

Pittsburg Unified School District Employee Handbook

Janet Schulze, Ed.D. - Superintendent of Schools



Prepared by Human Resources

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Welcome!

Dear Pittsburg Unified School District Employees,

We prepared this handbook to help employees find the answers to many questions that they may have regarding their employment with Pittsburg Unified School District (PUSD). Please take the necessary time to read it.

We do not expect this handbook to answer all questions. Supervisors and Human Resources also serve as a major source of information.

Neither this handbook nor any other verbal or written communication by a management representative is, nor should it be considered to be, an agreement, contract of employment, express or implied, or a promise of treatment in any particular manner in any given situation, nor does it confer any contractual rights whatsoever.

Many matters covered by this handbook, such as benefit plan descriptions, are also described in separate District documents. These District documents supersede any statement made in this handbook or by any member of management.

This handbook states only general District guidelines. The District may, at any time, in its sole discretion, modify or vary from anything stated in this handbook, with or without notice.

Sincerely,

Nancie Castro, Assistant Superintendent of Human Resources

Section - 1 Governing Principles of Employment

1 - 1 INTRODUCTION

Superintendent Schulze greeting

Welcome to Pittsburg Unified School District!

Thank you for choosing to be part of our team in PUSD! We are incredibly happy to have you as an employee in our wonderful District. Our new Employee Handbook outlines the personnel policies and procedures for our District, including our District's Mission and Board Goals. Our intent with this handbook is to make it easier to navigate and find the information you need to support your work, including your rights and responsibilities.



Choosing to work in service of children is one of the best decisions I made. Throughout my career in various roles, I have had the good fortune to wake up and feel thankful and excited about the work each day. I want all of our employees in PUSD to feel this same way and it is our intent to do everything possible to create a positive and supportive work environment where you can thrive and grow.

The 2020-2021 school year is certainly one where we will continue to face challenges together. This handbook also contains updated information on Distance Learning and Health and Safety.

All of our employees: classified, certificated, and administrators, are the key to providing the best quality education for our scholars. We value you and all of your contributions to our District community. Thank you for choosing a career in public education and thank you for choosing Pittsburg Unified School District.

In Community,

Janet

Janet Schulze, Ed.D

Superintendent, Pittsburg Unified School District

Every Scholar. Every Day. They deserve nothing less than our best.

1 - 2 ABOUT US

Pittsburg Unified School District (PUSD) is a K-12 district that serves the community of [Pittsburg, California](#). The school system is committed to providing an excellent opportunity for all students to learn. PUSD is approximately 50 minutes from downtown San Francisco with a direct line on [Bay Area Rapid Transit \(BART\)](#). Our school community maintains a partnership with [Los Medanos Community College](#), which is located in the heart of Pittsburg.

PUSD has Student Teaching relationships with Alliant University, Cal State Teach, [California State University, East Bay](#), St. Mary's College of California, University of Phoenix, and Western Governor's University. Intern teachers are also hired as our employees while they complete their credential program. Participating universities for Intern Teachers include: Alliant University, Brandman University, Cal State Teach, California State University, East Bay, Dominican University, Fortune School of Education, National University, St. Mary's College of California, and University of Phoenix.

Pittsburg Unified School District serves more than 11,500 students in kindergarten through twelfth grade. The District also provides our community with an outstanding public [preschool program](#) and award-winning [adult education school](#) (PAEC).

The District Comprises:

- 8 Elementary Schools
- 3 Junior High Schools
- 1 Comprehensive High School
- 1 Continuation High School
- Adult Education
- Pittsburg Independent Learning Center
- Alternative learning experiences
- Early Childhood Education

Pittsburg Unified School District values the work and efforts of all of its employees. We seek annual nominations for the California Teacher of the Year which brings well-deserved recognition to the teaching profession as a whole. We also seek nominations annually for the Classified School Employee of the Year (CSEY) which follows the Contra Costa County Office of Education (CCCOE) process to honor classified employees.

The Pittsburg community values the quality of their school system and the opportunities provided to all children. We are thankful to our community and residents for supporting school bond [measures and parcel taxes](#) which help support the education of our scholars.

1 - 3 BOARD OF TRUSTEES

BOARD OF TRUSTEES-Community Leaders Entrusted with the Lives of Our Children

Our District is fortunate to have five elected volunteer citizens who feel passionately about ensuring that the school district provides our children with the knowledge, skills and ambition to fulfill their greatest dreams. The Trustees have deep roots in the Pittsburg community and multiple years of experience as members of the Governing Board. They frequently visit schools and devote many long hours to studying materials in order to make important educational and financial decisions for our District.

The trustees typically meet on the second and fourth Wednesday of the month ([unless otherwise posted](#)) at 6:30 p.m. in the District Office Board Room, located at 2000 Railroad Avenue, Pittsburg.

Meeting norms include keeping the focus on the best interest of our students, listening actively to all ideas, communicating openly and honestly, respecting differences, and staying focused on the goals of the District. The trustees invite public comment at [Board meetings](#). Comments are typically limited to three minutes for each individual on each agenda item. Time limits may be adjusted if there are a large number of members of the public who wish to comment.



Duane Smith

Board President - Term of Office: Dec. 2018 - Dec. 2022



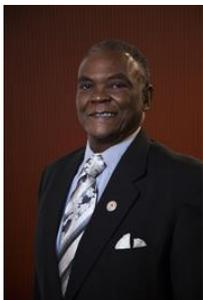
De'Shawn Woolridge

Board Vice President - Term of Office: Dec. 2018 - Dec. 2022



Taylor Sims

Board Trustee - Term of Office: Dec. 2020 - Dec. 2024



George Miller
Board Trustee - Term of Office: Dec. 2020 - Dec. 2024



Joe Arenivar
Board Trustee - Term of Office: Dec. 2018 - Dec. 2022



Alejandra Cortez
Student Representative - Term of Office: 2021-2022 School Year

1 - 4 MISSION STATEMENT

MISSION STATEMENT

It is the mission of Pittsburg Unified School District to inspire our students, to ensure they achieve equity in academic excellence and to bring students closer together through shared experiences in learning. We believe the cultural diversity of our community and our youth are our greatest assets. We endeavor to bring our students to their fullest potential and to create lifelong learners who will contribute positively to the world.

PRIORITY AREAS

Engaging and Rigorous Teaching and Learning

- New Math Curriculum
- Continue Focus on Writing
- Expand Art and Music Programs
- Strengthen Dual Immersion Program
- Adopt New Assessment System

Equity, Access and Success

- Early Literacy Initiative
- Extra Support for English language learners
- Expanded Learning Opportunities
- Increase Resources for Students and Disabilities
- Further Develop Career Technology Pathways, Advanced Placement Opportunities, and Career Counseling Supports

Student & Family Assets

- Broaden Restorative Justice Practices
- Enhance Parent & Family Engagement
- Add Behavior and Socio-Emotional Supports

Recruit, Retain and Support Staff

- Offer Competitive Compensation Packages
- Provide Mentors for New Teachers
- Encourage Professional Development Opportunities
- Upgrade Websites, Communications Efforts, and Marketing Materials

Facilities to Support Student Learning

- Improve Buildings and Facilities
- Transparent Budgeting
- Make Strides with Technology Infrastructure
- Expand Green Efforts and Practices throughout District

1 - 5 BOARD GOALS

Board Goals

1. Student Achievement

- Students will demonstrate continuous improvement in academic excellence, as measured by clear and accessible multiple assessments
- Opportunity gaps will have accelerated reduction through purposeful interventions and supports
- Our belief is every student is entitled to a high school diploma and our goals and commitment is to achieve a 100% graduation rate

2. Powerful Instruction

- Effective instruction aligned to the common core will be expected, supported, and measured to ensure continuous improvement of student achievement

3. Outstanding Staff

- The District will recruit Highly Qualified and appropriately credentialed teachers
- The District will support, retain and promote quality staff through good working conditions, competitive total compensation packages, and coaching and professional development

