

# EMPLOYEE HANDBOOK

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*Hacienda La Puente  
Unified School District*



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**2011 - 2012**

# **HACIENDA LA PUENTE UNIFIED SCHOOL DISTRICT**

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## **PREFACE**

This employee handbook is designed to provide you with answers to many of the questions that new employees frequently ask. It is also designed to explain rules, regulations, rights, privileges and employment benefits that apply to you.

Unless you are hired as a management or confidential employee, your salary and other conditions of employment are governed by collective bargaining agreements. California state laws, federal laws, the policies and regulations of the Board of Education and the Rules and Regulations of the Personnel Commission also may govern many conditions relating to your work. If you are represented by the Hacienda La Puente Teachers Association (HLPTA), the California School Employees Association (CSEA) or the Service Employees International Union (SEIU), some of the information contained herein also may be covered in your collective bargaining agreement.

## **DISCLAIMER**

This employee handbook is designed to provide newly hired certificated and classified employees of the Hacienda La Puente Unified School District with general information regarding policies, procedures and benefits of the district. This handbook does not constitute an offer of employment, nor is it a contract of employment or a guarantee of continued employment or benefits. It does not create nor define any legal rights of district employees, nor impose any legal duty upon the district. The Board of Education, the Superintendent and district management reserve the right to add, amend or change the information in the handbook. Although every effort was made to ensure the accuracy of this information at the time of publication, changes may occur. Therefore, it is recommended that you check the collective bargaining agreement which applies to you, specific Board of Education policies and regulations or the Rules and Regulations of the Personnel Commission which can be found on the District website: <http://www.hlp schools.org>

# **I. THE HACIENDA LA PUENTE UNIFIED SCHOOL DISTRICT**

The Hacienda La Puente Unified School District is among the largest suburban school districts in the San Gabriel Valley. The district is governed by a five-member Board of Education and employs approximately 1,300 certificated and 1,000 classified employees. The district's total operating budget exceeds \$284 million.

Our kindergarten through 12<sup>th</sup> grade enrollment is more than 20,000 students. The district includes portions of the City of Industry, the city of La Puente and the unincorporated areas of Hacienda Heights and Valinda.

The Hacienda La Puente Unified School District has seventeen K-5/K-6 elementary schools, six K-8 schools, four middle schools, four comprehensive high schools, one alternative high school, a K-12 learning center, and an extensive child development and adult education program. The district also maintains a Central Administration Office, an Instructional Services Center and a Student Services Center.

A complete list of district schools and offices, along with contact information is available in the Appendix and on the district's website (<http://www.hlpschools.org>).

## **THE BOARD OF EDUCATION**

The Board of Education is composed of five elected officials who serve as the governing body for the school district. The Governing Board is elected by the community to provide leadership and citizen oversight of the district's schools. The Board works with the Superintendent as a team to fulfill its major roles, which include:

- Setting a direction for the district.
- Providing a basic organizational structure for the district by establishing policies.
- Ensuring accountability.
- Providing community leadership on behalf of the district and public education.

### Guiding Principles

The Board has developed a set of fundamental guiding principles which describe the district's beliefs, values or tenets. The following guiding principles were adopted by the Board of Education on August 16, 2007:

- We believe students, parents, staff and community have a shared responsibility for the establishment of a professional culture built upon dedication, honesty, integrity, pride, perseverance, collaboration, teamwork and mutual trust and respect.

- We believe students, parents, staff and community have a shared responsibility for recognizing the diverse learning styles and individual needs of our students and ensuring all students meet high learning standards.
- We believe students, parents, staff and community have a shared responsibility to create a learning environment reflecting our community's diversity that is safe, clean, supportive and responsive.
- We believe students, parents, staff and community have a shared responsibility to protect and preserve the short- and long-term financial well-being of the district.

### District Vision Statement

The Hacienda La Puente Unified School District is a community committed to developing lifelong learners who value themselves and the diversity of all people; apply decision-making skills leading to responsible actions; and use creativity, critical thinking, and problem solving in meeting the challenges of a changing society.

### Goals of the Board of Education

In order to provide a clear focus for district programs, activities and operations, the Governing Board has adopted six goals.

1. All students in the district will succeed in meeting high standards and achieving at high academic levels.
2. The district will provide a supportive and innovative learning environment rich in the visual and performing arts and a challenging course of study to meet the unique needs of every student.
3. The district will attract and retain quality personnel who demonstrate strong, positive leadership that promotes a culture of collaboration and teamwork and creates an environment in which all stakeholders feel respected, valued and are dedicated to every student's success.
4. The district will efficiently expend and effectively maximize all resources to fulfill educational priorities, while sustaining and maintaining long-term financial stability.
5. The district will provide its students and employees with safe, orderly and clean schools and district sites.
6. The district will continue to develop, sustain, recognize and promote programs of excellence and strong partnerships with parents and the community which result in high levels of success for all students.

We welcome you as a new employee of the Hacienda La Puente Unified School District. As you can tell from our guiding principles, our vision statement and our goals, we take our commitment to students very seriously as they represent our future. We wish you success and happiness in your new position and throughout your career with our district.



## **II. THE BASICS FOR NEW EMPLOYEES**

The work you perform as an employee is ultimately for the purpose of serving the students of our district. You have a valuable role in making the district an effective and efficient organization that educates and serves all of our students.

### **PROFESSIONAL STANDARDS**

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

Each certificated and classified position in our district represents a service that is important in carrying on the program of public education. The community expects much from its public employees; and the Board of Education believes that, since our employees are working in an educational environment, they should conduct themselves in a manner that will serve as a good example to our students.

Public education is a cooperative venture involving the services of many people. The district functions best when there is a spirit of cooperation among all employees and when the employees have confidence in and respect for the rights and responsibilities of others.

### **EMPLOYEE RESPONSIBILITIES AND DUTIES**

All employees shall fulfill the duties and responsibilities set forth in their job descriptions and shall comply with Board of Education policies, administrative regulations, the Rules and Regulations of the Personnel Commission, applicable employee agreements, and local, state and federal laws.

### **OATH OR AFFIRMATION/DISASTER SERVICE WORKERS**

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

resources, all district employees are subject to disaster service activities as assigned to them by their supervisors or by law. (Government Code 3100-3102)

### **LEGAL STATUS REQUIREMENT/CRIMINAL RECORD CHECK**

The district shall hire only U. S. citizens and aliens who are lawfully authorized to work in the United States. All new employees shall show appropriate documents which certify that they are legally eligible to work in the United States, as required by law.

All employees and volunteers in the Hacienda La Puente Unified School District must be fingerprinted, and the prints are transmitted to the California Department of Justice and the Federal Bureau of Investigations for a criminal records check. No employee or volunteer can perform any work in the district until this processing has been completed and it is determined that there is no criminal conviction that would prohibit the employee or volunteer from working with students and staff. In addition, the district receives subsequent arrest notification from the Department of Justice on employees and volunteers as provided under Penal Code 11105.2 and Education Code 44830.1.

### **DRESS AND GROOMING**

The Governing Board believes that district staff serve as role models for our students. The manner in which staff present themselves is reflected in the conduct of the students and the respect given district staff by the community. Just as one's overall attitude contributes to a productive learning and work environment, so do appropriate dress and grooming.

To this end, the Board encourages district staff to be neat, clean, and to wear clothing that demonstrates their high regard for education and presents an image consistent with the position held by the employee and their job responsibilities.

### **ATTENDANCE**

The contribution of each employee is critical and the efforts of each and everyone are needed to help our district in reaching its goals. Unnecessary absenteeism results in reduced productivity, reduced student learning, loss of service and significant cost to our district. It is the responsibility of the Hacienda La Puente Unified School District to ensure that employees clearly understand the expectation for performing their job duties and how their attendance impacts their performance. Specifically:

- Employees are expected to work the number of hours they are assigned.
- Employees are expected to be at their work sites on time.

- Employees are expected to comply with HLPUSD attendance procedures and the collective bargaining rules regarding the reporting of an absence and providing appropriate documentation when requested.

Illness leave benefits are provided to ease the financial burden on employees who are required to be absent from their position due to legitimate illness or injury or for reasons of personal necessity. Employees who use illness leave for unauthorized reasons are in violation of district policy.

### **MAILING ADDRESS REQUIREMENT**

Employees shall provide to their site administrator and the Human Resources Department their current mailing address and notify the Human Resources Department within 10 days of a change of address. You may request a change of address form by calling the Human Resources Department at extension 3840 or (626) 933-3840.

### **SALARY PAYMENTS**

The schedule for salary payments is as follows:

- Employees paid on a monthly basis are paid on the last working day of the month. If the last working day of the month falls on a non-business day, monthly employees will be paid on the workday immediately proceeding that date.
- Employees paid on an hourly basis are paid on the 10<sup>th</sup> of the month. If the 10<sup>th</sup> falls on a non-business day, hourly employees will be paid on the workday immediately preceding the 10<sup>th</sup>.

Employees are encouraged to use direct deposit for salary payments. An authorization for direct deposit can be obtained in the district's Payroll Department.

“Withholding” tax is a required deduction. The amount withheld is determined by your taxable gross pay and the withholding information you provide on your W-4 tax form. Federal Medicare tax also is deducted. Deductions also will be made for Social Security and CalPERS for classified employees who are eligible. Deductions for STRS will be made for eligible certificated employees. If you are represented by one of the three employee associations, monthly dues automatically will be deducted.

Other deductions, required and voluntary, will be itemized on your salary pay warrant.

## **EMPLOYEE ORGANIZATIONS**

Most employees are represented by exclusive bargaining representatives in matters related to wages, hours and other terms and conditions of employment. Teachers are members of the Hacienda La Puente Teachers Association. Classified supervisory employees are members of the Service Employees International Union, Local 99. Most remaining classified employees are members of the California School Employees Association.

Confidential employees and management employees are considered non-represented.

## **EMPLOYEE USE OF TECHNOLOGY**

The Governing Board recognizes that technological resources can enhance employee performance by improving access to and exchange of information, offering effective tools to assist in providing a quality instructional program, and facilitating district and school operations.

It is the policy of the Board that all users of the district's computer network resources submit a signed HLPnet membership application as acceptance of the terms and conditions for the appropriate use of these resources. It is important to remember that your district email account is reserved for district business purposes, and use of email and/or the district's computer system has no guarantee of privacy. Use of email and the district network is a privilege which can be revoked at any time.

Employees shall not remove any computer or peripheral equipment from district premises without the prior consent of the site or program administrator, and submission of a signed loan agreement per administrative regulation. In addition, employees shall not use personal computing or technology, including software, without prior review and consent of the Chief Technology Officer per administrative regulation.

A copy of Board policies and regulations related to the use of technology can be found in the Appendix.

## **CELLPHONE USAGE**

We live in an age when most employees have a personal cellphone in their possession at work. All employees must remember that it is not appropriate to receive or to place calls on a personal cellphone during your district paid work time. Under no circumstances should classroom instruction or the office work environment be interrupted by the ring of a cellphone. While at work, personal cellphones should be placed on vibrate or they should be turned off.

## **EVALUATION**

The Governing Board believes that regular and comprehensive evaluation can help staff improve their skills. Evaluations also serve to hold staff accountable for their performance. The performance of staff members is evaluated in accordance with law, the negotiated employee contracts, the Rules and Regulations of the Personnel Commission and/or Board of Education policy.

Evaluations are used to recognize the skills and accomplishments of staff and to identify areas needing improvement. When areas needing improvement are identified, the district expects employees to accept responsibility for improving their performance. Staff members are encouraged to take initiative in requesting assistance, as necessary, to promote effective performance in their position.

## **PERSONNEL FILES**

The district maintains personnel files for all of its current employees. Personnel files are confidential and are available only to the employee, persons authorized by the employee and those authorized by the Superintendent or Assistant Superintendent, Human Resources. Official employee files are maintained in the district's Human Resources Department.

When an employee is asked to sign any material that is to be placed in his/her personnel file, it is with the understanding that his/her signature signifies only that he/she has read the material and does not necessarily indicate agreement with its contents. In the event that an employee refuses to sign a given document that is to be placed in his/her file, he/she will be advised that it will be placed in his/her file with a note of refusal to sign.

When information of a derogatory nature is to be placed in an employee's personnel file, the employee will be given the opportunity to respond in writing prior to placement in the personnel file.

## **NON-DISTRICT EMPLOYMENT**

The district recognizes that district employees may receive compensation for outside activities as long as these activities are not inconsistent, incompatible or in conflict with the employee's duties or to the duties, functions or responsibilities of the district.

Outside paid activities are incompatible with district employment if they: require time periods that interfere with the proper, efficient discharge of the employee's duties; they entail compensation from an outside source for activities which are part of the employee's regular duties; or they involve using for private gain the district's name, time, facilities, equipment or supplies.

## **EMPLOYEE SAFETY/SECURITY**

The safety of students and staff is among the highest priorities for the Hacienda La Puente Unified School District. Injuries and illnesses create personal loss to employees, students and their families, and reduce the district's ability to provide a quality education program. All employees share responsibility for ensuring the safety of students and staff. The district expects all employees to use safe work practices and to correct any unsafe conditions which may occur. If an employee is unable to correct an unsafe condition, he/she is to immediately report the problem to his/her immediate supervisor.

All accidents involving district vehicles, damage to property, or injuries to students, employees or guests that occur on district property must be reported to the Police and Safety Department at extension 3899 or (626) 933-3899 no matter how trivial the problem may seem. Similarly, all incidents involving injuries to district employees must be reported immediately to the Risk Management Office at extension 3860 or (626) 933-3860.

## **EMPLOYEE PROPERTY REIMBURSEMENT**

The district does not authorize payment for the reimbursement of employee personal property that may be stolen, destroyed or damaged while being used for work-related purposes.

## **DISTRICT KEYS/ALARM CODES**

You may be issued district key(s) in accordance with your position in the district. All keys are issued by number. Under no circumstances are district keys to be duplicated or given to students and/or parents. In the event that a key is misplaced or lost, it is the employee's responsibility to immediately notify their supervisor.

If you are issued an alarm code, that code is for your use only. It is not to be given out to other employees, students and/or parents.

### **III. IMPORTANT DISTRICT POLICIES**

#### **NONDISCRIMINATION POLICY**

The Governing Board prohibits unlawful discrimination against and/or harassment of district employees and job applicants on the basis of actual or perceived race, color, national origin, ancestry, religion, age, marital status, pregnancy, physical or mental disability, medical condition, veteran status, gender, sex or sexual orientation at any district site and/or activity. The Board also prohibits retaliation against any district employee or job applicant who complains, testifies or in any way participates in the district's complaint procedures instituted pursuant to this policy.

Any district employee who engages or participates in unlawful discrimination or who aids, abets, incites, compels or coerces another to discriminate is in violation of this policy. Any district employee who observes or has knowledge of an incident of unlawful discrimination or harassment shall report the incident to their site administrator or to the Assistant Superintendent, Human Resources at extension 3830 or (626) 933-3830 as soon as practical after the incident. Failure to comply with provisions of this policy will result in disciplinary action.

A complete copy of the Board of Education's policy and administrative regulation regarding nondiscrimination in employment can be found in the Appendix.

#### **SEXUAL HARASSMENT POLICY**

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

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 Assistant Superintendent, Human Resources at extension 3830 or (626) 933-3830. A supervisor, principal or other district administrator who receives a harassment complaint shall promptly notify the Assistant Superintendent, Human Resources.

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 will be subject to disciplinary action.

Complaints of sexual harassment shall be filed in accordance with Administrative Regulation 4119.11, Sexual Harassment. A copy of this regulation and related policies can be found in the Appendix. All complaints and allegations of sexual harassment will be kept confidential to the extent necessary to carry out the investigation or to take other subsequent necessary actions.

### **TOBACCO-FREE WORKPLACE**

The district recognizes the health hazards associated with smoking and the use of tobacco products, including the breathing of second-hand smoke, and desires to provide a healthy environment for students and staff.

The district prohibits the use of tobacco products at any time in district-owned or leased buildings, on district property and in district vehicles. This prohibition applies to all employees, students and visitors at any instructional program, activity or athletic event.

A copy of this policy and administrative regulation can be found in the Appendix.

### **DRUG AND ALCOHOL-FREE WORKPLACE**

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

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

A full copy of this policy can be found in the Appendix.

### **CIVILITY POLICY**

The district is committed to maintaining orderly educational and administrative processes in keeping schools and administrative offices free from disruptions and preventing unauthorized persons from entering school/district grounds. Members of the district staff will address parents, students and other members of the public with respect and expect the same in return.



This policy promotes mutual respect, civility and orderly conduct among district employees, parents, students and the public. This policy is not intended to deprive any person of his/her right of freedom of expression. Its purpose is to maintain, to the extent possible and reasonable, a safe, harassment-free workplace for our students and staff. In the interest of presenting district employees as positive role models to the students of our district, as well as to the community, the district encourages positive communication, and discourages volatile, hostile or aggressive actions.

The Civility policy and regulations can be found in the Appendix.

## **WEAPONS AND DANGEROUS INSTRUMENTS**

The Governing Board desires students and staff to be free from the danger presented by firearms and other weapons. The Board prohibits any person other than authorized law enforcement or security personnel from possessing weapons, imitation firearms, or dangerous instruments of any kind in school buildings, on school grounds or buses, or at a school-related or school-sponsored activity away from school, or while going to or coming from school.

Employees possessing or threatening others with a weapon, dangerous instrument or imitation firearm are subject to discipline, up to and including termination, in accordance with law, Board policy and administrative regulations.

A full copy of this policy can be found in the Appendix.

## **CHILD ABUSE REPORTING**

The Governing 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.

School district employees are mandated reporters and are obligated to report all known or suspected incidents of child abuse and neglect. The reporting duties of mandated reporters are individual and cannot be delegated to another person. As a mandated reporter, it is not your responsibility to investigate such incidents. Your duty is to cooperate with agencies that are responsible for investigating cases of child abuse and neglect.

