



LEARNING WITHOUT
LIMITS

SUBSTITUTE TEACHER HANDBOOK 2021-2022



JURUPA UNIFIED SCHOOL DISTRICT
HUMAN RESOURCES

JURUPA UNIFIED SCHOOL DISTRICT

HUMAN RESOURCES OFFICE

4850 PEDLEY ROAD

JURUPA VALLEY, CA 92509

BOARD OF EDUCATION

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PAULA FORD, ASST. SUPT.

BUSINESS SERVICES

ROSA SANTOS-LEE, ASST. SUPT.

PUPIL SERVICES

Name: _____

ID: _____

Username: _____

PIN: _____

Password: _____

Contact Information

Frontline Substitute Placement System

(800) 942-3767

- Stephanie Dominguez, Human Resources Assistant (951) 360-4124
stephanie_dominguez@jusd.k12.ca.us

Frontline Online

www.aesoponline.com

Frontline Help Desk / Substitute Teacher Assistance

- Substitute Last Name A-M
Gina Chacon, Human Resources Technician (951) 360-4124
gina_chacon@jusd.k12.ca.us
- Substitute Last Name N-Z
Allison Cross, Human Resources Technician (951) 360-4124
allison_cross@jusd.k12.ca.us

Human Resources Division Head

- Daniel Brooks, Assistant Superintendent (951) 360-4122
daniel_brooks@jusd.k12.ca.us

Payroll Department

- Yadira Pineda (A-De) (951) 360-4118
yadira_pineda@jusd.k12.ca.us
- Cathy Mooring (Di-La) (951) 360-4117
cathy_mooring@jusd.k12.ca.us
- Somer Martinez (Le-Ree) (951) 360-4116
somer_martinez@jusd.k12.ca.us
- Shane Cobb (Ref-Z) (951) 360-4197
shane_cobb@jusd.k12.ca.us

SUBSTITUTE TEACHER HANDBOOK

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INTRODUCTION

Welcome to the Jurupa Unified School District!

This publication is designed to assist you as a substitute teacher in the Jurupa Unified School District. We are proud of our educational system and are pleased to have you share in this important endeavor.

Your role as a substitute teacher is essential to the success of the educational program of the Jurupa Unified School District, for only through the service of you and your fellow substitutes can educational growth continue for those pupils whose regular teachers are not on duty.

The position of the substitute teacher is unique in many respects – one that will call for resourcefulness and poise as you meet many and various situations. Your interest in the students and ability to inspire their confidence and respect will help you find satisfaction in the classroom. You should, as much as possible, maintain the prescribed program of the regular teacher, but should be able to plan creatively so that your classes will have appropriate and worthwhile instruction.

Should you have any questions or need any assistance, please feel free to call the Human Resources Office at (951) 360-4124.

HUMAN RESOURCES/PAYROLL INFORMATION

Substitute Teacher Orientation

After completing an orientation and submitting the necessary paperwork for a credential/permit along with payroll paperwork, your name will be submitted to our Board of Education. Once approved, you will be placed on the active substitute list.

Fingerprint Clearance

Prior to working as a substitute teacher for the Jurupa Unified School District, all substitute teacher applicants must be fingerprinted and cleared through the Department of Justice.

Tuberculosis Clearance

As a substitute teacher, you are required to provide verification that you are free from active tuberculosis. This can be either through a chest X-ray, Mantoux skin test or risk assessment (chest X-ray within the past year; skin test or risk assessment within the past 60 days). Board policy states that the report must be prior to the first working day and every four years thereafter. Should a negative report not be submitted to Human Resources prior to the due date, the substitute will be removed from the substitute list until this requirement has been met.

An applicant who was previously employed in another school district or private or parochial school shall be deemed to have fulfilled the tuberculosis testing requirement if he/she produces a certificate showing that he/she was found to be free of infectious tuberculosis within 60 days of initial hire or if his/her previous employer verifies that it has a certificate on file showing that the applicant is free from infectious tuberculosis. (Education Code 49406)

For further information, please refer to the attached Administrative Regulation 4112.4, 4212.4 and 4312.4.

Credential/Permits

It is the responsibility of the substitute teacher to renew his/her credential/permit in a timely manner. Within 60 days of your credential/permit or TB expiration date, you will be notified via email by the Frontline System to remind you of the upcoming expiration. Credentials/permits may be renewed up to one year in advance. Fully credentialed employees and 30-day substitute permit holders are able to renew your credential/permit by logging on to www.ctc.ca.gov and selecting the 'Online Services For Educators' option. All others must contact the Human Resources Office for renewal options. For any questions regarding your credential/permit or TB expiration dates, please contact our office at (951) 360-4124.

Please Note: Once you have renewed your documents (i.e., TB or credential/permit) please notify the Human Resources Office so that your records can be updated.

Change of Personnel Records

Your current address and telephone number should be on file in the Human Resources Office at all times. Please contact the Human Resources Office if you need to change your records. Overlooking this responsibility may cause payroll warrants, income tax statements (W-2's), and reasonable assurance letters to be delayed.

Per Diem Rate / Long-Term Assignments

As a substitute teacher, you will be paid the current rate of \$165 per day on a day-to-day basis / \$200 if fully credentialed or placed as a resident substitute. A full day assignment

consists of seven and one-half (7 ½) hours including a 30 minute lunch. Half-day assignments will be paid at the rate of \$82.50 / \$100 per half day. Half-day assignments consist of three and three-quarter hours (3 ¾) or less.

If you work in one assignment for fifteen (15) consecutive days, for the same teacher, your rate of pay will increase on the sixteenth day to \$200 per day for the duration of that particular assignment as long as there is no break in said assignment.

Payroll Information

Pay warrants are mailed once a month (please see the 2020-2021 Time Card and Payday Schedule for pay day). If you so desire, you may sign up for direct deposit with the Payroll Department.

Time Cards

At the first school in which you substitute, pick up a salmon-colored substitute teacher time card from the Principal's secretary. Write your name on the card and sign it. In addition, the Principal or his/her designee should sign the card before you leave the school for the day. Carry the card to each assignment throughout the month. When you are ready to submit your timecard to payroll, please write in your employee number.

To ensure accuracy of payment, we recommend that you keep your own record of dates, times, and assignments. Give your time card to the school secretary or bring it to the Payroll Office no later than the date indicated on the payday schedule provided to you. If you choose to mail the card, it must arrive in the Payroll Office by the date indicated on the payday schedule.

IMPORTANT: Your timecard must be legible – please print in all required areas with the exception of the signature line. Make sure to use your legal name – as stated on your social security card (no nick names).

If your timecard is late, you **will not be paid until the following payroll date**. It is very important that the time card be in the Payroll Office on the due date indicated. These deadlines are imposed by the Riverside County Office of Education. Pay schedules are included in this handbook.

California State Teachers' Retirement System (CalSTRS)

You will automatically become a member of CalSTRS on the 100th day that you teach anywhere in the state of California in any one fiscal year (July 1 through June 30). Once you meet this membership requirement, all service is subject to employee contributions, which are automatically deducted by the Payroll Office at the current rate of 10.25% for employees who were members of CalSTRS prior to January 1, 2013 (2% at 60 retirement rate), or 10.205% for employees who became members after January 1, 2013 (2% at 62 retirement rate).

Membership in CalSTRS provides certain benefits to teachers. If you choose, you may become a member of the system immediately, without regard to the 100-day minimum, by completing the required CalSTRS form located in the Human Resources Office. For more information about CalSTRS, please visit the CalSTRS website at www.calstrs.com.

Healthy Workplaces, Healthy Families Act of 2014 (Assembly Bill 1522)

Substitute employees who work for 30 or more days within a year from the commencement of employment with the District shall receive 24 hours of sick leave per fiscal year, which shall be available for use beginning on the 90th day of employment. Employees shall receive the full amount of sick leave at the start of each fiscal year. Any unused amount of sick leave shall not carry over to the following fiscal year. Pay for sick leave used under

this section shall be the same as the pay the employee would have received had the employee served during the day.

If you would like to use your sick leave for an absence and your assignment hasn't started yet, you will need to cancel the assignment on Frontline, selecting "Sick" as the reason, and contact the school site and/or Human Resources Office (Please note: You are responsible for taking your timecard to the site where you were originally scheduled to work in order to have the site secretary record the information on your timecard). If you are at your scheduled assignment and need to leave, you will need to contact the site secretary to inform him/her of the amount of paid sick leave to be charged. The site secretary will be responsible for recording the information on your timecard.

For further information, please refer to the attached Board Policy 4161.1, 4261.1, 4361.1

Retired Personnel

Personnel retired from school employment receiving CalSTRS retirement benefits may be employed as substitute teachers beginning no earlier than 180 calendar days from the date of retirement. As per the Education Code, personnel receiving CalSTRS retirement benefits may earn the maximum amount as determined by CalSTRS for the current year. Please notify the Human Resources Office if you are receiving retirement benefits through CalSTRS. You will be given information about the maximum earnings allowed by CalSTRS.

Resignation Notification

If a substitute teacher wishes to resign during the course of the school year, written notification must be submitted to the Human Resources Office. Adherence to this request enables the Human Resources Office to maintain accurate records of starting and ending dates of employment for verifying experience, withdrawing of retirement contributions, etc.

Substitute Teacher Evaluations & Removal From Active Substitute List

Paramount to student achievement is the academic continuity for all students whether the regular teacher is present or absent for the day. To ensure academic continuity for students, substitute teachers will need to carry-out the lesson plans of the regular teacher in a professional consistent manner.

