, arriving on time and adhering to designated starting and ending times for work, breaks, lunch, prep periods, etc. Employees are advised that supplies, equipment and services (including Internet access and fax machines) are for professional use. Excessive use of supplies, services or equipment for personal reasons are not allowed. Inappropriate use of equipment, supplies or services including electronic access may result in disciplinary action.

Teachers will;

1. Provide a safe, orderly, and caring classroom environment conducive to learning.
2. Put student and staff safety above all else.
3. Be on time getting to school, getting to meetings and collaboration sessions, and getting to assigned student supervision duty.
4. Establish two-way communication with families about student progress and discipline issues.
5. Treat students, staff, and parents with dignity and respect at all times. At no time should teachers use excessively loud voices, sarcasm, profanity, or name calling toward students.
6. Utilize common sense and good judgment. Teachers will not put their hands on students except to prevent imminent injury. Under no circumstances should teachers engage in horseplay or rough-housing with students.
7. Maintain a positive attitude. Negative attitudes create a caustic school environment and create barriers to student achievement.
8. Follow all state and federal laws in addition to school and district policies.

Accidents

All accidents will be reported immediately to the nurse and secretary. Accident report forms are located in the nurse's office. Fill out the Accident Report immediately after the accident. The nurse/health services aide will submit all accident reports to the principal who will determine what if any further action is necessary.

Accountability for Student Attendance

Teachers have a legal responsibility to maintain accurate, current daily attendance records. It is extremely important that you discharge the responsibility efficiently since this report serves as a basis for computing daily attendance figures. It is imperative that you enter attendance accurately and on time. You are also responsible for the safekeeping of these records.

Attendance and Absences, Teachers

Good teacher attendance is vital to the smooth operation of any school. Research shows that three days of instruction are affected by one day of a teacher's absence. If you must be absent from school for any reason, it is your responsibility to call Jackie (559-356-2527) **BEFORE** 6:00 a.m. Employees shall notify the district of their need to be absent as soon as such need is known, so that substitute services may be secured. This notification shall include an estimate of the expected duration of absence. If the absence becomes longer than estimated, the employee shall again notify the district of the need for a substitute. If the duration of absence is unknown or becomes shorter than estimated, the employee shall notify the district of his/her intent to return by at least 4 p.m. of the working day preceding the day he/she returns.

Emergency plans should include a schedule of your classes, seating charts, procedures for taking attendance, etc. Develop your substitute plan as though you were entering the classroom for the first time. You need to make plans ahead of time if you know that you will be absent for personal, in-service, jury duty, or other approved leaves; Teachers should try to schedule dental/medical appointments outside the school day when possible. Teachers who leave for a portion of their work day are required to submit a Leave of Absence form to the office upon their return to school. More information is available in the "Notification" section of "Leaves" on page 14.

The Governing Board has set aside time for teachers to collaborate and participate in staff development on a weekly basis through early release Mondays. Teachers shall attend all such scheduled meetings and should not schedule appointments during these times.

Anti-Harassment and Sexual Harassment Policy

Monson-Sultana School seeks to promote a workplace and educational environment that is free from discrimination and harassment, whether based on race, color, gender, age, religion, creed, national origin, ancestry, sexual orientation, marital status or disability. The MSJUESD will not tolerate harassing conduct that affects employment or educational conditions, that interferes unreasonably with an individual's work performance or that creates an intimidating, hostile or offensive work or school environment. Further, any retaliation against an individual who has complained about harassment or retaliation against individuals for cooperating with an investigation of a harassment complaint is similarly unlawful and will not be tolerated.

Harassment consists of unwelcome conduct, whether verbal or physical, that is based on a characteristic protected by law. Harassment includes, but is not limited to, display or circulation of written materials or pictures that are degrading to a person or group described above; or verbal abuse or insults about, directed at, or made in the presence of an individual or group described above. Sexual harassment means sexual advances, requests for sexual favors, and verbal or physical conduct of a sexual nature when submission to or rejection of such advances, requests or conduct are made either explicitly or implicitly a term or condition of employment, academic standing, school-related opportunities or as a basis for employment decisions or such advances, requests or conduct have the purpose or effect of unreasonably interfering with an individual's academic or work performance by creating an intimidating, hostile, humiliating or sexually offensive work environment. All reports of harassment, sexual or otherwise, will be investigated promptly in a confidential manner and disciplinary action taken as appropriate.

Maintaining a professional workplace atmosphere is a goal the district strives to maintain at all times. With this in mind, the district discourages romantic relationships in the workplace. In addition, romantic relationships between employees and direct supervisors are prohibited.

All certificated employees are responsible for completing the Keenan Safe Schools training on sexual harassment within 30 school days of the first day of school. You should print out the certificate for the training and turn it in to the Superintendent/Principal for signature.

Cellular Phone Use

Teachers will not use cellular phones to talk or send text messages during class time or while directly supervising students. The use of cell phones during break time, lunch, prep periods, etc. is authorized.

Child Abuse Reporting

The California Child Abuse Reporting Law is found in Penal Code Sections 11165-11174.3. As a "Mandated Reporter" all teachers must become familiar with the reporting requirements as they are set forth in the Penal Code (PC). Under this law, when the victim is a child (a person under the age of 18), the following types of abuse ***MUST BE REPORTED***:

- a. Physical injury inflicted by other than accidental means.
- b. Sexual abuse which includes sexual assault, and providing pornography to minors.
- c. Willful cruelty or unjustified punishment.
- d. Unlawful corporal punishment or injury resulting in a traumatic condition.
- e. Neglect of a child to include acts of omission harming or threatening a child's health.

CPS Reporting Forms may be found online on the "MS Staff Shared Folder". **Print and complete the form before calling CPS. Be sure to record the name of the person you speak to on the form.** Submit form to the office after completing the reporting of the incident.

The report must be made to the county welfare department by phone immediately (1-800-331-1585) and a written report must be submitted within 36 hours and then mailed to:

Child Welfare Services
1066 N. Alta Ave.
Dinuba, CA 93279

Liability for failure to report by a Mandated Reporter is a misdemeanor punishable by up to 6 months in jail and/or a \$1000 fine. **Educators risk losing their credential for failing to report as well as the possibility of being found civilly liable for damages if the child is further victimized. Contact the principal for assistance with reporting or when in doubt.** Board Policy 5141.4(a) sets forth District Policy on Child Abuse Reporting.

All certificated employees are responsible for completing the Keenan Safe Schools training on child abuse reporting within 30 school days of the first day of school. You should print out the certificate for the training and turn it in to the Superintendent/Principal for signature.

Classroom Environment & Safety

Teachers should take an active role in general housekeeping duties in their classrooms. Students should not be dismissed until they have picked up excess paper/trash from the floor. Before leaving your room for the day, teachers will close windows, turn off classroom lights, turn off all electronic equipment, and lock the door. Students who abuse school property (writing on walls, desks, etc.) should be assigned an appropriate consequence (cleaning the walls, desks, etc., after class). Habitual offenders should be referred to the principal.

Fire code regulations prohibit flammable objects from covering more than 25% of classroom walls. Paper is to be a minimum of 18" from the ceiling and 18" from the floor and cannot cover windows, electrical outlets, light switches, or safety equipment. Electrical cords cannot be within 24" of sinks. Photos printed on photographic paper release toxic chemicals when they burn and should not completely cover walls, windows or doors. Furniture must not block access to fire extinguishers or evacuation routes and the evacuation map must be posted prominently near the door of each classroom.

Classroom Management

Research has shown that the majority of behavioral issues in the classroom are the result of a lack of effective classroom routines, rules, and procedures. Teachers who have well thought out procedures, routines, and rules not only have better behaved students, but also have higher achieving students. As such, all teachers are expected to have clearly defined rules, routines, and procedures clearly visible in their classrooms. In addition, teachers will schedule adequate time over the first few weeks of each trimester to teach and re-teach these procedures to students. Make sure that your students and parents have a copy of your plan and you have evidence that they have received it.

Teachers are expected to handle routine classroom management problems and strive to eliminate conflicts that escalate and end up resulting in much more serious behavior issues than necessary. For example, a student who reports to class without a pencil is asked where his pencil is. He responds that he doesn't have one and the teacher begins reminding him of the rule/procedure requiring him to have one. He begins to argue with the teacher and eventually gets disrespectful resulting in an office referral for disrespect. When the student is asked why he is in the office, he says, "I forgot my pencil". Had the teacher had a procedure in place for students who do not bring a pencil (i.e., "Students who do not bring a pencil will be required to get one out of the broken pencil can by the pencil sharpener") this incident would not have escalated

into a more serious offense. Having a procedure in place will often eliminate the possibility of a confrontation that takes away from the lesson and typically results in increasing levels of disciplinary action.

Confidentiality

As an employee of Monson-Sultana School, you may have access to confidential, protected or privileged information. It is expected that employees will protect others' rights to privacy by not releasing such information to unauthorized individuals. Treat all school documents (discipline referrals, attendance and absentee sheets, report cards, progress reports, court orders, etc.) as confidential. At no time should these documents be accessible to students or unauthorized personnel. Secure all school related documents in a locking drawer or cabinet when not in use. Remember to turn your computer off when you are not in the classroom to prohibit students or other unauthorized personnel from accessing files. Failure to do so may result in disciplinary action up to and including termination of employment. You can also be held liable civilly for the unauthorized disclosure of confidential information in your possession.

Confiscating Items from Students

The following 2 paragraphs appear in the District Handbook for students and parents:

Bringing Inappropriate Things to School (Education Code 48900 Section K)

There are some things which a student must not bring to school because they are dangerous to the student or other students, or they interfere with the rights of others to learn. Some examples of things that must not be brought to school are personal electronic devices such as iPods, video games, pagers, and MP3 players. Other items not allowed in school include: toys, games, water balloons, fireworks, lighters, matches, medications, laser pointers, or any other item determined to be dangerous or disruptive to the educational environment by the Principal. Inappropriate items will be confiscated and turned over to the Principal. Depending upon the seriousness of the offense, detention and citation procedures will apply. The school district is not responsible for the loss of personal items brought to school.

Cell Phone Use by Students (Education Code 48900 Section K)

Ringing or vibrating cell phones can disrupt classes and distract students who should be involved in the lesson at hand. Cell phones can be used for text messaging and could be used to cheat on tests or other classroom work. Most cell phones have cameras that can be used to take photos of exams or inappropriate and unauthorized photos of other students. Cell phone use by students will not be allowed during school hours. Students are allowed to use the telephone in the office in the event of an emergency (see "Telephone" on page 23). Parents who allow their child to carry a cell phone to school must take responsibility for ensuring that their child keeps the phone turned off and out of view at all times. School staff that sees a student with a cell phone in hand will confiscate the phone and take it to the office where it will be kept until a parent comes to meet with the Principal. Depending upon the seriousness of the offense, detention and citation procedures will apply. The school district is not responsible for the loss of personal items brought to school.

District policy is clear on what can and cannot be brought to school by students. However, it leaves what action to take when a student violates this policy up to the site principal. Here is how staff members are expected to correctly handle situations requiring confiscation of personal property;

- All dangerous items must be confiscated and the office contacted immediately.
- If a student has a cell phone, portable electronic game, or other item that you feel is not dangerous and they have it out during class time, you ***should first warn them to put it away and then on the 2nd offense confiscate the item***. If the student refuses to turn the item over to you, contact an administrator or send the student to the office. **HOWEVER**, once you confiscate the item, you must take every precaution to protect the item from being lost, stolen, or damaged. Failure to protect the personal property of another which you have confiscated makes you responsible for the item. If you are not willing to accept this responsibility, **DO NOT CONFISCATE THE ITEM**. It is recommended that you place the item in a desk or file cabinet drawer that can be locked until you can turn it into the office. Take the item to the office (do not send it via another student) as soon as possible and it will be locked away in an envelope or box with the student's name on it until a parent can come to the office to pick it up.
- Teachers should address this in their classroom rules and procedures.

COVID-19

As the 2021-2022 school year commences, the COVID-19 pandemic continues to evolve and impact our daily practices in our schools. The District is responsible for following updated guidelines from the California Department of Health (CDPH), CAL OSHA, and Tulare County Health and Human Services (TCHHS). These guidelines are continually changing. When guidelines are updated, the District is responsible for following these guidelines for the safety and well being of all students and staff. The District will communicate with employee groups as changes occur. Employees are expected to follow all

safety and health guidelines. Failure to do so could result in disciplinary action. Should any employee have any exposure to COVID-19, contract COVID-19, or encounter any other COVID-19 related issue, they need to contact their immediate supervisor as soon as possible to ensure all precautions are taken to avoid the spread to other staff, students, or the public. Should you have any questions, please contact the school nurse or the Superintendent.

Dress and Grooming

Teachers are expected to set an example for our students. At the minimum, teachers and staff should adhere to the student dress code. The Governing Board believes that since teachers serve as role models, they should maintain professional standards of dress and grooming. Just as overall attitude and instructional competency contribute to a productive learning environment, so do appropriate dress and grooming.

The Board encourages staff during school hours to wear clothing that demonstrates their high regard for education and presents an image consistent with their job responsibilities. Teachers may wear blue jeans on Fridays or district designated days only, unless approval is given in advance by the principal. Fingernails should be reasonable, appropriate in length, and should not present a safety issue.

Email Etiquette

All users of District email are expected to exercise good judgment and professionalism in the content and tone of their email messages. Email messages sent through Monson-Sultana School are public documents and should not be used to convey confidential information. By law, all information sent via District email is considered public information. Court rulings have determined that employees should not expect information sent via District email to be private or confidential in nature.

The following are guidelines for effective “Email etiquette”:

- Report inappropriate content to the Technology Director immediately
- Use proper spelling, grammar and punctuation (spell checker only takes a few seconds to use)
- Try to be concise and to the point
- Avoid using all capital letters (it gives the impression you are shouting)
- Do not forward chain letters or unsolicited information to others
- Only send email to those individuals directly concerned with the subject-beware of “Reply to All”

Emergency Drills

Every teacher must have a copy of the school emergency plan posted in their classroom. Teachers must read and become familiar with these procedures and familiarize themselves with exit routes for fire and evacuation drills posted in their classrooms. Teachers are to explain emergency drill procedures on the first day of school and repeat at least monthly. During the first week of school, necessary time should be taken in each class to review rules, escape routes, and special procedures. These drills are very important and teachers and students should act accordingly.