4. Quality Learning Environment

- High quality facilities
- Safe, orderly, and secure schools
- School site culture of caring and respect
- State of the art technology

5. High-Performing, Accountable Organization

- Fiscal stability and responsible long-range planning
- Comprehensive accountability system
- Effective informational and instructional technology
- Responsible, respectful, efficient and transparent service

6. Meaningful Collaboration, Partnership, and Parental Engagement

- Timely and accessible communication with community
- Strategic community partnerships
- Focus on parent and student engagement, including diverse opportunities for involvement
- Strong communication and relationships between parents/guardians and schools
- Proactive engagement in students' academic and personal growth
- Board and superintendent and staff communication

1 - 6 CABINET

Dr. Janet Schulze

Dr. Janet Schulze has served as [Superintendent](#) of Pittsburg Unified School District since July of 2014. Dr. Schulze recently received the Association of School Administrator's Superintendent of the Year award for Region 6. Prior to coming to Pittsburg, she was the Assistant Superintendent of High Schools for San Francisco Unified School District (SFUSD). While at SFUSD, Dr. Schulze led the implementation of the district's equity focused strategic plan. Prior to that, she was a high school principal in SFUSD, an assistant principal in El Paso, Texas, and she began her career as a seventh grade English and reading teacher in El Paso. While in graduate school, she also worked for the states of Massachusetts and New York evaluating Charter Schools. Dr. Schulze received her B.S. in Secondary Education and English from the University of Wisconsin, Madison, and her Masters in Educational Leadership from the University of Texas, El Paso. Her Master's Degree of Education, along with her Doctor of Education are from the Harvard Graduate School of Education, where she was also in the Urban Superintendents Program. Her dissertation topic was on, "English language learners' experience of high school reform."

Mr. Hitesh Haria

Mr. Hitesh Haria serves as the Associate Superintendent of [Business Services](#) at Pittsburg Unified School District. He has led operations in the K-12 sector for over sixteen years. He's served in Washington D.C.; St. Paul, Minnesota; Memphis, Tennessee; Oakland and Vallejo City Unified School District. During these experiences he served as Deputy Superintendent of Business Operations, Chief of Business Operations, and Chief Business Officer. Additionally, his career includes five years of international business and finance experience in the private sector, as well as more than nine years of experience in government service. Mr. Haria earned a Bachelor degree in Accounting Science from the University of South Africa. He has also studied Managing for Execution, High Performance Leadership, and Change Leadership at Cornell University. Mr. Haria is currently completing a School Business Management Certificate Program at the University of Southern California. Professional affiliations include: Association of California School Administrators (ACSA) and California Association of School Business Officials (CASBO).

Ms. Nancie Castro

Ms. Castro serves Pittsburg Unified School District as the Assistant Superintendent of [Human Resources](#). Ms. Castro came to PUSD from Jefferson School District as their Director of Human Resources and Curriculum and has been in Human Resources for seven years. Prior to Human Resources, Ms. Castro served in Principal and Assistant Principal positions since 1997. Ms. Castro received her Bachelor of Arts in Biological Sciences from the University of Missouri, Columbia, with her Master of Arts in Educational Leadership, Administrative Services Credential, and Single Subject Teaching Credential from California State University, East Bay.

Mr. Anthony Molina

Mr. Anthony Molina serves Pittsburg Unified School District as the Assistant Superintendent of [Educational Services](#), a role he assumed in July 2019. Mr. Molina has great pride for the City of Pittsburg. He was born and raised in our community and has a commitment to the children and the quality of education in Pittsburg. After graduating from Pittsburg High School in 1994, he attended Los Medanos College. He transferred to California State East Bay and graduated with a B.A. in English and a Minor in music. In 1999, he began his career in education as an English teacher at Pittsburg High School. After seven years of teaching, he was promoted to Assistant Principal of Pittsburg High School. Mr. Molina became the Principal of Hillview Junior High School in 2010 and remained in this role for five years before becoming Executive Director of Educational Services. Mr. Molina earned his Teaching Credential, Administrative Credential and Masters in Educational Leadership from Chapman University.

Mrs. Eileen Chen

Mrs. Chen has served as Executive Director of [Educational Services](#) at Pittsburg Unified School District since July 2015. A product of Pittsburg's educational system, Mrs. Chen was excited to return to her home town and start her career in education at her alma mater, Pittsburg High School, in 2001. She started as a math teacher and then progressed to Assistant Principal. She was the Principal at Los Medanos Elementary prior to moving to the Educational Services Department. Mrs. Chen received her B.S. in Mathematics from California Polytechnic State University, San Luis Obispo. She earned her Administrative Credential and Masters in Educational Leadership from California State University, East Bay.

1 - 7 PUSD DEPARTMENT ADMINISTRATION

<p>Superintendent's Office Dr. Janet Schulze, Superintendent jschulze@pittsburgusd.net M: (925) 473-2351</p>	<p>Business Services Hitesh Haria, Associate Superintendent hharia@pittsburgusd.net M: 925-473-2302</p>
<p>Human Resources Nancie Castro Assistant Superintendent ncastro@pittsburgusd.net M: (925) 473-2335</p>	<p>Educational Services Anthony Molina Assistant Superintendent Secondary amolina@pittsburgusd.net M: (925) 473-2313</p>
<p>Educational Services Eileen Chen, Executive Director Early Childhood and Elementary echen@pittsburgusd.net M: (925) 473-2316</p>	<p>Educational Services Debra Pettric, Coordinator Secondary dpettric@pittsburgusd.net M: (925) 473-2317</p>
<p>Educational Services Shelley Velasco, Coordinator Elementary svelasco@pittsburgusd.net M: (925) 473-2314</p>	<p>Human Resources Matt Chamberlain mchamberlain@pittsburgusd.net M: (925) 473-2333</p>
<p>Educational Services Sandra Guardado, Coordinator EL and Dual Language sguardado@pittsburgusd.net M: (925) 473-2353</p>	<p>Educational Services Dr. Tracy Catalde, Coordinator Socio-Emotional Support tcatalde@pittsburgusd.net M: (925) 473-2436</p>
<p>Special Education Angelica Thomas, Director athomas@pittsburgusd.net M: (925) 473-2337</p>	<p>Student Services Jennifer Clark, Director jclark@pittsburgusd.net M: (925) 473-2347</p>
<p>Afterschool Program Angela Handy, Coordinator ahandy@pittsburgusd.net M: (925) 473-2315</p>	<p>Business Services Sonya Marturano, Director smarturano@pittsburgusd.net M: (925) 473-2334</p>
<p>Maintenance, Operations, and Transportation Matt Belasco, Director mbelasco@pittsburgusd.net M: (925) 473-2330</p>	<p>Facilities and Technology Larry Scott, Director lscott@pittsburgusd.net M: (925) 473-2438</p>
<p>Technology Chris Melodias, Coordinator cmelodias@pittsburgusd.net M: (925) 473-2352</p>	<p>Child Nutrition Angelia Nava, Director anava@pittsburgusd.net M: (925) 473-2323</p>
<p>Student Data Shundra Johnson, Coordinator sjohnson@pittsburgusd.net M: (925) 473-2321</p>	<p>Athletics Greg Strom, Coordinator gstrom@pittsburgusd.net M: (925) 473-2399</p>
<p>Theater Fernando Lozano, Theater Manager flozano@pittsburgusd.net M: (925) 473-7531</p>	