Immediately, or as soon as practicably possible, after knowing or observing suspected child abuse or neglect, a mandated reporter shall make a report to the Child Abuse Hotline. Contact information is as follows:

Department of Children and Family Services  
Child Abuse Hotline  
3075 Wilshire Blvd. 5<sup>th</sup> Floor  
Los Angeles, CA 90010  
(800) 540-4000

A follow-up telephone call also should be made to the Department of Police and Safety at extension 3899 or (626) 933-3899. A written report of the incident must be sent to the Department of Children and Family Services within 36 hours.

The complete Child Abuse policy and regulations can be found in the Appendix.

### **POLITICAL ACTIVITIES OF EMPLOYEES**

The District respects the right of school employees to engage in political discussions and activities on their own time and at their own expense. On such occasions, employees shall make it clear that they are acting as individuals and not as representatives of the district. Employees shall refrain from prohibited activities which are identified in law and administrative regulation. Prohibited activities include:

1. Use of district funds, services, supplies or equipment to urge the passage or defeat of any ballot measure or candidate, including any candidate for election to the Governing Board.
2. During working hours and on district property, solicit or receive any political funds or contributions to promote the passage or defeat of a ballot measure that would affect the rate of pay, hours of work, retirement, civil service or other working conditions.
3. During working hours and on district/school property, solicit or receive any political funds or contributions to promote the passage or defeat of other types of ballot measures.
4. Use of district/school time to urge the passage or defeat of any ballot measure or candidate.
5. Use of district/school equipment for the preparation or reproduction of political campaign materials, even if the district is reimbursed.
6. Post or distribute political campaign materials on district property.
7. Disseminate political campaign materials through the district's mail service, email or staff mailboxes.

8. Use students to write, address or distribute political campaign materials.
9. Present viewpoints on particular candidates or ballot measures in the classroom without giving equal time to the presentation of opposing views.
10. Wear buttons or articles of clothing that express political opinions on ballot measures or candidates during instructional time.

## IV. EMPLOYEE BENEFITS AND LEAVES

### MEDICAL, DENTAL AND VISION CARE

The Hacienda La Puente Unified School District provides an insurance program that gives the greatest amount of coverage for employees while keeping the costs within the means of the district. All fulltime employees are eligible for insurance coverage. Part-time employees should consult their collective bargaining contract to determine their eligibility.

The district currently provides family coverage through the following medical plans:

- Blue Cross Prudent Buyer Program
- Blue Cross Power Health Plan
- CaliforniaCare (HMO)
- Kaiser (HMO)

Dental plans include:

- Delta Dental
- Delta Care PMI (HMO)

Vision coverage is provided through Vision Service Plan (VSP).

Enrollment Period: All employees eligible for benefits (full or partial) have 30 days from their hire (or eligibility) date to enroll for medical, dental and/or vision coverage. All employees enrolling for benefits will need copies of marriage and birth certificates in order to enroll eligible dependents.

Change in Status: Any time there is a change in your family status (i.e., marriage, birth or adoption of a child; loss of a dependent's benefits, etc.), the employee has 30 days to add or delete family members from their medical, dental and/or vision coverage.

Open Enrollment: Open enrollment is scheduled during the last two months of each calendar year. Employees may change medical and/or dental plans during this time. Coverage under the new plan becomes effective January 1<sup>st</sup>.

IRC 125: The IRC 125 is a tax-advantage plan that provides employees with the opportunity to pay for any out-of-pocket premium costs for medical, dental and/or vision insurance with pre-tax dollars, thus reducing taxes and increasing spendable income. Election forms to participate in IRC 125 must be on file in the Benefits Office by January 1<sup>st</sup>, and will remain in force until amended or terminated. Questions regarding the IRC 125 plan can be answered by the Benefits Office at extension 3861 or (626) 933-3861.

Flexible Benefit Plans (American Fidelity): American Fidelity is the administrator for the district's Flexible Benefit Plan. This plan allows you to have a designated amount deducted from your paycheck before taxes for eligible medical and dependent care expenses. The maximum contribution that can be pre-taxed for medical expenses is \$3,600; and the maximum for dependent care is \$5,000. Open enrollment for these plans is held in November and December of each year, with an effective date of January 1. Questions regarding the Flexible Benefit Plan can be answered by the Benefits Office at extension 3861 or (626) 933-3861.

## **LEAVES OF ABSENCE**

The Governing Board recognizes the need to provide for leaves of absence for justifiable reasons. Such leaves are authorized pursuant to law, Board policy, administrative regulation and/or collective bargaining agreements.

Employees who belong to an employee association (HLPTA, CSEA, SEIU) will find detailed information on paid and unpaid leaves of absence in their collective bargaining agreement.

Non-represented, confidential employees shall be entitled to those leave provisions provided in the classified bargaining agreement unless otherwise specified in Board policy, administrative regulations or the Rules and Regulations of the Personnel Commission. Certificated and classified management employees shall be entitled to those leave provisions provided in the certificated bargaining agreement unless otherwise specified in Board policy, administrative regulations, individual contract or the Rules and Regulations of the Personnel Commission.

### Family Care and Medical Leave

The district complies with state and federal laws and regulations regarding Family and Medical Leave (FMLA). FMLA is coordinated with other available leaves as permitted by law. See the Appendix for Employee Rights and Responsibilities Under the Family and Medical Leave Act.

Questions regarding leaves of absence can be answered by the Director, Human Resources at extension 3835 or (626) 933-3835.

## **EMPLOYEE ASSISTANCE PROGRAM (EASE)**

The Board of Education recognizes that some employees will experience problems which may adversely impact job performance. Ordinarily employees will overcome such problems independently, and the effect on job performance will be negligible; however, there may be times when referral to an appropriate community, public and/or private

resource may assist in the resolution of such problems. To assist employees and their families in the resolution of problems which may impact job performance, the Board of Education provides an employee assistance program, EASE.

EASE provides professional counselors who can help school district employees with the following types of problems:

- Family troubles with spouse or children
- Emotional distress
- Drug or alcohol abuse
- On-the-job anxieties and stress
- Grief, loss and transitions

Counselors will help employees and/or their family members find positive ways of dealing with concerns and provide support toward resolving issues. The services provided by EASE are immediate and confidential.

The telephone number for EASE is (800) 882-1341.

### **WORK-RELATED INJURIES**

The Governing Board provides its employees with workers' compensation benefits in accordance with law. An employee shall report any work-related injury or illness to his/her supervisor as soon as practicable. Such injuries will be promptly reported to the Risk Management Office at extension 3860 or (626) 933-3860. Employees with work-related injuries or illnesses will be referred to one of the district's industrial care facilities, unless the employee has previously pre-registered a personal physician for treatment. The pre-registration of a physician must be completed annually.

Additional information regarding industrial accident and illness leave benefits can be found in the collective bargaining agreements. Questions regarding workers' compensation benefits can be answered by the Risk Management Office at extension 3860 or (626) 933-3860.

## V. CERTIFICATED EMPLOYEE INFORMATION

### CODE OF ETHICS OF THE EDUCATION PROFESSION

#### Preamble

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

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

#### Principle I – Commitment to the Student

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

In fulfillment of this obligation to the student, the educator:

1. Shall not unreasonably restrain the student from independent action in the pursuit of learning.
2. Shall not unreasonably deny the student access to varying points of view.
3. Shall not deliberately suppress or distort subject matter relevant to the student's progress.
4. Shall make reasonable effort to protect the student from conditions harmful to learning or to health and safety.
5. Shall not intentionally expose the student to embarrassment or disparagement.
6. Shall not on the basis of race, color, creed, gender, national origin, marital status, political or religious beliefs, family, social, or cultural background, or sexual orientation, unfairly:

- Exclude any student from participation in any program
  - Deny benefits to any student
  - Grant any advantage to any student
7. Shall not use professional relationships with students for private advantage.
  8. Shall not disclose information in the course of professional service unless disclosure serves a compelling professional purpose or is required by law.

## Principle II – Commitment to the Profession

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

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

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

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



## CERTIFICATION AND RENEWAL REQUIREMENTS

All employees hired in positions requiring certification qualifications must possess the appropriate credential authorizing their employment from the California Commission on Teacher Credentialing (CCTC). It is the district's intent and desire to employ teachers with full credentials who possess the subject matter knowledge and teaching skills required by the federal No Child Left Behind Act (NCLB) and who are authorized to address the learning needs of our English Language Learner population.

Each certificated employee assumes the responsibility for renewing his/her credential as required. The CCTC requires credential renewals to be processed directly online on their website. The CCTC website address is <http://www.ctc.ca.gov>.

Once your renewal is processed, the CCTC will send you an email confirming the renewal of your credential(s). Upon receipt of that email, you must bring it to the Human Resources Department so that we are able to register your renewed credential with the Los Angeles County Office of Education. **The District must receive your renewed credential information no later than one month prior to the previous credential's expiration date to ensure no interruption to your pay warrant.**

At the time of your first renewal of a clear credential, you may be asked to provide verification of years of employment. The Human Resources Credential Technicians will provide assistance with this process.

If you have any questions regarding your credential(s) or the renewal process, please contact the Credential Technicians at extensions 3844 and 3845 or (626) 933-3844/3845.

## LESSON PLANS

It is the district's expectation that teachers will prepare daily lesson plans for each of their classes. Lesson plans are to reflect appropriate instructional activities that are consistent with district goals and objectives, and assist all students in meeting district grade level/subject standards, as well as demonstrating proficiency on state required examinations.

## PROFESSIONAL DEVELOPMENT

The Governing Board believes that, in order to maximize student learning and achievement, certificated staff members must be continuously learning and improving their skills. A program of ongoing professional development is offered by the district and includes opportunities for teachers to enhance their instructional and classroom management skills and increase their knowledge of academic content in the core curriculum. See your site administrator for a calendar of professional development activities.

Attendance at workshops and conferences offered by vendors outside of the district and/or state are contingent upon the availability of budgeted funds and the advanced approval to attend by the immediate supervisor. Out-of-state conferences require advanced approval of the Board of Education.

### Beginning Teacher Support/Induction

The district recognizes that intensive professional development and support will increase beginning teachers' effectiveness in applying their academic preparation in the classroom and result in increased retention of capable beginning teachers. All first- and second-year teachers with preliminary credentials will receive individualized guidance to help them make an effective transition into their teaching career.

The district's Induction Program, which has been approved by the California Commission on Teacher Credentialing, supports beginning teachers in meeting the competencies described in the California Standards for the Teaching Profession. Successful completion of the Induction Program allows teachers to fulfill the requirements of the professional clear multiple- or single-subject teaching credential.

Questions regarding the Induction Program can be answered by the Director, Human Resources at extension 3835 or (626) 933-3835 or by the Coordinator, Beginning Teacher Support at extension 4328 or (626) 933-4328.

## **TUTORING**

The district expects teachers and other members of the instructional staff to make every effort to resolve students' learning problems at school before recommending that a parent/guardian engage a tutor or other professional help. By maintaining a competent, dedicated staff, adequate instructional resources, and intervention programs, the district seeks to minimize the need for individual tutoring.

To preclude conflicts of interest, teachers may not accept any kind of remuneration for tutoring a student enrolled in any of their classes.

## **ABSENCES – AESOP AND LESSON PLANS**

K-12 classroom teachers must make arrangements for substitute coverage when they are absent from their teaching assignment. Absences must be reported on AESOP. This can be accomplished by telephone, 1-800-942-3767, or via the internet at <http://www.aesoponline.com>.

Upon initial employment, teachers will need to be registered to use AESOP. Your administrator can identify someone at the site to assist you with this process, or you can contact the Sub Desk at extension 3842 or (626) 933-3842 for assistance.

When absent, you also must contact your school site to advise them of your absence. You also must notify your school or department by 2:00 p.m. of the day preceding your return from absence so that the substitute can be released.

To ensure proper planning and continuity of instruction, it is the district's expectation that each teacher shall prepare lesson plans for substitute use when they are absent.

## **VI. THE PERSONNEL COMMISSION, THE MERIT SYSTEM**

### **MISSION STATEMENT**

The Personnel Commission is committed to providing professional, timely, efficient and effective service in attracting and retaining the best-qualified employees based on demonstrated job-related merit and fitness for the purpose of providing the District with a quality workforce that promotes a culture of teamwork, fairness and an environment dedicated to a student's success.

### **OVERVIEW**

The Hacienda La Puente Unified School District is a merit system employer for classified employees. A merit system is a form of civil service which covers a variety of human resource services for school district classified employment. Hacienda La Puente USD is one of more than 100 merit school districts in California. The merit system was adopted in 1970.

The Personnel Commission is composed of a three-member board of "known adherents" to the merit system to oversee the system by setting policy, adopting a budget, appointing a Director of Classified Personnel and staff to administer the program. Appointments are made alternately by the Board of Education and the classified employee organization, CSEA, and the third appointment is appointed jointly. Personnel Commission meetings are held at least once a month and are open to the public.

The main functions of the Personnel Commission are the selection, recruitment and certification of classified employees, classification, appeals of disciplinary action and rules.

The Personnel Commission Department offers a variety of organizational services which include:

- Recruiting and testing candidates for employment
- Performing position classification and reclassification studies
- Conducting salary studies and surveys
- Holding hearings on appeals of disciplinary actions
- Classified staff training programs

### **ACTIVITIES**

Through the Personnel Director, the Personnel Commission directs the activities of a staff of Human Resources professionals in the following areas:

**Classification:** Determining appropriate titles and classification levels based on duties and responsibilities performed and the minimum knowledge, skills, and abilities needed by the employees who perform them.

**Compensation:** Conducting surveys of salaries in the public sector and private industry for consideration in collective bargaining, recommending salaries for new classifications and conducting special salary and benefit studies.

**Recruitment:** Attracting well qualified job applicants from diverse segments of the population.

**Selection:** Designing and administering employment and promotional assessment procedures that identify the job related knowledge, skills, abilities, competencies and traits of applicants.

**Staff Development:** Providing a full range of professional staff development services and opportunities for classified employees.

**Legislation and Rules:** Interpreting related state laws and developing and maintaining merit system rules (copies of which are maintained in schools and offices throughout the district and on the Personnel Commission’s website, [www.hlpusdjobs.org](http://www.hlpusdjobs.org)) that govern issues related to classified employees, their rights and obligations.

**Appeals:** Hearing and adjudicating appeals of suspensions, demotions, dismissals, examination procedures, and medical disqualifications; directing and conducting investigations of alleged violations of rules and other matters affecting the merit system.

## **THE MERIT SYSTEM OF SELECTION**

The classified service consists of the majority of non-teaching employees of the district. They are hired under the provisions of the merit system that dictates that employees be selected and promoted on the basis of merit and fitness as demonstrated in a competitive selection process that assesses job related factors. Inherent in the concept of the merit system is that race, color, national origin, ancestry, age, marital status, gender, sexual orientation, religious creed, political affiliation, medical condition, physical disability, or mental disability are not considered in employment decisions.

## **THE EMPLOYMENT PROCESS IN THE CLASSIFIED SERVICE**

Classified employment opportunities announcing examinations scheduled for administration are published and available on the Personnel Commission’s website. Applications are only accepted for positions that are open for recruitment and may be submitted electronically through the HLPUSD Personnel Commission website. “Applicant Profiles” can be completed on-line at any time. If a profile is completed in

advance, an applicant need only update his/her profile and answer the supplemental questions in order to apply.

Applicants are typically notified by mail or email regarding the scheduling of the test administration. Candidates who are successful in the examination process and meet all employment requirements will have their names included on an eligibility list and may be considered to fill vacant positions in the job classification.

### **REGULARLY APPOINTED EMPLOYEE PROCESS**

An employee may be appointed to a regular position if the employee's name is:

- Among the top three (3) ranks of available candidates on the appropriate eligibility list.
- On a lower rank on the eligibility list, but the employee meets special requirements that a higher-ranking person on the list does not (e.g., language ability or specialized license). This option is only available when specifically authorized in the examination announcement. (PC Rule #6.2.12, Education Code 45277)

An employee may be appointed to a regular position anywhere if the employee is:

- Eligible for another reason, e.g., a transfer (change to a different classification with approximately the same salary range), change of location, or a reinstatement.

An employee who is regularly appointed from an eligibility list, will first be assigned on a "probationary" basis. Probationary status continues until the employee has successfully completed six (6) months or 130 days of paid service in the class, whichever is longer. Classes designated by the Commission as executive or administrative shall serve a probationary period of one (1) year of paid regular service in a classification before attaining permanent status in the classified service. Upon successful completion of the probationary period, the employee becomes "permanent" in the classified service. (PC Rule # 9.3.1, Education Code 45301)

To attain permanency in a classification, a probationary period must be served in every new class for which the employee is selected, whether it is the initial job with the school system or one which is reached by promotion, transfer, or demotion.

The many rights, privileges and benefits that a regular employee attains include:

- Competing in promotional examinations.
- Automatic pay raises through the steps of a salary range (unless assigned to a class with a single salary rate).
- Paid holidays and vacations.

- Paid leaves of absence, including illness, personal necessity, bereavement, jury duty, etc.
- Protection against suspension, demotion, or dismissal without just cause and due process.
- Health, vision, and dental care plans, and a life insurance program for benefit eligible employees.
- Eligibility, when qualified, for a retirement income through the California Public Employees' Retirement System (CalPERS).

## **EMPLOYMENT AND PROMOTIONAL INTERVIEWS**

When you are invited to an examination interview or an interview for appointment from an eligibility list to a specific position, you will be asked questions that indicate your ability to perform the duties of the class or position for which you are being considered. The test may include an assessment of skills, knowledge, abilities and/or personal characteristics that are necessary for successful job performance in the class for which the examination is being administered. You should not be asked questions relating to your race, color, national origin, ancestry, age, marital status, sex, sexual orientation, religious creed, political affiliation, medical condition, physical or mental disability, nor may the appointment decision be influenced by any of these factors. It is your responsibility to be on time for your appointment and to notify your supervisor of the appointment time.

## **REVIEWS AND APPEALS OF EXAMINATIONS**

Typically, written descriptive examination results, review procedures, and appeal deadlines are emailed or mailed to you soon after the administration of an examination in which you competed.