Evaluations and Observations

The basic purpose of evaluating teachers is to improve instruction by promoting better performance. At the same time, evaluation encourages teachers to maintain their professional growth. Evaluation is one of the key methods by which the principal provides instructional leadership to the school. It is important that both the teacher and the principal understand the purpose of evaluation. It should be perceived as a positive process. Performance evaluation serves to highlight teachers’ strengths as well as their weaknesses. It also serves to strengthen interactions between the principal and the teacher, and provides guidance to teachers in improving their professional skills.

In considering the system for evaluating teachers, there are several assumptions that must be understood by all. First, it is assumed that the evaluation process will be continuous and constructive, serving to improve teachers’ effectiveness and to foster better instruction. Second, evaluation should help teachers reach their full potential as teachers and highlight areas for professional growth. Third, evaluation must be based upon clear criteria, and the cooperation of both teacher and principal.

Each teacher will establish professional goals for the school year. Within the first 3 weeks of the school year, the principal and teacher will meet to discuss the established goals for the school year. Goals should focus on student achievement, professional practice, and improvement of knowledge or skills. A template for goals is in the appendix of this handbook and is also located on the “MS Shared Folder”.

A schedule for evaluation will be provided to each teacher at goal conferences. Temporary or Probationary teachers will be *formally observed* twice per school year and *evaluated* prior to March 15th. Permanent teachers will be formally

observed and evaluated every other year at a minimum. School administration may choose to evaluate permanent teachers more often. Evaluations will be based on the teacher's overall performance from the first day of the school year through the date of the evaluation (see Evaluation Timeline, Appendix 1). All aspects of the teacher's duties and responsibilities will be evaluated on the Teacher Evaluation form (Appendix 2).

A significant portion of the teacher evaluation focuses on instructional strategies and effectiveness. School administrators will conduct both informal and formal observations of instruction in classrooms. The administrator will utilize the "Classroom Observation Form" when conducting classroom observations. Informal observations in which the administrator drops into a classroom unannounced for a short period of time may or may not be documented on the Observation Form. However, if a teacher is scheduled for an evaluation, a minimum of one *formal observation* of an entire lesson will be scheduled with the principal.

Within 5 working days after a formal observation, the principal will meet with the teacher to review the lesson and discuss the observation form. On or before March 15th, all Temporary or Probationary teachers will meet with the principal to review the Teacher Evaluation. All permanent teachers scheduled for an evaluation will conference with the principal on or before the last day of May. The principal will contact the teacher to schedule the post-observation meeting and all evaluation meetings. A copy of all observation and evaluation forms will be provided to the teacher along with any attachment pages.

Teachers who receive rating(s) of NI (Needs Improvement) on any evaluation will be provided with clear and concise recommendations for improving performance. Ratings of DN (Did Not Meet Standard) are typically related to employee disciplinary actions which require documentation. All supporting documentation must be referred to on an attachment page.

FUNDRAISING

District Policy requires all school fundraisers to be approved by the Board of Trustees *prior to the activity*. Teachers who wish to hold a fundraising event/activity must submit a "REQUEST FOR ACTIVITY" form to the Principal no later than August 30th of each school year for inclusion in the September Board Agenda. The Request for Activity request must include details about how the funds will be raised, how money will be accounted for, and the impact on instructional time.

GRIEVANCES /COMPLAINTS/GRIEVANCE PROCEDURE

The Governing Board recognizes that provisions for dealing with grievances are an essential part of good personnel administration.

A "grievance" must be based upon an alleged violation of a specific provision of the employee agreement. "Complaints" from employed personnel regarding alleged misapplication of policies, rules, regulations, and procedures outside the scope of an employee agreement will be dealt with as provided by such policies, rules, regulations, and procedures.

The Board expects the Superintendent to establish procedures for dealing promptly and equitable with complaints which may be resolved quickly without resorting to more formal grievance procedures.

Specific procedures shall be established for individuals to appeal their problems to the Board if redress is not obtained through established channels.

Grievance-Definition: A "grievance" is a formal written allegation by a grievant that the grievant has been adversely affected by a violation of the specific provisions of the employee agreement.

Complaints-Definition: A "complaint" shall be defined as an alleged misapplication of the district's policies and/or regulations. Procedures for a complaint are established by the administration and provide a route of appeal through channels to the Governing Board, if necessary.

Step I - Informal Resolution

Every effort shall be made to resolve complaints and disagreements on an informal level. The employee must first attempt to resolve the complaint through a discussion with his/her immediate administrator or supervisor at a requested conference. The formal complaint procedure should not be initiated unless attempts at resolving the complaint at the informal level have been exhausted.

Step II - Formal Procedure

If the informal efforts to resolve the complaint fail, the employee shall file a formal written complaint. The formal complaint shall be submitted to the principal and within the district prescribed time limits. The appropriate district administrator shall communicate his/her decision in writing to the parties involved within five (5) working days of receiving the formal written complaint.

Step III - Superintendent Appeal

Within five (5) working days from receipt of the decision by the principal in Step II, the complainant may appeal, in writing, to the Superintendent or designee. Within fifteen (15) working days, the Superintendent or designee shall investigate the complaint and communicate his/her decision in writing accompanied by supporting reasons for the decision to the person(s) involved.

Step IV - Governing Board Appeal

Within ten (10) working days of receipt of the decision from the Superintendent or designee, the complainant may appeal to the Governing Board. All materials relative to the complaint shall be submitted to the Board within twenty (20) working days. The Board shall review the complaint at the next scheduled Board meeting after having received the appeal and related materials. The Board may elect to hold a hearing on the complaint or allow the decision of the Superintendent or designee to prevail. In either event, the determination of the Board shall be final and binding on all parties.

General Provisions

1. Any complaint not appealed to the next step of the procedure within the prescribed time limits shall be considered settled on the basis of the response given in the preceding step.
2. Time allowances set forth in this Complaint Resolution Procedure may be extended by mutual consent of the complainant and the Superintendent.
3. Should the processing of any complaint require that an employee be absent from his/her regular assignment, it shall be without loss of pay or benefits.
4. No reprisals of any kind shall be taken by or against any participant in the Complaint Resolution Procedure by reason of such participation.
5. All documents, communications and records dealing with the processing of a complaint will be filed separately from the personnel files of the participants.
6. All parties of the complaint will make available to other parties involved, all pertinent information in their possession and control and not privileged under the law which is relevant to the issues raised by the complaint.

Health Insurance

Except as set forth below, the district agrees to provide health insurance coverage under the district's existing base insurance plan up to the negotiated cap, or such equivalent plans as the district may select, for any full-time employees who elect such coverage. Payment of any additional portion of any premium required to provide such employees or for such employee, and upon receipt by district or proper authorization, such payment shall be accomplished by payroll deduction. Eligibility and benefits shall be set forth in the insurance plans. Payment of premiums for the insurance benefits plan shall be the sole and complete responsibility of the individual employee when such employee is on an approved unpaid leave of absence.

An employee who resigns his/her position to accept another position within the field of education will continue to have insurance coverage from the time of resignation until his/her insurance takes effect at the new position, or for a period not to exceed two (2) months from the date of the last working day with the district.

Hours of Employment

All teachers are to report for duty at 7:45 a.m. before the opening of school and shall remain on duty until 3:25 p.m. after the last regularly scheduled classes are dismissed, (3:10 p.m. on Fridays), unless excused by the Superintendent/Principal or his designee.

Jury/Legal Duties

Full-time and part-time personnel will be granted leave with pay for court appearances as a juror or witness (Education Code 44036). Any jury or witness fees received by the employee, minus the amount for necessary mileage one way, and other expenses connected with the court appearance, shall be returned to the district.

Leaves (See summary table on page 14)

The Governing Board shall provide for employee absences as authorized by law and Board policy. The Board recognizes the following justifiable reasons of absence.

1. Personal sickness or injury, pregnancy, jury duty, military service or emergencies beyond control.
2. Personal necessity leave (7 days).
3. Non-grievance leave (3 days).

Additional Leave for Non-Industrial Accident or Illness

The Governing Board may renew the leave of absence, with or without pay, of any permanently employed certificated employee who has exhausted all entitlement to sick leave, vacation, compensatory overtime, or other available paid leave. Additional leave is not to exceed six months. The Board may then renew the leave for two additional six month periods.

If at the conclusion of all leaves of absence the employee is still unable to assume the duties of the position, the employee shall be placed on a reemployment list for a period of 39 months.

The Board's report of an industrial accident or illness shall be kept on file by the District.

Bereavement

Any employee of the school district is entitled to a leave of absence of up to three (3) days, or five (5) days if out-of-state travel is required, because of the death of any member of the employee's immediate family. No deduction will be made from the salary of the employee, nor will such leave be deducted from any other leave to which the employee is entitled. For purposes of this regulation a member of the immediate family shall be understood to mean the mother, father, grandmother, grandfather, or a grandchild of the employee or of the spouse of the employee, or the spouse, son, son-in-law, daughter, daughter-in-law, brother or sister of the employee, or any relative living in the immediate household of the employee.

Additional leave may be granted under personal leave provisions of the request of the employee if the employee is eligible for such leave. The Superintendent may grant additional leave on an unpaid leave basis of up to five (5) days at his/her discretion.

Combining Maternity Leave and Sick Leave for Maternity Purposes

Nothing in parts 1 or 2 above shall prevent an employee from combining maternity leave and sick leave for maternity purposes for the same pregnancy. The employee shall designate, prior to the first day of either type of leave, which days of absence shall be taken as maternity leave and which days shall be taken as sick leave.

Court Appearance Other Than Jury Duty

Whenever the employee is subpoenaed as a witness in a case involving the school district, he may have time for appearance in court without loss of pay. No salary will be paid in cases where an employee is a voluntary witness appearing in his own interest, except as provided under provisions for use of sick leave under personal emergencies. No salary deductions shall be made for absences if an employee is under a subpoena in a court case in which he is not an interested party or a voluntary witness.

Emergency Leave

The Board reserves the right to specify within the limits of statute and judicial precedent, the manner of proof of personal necessity, the type of situations in which such leave will be permitted and the total number of sick days which may be used in any school year for personal necessity leave.

Family and Medical Leave Act (FMLA)

The FMLA is a federal law that lets covered employees take extended time away from work, to handle certain family or medical needs. A covered employer must provide eligible employees with a maximum of twelve weeks of leave. The leave may be unpaid, but it may be combined with accrued paid leave (such as vacation or sick leave).

An eligible employee (see "*FMLA Eligibility*" below) may take leave:

- For the birth, adoption, or placement of a child;
- To care for a spouse, minor, or incompetent child, or parent who has a "serious health condition" (more on this below);
- To handle the employee's own serious health condition that makes him or her unable to work.

A "serious health condition" is defined as an illness, injury, impairment, or condition that involves:

- Hospital care;

- Absence from work, plus continuing treatment;
- Pregnancy;
- Treatment for a chronic condition;

FMLA Eligibility

Not every employer is required to provide its employees with family or medical leave. Federal law states that an employer is required to provide employees with leave if the employer employed fifty or more employees in twenty or more weeks in the current or prior calendar year.

When the total number of employees in the District is fewer than 50, the District reserves the right to deny such a request based upon one or more of the following circumstances; the educational needs of the school prohibit approving the

request; an inability to find a highly qualified substitute; a determination that payment of the employee's health benefits during unpaid family medical leave will result in a net loss of revenue to the District.

Industrial Accident or Illness Leave

When a certificated employee is absent from his/her duties because of an industrial accident or illness, the following rules shall apply;

1. Allowable leave for any single accident or illness shall be for not less than sixty (60) days during which the schools of the district are in session, or when the employee would otherwise have been performing work for the district in any one school year.
2. Allowable leave shall not accumulate from year to year.
3. Industrial accident or illness leave shall start on the first day of absence.
4. An employee on allowable leave for industrial accident or illness shall be paid such portion of the salary due for any month in which the accident occurs as, when added to the temporary disability indemnity under Division 4 or 4.5 of the Labor Code, will result in a payment to the employee of not more than his/her full salary. (Education Code 44984(d))
5. Industrial accident or illness leave shall be reduced by one day for each day of authorized absence, regardless of a temporary disability indemnity award.
6. When an industrial accident or illness leave overlaps into the next fiscal year, the employee is entitled to only the amount of unused leave due the employee for the same illness or injury. On expiration of allowable leave for an industrial accident or illness leave the employee may use personal illness and injury leave as provided by Education Codes 44977, 44978 and 44983. If the employee continues to receive temporary disability indemnity, he/she may elect to take as much of the accumulated sick leave which, when added to his/her temporary disability indemnity, will result in a payment to the employee of not more than the employee's full salary.

During any paid leave of absence the employee may endorse to the district the temporary disability indemnity checks received on account of his/her industrial accident or illness. In those cases, the district will issue appropriate salary warrants for payment of the employee's salary, and shall deduct normal retirement, other authorized contributions, and the temporary disability indemnity, if any, actually paid to and retained by the employee for periods covered by such salary warrants.

Any employee receiving benefits under this leave shall, during periods of injury or illness, remain within the State of California unless the Governing Board authorizes travel outside the state.

Long-Term Leaves

The Board may grant long-term leaves of absence in accordance with administrative regulations. Sabbatical leaves shall be strictly governed by the Education Code and Board Policy.

Maternity Leave

Leave for maternity purposes may be taken in one of the following three ways:

1. A leave of absence for maternity purpose (Maternity Leave).
2. Sick leave for maternity purposes.
3. Combining maternity leave and sick leave for maternity purposes.

Whichever option is chosen by the employee, the following rules shall apply:

1. Maternity leave is provided for female employees who choose to be absent from their duties because of pregnancy or convalescence following childbirth.
2. The employee shall give notice of pregnancy to the Superintendent/Principal, together with the expected due date, and a physician's certificate verifying the pregnancy. This shall be done as soon as possible.
3. The employee shall, at the earliest date possible, in no event later than four weeks prior to the actual commencement of maternity leave, advise the Superintendent/Principal of the date on which she will commence maternity leave. She shall not continue to work beyond such date. She may commence maternity leave at an earlier date only if she becomes physically incapable of performing her duties, when certified by her physician.
4. An employee who has commenced maternity leave shall not return to her duties until after her delivery or the pregnancy is otherwise terminated. She shall submit a notice of intent to return four weeks prior to resuming her position, request an extension of leave, or submit a resignation if not returning. She may return to her duties as soon after delivery or termination of pregnancy as she can provide a written statement, signed by her physician certifying that she is physically and mentally able to return to full-time employment. Maternity leave for a prior pregnancy shall not be resumed after having returned to full-time employment.