1 - 8 SCHOOL DIRECTORY

School Directory

Foothill Elementary School Yvonne Nelson, Principal ynelson@pittsburgusd.net 1200 Jensen Drive Pittsburg, CA 94565 M: (925) 473-2450 F: (925) 473-4305	Heights Elementary School Laura Francis, Principal lfrancis@pittsburgusd.net 40 Seeno Avenue Pittsburg, CA 94565 M: (925) 473-2410 F: (925) 473-4315
Highlands Elementary School Julie Blackburn, Principal jblackburn@pittsburgusd.net 4141 Harbor Street Pittsburg, CA 94565 M: (925) 473-2440 F: (925) 473-4324	Los Medanos Elementary School Milagros Estrada, Principal mestrada@pittsburgusd.net 610 Crowley Avenue Pittsburg, CA 94565 M: (925) 473-2460 F: (925) 473-4335
Marina Vista Elementary Felicia Bridges, Principal fbridges@pittsburgusd.net 50 East 8 th Street Pittsburg, CA 94565 M: (925) 473-2490 F: (925) 473-9039	Parkside Elementary Jeffery Varner, Principal jvarner@pittsburgusd.net 985 West 17 th Street Pittsburg, CA 94565 M: (925) 473-2420 F: (925) 473-4343
Stoneman Elementary School Jeannine Megia, Principal jmegia@pittsburgusd.net 2929 Loveridge Road Pittsburg, CA 94565 M: (925) 473-2430 F: (925) 473-4355	Willow Cove Elementary School Catherine Borquez, Principal cborquez@pittsburgusd.net 1880 Hanlon Way Pittsburg, CA 94565 M: (925) 473-2470 F: (925) 709-2005
Hillview Junior High School Heidi Leber, Principal hleber@pittsburgusd.net 333 Yosemite Drive Pittsburg, CA 94565 M: (925) 473-2380 F: (925) 473-4406	Martin Luther King, Jr., Junior High School Angela Stevens-Stevenson, Principal astevenson@pittsburgusd.net 2012 Carion Court Pittsburg, CA 94565 M: (925) 473-2500 F: (925) 432-9002

<p>Rancho Medanos Junior High School Vanessa Fortney, Principal <u>vfortney@pittsburgusd.net</u> 2301 Range Road Pittsburg, CA 94565 M: (925) 473-2480 F: (925) 473-1060</p>	<p>Black Diamond High School David Saucedo, Interim Principal <u>dsauceda@pittsburgusd.net</u> 1131 Stoneman Avenue Pittsburg, CA 94565 M: (925) 473-2510 F: (925) 473-9002</p>
<p>Pittsburg High School Todd Whitmire, Principal <u>twhitmire@pittsburgusd.net</u> 1750 Harbor Street Pittsburg, CA 94565 M: (925) 473-2400 F: (925) 473-4470</p>	<p>Pittsburg Adult Education Center Danny Lockwood, Principal <u>dlockwood@pittsburgusd.net</u> 1151 Stoneman Avenue Pittsburg, CA 94565 M: (925) 473-2400 F: (925) 473-4470</p>
<p>Pittsburg Independent Learning Center (PILC) and Virtual Independent Program Brian Wilson, Principal <u>brianwilson@pittsburgusd.net</u> 351 School Street (North Campus) Room 102 Pittsburg, CA 94565 M: 473-2390, Ext. 7589 F: 925-473-4022</p>	

Section - 2 Operational Policies

2 - 1 EQUAL EMPLOYMENT OPPORTUNITY

The Board of Education prohibits unlawful discrimination against and/or harassment, intimidation, and/or bullying of district employees and job applicants on the basis of actual or perceived race, ethnicity, color, national origin, ancestry, religion, age, marital status, pregnancy, physical or mental disability, medical condition, genetic information, veteran status, gender, gender identity, gender expression, sex or sexual orientation or association with a person or a group with one or more of these actual or perceived characteristics at any district site and/or activity. This policy also applies to all acts related to school activity or school attendance within a school under the jurisdiction of the Superintendent. The Board also prohibits retaliation against any district employee or job applicant who complains, testifies or in any way

participates in the district's complaint procedures instituted pursuant to this policy.

Pittsburg Unified School District is an Equal Opportunity Employer that does not discriminate on the basis of actual or perceived race, color, national origin, ancestry, sex, gender, gender identity, pregnancy, childbirth or related medical condition, religious creed, physical disability, mental disability, age, medical condition (cancer), marital status, veteran status, sexual orientation, genetic information. Pittsburg Unified School District prohibits discrimination, harassment, intimidation, or bullying based on actual or perceived age, ancestry, color, ethnic group identification, gender expression, gender identity, gender, mental or physical disability, nationality, national origin, race or ethnicity, religion, sex sexual orientation, or on a person's association with a person or group one or more of these actual or perceived characteristics, or any other characteristic protected by federal, state or local law. Our management team is dedicated to this policy with respect to recruitment, hiring, placement, promotion, transfer, training,

compensation, benefits, employee activities and general interactions during employment.

The District will endeavor to make a reasonable accommodation to the known physical or mental limitations of qualified employees with disabilities unless the accommodation would impose an undue hardship on the employee or the District. If you need assistance to perform your job duties because of a physical or mental condition, please let the Assistant Superintendent of Human Resources know.

Any employee with questions or concerns about equal employment opportunities in the workplace is encouraged to bring these issues to the attention of the Assistant Superintendent of Human Resources. The District will not allow any form of retaliation against individuals who raise issues of equal employment opportunity. If an employee feels he or she has been subjected to any such retaliation, he or she should bring it to the attention of the Assistant Superintendent of Human Resources. To ensure our workplace is free of artificial barriers, violation of this policy including any improper retaliatory conduct will lead to discipline, up to and including discharge. Every employee must cooperate with all investigations.

2 - 2 EMPLOYEE CLASSIFICATIONS

For purposes of this handbook, the majority of employees fall within one of the classifications below:

[California School Employees Association \(CSEA\) - Classified Employees](#)

[Classified Administrators of Pittsburg Schools - \(CAPS\) Supervisory or CAPS Management](#)

[Pittsburg Education Association \(PEA\) - Certificated Staff](#)

[Pittsburg Association of School Administrators \(PASA\) - Certificated Management Staff](#)

2 - 3 YOUR EMPLOYMENT RECORDS

In order to obtain their position, employees provide the District with personal information, such as address and telephone number. This information is contained in the employee personnel file.

The Employees should keep their personnel file up to date by informing the Human Resources Department of any changes. Employees should also inform the Human Resources Department of any specialized training or skills acquired in the future, as well as any changes to any required employment document. Unreported changes of address, marital status, etc. can affect tax withholdings and benefit coverage. Further, an outdated emergency contact or an inability to reach the employee in a crisis could cause a severe health or safety risk or other significant problem.

2 - 4 WORKING HOURS AND SCHEDULE

Pittsburg Unified School District Office normally is open for business from 8:00 a.m. – 4:30 p.m., Monday through Friday. School site off hours may vary. The employee will be assigned a work schedule and will be expected to begin and end work according to the schedule. The District will close for national and some local holidays. These holidays are listed on the District Calendars.

2 - 5 TIMEKEEPING PROCEDURES

Absence and Substitute Management (Frontline formerly Aesop)

All certificated and classified staff who are going to be absent from work must record their absence by logging in to Frontline. Absences for all employees will be entered in to the absence management system. To log in:

<https://www.frontlineeducation.com>, **Regardless of whether or not that employee's position or absence requires a substitute.**

HR Help Desk:

2000 Railroad Avenue, Suite E
Pittsburg, CA 94565
(925) 473-2335

Frontline Overview

- [Frontline](#) completely automates the process of substitute placement and absence management for every school and department in the Pittsburg Unified School District. Integrated phone and internet technologies allow all personnel to access the service anytime, anywhere. Administrators stay informed through extensive reporting, including a custom report writer, and can use skill-matching and preference lists to ensure qualified substitute placements. Teachers can register absences at any time, and substitutes can search for and accept job assignments through the phone or internet, plus receive automatic notification of open positions. Aesop also saves data entry time by integrating with our Human Resources and payroll systems.