All substitute teachers will be evaluated by the regular teacher and/or site administrator. Negative evaluations will have an impact on future assignments for the teacher, school site and/or District. **Substitute teachers are at-will employees and may be released from employment at any time without a reason given.** Per EC44953 *"Governing boards of school districts may dismiss substitute employees at any time at the pleasure of the board."*

Reasonable Assurance Notification

In April of each school year, Reasonable Assurance letters are sent to all qualified substitute employees. This notification is an essential requirement for you to remain on the substitute teaching list for the upcoming school year. This notification will require you to notify the District your intention of returning/declining substitute employment for the upcoming year. Additionally, you will be required to return your current badge/ID to the Human Resources Office and obtain a new badge/ID, within the deadline dates given on the notification.

2021-2022 TIME CARD & PAYDAY SCHEDULE

PAYROLL ITEMS MUST BE RECEIVED IN PAYROLL BY 4:00 PM ON THE DUE DATE.

REGULAR DISTRICT EMPLOYEES

Attendance Reports & Extra Duty Time Card Deadlines

| ATTENDANCE PERIOD | PR# | DUE DATE | PAY DAY | DISTRIBUTION METHOD |
|------------------------|--------------|---------------------|-----------------------------------|-----------------------|
| 06/11 - 07/10 | 1M | 07/09/21 | 07/30/21 | CHECKS WILL BE MAILED |
| 07/11 - 08/10 | 2M | 08/10/21 | 08/31/21 | CHECKS WILL BE MAILED |
| 08/11 - 09/10 | 3M | 09/10/21 | 09/30/21 | CHECKS WILL BE MAILED |
| 09/11 - 10/10 | 4M | 10/08/21 | 10/29/21 | CHECKS WILL BE MAILED |
| 10/11 - 11/06 * | 5M | * 11/04/21 * | Extra duty timecards only. | |
| 10/11 - 11/10 | 5M | 11/10/21 | 11/30/21 | CHECKS WILL BE MAILED |
| 11/11 - 12/04 * | 6M/6S | * 12/02/21 * | Extra duty timecards only. | |
| 11/11 - 12/10 | 6M | 12/10/21 | 12/28/21 | CHECKS WILL BE MAILED |
| 11/11 - 12/10 | 6S | 12/10/21 | 01/03/22 | CHECKS WILL BE MAILED |
| 12/11 - 01/10 | 7M | 12/17/21 | 01/31/22 | CHECKS WILL BE MAILED |
| 01/11 - 02/05 * | 8M | * 02/04/22 * | Extra duty timecards only. | |
| 01/11 - 02/10 | 8M | 02/10/22 | 02/28/22 | CHECKS WILL BE MAILED |
| 02/11 - 03/10 | 9M | 03/10/22 | 03/31/22 | CHECKS WILL BE MAILED |
| 03/11 - 04/10 | 10M | 04/08/22 | 04/29/22 | CHECKS WILL BE MAILED |
| 04/11 - 05/10 | 11M | 05/10/22 | 05/31/22 | CHECKS WILL BE MAILED |
| 05/11 - 06/10 | 12M | 06/10/22 | 06/30/22 | CHECKS WILL BE MAILED |

(Pay Period is the 1st - 31st of each month)

CLASSIFIED PAID MONTHS: WORK YEAR A, B, C, D = 12 MONTH PAY = JULY THRU JUNE

CLASSIFIED PAID MONTHS: WORK YEAR E1, E2, F, F1 = 11 MONTH PAY = AUGUST THRU JUNE

CLASSIFIED PAID MONTHS: WORK YEAR G = 10 MONTH PAY = AUGUST THRU MAY

Categorically-funded time cards are due in the Categorical Projects Office for approval 2 days in advance of due dates listed above.

Additional work is recorded on an Extra Duty Time Card which follows the Attendance Period. Submit only **AFTER** time is worked.

DO NOT HOLD TIME CARDS - THE DISTRICT IS ASSESSED PENALTIES & INTEREST FOR LATE PAYROLL REPORTING TO RETIREMENT.

NOTE: LATE TIME CARDS WILL BE PAID ON THE EMPLOYEE'S NEXT AVAILABLE PAYROLL CYCLE.

Each time card must be completed in BLUE OR BLACK INK, signed by the employee, & approved by a supervisor.

Please ensure the mailing address printed on your paystub is accurate.

CERTIFICATED & CLASSIFIED SUBSTITUTE EMPLOYEES

Includes: Substitute, Temporary, and Short-term

| WORK PERIOD | PR# | DUE DATE | PAY DAY | DISTRIBUTION METHOD |
|---------------|-----|---------------------|----------|-----------------------|
| 06/01 - 06/30 | 1A | 06/30/21 | 07/20/21 | CHECKS WILL BE MAILED |
| 07/01 - 07/31 | 2A | 07/30/21 | 08/20/21 | CHECKS WILL BE MAILED |
| 08/01 - 08/31 | 3A | 08/31/21 | 09/20/21 | CHECKS WILL BE MAILED |
| 09/01 - 09/30 | 4A | 09/30/21 | 10/20/21 | CHECKS WILL BE MAILED |
| 10/01 - 10/31 | 5A | 10/29/21 | 11/19/21 | CHECKS WILL BE MAILED |
| 11/01 - 11/30 | 6A | 11/30/21 | 12/20/21 | CHECKS WILL BE MAILED |
| 12/01 - 12/31 | 7A | * 12/17/21 * | 01/20/22 | CHECKS WILL BE MAILED |
| 01/01 - 01/31 | 8A | 01/31/22 | 02/18/22 | CHECKS WILL BE MAILED |
| 02/01 - 02/28 | 9A | 02/28/22 | 03/18/22 | CHECKS WILL BE MAILED |
| 03/01 - 03/31 | 10A | 03/31/22 | 04/20/22 | CHECKS WILL BE MAILED |
| 04/01 - 04/30 | 11A | 04/29/22 | 05/20/22 | CHECKS WILL BE MAILED |
| 05/01 - 05/31 | 12A | 05/31/22 | 06/20/22 | CHECKS WILL BE MAILED |
| 06/01 - 06/30 | 1A | 06/30/22 | 07/20/22 | CHECKS WILL BE MAILED |

*** Note: Time Cards are due early this pay period, due to school recess. ***

RESPONSIBILITIES OF THE SUBSTITUTE TEACHER

IMPORTANT INFORMATION

- Please make sure **all** substitute assignments are handled through the Frontline Absence Management System. If a teacher or other person(s) sets up an assignment with you, make sure the school site secretary is aware of it.
- You should arrive at school **no later** than the time indicated on Frontline. If you receive a late call, you must contact the school site secretary **immediately** and let him/her know when you will arrive to your assignment and report to the assignment as soon as possible. Failure to do this may result in another substitute teacher being called and you not being paid for the assignment.
- Please maintain a professional attitude at all times.
 - Respect the individuality of the teacher at all times. Please make every effort to continue the lessons of the regular teacher and to maintain the existing schedule.
 - You should attempt to maintain the regular routine of the classroom and to carry out all duties normally expected of the regular teacher.
- Refrain from using language that may be degrading or demeaning to students and staff.
- All student and school records are to be kept confidential at all times and are to be treated in a professional manner. Always keep school business matters confidential.
- Do not leave any money or valuables in the desk or classroom. The District is not responsible for lost/stolen property while at the work site.
- Telephones at the school site are to be used for official school business only. **Please refrain from using your personal cell phone during student academic time.**
- Xerox machines are for official school business use only. If you need to copy materials for the classroom, please request permission from the school site secretary.
- Attendance will be given to you in paper form. Please DO NOT bring your personal computer to the classroom. Attending to the academic needs of students should be your main priority.
- For secondary assignments – please report to the school site secretary during the scheduled prep time for further directions. Your services may be required in another classroom during this time.
- If the school is scheduled for late start or minimum day – please report to the school for the duration of the normal school schedule. For example, if your scheduled time to be at the school is 7:00 a.m. but the school is on a ‘late-start’ schedule you must still report to the school at 7:00 a.m. (unless directed otherwise by the school site administration).
- Please maintain a professional appearance. Use good judgment and set a good example for the students.

PROCEDURES FOR REPORTING TO SCHOOL

The substitute teacher is responsible for the full schedule of the regular teacher. This includes correction of papers, study halls, yard duty, bus duty and any other special duties performed by the regular teacher. Assignments may vary by school, however, the following procedures should be observed:

1. If you are going to be late to the school site – please call the school site secretary to let him/her know when you will be reporting to your assignment.
2. When arriving at the designated school assignment, report to the school site secretary. You will be given your room assignment, daily schedule, and other instructions. Check the regular teacher's mailbox for any bulletins or information pertaining to students. **Please leave all personally addressed mail to regular teacher in the mailbox.**
3. Familiarize yourself with the emergency drills of the school.
4. Follow the attendance procedures. If you have any questions, ask the school site secretary.
5. Look for a seating chart in the teacher's desk. The seating chart will be helpful in learning the students' names. You should use the seating chart as arranged and not attempt to change the seating.
6. Check with the school site secretary for the teacher's lesson plans. It is very important that you follow the lesson plans as scheduled.
7. Bell schedules should be followed. **Never dismiss class early unless you have been instructed otherwise by school administration.**
8. If possible, classrooms should be locked whenever teachers and children are out of the classroom.
9. Report to the school office before leaving campus. The school site secretary will instruct you as to whether or not you will return the following day.

Regular Teacher Preparations:

To minimize problems and help maintain the best possible atmosphere for learning, each regular teacher will generally have made the following preparations for your arrival:

- Provision should be made for the substitute to obtain keys to classroom, desks, and storage cabinets.
- Monitors, class officers, and class helpers should be instructed in regard to assisting a substitute. A record should be available to the substitute indicating who these pupils are.
- A list of dependable students, students with special problems (such as hearing, etc.), or troublesome students should be noted in the teacher's lesson plans.
- A list of times and students involved in pull-out programs (such as Speech, RSP, etc.), should be posted.
- The regular teacher should be willing to give necessary information by phone or personal conferences, unless the regular teacher is unavailable to do so. In such cases, school site administration will assist the substitute teacher with these matters.
- The location of necessary books and supplies and the procedure for obtaining them should be available.