Non-grievance Leave

Non-grievance Leave will be deducted from the employee's allowable sick leave. Three days are allowed per year. Twenty four (24) hour notice must be given for Non-grievance Leave. An employee shall notify his/her supervisor in writing with sufficient time to secure a substitute. This leave shall not be taken the first and/or last days of the school year, **nor the day before or after a 3 day weekend**. Not more than one person (in each bargaining unit) should be granted this leave at a time. Consideration shall be given for a hardship on other employees, on days of special events or activities before approval is granted.

Nonpaid Leave

Certificated employees may be granted a personal business leave without pay, upon recommendation of the Superintendent and approval of the Board. (Education Code 44962) Each case is to be evaluated on its own individual basis. No leaves of absence to try at a new business with job guarantee if it fails. A full day's pay shall be deducted for each day of absence. Except in extreme emergencies, requests for such leave shall be made to the Superintendent thirty (30) days prior to the leave. The Board and the district shall not be liable for payment of any compensation or damages for the death or injury occurred while the employee is on leave of absence.

Notifications

Employees shall notify the district of their need to be absent as soon as such need is known, so that substitute services may be secured. Following is the process to be used:

1. Teacher submits an Absence Request to the Business Office as soon as the need for a substitute teacher is known (i.e. as soon as training dates are secured, jury duty summons received, non-grievance planned, doctor appointments set) with an estimate of the expected duration of the absence.
2. Business Office confirms the employee has appropriate leave time available.
3. If the employee does not have available time for the purpose requested the Business Office will forward the request to the Superintendent along with a copy of the employee's absence report for the current year. The Superintendent will then meet with the employee to discuss the requested leave.
4. Substitute Coordinator secures a substitute and notifies district teacher.

When the absence is unplanned as in the case of sudden illness, teachers are to text or phone the Substitute Coordinator as soon as possible. Even the middle of the night is OK as the message can then be retrieved first thing in the morning. If a request for a substitute is not made by 6:00 a.m. the teacher should be prepared to report to duty in the event a substitute cannot be found or the substitute cannot arrive on time because of the late notice. Teachers are not to secure their own substitutes or ask substitutes to trade the classroom assignment they have been given.

Teachers are to leave detailed lesson(s) for the substitute's use.

Personal Illness and Injury Leave

Every certificated employee working five (5) school days each week is entitled to ten (10) days personal illness or injury leave of absence per school year with full pay. Such leave for employees working less than five (5) days per week shall be proportionately less. (Education Code 44978) Administrative employees shall receive one (1) day of sick leave per

month worked.

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

Unused days of sick leave shall be accumulated from year to year without limitation. (Education Code 44978) Employees may use sick leave as provided for in this policy for absences due to pregnancy, miscarriage, childbirth and recovery. (Education Code 44978)

The Superintendent shall establish regulations requiring proof of illness or injuries reported by employees and specifying procedures by which such verification shall be made. (Education Code 44979)

After any absence due to illness or injury, teachers shall verify the absence by submitting a completed and signed district absence to the Business Manager.

The district may additionally require written verification by the employee's doctor or practitioner. Such verification shall be required whenever an employee's absence record shows chronic absenteeism or a pattern of absences immediately before or after weekends and/or holidays or whenever clear evidence indicates that an absence is not related to illness or injury. Chronic absenteeism may be indicated when an employee has exhausted his/her entire ten-day sick leave benefit during three or more of the past five years.

At its expense, the district may require an employee to visit a physician selected by the district in order to receive a report on the nature and severity of an illness or injury. If the report concludes that the employee's condition does not warrant continued absence, the Superintendent or designee, after giving notice to the employee, may deny further leave.

Before returning to work, an employee who has been absent for surgery, hospitalization or extended medical treatment may be asked to submit a letter from his/her doctor stating that he/she is able to return and stipulating any recommended restrictions or limitations. The district may, at district expense, require the opinion of a physician chosen by the district.

Return to Service

An employee shall be deemed to have recovered from an industrial accident or illness, and thereby able to return to work at such time as he/she and his/her physician agree that there has been such a recovery.

Sick Leave Beyond Ten Days

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

Use of Sick Leave for Personal Necessity

Education Code, Section 44981-- Under this section the employee may use at his/her election, in cases of personal necessity, a leave of absence up to seven (consistent with Ed Code) days per school year which shall be deducted from his/her regular accumulated sick leave for the following reasons.

1. Death or serious illness of a member of his/her immediate family. Serious illness is defined in situations where the employee is needed to take care of a member of the immediate family who is in need of assistance, or cases where the employee needs to take a member of the immediate family to a doctor on an emergency basis.
2. Accident involving his/her person or property or the property of a member of his/her immediate family.
3. Appearance in court as a litigant or as a witness under an official order.
4. Personal medical appointments that have been made and are pre-approved.
5. Leave would be to attend funerals (where Bereavement Leave would not apply) and to attend weddings of family or close family friends.
6. Other examples are IRS Audit, court appearances, burglary and accident.

An employee shall notify his/her supervisor in writing with sufficient time to secure a substitute, except in the case of an emergency.

The "immediate family" means the mother, father, husband, wife, son, daughter, brother, sister, mother-in-law, father-in-law, grandchildren of the employee, grandmother/grandfather, of the employee or the spouse, and son-in-law, daughter-in-law, of the employee or any relative living in the immediate household. All requests for this personal emergency leave must be submitted to the Superintendent/Principal in writing stating the number of days to be deducted from the regular accumulated sick leave and proof, either by a legal document or other

proof, that the leave requested fits with the policy above. No such accumulated leave in excess of seven days may be used in any school for the purposes of personal necessity leave.

LEAVE REQUEST EXPLANATION TABLE

Type of Leave	Annual Entitlement	Deducted From	Examples of Authorized Uses
Sick Leave	10 days	Sick Leave	When YOU are sick or recovering from a medical procedure.
Personal Necessity Leave	7 days	Sick Leave	Death or serious illness of a family member. Medical and dental appointments for yourself or immediate family members. Driving an immediate family member to a medical procedure, caring for a child with chicken-pox, attending the birth and/or providing care following the birth of a grandchild would all fall under this type of leave. Circumstances an employee cannot reasonably be expected to ignore, common uses are: IRS audit, court appearances, robbery, accident. Funerals (where Bereavement Leave would not apply), weddings and graduations during work hours or which require travel.
Non-Grievance Leave	3 days	Sick Leave	No explanation required. Prior approval (minimum 24 hour notice) required.
Bereavement Leave	3 days for in-state 5 days for out-of-state	No deduction	For circumstances involving immediate family members (mother, mother-in-law, father, father-in-law, grandmother, grandfather, grandchild, spouse, son, son-in-law, daughter, daughter-in-law, brother or sister of the employee, or any relative living in the immediate household of the employee.
Jury Duty	As determined by the court	No deduction	Summoned to appear by court.

Leave of Absence and Vacations

The Board may grant leaves of absence and vacations with or without pay to certificated employees. Request must be made in writing with 30 days' notice. Unused vacation days may be carried over from one fiscal year to another up to the total number of days accrued in one fiscal year.

Salary Placement

Certificated personnel employed during the first half of the calendar year (January 1 to June 30) remain on the first step of the salary schedule until July 1 of the following calendar year. Those employed during the second half of the calendar year (July 1 to December 31) shall advance to the second step of the salary schedule on July 1 of the following calendar year.

Substitute Folder

Each teacher is required to maintain a substitute folder in the event of an unexpected or planned absence. This folder should be kept in a place where the substitute can locate it and should be well marked. The following should be in the substitute folder: a class roster, a seating chart (if used), a bell schedule, discipline referral forms, a plan for the day(s) out and extra work. A substitute needs plenty of extra work for the students to work on. Let the sub know of potential problems that may arise while you are out. Do not forget to let them know if you are assigned to a duty post during the time you are out.

Unemployment Insurance

Every regularly employed certificated school employee shall be covered for unemployment insurance.

Monson Sultana Joint Union Elementary
Certificated Salary Schedule
2021 - 2022

	BA (Intern)	BA30	BA45	BA60	BA75	BA90
1	\$49,661	\$51,152	\$52,942	\$54,795	\$56,715	\$58,698
2		\$52,431	\$54,266	\$56,166	\$58,131	\$60,165
3		\$53,742	\$55,621	\$57,570	\$59,584	\$61,669
4		\$55,085	\$57,013	\$59,008	\$61,075	\$63,211
5		\$56,462	\$58,438	\$60,485	\$62,600	\$64,791
6		\$57,874	\$59,900	\$61,996	\$64,166	\$66,411
7		\$59,322	\$61,397	\$63,546	\$65,770	\$68,072
8		\$60,803	\$62,931	\$65,134	\$67,414	\$69,773
9		\$62,323	\$64,504	\$66,763	\$69,101	\$71,518
10			\$66,118	\$68,431	\$70,827	\$73,306
11			\$67,773	\$70,142	\$72,598	\$75,139
12				\$71,896	\$74,413	\$77,017
13				\$73,693	\$76,274	\$78,942
14				\$75,536	\$78,179	\$80,916
15					\$80,134	\$82,939
16					\$82,137	\$85,012
17					\$84,191	\$87,138
18					\$86,295	\$89,316
19					\$88,452	\$91,548
21						\$93,837
23						\$96,183

0 % Percentage Increase

3.5% Column and 2.5% Step

\$1,500 Stipend for Master's Degree

1. No more than fifteen (15) semester units may be taken without prior board approval. To be eligible for advancement from one column to the next, nine units of each 15 unit block must be toward an educational objective determined by the employee and approved by the Board. The remainder of six (6) units shall contribute to the general professional development in methods directly related to learning skills.
2. Fifteen (15) continuing education units (CEU's) will equal one (1) upper division semester unit.
3. Each Certificated staff member is to keep an up-to-date record of transcripts on file in the school office.
4. Effective July 1, 2007, newly hired certificated employees who do not possess a preliminary or clear credential shall remain in the BA Intern cell until they obtain such a credential.
5. Teachers new to the district may not begin with more than **fifteen (15)** steps on the salary schedule. **(Board Approved: March 3, 2020)**

Substitutes: Day 1 - 30 \$120 per day

Day 31 - indefinite \$140 per day - *Effective change September 7, 2016*

****The District will process salary payments in accordance with the Tulare County Office of Education's Uniform Salary Payment Schedule****

Board Approved: June xx, 2021

MONSON-SULTANA JOINT UNION ELEMENTARY SCHOOL DISTRICT

K-8 Teacher Job Description

<u>TITLE:</u>	Teacher	<u>CLASSIFICATION:</u>	Certificated
<u>REPORTS TO:</u>	Superintendent	<u>WORK YEAR:</u>	185 Days
<u>DEPARTMENT:</u>	Instruction	<u>SALARY:</u>	As Per Certificated Salary Schedule
<u>HOURS PER DAY:</u>	7.0		
<u>BOARD APPROVED:</u>	July 2011		

BASIC FUNCTION:

Under the direction of the Superintendent/Principal, teachers plan, organize and implement an appropriate instructional program in a learning environment that guides and encourages students to develop and fulfill their academic potential. They utilize ongoing collaboration and professional development to identify and implement best teaching practices as members of a results-based professional learning community.

PRIMARY TASKS & FUNCTIONS

- Plan, prepare and deliver instructional activities that facilitate active learning experiences
- Develop schemes of work and lesson plans
- Establish and communicate clear objectives for all learning activities
- Prepare classroom for class activities
- Provide a variety of learning materials and resources for use in educational activities
- Accurately complete all required payroll and time survey logs correctly and on time
- Identify and select different instructional resources and methods to meet students' varying needs
- Instruct and monitor students in the use of learning materials and equipment
- Use relevant technology to support instruction
- Observe and evaluate student's performance and development
- Assign and grade class work, homework, tests and assignments
- Provide appropriate feedback on work
- Encourage and monitor the progress of individual students
- Maintain accurate and complete records of students' progress and development
- Update all necessary records accurately and completely as required by laws, district policies and school regulations
- Prepare required reports on students and activities
- Manage student behavior in the classroom by establishing and enforcing rules and procedures
- Provide emergency care/service for ill and injured pupils while at school
- Maintain a healthful environment in classrooms
- Maintain discipline in accordance with the rules and disciplinary systems of the school
- Apply appropriate disciplinary measures where necessary
- Perform certain health-related duties including but not limited to referring students to the School Nurse/Health Aide, Dinuba Children Services, or support programs offered through the Tulare County Office of Educations such as speech therapy or special education programs
- Participate in extracurricular activities such as social activities, sporting activities, clubs and student organizations
- Participate in department and school meetings, parent meetings
- Communicate necessary information regularly to students, colleagues and parents regarding student progress and student needs
- Keep up to date with developments in subject area, teaching resources and methods and make relevant changes to instructional plans and activities
- Perform other related duties as assigned

EDUCATION & EXPERIENCE

- Bachelor's degree or higher from an accredited institution
- Meet professional teacher education requirements of school, district, state
- California Clear Multiple Subject (or single subject as required) teaching credential with CLAD emphasis
- Current CPR certification and first aid training/experience
- Experience in the use of general office equipment including, but not limited to copy and FAX machines, scanners,

- and telephone systems
- Experience with education-specific equipment and including, but not limited to die-cut machines, laminators, LCD projectors, document cameras, overhead projectors, and audio/visual equipment

KEY COMPETENCIES

- The ability to utilize common software applications including, but not limited to word processing, spreadsheet/database, and AERIES attendance and grade reporting
- The ability to work collaboratively and collegially with others
- Professional-level written and verbal communication skills
- The ability to effectively plan, organize, and meet deadlines

WORK ENVIRONMENT

- Supervision of students in and out of classroom setting; may involve extended periods of exposure to cold or hot weather while supervising students outdoors
- Prolonged periods of speaking to/teaching students, often standing
- Must work with school office staff and other certificated and classified personnel
- Frequent communication with parents via face-to-face meetings, phone calls, and written communications

MONSON-SULTANA JOINT UNION ELEMENTARY SCHOOL DISTRICT

Physical Education Teacher Job Description

<u>TITLE:</u>	Teacher	<u>CLASSIFICATION:</u>	Certificated
<u>REPORTS TO:</u>	Superintendent	<u>WORK YEAR:</u>	185 Days
<u>DEPARTMENT:</u>	Instruction	<u>SALARY:</u>	As Per Certificated Salary Schedule
<u>HOURS PER DAY:</u>	7.0		
<u>BOARD APPROVED:</u>	June 2016		

BASIC FUNCTION:

Under the direction of the Superintendent/Principal, teachers plan, organize and implement an appropriate instructional program in a learning environment that guides and encourages students to develop and fulfill their potential. They utilize ongoing collaboration and professional development to identify and implement best teaching practices as members of a results-based professional learning community.