Frontline Quick Start Guides

[Employee Quick Start](#)
[EmployeeQuickStartGuide English.pdf](#)
[Substitute Quick Start](#)
[SubstituteQuickStartGuide English.pdf](#)

Frontline Training Videos

- [Employee Training Video](#)
- [Employee Advanced Training Video](#)
- [Substitute Training Video](#)

Logging in from the Web:

1. To log in to the absence management system, type <https://www.frontlineeducation.com/> in your web browser's address bar.
2. The Sign In page will appear. Enter your ID and PIN and click Login.
3. If you are having trouble logging in, click the Login Problems link next to the "Login" button for more information.

Creating an Absence:

1. You can enter a new absence from your absence management home page under the "Create Absence" tab.
2. Fill out the absence details including the date of the absence, the absence reason, notes to the Administrator or substitute, and more. You can also attach files to the absence at this location.
3. When you have completed entering the absence details click the "Create Absence" button.

Absence Recovery

If you accidentally delete an absence and you need to get it back, just contact the PUSD HR Help Desk. Contact by phone (925-473-2335) or [email](#).

Managing your Pin and Personal Information

Using the "Account" option, you can manage your personal information, change your PIN number, upload shared attachments (lesson plans, classroom rules, etc.). view absence reason

balances, manage your preferred substitutes, and more.

Getting Help and Training

If you have questions, want to learn more about a certain feature, or need more information about a specific topic, click "Help Resources" and select "Frontline Support" to go to the absence management Learning Center, where you can search a knowledge base of help and training materials.

Accessing Absence Management on the Phone

Not only is Frontline's absence management on the web but you can also create absences, manage personal information, check absence reason balances, and more, all over the phone.

To call the absence management system, dial **1-800-942-3767**. You'll be prompted to enter your ID number (followed by the # sign), then your PIN number (followed by the # sign).

Over the phone you can:

1. Create an absence (within the next 30 days) - **Press 1**
2. Check your absence reason (entitlement balances - **Press 2**
3. Review upcoming absences - **Press 3**
4. Review a specific absence - **Press 4**
5. Review or change your personal information - **Press 5**
6. If you create an absence over the phone, be sure to make note of the confirmation number that the system assigns the new absence for reference.

2 - 6 OVERTIME

Overtime and Extra Time is paid in compliance with State and Federal law and according to the appropriate Collective Bargaining Agreement and with prior approval of your supervisor.

2 - 7 YOUR PAYCHECK

It is District policy and practice to accurately compensate employees and to do so in compliance with all applicable state and federal laws. To ensure employees are paid properly and no improper deductions are made, employees must review their pay warrants promptly to identify and to report all errors (underpayments and/or overpayments).

The employee will be paid monthly for all the time worked during the past pay period.

Payroll warrants itemize deductions made from gross earnings. By law, the District is required to make deductions for Social Security (as applicable), Federal and State income tax and any other appropriate taxes. These required deductions may also include any court-ordered garnishments. Payroll warrants will also differentiate between regular pay received and extra time and/or overtime pay received.

If there is an error in an employee's pay, the employee should bring the matter to the attention of the Payroll Technician immediately so the District can resolve the matter quickly.

2 - 8 DIRECT DEPOSIT

Pittsburg Unified School District strongly encourages employees to use direct deposit. Authorization forms are available in Human Resources, the Payroll Department, or through the link below. Direct deposits are emailed to the employee's district email, and not provided in paper format.

Direct Deposit Form

If Direct Deposit is not feasible, the other option is Rapid PayCard. The *Rapid PayCard* works like a traditional ATM/Debit card over the Visa Network.

- Employees receive their pay sooner than with a printed paycheck and can instantly use their *Rapid PayCard*.
- Funds do not become invalid after six months if they are not cashed or used like they currently do with printed paychecks.
- There are NO fees to use the *Rapid PayCard* and many convenient ways to access your pay, such as:
 - Free over-the-counter cash withdrawal at all banks which display the Visa logo (up to \$5,050 per day).
 - Free electronic transfer of funds to another bank account and online bill pay features.
 - Free cash withdrawal from Allpoint and MoneyPass ATMs; Two (2) \$510 transactions per day for a total of \$1,020 daily. The ATMs are usually located at Safeway, CVS Pharmacies, Costco, Walgreens, Target, and many other retailers.
 - Free point of sale purchases (including cash back where it is available) anywhere Visa debit card is accepted.
 - You can receive a free money order for account balance on your card each month at the Post Office

2 - 9 PERFORMANCE REVIEW

The District values its employees and supports their professional growth. In addition to formal performance evaluations, the District encourages employees and supervisors to discuss job performance on a frequent and ongoing basis.

2 - 10 JOB POSTINGS

Pittsburg Unified School District is dedicated to assisting employees in reaching their professional goals. To be eligible to apply for an open position, employees must meet the requirements of the respective job description. Job postings are listed on EdJoin.

For specific information about the current vacancies, please contact the Human Resources Department.

2 - 11 ACCOUNTS PAYABLE - ACCOUNTS RECEIVABLE OVERVIEW AND FORMS

Business Services:

Accounts Payable/Accounts Receivable

Accounts Payable processes reimbursements, payments of vendor invoices. The Accounts Payable department is divided into two areas, "Vendors A - J" and "Vendors K - Z". Accounts Receivable receives all Purchase Orders, handles invoicing/journaling and district scholarships. Plus, receives all monies on behalf of the school district.

The mileage reimbursement rate for 2020 is \$0.575.

Accounts Payable & Accounts Receivable Helpful Hints:

In order to prepare for the upcoming year, please adhere to the cut-off dates established each year. Any purchase requests submitted after the final deadline will require advance authorization from both Business Services and Ed Services and should be for emergency-only purchases. Please plan ahead and do your purchasing now.

Reminder: Cal-Cards are only to be used for travel expenses, for a purchase from a vendor that does not accept purchase orders or for extreme emergencies where planning ahead is not an option. All other purchases need to be made on a requisition or refunded through a reimbursement claim.

Reimbursement claim forms must be received within 30 days from date of Conference/Trip or purchase:

To access further information and forms, please click on the link below:

[Business Services Accounts Payable Department](#)

Accounts Payable Contact Information:

Vendors A - J Contact: (925) 473-2309
Vendors K - Z Contact: (925) 473-2308
(925) 473-4203 (Fax)

Accounts Receivable Contact:

(925) 473-2305 (Phone)
(925) 473-4203 (Fax)

Section - 3 Benefits

3 - 1 BENEFITS OVERVIEW

It is Pittsburg Unified School District's policy to provide a combination of supplemental benefits to all eligible employees. These benefits include time-

off benefits, (such as vacations, holidays, insurance, and other benefits plans.

The descriptions of the insurance and other benefit plans merely highlight certain aspects of the applicable plans for general information only. The details of those plans are spelled out in the official plan documents, which are available for review upon request from the Benefit Specialist. Additionally, the provisions of the plans, including eligibility and benefits provisions, are listed in the summary plan descriptions ("SPDs"). In the determination of benefits and all other matters under each plan, the terms of the official plan documents shall govern over the language of any descriptions of the plans, including the SPDs and this handbook.

If employees have any questions regarding benefits, they should contact the Benefit Specialist at 925-473-2359.

Eligible employees of Pittsburg Unified School District are offered a comprehensive benefits package. Benefits include medical, pharmacy, vision, dental, and life insurance coverage. PUSD also has an Employee Assistance Plan through MHN. The District's contribution towards employee benefits is determined by an employee's applicable employee group, association, or union.

Please click on the link below to access the Employee Benefits Overview:

[Benefits / Overview of Benefits](#)

**Section - 5 Guidelines for Delivering
Distance Learning Instruction via Web
Conferencing Platforms**

It is the goal of the School District (“District”) to provide students with access to high quality education and the most effective curriculum and instructional materials as well as tools and applications for learning. To facilitate the delivery of educational instruction and related services to students, the District may use one or more web conferencing communication platforms. These platforms may include Zoom, WebEx, and Google Meet.