Examination records, including, but not limited to, test answer sheets, audio recordings of interviews, and the rating sheets of each member of an oral interview panel shall be retained for a period of one (1) year. (PC Rule #5.4.1)

A protest of any test part shall be made within five (5) working days after completion of the portion of the examination on which the protest is based. All protests shall be made in writing to the Personnel Director. Each protest shall give specific facts and reasons to support the protest and shall include supporting documentation or references.

Failure to file a protest in writing with the Personnel Director within the protest period shall constitute a waiver of the right to protest that part of the examination process.

The Personnel Director shall review and act upon all protests within five (5) working days of receipt of a timely filed protest. The Personnel Director may allow more than one answer to a question, disqualify a question, direct that an examination be re-scored, disqualify a rater or take any other appropriate action if the protest is valid. A protest

resulting in any change will result in the examination materials of all candidates or eligibles being reviewed and re-scored accordingly. (PC Rule #5.3)

### **APPEALS OF DISCIPLINARY ACTIONS**

The Education Code requires that classified employees who have passed probation and who file timely appeals of discipline (suspension, demotion, or dismissal) be provided with an appeal hearing.

A permanent employee who has been suspended, demoted or dismissed may appeal to the Commission within fourteen (14) days after receipt of a right to appeal letter from the Personnel Director by filing a written answer to the charge. (PC Rule #18.4.2.1)

A permanent employee who has not completed a subsequent probationary period may be demoted to the class from which promoted without right to an appeal or hearing by the Commission except when the demotion results in separation from the permanent classified services. (PC Rule #18.4.2.2)

### **LIMITED -TERM EMPLOYEE**

There are three kinds of limited-term assignments. When no eligibility list exists, an employee may be assigned in provisional status to a position until an eligibility list is produced. Provisional employees do not have a right to permanency in the position and may only compete in the examination for that class if they meet the minimum requirements of the class.

The second kind of limited-term assignment is a relief position. An employee is hired into a relief assignment when there is a special project or an unusually heavy work load which requires additional temporary help.

The third kind of limited-term assignment is a substitute. In this instance, an employee is assigned to replace a regular employee who is temporarily off duty.

An employee who is in a limited-term position and hired for day-to-day assignments is expected to be ready to report to the assigned location immediately after being notified of the job.

### **PROMOTION, CHANGE OF LOCATION AND TRANSFER OF CLASS**

**Promotion:** Movement to a position in a classification with a higher maximum salary rate by successfully competing in a competitive examination. Job announcement bulletins are sent to all schools and work locations announcing examinations to be given. At times, examinations are offered on a “promotional only” basis in which only district employees



may compete. District employees who have not yet passed their probationary period may compete for positions, but will not be placed on an eligibility list until they have completed the probationary period. If you do not see the bulletins, be sure to ask your supervisor or call the Personnel Commission at (626) 933-3920 for information. This information is also available on the Personnel Commission website at [www.hlpusdjobs.org](http://www.hlpusdjobs.org).

**Change of Location:** Reassignment of an employee from one position to another in the same classification. For example, an Office Assistant in one school may be assigned as an Office Assistant in another school. An employee who is to be transferred shall be notified in writing by the district at least five (5) working days prior to the effective date of the transfer. Usually, this kind of job change is not made until an employee's probationary period is completed. An employee shall not be transferred for punitive or disciplinary reasons except as provided under the disciplinary provisions of the Personnel Commission Rules. (PC Rule #11.1.2)

**Transfer of Class:** Reassignment of an employee from one classification to another classification with related requirements and duties. A request for a change of location or transfer of class must be submitted and be approved by the Personnel Director and ratified by the Personnel Commission. Employees requesting transfers are considered for appropriate positions along with candidates from the eligibility list. (PC Rule #11.1.4)

## **SENIORITY, LAYOFF AND REEMPLOYMENT RIGHTS**

Length of service is the only criteria used to determine the order of layoff within a class. The employee, who has been employed the shortest time in the class, plus higher classes, shall be laid off first. A classified employee who is laid off from a class and has achieved permanency in an equal or lower class shall have the right to displace a less senior employee in the equal or lower class. (PC Rule #19.1.2, 19.1.3, Education Code 45308)

A permanent classified employee who will suffer a layoff despite his/her displacement rights may accept a voluntary demotion or a lateral transfer. The voluntary demotion or lateral transfer requires the Commission to determine that the employee meets the minimum qualifications of the class and is qualified to perform the duties of the class. The Governing Board must approve any such voluntary demotion or lateral transfer. (PC Rule #19.1.4)

The names of classified employees laid off shall be placed on a reemployment list for the classification. Names on a reemployment list shall be in order of seniority in the class. Laid off employees are eligible for reemployment for thirty-nine (39) months. Reemployment shall be in the reverse order of layoff. Reemployment shall take precedence over employment of new candidates. Employees placed on reemployment lists shall have the right to compete in promotional examinations while on reemployment lists. (PC Rule #19.2.1, 19.2.3, Education Code 45298)

## **TRAINING OPPORTUNITIES**

The Personnel Commission provides staff development services for classified employees. Programs acquaint employees with the latest strategies, tools, and information to assist them in achieving their maximum performance potential.

Personnel Commission staff members are available to visit specific worksites to conduct training needs assessments and to assist employees in technical areas such as district/school practices and procedures.

## **VII. CLASSIFIED EMPLOYEE INFORMATION**

### **CODE OF ETHICS – CLASSIFIED EMPLOYEES**

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

As a School Employee I will:

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

## **WORK SCHEDULE**

The normal work period consists of eight (8) hours per day, five (5) days per week. During various points in the year a modified schedule may be implemented. An example of modified work schedule is four, 10-hour days per week (4/40). Please refer to your respective bargaining unit's agreement for further information.

During a 4/40 work schedule, in any week where there is a holiday, affected employees will be on an eight (8) hour per day, five (5) days per week plan for that work period. All leaves and vacation time will be accounted for in hours. A modified work schedule neither gives additional pay, leave, or vacation benefits, nor does it deprive any employee of benefits. The use of any modified schedule is to occur only when it is shown that the mission of the district is not hindered.

## **CLASSIFIED SALARY RANGES AND STEP INCREASES**

Salary placement of temporary, substitute and limited term employees will be at the first step of the appropriate salary range. Classified employees and retirees working in temporary, substitute, or limited term assignments shall be compensated in the same manner.

All new regular classified employees shall be paid in accordance with the salary range established for the class to which assigned. Initial placement will normally be the first step of the salary range. However, a new employee may be provided with advanced step placement upon recommendation of the appointing authority and approval by Human Resources based upon:

- Additional qualifying experience beyond that required for entry into the class.
- Additional education at the college level when related to the position, beyond the established educational requirements for entry into the class.
- Difficulty experienced in the recruitment of candidates to meet the vacancy needs in the class.
- Additional skills or qualifications of the candidate that make them especially qualified for the position.
- Evidence of currently receiving a salary greater than the first step of the salary for the classification.

When a probationary or permanent employee accepts a regular position on the first step of the salary range, salary advancement shall be granted upon completion of one (1) year in the position, if the employee actually renders service at least seventy-five (75) percent of the number of days of the employee's regular work year. If completion of this period is after the fifteenth of the month, step advancement shall be the first of the following month. Salary step advancement shall occur annually thereafter when at least seventy-five (75) percent of the year has been served. (PC Rule# 17.2.3)

## **OVERTIME COMPENSATION**

Mandated and/or required overtime is at the discretion of the district. Under no circumstances will any employee work overtime unless they have received prior approval from their supervisor. All overtime hours may be compensated at the rate of pay equal to time and one-half (1-1/2) the regular rate of pay of the employee. Overtime is defined to include any time worked in excess of eight (8) hours in any one day or in excess of forty (40) hours in any calendar week. In certain situations employees will earn compensatory time in lieu of overtime pay. Compensatory time will also be issued at a rate of time and one-half. All overtime must be authorized by your supervisor. Check with your supervisor to see if you will receive overtime pay or compensatory time for hours which exceed your normal work schedule.

## **MILEAGE REIMBURSEMENT**

Employees who must use their personal vehicle to travel while performing their duties are reimbursed for mileage when they use their own cars. The amount reimbursed will be at the rate designated by the district. Consult your supervisor for details if you believe you may be eligible.

## **VACATION**

Classified employees will earn vacation on the basis of years of service according to the following schedule:

- From the date of regular employment through the completion of five (5) years, one (1) day of vacation will be earned per month worked.
- From the beginning of the sixth (6) year through the completion of the tenth (10) year, one and one-quarter (1.25) days of vacation will be earned per month worked.
- From the beginning of the eleventh (11) year through the completion of the fifteenth (15) year, one and one-half (1.5) days of vacation will be earned per month worked.
- From the beginning of the sixteenth (16) year through the completion of the twentieth (20) year, one and three-quarter (1.75) days of vacation will be earned per month worked.
- From the beginning of the twenty-first (21) year, two (2) days of vacation will be earned per month worked.

Vacation shall be paid at the employee's current rate.

When a regular employee terminates employment, the employee shall be entitled to a lump sum compensation of all earned and unused vacation.

When a paid holiday falls within a scheduled vacation, the employee shall be paid for the holiday and shall not be charged vacation.

Please refer to your respective association agreement for more information.

## **HOLIDAYS**

Regular classified employees shall be entitled to paid holidays, which occur during their assigned work year, subject to eligibility provisions.

Any day defined as a holiday shall be paid at the regular rate of pay the employee would have received had the employee worked that day.

Authorized holidays are:

- Independence Day
- Labor Day
- Veterans' Day
- Thanksgiving Day
- The day immediately following Thanksgiving (Friday)
- Winter Holidays (2 days)
- New Year's Holidays (2 days)
- Martin Luther King, Jr. Day
- Lincoln's Birthday
- Presidents' Day
- One (1) day during the week of Spring Break (When spring break is before Easter, the holiday will be the Friday before Easter. When spring break follows Easter, the holiday will be on the Monday following Easter)
- Memorial Day

There also are three (3) paid non-work days during one (1) of the weeks of the Winter Break. The District will designate the specific week during which these days will be granted

## APPENDIX

### Board Policies and/or Administrative Regulations

- Board Policy/Administrative Regulation 1311 – Civility
- Board Policy/Administrative Regulation 3513.3 – Tobacco-Free Schools
- Board Policy/Administrative Regulation 3520 – Use of District Computers/Network
- Board Policy/Administrative Regulation 4119.11 – Sexual Harassment
- Board Policy/Administrative Regulation 4119.25 – Political Activities of Employees
- Board Policy 4020 – Drug and Alcohol-Free Workplace
- Board Policy 4030 – Nondiscrimination in Employment
- Administrative Regulation 4031 – Complaints Concerning Discrimination in Employment
- Board Policy 4040 – Employee Use of Technology
- Board Policy 4131.7 – Weapons and Dangerous Instruments
- Board Policy/Administrative Regulation 5141.4 – Child Abuse Reporting
- Board Policy/Administrative Regulation 5145.7 – Sexual Harassment (Students)

### Employee Rights and Responsibilities Under the Family and Medical Leave Act

2011 - 12 PreK–12 School Calendar

2011 – 12 Adult School Calendar

Site Addresses/Telephone Numbers

**CIVILITY**

The district is committed to maintaining orderly educational and administrative processes in keeping schools and administrative offices free from disruptions and preventing unauthorized persons from entering school/district grounds. Members of the district staff will address parents and other members of the public with respect and expect the same in return.

This policy promotes mutual respect, civility and orderly conduct among district employees, parents and the public. This policy is not intended to deprive any person of his/her right of freedom of expression but only to maintain, to the extent possible and reasonable, a safe harassment-free workplace for our students and staff. In the interest of presenting district employees as positive role models to the students of this district, as well as the community, the district encourages positive communication, and discourages volatile, hostile or aggressive actions. The district seeks public cooperation with this endeavor.

*Legal References*

EDUCATION CODE

*32210 Willful disturbance of public school*

*44014 Assaults, required report*

*44810 Interference*

*44811 Disruptions*

PENAL CODE

*243.5 Assault on school property*

*415.5 Unlawful fighting on school grounds*

*626.8 Schools*

*627.7 Misdemeanors, punishment*



**CIVILITY**

Any individual who disrupts or threatens to disrupt school/office operations; threatens the health and safety of students or staff; willfully causes property damage; uses loud and/or offensive language which could provoke a violent reaction; or who has otherwise established a continued pattern of unauthorized entry on school property will be directed to leave school or school district property promptly by the appropriate administrator or designee.

If any individual uses obscenities or speaks in a demanding, loud, insulting and/or demeaning manner, the administrator or employee to whom the remarks are directed will calmly and politely admonish the speaker to communicate civilly. If corrective action is not taken by the abusing party, the district employee will verbally notify the abusing party that the meeting, conference or telephone conversation is terminated and, if the meeting or conference is on district premises, the offending person will be directed to leave promptly.

When an individual is directed to leave under the above circumstances, the appropriate administrator or designee shall inform the person that he/she may be guilty of a misdemeanor in accordance with California Education Code 44811 and Penal Code 415.5 and 626.7, if he/she reenters any district facility within 30 days after being directed to leave, or within seven days if the person is a parent/guardian of a student attending that school. If an individual refuses to leave upon request or returns before the applicable period of time, the appropriate administrator or designee may notify law enforcement officials. An incident report should be completed for these situations.

When violence is directed against an employee, or theft against property, employees shall promptly report the occurrence to their principal or supervisor and complete the incident report. Employees and supervisors should complete an incident report and report to law enforcement, any attack, assault or threat made against them on school/district premises or at school/district sponsored activities.

When it is determined that a member of the public is in the process of violating the provision of this policy, an effort should be made to provide a written copy of this policy, including applicable code provisions, at the time of the occurrence. The employee will immediately notify his/her supervisor and provide a written report of the incident on the attached form.

**TOBACCO-FREE SCHOOLS**

The Governing Board recognizes that the health hazards associated with smoking and the use of tobacco products, including the breathing of second-hand smoke, are inconsistent with its goal to provide a healthy environment for students and staff.

*(cf. 3514 - Environmental Safety)*  
*(cf. 4159/4259/4359 - Employee Assistance Programs)*  
*(cf. 5030 - Student Wellness)*  
*(cf. 5131.62 - Tobacco)*  
*(cf. 5141.23 - Asthma Management)*  
*(cf. 6142.8 - Comprehensive Health Education)*  
*(cf. 6143 - Courses of Study)*

The Board prohibits the use of tobacco products at any time in district-owned or leased buildings, on district property, and in district vehicles. (Health and Safety Code 104420; Labor Code 6404.5; 20 USC 6083)

This prohibition applies to all employees, students, and visitors at any school-sponsored instructional program, activity, or athletic event held on or off district property. Any written joint use agreement governing community use of district facilities or grounds shall include notice of the district's tobacco-free schools policy and consequences for violations of the policy.

*(cf. 1330 - Use of School Facilities)*  
*(cf. 1330.1 - Joint Use Agreements)*

Prohibited products include any product containing tobacco or nicotine, including, but not limited to, cigarettes, cigars, miniature cigars, smokeless tobacco, snuff, chew, clove cigarettes, betel, and nicotine delivery devices such as electronic cigarettes. Exceptions may be made for the use or possession of prescription nicotine products.

Smoking or use of any tobacco-related products and disposal of any tobacco-related waste are prohibited within 25 feet of any playground, except on a public sidewalk located within 25 feet of the playground. (Health and Safety Code 104495)

*Legal Reference: (see next page)*

## TOBACCO-FREE SCHOOLS (continued)

### *Legal Reference:*

#### EDUCATION CODE

48900 *Grounds for suspension/expulsion*

48901 *Prohibition against tobacco use by students*

#### HEALTH AND SAFETY CODE

39002 *Control of air pollution from nonvehicular sources*

104350-104495 *Tobacco use prevention, especially:*

104495 *Prohibition of smoking and tobacco waste on playgrounds*

119405 *Unlawful to sell or furnish electronic cigarettes to minors*

#### LABOR CODE

3300 *Employer, definition*

6304 *Safe and healthful workplace*

6404.5 *Occupational safety and health; use of tobacco products*

#### UNITED STATES CODE, TITLE 20

6083 *Nonsmoking policy for children's services*

7100-7117 *Safe and Drug Free Schools and Communities Act*

#### CODE OF FEDERAL REGULATIONS, TITLE 21

1140.1-1140.34 *Unlawful sale of cigarettes and smokeless tobacco to minors*

#### PERB RULINGS

*Eureka Teachers Assn. v. Eureka City School District (1992) PERB Order #955 (16 PERC 23168)*

*CSEA #506 and Associated Teachers of Metropolitan Riverside v. Riverside Unified School District (1989) PERB Order #750 (13 PERC 20147)*

### *Management Resources:*

#### WEB SITES

*California Department of Education, Alcohol, Tobacco and Other Drug Prevention:*

<http://www.cde.ca.gov/ls/he/at>

*California Department of Education, Tobacco-Free School District Certification:*

<http://www.cde.ca.gov/ls/he/at/tobaccofreecert.asp>

*California Department of Public Health, Tobacco Control:*

<http://www.cdph.ca.gov/programs/tobacco>

*Occupational Safety and Health Standards Board: <http://www.dir.ca.gov/OSHSB/oshsb.html>*

*U.S. Environmental Protection Agency: <http://www.epa.gov>*

Policy Adopted: 04/27/2006

Policy Revised: 06/17/2011

**TOBACCO-FREE SCHOOLS**

**Notifications**

Information about the district's tobacco-free schools policy and enforcement procedures shall be communicated clearly to employees, parents/guardians, students, and the community. (Health and Safety Code 104420)

*(cf. 4112.9/4212.9/4312.9 - Employee Notifications)*

The Superintendent or designee may disseminate this information through annual written notifications, district and school web sites, student and parent handbooks, and/or other appropriate methods of communication.

Signs stating "Tobacco use is prohibited" shall be prominently displayed at all entrances to school property. (Health and Safety Code 104420)

**Enforcement/Discipline**

Any employee or student who violates the district's tobacco-free schools policy shall be asked to refrain from smoking and shall be subject to disciplinary action as appropriate.