PRIMARY TASKS & FUNCTIONS

- Plan, prepare and deliver instructional activities that facilitate active learning experiences in Physical Education
- Develop schemes of work and lesson plans
- Serve as Athletic Director, schedule contests, transportation, and other necessary duties to facilitate students participation in events
- Assist in adoption of Physical Education curriculum
- Establish and communicate clear objectives for all learning activities
- Prepare classroom/field/gym for learning activities
- Provide a variety of learning materials and resources for use in physical educational activities
- Accurately complete all required payroll and time survey logs correctly and on time
- Identify and select different instructional resources and methods to meet students' varying needs in physical education
- Instruct and monitor students in the use of learning materials and equipment
- Use relevant technology to support instruction
- Observe and evaluate student's performance and development
- Assign and grade class work, homework, tests and assignments
- Provide appropriate feedback on work
- Encourage and monitor the progress of individual students
- Maintain accurate and complete records of students' progress and development
- Update all necessary records accurately and completely as required by laws, district policies and school regulations
- Prepare required reports on students and activities
- Manage student behavior in the classroom by establishing and enforcing rules and procedures
- Provide emergency care/service for ill and injured pupils while at school
- Maintain a healthful environment in classrooms/fields/gyms
- Maintain and order athletic equipment as needed
- Maintain accurate athletic equipment inventory
- Maintain discipline in accordance with the rules and disciplinary systems of the school
- Apply appropriate disciplinary measures where necessary
- Perform certain health-related duties including but not limited to referring students to the School Nurse/Health Aide, Dinuba Children's Services, or support programs offered through the Tulare County Office of Educations such as speech therapy or special education programs
- Participate in extracurricular activities such as social activities, sporting activities, clubs and student organizations
- Participate in department and school meetings, parent meetings
- Communicate necessary information regularly to students, colleagues and parents regarding student progress and student needs
- Keep up to date with developments in subject area, teaching resources and methods and make relevant changes to instructional plans and activities
- Perform other related duties as assigned

EDUCATION & EXPERIENCE

- Bachelor's degree or higher from an accredited institution
- Meet professional teacher education requirements of school, district, state
- California Clear Single Subject Physical Education teaching credential
- Current CPR certification and first aid training/experience
- Experience in the use of general office equipment including, but not limited to copy and FAX machines, scanners, and telephone systems
- Experience with education-specific equipment and including, but not limited to die-cut machines, laminators, LCD projectors, document cameras, overhead projectors, and audio/visual equipment

KEY COMPETENCIES

- The ability to utilize common software applications including, but not limited to word processing, spreadsheet/database, and AERIES attendance and grade reporting
- The ability to work collaboratively and collegially with others
- Professional-level written and verbal communication skills
- The ability to effectively plan, organize, and meet deadlines

WORK ENVIRONMENT

- Supervision of students in and out of classroom setting; may involve extended periods of exposure to cold or hot weather while supervising students outdoors
- Physical exertion in a physical education setting
- Prolonged periods of speaking to/teaching students, often standing
- Must work with school office staff and other certificated and classified personnel
- Frequent communication with parents via face-to-face meetings, phone calls, and written communications

MONSON-SULTANA JOINT UNION ELEMENTARY SCHOOL DISTRICT

Academic Coach Job Description

<u>TITLE:</u>	Academic Coach		
<u>REPORTS TO:</u>	Superintendent	<u>CLASSIFICATION:</u>	Certificated
<u>DEPARTMENT:</u>	Certificated	<u>WORK YEAR:</u>	185 Days
<u>HOURS PER DAY:</u>	7.0	<u>SALARY:</u>	As Per Certificated Salary Schedule

BASIC FUNCTION:

Under the direction of the Superintendent/Principal, the Academic Coach is a certificated teacher who works directly with classroom teachers to assist in the full implementation of the District's instructional and curricular programs.

PRIMARY JOB TASKS & FUNCTIONS

- Provide support and assistance to all classroom teachers in the full and skillful implementation of the District's instructional and curricular program
- Facilitate analysis of summative and formative assessments throughout the school year
- Observe and provide feedback to instructional staff
- Conduct demonstration lessons to help support training and implementation of appropriate instructional strategies
- Serve as a resource to help in identifying appropriate instructional strategies and interventions to improve student achievement for all students, including English Language Learners, Special Education Students, and students with diverse learning needs.
- Facilitate lesson study events with teachers
- Assist in providing a variety of learning materials and resources for use in educational activities
- Assist teachers in preparation and pacing of instruction
- Identify and select different instructional resources and methods to meet students' varying needs
- Attend and provide professional development as directed
- Model the use relevant technology to support instruction
- Participate in collaborative grade level meetings to assist in the utilization of assessment data to guide instructional decisions.
- Participate in extracurricular activities such as social activities, sporting activities, clubs and student organizations
- Participate in department and school meetings, parent meetings
- Participate in the site Teacher Leadership Committee (TLC)
- Keep up to date with developments in subject area, teaching resources and methods
- Assist in coordinating and facilitating parent education events
- Perform other related duties as assigned

EDUCATION & EXPERIENCE

- Bachelor's degree or higher from an accredited institution
- Meet professional teacher education requirements of school, district, state
- California Clear Multiple Subject teaching credential
- Minimum of 5 years relevant teaching experience
- Coaching experience preferred but not required
- Knowledge of relevant technology

KEY COMPETENCIES

- high energy level
- proven success at the classroom level
- highly relational
- verbal and written communication skills
- attention to detail
- high work standards
- problem solving
- organizing and planning
- critical thinking
- stress tolerance
- flexibility
- adaptability
- initiative

WORK ENVIRONMENT:

- Classroom setting, playground supervision of students
- Prolonged periods of speaking to/teaching students, often standing
- Must work with school office staff and other certificated and classified personnel

MONSON-SULTANA JOINT UNION ELEMENTARY SCHOOL DISTRICT

Learning Director Job Description

TITLE:	Learning Director	CLASSIFICATION:	Certificated Management
REPORTS TO:	Superintendent	WORK YEAR:	195 Days
HOURS PER DAY	8 or more	SALARY:	As Per Certificated Management
BOARD APPROVED	September 6, 2016		Salary Schedule

BASIC FUNCTION:

Under the direction of the Superintendent/Principal, the Learning Director shall use leadership, supervisory and administrative skills in assisting the Superintendent/Principal to establish and achieve standards of excellence in teaching and learning so that each student may achieve the greatest academic and personal benefit from their educational experience.

PRIMARY TASKS & FUNCTIONS

The Learning Director is specifically responsible for the following functions:

- Assume charge of the school in the absence of the Superintendent/Principal.
- Assist in evaluation and making recommendations for improving the educational program of the school.
- Assist the Superintendent/Principal in evaluating assigned staff.
- Provide leadership to stimulate and encourage personal growth and professional development of the staff assigned.
- Coordinate standardized testing program for the school site including training and implementation.
- Assist the Superintendent/Principal with discipline and attendance of students.
- Assist in facilitating and maintaining communication between students, parents and the general community.
- Attend Individual Education Plan (IEP) meetings as required.
- Ensure that teachers receive educational materials.
- Assist teachers in achieving goals established by the District.
- Support and encourage students to put forth maximum effort to achieve District goals.
- Coordinate and oversee the English Learner Program including training, compliance, and Title III reporting.
- Assist and collaborate with other district staff on LCAP plan.
- Coordinate state and federal categorical programs and prepare necessary reports associated with such programs.
- Prepare and coordinate Federal Program Monitoring.
- Support, mentor, and supervise new teaching staff.
- Create and oversee duty schedules.
- Serve as liaison between the school and after school programs.
- Assist Superintendent/Principal in planning events and assemblies.
- Coordinate summer school program.
- Assist Superintendent/Principal in planning and delivering of professional development.
- Oversight of Migrant Program.
- Know, understand and support staff with the district's data management system (AERIES).
- Perform such other duties as may be assigned by the Superintendent/Principal.

EDUCATION & EXPERIENCE

- A minimum of three years of successful regular classroom teaching experience.
- Administrative-type experience in the public schools at the appropriate level is preferred.
- Appropriate administrative credential (or enrolled in internship program)

KEY COMPETENCIES

- Capable of developing student and staff leadership.
- Ability to relate well to teachers and students.
- Competent in public relations.
- Competent in student and student body affairs.
- Strong organizational skills including follow-through on all assigned responsibilities.
- Experienced and knowledgeable in implementing instructional and organizational strategies proven successful in improving overall school performance.

- Willingness to participate in selected professional growth activities.

WORK ENVIRONMENT

The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

- The noise level in the work environment is moderate.
- Office environment is subject to constant interruptions.
- The information contained in this job description is for compliance with the Americans with Disabilities Act (A.D.A.) and is not an exhaustive list of the duties performed for this position. Additional duties are performed by the individuals currently holding this position and additional duties may be assigned.

PHYSICAL DEMANDS

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions. The employee is required to:

- Occasionally sit for extended periods of time.
- Frequently walking
- Occasionally stand and reach with hands and arms, bending at the waist to retrieve and store files.
- Specific abilities required include close and distance vision, the ability to hear conversations in quiet and noisy environments, and the ability to speak clearly in order to exchange information and make presentations.
- Some driving is necessary.
- Manage students who may be in an escalated state of behavior.
- Occasionally, yet essential to this position, the individual must meet deadlines with severe time constraints, interacting with the public and other workers.
- Occasionally the position requires the employee to work irregular or extended hours, meet multiple demands from several people and at times come into contact with dissatisfied or abusive individuals.

Individual Goals for Instructional Improvement/Enhancement

2021-2022

Instructional observation/supervision is a collaborative process in which teacher and supervisor work together to improve the delivery of instruction for the purpose of improving student performance.

After careful consideration of your personal teaching attributes, as well as the overall instructional goals of the school, please identify three goals that you will set for yourself to improve/enhance your instructional delivery for the upcoming school year.

Knowing your goals and areas of emphasis will help us establish a more clear focus in our observations and provide meaningful feedback based on the personal objectives you have identified.

Personal Goals:

1. _____

2. _____

3. _____

Teacher's Signature

Date

Administrator's Signature

Date

California Standards for the Teaching Profession

STANDARD ONE:

ENGAGING & SUPPORTING ALL STUDENTS IN LEARNING

- 1•1** Connecting students' prior knowledge, life experience, and interests with learning goals
- 1•2** Using a variety of instructional strategies and resources to respond to students' diverse needs
- 1•3** Facilitating learning experiences that promote autonomy, interaction, and choice
- 1•4** Engaging students in problem solving, critical thinking, and other activities that make subject matter meaningful
- 1•5** Promoting self-directed, reflective learning for all students

STANDARD TWO:

CREATING & MAINTAINING EFFECTIVE ENVIRONMENTS FOR STUDENT LEARNING

- 2•1** Creating a physical environment that engages all students
- 2•2** Establishing a climate that promotes fairness and respect
- 2•3** Promoting social development and group responsibility
- 2•4** Establishing and maintaining standards for student behavior
- 2•5** Planning and implementing classroom procedures and routines that support student learning
- 2•6** Using instructional time effectively

STANDARD THREE:

UNDERSTANDING & ORGANIZING SUBJECT MATTER FOR STUDENT LEARNING

- 3•1** Demonstrating knowledge of subject matter content and student development
- 3•2** Organizing curriculum to support student understanding of subject matter
- 3•3** Interrelating ideas and information within and across subject matter areas
- 3•4** Developing student understanding through instructional strategies that are appropriate to the subject matter
- 3•5** Using materials, resources, and technologies to make subject matter accessible to students

STANDARD FOUR:

PLANNING INSTRUCTION & DESIGNING LEARNING EXPERIENCES FOR ALL STUDENTS

- 4•1** Drawing on and valuing students' backgrounds, interests, and developmental learning needs
- 4•2** Establishing and articulating goals for student learning
- 4•3** Developing and sequencing instructional activities and materials for student learning
- 4•4** Designing short-term and long-term plans to foster student learning
- 4•5** Modifying instructional plans to adjust for student needs

STANDARD FIVE:

ASSESSING STUDENT LEARNING

- 5•1** Establishing and communicating learning goals for all students
- 5•2** Collecting and using multiple sources of information to assess student learning
- 5•3** Involving and guiding all students in assessing their own learning
- 5•4** Using the results of assessments to guide instruction
- 5•5** Communicating with students, families, and other audiences about student progress

STANDARD SIX:

DEVELOPING AS A PROFESSIONAL EDUCATOR

- 6•1** Reflecting on teaching practice and planning professional development
- 6•2** Establishing professional goals and pursuing opportunities to grow professionally
- 6•3** Working with communities to improve professional practice
- 6•4** Working with families to improve professional practice
- 6•5** Working with colleagues to improve professional practice
- 6•6** Balancing professional responsibilities and maintaining motivation

Monson-Sultana School Teacher Evaluation Timeline

The following is a description of the process by which teachers will be observed and evaluated throughout the school year. All Permanent (Tenured) teachers will be evaluated at a minimum of once every other year. School administration may choose to do so more often and will notify teachers in advance if this changes.