When delivering distance learning instruction and facilitating educational activities via these platforms, District employees are expected to engage in conduct that is consistent with professional standards required of District employees, including compliance with all District Board policies, Administrative Regulations, and all applicable internal District policies and practices. District employees are also required to comply with the guidelines set forth in these Guidelines for Delivering Distance Learning Instruction via Web Conferencing Platforms (“Guidelines”) to establish settings and controls for virtual educational activities and to provide notice to meeting participants of District guidelines and expectations for such activities.

When a District employee utilizes a District approved web conferencing communication platform to deliver distance learning instruction and/or facilitate group educational activities, the employee is expected to abide by these Guidelines. The Guidelines are intended to ensure that District employees facilitate District approved distance learning instruction in a responsible manner, and to promote a safe and secure learning environment for all students, while

recognizing the limitations on District control over certain features and functions of these platforms.

Recommended Meeting Settings

- **District-Issued Accounts.** District employees should only use District-issued accounts for creating and setting meetings via web conferencing platforms. Personal logins should not be used.
- **Unique Meeting ID.** If possible, create a unique meeting ID for your meeting. To the extent you have a personal meeting ID available, do not use it to create a meeting.
- **Meeting Password.** If possible, set a meeting password so that participants will be required to enter a password to join the meeting.
- **Do Not Enable Participants to Join Before Host.** Some platforms have settings that control whether participants can join a meeting before the host joins. If available, do not allow participants to join the meeting before the host joins. If possible, enable a “waiting room” feature, which will place participants in a virtual waiting room until the host is ready to start the meeting.
- **Do Not Share Meeting Information.** Avoid sharing meeting ID information via public websites such as social media websites or a District-sponsored website.

Guidelines for Sharing Meeting Invitations with Participants

- **Forwarding Meeting Invitations.** When disseminating a web conference meeting invitation, only forward the invitation to the individuals who will participate in the meeting. Send invitations to District-issued accounts and avoid sending invitations to personally owned student accounts. Avoid forwarding the calendar invitation to any third party whose participation is not required in the meeting.
- **Instructions to Participants.** When transmitting your meeting invitation, include instructions for recipients who may not have used the platform in the past, or who may not be familiar with the settings offered by the platform.
 - Some platforms are set to automatically enable cameras and audio settings once a user joins a meeting. If applicable, notify users ahead of time that this will occur so that they can be prepared to adjust their settings prior to joining the meeting.
 - Most platforms give users the ability to mute their microphones when they are not speaking. If applicable, instruct users of this feature and direct participants to mute their microphones if they are not speaking during a particular portion of the meeting.
- **Meeting Expectations.** Students should be provided with distance learning meeting expectations, which may include the following:
 - Do not share login information, meeting links, or passwords with others.
 - School and classroom rules apply to the distance learning instruction environment.
 - It is recommended that students review the District Technology Acceptable/Responsible Use Policy regarding expectations for behavior while conducting themselves online and on District devices.
 - Dress appropriately for distance learning instruction sessions.
 - Do not conduct audio or video recordings or take screen shots of virtual class meetings or activities unless you have received prior permission to do so from a teacher or authorized District official.
 - To the extent possible, participate from a quiet and neutral location that will be free of distractions.
 - Students who use inappropriate language, share inappropriate images, or in any way behave inappropriately on a video conference may be subject to appropriate discipline.
 - Once the meeting is over, be sure to close out of the meeting platform entirely. Make sure that your camera is covered and that your microphone is off to avoid inadvertent transmission following the meeting.
- **Recording.** If you have received District approval to record a meeting, let participants know that the meeting will be recorded. The District will provide a blanket notice to parents/guardians, but it is best practice to remind participants ahead of the meeting that recording will

occur. Teachers and staff may not make personal recordings of online instruction.

Guidelines for Hosting the Meeting

- **Meeting Background.** When engaging in virtual classroom meetings, to the extent possible, maintain a neutral and appropriate background that is free from distractions.
- **Mandatory Reporting Obligations.** While engaging in virtual classroom meetings, teachers should be reminded that they are mandated reporters of suspected abuse and neglect, including while communicating with students during distance learning instruction. If teachers or other mandated reporters have questions regarding mandated reporting obligations, they should consult with a supervisor for guidance and additional resources.
- **Screen Sharing.** Some platforms offer two options for screen sharing: sharing from a specific application or sharing an entire screen. To limit the potential for confidential District information to be shared with meeting participants, limit screen sharing to a specific application (e.g., a specific document that you need to reference) rather than sharing your entire screen.
- **Avoid Sharing Personally Identifiable Information from Student Education Records.** Just as you would in a physical classroom setting, avoid sharing personally identifiable information from student educational records, such as grades, during the meeting. (Student participation alone in distance learning instruction does not typically involve sharing student education records.)

Such information is protected from disclosure without parent or guardian consent under the Family Educational Rights and Privacy Act (“FERPA”).

Section - 6 General Standards of Conduct

6 - 1 WORKPLACE VIOLENCE

Board Policy 4158

The Board of Education desires to provide a safe, orderly working environment for all employees. As part of the district's comprehensive school safety plan, the Superintendent or designee shall develop strategies for protecting employees from potentially dangerous persons and situations and for assisting them in the event of an emergency situation.

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

(cf. [3515](#) - Campus Security)

(cf. [5131.4](#) - Student Disturbances)

The Superintendent or designee shall ensure that employees are informed, in accordance with law, regarding crimes and offenses by students who may pose a danger in the classroom.

When violence is directed against an employee by any individual and the employee so notifies the Superintendent or designee, the Superintendent or designee shall take steps to ensure that appropriate legal measures are instituted. When the employee notifies the Superintendent or designee of a threat of bodily harm, the district shall take appropriate measures to enable the employee to request assistance if a threat occurs on school grounds.

The Superintendent or designee shall ensure that employees are trained in crisis prevention and intervention techniques in order to protect themselves and students. Staff development may include training in classroom management, effective communication techniques and crisis resolution.

(cf. [4131](#) - Staff Development)

(cf. [4231](#) - Staff Development)

(cf. [4331](#) - Staff Development)

The Board recognizes that access to two-way communications devices allows employees to call for assistance from their supervisor or law enforcement in the event of a threat of violence or medical emergency. The district shall provide such communications devices in classrooms to the extent possible.

(cf. [5141](#) - Health Care and Emergencies)

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

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

Reporting of Injurious Object

The Board requires school employees to take immediate action upon being made aware that any person is in possession of an injurious object on school grounds or at a school-related or school-sponsored activity. The employee shall use his/her own judgment as to the dangerousness of the situation and, based upon this analysis, shall do one of the following:

1. Confiscate the object and deliver it to the principal immediately

2. Immediately notify the principal, who shall take appropriate action

3. Immediately notify the local law enforcement agency and the principal

(cf. [5131.7](#) - Weapons and Dangerous Instruments)

(cf. [5144](#) - Discipline)

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

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

When informing the principal about the possession or seizure of a weapon or dangerous device, the employee shall report the name(s) of persons involved, witnesses, location, and the circumstances of any seizure.

Keenan Safe School Training

SafeSchools is an online safety training and tracking system specifically designed for school districts. The courses are 100% school-focused, and each one is authored by a leading school safety specialist.

Visit [Keenan SafeSchools](#)

Keenan Safe Schools District Contact:
Human Resources District Representative
(925) 473-2429

6 - 2 PUNCTUALITY AND ATTENDANCE

Employees are hired to perform important functions at Pittsburg Unified School District. As with any group effort, operating effectively takes cooperation and commitment from everyone. Therefore, attendance and punctuality are very important.

We do recognize, however, there are times when absences and tardiness cannot be avoided. In such cases, employees are expected to notify Supervisors as early as possible, but no later than the start of the work day. Employees should utilize the District's Frontline (formerly Aesop) system to report their absence. Refer to the Time Keeping section of the handbook to report absences.