*(cf. 4118 - Suspension/Disciplinary Action)*

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

*(cf. 5144 - Discipline)*

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

Any other person who violates the district's policy on tobacco-free schools shall be informed of the district's policy and asked to refrain from smoking. If the person fails to comply with this request, the Superintendent or designee may:

1. Direct the person to leave school property
2. Request local law enforcement assistance in removing the person from school premises
3. If the person repeatedly violates the tobacco-free schools policy, prohibit him/her from entering district property for a specified period of time

*(cf. 1250 - Visitors/Outsiders)*

*(cf. 3515.2 - Disruptions)*

The Superintendent or designee shall not be required to physically eject a nonemployee who is smoking or to request that the nonemployee refrain from smoking under

AR 3513.3(b)

**TOBACCO-FREE SCHOOLS** (continued)

circumstances involving a risk of physical harm to the district or any employee. (Labor Code 6404.5)

Approved: 04/27/2006  
Revised: 05/10/2011

**USE OF DISTRICT COMPUTERS/NETWORK**

**HLPnet Acceptable Use Policy**

Given that the Governing Board recognizes the growing importance of, and demand for, computer network resources within the instructional and administrative processes, it is the policy of the Board that all users of these resources available through the district must submit an appropriately signed HLPnet membership application as acceptance of the terms and conditions for the appropriate use of these network resources as set forth in administrative directive and the Children's Internet Protection Act. This policy is necessary to establish the terms and conditions relative to membership application, information content, on-line conduct, grounds for access termination, access charges, and third party information, and to further provide protection against inappropriate use and intentional misuse of these resources that may expose students and others to unacceptable material and/or adversely affect other network users.

The Superintendent is authorized to prepare an administrative regulation to implement this policy. The directive will establish acceptable use terms and conditions for HLPnet, which will be applied to all existing and future users of this network.

**Computer Equipment Loan Agreement**

The Board recognizes the need for employees to use district-owned computer equipment for district-related tasks beyond district premises. The Superintendent or designee shall approve any removal of district-owned equipment from the district premise and ensure that all employees understand that personal use of district equipment is prohibited. When any equipment is taken from a district premise, the borrower is individually responsible for its safe return and shall be fully liable for any loss or damage.

## USE OF DISTRICT COMPUTERS/NETWORK

The District computer network (herein referred to as "HLPnet," "Network," or "System") of the Hacienda La Puente Unified School District (herein referred to as "District") is a service provided by the District and is a privilege, not a right. The System administrators of HLPnet are employees of the District and reserve the right to monitor all activity and material of users and services on HLPnet without further notice. Any device, whether personally or District owned, granted access to HLPnet is subject to the same monitoring while connected to or interacting with the System. On acceptance for Membership to HLPnet, Members (herein referred to as "Member") will be given an account name and password with authorization to System resources appropriate for the Member. Although called a Member "account," there are currently no charges to Members by HLPnet for System usage. The primary host and login information is provided upon acceptance and approval of the HLPnet Membership Application.

Because of the complex association between networks, the end user of any of these networks must adhere to strict guidelines. They are provided here so that Members and the parents of Members who are under 18 years of age are aware of the responsibilities they are about to acquire. HLPnet may modify these rules at any time by publishing the modified rule(s) on the System. The signature(s) at the end of HLPnet Membership application documents, or upon logging into HLPnet, is (are) legally binding and indicates the party (parties) who signed has (have) read these terms and conditions carefully and understand their significance.



#1501HLPnetMembershipApplication04.07.06.Eng.pdf

### Information Content and Uses of the System

Member agrees not to publish on or over the System any information which violates or infringes upon the rights and privacy of any other person or institution, or any information which would be abusive, profane or sexually offensive to a reasonable person, or which, without the approval of the System administrators, contains any advertising, political message, or any solicitation of other Members to use or provide goods or services. Member agrees not to use the facilities and capabilities of the System to conduct any business or activity or solicit the performance of any activity that is prohibited by law.

Because HLPnet provides, through connection to external Internet Service Provider(s) access to other computer systems around the world, Member (and the parent(s)/guardian(s) of Member if Member is under 18 years of age) specifically understands that the System administration and District do not have control of the content of information residing on these other systems. Members and the parents/guardians of Members who are under 18 years of age are advised that some systems may contain defamatory, inaccurate, abusive, obscene,

## **USE OF DISTRICT COMPUTERS/NETWORK**

profane, sexually oriented, threatening, racially offensive, or illegal material. HLPnet, the District, and the System administrators do not condone the use of such materials and do not permit usage of such materials in the school environment. Parents/guardians of minors having accounts on the System should be aware of the existence of such materials and monitor home usage of the System. Members knowingly bringing, creating, or accessing such materials into the District environment will be disciplined according to the discipline policies of the individual school site and the District, which may include termination, suspension and expulsion. Such activities may independently result in termination of their account on HLPnet and restitution for damages created as a result of inappropriate use. To the extent technically possible and by the requirement set fourth by the Children's Internet Protection Act (CIPA) and other requirements, the System administrator will operate and maintain network security and content filtering measures to enforce this policy.

HLPnet, the System administrators and the District do not warrant that the functions or services performed by, or that the information or software contained on the System, will meet the Member's requirements or that the operation of the System will be uninterrupted or error-free or on an "as is, as available" basis. HLPnet does not make any warranties, express or implied, including, without limitation, those of merchant-ability and fitness for a particular purpose, with respect to any services provided by same and any information or software contained therein.

### **Third Party Supplied Information**

Opinions, advice, services and all other information expressed by Members, information providers, service providers, or other third party personnel on HLPnet are those of the provider and not of HLPnet. Members are urged to seek professional advice for specific, individual situations.

Member may order services or merchandise from other agencies and Members of HLPnet, not affiliated with HLPnet, ("seller") through HLPnet. All matters concerning the merchandise and services ordered from seller, including but not limited to purchase terms, payment terms, warranties, guarantees, maintenance and delivery, are solely between the seller and the Member. HLPnet makes no warranties or representations whatsoever with regard to any goods or services provided by sellers. HLPnet, the District or the System administrators shall not be a party to such transactions or be liable for any costs or damages arising out of, either directly or indirectly, the actions or inactions of sellers.

### **Telecommunications and Other Charges or Costs**

HLPnet assumes no responsibility or liability for any telecommunication or other charges or costs including, but not limited to, long distance charges, per minute (unit) surcharges, DSL charges, cable modem charges, and/or equipment or line costs, incurred by Member while accessing HLPnet. Any disputes or problems regarding telephone services are strictly



## USE OF DISTRICT COMPUTERS/NETWORK

between Member and his/her local phone company, long distance service provider and/or communication service provider.

### Updating Member Account Information

HLPnet may occasionally require new registration and account information from Member to continue the service. Member must notify HLPnet of any changes in account information (address, phone, name, school enrollment, etc.) within ten business days.

### On-Line Conduct

Any action by a Member that is determined by a System administrator to constitute an inappropriate use of HLPnet or to improperly restrict or inhibit other Members from using and enjoying HLPnet is strictly prohibited and may result in termination of an offending Member's account, and/or other disciplinary measures. Member specifically agrees not to submit, publish, or display on HLPnet any defamatory, inaccurate, abusive, obscene, profane, sexually oriented, threatening, racially offensive or illegal material; nor shall Member encourage the use of controlled substances or promote any illegal act. Transmission of material, information or software in violation of any local, state or federal law is prohibited and is a breach of the HLPnet terms and conditions.

Member, and/or the parent of the Member, if the Member is a minor, specifically agrees to indemnify HLPnet, the District, and the System administrators for any losses, costs, or damages, including reasonable attorney's fees incurred by HLPnet, the District, and the System administrators or their agents relating to, or arising out of, any breach of this section (On-Line Conduct) by Member.

HLPnet is to be used by Member for his/her personal and educational use only consistent with the goals and mission of the School District. Commercial uses of HLPnet are strictly prohibited unless prior written consent from the System administrators has been granted.

*Software Libraries:* Only public domain files, and files in which the author has given expressed consent for on-line distribution, may be uploaded to, or downloaded from, the software libraries. Any software having the purpose or affect of damaging or interfering with other Members' systems, or the HLPnet system (e.g. computer malware, viruses, worms, or Trojan horses, etc.) is specifically prohibited. The System administrators, at their sole discretion, reserve the right to refuse posting of files and content, and to remove files and content. The System administrators, at their sole discretion, reserve the right to immediately terminate the account of a Member who misuses the software libraries or other resources. System administrators do not necessarily inspect software uploaded by Members and HLPnet does not guarantee the suitability or performance of any software downloaded from HLPnet system or any other system accessed through HLPnet.

## USE OF DISTRICT COMPUTERS/NETWORK

*Copyrighted Material:* Copyrighted material must not be placed on any system connected to HLPnet, operated or owned by the District without the author's permission. Only the owner(s) or persons they specifically authorized may upload and/or use copyrighted material within the service. Member agrees to use the service in strict accordance with pertinent laws of the state of California and the United States of America, including, but not limited to, the Digital Millennium Copyright Act of 2000. (17 USD 101)

Any information, content, or software created, published, purchased, or maintained using District funds or resources, shall remain the property of the District and shall not be distributed, published or disclosed without permission.

*Public Domain Material:* Any Member may upload public domain programs to the System. Any Member may download public domain programs for their own use or non-commercially redistribute a public domain program. Member assumes all risks regarding the determination of whether a program is in the public domain.

*Public Posting Areas (Social Networks/ Electronic Conference):* Electronic messages are posted from systems connected to the Internet around the world and the HLPnet System administrators have no control on the content of the message posted from these other systems. To best utilize System resources, the System administrators will determine which content categories consistent with the provisions of AR 6163.4, "Internet Safety" are most applicable to the curricular needs of the School District and will carry this content on the local System. Inappropriate content, to the extent possible, will be filtered from access in accordance with CIPA requirements and local Board policies. The System administrators, at their sole discretion, further reserve the right to immediately terminate the account of a Member who misuses the Network. The Member's home school and/or the District may take additional disciplinary action.

*Real-Time/Interactive Communications Areas:* The System administrators, at their sole discretion, reserve the right to immediately terminate the account of a Member who misuses or interrupts the real-time conference features (talk/chat/internet relay chat) or video systems. Certain interactive communications may be restricted during certain hours of operation. These restrictions will be posted on the System and Member agrees to abide by these restrictions.

*Electronic Mail:* Electronic Mail ("Mail") is a message sent by or to a Member in correspondence with another person having Internet mail access using individually assigned electronic mail accounts. Electronic mail accounts hosted on systems owned, operated, or contracted by the District, are the property of the District and no rights to privacy are implied or extended by District to Member with such use. Messages received by the System are retained on the System and/or archived until such content exceeds the retention requirements consistent with Board of Education policies as well as state and federal laws. A canceled HLPnet account will not delete the associated archived mail, although Member of canceled

## USE OF DISTRICT COMPUTERS/NETWORK

account shall not have access to the archive. Members are expected to remove old messages in a timely fashion and the System administrators may remove such messages if not attended to regularly by the Member. HLPnet will cooperate fully with local, state, or federal officials in any investigation concerning or relating to any mail transmitted on HLPnet.

*Disk Usage:* The System administrators may set quotas for disk usage on the System. A Member who exceeds his/her quota will be required to delete files to return to compliance. Members may request that their disk quota be increased by submitting a service request stating the need for the quota increase. A Member who remains in non-compliance of disk space quotas after seven days of notification will have their files removed by a System administrator.

*Security:* Security on any computer system is a high priority, especially when the system involves many users. If a Member feels that he/she can identify a security problem on HLPnet, the Member must notify a System administrator or e-mail [security@hlpusd.k12.ca.us](mailto:security@hlpusd.k12.ca.us) immediately. The Member shall not demonstrate or otherwise communicate the problem to others unless authorized by a System administrator. An authorized District staff person may allow students who are not Members to access the System through the staff person's account as long as the staff person does not disclose the password of the account to the students and understands that the staff person assumes responsibility for the actions of students using their account. Members may not otherwise let others use their account and password. Password to the System should not be easily guessable by others, nor should they be words that could be found in a dictionary. Attempts to login to the System using another Member's account or as a System administrator will result in termination of the account and further discipline including, but not limited to, termination, suspension and expulsion. Member, or parent/guardian of Member if Member is a minor, may be liable for any damages and expenses related to the Member's unauthorized access. Member should immediately notify a System administrator ([ncs@hlpusd.k12.ca.us](mailto:ncs@hlpusd.k12.ca.us)) if their password is lost or stolen, or if they have reason to believe that someone has obtained unauthorized access to their account. Any Member identified as a security risk or having a history of problems with other computer systems may be denied access to HLPnet.

*Authentication:* Each Member is required to authenticate him/herself using various security facilities, procedures and methods, as defined by the System administrator, prior to using or accessing any networked resource including, but not limited to, servers, networked laptops, networked printers, and the Internet. Authentication is defined as the process by which proper access by a known user is verified. Typically, this constitutes a username and password submission, but can use other or additional methods as well. Any attempt to knowingly deactivate or bypass authentication controls will result in cancellation of privileges and subject the Member to further disciplinary action according to school and District policies.

## USE OF DISTRICT COMPUTERS/NETWORK

*Vandalism/Hacking:* Vandalism (also referred to as "Hacking") will result in cancellation of privileges and subject the Member to further disciplinary action according to school and District policies. Vandalism is defined as any malicious or non-malicious attempt to harm, interfere with, capture, or destroy data and/or identity of another Member, HLPnet, or any of the agencies or other networks that are connected to external Internet Service Provider(s) or the Internet backbone. This includes, but is not limited to, the uploading or creation of computer viruses, Trojan horses and worms, etc.

### Termination of Account

The Member, or parent/guardian of Member, if Member is a minor, may terminate a Member's access to, and use of, HLPnet, by sending notice to a System administrator. Terminations by Member will be effective on the day that a System administrator receives a notice or on a future date if so specified in the notice. Accounts that are inactive for more than 30 days may be removed along with that Member's files without notice given to the Member.

The System administrators reserve the right, at their sole discretion, to suspend or terminate Member's access to and use of HLPnet upon any breach of the terms and conditions by Member. Prior to a suspension or termination or as soon after as is practicable, the System administrator will inform the Member of the suspected breach and give the Member an opportunity to present an explanation. Member may request a review hearing with a different System administrator than the System administrator that imposed the suspension or termination within seven days of such suspension or termination if Member feels that such action was unjust. After the review, access may be restored if the System administrator upholds Member's appeal.

### Enforcement Provisions

In order to ensure adherence to the terms and conditions, the System administrators reserve the right to monitor all activity on the System and to inspect any files, including mail, stored on the System at anytime.

### Other Provisions

The terms and conditions shall be interpreted, constructed and enforced in all respects in accordance with the laws of the State of California. Each party irrevocably consents to the jurisdiction of the courts of the State of California and the federal courts situated in the state of California, in connection with any action to enforce the provisions of the terms and conditions, to recover damages or other relief for breach or default under the terms and conditions, or otherwise arising under or by reason of the terms and conditions.

All Personnel

BP 4119.11(a)

4219.11

## SEXUAL HARASSMENT

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 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. (5 CCR 4964)

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

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

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

*(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.

**SEXUAL HARASSMENT (continued)**

(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

CODE OF REGULATIONS, TITLE 5

4900-4965 Nondiscrimination in elementary and secondary education programs receiving state financial assistance

UNITED STATES CODE, TITLE 42

2000d-2000d-7 Title VI, Civil Rights Act of 1964

2000e-2000e-17 Title VII, Civil Rights Act of 1964, as amended

2000h-2-2000h-6 Title IX, 1972 Education Act Amendments

CODE OF FEDERAL REGULATIONS, TITLE 34

106.9 Dissemination of policy

COURT DECISIONS

Department of Health Services v. Superior Court of California, (2003) 31 Cal.4<sup>th</sup> 1026

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

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

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

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

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

*Management Resources:*

OFFICE OF CIVIL RIGHTS AND NATIONAL ASSOCIATION OF ATTORNEYS GENERAL

Protecting Students from Harassment and Hate Crime, January, 1999

WEB SITES

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

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

U.S. Department of Education, Office of Civil Rights: <http://www.ed.gov/offices/OCR>

All Personnel

AR 4119.11(a)  
4219.11  
4319.11

## SEXUAL HARASSMENT

### Responsible District Officer

Subject to the authority of the Governing Board and the Superintendent, the Assistant Superintendent for Human Resources shall be responsible for overall implementation of policies and regulations prohibiting sexual harassment. Subject to the exceptions identified below, the Assistant Superintendent for Human Resources, or designee, will conduct the investigation into formal complaints of sexual harassment. The Assistant Superintendent for Human Resources shall ensure that this policy and regulation is appropriately distributed to employees and, with the consent of the Superintendent or designee, may initiate training and education programs as appropriate to enable employees to better understand the problems and consequences of sexual harassment.

### Complaint Process

Employees who feel aggrieved because of conduct that may constitute sexual harassment should directly inform the person engaging in such conduct that such conduct is unwelcome or offensive and should stop. However, if a direct discussion is uncomfortable or otherwise deemed inappropriate by the individual aggrieved because of alleged sexual harassment, then the following steps should be taken:

#### 1. Informal Resolution

The purpose of the informal complaint process is to allow an individual who believes he/she has been sexually harassed or discriminated against to resolve the issue through a consultation process rather than the formal complaint process provided by this directive.

When an employee feels that he or she has been sexually harassed, he/she should contact the Assistant Superintendent for Human Resources. If the alleged victim contacts an employee other than the Assistant Superintendent for Human Resources, it is the responsibility of that district employee to notify the Assistant Superintendent for Human Resources that a complaint has been received. The Assistant Superintendent for Human Resources shall serve as the responsible district officer. However, if the Assistant Superintendent for Human Resources is implicated in the complaint, the alleged victim should contact the Superintendent or designee who will then serve as the responsible district officer or designate another appropriate person. If the Superintendent or designee is implicated in the complaint, the complaining employee should contact a member of the Board. The Board will then designate a district employee, or another appropriate person, as the responsible district officer to resolve the complaint.