Permanent/Tenured Teachers:

Timeline/Deadline	Required Activity	Teachers Participating
First 3 weeks of school	Professional Goals Established by all teachers, meet with principal	All teachers regardless of whether or not they are scheduled for an evaluation or not.
Throughout the school year from August through June.	Informal, unscheduled classroom observations conducted by site administrators.	All teachers regardless of whether or not they are scheduled for an evaluation or not.
Prior to the last school day in January.	A formal observation of one entire lesson will be scheduled by the teacher with the principal. The observation should be scheduled at least one week in advance of the lesson.	All permanent teachers scheduled for evaluation during that school year (see the Teacher Evaluation Schedule).
Within 5 school days of the formal observation.	The principal will contact the teacher observed and schedule a meeting to go over the observation (a post-observation conference).	All permanent teachers scheduled for evaluation during that school year (see the Teacher Evaluation Schedule).
Prior to the last day of May.	The principal will meet with each teacher to review the teacher's performance for the year as documented on the Teacher Evaluation form.	All permanent teachers scheduled for evaluation during that school year (see the Teacher Evaluation Schedule).

Temporary or Probationary Teachers:

First 3 weeks of school	Professional Goals Established by all teachers, meet with principal	All teachers regardless of whether or not they are scheduled for an evaluation or not.
Prior to the last school day in November.	A formal observation of one entire lesson will be scheduled by the teacher with the principal. The observation should be scheduled at least one week in advance of the lesson.	All Temporary or Probationary teachers.
Within 5 school days of the formal observation.	The principal will contact the teacher observed and schedule a meeting to go over the observation (a post-observation conference).	All Temporary or Probationary teachers.
Prior to the last school day in February.	A second formal observation of one entire lesson will be scheduled by the teacher with the principal. The observation should be scheduled at least one week in advance of the lesson.	All Temporary or Probationary teachers.
Within 5 school days of the 2 nd formal observation.	The principal will contact the teacher observed and schedule a meeting to go over the observation (a post-observation conference).	All Temporary or Probationary teachers.
Prior to March 15th.	The principal will meet with each teacher to review the teacher's performance for the year as documented on the Teacher Evaluation form.	All Temporary or Probationary teachers.

Monson-Sultana School Teacher Evaluation

Teacher Name _____ Evaluation Period: _____ to _____ Grade/Room: _____

Employment Status: ☐ Temporary ☐ Probationary ☐ Permanent

Based on the California Standards for the Teaching Profession (CSTP)
Rating Scale (circle one): DN=Did Not Meet Standard; NI=Needs Improvement; MS=Met Standard

(CSTP 1) <i>Engaging and supporting all students in learning.</i>				
* The teacher demonstrates the basic components of effective instruction.	DN	NI	MS	
* The teacher demonstrates current knowledge of subject matter and teaches to an	DN	NI	MS	
* The teacher uses technology appropriately.	DN	NI	MS	
(CSTP 2) <i>Creating and maintaining effective environments for student learning.</i>				
* Plans and implements classroom procedures and routines that maximize time-on-task.	DN	NI	MS	
* The teacher establishes and maintains effective standards for student behavior.	DN	NI	MS	
* The teacher establishes a climate that promotes fairness and respect.	DN	NI	MS	
* The teacher paces and adjusts instructional time so that all students remain engaged.	DN	NI	MS	
(CSTP 3) <i>Understanding and organizing subject matter for student learning.</i>				
* The teacher uses instructional time effectively.	DN	NI	MS	
* The teacher organizes curriculum to ensure student mastery of key concepts and standa	DN	NI	MS	
* The teacher adheres to district pacing and assessment schedules.	DN	NI	MS	
(CSTP 4) <i>Planning instruction and designing learning experiences for all students and;</i> (CSTP 5) <i>Assessing student learning.</i>				
* The teacher uses formal and informal assessment in short and long-term planning.	DN	NI	MS	
* The teacher develops instruction that supports students' 2nd language learning.	DN	NI	MS	
* The teacher works collaboratively with other staff on improving instruction.	DN	NI	MS	
* The teacher develops a grading system based upon multiple sources of information.	DN	NI	MS	
* The teacher effectively utilizes SDAIE strategies and Checking for Understanding strategi	DN	NI	MS	
* The teacher provides opportunities for students to work collaboratively with others.	DN	NI	MS	
(CSTP 6) <i>Developing as a professional educator.</i>				
* The teacher contributes to school events, activities, and the culture and climate of the school	DN	NI	MS	
* The teacher maintains records as required by law in a confidential and timely manner.	DN	NI	MS	
* The teacher engages in thoughtful dialogue and reflection with colleagues.	DN	NI	MS	
* The teacher exhibits professional employment characteristics (attendance, dress, confid	DN	NI	MS	
* The teacher completes adjunct duties as required and according to timelines.	DN	NI	MS	
* The teacher demonstrates professional conduct toward students, staff, and parents.	DN	NI	MS	

The teacher's performance meets District standards? ☐ Yes ☐ No

The evaluator has attached additional pages? ☐ Yes ☒ No

Evaluator Signature

Date

Teacher Signature*

Date

* **NOTE:** The teacher's signature does not indicate agreement with the contents of the evaluation. It is to signify that the teacher has met with the evaluator to discuss this evaluation. The teacher may submit a written response within 30 days. This evaluation and any written responses will be placed in the teacher's personnel file.

MONSON-SULTANA JOINT UNION ELEMENTARY SCHOOL DISTRICT

ANNUAL EMPLOYEE NOTIFICATION

CHECKLIST AND ACKNOWLEDGEMENT

Step 1: Read and familiarize yourself with the documents found in the Employee Notifications section of your employee handbook. Board Policies on the topics below can be found in the Employee Notifications section of the handbook:

- Bullying
- Child Abuse Reporting Requirements (Mandated Reporting)
- Drug & Alcohol Free Workplace
- Employee Use of Technology Policy
- Sexual Harassment Information Sheet
- Title IX Policy
- Uniform Complaint Procedure Brochure 2017-2018
- W C Notice to Employees

Step 2: Read and sign the following employee acknowledgement.

Employee Acknowledgment

The information contained in this memo and on the MSJUESD website outlines important information about the Monson-Sultana Jt. Union Elementary School District; I understand that I should consult the Business department regarding any questions I may have. I also understand that I can download forms from the MSJUESD website.

Since the information referred to in this memo is subject to change, I acknowledge that revisions to the policies may occur. All such changes will be communicated through official notices, and I understand that revised information may supersede, modify, or eliminate existing policies. Only the Superintendent of Monson-Sultana Joint Union Elementary School District has the ability to adopt any revisions to the policies in this handout.

Furthermore, I acknowledge that this handout is neither a contract nor a legal document.

I acknowledge the following:

I have received the information listed above by accessing the MSJUESD website and/or have obtained a printed copy,

I have read and reviewed all the information listed above, and

I understand that it is my responsibility to comply with the policies and any revisions made to them.

Printed Name: _____

Position Title: _____

Signature: _____

Date: _____

Monson-Sultana Jt Un ESD | AR 5131.2 Students

Bullying

Examples of Prohibited Conduct

Bullying is an aggressive behavior that involves a real or perceived imbalance of power between individuals with the intent to cause emotional or physical harm. Bullying can be physical, verbal, or social/relational and may involve a single severe act or repetition or potential repetition of a deliberate act. Bullying includes, but is not limited to, any act described in Education Code 48900(r).

Cyberbullying includes the electronic creation or transmission of harassing communications, direct threats, or other harmful texts, sounds, or images. Cyberbullying also includes breaking into another person's electronic account or assuming that person's online identity in order to damage that person's reputation.

(cf. 5145.2 - Freedom of Speech/Expression)

(cf. 6163.4 - Student Use of Technology)

Examples of the types of conduct that may constitute bullying and are prohibited by the district include, but are not limited to:

1. Physical bullying: An act that inflicts harm upon a person's body or possessions, such as hitting, kicking, pinching, spitting, tripping, pushing, taking or breaking someone's possessions, or making cruel or rude hand gestures
2. Verbal bullying: An act that includes saying or writing hurtful things, such as teasing, name-calling, inappropriate sexual comments, taunting, or threats to cause harm
3. Social/relational bullying: An act that harms a person's reputation or relationships, such as leaving a person out of an activity on purpose, influencing others not to be friends with someone, spreading rumors, or embarrassing someone in public
4. Cyberbullying: An act such as sending demeaning or hateful text messages or emails, spreading rumors by email or by posting on social networking sites, or posting or sharing embarrassing photos, videos, web site, or fake profiles

Measures to Prevent Bullying

The Superintendent or designee shall implement measures to prevent bullying in district schools, including, but not limited to, the following:

1. Ensuring that each school establishes clear rules for student conduct and implements strategies to promote a positive, collaborative school climate

(cf. 5131 - Conduct)

(cf. 5137 - Positive School Climate)

2. Providing information to students, through student handbooks, district and school web sites and social media, and other age-appropriate means, about district and school rules related to bullying, mechanisms available for reporting incidents or threats, and the consequences for engaging in bullying
3. Encouraging students to notify school staff when they are being bullied or when they suspect that another student is being bullied, and providing means by which students may report threats or incidents confidentially

and anonymously

4. Conducting an assessment of bullying incidents at each school and, if necessary, increasing supervision and security in areas where bullying most often occurs, such as playgrounds, hallways, restrooms, and cafeterias
5. Annually notifying district employees that, pursuant to Education Code 234.1, any school staff who witnesses an act of bullying against a student has a responsibility to immediately intervene to stop the incident when it is safe to do so

Staff Development

The Superintendent or designee shall annually make available to all certificated staff and to other employees who have regular interaction with students the California Department of Education (CDE) online training module on the dynamics of bullying and cyberbullying, including the identification of bullying and cyberbullying and the implementation of strategies to address bullying. (Education Code 32283.5)

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

The Superintendent or designee shall provide training to teachers and other school staff to raise their awareness about the legal obligation of the district and its employees to prevent discrimination, harassment, intimidation, and bullying of district students. Such training shall be designed to provide staff with the skills to:

1. Discuss the diversity of the student body and school community, including their varying immigration experiences
2. Discuss bullying prevention strategies with students, and teach students to recognize the behavior and characteristics of bullying perpetrators and victims
3. Identify the signs of bullying or harassing behavior
4. Take immediate corrective action when bullying is observed
5. Report incidents to the appropriate authorities, including law enforcement in instances of criminal behavior

Information and Resources

The Superintendent or designee shall post on the district's web site, in a prominent location and in a manner that is easily accessible to students and parents/guardians, information on bullying and harassment prevention which includes the following: (Education Code 234.6)

1. The district's policy on student suicide prevention, including a reference to the policy's age appropriateness for students in grades K-6

(cf. 5141.52 - Suicide Prevention)

2. The definition of sex discrimination and harassment as described in Education Code 230, including the rights set forth in Education Code 221.8

3. Title IX information included on the district's web site pursuant to Education Code 221.61, and a link to the Title IX information included on CDE's web site pursuant to Education Code 221.6

4. District policies on student sexual harassment, prevention and response to hate violence, discrimination, harassment, intimidation, bullying, and cyberbullying

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 5145.7 - Sexual Harassment)

(cf. 5145.9 - Hate-Motivated Behavior)

5. A section on social media bullying that includes all of the references described in Education Code 234.6 as possible forums for social media

6. A link to statewide resources, including community-based organizations, compiled by CDE pursuant to Education Code 234.5.

7. Any additional information the Superintendent or designee deems important for preventing bullying and harassment

(cf. 1113 - District and School Web Sites)

Student Instruction

As appropriate, the district shall provide students with instruction, in the classroom or other educational settings, that promotes social-emotional learning, effective communication and conflict resolution skills, character development, respect for cultural and individual differences, self-esteem development, assertiveness skills, and appropriate online behavior.

(cf. 6142.8 - Comprehensive Health Education)

(cf. 6142.94 - History-Social Science Instruction)

The district shall also educate students about the negative impact of bullying, discrimination, intimidation, and harassment based on actual or perceived immigration status, religious beliefs and customs, or any other individual bias or prejudice.

Students should be taught the difference between appropriate and inappropriate behaviors, how to advocate for themselves, how to help another student who is being bullied, and when to seek assistance from a trusted adult. As role models for students, staff shall be expected to demonstrate effective problem-solving and anger management skills.

To discourage cyberbullying, teachers may advise students to be cautious about sharing passwords, personal data, or private photos online and to consider the consequences of making negative comments about others online.

Reporting and Filing of Complaints

Any student, parent/guardian, or other individual who believes that a student has been subjected to bullying or who has witnessed bullying may report the incident to a teacher, the principal, a compliance officer, or any other available school employee.

When a report of bullying is submitted, the principal or a district compliance officer shall inform the student or parent/guardian of the right to file a formal written complaint in accordance with AR 1312.3 - Uniform Complaint Procedures. The student who is the alleged victim of the bullying shall be given an opportunity to describe the incident, identify witnesses who may have relevant information, and provide other evidence of bullying.

(cf. 1312.3 - Uniform Complaint Procedures)

Within one business day of receiving such a report, a staff member shall notify the principal of the report, whether or not a uniform complaint is filed. In addition, any school employee who observes an incident of bullying involving a student shall, within one business day, report such observation to the principal or a district compliance officer, whether or not the alleged victim files a complaint.

Within two business days of receiving a report of bullying, the principal shall notify the district compliance officer identified in AR 1312.3.

When the circumstances involve cyberbullying, individuals with information about the activity shall be encouraged to save and print any electronic or digital messages that they feel constitute cyberbullying and to notify a teacher, the principal, or other employee so that the matter may be investigated. When a student uses a social networking site or service to bully or harass another student, the Superintendent or designee may file a request with the networking site or service to suspend the privileges of the student and to have the material removed.

Discipline/Corrective Actions

Corrective actions for a student who commits an act of bullying of any type may include counseling, behavioral intervention and education, and, if the behavior is severe or pervasive as defined in Education Code 48900, may include suspension or expulsion in accordance with district policies and regulations.

(cf. 5116.2 - Involuntary Student Transfers)

(cf. 5138 - Conflict Resolution/Peer Mediation)

(cf. 5144 - Discipline)

(cf. 5144.1 - Suspension and Expulsion/Due Process)

(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))

(cf. 6159.4 - Behavioral Interventions for Special Education Students)

When appropriate based on the severity or pervasiveness of the bullying, the Superintendent or designee shall notify the parents/guardians of victims and perpetrators and may contact law enforcement.