Classroom Tips:

- You should be at the door or designated place to greet students as they arrive. Be sure they enter the room quietly and in an orderly manner. This can set the tone for the day.
- Your name should be placed on the board and you should introduce yourself to the students. Tell the class you are their teacher for the day.
- Be friendly, but firm. For example, students should not address you by your first name. This will help maintain the formality that is needed for good classroom control.
- Try to maintain established routines, such as beginning the day by saluting the flag, etc. Pay attention to morning announcements, if any, and require students to do the same.

- All teaching materials should be organized and ready before school begins. For example, put assignments on the board to avoid confusing the students. Duplicate materials, if needed, before students arrive.

General Rules and Regulations:

- No student should be permitted in the classroom unless the teacher is present.
Do not be alone with a single student with the door closed.
- Elementary school students are prohibited from using certain equipment such as the paper cutter. You should be concerned about good safety practices at all times.
- Baseball bats and balls are to be used on the playground, under the close supervision of the classroom teacher or yard supervisor.
- All visitors must report to the school office before visiting on the school grounds or in the classes. Visitors should wear the school's "visitor" pass.
- No student may leave the room without your permission.
- No student is to leave the school without the permission of the principal. Do not release a student to any adult. Permission and authorization must be given only through the school office. You are not expected to know all parents. These necessary safeguards are for the protection of the students, yourself, and the school.
- You are directly responsible for informing the principal of any problems regarding pupils, the instructional program, or parent contacts.
- If a student becomes ill, send the student to the office or the school nurse with a written pass. It is also a good practice to inform the office that a student is being sent from the class.
- You are responsible to see that students are supervised at all times in the classroom, library, computer lab, and on the playground during physical education.
- If playground or supervisory duties (i.e., bus duty, etc.) have been assigned, it is your responsibility to be on duty promptly at the appointed time. You can personally be held responsible for injuries sustained by students under your assigned supervision if you are negligent.

- School records are confidential and are to be treated in a professional manner. Individual students, other teachers, and school situations should not be discussed outside the school. Cumulative records are not to be removed from the office. Consult the school secretary for assistance with student records.
- The teacher and the principal are asked to evaluate your performance as a substitute teacher. These reports are often used to determine whether you will receive additional assignments and/or reasonable assurance the following school year.

Discipline:

- Please review the District's policies on student discipline, as well as, the classroom rules which are usually posted in the classroom. Please follow these guidelines to ensure consistency for the students.
- The substitute teacher is responsible for the conduct in the classroom. If you are unsure about a situation, or if special circumstances arise, please ask for assistance from the school site administration office.
- Student discipline is always of concern to substitute teachers. In order to avoid discipline problems, it is important that you take charge of the class immediately. Do not expect the regular teacher to take disciplinary action upon their return to school. Discipline cases of a severe nature should be referred to the principal. **DO NOT USE CORPORAL PUNISHMENT OF ANY KIND.**
- **Never resort to any kind of physical altercation with a student** – contact the school site administrator immediately if a situation should arise.

Before leaving the room for the day:

- Check, in some form, all written work you have assigned before you leave.
- Stack papers neat and orderly for the returning teacher.
- Erase the board.
- Put chairs, tables, desks, etc. where they belong.
- See that nothing is on the floor that does not belong there.
- Place notes that have been given to you from parents to the regular teacher in a conspicuous place.

- Any notices from the office are placed where they will be easily seen.
- Return supplies and equipment to their proper storage areas. Re-lock cabinets which were locked when you arrived.
- It is **essential** to leave a message for the regular teacher of the day's activities. Include what was done academically. The note that you leave for the teacher should include the following:
 1. A brief report of lessons covered.
 2. All regular work assigned by you, corrected if possible.
 3. A summary of work accomplished by each class.
 4. Any unfinished exercises which should be completed.
 5. A report of student behavior.
- Close windows, blinds and turn off the lights.
- Lock the classroom door.
- Return any keys issued to you along with the "Substitute Teacher's Report" to the principal's secretary. Under no circumstances should keys be given to students or taken out of the school.
- Before leaving, check with the secretary to see if you will be needed for the following day.

COVID-19

In accordance with the California Department of Public Health's (CDPH) [K-12 Guidance for the 2021-22 School Year](#), the [In-Person Instruction Safety Plan](#) has been updated and can be found on the District website. As a District employee, please keep the Health & Safety Protocols below in mind as we begin the school year.

i. CDPH Mask Requirement

- i. Masks are required **for all** (students and staff) indoors when students are present.
- ii. Masks are optional for all when outdoors.
- iii. When students are not present, vaccinated individuals may choose not to wear a mask. However, vaccinated employees must first self-attest as to their vaccinated status by responding to [this form](#) (if you have previously completed, you do not need to do so again).
- iv. Following the recommendation of the CDC and CDPH, Riverside University Health System (RUHS) has recommended that all individuals (including vaccinated individuals) wear face masks in public indoor settings. **This is not a requirement for indoor settings when students are not present, but please note the recommendation from RUHS.**

ii. Daily Self-Screening

Before coming to work on any day, please perform a self-screening for common symptoms of Covid-19. This includes both vaccinated and unvaccinated employees. Do not come to work on-site if you answer "yes" to any of the following:

- i. Do you have a fever (or a temperature over 100 degrees Fahrenheit)?
- ii. Do you have a cough*?
- iii. Do you have shortness of breath*?
- iv. Do you have a sore throat*?
- v. Have you been in close contact with another person with a lab-confirmed case of Covid-19 in the past 14 days? (The CDC currently defines close contact as having been within 6 or fewer feet for a total of 15 minutes or more within a 24-hour period.)
- vi. Have you been instructed to self-quarantine or isolate by a doctor or another health care provider or authority within the past 14 days?

*That cannot be attributed to another condition

If your answer to any of the above questions is "Yes", please do not report to work on-site. You should contact your doctor or health care provider for further guidance **and** should notify your administrator or supervisor that you will not be reporting to work on-site.

• Covid-19 Protocols & Notifications

JUSD will follow the CDPH guidelines when made aware of an actual or suspected case of Covid-19 on campus or at another District facility. Please find the attached graphic for future reference. The protocols in detail are as follows:

1. Covid-19 Symptoms (e.g. fever, cough, loss of taste or smell, difficulty breathing)

Action:

- Send home.
- Recommend testing (if positive see #2, if negative, see #4).
- School/classroom remains open.
- No school community notification.

2. Confirmed Covid-19 Case Infection

Action:

- Notify RUHS. Isolate the case and exclude for 10 days from onset or test date. Identify contacts and proceed accordingly for close contacts (see #3).
 - Recommend testing of contacts and prioritize symptomatic contacts.
 - Disinfection and cleaning of classroom and primary spaces where case spent significant time.
 - School and classroom remain open.
 - School and classroom community will be notified of a known case via a letter/email from District and/or site administration.
3. Close contact with confirmed Covid-19 case (CDC currently defines close contact as having been within 6 or fewer feet for a total of 15 minutes or more within a 24-hour period.)

Action:

- Vaccinated individuals are not required to quarantine if asymptomatic.
 - Unvaccinated individuals:
 - Staff in close contact will undergo 10-day quarantine (as required by Cal/OSHA). Will have access to leaves required under the law.
 - When both parties were wearing a mask indoors, student in close contact may undergo a modified 10-day quarantine (per CDPH guidelines). They may continue to attend school for in-person instruction if they: i. remain asymptomatic; ii. Continue to wear a mask as required; iii. Undergo twice-weekly testing during modified quarantine; and iv. Continue to quarantine for all extracurricular activities at school.
 - If student in close contact was not wearing a mask indoors or those ineligible for modified quarantine (see #2 above), those who remain asymptomatic may discontinue quarantine after Day 10 from the last day of exposure without testing.
 - If any symptoms develop, the exposed person must immediately isolate.
 - Close contacts who are employees receive personal contact from Human Resources. Students and their parents/guardians will be contacted by site administration or school nurse.
4. Symptomatic person tests negative or a healthcare provider has provided documentation that the symptoms are typical of their underlying chronic condition
- a. Action:
- May return to school after symptoms resolve if no fever without using fever-reducing medication within 24 hours.
 - School/classroom remain open.
 - Consider school community notification if prior awareness.

As public health requirements change through the school year, you will receive additional updates as appropriate. Thank you for your cooperation with these efforts to keep staff, students, and our community healthy and safe.

COVID-19 PROTOCOL & NOTIFICATION

STUDENT OR STAFF



1

COVID-19 symptoms (e.g., fever, cough, loss of taste or smell, difficulty breathing)

- Send home
- Recommend testing (if positive, see #2, if negative, see #4)
- School/classroom remains open
- **NO School community notification**

2

Confirmed COVID-19 case infection

- Notify Riverside County Public Health and isolate the case and exclude for 10 days from onset/test date. ID close contact, recommend testing, and see # 3
- Disinfection/cleaning of classroom and primary spaces
- School and classroom remain open
- **School/classroom community will be notified of a known case via letter/email from the District and/or school administrator**

3

Close contact with a confirmed case

- Vaccinated individuals are not required to quarantine if asymptomatic
- Unvaccinated individuals:
 - Staff in close contact will undergo 10-day quarantine and will have access to leaves required under the law
 - When both parties were wearing a mask indoors, student in close contact may undergo a modified 10-day quarantine. They may continue to attend school for in-person instruction if they:
 - remain asymptomatic
 - continue to wear a mask
 - undergo twice-weekly testing during modified quarantine
 - continue to quarantine for all extracurricular activities at school
 - If student in close contact was not wearing a mask indoors or those ineligible for modified quarantine, those who remain asymptomatic may stop quarantine after Day 10 from day of last exposure without testing
- **If any symptoms develop, exposed person must immediately isolate**

4

Symptomatic person that the symptoms are typical of their underlying chronic condition

- May return to school after symptoms resolve; if no fever without using fever-reducing medication within 24 hours
- School/classroom remain open
- **Consider school community notification if prior awareness**

• CLOSE CONTACT IS DEFINED AS A PERSON WHO IS WITHIN 6 FT FROM A CASE FOR MORE THAN 15 MINS CUMULATIVE WITHIN A 24-HOUR PERIOD. IN SOME SCHOOL SITUATIONS, AN ENTIRE STABLE GROUP, CLASSROOM, OR OTHER GROUPS MAY NEED TO BE CONSIDERED EXPOSED, PARTICULARLY IF PEOPLE HAVE SPENT TIME TOGETHER INDOORS.