6 - 3 CONFLICT OF INTEREST AND BUSINESS ETHICS-BOARD POLICY 4335

Employees shall not solicit district staff, students or their families with the intent to sell general merchandise, books, equipment or services for their own personal profit or benefit. Solicitation of students and staff on behalf of the school or other charitable organizations shall be conducted in accordance with applicable Board policy and administrative regulations.

[Conflict of Interest-Board Policy 4335](#)

6 - 4 USE OF FACILITIES, EQUIPMENT & PROPERTY, INCLUDING INTELLECTUAL PROPERTY-BOARD POLICY 4332

[Use of Facilities, Equipment and Property, Including Intellectual Property-Board Policy 4332](#)

The Board of Education recognizes that district employees may create copyrightable materials at work, at home, or both at work and at home. The development of copyrightable materials during, or in part during, the work day shall be approved by

the Superintendent or designee. However, the Superintendent's approval or lack of approval shall not affect the district's ownership of copyrights for materials developed during work hours.

Materials written or developed by an employee during the normal school day are considered district property. (Education Code [60076](#), 17 USC [201](#))

Materials developed during both school and leisure hours are owned jointly by the employee and the district. In such cases, the Superintendent or designee shall ensure that a contractual agreement is made, clarifying the joint ownership. A partnership entity may be created to hold the copyright on behalf of both parties.

The Board may secure copyrights in the name of the district for all copyrightable works developed by the district. All royalties or revenues from these copyrights shall be used for the benefit of the district. (Education Code [35170](#))

The Board may market or license any noneducational mainframe electronic software developed by the district. Proceeds from this marketing or licensing shall be used exclusively for educational purposes. (Education Code [35182](#))

6 - 5 HEALTH AND SAFETY

PUSD Safety Committee

The Wellness Committee consists of representatives from various employee classifications.

The purpose of the Employee Wellness Committee is to promote a culture of physical, psychological, and emotional well-being for our

employees by providing activities and support that will result in healthier lifestyles. The goals of the Committee include:

- Increasing awareness and factors contributing to the physical and mental well-being.
- Inspiring and empowering individuals to take responsibility for their own health.
- Encouraging employees to make healthier lifestyle choices.
- Creating a sense of community and raising awareness through the use of campus and community health and wellness resources.

If you are interested in participating on the Wellness Committee contact the Human Resources Department at 925-473-2429.

For more detailed information and procedures please check out the information below:

- [Injury and Illness Prevention Program](#)
- [Heat Illness Prevention Program](#)
- [Hazard Communication Program](#)
- [Bloodborne Pathogens Exposure Control Plan](#)
- [Emergency Preparedness Classroom Flip Chart](#)

Pittsburg Unified School District is committed to preventing workplace injuries and illnesses among all employees. To prevent these injuries and illnesses, a health and safety team has been established. Employee involvement in accident prevention and support of health and safety team members and activities is necessary to ensure a safe and healthful workplace.

The purpose of our health and safety team is to involve all employees in cooperative efforts to promote safety and health in the workplace. The health and safety team will assist management and make recommendations for change.

There shall be employees and employer representatives. Employee representatives shall be volunteers or elected by their peers. If no employees volunteer they may be appointed by management. Employer representatives will be appointed. Health and Safety team members will serve terms of at least one year.

The health and safety team advises management about safety and health issues in the workplace. All written recommendations from the health and safety team will be submitted to management. Management will consider the recommendations and respond in writing to the health and safety team within a reasonable time.

The functions of the health and safety team are commitment to workplace health and safety, health and safety planning, accident and incident investigations, health and safety training.

All written recommendations submitted to management shall:

- Be clear and concise
- Provide reasons for implementation
- Include implementation costs and recommend completion dates

The health and safety team's procedures for fulfilling its role will include:

- Setting meeting dates, times and location
- Setting the agenda
- Recordkeeping

Duties of health and safety team members must include:

- Reporting unsafe conditions and practices
- Attend all health and safety meetings
- Recommending ideas for improving health and safety
- Working in a safe and healthful manner
- Observing how health and safety is enforced in the workplace
- Completing assignments given to them by the team leader(s)
- Acting as an employee representative in matters pertaining to health and safety

Only the planning and effective leadership of management and the health and safety team can build a lasting health and safety program. The health and safety team shall be a constructive entity, providing guidance and leadership in matters pertaining to the overall health and safety of the district.

Health and Safety Team District Representative
(925) 473-2300, ext. 3141

6 - 6 PUBLICITY/STATEMENTS TO THE MEDIA

All media inquiries must go through the District Communications and Public Relations Specialist. Employees cannot respond to the media on behalf of the District. Only the Superintendent or the District Communications and Public Relations Specialist (on behalf of the Superintendent) are authorized to make or approve public statements or comments on behalf of the District. No employees, unless specifically designated by the District Communications and Public Relations Specialist, are authorized to make those statements on behalf of District. Any employee

wishing to write and/or publish an article, paper, or other publication on behalf of the District must first obtain approval from the District Communications and Public Relations Specialist.

6 - 7 OPERATION OF VEHICLES

All employees authorized to drive District-owned or leased vehicles or personal vehicles in conducting District business must possess a current, valid driver's license and an acceptable driving record. Any change in license status or driving record must be reported to management immediately.

An employee must have a valid driver's license in his or her possession while operating a vehicle off or on District property. It is the responsibility of every employee to drive safely and obey all traffic, vehicle safety, and parking laws or regulations. Drivers must demonstrate safe driving habits at all times.

District-owned or leased vehicles may be used only as authorized by management.

Portable Communication Device Use While Driving

Employees who drive on District business must abide by all state or local laws prohibiting or limiting Portable Communication Device (PCD) use, including cell phones or personal digital assistants, while driving. Further, even if use is permitted, employees may choose to refrain from using any PCD while driving. "Use" includes, but is not limited to, talking or listening to another person or sending an electronic or text message via the PCD.

Regardless of the circumstances, including slow or stopped traffic, if any use is permitted while

driving, employees should proceed to a safe location off the road and safely stop the vehicle before placing or accepting a call. If acceptance of a call is absolutely necessary while the employee is driving, and permitted by law, the employee must use a hands-free option and advise the caller that he/she is unable to speak at that time and will return the call shortly.

Under no circumstances should employees feel that they need to place themselves at risk to fulfill business needs.

Since this policy does not require any employee to use a PCD while driving, employees who are charged with traffic violations resulting from the use of their PCDs while driving will be solely responsible for all liabilities that result from such actions.

Texting and e-mailing while driving is prohibited in all circumstances.

6 - 8 IF YOU MUST LEAVE US

Should an employee decide to leave the District, we ask that he or she provide a Supervisor advance notice of departure as soon as possible. All District, property including, but not limited to, badge, keys, security cards, parking passes, laptop computers, portable radio, uniforms, etc., must be returned at separation. Employees also must return all of the District's Confidential Information upon separation. To the extent permitted by law, employees will be required to repay the District, (through payroll deduction, if lawful) for any lost or damaged District, property. As noted previously, all employees are employed at-will and nothing in this handbook changes that status.

6 - 9 EXIT INTERVIEWS

Employees who resign may opt to participate in an exit interview with Human Resources, if possible.

Section - 7 Mandated and Annual Notifications

7 - 1 ANNUAL EMPLOYEE NOTIFICATIONS

PITTSBURG UNIFIED SCHOOL DISTRICT

Annual Employee Notifications

CHILD ABUSE PREVENTION AND REPORTING - (BP 5141.4)

Child Abuse Prevention

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

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

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

Child Abuse Reporting

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

Employees who are mandated reporters, as defined by law and administrative regulation, are obligated to report all known or suspected incidents of child abuse and neglect. Mandated reporters shall not investigate any suspected incidents but rather shall cooperate with agencies responsible for investigating and prosecuting cases of child abuse and neglect.

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

In the event that training is not provided to mandated reporters, the Superintendent or designee shall report to the California Department of Education the reasons that such training is not provided.