Support Services

The Superintendent, principal, or principal's designee may refer a victim, witness, perpetrator, or other student affected by an act of bullying to a school counselor, school psychologist, social worker, child welfare attendance personnel, school nurse, or other school support service personnel for case management, counseling, and/or participation in a restorative justice program as appropriate. (Education Code 48900.9)

(cf. 6164.2 - Guidance/Counseling Services)

If any student involved in bullying exhibits warning signs of suicidal thought or intention or of intent to harm another person, the Superintendent or designee shall, as appropriate, implement district intervention protocols which may include, but are not limited to, referral to district or community mental health services, other health professionals, and/or law enforcement.

Regulation MONSON-SULTANA JOINT UNION ESD

approved: February 4, 2020 Dinuba, California

CHILD ABUSE PREVENTION AND REPORTING

Child Abuse Prevention

The Governing Board recognizes the district's responsibility to educate students about the dangers of child abuse so that they will acquire the skills and techniques needed to identify unsafe situations and to react appropriately and promptly.

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

(cf 6143 - Courses of Study)

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

(cf 1020 - Youth Services)

Child Abuse Reporting

The Board recognizes that child abuse has severe consequences and that the district has a responsibility to protect students by facilitating the prompt reporting of known and suspected incidents of child abuse. The Superintendent/Principal or designee shall establish procedures for the identification and reporting of such incidents in accordance with law.

(cf 0450 - Comprehensive Safety Plan)

Employees who are mandated reporters, as defined by law and administrative regulation, are obligated to report all known or suspected incidents of child abuse and neglect. Mandated reporters shall not investigate any suspected incidents but rather shall cooperate with agencies responsible for investigating and prosecuting cases of child abuse and neglect. The Superintendent/Principal or designee shall provide training regarding the reporting duties of mandated reporters.

In the event that training is not provided to mandated reporters, the Superintendent/Principal or designee shall report to the California Department of Education the reasons that such training is not provided. (Penal Code 11165.7)

Legal Reference: (see next page)

CHILD ABUSE PREVENTION AND REPORTING

Legal Reference:

EDUCATION CODE

32280-32288 *Comprehensive school safety plans*

33308.1 *Guidelines on procedure for filing child abuse complaints*

44690-44691 *Stal/development in the detection of child abuse and neglect*

44807 *Duty concerning conduct of students*

48906 *Notification when student released to peace officer*

48987 *Dissemination of reporting guidelines to parents*

4900 *J Prohibition of corporal punishment*

5 J 220.5 *Parenting skills education*

PENAL CODE

152.3 *Duty to report murder, rape, or lewd or lascivious act*

273a *Willful cruelty or unjustifiable punishment of child; endangering life or health*

288 *Definition of lewd or lascivious act requiring reporting*

J 1164-11174.4 *Child Abuse and Neglect Reporting Act*

WELFARE AND INSTITUTIONS CODE

15630-15637 *Dependent adult abuse reporting*

CODE OF REGULATIONS, TITLE 5

4650 *Filing complaints with CDE, special education students*

Management Resources:

Policy

CDE LEGAL ADVISORIES

0514.93 Guidelines for parents to report suspected child abuse

WEB SITES

California Attorney General's Office, Crime and Violence Prevention Center: <http://safestate.org>

California Department of Education, S4 Schools: <http://Wtw.cde.ca.gov/fs/ss>

California Department of Social Services, Children and Family Services Division:

<http://www.childsworld.ca.gov>

Us. Department of Health and Human Services, National Clearinghouse on Child Abuse and Neglect

Information: <http://nccanch.Clcfhhs.gov>

CHILD ABUSE PREVENTION AND REPORTING

Definitions

Child abuse or neglect includes the following: (Penal Code 11165.5, 11165.6)

1. A physical injury or death inflicted by other than accidental means on a child by another person
2. Sexual abuse of a child, including sexual assault or sexual exploitation, as defined in Penal Code 11165.1
3. Neglect of a child as defined in Penal Code 11165.2
4. Willful harming or injuring of a child or the endangering of the person or health of a child as defined in Penal Code 11165.3
5. Unlawful corporal punishment or injury as defined in Penal Code 11165.4 *Child abuse or neglect* does not include:
 1. A mutual affray between minors (Penal Code 11165.6)
 2. An injury caused by reasonable and necessary force used by a peace officer acting within the course and scope of his/her employment (Penal Code 11165.6)

(cf 3515.3 - District Police/Security Department)

3. An injury resulting from the exercise by a teacher, vice principal, principal, or other certificated employee of the same degree of physical control over a student that a parent/guardian would be privileged to exercise, not exceeding the amount of physical control reasonably necessary to maintain order, protect property, protect the health and safety of students, or maintain proper and appropriate conditions conducive to learning (Education Code 44807)
4. An injury caused by a school employee's use of force that is reasonable and necessary to quell a disturbance threatening physical injury to persons or damage to property, to protect himself/herself, or to obtain weapons or other dangerous objects within the control of the student (Education Code 49001)

(cf 5144 - Discipline)

5. Physical pain or discomfort caused by athletic competition or other such recreational activity voluntarily engaged in by the student (Education Code 49001)

AR S141.4(b)

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

Reasonable suspicion means that it is objectively reasonable for a person to entertain a suspicion, based upon facts that could cause a reasonable person in a like position, drawing when appropriate on his/her training and experience, to suspect child abuse or neglect.

However, *reasonable suspicion* does not require certainty that child abuse or neglect has occurred nor does it require a specific medical indication of child abuse or neglect. (Penal Code 11166)

Reportable Offenses

A mandated reporter shall make a report using the procedures provided below whenever, in his/her professional capacity or within the scope of his/her employment, he/she has knowledge of or observes a child whom the mandated reporter knows or reasonably suspects has been the victim of child abuse or neglect. (Penal Code 11166) Any mandated reporter who has knowledge of or who reasonably suspects that a child is suffering serious emotional damage or is at a substantial risk of suffering serious emotional damage, based on evidence of severe

anxiety, depression, withdrawal, or untoward aggressive behavior toward self or others, may make a report to the appropriate agency. (Penal Code 11166.05, 11167)

Any district employee who reasonably believes that he/she has observed the commission of a murder, rape, or lewd or lascivious act by use of force, violence, duress, menace, or fear of immediate and unlawful bodily injury against a victim who is a child under age 14 shall notify a peace officer. (Penal Code 152.3, 288)

Responsibility for Reporting

The reporting duties of mandated reporters are individual and cannot be delegated to another person. (Penal Code 11166) When two or more mandated reporters jointly have knowledge of a known or suspected instance of child abuse or neglect, the report may be made by a member of the team selected by mutual agreement and a single report may be made and signed by the selected member of the reporting team. Any member who has knowledge that the member designated to report has failed to do so shall thereafter make the report. (Penal Code 11166)

No supervisor or administrator shall impede or inhibit a mandated reporter from making a report. (Penal Code 11166) Any person not identified as a mandated reporter who has knowledge of or observes a child whom he/she knows or reasonably suspects has been a victim of child abuse or neglect may report the known or suspected instance of child abuse or neglect to the appropriate agency. (Penal Code 11166)

Reporting Procedures

1. Initial Telephone Report

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

Child Protective Services

P.O. Box 671
Visalia, CA 93279
(800) 331-1585

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

2. Written Report

Within 36 hours of knowing or observing the information concerning the incident, the mandated reporter shall then prepare and either send, fax, or electronically submit to the appropriate agency a written follow-up report, which includes a completed Department of Justice form (SS 8572). (Penal Code 11166, 11168) The Department of Justice form may be obtained from the district office or other appropriate agencies, such as the county probation or welfare department or the police or sheriff's department. Reports of suspected child abuse or neglect shall include, if known: (Penal Code 11167) AR 5141 A(d)

CHILD ABUSE PREVENTION AND REPORTING

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

The mandated reporter shall make a report even if some of this information is not known or is uncertain to him/her. (Penal Code 11167)

The mandated reporter may give to an investigator from an agency investigating the case, including a licensing agency, any information relevant to an incident of child abuse or neglect or to a report made for serious emotional damage pursuant to Penal Code 11166.05. (Penal Code 11167)

3. Internal Reporting

The mandated reporter shall not be required to disclose his/her identity to his/her supervisor, the principal, or the Superintendent or designee. (Penal Code 11166) However, employees reporting child abuse or neglect to an appropriate agency are encouraged, but not required, to notify the principal as soon as possible after the initial telephone report to the appropriate agency. When so notified, the principal shall inform the Superintendent or designee.

The principal so notified shall provide the mandated reporter with any assistance necessary to ensure that reporting procedures are carried out in accordance with law, Board policy, and administrative regulation. At the mandated reporter's request, the principal may assist in completing and filing the necessary forms. Reporting the information to an employer, supervisor, principal, school counselor, coworker, or other person shall not be a substitute for making a mandated report to the appropriate agency. (Penal Code 11166)

Training

Training of mandated reporters shall include identification and mandated reporting of child abuse and neglect. (Penal Code 11165.7) Training shall also include guidance in the appropriate discipline of students, physical contact with students, and maintenance of ethical relationships with students to avoid actions that may be misinterpreted as child abuse.

(ef 4119.2114219.2114319.21- Professional Standards)

(ef 4131 - Staff Development)

(ef 4231-Staff Development)

(ef 4331 - Staff Development)

(ef 5145.7 - Sexual Harassment)

Victim Interviews by Social Services

Whenever a representative from the Department of Social Services or another government agency investigating suspected child abuse or neglect deems it necessary, a suspected victim may be interviewed during school hours, on school premises, concerning a report of suspected child abuse or neglect that occurred within the child's home or out-of-home care facility. The child shall be given the choice of being interviewed in private or in the presence of any adult school employee or volunteer aide selected by the child. (Penal Code 11174.3) A staff member or volunteer aide selected by a child may decline to be present at the interview. If the selected person accepts, the principal or designee shall inform him/her of the following requirements: (Penal Code 11174.3)

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

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

Release of Child to Peace Officer

When a child is released to a peace officer and taken into custody as a victim of suspected child abuse or neglect, the Superintendent or designee and/or principal shall not notify the parent/guardian, but rather shall provide the peace officer with the address and telephone number of the child's parent/guardian. It is the responsibility of the peace officer or agent to notify the parent/guardian of the situation. (Education Code 48906)

Parent/Guardian Complaints

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

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

(cf J 3 J 2. J - Complaints Concerning District Employees)

In addition, if the child is enrolled in special education, a separate complaint may be filed with the California Department of Education pursuant to 5 CCR 4650.

(cf J 312.3 - Uniform Complaint Procedures)

Notifications

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

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

(cf 4112.9/4212.9/4312.9 - Employee Notifications)

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

1. A mandated reporter who reports a known or suspected instance of child abuse or neglect shall not be held civilly or criminally liable for making a report and this immunity shall apply even if the mandated reporter acquired the knowledge or reasonable suspicion of child abuse or neglect outside of his/her professional capacity or outside the scope of his/her employment. Any other person making a report shall not incur civil or criminal liability unless it can be proven that he/she knowingly made a false report or made a report with reckless disregard of the truth or falsity of the report. (Penal Code 11172)
2. If a mandated reporter fails to report an incident of known or reasonably suspected child abuse or neglect, he/she may be guilty of a crime punishable by a fine and/or imprisonment. (Penal Code 11166)
3. No employee shall be subject to any sanction by the district for making a report. (Penal Code 11166)

DRUG AND ALCOHOL-FREE WORKPLACE

The Governing Board believes that the maintenance of a drug- and alcohol-free workplace is essential to staff and student safety and to help ensure a productive and safe work and learning environment.

(cf 4112.41/4212.41/4312.41 - Employee Drug Testing)

(cf 4112.42/4212.42/4312.42 - Drug and Alcohol Testing for School Bus Drivers)

An employee shall not unlawfully manufacture, distribute, dispense, possess, or use any controlled substance in the workplace. (Government Code 8355; 41 USC 701)

Employees are prohibited from being under the influence of controlled substances or alcohol while on duty. For purposes of this policy, *on duty* means while an employee is on duty during both instructional and non-instructional time in the classroom or workplace, at extracurricular or co-curricular activities, or while transporting students or otherwise supervising them. *Under the influence* means that the employee's capabilities are adversely or negatively affected, impaired, or diminished to an extent that impacts the employee's ability to safely and effectively perform his/her job.

(cf 4032 - Reasonable Accommodation)

The Superintendent or designee shall notify employees of the district's prohibition against drug use and the actions that will be taken for violation of such prohibition. (Government Code 8355; 41 USC 701)

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

(Government Code 8355; 41 USC 701)

The Superintendent or designee shall notify the appropriate federal granting or contracting agency within 10 days after receiving notification, from an employee or otherwise, of any conviction for a violation occurring in the workplace. (41 USC 701)

In accordance with law and the district's collective bargaining agreements, the Superintendent or designee shall take appropriate disciplinary action, up to and including termination, against an employee for violating the terms of this policy and/or shall require the employee to satisfactorily participate in and complete a drug assistance or rehabilitation program approved by a federal, state, or local public health or law enforcement agency or other appropriate agency.

(cf 4112 - Appointment and Conditions of Employment)

(cf 4117.4 - Dismissal)

(cf 4118 - Suspension/Disciplinary Action)

(cf 4212 - Appointment and Conditions of Employment)

(cf 4218 - Dismissal/Suspension/Disciplinary Action)

Drug-Free Awareness Program

The Superintendent or designee shall establish a drug-free awareness program to inform employees about: (Government Code 8355; 41 USC 701)

1. The dangers of drug abuse in the workplace
2. The district's policy of maintaining a drug-free workplace
3. Available drug counseling, rehabilitation, and employee assistance programs

(cf 4159/4259/4359 - Employee Assistance Programs)

4. The penalties that may be imposed on employees for drug abuse violations occurring in the workplace.

Legal Reference:

EDUCATION CODE

440 II Controlled substance offense

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

UNITED STATES CODE, TITLE 20

7111-7117 Safe and Drug Free Schools and Communities Act

UNITED STATES CODE, TITLE 21

812 Schedule of controlled substances

UNITED STATES CODE, TITLE 41

701-707 Drug-Free Workplace Act

CODE OF FEDERAL REGULATIONS, TITLE 21

1308.01-1308.49 Schedule of controlled substances

COURT DECISIONS

Cahoon v. Governing Board of Ventura USD. (2009) 171 Cal.App.4th 381

Ross v. Raging Wire Telecommunications, Inc., (2008) 42 Cal.4th 920

Management Resources:

Policy

WEB SITES

California Department of Alcohol and Drug Programs: <http://w.vw.adp.ca.gov>

California Department of Education: <http://www.cde.ca.gov>

Us. Department of Labor: <http://www.dol.gov>

SEXUAL HARASSMENT

BP 4119.11(a)

4219.11

4319.11

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

(cf 0410- Nondiscrimination in District Programs and Activities)

(cf 4030 - Nondiscrimination in Employment)

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

1. Providing training to employees in accordance with law and administrative regulation

2. Publicizing and disseminating the district's sexual harassment policy to staff

(cf 4112.9/4212.9/4312.9 - Employee Notifications)

3. Ensuring prompt, thorough, and fair investigation of complaints

4. Taking timely and appropriate corrective/remedial action(s), which may require interim separation of the complainant and the alleged harasser and subsequent monitoring of developments. All complaints and allegations of sexual harassment shall be kept confidential to the extent necessary to carry out the investigation or to take other subsequent necessary actions.