EMERGENCY LESSON PLANS

Secondary

Technology-Based Resources For Emergency Lesson Plans

These emergency resources are related to **news and current events** – there is *always* news! (Of course, teachers should preview the daily content in advance if they can to ensure appropriateness.)

Teachers can project a program such as **CNN Student News** (<http://www.cnn.com/cnn10>).

They can also assign articles on the following sites:

These first two provide options to customize articles according to reading level:

- **NewsELA** - <https://newsela.com/>
- **Smithsonian Tween Tribune** - <https://www.tweentribune.com/category/teen/>

Other sites to consider might be:

- **Kelly Gallagher's Article of the Week** - <http://www.kellygallagher.org/article-of-the-week/>
- **Student News Daily** - <https://www.studentnewsdaily.com/>
- **PBS News** for Students and Teachers - <http://www.pbs.org/newshour/extra/>
- **Time for Kids** - <http://www.timeforkids.com/news>
- **Huffington Post Teen** - <http://www.huffingtonpost.com/section/teen>
- **New York Times Learning Network** - <https://www.nytimes.com/section/learning> (Click on "Lesson Plans" at the top left for **ready-to-use** lesson plans based on a NY Times article.)
- **Izzit.org** provides a free account to access its content, including current event articles daily with discussion questions at the end: <http://www.izzit.org/events/index.php>

Any activities asking students to do the following meet the California Common Core English-Language Arts standards, and the literacy standards apply to all subjects. The following activities or questions can be used with current events or news article analysis (some might be more applicable to the Opinion/Editorial section):

RI1. Cite evidence

Example: What evidence does the author use to support the ideas in the article? How reliable is the evidence? How well does the evidence support the claim? What evidence did the author miss? What evidence is irrelevant?

RI2. Determine central idea

Example: What is the central idea of the text? How do you know? How would you evaluate the author's organization? What could the author improve? What are some other topics that this idea could apply to?

RI6. Determine an author's point of view

Who is the author? What do you know about the author? In which point of view is the author writing? Why? What biases does the author appear to have? What influence might the author's demographics have on the article? What other points of view might the author consider?

R18. Evaluate arguments and claims

What arguments does the author make? What claims does the author use? How are these claims supported? What evidence supports the claim and what evidence might need to be investigated further? Why? What are the counterclaims to the author's claims? How does the author anticipate the counterclaims and how well does the author refute them? What side are you on? Why?

W1. Write arguments

Write a rebuttal to the article, create a chart with pros and cons, create your own argument on a different topic, change the point of view of the article

W2. Write informative/explanatory texts

Write your own article on the topic, explain why the article is important, think of related issues and write a cause-and-effect article, explain the history of the topic

W4. Produce clear and coherent writing

Write a summary, paragraph response, blog entry, letter to the author, social media post, meme

W6. Use technology to produce and publish writing

Create a news video on the topic, make a comic about the topic, report your own research in a screencast, create a Wikiproject on the topic, hold an online interview, publish a letter to the editor, write an article together on a shared Google Doc or Google Slides presentation, create a website or social media account to satirize the article

SL1. Participate in collaborative discussions

Debate the topic, have a panel discussion, interview experts in front of the class, think-pair-share, whip-around the class, four corners (strongly agree/agree/disagree/strongly disagree, class discussion, two sides of the class debate, Socratic seminar, Philosophical chairs

SL4. Present information and findings

Present a speech, research with a partner, find information on a related topic, research the origins of the topic, investigate how the topic has affected people in other places and times, publish a journal or blog with different perspectives from students on the topic, argue a related case in mock court

- There are also [ready-to-use lesson plans](http://commoncore.scholastic.com/teachers/lesson-plans) on **Scholastic.com**:
<http://commoncore.scholastic.com/teachers/lesson-plans>
- **Common Sense Media** <https://www.commonsensemedia.org/educators> offers tons of lessons on digital citizenship – and you can search by Math or ELA standard for ed tech resources here: <https://www.commonsense.org/education/standards/common-core>
- And here are tons of other ELA Common Core-aligned free resources for teachers on **Edutopia** (categorized as middle school but contains other levels as well):
<https://www.edutopia.org/blog/common-core-ela-middle-school-matt-davis>

Elementary

Emergency Lesson Plans

(Please use only if no other lesson plans are available)

Starting Bell - PE

- Pick up your class on the playground
- Walk the class to the field near the handball court. They are to run/walk as many laps as they can in the given time.
- Have the students line up and walk to the water fountain to get a drink of water before going to class

Morning Business

- Please check homework completion. Walk around each table group and monitor answers. Keeps track on paper a list of students that do not have. Those students will finish their work during recess.

ELD

- EL students will be working on the sentence frame "*I would rather _____ than _____ because _____ and _____.* You can model making up choices for them to choose from (beach or mountains, cake or ice cream, go home early or no homework, etc).
- The EO students should read silently.

ELA

- If there are AVID notebooks: Have students review their AVID Language Notes so far this year. They will discuss with their quad what they each think are the most important concepts to remember.
- With or without notebooks: work with the whole class (primary) or on paper to create a Step Up to Writing T-Chart with the topic, *Although I have learned quite a bit this year, the most important grammar lessons were...*
- They should have 3 or 4 lessons for their yellow stars and one or two red bars to explain or give examples to support each yellow star.

Recess ~ Students will line up inside. Please walk them to the end of the hall.

ELA -

- Have students create a new Google Doc titled, Grammar Lessons- Name
- They will now take the information in their T Chart and write a well written paragraph. Before they get started have a group conversation about capitalization, punctuation, etc.
- They need to work on this quietly.

ELA -

- Have student share their doc with their elbow partner (they know how to do this).
- Partners will use the suggestion function to edit the doc that they are reviewing. After they have edited for spelling, punctuation, capitalization, etc, they can use the comment feature to ask clarifying questions for revisions.

Lunch ~

- Please walk the students to the edge of the playground again, they are required to do two laps before they go to the cafeteria. Please remind AVID strong students to take their Front of the Line Pass.
- Pick up our class at the end of this building toward the right corner of the cement in front of the main hallway. They will be standing in line in number order. Walk them back to the classroom.

MATH FUN -

- For Math FUN, place the game materials on the purple baskets before or during lunch so that they are ready to go when the students come in. After the announcer has them sit, say **Class Class**, and let them know they will be playing how close to 100. They are familiar with this game, and they know which fact we are currently working on. They can erase and start again if they finish the game.
- Say **When I say go you will begin Math FUN, Clap Clap Go.** after the 3rd lunch bell rings at 1:05 put the timer on for 2 minutes. When the timer goes off, **Class Class, FUN is OVER. When I say go pass in materials pull out DMR book, a pencil, and a pen. Clap Clap GO.**

Daily Math Review

- Students will need their DMR book, pencil, and pen. Give the students a minute to discuss their reflections from previous days.
 - Please look at their book to see the problems from that last two days. Create the same problems with different numbers.
- Ask a student to lead the Key Concepts (on the bulletin board next to the whiteboard)
- Project the problems in the notebook. Give the students 7 minutes to solve the problems. While they are working, walk around to make sure that all conversations are about the math. They will be working on these as a group, so there will be conversations throughout the 7 minutes.
 - When the time is up, have the students take out their pen to correct.
 - Look back at how we solved and gave stars from the previous pages.
 - After you walk through number one, give them two minutes to write their reflections. After the time goes off ask for volunteers to share their reflections
 - Repeat these steps for the remaining problems.

Math

- Choose a two-digit number and write it on the board. Give students 6 minutes to quietly and independently come up with as many expressions that would have the chosen number as an answer. They should have a variety of addition, subtraction, multiplication, and division.
- Have the class share several examples from each operation. Then task them with choosing one problem from each operation to create a real world problem.
- Repeat the steps for one more two-digit number and a few three digit numbers.

Science

- Have the students construct a list of questions (at least 10) they have about the world around them. Questions can be about weather, landforms, plants, animals, etc.
- Give students time to share their questions with their elbow partner and choose 1 question between both of their lists to research together.
- With their partner, they will research the topic and create a Google Doc or Google Slides to share what they learn in their research. Their Doc/Slides needs to contain both images and sentences.

Agenda & Dismissal

- Have the students pack-up, clean-up, and line-up.
- Walk the students out

BOARD POLICIES AND PROCEDURES

HIV/AIDS & Hepatitis Information for School Employees
Sexual Harassment
Child Abuse Prevention and Reporting
Tobacco-Free Schools
Use of Copyrighted Materials
Tuberculosis Examination
Personal Illness Leave

HIV/AIDS & HEPATITIS INFORMATION FOR SCHOOL EMPLOYEES

HIV/AIDS

The term HIV stands for Human Immunodeficiency Virus Infection. The term AIDS stands for Acquired Immune Deficiency Syndrome. AIDS is the advanced stage of HIV. Basically HIV attacks the body's immune system leaving it vulnerable to live threatening infections and malignancies. The HIV virus may live in the human body for years and can be spread to others before symptoms appear.