## SEXUAL HARASSMENT (continued)

The responsible district officer shall counsel the complainant and the alleged offender and outline possible options for informal resolution of the complaint. If an informal resolution is achieved, the complainant's decision not to proceed with the filing of a formal complaint shall be obtained in writing, after the complainant receives and reviews the formal complaint procedures. If informal resolution of the complaint cannot be achieved within 30 calendar days of the district's receipt of the complaint, the responsible district officer or designee shall provide the complainant with a copy of this policy and inform the complainant of the right to file a formal written sexual harassment complaint under this procedure.

### 2. Formal Complaints

If an employee feels that he or she has been subject to sexual harassment, the employee should make a formal written complaint to the district's Assistant Superintendent for Human Resources no later than six months from the date of the alleged sexual harassment occurred, or the date the complainant first obtained knowledge of the facts of the alleged sexual harassment, unless the time for filing is extended by the Superintendent or designee. Request for filing extensions shall be made to the Superintendent in writing. The Superintendent or designee may grant an extension for good cause for a period not to exceed 90 days following the expiration of the time allowed.

If the Assistant Superintendent for Human Resources is the individual's immediate supervisor or if the employee feels uncomfortable making the complaint to the Assistant Superintendent for Human Resources due to the Assistant Superintendent's involvement in the Informal Resolution process, the employee should contact the Superintendent, who, in consultation with the Board, shall determine with whom the complaint should be filed. If the Superintendent is the employee's immediate supervisor or if the employee feels uncomfortable making the complaint to the Superintendent or designee due to the Superintendent's or designee's involvement, if any, in the Informal Resolution process, the employee should contact a member of the Board. The Board will then designate an employee, or an outside investigator or investigators, to investigate the complaint.

The formal written complaint should state the name of the complainant, the date of the complaint, the date of the alleged harassment, the name or names of the harasser(s), where such harassment occurred, a detailed statement of the circumstances constituting the alleged harassment, and the requested remedy.



## SEXUAL HARASSMENT (continued)

### 3. Notice to Parties

Within 10 calendar days of receipt of a written complaint, or as soon thereafter as possible, the responsible district officer or designee, or outside investigator(s) shall:

- a. Meet with the employee if necessary to obtain clarification of the employee's written complaint of sexual harassment;
- b. Inform the alleged offender of the nature of the employee's complaint;
- c. Provide a copy of the district's sexual harassment policy and these procedures to the alleged offender; and
- d. Advise the employee and alleged offender that the complaint and the investigation including written reports and other written statements will be handled as confidentially as possible, consistent with a thorough investigation and appropriate disposition of the matter and current state and federal confidentiality and disclosure laws.

### Investigation

The responsible district officer shall conduct, or cause to be conducted, a thorough, objective, and equitable investigation of the complainant or designate appropriate individuals for that purpose. The investigation of complaints may be assigned to other staff or to outside persons or organizations. The investigation should, if at all possible, be commenced within 14 calendar days of receiving the written complaint or as soon thereafter as possible. An outside investigator or investigators may, subject to Board authorization, be engaged depending on the nature and scope of the allegations. The term investigator includes neutral fact finders or other professional qualified by training and experience to assist in sexual harassment complaint procedures and process.

The responsible district officer or designee shall consult with all individuals reasonably believed to have relevant information, including the complainant and the alleged harasser(s), any witnesses to the conduct, and victims of similar conduct, if any, that the responsible district officer or designee reasonably believes may exist. The investigation shall be carried on discreetly, maintaining confidentiality of the complainant and the alleged offender insofar as legally and practically possible, while still conducting an effective and thorough investigation. In determining whether the alleged conduct constitutes sexual harassment, the responsible district officer or designee should look at the record as a whole and the totality of the circumstances, such as the nature of the alleged sexual harassment and the context in which the alleged incidents occurred.

## SEXUAL HARASSMENT (continued)

### 4. Investigation Report and Decision

Within 60 calendar days of receiving the formal complaint, unless due to the nature and complexity of the evidence or the unavailability of relevant witnesses additional time is required, and the complainant agrees in writing to an extension, the responsible district officer shall communicate in writing the district's final administrative decision to the complainant and the alleged offender. The district's final administrative decision shall include at least the following: (a) a summary of the investigative report; (b) an administrative determination regarding whether discrimination did or did not occur with respect to each allegation of the complaint; (c) a description of actions taken, if any, to prevent similar problems from occurring in the future; (d) the proposed resolution of the complaint and; (e) the complainant's and the alleged offender's right to appeal to the State Department of Education and the procedures for initiating an appeal.

### Appeal Procedures

If a complainant or alleged offender is not satisfied with the results of the district's final administrative decision, the complainant, or alleged offender may, within 15 calendar days, submit a written appeal to the State Department of Education. The party appealing the decision shall specify the reasons for the appeal and include with the appeal a copy of the complaint and the district's final administrative decision. Copies of all appeals shall be given to all other complainants and alleged offenders.

### 5. Remedial Actions

If the investigation reveals there is reasonable cause to believe that sexual harassment has occurred, the district shall take appropriate action to ensure that the harassment ceases and will not reoccur. Actions taken in response to allegations of harassment may include reprimand, reassignment, transfer, termination or other disciplinary action.

Sexual harassment shall be deemed to constitute just and reasonable cause for discipline and shall be deemed to be insubordination and a violation and refusal to obey the school laws of California or reasonable regulations for the good governance of the district.

The harasser(s) and other employees, if appropriate, will be informed that appropriate action shall be taken if further acts of harassment or retaliation occur. If further acts of harassment or retaliation do occur, appropriate action shall be taken.

## **SEXUAL HARASSMENT (continued)**

### **Relationship to Other Enforcement Mechanisms**

The district's sexual harassment policies and procedures are intended to supplement, and not replace, any applicable state and federal laws and regulations. Employees may also request that other state and federal governmental agencies investigate complaints of sexual harassment. For example, any employee who thinks he or she has been harassed or retaliated against for resisting or complaining about harassment may file a complaint with any of the following agencies:

California Department of Fair Employment and Housing  
611 West Sixth Street, Suite 1500  
Los Angeles, California 90017  
(213) 439-6799  
(800) 884-1684

Office for Civil Rights  
50 United Nations Plaza, Room 239  
San Francisco, California 94102  
(415) 556-4275

Equal Employment Opportunity Commission  
255 East Temple, 4th Floor  
Los Angeles, California 90012  
213-894-1000

### **Definitions**

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 expressly 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 unreasonably interfering with the other individual's work performance; creating an intimidating, hostile, or offensive work environment; or adversely affecting the other individual's evaluation, advancement, assigned duties, or any other condition of employment or career development

**SEXUAL HARASSMENT (continued)**

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 e-mails; 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**

By January 1, 2006, and every two years thereafter, 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 statutory law 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 practical examples aimed at instructing supervisors in the prevention of harassment, discrimination, and retaliation. (Government Code 12950.1)

AR 4119.11(g)  
4219.11  
4319.11

**SEXUAL HARASSMENT** (continued)

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.

Regulation  
approved:

**HACIENDA LA PUENTE UNIFIED SCHOOL DISTRICT**  
City of Industry, California

**All Personnel**

BP 4119.25(a)

4219.25

**POLITICAL ACTIVITIES OF EMPLOYEES**

4319.25

The Governing Board respects the right of school employees to engage in political discussions and activities on their own time and at their own expense. On such occasions, employees shall make it clear that they are acting as individuals and not as representatives of the district.

*(cf. 1160 - Political Processes)*

Like other community members, employees may use school facilities for meetings under the Civic Center Act.

*(cf. 1330 - Use of School Facilities)*

Employees shall refrain from prohibited activities identified in law and administrative regulations. Employees who engage in these activities shall be subject to disciplinary action and/or criminal penalties.

Allegations of possible violation(s) of this policy shall be thoroughly investigated. Personnel found to have violated any provision of this policy will be subject to disciplinary action, up to and including termination, in addition to the criminal sanctions set forth in the Education Code and any other pertinent laws.

*(cf. 1325 - Advertising and Promotion)*

*(cf. 4118 - Suspension/Disciplinary Action)*

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

**Legal Reference:**

EDUCATION CODE

7050-7057 Political activities of school officers and employees

38130-38139 Civic Center Act

51520 Prohibited solicitations on school premises

GOVERNMENT CODE

3543.1 Rights of employee organizations

COURT DECISIONS

Downs v. Los Angeles Unified School District, (9th Cir. 2000) 228 F.3d 1003

California Teachers Association v. Governing Board of San Diego Unified School District, (1996) 45 Cal.App. 4th 1333

L.A. Teachers Union v. L.A. City Board of Education, (1969) 71 Cal.2d 551

ATTORNEY GENERAL OPINIONS

84 Ops.Cal.Atty.Gen. 106 (2001)

84 Ops.Cal.Atty.Gen. 52 (2001)

77 Ops.Cal.Atty.Gen. 56 (1994)

PERB RULINGS

California Federation of Teachers, Local 1931 v. San Diego Community College District (2001) PERB Order #1467 (26 PERC 33014)

BP 4119.25(b)  
4219.25  
4319.25

## **POLITICAL ACTIVITIES OF EMPLOYEES**

*Management Resources:*

CSBA PUBLICATIONS

*Political Activities of School Districts: Legal Issues, 1998, revised 2001*

WEB SITES

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

Office of the Attorney General, Dept. of Justice: <http://caag.state.ca.us/>

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

Policy Adopted: 05/11/2006  
Policy Revised: 05/13/2010

All Personnel

AR 4119.25(a)

4219.25

**POLITICAL ACTIVITIES OF EMPLOYEES**

4319.25

District employees shall not:

1. Use district funds, services, supplies or equipment to urge the passage or defeat of any ballot measure or candidate, including any candidate for election to the Governing Board (Education Code 7054)

*(cf. 1160 - Political Processes)*

2. During working hours and on district property, solicit or receive any political funds or contributions to promote the passage or defeat of a ballot measure that would affect the rate of pay, hours of work, retirement, civil service or other working conditions (Education Code 7056)

3. During working hours and on district/school property, solicit or receive any political funds or contributions to promote the passage or defeat of other types of ballot measures

4. Use district/school time to urge the passage or defeat of any ballot measure or candidate

5. Use district/school equipment for the preparation or reproduction of political campaign materials, even if the district is reimbursed

*(cf. 3512 - Equipment)*

6. Post or distribute political campaign materials on district property

7. Disseminate political campaign materials through the district's mail service, e-mail or staff mailboxes

*(cf. 4040 - Employee Use of Technology)*

8. Use students to write, address or distribute political campaign materials

9. Present viewpoints on particular candidates or ballot measures in the classroom without giving equal time to the presentation of opposing views

*(cf. 6144 - Controversial Issues)*

10. Wear buttons or articles of clothing that express political opinions on ballot measures or candidates during instructional time

However, teachers shall not be prohibited from wearing political buttons during noninstructional time, such as Back-to-School Night.



AR 4119.25(b)  
4219.25  
4319.25

**POLITICAL ACTIVITIES OF EMPLOYEES (continued)**

Nothing in Board policy or administrative regulation shall be construed to prevent employees from soliciting or receiving funds or contributions for political purposes during nonworking time, including before and after school, the lunch period or other scheduled work intermittency during the school day. (Education Code 7056)

**Employee Organizations**

Employee organizations shall not use district funds, services, supplies or equipment, such as the district mail system, to urge the passage or defeat of any ballot measure or candidate, including any candidate for election to the Board (Education Code 7054)

*(cf. 4140/4240 - Bargaining Units)*

Access to district communication channels shall be limited in cases where such access would be disruptive to district operations.

In the event of a concerted action or work stoppage, political activities by employee organizations and individual employees shall be restricted to peaceful informational picketing and other activities allowed by law.

*(cf. 4141.6/4241.6 - Concerted Action/Work Stoppage)*

Regulation  
approved:

**HACIENDA LA PUENTE UNIFIED SCHOOL DISTRICT**  
City of Industry, California

## 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 noninstructional time in the classroom or workplace, at extracurricular or cocurricular 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 and alcohol 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 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)*

**DRUG AND ALCOHOL-FREE WORKPLACE** (continued)

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

**Drug-Free Awareness Program**

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

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

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

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

*Legal Reference (see next page)*

**DRUG AND ALCOHOL-FREE WORKPLACE (continued)**

*Legal Reference:*

EDUCATION CODE

44011 *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. RagingWire Telecommunications, Inc.*, (2008) 42 Cal.4th 920

*Management Resources:*

WEB SITES

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

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

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

Policy Adopted: 05/11/2006

Policy Revised: 03/31/2011

**NONDISCRIMINATION IN EMPLOYMENT**

The Governing Board prohibits discrimination against and/or harassment of district employees and job applicants at any district site or activity on the basis of actual or perceived race, religion, color, national origin, ancestry, age, marital status, pregnancy, physical or mental disability, medical condition, genetic information, veteran status, gender, sex, or sexual orientation at any district site and/or activity.

*(cf. 0410 - Nondiscrimination in District Programs and Activities)*  
*(cf. 4032 - Reasonable Accommodation)*  
*(cf. 4119.11/4219.11/4319.11 - Sexual Harassment)*  
*(cf. 4119.41/4219.41/4319.41 - Employees with Infectious Disease)*  
*(cf. 4154/4254/4354 - Health and Welfare Benefits)*  
*(cf. 5145.7 - Sexual Harassment)*

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

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

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

*(cf. 4117.4 - Dismissal)*  
*(cf. 4118 - Suspension/Disciplinary Action)*  
*(cf. 4218 - Dismissal/Suspension/Disciplinary Action)*

The Board designates the following position(s) as Coordinator(s) for Nondiscrimination in Employment:

Assistant Superintendent, Human Resources  
15959 E. Gale Avenue  
P.O. Box 60002  
City of Industry, CA 91716-0002  
(626) 933-3830

## **NONDISCRIMINATION IN EMPLOYMENT (continued)**

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

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

*(cf. 4031 - Complaints Concerning Discrimination in Employment)*

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

### **Training and Notifications**

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

*(cf. 4131- Staff Development)*

*(cf. 4231- Staff Development)*

*(cf. 4331- Staff Development)*

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

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

#### *Legal Reference:*

EDUCATION CODE

200-262.4 Prohibition of discrimination

CIVIL CODE

51.7 Freedom from violence or intimidation

GOVERNMENT CODE

11135 Unlawful discrimination

12900-12996 Fair Employment and Housing Act

**NONDISCRIMINATION IN EMPLOYMENT (continued)**

PENAL CODE

422.56 *Definitions, hate crimes*

CODE OF REGULATIONS, TITLE 2

7287.6 *Terms, conditions and privileges of employment*

CODE OF REGULATIONS, TITLE 5

4900-4965 *Nondiscrimination in elementary and secondary education*

UNITED STATES CODE, TITLE 20

1681-1688 *Title IX of the Education Amendments of 1972*

UNITED STATES CODE, TITLE 29

621-634 *Age Discrimination in Employment Act*

794 *Section 504 of the Rehabilitation Act of 1973*

UNITED STATES CODE, TITLE 42

2000d-2000d-7 *Title VI, Civil Rights Act of 1964, as amended*

2000e-2000e-17 *Title VII, Civil Rights Act of 1964, as amended*

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

2000h-2-2000h-6 *Title IX of the Civil Rights Act of 1964*

12101-12213 *Americans with Disabilities Act*

CODE OF FEDERAL REGULATIONS, TITLE 28

35.101-35.190 *Americans with Disabilities Act*

CODE OF FEDERAL REGULATIONS, TITLE 34

100.6 *Compliance information*

104.7 *Designation of responsible employee for Section 504*

104.8 *Notice*

106.8 *Designation of responsible employee and adoption of grievance procedures*

106.9 *Dissemination of policy*

COURT DECISIONS

*Shephard v. Loyola Marymount, (2002) 102 CalApp.4th 837*

*Management Resources:*

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION PUBLICATIONS

*Questions and Answers: Religious Discrimination in the Workplace, 2008*

*Enforcement Guidance: Reasonable Accommodation and Undue Hardship under the Americans with Disabilities Act, October 2002*

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

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

*Notice of Non-Discrimination, January 1999*

WEB SITES

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

*U.S. Department of Education, Office for Civil Rights: <http://www.ed.gov/about/offices/list/ocr>*

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

Policy Adopted: 05/11/2006

Policy Revised: 05/25/2010

## COMPLAINTS CONCERNING DISCRIMINATION IN EMPLOYMENT

### Complaint Procedure

Any complaint by an employee or job applicant alleging discrimination or harassment shall be addressed in accordance with the following procedures:

1. **Notice and Receipt of Complaint:** Any employee or job applicant (the "complainant") who believes he/she has been subjected to prohibited discrimination or harassment shall promptly inform his/her supervisor, the district's Coordinator for Nondiscrimination in Employment, or the Superintendent.

The complainant may file a written complaint in accordance with this procedure, or if he/she is an employee, may first attempt to resolve the situation informally with his/her supervisor.

A supervisor or manager who has received information about an incident of discrimination or harassment, or has observed such an incident, shall report it to the Coordinator, whether or not the complainant files a written complaint.

The written complaint should contain the complainant's name, the name of the individual who allegedly committed the act, a description of the incident, the date and location where the incident occurred, any witnesses who may have relevant information, other evidence of the discrimination or harassment, and any other pertinent information which may assist in investigating and resolving the complaint.

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

*(cf. 4030 - Nondiscrimination in Employment)*

*(cf. 4032 - Reasonable Accommodation)*

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

2. **Investigation Process:** The Coordinator shall initiate an impartial investigation of an allegation of discrimination or harassment within five school days of receiving notice of the behavior, regardless of whether a written complaint has been filed or whether the written complaint is complete.

The Coordinator shall meet with the complainant to describe the district's complaint procedure and discuss the actions being sought by the complainant in response to the allegation. The Coordinator shall inform the complainant that the allegations will be kept confidential to the extent possible, but that some information may be revealed as necessary to conduct an effective investigation.

*(cf. 3580 - District Records)*

*(cf. 4112.6/4212.6/4312.6 - Personnel Files)*

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



**COMPLAINTS CONCERNING DISCRIMINATION IN EMPLOYMENT** (continued)

If the Coordinator determines that a detailed fact-finding investigation is necessary, he/she shall begin the investigation immediately. As part of this investigation, the Coordinator should interview the complainant, the person accused, and other persons who could be expected to have relevant information.