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

A supervisor, principal or other district administrator who receives a harassment complaint shall promptly notify the Superintendent/Principal or designee. Complaints of sexual harassment shall be filed in accordance with AR 4031 –

Complaints

Concerning Discrimination in Employment. An employee may bypass his/her supervisor in filing a complaint where the supervisor is the subject of the complaint.

(cf 4031 - Complaints Concerning Discrimination in Employment)

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

(cf 4117.4 - Dismissal)

(cf 4118 - Suspension/Disciplinary Action)

(cf 4218 - Dismissal/Suspension/Disciplinary Action)

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination on the basis of sex

GOVERNMENT CODE

12900-12996 Fair Employment and Housing Act, especially:

12940 Prohibited discrimination

12950.1 Sexual harassment training

LABOR CODE

1101 Political activities of employees

1102.1 Discrimination: sexual orientation
 CODE OF REGULATIONS, TITLE 2
 7287.8 Retaliation
 7288.0 Sexual harassment training and education
 CODE OF REGULATIONS, TITLE 5
 4900-4965 Nondiscrimination in elementary and secondary education programs receiving state financial assistance
 UNITED STATES CODE, TITLE 42
 2000d-2000d-7 Title V/, Civil Rights Act of 1964
 2000e-2000e-17 Title V/, Civil Rights Act of 1964, as amended
 2000h-2-2000h-6 Title IX 1972 Education Act Amendments
 CODE OF FEDERAL REGULATIONS, TITLE 34
 106.9 Dissemination of policy
 COURT DECISIONS
Department of Health Services v. Superior Court of California, (2003) 31 Cal.4th 1026
Faragher v. City of Boca Raton, (1998) 118 S.Ct. 2275
Burlington Industries v. Ellreth, (1998) 118 S.O. 2257
Gebser v. Lago Vista Independent School District, (1998) 118 S. Ct. 1989
Oncale v. Sundowner Offshore Servo Inc., (1998) 118 S.O. 998
Meritor Savings Bank. FSB v. Vinson et al., (1986) 447 Us. 57
 Management Resources:
 Policy
 OFFICE OF CIVIL RIGHTS AND NATIONAL ASSOCIATION OF ATTORNEYS GENERAL
Protecting Students from Harassment and Hate Crime, January, 1999
 WEB SITES
California Department of Fair Employment and Housing: <http://www.dfeh.ca.gov>
Equal Employment Opportunity Commission: <http://www.eeoc.gov>
Us. Department of Education, Office of Civil Rights: <http://www.edgovlofficesIOCR>

SEXUAL HARASSMENT

Definitions

AR 4119.11(a)

4219.11

4319.11

Prohibited sexual harassment includes, but is not limited to, unwelcome sexual advances, unwanted requests for sexual favors, or other unwanted verbal, visual, or physical conduct of a sexual nature made against another person of the same or opposite sex in the work or educational setting when: (Education Code 212.5; 5 CCR 4916)

1. Submission to the conduct is made explicitly or implicitly a term or condition of the individual's employment.
2. Submission to or rejection of such conduct by the individual is used as the basis for an employment decision affecting him/her.
3. The conduct has the purpose or effect of having a negative impact upon the individual's work or has the purpose or effect of creating an intimidating, hostile, or offensive work environment. The conduct is sufficiently severe, persistent, pervasive, or objectively offensive so as to create a hostile or abusive working environment or to limit the individual's ability to participate in or benefit from an education program or activity.
4. Submission to or rejection of the conduct by the other individual is used as the basis for any decision affecting him/her regarding benefits, services, honors, programs, or activities available at or through the district. Other examples of actions that might constitute sexual harassment, whether committed by a supervisor, a co-worker, or a non-employee, in the work or educational setting, include, but are not limited to:
 1. Unwelcome verbal conduct such as sexual flirtations or propositions; graphic comments about an individual's body; overly personal conversations or pressure for sexual activity; sexual jokes or stories; unwelcome sexual slurs, epithets, threats, innuendoes, derogatory comments, sexually degrading descriptions, or the spreading of sexual rumors
 2. Unwelcome visual conduct such as drawings, pictures, graffiti, or gestures; sexually explicit emails; displaying sexually suggestive objects
 3. Unwelcome physical conduct such as massaging, grabbing, fondling, stroking, or brushing the body; touching an individual's body or clothes in a sexual way; cornering, blocking, leaning over, or impeding normal movements

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

Training

AR 4119.1 1 (b)

4219.11

4319.11

Every two years, the Superintendent or designee shall ensure that supervisory employees receive at least two hours of classroom or other effective interactive training and education regarding sexual harassment. All newly hired or promoted supervisory employees shall receive training within six months of their assumption of the supervisory position.(Government Code 12950.1)

The district's training and education program for supervisory employees shall include information and practical guidance regarding the federal and state laws on the prohibition against and the prevention and correction of sexual harassment, and the remedies available to the victims of sexual harassment in employment. The training shall also include all of the content specified in 2 CCR 7288.0 and practical examples aimed at instructing supervisors in the prevention of harassment, discrimination, and retaliation. (Government Code 12950.1; 2CCR 7288.0)

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

Notifications

A copy of the Board policy and this administrative regulation shall: (Education Code 231.5)

1. Be displayed in a prominent location in the main administrative building, district office, or other area of the school where notices of district rules, regulations, procedures, and standards of conduct are posted
2. Be provided to each faculty member, all members of the administrative staff, and all members of the support staff at the beginning of the first quarter or semester of the school year or whenever a new employee is hired
(cf 4112.9/4212.9/4312.9 - *Employee Notifications*)
3. Appear in any school or district publication that sets forth the schools or district's comprehensive rules, regulations, procedures, and standards of conduct.

EMPLOYEE USE OF TECHNOLOGY

Online/Internet Services: User Obligations and Responsibilities

Employees are authorized to use district equipment to access the Internet or other online services in accordance with Board policy, the district's Acceptable Use Agreement, and the user obligations and responsibilities specified below.

1. The employee in whose name an online services account is issued is responsible for its proper use at all times. Employees shall keep account information, home addresses, and telephone numbers private. They shall use the system only under the account number to which they have been assigned.

2. Employees shall use the system safely, responsibly, and primarily for work-related purposes.

3. Employees shall not access, post, submit, publish, or display harmful or inappropriate matter that is threatening, obscene, disruptive, or sexually explicit, or that could be construed as harassment or disparagement of others based on their race, ethnicity, national origin, sex, gender, sexual orientation, age, disability, religion, or political beliefs
(cf 4030 - *Nondiscrimination in Employment*)
(cf 4031 - *Complaints Concerning Discrimination in Employment*)
(cf 4119.11/4219.11/4319.11-*Sexual Harassment*)

4. Employees shall not use the system to promote unethical practices or any activity prohibited by law, Board policy, or administrative regulations.
(cf 4119.25/4219.25/4319.25 - *Political Activities of Employees*)

5. Employees shall not use the system to engage in commercial or other for-profit activities without permission of the Superintendent/Principal or designee.

6. Copyrighted material shall be posted online only in accordance with applicable copyright laws.

(cf 6/62.6 - *Use of Copyrighted Material*)

7. Employees shall not attempt to interfere with other users' ability to send or receive email, nor shall they attempt to read, delete, copy, modify, or forge other users' email.

8. Employees shall not develop any classroom or work-related web sites, blogs, forums, or similar online communications representing the district or using district equipment or resources without permission of the Superintendent/Principal or designee. Such sites shall be subject to rules and guidelines established for district online publishing activities including, but not limited to, copyright laws, privacy rights, and prohibitions against obscene, libelous, and slanderous content. Because of the unfiltered nature of blogs, any such site shall include a disclaimer that the district is not responsible for the content of the messages. The district retains the right to delete material on any such online communications.

(cf III3 - District and School Web Sites)

9. Users shall report any security problem or misuse of the services to the Superintendent/Principal or designee.

Legal Reference:

EDUCATION CODE

51870-51874 Education technology

52270-52272 Education technology and professional development grants

52295.10-52295.55 Implementation of Enhancing Education through Technology grant program

GOVERNMENT CODE

3543.1 Rights of employee organizations

PENAL CODE

502 Computer crimes, remedies

632 Eavesdropping on or recording confidential communications

VEHICLE CODE

23123 Wireless telephones in vehicles

23123.5 Mobile communication devices; text messaging while driving

23125 Wireless telephones in school buses

UNITED STATES CODE, TITLE 20

6751-6777 Enhancing Education through Technology Act, Title II, Part D, especially:

6777 Internet safety

UNITED STATES CODE, TITLE 47

254 Universal service discounts (E-rate)

CODE OF FEDERAL REGULATIONS, TITLE 47

54.520 Internet safety policy and technology protection measures, E-rate discounts

Management Resources:

Policy

WEBSITES

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

American Liberty Association: <http://www.ala.org>

California Department of Education: <http://www.cde.ca.gov>

Federal Communications Commission: <http://www.fcc.gov>

U.S. Department of Education: <http://www.ed.gov>

AU Personnel BP 4040(a)

EMPLOYEE USE OF TECHNOLOGY

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

(cf 0440 - District Technology Plan)

(cf 1113 - District and School Web Sites)

(cf 4032 - Reasonable Accommodation)

(cf 4131 - Staff Development)

(cf 4231 - Staff Development)

(cf 4331 - Staff Development)

(cf 6163.4 - Student Use of Technology)

Employees shall be responsible for the appropriate use of technology and shall use the district's technological resources primarily for purposes related to their employment.

(cf 41/9.25/4219.25/4319.25 - Political Activities 0/ Employees)

Employees shall be notified that computer files and electronic communications, including email and voice mail, are not private. Technological resources shall not be used to transmit confidential information about students, employees, or district operations without authority.

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

(cf 5125 - Student Records)

(cf 5125.1 - Release 0/

Online/Internet Services

The Superintendent/Principal or designee shall ensure that all district computers with Internet access have a technology protection measure that prevents access to visual depictions that are obscene or child pornography and that the operation of such measures is enforced. The Superintendent/Principal or designee may disable the technology protection measure during use by an adult to enable access for bona fide research or other lawful purpose.

(20 USC 6777; 47 USC 254)

To ensure proper use, the Superintendent/Principal or designee may monitor employee usage of technological resources, including the accessing of email and stored files. Monitoring may occur at any time without advance notice or consent. When passwords are used, they must be known to the Superintendent/Principal or designee so that he/she may have system access.

The Superintendent/Principal or designee shall establish administrative regulations and an Acceptable Use Agreement which outline employee obligations and responsibilities related to the use of district technology. He/she also may establish guidelines and limits on the use of technological resources. Inappropriate use may result in a cancellation of the employee's user privileges, disciplinary action, and/or legal action in accordance with law, Board policy, and administrative regulation.

(cf 4118 - Suspension/Disciplinary Action)

(cf 4218 - Action)

The Superintendent/Principal or designee shall provide copies of related policies, regulations, and guidelines to all employees who use the district's technological resources. Employees shall be required to acknowledge in writing that they have read and understood the district's Acceptable Use Agreement.

(cf 4112.914212.914312.9 - Employee Notifications)

Use of Cellular Phone or Mobile Communications Device

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

(cf 3513.1 - Cellular Phone Reimbursement)

(cf 3542 - School Bus Driver)

(cf 4156.314256.314356.3 - Employee Property Reimbursement)

Legal Reference: (see next page)

Community Relations AR 1312.3(a)

UNIFORM COMPLAINT PROCEDURES

Except as the Governing Board may otherwise specifically provide in other Board policies, the uniform complaint procedures shall be used only to investigate and resolve complaints alleging violations of federal or state laws or regulations governing specific educational programs, the prohibition against requiring students to pay fees, deposits, or other charges for participating in educational activities, and unlawful discrimination, harassment, intimidation, or bullying, as specified in accompanying Board policy.

(cf 1312.1 - Complaints Concerning District Employees)

(cf 1312.2 - Complaints Concerning Instructional Materials)

(cf 1312.4 - Williams Uniform Complaint Procedures)

(cf 4031 - Complaints Concerning Discrimination in Employment)

The district's uniform complaint procedures policy and administrative regulation shall be posted in all district schools and offices, including staff lounges and student government meeting rooms. If 15 percent or more of students enrolled in a particular district school speak a single primary language other than English, the district's policy, regulation, forms, and notices concerning uniform complaint procedures shall be translated into that language. (Education Code 234.1, 48985)

(cf 5145.6 - Parental Notifications)

Compliance Officers

The following compliance officer(s) shall receive and investigate complaints and shall ensure district compliance with law:

Superintendent/Principal

PO Box 25

Sultana, CA 93666

(559) 591-1634

The Superintendent or designee shall ensure that employees designated to investigate complaints are knowledgeable about the laws and programs for which they are responsible. Designated employees may have access to legal counsel as determined by the Superintendent or designee.