HEPATITIS B

Hepatitis B is an infection of the liver caused by a virus present in the blood and other body fluids of infected persons. Less than 50 percent of the people who become infected show any symptoms of illness, and about 5-10 percent of those infected become long-term virus carriers.

SYMPTOMS

HIV/AIDS

People infected with HIV usually look and feel healthy and may not even know for many years that they are infected. When symptoms do appear, they can be like those of many common illnesses such as:

- * Swollen Glands
- * Coughing
- * Fever
- * Diarrhea

Because these symptoms vary from person to person, only a doctor and a blood test can determine if someone is infected with HIV and currently, there is no known cure.

HEPATITIS B

The symptoms of Hepatitis B include:

- * Fatigue
- * Mild Fever
- * Muscle Aches
- * Joint Aches
- * Nausea
- * Vomiting
- * Loss of Appetite
- * Abdominal Pain
- * Urine Turns Dark
- * Skin Becomes Yellowish (Jaundice)

Unlike HIV, there is a highly effective vaccine available to those who have been infected with Hepatitis B.

MODES OF TRANSMISSION

HIV/AIDS

The common modes of transmission for the HIV/AIDS virus are:

- *Unprotected sex with someone who is infected with HIV (vaginal or anal intercourse and oral sex without a condom and spermicide).
- *Sharing of drug needles or syringes with someone infected with HIV.
- *Transfer from an infected mother to baby during pregnancy or child birth.
- *Possibly through breast feeding.
- *Possible through infected blood and certain blood products.

The HIV/AIDS virus cannot be transmitted or spread by:

- *A cough or sneeze
- *Through the air or water
- *On surfaces such as phones, door knobs, office equipment, tools
- *By using drinking fountains, toilets, sinks
- *There is no documentation of transmission through kissing or biting

HEPATITIS B

Hepatitis B is always spread by an infected person. A small number of people are chronic carriers and carry the virus in their blood. The common modes of transmission for Hepatitis B are by:

- * Sexual activity involving semen, blood or vaginal secretions
- * Using infected, unsterile instruments for such things as tattooing, ear piercing and razors
- * Sharing IV needles and/or syringes with an infected person
- * Direct contact of infected blood with mucous membranes like the eye and mouth, direct contact of infected blood and broken skin (i.e. cuts) j accidental needle sticks with needles containing blood from virus carriers
- * Sharing toothbrushes
- * Being born to an infected mother

HIV/ AIDS and Hepatitis B are usually transmitted through specific behaviors like sharing intravenous equipment which is a major cause of infection. The only risk of the transmission of these viruses in the school setting is with direct exposure of:

- * Infected blood
- * Broken skin
- * Mucous membranes

UNIVERSAL PRECAUTIONS

Although unbroken skin is an extremely good barrier to these viruses, there are Universal Precautions that are strongly recommended. Universal Precautions are hygienic measures used to prevent the spread of all infectious diseases including HIV/AIDS and Hepatitis B.

In the school setting, the following universal precautions include:

- * Hand washing
- * The use of plastic gloves
- * The use of disinfectants
- * Trash disposal
- * The modification of cardiopulmonary resuscitation (CPR)

HAND WASHING

The facilities required for hand washing should include:

- * Sink with running water
- * Liquid soap dispenser
- * Disposable paper towels or automatic warm air hand drier
- * Waste receptacles with disposable plastic liners

Hands should always be washed:

- * Before eating
- * Before drinking or smoking
- * Before handling cooking utensils or implements
- * Before and after preparing food or assisting with feeding
- * Before and after assisting with toileting or diapering
- * After contact with body fluids such as respiratory secretions, blood (including menstrual flow), urine, feces, mucous, or drainage from wounds
- * After close personal contact with students, especially those with nose, mouth, eye or ear drainage
- * After removing disposable gloves (as gloves encourage a moist environment conducive to bacterial growth)
- * After using the toilet

DISPOSABLE PLASTIC GLOVES

A second universal precaution is the use of disposable plastic gloves:

- * Gloves should be immediately available in the work area
- * Gloves should be used only once and then discarded (in a waste receptacle with a disposable plastic liner)

- * Gloves should be used when handling blood or blood fluids
- * A new pair of gloves should be used whenever hand washing is indicated
- * Gloves should always be discarded into a waste receptacle with plastic liner

DISINFECTANTS

Another universal precaution is the use of disinfectants such as household chlorine bleach, which is effective against most disease causing organisms including HIV/AIDS and Hepatitis B.

- * The chlorine bleach should be in a 1:10 solution which is equivalent to 1/4 cup of bleach in 1 gallon of water. This solution should be mixed daily.

Other possible disinfectants include:

- * 50% Ethyl Alcohol
- * 35% Isopropyl Alcohol
- * 0.3% Hydrogen Peroxide
- * 0.5% Phenol
- * 0.5% Lysol

(These are EPA numbers and are examples only)

CORRECT TRASH DISPOSAL

Correct disposal of trash is another universal precaution:

- * Special containers to dispose of trash containing blood or bodily secretions that may contain blood are available
- * Containers are marked and lined with plastic

MODIFICATION OF CPR

The last universal precaution is the modification of cardiopulmonary resuscitation (CPR).

- * CPR should always be started as soon as possible; any delay could jeopardize a successful resuscitation.
- * The use of masks or shields to prevent the back flow of fluids from the mouth of a victim to that of a resuscitator should be used. These masks and shields or other devices are accessible to any person likely to administer CPR in the school setting.

POLICIES & LAWS

The law provides for confidentiality and states that the information regarding HIV/AIDS may only be shared with specifically named persons.

- * While adults grant their own written permission to share their HIV/AIDS status, parents or guardians of children can grant written permission to share information on students under 18.
- * If information is shared improperly, the person may be subject to a civil penalty and a fine not to exceed \$5000.
- * Current state law does not require parents or physicians to inform school officials of a student's HIV/AIDS status. If disclosure by student or parent is made, it must be kept confidential unless written permission is given.
- * In the legalities of testing, it is a misdemeanor to disclose blood test results of HIV/AIDS positives, except by written authorization (H & S Code Chapter 1, 11 & 1.12 Sections 119.21, 199, 30, 1991.31 & 199.37).
- * Also, the policies for students with HIV/AIDS prohibit discrimination against such students.

PERSONNEL

SUBJECT: Sexual Harassment

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.

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

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

All complaints and allegations of sexual harassment shall be kept confidential to the extent necessary to carry out the investigation or to take other subsequent necessary actions. (2 CCR 11023)

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

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

Complaints of sexual harassment shall be filed in accordance with AR4030 – Nondiscrimination in Employment. An employee may bypass his/her supervisor in filing a complaint where the supervisor is the subject of the complaint.

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

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination on the basis of sex

GOVERNMENT CODE

12900-12996 Fair Employment and Housing Act, 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.4th 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 Harrassment and Hate Crime, January 1999

WEB SITES

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

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

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

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

Adopted: 3-19-07

revised: 3-14-16, 3-13-17

PERSONNEL

SUBJECT: Sexual Harassment

This administrative regulation shall apply to all allegations of sexual harassment involving employees, interns, volunteers, and job applicants, but shall not be used to resolve any complaint by or against a student.

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; Government Code 12940; 2 CCR 11034)

1. Submission to the conduct is made explicitly or implicitly a term or condition of the individual's employment.
2. Submission to or rejection of such conduct is used as the basis for an employment decision affecting the individual.
3. Submission to or rejection of the conduct by the other individual is used as the basis for any decision affecting the individual regarding benefits, services, honors, programs, or activities available at or through the district.

Prohibited sexual harassment also includes conduct which, regardless of whether or not it is motivated by sexual desire, is so severe or pervasive as to unreasonably interfere with the victim's work performance or create an intimidating, hostile, or offensive work environment.

Examples of actions that might constitute sexual harassment in the work or educational setting whether committed by a supervisor, a co-worker, or a non-employee, 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.

Training

The Superintendent or designee shall ensure that all employees receive training regarding the district's sexual harassment policies when hired and periodically thereafter. Such training shall include the procedures for reporting and/or filing complaints involving an employee, employees' duty to use the district's complaint procedures, and employee obligations when a sexual harassment report involving a student is made to the employee.