When necessary to carry out his/her investigation or to protect employee or student safety, the Coordinator may discuss the complaint with the Superintendent or designee, district legal counsel, or the district's risk manager.

The Coordinator also shall determine whether interim measures, such as scheduling changes, transfers, or leaves, need to be taken before the investigation is completed to ensure that further incidents do not occur. The Coordinator shall ensure that such interim measures do not constitute retaliation.

3. **Written Report on Findings and Corrective Action:** No more than 30 days after receiving the complaint, the Coordinator shall conclude the investigation and prepare a written report of his/her findings. This timeline may be extended for good cause. If an extension is needed, the Coordinator shall notify the complainant and explain the reasons for the extension.

The report shall include the decision and the reasons for the decision and shall summarize the steps taken during the investigation. If a determination has been made that discrimination or harassment occurred, the report also shall include any corrective action(s) that have been or will be taken to address the behavior, correct the effect on the complainant, and ensure that retaliation or further discrimination or harassment does not occur.

The report shall be presented to the complainant, the person accused, and the Superintendent or designee.

5. **Appeal to the Governing Board:** The complainant or the person accused may appeal any findings to the Board within 10 working days of receiving the written report of the Coordinator's findings. The Superintendent or designee shall provide the Board with all information presented during the investigation. Upon receiving an appeal, the Board shall schedule a hearing as soon as practicable. Any complaint against a district employee shall be addressed in closed session in accordance with law. The Board shall render its decision within 10 working days.

*(cf. 1312.1 - Complaints Concerning District Employees)*  
*(cf. 9321 - Closed Session Purposes and Agendas)*

**COMPLAINTS CONCERNING DISCRIMINATION IN EMPLOYMENT** (continued)**Other Remedies**

In addition to filing a discrimination or harassment complaint with the district, a person may also file a complaint with either the California Department of Fair Employment and Housing (DFEH) or the Equal Employment Opportunity Commission (EEOC). The time limits for filing such complaints are as follows:

1. To file a valid complaint with DFEH, within one year of the alleged discriminatory act(s), unless an exception exists pursuant to Government Code 12960 (Government Code 12960)
2. To file a valid complaint directly with EEOC, within 180 days of the alleged discriminatory act(s) (42 USC 2000e-5)
3. To file a valid complaint with EEOC after first filing a complaint with DFEH, within 300 days of the alleged discriminatory act(s) or within 30 days after the termination of proceedings by DFEH, whichever is earlier (42 USC 2000e-5)

*Legal Reference:*EDUCATION CODE*200-262.4 Prohibition of discrimination*GOVERNMENT CODE*12920-12921 Nondiscrimination**12940-12948 Discrimination prohibited; unlawful practices, generally*UNITED STATES CODE, TITLE 20*1681-1688 Title IX of the Education Amendments of 1972*UNITED STATES CODE, TITLE 29*621-634 Age Discrimination in Employment Act**794 Section 504 of the Rehabilitation Act of 1973*UNITED STATES CODE, TITLE 42*2001d-2001d-7 Title VI, Civil Rights Act of 1964**2001e-2001e-17 Title VII, Civil Rights Act of 1964, as amended**2000ff-2000ff-11 Genetic Information Nondiscrimination Act of 2008**2001h-2-2001h-6 Title IX of the Civil Rights Act of 1964**12101-12213 Americans with Disabilities Act*CODE OF FEDERAL REGULATIONS, TITLE 28*35.101-35.190 Americans with Disabilities Act*CODE OF FEDERAL REGULATIONS, TITLE 34*106.8 Designation of responsible employee for Title IX*

**COMPLAINTS CONCERNING DISCRIMINATION IN EMPLOYMENT** (continued)

*Management Resources:*

*EQUAL EMPLOYMENT OPPORTUNITY COMMISSION PUBLICATIONS*

*Enforcement Guidance: Reasonable Accommodation and Undue Hardship under the Americans with Disabilities Act, October 2002*

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

*WEB SITES*

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

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

Approved: 05/11/2006  
Revised: 04/27/2010

## EMPLOYEE USE OF TECHNOLOGY

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

*(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. 6162.7 - Use of Technology in Instruction)*  
*(cf. 6163.4 - Student Use of Technology)*

Employees shall be responsible for the appropriate use of technology according to the terms and conditions set forth by administrative regulations. Such use is a privilege which may be revoked at any time.

*(cf. 4119.25/4219.25/4319.25 - Political Activities of Employees)*

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

*(cf. 3520 - Use of District Computer/Network)*  
*(cf. 4118 - Suspension/Disciplinary Action)*  
*(cf. 4218 - Dismissal/Suspension/Disciplinary Action)*

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

*(cf. 4112.9/4212.9/4312.9 - Employee Notifications)*

In the event that the use of an electronic resource affects the working conditions of one or more employees, the Superintendent or designee shall notify the employees' exclusive representative.

*(cf. 4143/4243 - Negotiations/Consultation)*

**EMPLOYEE USE OF TECHNOLOGY (continued)**

*Legal Reference:*

EDUCATION CODE

51870-51874 *Education technology*

GOVERNMENT CODE

3543.1 *Rights of employee organizations*

PENAL CODE

502 *Computer crimes, remedies*

632 *Eavesdropping on or recording confidential communications*

VEHICLE CODE

23123.5 *Mobile communication devices; text messaging while driving*

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*

UNITED STATES CODE, TITLE 20

6751-6777 *Education Through Technology Act, No Child Left Behind Act, Title II, Part D*

6777 *Internet Safety*

*Management Resources:*

CDE PUBLICATIONS

*K-12 Network Technology Planning Guide: Building the Future, 1994*

CDE PROGRAM ADVISORIES

1223.94 *Acceptable Use of Electronic Information Resources*

WEB SITES

CDE: <http://www.cde.ca.gov>

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

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

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

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

**Personnel**

BP 4131.7(a)  
4231.7  
4331.7

**WEAPONS AND DANGEROUS INSTRUMENTS**

The Governing Board desires students and staff to be free from the danger presented by firearms and other weapons.

*(cf. 3515.3 - District Police/Security Department)*

**Possession of Weapons**

The Board prohibits any person other than authorized law enforcement or security personnel from possessing weapons, imitation firearms, or dangerous instruments of any kind in school buildings, on school grounds or buses, or at a school-related or school-sponsored activity away from school, or while going to or coming from school.

Employees possessing or threatening others with a weapon, dangerous instrument or imitation firearm are subject to discipline, up to and including termination, in accordance with law, Board policy and administrative regulations.

*(cf. 4117.4 - Dismissal)*

*(cf. 4118/4218/4318 - Suspension/Disciplinary Action)*

Under the power granted to the Board to maintain order and discipline in the schools and to protect the safety of students, staff and the public, any school employee is authorized to confiscate a weapon, dangerous instrument or imitation firearm from any person on school grounds.

*(cf. 4158/4258/4358 - Employee Security)*

The principal or designee shall notify law enforcement authorities when any student or employee possesses a firearm, explosive, or other dangerous weapon or instrument without permission, sells or furnishes a firearm, or commits any act of assault with a firearm or other weapon. (20 USC 7151; Education Code 48902; Penal Code 245, 626.9, 626.10)

*(cf. 3515.2 - Disruptions)*

**Use of Pepper Spray**

Employees wishing to carry pepper spray on school property or to a school-related activity shall submit to the Superintendent or Chief of Police and Safety a written request setting forth the need for the pepper spray. Should the Superintendent or Chief of Police and Safety determine that the employee may not carry pepper spray, the employee shall receive a written statement of the reason for this determination.

**WEAPONS AND DANGEROUS INSTRUMENTS (continued)**

*Legal Reference:*

EDUCATION CODE

35291 *Governing board to prescribe rules for discipline of the schools*  
44009 *Conviction of specified crimes*  
44660-44665 *Evaluation and assessment of performance of certificated employees*  
44933 *Other grounds for dismissal*  
44942 *Suspension or transfer of certificated employee on grounds of mental illness*  
44948.3 *Dismissal of employees on probation*  
45101 *Definitions*  
45260 *Rules; standards; authority of commission*  
45261 *Subjects of Rules*  
44932 *Grounds for dismissal of permanent employees; suspension of employees* 48902  
*Notification of law enforcement authorities*  
48915 *Required recommendation for expulsions*  
49330-49335 *Injurious objects*

PENAL CODE

245 *Assault with deadly weapon*  
417.4 *Imitation firearm; drawing or exhibiting*  
626.9 *Gun-Free School Zone Act of 1995*  
626.10 *Dirks, daggers, knives, razor or stun gun; bringing or possessing in school*  
653k *Soliciting a minor to commit certain felonies*  
12001 *Control of deadly weapons*  
12020-12036 *Unlawful carrying and possession of concealed weapons*  
12220 *Unauthorized possession of a machine gun*  
12401-12404 *Tear gas*  
12550-12556 *BB devices and imitation firearms*

UNITED STATES CODE, TITLE 20

6301-7941 *No Child Left Behind Act, especially: 7151 Gun-Free Schools Act*

*Management Resources:*

CALIFORNIA DEPARTMENT OF EDUCATION COMMUNICATIONS

0401.01 *Protecting Student Identification in Reporting Injurious Objects*

U.S. DEPARTMENT OF EDUCATION PUBLICATIONS

*Guidance Concerning State and Local Responsibilities Under the Gun-Free Schools Act, January 2004*

WEB SITES

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

California Department of Education, Safe Schools: <http://www.cde.ca.gov/l/s/ss>

National Alliance for Safe Schools: <http://www.safeschools.org>

National School Safety Center: <http://www.schoolsafety.us>

U.S. Department of Education, Office of Safe and Drug Free Schools:  
<http://www.ed.gov/about/offices/list/osdfs>

**Students**

**BP 5141.4(a)**

## **CHILD ABUSE REPORTING**

### **Child Abuse Reporting**

The Governing 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 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 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 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 REPORTING (continued)**

**Legal Reference:**

**EDUCATION CODE**

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

**PENAL CODE**

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

**WELFARE AND INSTITUTIONS CODE**

- 15630-15637 Dependent adult abuse reporting*

**CODE OF REGULATIONS, TITLE 5**

- 4650 Filing complaints with CDE, special education students*

**Management Resources:**

**CDE LEGAL ADVISORIES**

- 0514.93 Guidelines for parents to report suspected child abuse*

**WEB SITES**

- California Attorney General's Office, Crime and Violence Prevention Center: <http://safestate.org>*
- California Department of Education, Safe Schools: <http://www.cde.ca.gov/ls/ss>*
- California Department of Social Services, Children and Family Services Division: <http://www.childsworld.ca.gov>*
- U.S. Department of Health and Human Services, National Clearinghouse on Child Abuse and Neglect Information: <http://nccan.ch.acf.hhs.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)

**CHILD ABUSE PREVENTION AND REPORTING** (continued)

*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)

**CHILD ABUSE PREVENTION AND REPORTING (continued)**

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) Telephone reports may be made to the following child abuse reporting agency.

Department of Children and Family Services  
Child Abuse Hotline  
3075 Wilshire Blvd., 5<sup>th</sup> Floor  
Los Angeles, CA 90010  
(800) 540-4000

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.

**CHILD ABUSE PREVENTION AND REPORTING** (continued)

Record all required information on the Suspected Child Abuse Report form (SS 8572):

- a. Report information factually and objectively
- b. Avoid allegations regarding any suspected offender other than allegations that are part of the minor's explanation
- c. Record the minor's explanation as nearly verbatim as possible

Reports of suspected child abuse or neglect shall include, if known: (Penal Code 11167)

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

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

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

4. Disposition of the Written Report

- a. Mail all copies of the Suspected Child Abuse Report form to:

Department of Children and Family Services  
Child Abuse Hotline  
3075 Wilshire Blvd., 5<sup>th</sup> Floor  
Los Angeles, CA 90010

**CHILD ABUSE PREVENTION AND REPORTING (continued)**

- b. File a photocopy of the Suspected Child Abuse Report form at school (do not place in the student's CUM file)
- c. Make a notation of the suspected child abuse report on the student's health record under Supplementary Information, section 9. The notation should indicate only the Department of Justice Suspected Child Abuse Report form number SS 8572, the date an incident of suspected child abuse was reported, and the agency with which the report was filed. For example: SS 8572, 07/07/05, DFCS hotline
- d. Send a photocopy of the Suspected Child Abuse Report to the Executive Director, Student and Family Services at the Instructional Services Center (ISC)

4. Internal Reporting

The mandated reporter shall not be required to disclose his/her identity to his/her supervisor, the site administrator, or the Superintendent or designee. (Penal Code 11166) He/she may provide or mail a copy of the written report to the site administrator or designee, Superintendent or designee without his/her signature or name.

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

The site administrator or designee 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 site administrator or designee may assist in completing and filing the necessary forms.

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

If the site administrator is absent and the situation is such that the minor's person or health is endangered, the appropriate district administrator shall be contacted as soon as possible.

## **CHILD ABUSE PREVENTION AND REPORTING (continued)**

### **Training**

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

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

*(cf. 4119.21/4219.21/4319.21 - Professional Standards)*

*(cf. 4131 - Staff Development)*

*(cf. 4231 - Staff Development)*

*(cf. 4331 - Staff Development)*

*(cf. 5145.7 - Sexual Harassment)*

### **Victim Interviews by Social Services**

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

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

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

**CHILD ABUSE PREVENTION AND REPORTING (continued)**

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)

District form #233, Removal of Student from School During School Hours by a Peace Officer, shall be completed and kept on file at the school site office.

*(cf. 145.11 - Questioning and Apprehension by Law Enforcement)*

**Parent/Guardian Complaints**

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

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

*(cf. 1312.1 - Complaints Concerning District Employees)*

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. 1312.3 - Uniform Complaint Procedures)*



**CHILD ABUSE PREVENTION AND REPORTING** (continued)

**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, of 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)

Approved: 05/25/2006  
Revised: 01/25/2011

**SEXUAL HARASSMENT**

It is the policy of the Governing Board of the district to provide an educational environment free of unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct or communications constituting sexual harassment, as defined and otherwise prohibited by state and federal statutes and/or United States Equal Employment Opportunity Commission Guidelines.

It is not only unlawful but it shall be a violation of this policy for anyone who is authorized to recommend or take educational actions affecting an employee or student, or otherwise authorized to transact business, or perform other acts or services on behalf of the district to engage in sexual harassment as defined in administrative regulation.

Within the educational environment, sexual harassment is unlawful and is prohibited between students and between employees and students.

**Record-Keeping**

The Superintendent or designee shall maintain a record of all reported cases of sexual harassment to enable the district to monitor, address and prevent repetitive harassing behavior in its schools.

All complaints and allegations of sexual harassment shall be kept confidential except as necessary to carry out the investigation or take other subsequent necessary action. (5 CCR 4964)

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

*Legal Reference: (see next page)*

**SEXUAL HARASSMENT (continued)**

*Legal Reference:*

EDUCATION CODE

200-262.4 *Prohibition of discrimination on the basis of sex*  
48900.2 *Additional grounds for suspension or expulsion; sexual harassment*  
48904 *Liability of parent/guardian for willful student misconduct*  
48980 *Notice at beginning of term*

CIVIL CODE

51.9 *Liability for sexual harassment; business, service and professional relationships*  
1714.1 *Liability of parents/guardians for willful misconduct of minor*

CODE OF REGULATIONS, TITLE 5

4900-4965 *Nondiscrimination in elementary and secondary education programs receiving state financial assistance*

UNITED STATES CODE, TITLE 20

1681-1688 *Title IX, Discrimination*

UNITED STATES CODE, TITLE 42

2000d-2000d-7 *Title VI, Civil Rights Act of 1964*  
2000e-2000e-17 *Title VII, Civil Rights Act of 1964 as amended*

CODE OF FEDERAL REGULATIONS, TITLE 34

106.1-106.71 *Nondiscrimination on the basis of sex in education programs*

COURT DECISIONS

*Reese v. Jefferson School District*, (2001) 208 F.3d 736  
*Davis v. Monroe County Board of Education*, (1999) 526 U.S. 629  
*Gebser v. Lago Vista Independent School District*, (1998) 118 S.Ct. 1989  
*Nabozny v. Podlesny*, (1996, 7th Cir.) 92 F.3d 446  
*Doe v. Petaluma City School District*, (1995, 9th Cir.) 54 F.3d 1447  
*Oona R.-S. etc. v. Santa Rosa City Schools et al*, (1995) 890 F.Supp. 1452  
*Rosa H. v. San Elizario Ind. School District*, (W.D. Tex. 1995) 887 F. Supp. 140, 143  
*Clyde K. v. Puyallup School District #3*, (1994) 35 F.3d 1396  
*Patricia H. v. Berkeley Unified School District*, (1993) 830 F.Supp. 1288  
*Franklin v. Gwinnet County Schools*, (1992) 112 S. Ct. 1028  
*Kelson v. City of Springfield, Oregon*, (1985, 9th Cir.) 767 F.2d 651

*Management Resources:*

OFFICE OF CIVIL RIGHTS AND NATIONAL ASSOCIATION OF ATTORNEYS GENERAL

*Protecting Students from Harassment and Hate Crime: A Guide for Schools*, January 1999

OFFICE OF CIVIL RIGHTS' PUBLICATIONS

*Revised Sexual Harassment Guidance*, January 2001

*Sexual Harassment Guidance*, March 1997

WEB SITES

OCR: <http://www.ed.gov/offices/OCR>

**SEXUAL HARASSMENT**

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

1. Submission to the conduct is explicitly or implicitly made a term or condition of a student's academic status or progress
2. Submission to or rejection of the conduct by a student is used as the basis for academic decisions affecting the student
3. The conduct has the purpose or effect of having a negative impact on the student's academic performance or of creating an intimidating, hostile, or offensive educational environment
4. Submission to or rejection of the conduct by the student is used as the basis for any decision affecting the student regarding benefits and services, honors, programs, or activities available at or through any district program or activity

Examples of types of conduct which are prohibited in the district and which may constitute sexual harassment include, but are not limited to:

1. Unwelcome leering, sexual flirtations, or propositions
2. Unwelcome sexual slurs, epithets, threats, verbal abuse, derogatory comments, or sexually degrading descriptions
3. Graphic verbal comments about an individual's body or overly personal conversation
4. Sexual jokes, derogatory posters, notes, stories, cartoons, drawings, pictures, obscene gestures, or computer-generated images of a sexual nature
5. Spreading sexual rumors
6. Teasing or sexual remarks about students enrolled in a predominantly single-sex class
7. Massaging, grabbing, fondling, stroking, or brushing the body
8. Touching an individual's body or clothes in a sexual way

**SEXUAL HARASSMENT (continued)**

9. Impeding or blocking movements or any physical interference with school activities when directed at an individual on the basis of sex
10. Displaying sexually suggestive objects

**Coordinator for Nondiscrimination/Compliance Officer**

The Governing Board designates the following Coordinator for Nondiscrimination/Compliance Officer to receive and investigate complaints and to ensure district compliance with state and federal laws prohibiting student sexual harassment.