(cf 9124 - Attorney)

Notifications

The Superintendent or designee shall annually provide written notification of the district's uniform complaint procedures to students, employees, parents/guardians, the district advisory committee, school advisory committees, appropriate private school officials or representatives, and other interested parties. (Education Code 262.3, 49013; 5 CCR 4622)

(cf 0420 - School Plans/Site Councils)

(cf 1220 - Citizen Advisory/)' Committees)

(cf 3260 - Fees and Charges)

(cf 4112.9/4212.9/4312.9 - Employee Notifications)

(cf 5145.6 - Parental Notification)

The notice shall:

1. Identify the person(s), position(s), or unit(s) responsible for receiving complaints
2. Advise the complainant of any civil law remedies that may be available to him/her under state or federal discrimination laws, if applicable
3. Advise the complainant of the appeal process, including, if applicable, the complainant's right to take a complaint directly to the California Department of Education (CDE) or to pursue remedies before civil courts or other public agencies
4. Include statements that:
 - a. The district has the primary responsibility to ensure compliance with applicable state and federal laws and regulations governing educational programs.
 - b. The complaint review shall be completed within 60 calendar days from the date of receipt of the complaint unless the complainant agrees in writing to an extension of the timeline.
 - c. A complaint alleging unlawful discrimination, harassment, intimidation, or bullying must be filed not later than six months from the date it occurred, or six months from the date the complainant first obtained knowledge of the facts of the alleged discrimination, harassment, intimidation, or bullying.
 - d. The complainant has a right to appeal the district's decision to the CDE by filing a written appeal within 15 calendar days of receiving the district's decision.
 - e. The appeal to the CDE must include a copy of the complaint filed with the district and a copy of the district's decision.
 - f. Copies of the district's uniform complaint procedures are available free of charge.

Procedures

All complaints shall be investigated and resolved within 60 calendar days of the district's receipt of the complaint. (5 CCR 4631) Compliance officers shall maintain a record of each complaint and subsequent related actions, including all information required for compliance with 5 CCR 4631 and 4633. All parties involved in allegations shall be notified when a complaint is filed, when a complaint meeting or hearing is scheduled, and when a decision or ruling is made.

Step 1: Filing of Complaint

Any individual, public agency, or organization may file a written complaint of the district's alleged noncompliance with federal or state laws or regulations governing educational programs. (5 CCR 4630) A complaint concerning unlawful discrimination, harassment, intimidation, or bullying may be filed only by a person who alleges that he/she personally suffered unlawful discrimination, harassment, intimidation, or bullying or by a person who believes that an individual or any specific class of individuals has been subjected to it. The complaint shall be initiated no later than six months from the date when the alleged discrimination, harassment, intimidation, or bullying occurred, or six months from the date when the complainant first obtained knowledge of the facts of the alleged discrimination, harassment, intimidation, or bullying.

However, upon written request by the complainant, the Superintendent or designee may extend the filing period for up to 90 calendar days. (5 CCR 4630) A complaint alleging noncompliance with the law regarding the prohibition against requiring students to pay student fees, deposits, and charges may be filed anonymously if the complaint provides evidence or information leading to evidence to support an allegation of noncompliance. (Education Code 49013).

The complaint shall be presented to the compliance officer who shall maintain a log of complaints received, providing each with a code number and a date stamp. If a complainant is unable to put a complaint in writing due to conditions such as a disability or illiteracy, district staff shall assist him/her in the filing of the complaint. (5 CCR 4600)

Step 2: Investigation of Complaint

Within 10 calendar days of receiving the complaint, the compliance officer shall provide the complainant and/or his/her representative an opportunity to present the complaint and any evidence, or information leading to evidence, to support the allegations in the complaint. The compliance officer also shall collect all documents and interview all witnesses with information pertinent to the complaint.

A complainant's refusal to provide the district's investigator with documents or other evidence related to the allegations in the complaint, failure or refusal to cooperate in the investigation, or engagement in any other obstruction of the investigation may result in the dismissal of the complaint because of a lack of evidence to support the allegation. (5 CCR 4631)

In accordance with law, the district shall provide the investigator with access to records and other information related to the allegation in the complaint and shall not in any way obstruct the investigation. Failure or refusal of the district to cooperate in the investigation may result in a finding based on evidence collected that a violation has occurred and in the imposition of a remedy in favor of the complainant. (5 CCR 4631)

Step 3: Response

Unless extended by written agreement with the complainant, the compliance officer shall prepare and send to the complainant a written report of the district's investigation and decision, as described in Step #4 below, within 60 calendar days of the district's receipt of the complaint. (5 CCR 4631)

Step 4: Final Written Decision

The district's decision shall be in writing and sent to the complainant. (5 CCR 4631) The district's decision shall be written in English and, when required by Education Code 48985, in the complainant's primary language. For all complaints, the decision shall include: (5 CCR 4631)

1. The findings of fact based on the evidence gathered
2. The conclusion(s) of law
3. Disposition of the complaint
4. Rationale for such disposition
5. Corrective actions, if any are warranted

6. Notice of the complainant's right to appeal the district's decision within 15 calendar days to the CDE and procedures to be followed for initiating such an appeal

Civil Law Remedies

A complainant may pursue available civil law remedies outside of the district's complaint procedures. Complainants may seek assistance from mediation centers or public/private interest attorneys. Civil law remedies that may be imposed by a court include, but are not limited to, injunctions and restraining orders.

For complaints alleging discrimination, harassment, intimidation, and bullying based on state law, a complainant shall wait until 60 calendar days have elapsed from the filing of an appeal with the CDE before pursuing civil law remedies, provided the district has appropriately and in a timely manner apprised the complainant of his/her right to file a complaint in accordance with 5 CCR 4622. The moratorium does not apply to injunctive relief and to discrimination complaints based on federal law. (Education Code 262.3)

Legal Reference:

EDUCATION CODE

1240 County superintendent of schools, duties

17592.72 Urgent or emergency repairs, School Facility Emergency Repair Account

33126 School accountability report card

35186 Williams uniform complaint procedure

35292.5 Restrooms, maintenance and cleanliness

37254 Supplemental instruction based unfair to pass exit exam by end of grade 12

48985 Notice to parents in language other than English

60119 Hearing on sufficiency of instructional materials

CODE OF REGULATIONS, TITLE 5

4600-4687 Uniform complaint procedures, especially:

notice to employees

If A Work Injury Occurs

California law guarantees certain benefits to employees who are injured or become ill because of their jobs.

Any job-related injury or illness is covered. Types of injuries and illnesses may include strains, sprains, cuts, cumulative or repetitive motion, fractures, mental injuries, illnesses and aggravations. Some injuries from voluntary, off duty, recreational, social or athletic activity may not be covered. Check with your supervisor or claims administrator if you have questions.

All work-related injuries must be reported to your supervisor or employee representative immediately. If you wait too long, you may lose your right to benefits. Your employer is required to provide you a claim form within one working day after learning about your injury.

It is illegal for your employer to punish or fire you for having a work injury or illness, for filing a claim, or testifying in another person's workers' compensation case. If proven, you may receive lost wages, job reinstatement, increased benefits, and costs and expenses up to limits set by the state.

Workers' Compensation Benefits Include

MEDICAL CARE – All medical treatment - without a deductible or dollar limit. Within one working day after you file a claim form, treatment must be authorized, consistent with the applicable treating guidelines, for your alleged injury up to ten thousand dollars (\$10,000) until the claim has been accepted or rejected. Costs are paid directly by the claim administrator, so you should never see a bill.

You may be eligible to treat with your personal physician should you become injured on the job. If eligible, you must tell your employer, in writing, the name and address of your personal physician or medical group before you are injured. You must obtain their agreement to treat you for your work injury. If you have questions, please contact your employer who is required to provide written information regarding workers' compensation benefits to all new employees.

MEDICAL PROVIDER NETWORKS – Your employer may be using an MPN, which is a selected network of healthcare providers to provide treatment to workers injured on the job. If you have predesignated a personal physician prior to your work injury, then you may receive treatment from your predesignated doctor or medical group. If you have not predesignated and your employer is using an MPN, you are free to choose an appropriate provider from the MPN list which will be your primary treating physician. This is the doctor with overall responsibility for treating your injury or illness. If you are treating with a non-MPN doctor for an existing injury, you may be required to change to a doctor within the MPN. If you need help locating an MPN physician, call your MPN access assistant at (949) 521-7000. If you have questions about the MPN or want to file a complaint against the MPN, call the MPN contact person at (949) 521-7000 ext 41001.

PAYMENT FOR LOST WAGES – If you're temporarily disabled by a job injury or illness, you'll receive tax-free income, subject to state limits, until your doctor says you are able to return to work. Payments are two-thirds of your average weekly pay, up to a maximum set by state law. Payments aren't made for the first three days unless you're hospitalized as an inpatient or unable to work more than 14 days.

If the injury or illness results in permanent disability, additional payments will be made after recovery.

If the injury results in death, benefits will be paid to surviving dependents.

SUPPLEMENTAL JOB DISPLACEMENT BENEFIT – You may be entitled to a Supplemental Job Displacement Voucher, if your employer is not able to return you to work within 30 days after temporary disability ends. SJDB is a non-transferable voucher payable to a state approved school.

In The Event Of A Work Injury

1. Be sure first aid is given.
2. If emergency medical treatment is needed call 911.
3. See that the injured employee is taken to a doctor or hospital, if necessary.
4. Report all injuries immediately to your supervisor or _____ at _____
Employer Representative Phone Number
5. Contact your employer representative or claims administrator if you have questions about workers' compensation. You may also contact an Information and Assistance Officer at the State Division of Workers' Compensation at (916) 443-6355. Learn more information about workers' compensation online: www.dwc.ca.gov and access a useful booklet "Workers' Compensation in California: A Guidebook for Injured Workers."
6. Hear recorded information and a list of local offices by calling toll-free 800 736-7401 or visit www.dir.ca.gov.

Claims Administrator and MPN Information

Claims Administrator: Kecore & Associates
Address: 2840 Prospect Park Dr., Suite 600
City, State, Zip Code: Rancho Cordova, CA 95670
Phone Number: 916-855-7100
Carrier/Self-Insured: Self Insured
Policy Expiration Date: 06/30/2021
MPN Toll Free Number: (815) 521-7000
MPN Website: www.fairplay.com/WorkersPlus
MPN Effective Date: 01/01/2015
MPN Identification #: MPN ID 42357
MPN's Address: P.O. Box 11770, Newport Beach, CA 92658-5061

Emergency Numbers

Ambulance: 911
Fire Department: 911
Police: 911
Hospital: 911
Physician: 911

If this policy has expired contact the labor commissioner 213.620.6636 (www.dir.ca.gov/dlsc).

False Claims and false denials: Any person who makes or causes to be made any knowingly false or fraudulent material statement or material representation for the purpose of obtaining or denying workers' compensation benefits or payments is guilty of a felony and may be fined and imprisoned. (Insurance Code Section 1871.4)

Your employer may not be liable for the payment of workers' compensation benefits for any injury that arises if you voluntarily participate in any off-duty, recreational, social, or athletic activity that is not part of your work-related duties.



Monson-Sultana Joint Union Elementary School District

*Chris Meyer, Superintendent/Principal
P.O. Box 25
Sultana, California 93666
(559) 591-1634 - Fax (559) 591-0717*

Monson-Sultana JUESD participates in a Medical Provider Network (MPN). This MPN is called Prime Advantage and was implemented July 1, 2005. Unless you pre-designate a physician or medical group, your work injuries will be treated by providers within the Prime Advantage MPN.

More information about the MPN can be found on the worker's compensation poster or by asking us.

Sincerely,

Chris Meyer
Superintendent/Principal

Board of Trustees

Jeff Belknap

Robert Cepeda

Bette George

Delbert Quintana

Lynn Simmons

Monson-Sultana Jt Union Elementary School District

workers' compensation: Pre-Designation of Personal Physician

If you have health insurance and you are injured on the job you have the right to be treated immediately by your personal physician (M.D., D.O), or medical group, if you notify your employer, in writing, prior to the injury. Per Labor Code 4600 to qualify as the your predesignated, personal physician, the physician must agree, in writing, to treat you for a work related injury, must have previously directed your medical care and must retain your medical history and records. Your predesignated physician must be a family practitioner, general practitioner, board certified or board eligible internist, obstetrician-gynecologist or pediatrician. Your "personal physician" may be a medical group if it is a single corporation or partnership composed of licensed doctors of medicine or osteopathy, which operates an integrated multi-specialty medical group providing comprehensive medical services predominantly for non-occupational illnesses and injuries.

This is an optional form that can be used to notify your employer of your personal physician. You may choose to use another form, as long as you notify your employer, in writing, prior to being injured on the job and provide written verification that your personal physician meets the above requirements and agrees to be predesignated. Otherwise, you will be treated by one of your employers' designated workers' compensation medical providers.

EMPLOYEE NAME & ADDRESS: Monson-Sultana School, PO Box 25, Sultana, CA 93666

- ☐ I acknowledge receipt of this form and elect not to predesignate my personal physician at this time. I understand that I will receive medical treatment from my employers' medical provider. I understand that, at any time in the future, I can change my mind and provide written notification of my personal physician. I understand that the written notification must be on file prior to an industrial injury.

Employee Signature: _____ Date: _____

- ☐ If I am injured on the job, I wish to be treated by my personal physician*:

Name of Physician or Medical Group _____ Phone Number _____

Address _____

*This physician is my personal primary care physician who has previously directed my medical care and retains my medical history and records.

Name of Insurance Company, Plan, or Fund providing health coverage for nonoccupational injuries or illnesses:

Employee Signature: _____ Date: _____

A Personal Physician must be willing to be predesignated and treat you for a workers' compensation injury. The remainder of this form is to be completed by your physician and returned to your Employer.

PERSONAL PHYSICIAN ACKNOWLEDGEMENT

Per Labor Code 4600 to qualify you must meet the criteria outlined above. You are not required to sign this form, however, if you or your designated employee, does not sign, other documentation of the physicians' agreement to be predesignated will be required pursuant to Title 8, California Code of Regulations, section 9780.1(a)(3).

PERSONAL PHYSICIAN OR MEDICAL GROUP NAME: _____

- ☐ I agree to treat the above named employee in the event of an industrial accident or injury. I meet the criteria outlined above. I agree to adhere to the Administrative Director's Rules and Regulations, Section 9785, regarding the duties of the employee-designated physician.

(Physician or Designated Employee of the Physician or Medical Group)

Date

Please return completed form to:
Monson-Sultana School, 559-591-0717 (fax)