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

A supervisory employee is any employee with the authority, in the interest of the district, to hire, transfer, suspend, lay off, promote, discharge, assign, reward, or discipline other employees, or the responsibility to direct them, adjust their grievances, or effectively recommend such action, when the exercise of the authority is not of a merely routine or clerical nature, but requires the use of independent judgement. (Government Code 12926)

The district's sexual harassment training and education program for supervisory employees shall be aimed at assisting them in preventing and effectively responding to incidents of sexual harassment, as well as implementing mechanisms to promptly address and correct wrongful behavior. The training shall include, but is not limited to, the following: (Government Code 12950.1; 2 CCR 11024)

1. Information and practical guidance regarding federal and state laws on the prohibition, prevention and correction of sexual harassment, the remedies available to sexual harassment victims in civil actions, and potential district and/or individual exposure or liability
2. The types of conduct that constitute sexual harassment and practical examples which illustrate sexual harassment, discrimination, and retaliation using training modalities such as role plays, case studies, and group discussions, based on factual scenarios taken from case law, news and media accounts, and hypotheticals based on workplace situations and other sources
3. A supervisor's obligation to report sexual harassment, discrimination, and retaliation of which he/she becomes aware and what to do if the supervisor himself/herself is personally accused of harassment

4. Strategies for preventing harassment, discrimination, and retaliation and appropriate steps to ensure that remedial measures are taken to correct harassing behavior, including an effective process for investigation of a complaint
5. The essential elements of the district's anti-harassment policy, including the limited confidentiality of the complaint process and resources for victims of unlawful sexual harassment, such as to whom they should report to any alleged sexual harassment, and how to use the policy if a harassment complaint is filed
6. A copy of the district's sexual harassment policy and administrative regulation, which each participant shall acknowledge in writing that he/she has received
7. The definition and prevention of abusive conduct that addresses the use of derogatory remarks, insults, or epithets, other verbal or physical conduct that a reasonable person would find threatening, intimidating, or humiliating, and the gratuitous sabotage or undermining of a person's work performance

The Superintendent or designee shall retain for at least two years the records of any training provided to supervisor employees. Such records shall include the names of trained employees, date of the training, the type of the training, and the name of the training provider. (2 CCR 11024)

Notifications

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

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

All employees shall receive either a copy of information sheets prepared by the California Department of Fair Employment and Housing (DFEH) or a copy of district information sheets that contain, at a minimum, components on: (Government Code 12950)

1. The illegality of sexual harassment

2. The definition of sexual harassment under applicable state and federal law
3. A description of sexual harassment, with examples
4. The district's complaint process available to the employee
5. The legal remedies and complaint process available through DFEH and the Equal Employment Opportunity Commission (EEOC)
6. Directions on how to contact DFEH and the EEOC
7. The protection against retaliation provided by 2 CCR 11021 for opposing harassment prohibited by law or for filing a complaint with or otherwise participating in an investigation, proceeding, or hearing conducted by DFEH and the EEOC

In addition, the district shall post, in a prominent and accessible location, DFEH's poster on discrimination in employment and the illegality of sexual harassment. (Government Code 12950)

STUDENTS

SUBJECTS: Child Abuse Prevention and Reporting

The Governing Board is committed to supporting the safety and well-being of district students and desires to facilitate the prevention of and response to child abuse and neglect. The Superintendent or designee shall develop and implement strategies for preventing, recognizing, and promptly reporting known or suspected child abuse and neglect.

The Superintendent or designee may provide a student who is a victim of abuse with school-based mental health services or other support services and/or may refer the student to resources available within the community as needed.

(cf. 1020 - Youth Services)
(cf. 5141.6 - School Health Services)
(cf. 6164.2 - Guidance/Counseling Services)

Child Abuse Prevention

The district's instructional program shall include age-appropriate and culturally sensitive child abuse prevention curriculum. This curriculum shall explain students' right to live free of abuse, include instruction in the skills and techniques needed to identify unsafe situations and react appropriately and promptly, inform students of available support resources, and teach students how to obtain help and disclose incidents of abuse.

(cf. 6142.8 - Comprehensive Health Education)
(cf. 6143 - Courses of Study)

The district's program also may include age-appropriate curriculum in sexual abuse and sexual assault awareness and prevention. Upon written request of a student's parent/guardian, the student shall be excused from taking such instruction. (Education Code 51900.6)

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

Child Abuse Reporting

The Superintendent or designee shall establish procedures for the identification and reporting of known and suspected child abuse and neglect in accordance with law.

(cf. 4119.21/4219.21/4319.21 - Professional Standards)
(cf. 5145.7 – Sexual Harassment)

Procedures for reporting child abuse shall be included in the district and/or school comprehensive safety plan. (Education Code 32282)

(cf. 0450 - Comprehensive Safety Plan)

District 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.

The Superintendent or designee shall provide training regarding the duties of mandated reporters.

Employees who work with dependent adults shall be notified of legal responsibilities and reporting procedures pursuant to Welfare and Institution Code Sections 15630-15637.

Legal Reference:

EDUCATION CODE

32280-32288 Comprehensive school safety plans
33195 Heritage schools, mandated reporters
33308.1 Guidelines on procedure for filing child abuse complaints
44252 Teacher credentialing
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
51900.6 Sexual abuse and sexual assault awareness and prevention

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
11164-11174.3 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

UNITED STATES CODE, TITLE 42

11434a McKinney-Vento Homeless Assistance Act; definitions

COURT DECISIONS

Camreta v. Greene (2011) 131 S.Ct. 2020

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Health Education Content Standards for California Public Schools, Kindergarten Through Grade

Twelve

Health Framework for California Public Schools, Kindergarten Through Grade Twelve

WEB SITES

California Attorney General's Office, Suspected Child Abuse Report Form:
http://www.ag.ca.gov/childabuse/pdf/ss_8572.pdf

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

California Department of Social Services, Children and Family Services Division:
<http://www.childsworld.ca.gov>

U.S. Department of Health and Human Services, Child Welfare Information Gateway:
<https://www.childwelfare.gov/can>

STUDENTS

SUBJECT: 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

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

(cf. 5145.7 - Sexual Harassment)

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 a student (Education Code 49001)

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| revised: | 2-5-01 | | |

(cf. 5131.7 - Weapons and Dangerous Instruments)

(cf. 5144 - Discipline)

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

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

(cf. 6142.7 - Physical Education and Activity)

(cf. 6145.2 - Athletic Competition)

6. Homelessness or classification as an unaccompanied minor (Penal Code 11165.15)

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 directors; administrators and employees of a licensed child 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; and athletic coaches, athletic administrators, and athletic directors employed by any public or private school that provides any combination of instruction for kindergarten, or grades 1 to 12, inclusive. (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)

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

Responsibility for Reporting

The reporting duties of mandated reporters are individual and cannot be delegated to another person. (Penal Code 11166)

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

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

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

(cf. 1240 - Volunteer Assistance)

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)

Jurupa Valley Sheriff's Station
7477 Mission Blvd.
Jurupa Valley, CA 92509
951-955-2600

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.

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2. Written Report

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

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

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

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

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

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

3. Internal Reporting

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

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

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revised: 2-5-01

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

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

Training

Within the first six weeks of each school year, the Superintendent or designee shall provide training on mandated reporting requirements to district employees and persons working on their behalf who are mandated reporters. Any school personnel hired during the school year shall receive such training within the first six weeks of employment. (Education Code 44691; Penal Code 11165.7)

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

The Superintendent or designee shall use the online training module provided by the California Department of Social Services. (Education Code 44691)

The training shall include, but not necessarily be limited to, training in identification and reporting of child abuse and neglect. In addition, the training shall include information that failure to report an incident of known or reasonably suspected child abuse or neglect as required by law is a misdemeanor punishable by imprisonment and/or a fine as specified. (Education Code 44691; Penal Code 11165.7)

The Superintendent or designee shall obtain and retain proof of each mandated reporter's completion of the training. (Education Code 44691)

Victim Interviews by Social Services

Whenever the Department of Social Services or another government agency is investigating suspected child abuse or neglect that occurred within the child's home or out-of-home care facility, the student may be interviewed by an agency representative during school hours, on school premises. The Superintendent or designee shall give the student the choice of being interviewed in private or in the presence of any adult school employee or volunteer aide selected by the student. (Penal Code 11174.3)

A staff member or volunteer aide selected by a child may decline to be present at the

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interview. If the selected person accepts, the principal or designee shall inform him/her of the following requirements: (Penal Code 11174.3)

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

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

Release of Child to Peace Officer

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

(cf. 5145.11 - Questioning and Apprehension by Law Enforcement)

Parent/Guardian Complaints

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

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

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(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)

Notifications

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

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

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)

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 timely 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 unless it can be shown 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 11166)

BUSINESS AND NONINSTRUCTIONAL OPERATIONS

SUBJECT: Tobacco-Free Schools

The Governing Board recognizes that smoking and other uses of tobacco and nicotine products constitute a serious public health hazard and are inconsistent with district goals 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 smoking and/or 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, 104559)

These prohibitions apply 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)

Smoking means inhaling, exhaling, burning, or carrying of any lighted or heated cigar, cigarette, pipe, tobacco, or plant product intended for inhalation, whether natural or synthetic, in any manner or form, and includes the use of an electronic smoking device that creates aerosol or vapor or of any oral smoking device for the purpose of circumventing the prohibition of smoking. (Business and Professions Code 22950.5; Education Code 48901)

Tobacco products include: (Business and Professions Code 22950.5; Education Code 48901)

1. Any product containing, made, or derived from tobacco or nicotine that is intended for human consumption, whether smoked, heated, chewed, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means, including, but not limited to, cigarettes, cigars, chewing tobacco, pipe tobacco, or snuff
2. An electronic device that delivers nicotine or other vaporized liquids to the person inhaling from the device, including, but not limited to, an electronic cigarette, cigar, pipe, or hookah

3. Any component, part, or accessory of a tobacco product, whether or not sold separately

This policy does not prohibit the use or possession of prescription products and other cessation aids that have been approved by the U.S. Department of Health and Human Services, Food and Drug Administration, such as nicotine patch or gum.

Smoking or use of any tobacco-related product or disposal of any tobacco-related waste is prohibited within 25 feet of any playground, except on a public sidewalk located within 25 feet of the playground. In addition, any form of intimidation, threat, or retaliation against a person for attempting to enforce this policy is prohibited. (Health and Safety Code 104495)

Legal Reference:

EDUCATION CODE

48900 Grounds for suspension/expulsion

48901 Prohibition against tobacco use by students

BUSINESS AND PROFESSIONS CODE

22950.5 Stop Tobacco Access to Kids Enforcement Act; definitions

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

104559 Tobacco use prohibition

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

7111-7122 Student Support and Academic Enrichment Grants

CODE OF FEDERAL REGULATIONS, TITLE 21

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

PUBLIC EMPLOYMENT AND RELATIONS BOARD 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:

Adopted: 3-19-84

Revised: 5-21-90, 8-1-94, 3-19-07

Revised: 8-15-16

<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>

BUSINESS AND NONINSTRUCTIONAL OPERATIONS

SUBJECT: 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)
(cf. 5145.6 – Parental 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.