Associate Superintendent, Secondary Schools 6-12  
15959 East Gale Avenue  
P.O. Box 60002  
City of Industry, CA 91716-0002  
(626) 933-3815

**School-Level Complaint Process/Grievance Procedure**

1. **Notice and Receipt of Complaint:** Any student who believes he/she has been subjected to sexual harassment or who has witnessed sexual harassment may file a complaint with any school employee. Within 24 hours of receiving a complaint, the school employee shall report it to the district Coordinator /Principal for Nondiscrimination. In addition, any school employee who observes any incident of sexual harassment involving a student shall, within 24 hours, report this observation to the Coordinator/Principal, whether or not the victim files a complaint.

In any case of sexual harassment involving the Coordinator/Principal to whom the complaint would ordinarily be made, the employee who receives the student's report or who observes the incident shall instead report to the Superintendent or designee.

2. **Initiation of Investigation:** The Coordinator/Principal shall initiate an impartial investigation of an allegation of sexual harassment within five school days of receiving notice of the harassing behavior, regardless of whether a formal complaint has been filed. The district shall be considered to have "notice" of the need for an investigation upon receipt of information from a student who believes he/she has been subjected to harassment, the student's parent/guardian, an employee who received a complaint from a student, or any employee or student who witnessed the behavior.

**SEXUAL HARASSMENT (continued)**

If the Coordinator/Principal receives an anonymous complaint or media report about alleged sexual harassment, he/she shall consider the specificity and reliability of the information, the seriousness of the alleged incident, and whether any individuals can be identified who were subjected to the alleged harassment in determining whether it is reasonable to pursue an investigation.

3. **Initial Interview with Student:** When a student or parent/guardian has complained or provided information about sexual harassment, the Coordinator/Principal shall describe the district's grievance procedure and discuss what actions are being sought by the student in response to the complaint. The student who is complaining shall have an opportunity to describe the incident, identify witnesses who may have relevant information, provide other evidence of the harassment, and put his/her complaint in writing. If the student requests confidentiality, he/she shall be informed that such a request may limit the district's ability to investigate.
4. **Investigation Process:** The Coordinator/Principal shall keep the complaint and allegation confidential, except as necessary to carry out the investigation or take other subsequent necessary action. (5 CCR 4964)

The Coordinator/Principal shall interview individuals who are relevant to the investigation, including, but not limited to, the student who is complaining, the person accused of harassment, anyone who witnessed the reported harassment, and anyone mentioned as having relevant information. The Coordinator/Principal may take other steps such as reviewing any records, notes, or statements related to the harassment or visiting the location where the harassment is alleged to have taken place.

When necessary to carry out his/her investigation or to protect student safety, the Coordinator/Principal also may discuss the complaint with the Superintendent or designee, the parent/guardian of the student who complained, the parent/guardian of the alleged harasser if the alleged harasser is a student, a teacher or staff member whose knowledge of the students involved may help in determining who is telling the truth, law enforcement and/or child protective services, and district legal counsel or the district's risk manager.

*(cf. 5141.4 - Child Abuse Prevention and Reporting)*

**SEXUAL HARASSMENT** (continued)

5. **Interim Measures:** The Coordinator/Principal shall determine whether interim measures are necessary during and pending the results of the investigation, such as placing students in separate classes or transferring a student to a class taught by a different teacher.
6. **Optional Mediation:** In cases of student-to-student harassment, when the student who complained and the alleged harasser so agree, the Coordinator/Principal may arrange for them to resolve the complaint informally with the help of a counselor, teacher, administrator, or trained mediator. The student who complained shall never be asked to work out the problem directly with the accused person unless such help is provided and both parties agree, and he/she shall be advised of the right to end the informal process at any time.
7. **Factors in Reaching a Determination:** In reaching a decision about the complaint, the Coordinator/Principal may take into account:
  - a. Statements made by the persons identified above
  - b. The details and consistency of each person's account
  - c. Evidence of how the complaining student reacted to the incident
  - d. Evidence of any past instances of harassment by the alleged harasser
  - e. Evidence of any past harassment complaints that were found to be untrue

To judge the severity of the harassment, the Coordinator/Principal may take into consideration:

- a. How the misconduct affected one or more students' education
- b. The type, frequency, and duration of the misconduct
- c. The identity, age, and sex of the harasser and the student who complained, and the relationship between them
- d. The number of persons engaged in the harassing conduct and at whom the harassment was directed
- e. The size of the school, location of the incidents, and context in which they occurred

**SEXUAL HARASSMENT (continued)**

f. Other incidents at the school involving different students

8. **Written Report on Findings and Follow-Up:** No more than 60 calendar days after receiving the complaint, the Coordinator/Principal shall conclude the investigation and prepare a written report of his/her findings. This timeline may be extended for good cause. If an extension is needed, the Coordinator/Principal shall notify the student who complained and explain the reasons for the extension.

The report shall include the decision and the reasons for the decision and shall summarize the steps taken during the investigation. If sexual harassment occurred, the report shall also include any corrective actions that have or will be taken to address the harassment and prevent any retaliation or further harassment. This report shall be presented to the student who complained, the person accused, the parents/guardians of the student who complained and the student who was accused, and the Superintendent or designee.

In addition, the Coordinator/Principal shall ensure that the harassed student and his/her parent/guardian are informed of the procedures for reporting any subsequent problems. The Coordinator/Principal shall also make follow-up inquiries to see if there have been any new incidents or retaliation and shall keep a record of this information.

**Enforcement of District Policy**

The Superintendent or designee shall take appropriate actions to reinforce the district's sexual harassment policy. As needed, these actions may include any of the following:

1. Removing vulgar or offending graffiti

*(cf. 5131.5 - Vandalism, Theft, and Graffiti)*

2. Providing training to students, staff, and parents/guardians about how to recognize harassment and how to respond

*(cf. 4131 - Staff Development)*

*(cf. 4231 - Staff Development)*

*(cf. 4331 - Staff Development)*

3. Disseminating and/or summarizing the district's policy and regulation regarding sexual harassment



**SEXUAL HARASSMENT** (continued)

4. Consistent with the laws regarding the confidentiality of student and personnel records, communicating the school's response to parents/guardians and the community

*(cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information)*  
*(cf. 5125 - Student Records)*

5. Taking appropriate disciplinary action

In addition, disciplinary measures may be taken against any person who is found to have made a complaint of sexual harassment which he/she knew was not true.

*(cf. 4118 - Suspension/Disciplinary Action)*  
*(cf. 4218 - Dismissal/Suspension/Disciplinary Action)*  
*(cf. 5144.1 - Suspension and Expulsion/Due Process)*  
*(cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities))*

6. Notify Child Protective Services

**Notifications**

A copy of the district's sexual harassment policy and regulation shall:

1. Be included in the notifications that are sent to parents/guardians at the beginning of each school year (Education Code 48980; 5 CCR 4917)

*(cf. 5145.6 - Parental Notifications)*

2. Be displayed in a prominent location in the main administrative building or other area where notices of district rules, regulations, procedures, and standards of conduct are posted (Education Code 231.5)
3. Be provided as part of any orientation program conducted for new students at the beginning of each quarter, semester, or summer session (Education Code 231.5)
4. Appear in any school or district publication that sets forth the school's or district's comprehensive rules, regulations, procedures, and standards of conduct (Education Code 231.5)
5. Be included in the student handbook
6. Be provided to employees and employee organizations
7. Be posted on the district's website

**SEXUAL HARASSMENT (continued)**

**Appeal Process**

All decisions made under this procedure may be appealed by the aggrieved student to the Superintendent or Superintendent's designee. If a complainant is dissatisfied with the district's decisions, he/she may appeal in writing to the California Department of Education within 15 days of receiving the district's decision. (5 CCR 4632)

Approved: 05/25/2006  
Revised: 07/28/2009

# EMPLOYEE RIGHTS AND RESPONSIBILITIES UNDER THE FAMILY AND MEDICAL LEAVE ACT

## Basic Leave Entitlement

FMLA requires covered employers to provide up to 12 weeks of unpaid, job-protected leave to eligible employees for the following reasons:

- For incapacity due to pregnancy, prenatal medical care or child birth;
- To care for the employee's child after birth, or placement for adoption or foster care;
- To care for the employee's spouse, son or daughter, or parent, who has a serious health condition; or
- For a serious health condition that makes the employee unable to perform the employee's job.

## Military Family Leave Entitlements

Eligible employees with a spouse, son, daughter, or parent on active duty or call to active duty status in the National Guard or Reserves in support of a contingency operation may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.

FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered servicemember during a single 12-month period. A covered servicemember is a current member of the Armed Forces, including a member of the National Guard or Reserves, who has a serious injury or illness incurred in the line of duty on active duty that may render the servicemember medically unfit to perform his or her duties for which the servicemember is undergoing medical treatment, recuperation, or therapy; or is in outpatient status; or is on the temporary disability retired list.

## Benefits and Protections

During FMLA leave, the employer must maintain the employee's health coverage under any "group health plan" on the same terms as if the employee had continued to work. Upon return from FMLA leave, most employees must be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms.

Use of FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of an employee's leave.

## Eligibility Requirements

Employees are eligible if they have worked for a covered employer for at least one year, for 1,250 hours over the previous 12 months, and if at least 50 employees are employed by the employer within 75 miles.

## Definition of Serious Health Condition

A serious health condition is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job, or prevents the qualified family member from participating in school or other daily activities.

Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than 3 consecutive calendar days combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

## Use of Leave

An employee does not need to use this leave entitlement in one block. Leave can be taken intermittently or on a reduced leave schedule when medically necessary. Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt the employer's operations. Leave due to qualifying exigencies may also be taken on an intermittent basis.

## Substitution of Paid Leave for Unpaid Leave

Employees may choose or employers may require use of accrued paid leave while taking FMLA leave. In order to use paid leave for FMLA leave, employees must comply with the employer's normal paid leave policies.

## Employee Responsibilities

Employees must provide 30 days advance notice of the need to take FMLA leave when the need is foreseeable. When 30 days notice is not possible, the employee must provide notice as soon as practicable and generally must comply with an employer's normal call-in procedures.

Employees must provide sufficient information for the employer to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include that the employee is unable to perform job functions, the family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military family leave. Employees also must inform the employer if the requested leave is for a reason for which FMLA leave was previously taken or certified. Employees also may be required to provide a certification and periodic recertification supporting the need for leave.

## Employer Responsibilities

Covered employers must inform employees requesting leave whether they are eligible under FMLA. If they are, the notice must specify any additional information required as well as the employees' rights and responsibilities. If they are not eligible, the employer must provide a reason for the ineligibility.

Covered employers must inform employees if leave will be designated as FMLA-protected and the amount of leave counted against the employee's leave entitlement. If the employer determines that the leave is not FMLA-protected, the employer must notify the employee.

## Unlawful Acts by Employers

FMLA makes it unlawful for any employer to:

- Interfere with, restrain, or deny the exercise of any right provided under FMLA;
- Discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relating to FMLA.

## Enforcement

An employee may file a complaint with the U.S. Department of Labor or may bring a private lawsuit against an employer.

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

**FMLA section 109 (29 U.S.C. § 2619) requires FMLA covered employers to post the text of this notice. Regulations 29 C.F.R. § 825.300(a) may require additional disclosures.**



For additional information:  
1-866-4US-WAGE (1-866-487-9243) TTY: 1-877-889-5627  
[WWW.WAGEHOUR.DOL.GOV](http://WWW.WAGEHOUR.DOL.GOV)



2011-2012 Pre K-12 School District Calendar  
 REVISED 3.17.2011

| 2011- 2012                               | First Week |     |     |      |     | Second Week |     |     |      |     | Third Week |     |     |      |           | Fourth Week |     |     |      |     | K-8 Days Taught | 9-12 Days Taught | Holiday | K-8 School Recess | 9-12 School Recess |   |  |
|--|------------|-----|-----|------|-----|-------------|-----|-----|------|-----|------------|-----|-----|------|-----------|-------------|-----|-----|------|-----|-----------------|------------------|---------|-------------------|--------------------|---|--|
|  | Mon        | Tue | Wed | Thur | Fri | Mon         | Tue | Wed | Thur | Fri | Mon        | Tue | Wed | Thur | Fri       | Mon         | Tue | Wed | Thur | Fri |                 |                  |         |                   |                    |   |  |
| First School Month<br>Aug.22 - Sep. 16   | Aug.<br>22 | 23  | 24  | 25   | 26  | 29          | 30  | 31  | 1    | 2   | 5          | 6   | 7   | 8    | 9         | 12          | 13  | 14  | 15   | 16  | 17              | 17               | 1       |                   |                    |   |  |
| Second School Month<br>Sep. 19 - Oct. 14 | 19         | 20  | 21  | 22   | 23  | 26          | 27  | 28  | 29   | 30  | Oct.<br>3  | 4   | 5   | 6    | 7         | 10          | 11  | 12  | 13   | 14  | 20              | 20               |         |                   |                    |   |  |
| Third School Month<br>Oct. 17 - Nov. 11  | 17         | 18  | 19  | 20   | 21  | 24          | 25  | 26  | 27   | 28  | Nov.<br>31 | 1   | 2   | 3    | 4         | 7           | 8   | 9   | 10   | 11  | 19              | 19               | 1       |                   |                    |   |  |
| Fourth School Month<br>Nov. 14 - Dec. 9  | 14         | 15  | 16  | 17   | 18  | 21          | 22  | 23  | 24   | 25  | 28         | 29  | 30  | @    | Dec.<br>1 | 2           | 5   | 6   | 7    | 8   | 9               | 16               | 17      | 2                 | 2                  | 1 |  |
| Fifth School Month<br>Dec. 12 - Jan. 6   | 12         | 13  | 14  | 15   | 16  | x           | x   | x   | x    | *   | *          | x   | x   | x    | *         | *           | x   |     |      |     | 8               | 8                | 4       | 8                 | 8                  |   |  |
| Sixth School Month<br>Jan. 9 - Feb. 3    | 9          | 10  | 11  | 12   | 13  | *           | 16  | 17  | 18   | 19  | 20         | 23  | 24  | 25   | 26        | 27          | 30  | 31  | 1    | 2   | 3               | 19               | 18      | 1                 |                    | 1 |  |
| Seventh School Month<br>Feb. 6 - Mar. 2  | 6          | 7   | 8   | 9    | 10  | *           | 13  | 14  | 15   | 16  | 17         | *   | 20  | 21   | 22        | 23          | 24  | 27  | 28   | 29  | 1               | 2                | 18      | 18                | 2                  |   |  |
| Eighth School Month<br>Mar. 5 - Mar. 30  | 5          | 6   | 7   | 8    | 9   | 12          | 13  | 14  | 15   | 16  | 19         | 20  | 21  | 22   | 23        | 26          | 27  | 28  | 29   | 30  | 20              | 20               |         |                   |                    |   |  |
| Ninth School Month<br>Apr. 2 - Apr. 27   | Apr.<br>2  | x   | x   | x    | x   | 9           | 10  | 11  | 12   | 13  | 16         | 17  | 18  | 19   | 20        | 23          | 24  | 25  | 26   | 27  | 15              | 15               |         | 5                 | 5                  |   |  |
| Tenth School Month<br>Apr. 30 - May 25   | May<br>30  | 1   | 2   | 3    | 4   | 7           | 8   | 9   | 10   | 11  | 14         | 15  | 16  | 17   | 18        | 21          | 22  | 23  | 24   | 25  | 20              | 20               |         |                   |                    |   |  |
| Eleventh School Month<br>May 28 - June 8 | *          | 28  | 29  | 30   | 31  | Jun.<br>1   | 4   | 5   | 6    | 7   | 8          |     |     |      |           |             |     |     |      |     |                 | 8                | 8       | 1                 | 1                  | 1 |  |
| Totals                                   |            |     |     |      |     |             |     |     |      |     |            |     |     |      |           |             |     |     | 180  | 180 | 12              | 16               | 16      |                   |                    |   |  |

**Begin/End**

New Teachers Begin: August 19, 2011  
 Returning (K-12 Teachers) Begin: August 22, 2011  
 Returning (pre-K Teachers) Begin: August 22, 2011

School Begins K-12: August 24, 2011

School Ends (K-12 Students): June 7, 2012

School Ends (K-12 Teachers): June 8, 2012

School Ends (pre-K Teachers): June 7, 2012

**Legend**

■ - End of Grading Period (K-5)  
 ▲ - End of Grading Period (6-8)  
 # - End of Grading Period (9-12)  
 \* - Holiday  
 x - School Recess (K-12)  
 @ - School Recess (K-8 students only)  
 + - School Recess (9-12 students only)

State Testing Window

**School Holidays**

Sep.5, 2011 - Labor Day  
 Nov. 11, 2011 - Veterans Day  
 Nov. 24/25, 2011 - Thanksgiving  
 Dec. 19, 2011 -Jan. 2, 2012 - Winter Break  
 Jan. 16, 2012 - Martin Luther King Jr.  
 Feb. 13, 2012 - Lincoln's Birthday  
 Feb. 20, 2012 - Washington's Birthday  
 April 2 - April 6, 2012 - Spring Break  
 April 6, 2012 - Classified Holiday  
 May 28, 2012 - Memorial Day