CHILD ABUSE PREVENTION AND REPORTING - (AR 5141.4)

Definitions:

Child abuse or neglect includes the following:

1. A physical injury inflicted by other than accidental means on a child by another person.

2. Sexual abuse of a child as defined in Penal Code 11165.1.

3. Neglect as defined in Penal Code 11165.2.

4. Willful harming or injuring of a child or the endangering of the person or health of a child as defined in Penal Code 11165.3.

5. Unlawful corporal punishment or injury as defined in Penal Code 11165.4.

Child abuse or neglect does not include:

1. A mutual affray between minors.

2. An injury caused by reasonable and necessary force used by a peace officer acting within the course and scope of his/her employment.

3. An injury resulting from the exercise by a teacher, vice principal, principal, or other certificated employee of the same degree of physical control over a student that a parent/guardian would be privileged to exercise, not exceeding the amount of physical control reasonably necessary to maintain order, protect property, protect the health and safety of students, or maintain proper and appropriate conditions conducive to learning. (Education Code 44807)

4. An injury caused by a school employee's use of force that is reasonable and necessary to quell a disturbance threatening physical injury to persons or damage to property, to protect himself/herself, or to obtain weapons or other dangerous objects within the control of the student. (Education Code 49001)

5. Physical pain or discomfort caused by athletic competition or other such recreational activity

voluntarily engaged in by the student. (Education Code 49001)

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

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.

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.

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.

Any person shall notify a peace officer if he/she 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, where the victim is a child under age 14.

Responsibility for Reporting:

The reporting duties of mandated reporters are individual and cannot be delegated to another person.

When two or more mandated reporters jointly have knowledge of a known or suspected instance of child abuse or neglect, and when there is agreement among them, 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.

No supervisor or administrator shall impede or inhibit a mandated reporter from making a report.

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.

Reporting Procedures:

1. Initial Telephone Report

Immediately or as soon as practicably possible after knowing or observing suspected child abuse or neglect, a mandated reporter shall make a report by telephone to any police department.

Child Protective Services:

(877) 881-1116

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

2. Written Report

Within 36 hours of receiving the information concerning the incident, the mandated reporter shall prepare and send to the appropriate agency a written report which includes a completed Department of Justice form.

Mandated reporters may obtain copies of the above form from either the district or the appropriate agency. (Child Protective Services)

Reports of suspected child abuse or neglect shall include, if known:

- 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 information that gave rise to the reasonable suspicion of child abuse or neglect and the source(s) of that information.
- e. The name, address, telephone number, and other relevant personal information about the person(s) who might have abused or neglected the child.

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

Information relevant to the incident of child abuse or neglect may also be given to an investigator from an agency that is investigating the case.

3. Internal Reporting

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

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

The mandated reporter shall not be required to disclose his/her identity to the principal.

He/she may provide or mail a copy of the written report to the principal, Superintendent or designee without his/her signature or name.

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

Training:

Training of mandated reporters shall include child abuse identification and reporting.

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

Victim Interviews:

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

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

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

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)

Peace officers shall be asked to sign an appropriate release or acceptance of responsibility form.

Parent/Guardian Complaints:

Upon request, the Superintendent or designee shall provide parents/guardians with procedures that describe how to report suspected child abuse occurring at a school site to appropriate agencies. For parents/guardians whose primary language is other than English, such procedures shall be in the primary language of the parent/guardian 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 to any district employee, that employee 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.

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](#).

Notifications:

The Superintendent or designee shall provide all new employees who are mandated reporters a statement that informs them that they are mandated reporters, of their reporting obligations under Penal Code 11666, and of their confidentiality rights under Penal Code 11167. The district shall also provide these new employees with a copy of Penal Code 11165.7, 11166, and 11167.

Before beginning employment, employees shall sign the statement indicating that they have knowledge of the reporting obligations under Penal Code 11166 and that they will comply with those provisions. The signed statements shall be retained by the Superintendent or designee.

Employees who work with dependent adults shall be notified of legal responsibilities and reporting procedures pursuant to Welfare and Institutions.

The Superintendent or designee shall also 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.

2. If a mandated reporter fails to report an incident of known or reasonably suspected child abuse or neglect, he/she is guilty of a misdemeanor punishable by a fine and/or imprisonment.

3. No employee shall be subject to any sanction by the district for making a report.

DRUG AND ALCOHOL-FREE WORKPLACE - (BP 4020)

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

An employee shall not unlawfully manufacture, distribute, dispense, possess, or use any controlled substance in the workplace.

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

diminished to an extent that impacts the employee's ability to safely and effectively perform his/her job.

The Superintendent or designee shall notify employees of the district's prohibition against drug use and the actions that will be taken for violation of such prohibition.

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

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

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

Drug-Free Awareness Program / Administered under the Employee Assistance Program

The Superintendent or designee shall establish a drug-free awareness program to inform employees about:

1. The dangers of drug abuse in the workplace
2. The district's policy of maintaining a drug-free workplace

3. Available drug counseling, rehabilitation, and employee assistance programs, which is available on the district website
4. The penalties that may be imposed on employees for drug abuse violations occurring in the workplace

DRUG AND ALCOHOL-FREE WORKPLACE NOTICE TO EMPLOYEES - (E 4020)

NOTICE TO EMPLOYEES YOU ARE HEREBY NOTIFIED that it is a violation of Board policy for any employee at a school district workplace to unlawfully manufacture, distribute, dispense, possess, use or be under the influence of any alcoholic beverage, drug or controlled substance as defined in the Controlled Substances Act and Code of Federal Regulations.

"Possession" is defined as on your person, in your vehicle, or a personal location on district premises, such as a backpack, desk or locker.

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

As a condition of your continued employment with the district, you will comply with the district's policy on Drug and Alcohol-Free Workplace and will, any time you are convicted of any criminal drug or alcohol statute violation occurring in the

workplace, notify your supervisor of this conviction no later than five days after such conviction.

Pursuant to the federal Omnibus Transportation Employee Testing Act of 1991, school bus drivers shall be subject to a drug and alcohol testing program that fulfills the requirements of the Code of Federal Regulations, Title 49, Part 382.

Drug and Alcohol Testing for School Bus Drivers)

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

Pursuant to Education Code 44425, whenever the holder of any credential issued by the State Board of Education or the Commission for Teacher Preparation and Licensing has been convicted of a controlled substance offense as defined in Education Code 44011, the commission shall forthwith suspend the credential. When the conviction becomes final or when imposition of sentence is suspended, the commission shall revoke the credential. (Education Code 44425)

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

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

Drug and alcohol counseling, rehabilitation, and/or employee assistance programs:

MHN Employee Assistance Program
(800) 977-7593

EMPLOYEE USE OF TECHNOLOGY - (BP 4040)

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

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

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

Online/Internet Services:

The Superintendent or designee shall ensure that all district computers with Internet access have a technology protection measure that prevents access to visual depictions that are obscene or child pornography and that the operation of such

measures is enforced. The Superintendent or designee may disable the technology protection measure during use by an adult to enable access for bona fide research or other lawful purpose.

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

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

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

Use of Cellular Phone or Mobile Communications Device:

Any employee that uses a cell phone or mobile communications device in violation of law, Board policy, or administrative regulation shall be subject to discipline and may be referred to law enforcement officials as appropriate.

EMPLOYEE USE OF TECHNOLOGY - (AR 4040)

Online/Internet Services: User Obligations and Responsibilities

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

1. The employee in whose name an online services account is issued is responsible for its proper use at all times. Employees shall keep account information, home addresses, and telephone numbers private. They shall use the system only under the account number to which they have been assigned.
2. Employees shall use the system safely, responsibly, and primarily for work-related purposes.
3. Employees shall not access, post, submit, publish, or display harmful or inappropriate matter that is threatening, obscene, disruptive, or sexually explicit, or that could be construed as harassment or disparagement of others based on their race, ethnicity, national origin, sex, gender, sexual orientation, age, disability, religion, or political beliefs.
4. Employees shall not use the system to promote unethical practices or any activity prohibited by law, Board policy, or administrative regulations.
5. Employees shall not use the system to engage in commercial or other for-profit activities without permission of the Superintendent or designee.