(cf. 1113 – District and School Web Sites)

The superintendent or designee shall ensure that signs stating “Tobacco use is prohibited” are prominently displayed at all entrances to school property. (Health and Safety Code 104420, 104559)

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

INSTRUCTION

SUBJECT: Use of Copyrighted Materials

All district staff shall adhere to the provisions of the federal copyright law and maintain the highest ethical standards in using copyrighted materials. The district shall provide no legal support to any employee who violates the copyright law. Willful infringement of this law by students or staff may result in disciplinary action.

Print materials, audio and videocassettes and computer software are valuable means of providing support to the instructional program. However, the ease with which they may be duplicated makes it necessary to establish regulations for the "fair use" of copyrighted materials and assure District compliance with U.S. copyright laws.

The principal of each school site is responsible for establishing practices which will enforce this policy and regulation at the school level.

Legal Reference:

EDUCATION CODE

35182

UNITED STATES CODE, TITLE 17

Adopted 11/19/84
Revised 6/10/85
Revised/Readopted 9/4/90
Revised/Readopted 10/6/97
Renumbered: 4-7-14

INSTRUCTION

SUBJECT: Use of Copyrighted Materials

Each employee making a reproduction shall first determine whether the copying is permitted by law based on the guidelines below. If the copying is not permitted according to these guidelines, the principal/designee may request permission to reproduce the material from its copyrighted holders.

Requests for permission to use copyrighted materials shall include the following information:

1. Title, author(s), editor(s) or publisher, producer(s) or distributor.
2. Edition, copyright and/or production year.
3. Exact amount of material to be used (i.e., lines, pages, running time, etc).
4. Nature of the use (i.e., how many times, when and with whom the material will be used).
5. Number of copies to be made.
6. How the material will be reproduced.
7. If an initial contact was made by phone, the request shall also include the name of the initial contact person.

The following guidelines differentiate between permitted and prohibited uses of printed material, sheet and recorded music, videotapes, films, filmstrips or slide programs, off-air taping (radio or television), and computer software.

PRINTED MATERIALS

Permitted Uses:

1. Single copies at the request of an individual teacher:
 - a. A chapter of a book.
 - b. An article from a magazine or newspaper.

- c. A short story, short essay or short poem, whether or not from a collective work.
 - d. A chart, graph, diagram, drawing, cartoon or a picture from a book, magazine or newspaper.
2. Multiple copies at the request of an individual teacher for classroom use, not to exceed one copy per student in a course:
- a. A complete poem if less than 250 words and if printed on not more than two pages.
 - b. An excerpt from a longer poem, not to exceed 250 words.
 - c. A complete article, story or essay of less than 2,500 words.
 - d. An excerpt from a larger prose work not to exceed ten percent of the whole or 1,000 words, whichever is less, but in any event a minimum of 500 words.
 - e. One chart, graph, diagram, cartoon or picture per book or magazine issue.

All preceding copies must bear the copyright notice. They may be made only at the discretion of the individual teacher on occasions when a delay to request permission would preclude their most effective instructional use.

Prohibited Uses:

- 1. Copying more than one work or two excerpts from a single author during one class term.
- 2. Copying more than three works from a collective work or periodical volume during one class term.
- 3. Copying materials for more than one course in the school where the copies are made.
- 4. More than nine sets of multiple copies for distribution to students in one class term.
- 5. Copying used to create, replace or substitute for anthologies or collective works.
- 6. Copying of "consumable" works such as workbooks, standardized tests, answer sheets, etc.

7. Copying that substitutes for the purchase of books, publishers' reprints or periodicals.
8. Repeated copying of the same item by the same teacher from term to term. The above prohibitions do not apply to current news magazines and newspapers.

SHEET AND RECORDED MUSIC

Permitted Uses

1. Emergency copies for an imminent performance are permitted, provided they are replacing purchased copies and replacement is planned.
2. Multiple copies (one per student) of excerpts not constituting an entire performable unit or more than ten percent of the total work may be made for academic purposes other than performances.
3. Purchased sheet music may be edited or simplified provided the character of the work is not distorted or lyrics added or altered.
4. A single copy of a recorded performance by students may be retained by the district or individual teacher for evaluation or rehearsal purposes.
5. A single copy of recordings of copyrighted music owned by the district or individual teacher may be made and retained for the purpose of constructing exercises or examinations.
6. A single copy of an excerpt that constitutes an entire performable unit (i.e., a movement or aria) may be made, provided it is either:
 - a. Confirmed by the copyright proprietor to be out of print, or
 - b. Unavailable except in a larger work. This may be done by or for a teacher only for scholarly research or in preparation for teaching a class.
7. A single copy of a portion of a sound recording may be made by or for a student, i.e., a song from a record, but not the entire recording. The copy may be used in the educational context in which it was made and may not be sold or performed for profit.

Prohibited Uses:

1. Copying to replace or substitute for anthologies or collections.
2. Copying from works intended to be "consumable."
3. Copying for purposes of performance except as noted in an emergency.
4. Copying to substitute for purchase of music.
5. Copying without inclusion of copyright notice on the copy.
6. Duplication of tapes, unless reproduction rights were given at time of purchase.
7. Reproduction of musical works or conversion to another format, e.g. record to tape.

VIDEOTAPES, FILMS, FILMSTRIPS OR SLIDE PROGRAMS

Section 110(1) of the U.S. Copyright law clearly permits the showing of motion pictures and other audiovisual materials in the classroom of a nonprofit educational institution as long as the showing is part of "face-to-face" instruction and not presented for recreational or entertainment purposes.

Whether purchased or rented, video cassettes bearing the label "for home use only" come under this provision and may be used for planned, direct classroom instruction. They may not be used for entertainment, fund-raisers or time fillers unless such use was negotiated at the time of purchase or rental, usually in the form of a licensing agreement. When renting from a video store, the renter agrees to all stated or implied conditions of the rental agreement; renters may therefore wish to request a release statement from the rental agency specifically granting permission for instructional use of the rented cassette.

Permitted Uses

1. A single copy of a portion of a copyrighted film or filmstrip may be made by a student for educational purposes if the material is owned by the school which the student attends.
2. A single copy of a small portion of a film or filmstrip may be made by or for a teacher for scholarly or teaching purposes.
3. Selected slides may be reproduced from a series if reproduction does not exceed ten percent of the total or excerpt the essence of the work.

4. A slide or overhead transparency series may be created from multiple sources as long as creation does not exceed ten percent of photographs in one source (book, magazine, filmstrip, etc.). This may not be done when the source forbids photographic reproduction.
5. A single overhead transparency may be created from a single page of a "consumable" workbook.
6. Sections of a film may be excerpted for a local videotape (not to be shown over cable) if they do not exceed ten percent of the total or excerpt the essence of the work. Extreme care must be exercised in copying a small portion of a film or filmstrip; small portions may contain the very essence of the material in question.

Prohibited Uses

1. Reproduction of an audiovisual work in its entirety.
2. Conversion from one media format to another, e.g., film to videotape, unless permission is secured.
3. No one is permitted to copy any portion of a film or filmstrip sent to the school for preview or rented or owned by another school or institution without the express written permission of the copyright holder. The copyright of a film governs its performance (showing) as well as the copying of it. It is permissible to show a film to students using closed-circuit television if the system is confined to one building. Showing a film via closed-circuit television outside the building is not permitted.

RADIO OFF-AIR TAPING

Permitted Uses

1. A single copy of a small portion of a copyrighted radio program may be made by a student for educational purposes. Such a copy may not be sold or performed for profit.
2. Copies of broadcasts by national public radio may be made by district employees and retained for an indefinite period for educational purposes.

Prohibited Uses

1. Copying broadcasts on commercial radio, except for copyrighted musical selections (see Sheet and Recorded Music), is governed by the same copyright laws that apply to off-air taping of commercial television; however, there is no special provision allowing libraries to tape radio news programs.

TELEVISION OFF-AIR TAPING

Permitted Uses

1. A broadcast program may be recorded off-air simultaneously with broadcast transmission (including simultaneous cable re transmission) and retained for a period not to exceed 45 days. All off-air recordings shall be erased or destroyed at the end of the retention period. Broadcast programs are television programs transmitted for reception by the general public without charge.
2. Off-air recordings may be used once by individual teachers in the course of relevant teaching activities and repeated once only when instructional reinforcement is necessary. These recordings may be shown in classrooms and similar places devoted to instruction within a single building, cluster, or campus, as well as in the homes of students receiving formalized home instruction, during the first ten consecutive school days in the 45 calendar-day retention period.
3. Off-air recordings may be made only at the request of individual teachers, for use by those teachers. No broadcast program may be recorded off-air more than once at the request of the same teacher, regardless of the number of times the program may be broadcast.
4. A limited number of copies may be reproduced from each off-air recording to meet the legitimate needs of teachers under these guidelines. Each such additional copy shall be subject to all provisions governing the original recording.
5. After the first ten consecutive school days, off-air recordings may be used up to the end of the 45 calendar day retention period only for teacher evaluation purposes; i.e., to determine whether or not to include the broadcast program in the teaching curriculum; they may not be used for student exhibition or any other non evaluation purpose without authorization.
6. All copies of off-air recordings shall include the copyright notice on the broadcast programs as recorded.

Prohibited Uses

1. Off-air recording in anticipation of teacher requests.
2. Using the recording for instruction after the ten-day use period.

3. Holding the recording for weeks or indefinitely because:
 - a. Units needing the program concepts are not taught within the ten-day use period.
 - b. An interruption or technical problems delayed its use.
 - c. Another teacher wishes to use it, or for any other supposedly "legitimate" educational reason.
4. On occasion, a special notice is provided with some materials specifically prohibiting reproduction of any kind. Permission to use any part of such works must be secured in writing from the author or producer in accordance with this regulation.
5. Off-air recordings need not be used in their entirety, but the content of recorded programs may not be altered. Off-air recordings may not be physically or electronically combined or merged to constitute teaching anthologies or compilations.