**Local School Recess (K-12)**

Nov. 23, 2011  
 Jan. 3, 2012

2011-12 Adult School Calendar

| 2011-12<br>Adult School                   | First Week |     |     |           |     |           | Second Week |     |     |            |     |     | Third Week |     |           |           |           |     | Fourth Week |     |     |      |     |     | Days Taught | Holiday | School Recess |    |   |   |   |   |   |    |    |    |    |    |   |   |   |
|---|------------|-----|-----|-----------|-----|-----------|-------------|-----|-----|------------|-----|-----|------------|-----|-----------|-----------|-----------|-----|-------------|-----|-----|------|-----|-----|-------------|---------|---------------|----|---|---|---|---|---|----|----|----|----|----|---|---|---|
|   | Mon        | Tue | Wed | Thur      | Fri | Sat       | Mon         | Tue | Wed | Thur       | Fri | Sat | Mon        | Tue | Wed       | Thur      | Fri       | Sat | Mon         | Tue | Wed | Thur | Fri | Sat |             |         |               |    |   |   |   |   |   |    |    |    |    |    |   |   |   |
| First School Month<br>Sep. 6 - Sep. 24    |            |     |     | Sep.<br>1 | 2   | 3         | *           | 5   | 6   | 7          | 8   | 9   | 10         | 12  | 13        | 14        | 15        | 16  | 17          | 19  | 20  | 21   | 22  | 23  | 24          | 14      | 1             | 0  |   |   |   |   |   |    |    |    |    |    |   |   |   |
| Second School Month<br>Sep. 26 - Oct. 22  |            |     |     |           |     | Oct.<br>1 | 3           | 4   | 5   | 6          | 7   | 8   | 10         | 11  | 12        | 13        | 14        | 15  | 17          | 18  | 19  | 20   | 21  | 22  | 20          | 0       | 0             |    |   |   |   |   |   |    |    |    |    |    |   |   |   |
| Third School Month<br>Oct. 24 - Nov. 19   |            |     |     |           |     |           | Nov<br>31   | 1   | 2   | 3          | 4   | 5   | 7          | 8   | 9         | 10        | 11        | 12  | 14          | 15  | 16  | 17   | 18  | 19  | 19          | 1       | 0             |    |   |   |   |   |   |    |    |    |    |    |   |   |   |
| Fourth School Month<br>Nov. 21 - Dec. 17  |            |     |     | *         | *   | x         |             |     |     | Dec.<br>28 | 29  | 30  | 1          | 2   | 3         | 5         | 6         | 7   | 8           | 9   | 10  | 12   | 13  | 14  | 15          | 16      | 17            | 18 | 2 | 0 |   |   |   |    |    |    |    |    |   |   |   |
| Fifth School Month<br>Dec. 19 - Jan. 14   | x          | x   | x   | x         | *   | x         | *           | x   | x   | x          | *   | x   | *          | x   | Jan<br>19 | 20        | 21        | 22  | 23          | 24  | 26  | 27   | 28  | 29  | 30          | 31      | 2             | 3  | 4 | 5 | 6 | 7 | 9 | 10 | 11 | 12 | 13 | 14 | 8 | 4 | 7 |
| Sixth School Month<br>Jan. 16 - Feb. 11   | *          | 16  | 17  | 18        | 19  | 20        | 21          | 23  | 24  | 25         | 26  | 27  | 28         | 30  | 31        | Feb.<br>1 | 2         | 3   | 4           | 6   | 7   | 8    | 9   | 10  | 11          | 19      | 1             | 0  |   |   |   |   |   |    |    |    |    |    |   |   |   |
| Seventh School Month<br>Feb. 13 - Mar. 10 | *          | 13  | 14  | 15        | 16  | 17        | 18          | 20  | 21  | 22         | 23  | 24  | 25         | 27  | 28        | 29        | Mar.<br>1 | 2   | 3           | 5   | 6   | 7    | 8   | 9   | 10          | 18      | 2             | 0  |   |   |   |   |   |    |    |    |    |    |   |   |   |
| Eighth School Month<br>Mar. 12 - Apr. 7   | 12         | 13  | 14  | 15        | 16  | 17        | 19          | 20  | 21  | 22         | 23  | 24  | 26         | 27  | 28        | 29        | 30        | 31  | Apr.<br>2   | 3   | 4   | 5    | 6   | 7   | 15          | 0       | 5             |    |   |   |   |   |   |    |    |    |    |    |   |   |   |
| Ninth School Month<br>Apr. 9 - May 5      | 9          | 10  | 11  | 12        | 13  | 14        | 16          | 17  | 18  | 19         | 20  | 21  | 23         | 24  | 25        | 26        | 27        | 28  | May<br>30   | 1   | 2   | 3    | 4   | 5   | 20          | 0       | 0             |    |   |   |   |   |   |    |    |    |    |    |   |   |   |
| Tenth School Month<br>May 7 - June 2      | 7          | 8   | 9   | 10        | 11  | 12        | 14          | 15  | 16  | 17         | 18  | 19  | 21         | 22  | 23        | 24        | 25        | 26  | Jun<br>28   | 29  | 30  | 31   | 1   | 2   | 19          | 1       | 0             |    |   |   |   |   |   |    |    |    |    |    |   |   |   |
| Eleventh School Month<br>June 4 - June 15 | 4          | 5   | 6   | 7         | 8   | 9         | 11          | 12  | 13  | 14         | 15  | 16  |            |     |           |           |           |     |             |     |     |      |     |     | 10          | 0       | 0             |    |   |   |   |   |   |    |    |    |    |    |   |   |   |
| Totals                                    |            |     |     |           |     |           |             |     |     |            |     |     |            |     |           |           |           |     |             |     |     | 180  | 12  | 12  |             |         |               |    |   |   |   |   |   |    |    |    |    |    |   |   |   |

**Fall Classes Begin - Sept. 6, 2011**  
**Spring Classes Begin - Jan. 30, 2012**  
**Contract Year Ends - June 15, 2012**



**\* Holidays**  
 Sep. 5, 2011 - Labor Day  
 Nov. 11, 2011 - Veterans Day  
 Nov. 24/25, 2011 - Thanksgiving  
 Dec. 23 & 26, 2011 - Winter  
 Dec. 30 & Jan. 2, 2012 - New Years  
 Jan. 16, 2012 - Martin Luther King Jr.  
 Feb. 13, 2012 - Lincoln's Birthday  
 Feb. 20, 2012 - Washington's Birthday  
 April 6, 2012 - Classified Holiday  
 May 28, 2012 - Memorial Day

**x School Recess Periods**  
 Jan. 3, 2012  
 Dec. 19, 2011 - Jan. 2, 2012 - Winter Break  
 April 2 - April 6, 2012 - Spring Break

**x Saturday Recess Dates**  
 Nov 26, 2011  
 Dec 24, 2011  
 Dec. 31, 2011  
 Apr. 7, 2012  
 Saturdays shown in color

**Staff Development Day - Sept. 1, 2011**

| <b>ADMINISTRATION</b>                          |                 |
|--|-----------------|
| <b>HLPUSD District Office</b>                  | <b>933-1000</b> |
| 15959 E. Gale Ave., City of Industry, CA 91746 |                 |
| <b>Instructional Services Center (ISC)</b>     | <b>933-4300</b> |
| 15444 Regalado, Hacienda Hts., CA 91745        |                 |
| <b>Student Services Center (SSC)</b>           | <b>933-6500</b> |
| 455 N. Glendora Ave., La Puente, CA 91744      |                 |

| <b>CHILD DEVELOPMENT PROGRAMS</b>         |                 |
|---|-----------------|
| <b>Headstart/State Preschool Admin.</b>   | <b>933-6500</b> |
| 455 N. Glendora Ave., La Puente, CA 91744 |                 |
| <b>Amar Children's Center</b>             | <b>933-7101</b> |
| 1000 N. California, La Puente, CA 91744   |                 |

| <b>K-5 AND K-6 SCHOOLS</b>                    |                 |
|---|-----------------|
| <b>Baldwin Academy</b>                        | <b>933 3700</b> |
| 1616 Griffith, La Puente, CA 91744            |                 |
| <b>Bixby</b>                                  | <b>933-8200</b> |
| 16446 Wedgeworth Dr., Hacienda Hts., CA 91745 |                 |
| <b>California</b>                             | <b>933-5200</b> |
| 111 California, La Puente, CA 91744           |                 |
| <b>Del Valle</b>                              | <b>933-4100</b> |
| 801 N. Del Valle, La Puente, CA 91744         |                 |
| <b>Grazide</b>                                | <b>933-6100</b> |
| 2850 Leopold, Hacienda Hts., CA 91745         |                 |
| <b>Kwis</b>                                   | <b>933-2100</b> |
| 1925 S. Kwis, Hacienda Hts., CA 91745         |                 |
| <b>Los Altos Elementary</b>                   | <b>933-2300</b> |
| 15565 Los Altos, Hacienda Hts., CA 91745      |                 |
| <b>Los Molinos</b>                            | <b>933-2200</b> |
| 3112 Las Marias, Hacienda Hts., CA 91745      |                 |
| <b>Los Robles Academy</b>                     | <b>933-7200</b> |
| 1530 S. Ridley, Hacienda Hts., CA 91745       |                 |
| <b>Nelson</b>                                 | <b>933-8400</b> |
| 330 California Ave., La Puente, CA 91744      |                 |
| <b>Palm</b>                                   | <b>933-7400</b> |
| 14740 E. Palm Ave., Hacienda Hts., CA 91745   |                 |
| <b>Sparks Elementary</b>                      | <b>933-5100</b> |
| 15151 Temple Ave., La Puente, CA 91744        |                 |
| <b>Sunset</b>                                 | <b>933-3200</b> |
| 800 N. Tonopah, La Puente, CA 91744           |                 |
| <b>Temple Academy</b>                         | <b>933-3100</b> |
| 635 California Ave., La Puente, CA 91744      |                 |
| <b>Wedgeworth</b>                             | <b>933-8100</b> |
| 16949 Wedgeworth, Hacienda Hts., CA 91745     |                 |
| <b>Wing Lane</b>                              | <b>933-5900</b> |
| 16605 Wing Lane, Valinda, CA 91744            |                 |
| <b>Workman Elementary</b>                     | <b>933-4200</b> |
| 16000 Workman, La Puente, CA 91744            |                 |

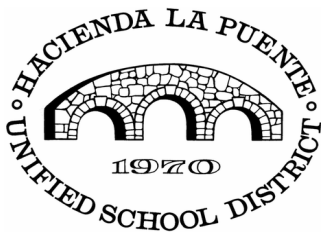
| <b>K-8 SCHOOLS</b>                         |                 |
|--|-----------------|
| <b>Cedarlane Academy</b>                   | <b>933-8000</b> |
| 16333 Cedarlane, Hacienda Hts., CA 91745   |                 |
| <b>Fairgrove Academy</b>                   | <b>933-8500</b> |
| 15540 Fairgrove Ave., La Puente, CA 91744  |                 |
| <b>Grandview</b>                           | <b>934-5800</b> |
| 795 N. Grandview Ln., Valinda, CA 91744    |                 |
| <b>Lassalette</b>                          | <b>933-3000</b> |
| 14333 Lassalette, La Puente, CA 91744      |                 |
| <b>Mesa Robles</b>                         | <b>933-6000</b> |
| 16060 Mesa Robles, Hacienda Hts., CA 91745 |                 |
| <b>Valinda School of Academics</b>         | <b>933-4700</b> |
| 1030 Indian Summer, Valinda, CA 91744      |                 |

| <b>6-8 SCHOOLS</b>                          |                 |
|---|-----------------|
| <b>Newton</b>                               | <b>933-2400</b> |
| 15616 Newton St., Hacienda Hts., CA 91745   |                 |
| <b>Orange Grove</b>                         | <b>933-7000</b> |
| 14505 Orange Grove, Hacienda Hts., CA 91745 |                 |
| <b>Sierra Vista</b>                         | <b>933-4000</b> |
| 15801 Sierra Vista Ct., La Puente, CA 91744 |                 |
| <b>Sparks Middle</b>                        | <b>933-5000</b> |
| 15100 Giordano St., La Puente, CA 91744     |                 |

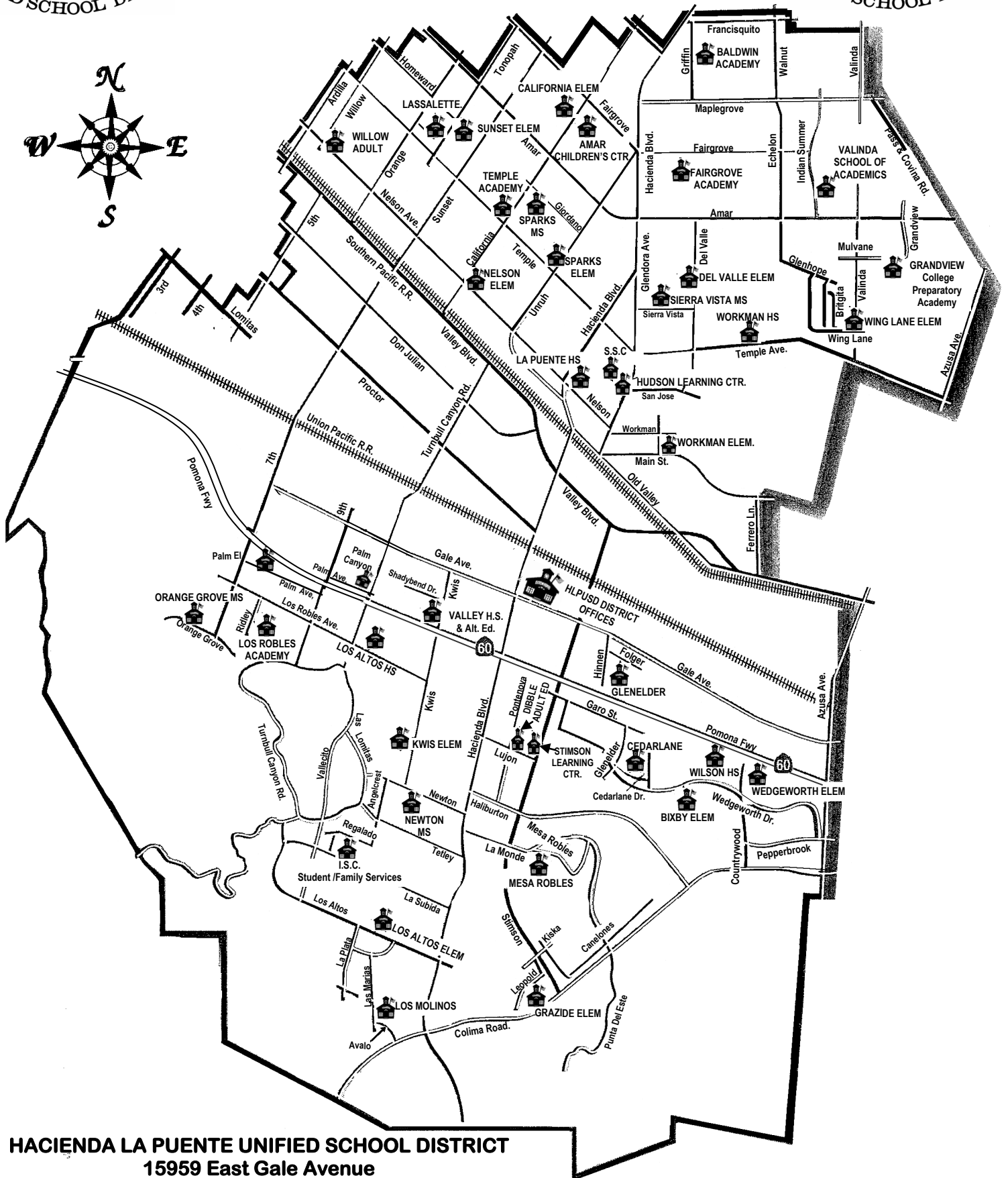
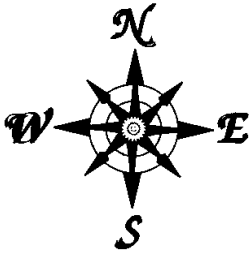
| <b>HIGH SCHOOLS</b>                          |                 |
|--|-----------------|
| <b>La Puente</b>                             | <b>934-6700</b> |
| 15615 E. Nelson, La Puente, CA 91744         |                 |
| <b>Los Altos</b>                             | <b>934-5400</b> |
| 15325 E. Los Robles, Hacienda Hts., CA 91745 |                 |
| <b>Puente Hills/CDS</b>                      | <b>933-3400</b> |
| 15430 Shadybend, Hacienda Hts., CA 91745     |                 |
| <b>Valley Alternative</b>                    | <b>933-3400</b> |
| 15430 Shadybend, Hacienda Hts., CA 91745     |                 |
| <b>Glen A. Wilson</b>                        | <b>934-4400</b> |
| 16455 E. Wedgeworth, Hacienda Hts., CA 91745 |                 |
| <b>William Workman</b>                       | <b>933-8800</b> |
| 16303 E. Temple, City of Industry, CA 91744  |                 |

| <b>ADULT EDUCATION</b>                       |                 |
|--|-----------------|
| <b>Dibble Campus</b>                         | <b>933-8300</b> |
| 1600 Pontenova Ave., Hacienda Hts., CA 91745 |                 |
| <b>Hudson Adult Learning Center</b>          | <b>934-6761</b> |
| 445 N. Glendora Ave., La Puente, CA 91744    |                 |
| <b>Willow Campus</b>                         | <b>934-2800</b> |
| 14101 E. Nelson Ave., La Puente, CA 91746    |                 |

| <b>ELEMENTARY – HIGH SCHOOL</b>               |                 |
|---|-----------------|
| <b>Stimson Learning Center</b>                | <b>933-6301</b> |
| 1655 S. Stimson Ave., Hacienda Hts., CA 91745 |                 |



# Hacienda La Puente Unified School District



**HACIENDA LA PUENTE UNIFIED SCHOOL DISTRICT**  
15959 East Gale Avenue  
City of Industry, CA 91745  
[www.hlpusd.k12.ca.us](http://www.hlpusd.k12.ca.us)