The copying or use of programs transmitted via subscription television cable services, such as HBO or Showtime, is illegal. Such programs are licensed for private/home use only and may not be used in public schools.

SOFTWARE COPYRIGHT

Permitted Uses

Copies of district-owned software may be made only when:

1. The copy is needed as an essential step in using the computer program with a particular machine. This copy is to be used in no other way.
2. The copy is used for archival or "backup" purposes. This copy may be held only as a file copy and must be destroyed when the program is no longer rightfully owned by the district unless the copyright owner authorizes its sale, lease or transfer as part of the sale, lease or transfer of the original program. (United States Code, Title 17, Section 117).

Prohibited Uses

1. Copies of copyrighted programs may not be made for any purpose other than the two permitted above.

2. When permission is obtained from the copyright holder to use software on a disk-sharing system, efforts will be made to secure software from copying.
3. Illegal copies of copyrighted programs shall not be made or used on school equipment

PERSONNEL

SUBJECT: Tuberculosis Examination

No applicant shall be initially employed by the district, or employed under contract, in a classified or certificated position unless he/she has submitted to a tuberculosis risk assessment within the past 60 days and, if tuberculosis risk factors are identified, has submitted to an intradermal or other approved tuberculosis examination to determine that he/she is free of infectious tuberculosis. If the results of the examination are positive, the applicant shall obtain an x-ray of the lungs. At his/her discretion, an applicant may choose to submit to the examination instead of the risk assessment. (Education Code 49406).

Prior to employment by the district, an applicant shall submit a certificate from an authorized health provider stating that the applicant was assessed and/or examined and found to be free of infectious tuberculosis. (Education Code 49406)

An applicant who was previously employed in another school district or private or parochial school shall be deemed to have fulfilled the tuberculosis testing requirement if he/she produces a certificate showing that he/she was found to be free of infectious tuberculosis within 60 days of initial hire or if his/her previous employer verifies that it has a certificate on file showing that the applicant is free from infectious tuberculosis. (Education Code 49406)

Thereafter, each district employee who was found free of infectious tuberculosis shall undergo a tuberculosis risk assessment, and an examination whenever risk factors are identified, at least once every four years or more often when required by the Governing Board upon recommendation of the county health officer. However, once an employee has a documented positive test for tuberculosis infection followed by an x-ray, he/she shall no longer be required to submit to the tuberculosis risk assessment but shall be referred to the county health officer within 30 days of the examination to determine the need for follow-up care (Education Code 49406). After the examination for an initial positive test, the employee shall undergo a symptom screen every four years and produce a certificate to the district verifying that he/she was examined and show no signs of infectious tuberculosis.

The cost of the pre-employment tuberculosis risk assessment and/or examination shall be paid by the applicant. (Education Code 49406)

Whenever the district contracts for the transportation of students, the contract shall require that all drivers who will be transporting students complete the tuberculosis risk assessment and, if indicated, the examination for infectious tuberculosis within 60 days of initial hire. (Education Code 49406)

The following applicants or employees shall be exempted from the requirement to submit to a tuberculosis risk assessment and/or examination: (Education Code 49406)

1. An applicant/employee who files an affidavit stating that he/she adheres to the faith or teachings of a well-recognized religious sect, denomination, or organization and, in accordance with its creed, tenets, or principles, depends for healing upon prayer in the practice of religion and that, to the best of his/her knowledge and belief, he/she is free from infectious tuberculosis

Such an exemption shall be allowed only if the Board determines by resolution, after a hearing, that the health of students would not be jeopardized. If at any time there is probable cause to believe that the applicant/employee is afflicted with infectious tuberculosis, he/she may be excluded from service until the Board is satisfied that he/she is not afflicted.

2. A pregnant employee who has positive results on a tuberculosis skin test, in which case she shall be exempted from the requirement to follow up with an x-ray of the lungs for a period not to exceed 60 days after the end of the pregnancy.

Legal Reference:

EDUCATION CODE

44839 Medical certificate; periodic medical examination

44839.5 Requirements for employment of retiree

44932 Grounds for dismissal of permanent employee

44942 Suspension or transfer of certificated employee on ground of mental illness

45122 Physical examinations

49406 Examination for tuberculosis

BUSINESS AND PROFESSIONS CODE

2700-2838 Nurses

3500-3546 Physician assistants

HEALTH AND SAFETY CODE

121525 Private and parochial school employees, examination for tuberculosis

CODE OF REGULATIONS, TITLE 5

5502 Filing of notice of physical examination for employment of retired persons

5503 Physical examination for employment of retired persons

5504 Medical certification procedures

COURT DECISIONS

Doe v. Lincoln Unified School District, (2010) 188 Cal.App.4th 758

Leonel v. American Airlines, Inc., (2005) 400 F.3d. 702

Raven v. Oakland Unified School District, (1989) 213 Cal.App.3d 1347

Management Resources:

WEB SITES

California Department of Public Health: <http://www.cdph.ca.gov>

Centers for Disease Control and Prevention: <http://www.cdc.gov>

Public Health Institute: <http://www.phi.org>

U.S. Food and Drug Administration: <http://www.fda.gov>

PERSONNEL

SUBJECT: Personal Illness Leave – Temporary, Substitute and Short-Term Employees

The purpose of this policy to provide paid sick days to temporary, substitute, and short-term employees as required by the Healthy Workplaces, Healthy Families Act of 2014 (Assembly Bill 1522).

The provisions of this policy shall not apply to District employees covered by a valid collective bargaining agreement that provides for: (1) the wages, hours of work, and working conditions of employees; (2) paid sick days or a paid leave or paid time off policy that permits the use of sick days for those employees; (3) final and binding arbitration of disputes concerning the application of its paid sick days provisions; (4) premium wage rates for all overtime hours worked; and (5) a regular hourly rate of pay of not less than 30 percent more than the state minimum wage rate. (Labor Code 245.5)

To the extent that an employee subject to this policy is also subject to a separate policy or regulation, legal standard, and/or contract that provides greater sick leave rights than set forth in this policy, those greater rights shall apply over those in this policy.

Accrual of Sick Days

Employees who work for 30 or more days within a year from the commencement of employment with the District shall receive 24 hours of sick leave per fiscal year, which shall be available for use beginning on the 90th day of employment. Employees shall receive the full amount of sick leave at the start of each fiscal year.

Any unused accrued paid sick time shall not carry over to the following fiscal year.

Pay for sick leave used under this section shall be the same as the pay the employee would have received had the employee served during the day.

Use of Sick Leave

Upon the oral or written request of an employee, the District shall provide paid sick days for the following purposes:

3. Diagnosis, care, or treatment of an existing health condition of, or preventive care for, an employee or an employee's family member.
4. For an employee who is a victim of domestic violence, sexual assault, or stalking, the purposes described in Labor Code sections 230(c) and 230.1(a).

"Family member" includes: (1) a child, which means a biological, adopted, or foster child, stepchild, legal ward, or a child to whom the employee stands in loco parentis; (2) a biological, adoptive, or foster parent, stepparent, or legal guardian of an employee or the employee's spouse or registered domestic partner, or a person who stood in loco parentis when the employee was a minor child; (3) a spouse; (4) a registered domestic partner; (5) a grandparent; (6) a grandchild; and (7) a sibling.

An employee is not required to find a substitute to replace her/him during her/his sick leave. However, if the need for paid sick leave is foreseeable, the employee shall provide reasonable advance notification so that the District can secure a substitute in a timely manner. If the need for paid sick leave is unforeseeable, the employee shall provide notice of the need for the leave as soon as practicable.

An employee may determine how much paid sick leave he or she needs to use, provided that he or she may not take sick leave in an increment less than two hours. If an assignment is scheduled for less than two hours, an employee may utilize paid sick leave for the entire assignment.

The District may, for legitimate business reasons, require an employee to present a documentation or other information verifying the reasons for requesting sick leave. If the District concludes that the absence is not based on the purposes for sick leave set forth in this policy, the District may refuse to grant such leave.

However, the District shall not deny an employee the right to use accrued sick days, discharge, threaten to discharge, demote, suspend, or in any manner discriminate against an employee for using accrued sick days, attempting to exercise the right to use accrued sick days, filing a complaint or alleging a violation of Labor Code sections 245-249, cooperating in an investigation or prosecution of an alleged violation of Labor Code sections 245-249, or opposing any policy or practice or act that is prohibited by Labor Code sections 245-249.

The Superintendent or designee shall display a poster at a conspicuous location containing required information, provide notice to eligible employees of their sick leave rights, keep records of employees' sick leave use for three years, and comply with all other applicable requirements in Labor Code 245-249.

Legal Reference:

EDUCATION CODE

44845 Date of employment

44916 Time of classification; statement of employment status

44917 Classification of substitute employees

44919 Classification of temporary employees

44978 Provisions of sick leave for certificated employees

45103 Classified service

45191 Provisions of sick leave for classified employees

GOVERNMENT CODE

3540.1 Educational Employment Relations Act, definitions

LABOR CODE

220 Sections inapplicable to public employees

230 Jury duty; legal actions by domestic violence, sexual assault and stalking victims, right to time off

230.1 Employers with 25 or more employees; domestic violence, sexual assault and stalking victims, right to time off

233 Illness of child, parent, spouse or domestic partner 234

Absence control policy

245-249 Healthy Workplaces, Healthy Families Act of 2014

Management Resources:

WEB SITES

Department of Industrial Relations: <http://www.dir.ca.gov/dlse/ab1522.html>