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

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

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

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

EMPLOYEE USE OF TECHNOLOGY - (E4040)

Employee Acceptable Use Agreement of Technology Resources:

It is the agreement of the Pittsburg Unified School District (PUSD or District) to afford broad access to district computers, communications systems (email, web sites, smart phones, blogging, podcasting and/or other emerging technologies), the Internet and an array of technology resources for district employees for use in fulfilling the district's missions, and for the appropriate district-related activities. The purpose of this Acceptable

Use Agreement is to outline the acceptable and unacceptable use by employees of district technology resources and personal technology resources that access or use district resources. The principles outlined herein are in place to protect both the employee and the district. This agreement applies to all non-student users of the district's technology resources including contractors and affiliated third parties. (Student users of the district's technology resources are governed by a separate Acceptable Use Agreement.) It is the sole responsibility of each employee to be informed about his/her responsibilities and the district's expectations for the use of technology resources.

While using district technology resources each employee must act in an appropriate manner consistent with district, ethical and legal principles. This includes any remote access which employees may gain off-site, but which involves the use of district sites, servers, intranet facilities, email accounts, software or equipment. It also includes the use of personal technology resources when such personal resources are utilizing district servers, intranet facilities, email accounts, software or storing or accessing PUSD data.

Access to technology resources carries with it the responsibility for ensuring that the use of these resources is primarily for PUSD purposes and district-related activities, and for maintaining the integrity and security of the district's technology equipment and facilities. The district's communication systems have not been established as a public access service or a public forum. The district has the right to place reasonable restrictions on the material employee's access or post through the technology resources. In the interest of making the use of technology resources a natural part of the day-to-day work of all members of the district community, incidental personal use is acceptable. However, the use of

district technology resources is prohibited for personal purposes during assigned work time. Use of district technology resources for personal purposes should be incidental, done on the employee's own time, and at the employee's own risk. The district's technology resources shall never be used to solicit commercial sales for personal benefit, religious activities, or for political lobbying.

Effective security of technology resources is a team effort that involves the participation and support of every employee. Employees must respect the integrity and security of PUSD's information technology system, and the access privileges, privacy, and reasonable preferences of other users. Employees having access to technology resources must take reasonable care to ensure that unauthorized persons are not able to use their access to the system. The use of PUSD technology resources may involve the use of a password, network access code or other identifying or validating code. Such passwords and codes are to be protected as private information provided to the individual user for their sole purpose. Such passwords and codes shall not be disclosed by the employee to others. Employees shall immediately notify Educational Technology if you have identified a possible security problem. Employees further agree to avoid the inadvertent spread of computer viruses by following the district's virus protection procedures.

The district's technology resources are, by nature, finite. Employees must recognize that certain uses of the district's technology resources may be limited for reasons related to the capacity or security of the district's information technology system, or as required for fulfilling the district's primary instruction and public service missions.

No information technology resources can absolutely guarantee the privacy or confidentiality

of electronic data, information and the transmission of such. However, all employees shall take reasonable precautions to protect electronic data, information and the transmission of such containing private and confidential information. The privacy and protection of personally identifiable student and employee data is of paramount importance. Likewise, the safeguarding of physical technology resources assigned to employees is the responsibility of the employee. It is the employee's responsibility to report the loss of private and confidential information, and the loss of technology equipment to the Educational Technology immediately upon the discovery of the loss.

In addition to the general principles set forth in this Acceptable Use Agreement, the use of technology resources may be affected by a number of other legal and ethical principles. While it is not possible to list all potentially applicable laws, regulations and local standards, the following are provided:

1. The use of district technology resources may involve the use of a password, network access code or other identifying or validating code. Such passwords and codes are to be protected as private information provided to the individual user for their sole purpose. Such passwords and codes shall not be disclosed by the employee to others. Users may not try to gain unauthorized access ("hacking") to the files or technology systems of any other person or organization.
2. District technology resources shall not be used for any activity, or to transmit any material, that violates United States, California or local laws. This includes, but is not limited to, fraudulent acts, violations of copyright, or other intellectual property laws, and any threat or act of intimidation or harassment against another person. PUSD technology resources users may not intentionally

create, store, display, print, or transmit information which violates the district's Sexual Harassment Agreement.

3. District technology resources shall not be used to download, copy, or store any copyrighted software, publications, music, video, or other content without permission from the copyright holder. Any software that is installed on district technology resources shall be properly licensed from the copyright owner thereof, and any modifications must comply with the terms of the applicable license(s). PUSD retains the right to remove software that is not compliant with copyright laws or applicable license(s), or that cause the workstation to become unstable or consume excessive technology resources.

4. The use of district technology resources is not private; employees should not expect that files stored on or transmitted via PUSD's resources will be confidential. All digital transmissions are subject to inspection and/or monitoring by district employees and other officials. Digital storage is PUSD property, and as such, network administrators will review files and communications to maintain system integrity and ensure that employees are using technology responsibly. Data, information and transmissions using district technology resources constitute public records and may be subject to public records retention and release laws.

5. Employees are expected to model tolerance and good manners. district technology resource users agree not to send, access, submit, publish, display or print hate mail, defamatory statements, vulgar, derogatory, obscene, profane, sexually oriented, threatening, offensive or illegal material or language over the Internet or PUSD technology resources, or using PUSD technology resources. District technology resources users shall not access

Web sites, newsgroups, or chat areas that contain material that is prohibited under child pornography laws or that promotes illegal acts. The use of district technology resources in a manner intended to injure or humiliate others by disclosure of personal information (whether true or false), personal attacks on others, and statements expressing animus towards any person or group by reason of race, color, religion, national origin, gender, sexual orientation or disability is not acceptable. Cyber bullying is specifically prohibited. It shall be the employee's responsibility to report the inappropriate use, web site, or communication to the employee's supervisor.

6. District technology resources users shall not post anonymous messages or attempt to impersonate another person by forging email, web pages or other electronic media.

7. District technology resource users agree not to send, access, submit, publish, display or print over the Internet or PUSD technology resources, or using PUSD technology resources, any obscene, profane, sexually oriented, threatening, offensive or illegal material.

8. The primary use of the district's technology resources is for district-related work. While some incidental personal use of the PUSD technology resources is permitted, such incidental use will not be deemed a waiver of district's right to prohibit all such use, either on an individually-applicable or on a generally-applicable basis.

9. District technology resources users shall not use PUSD technology resources to conduct for-profit business activities or to engage in religious or political activities. Employees shall not use district technology resources for advertising, promotion commercial purposes, or similar objectives.

10. District technology resources users shall not send unsolicited email messages, including the sending of "junk mail" or other advertising material to individuals who did not specifically request such material ("spamming"). PUSD technology resources users shall not create or forward "chain letters," "Ponzi," or other "pyramid" schemes of any type.

11. Virtual and physical vandalism shall not be tolerated. Any intentional act by an employee that damages or interferes with performance of district technology hardware, software, operating systems, or communication systems will be considered vandalism and will be subject to discipline and/or appropriate criminal, or civil action. PUSD technology resources users shall not introduce malicious programs into the district's technology resources (e.g. viruses, worms, Trojan horses, email bombs, etc.). District technology resources users shall not intentionally disrupt network traffic or crash the network and connected systems; users shall not degrade or disrupt equipment or system performance.

12. Employees may bring personal technology, including computers, smart phones, network access devices, or other electronic signaling devices to their work place. However, the district is not responsible for the safeguarding of such personal technology. This does not include routers or wireless access points.

13. Employees shall not take data, equipment, software or supplies (paper, toner cartridges, disks, etc.) for their own personal use. Such taking will be treated as theft. Employees may take computer equipment home or to off-site destinations for district-related purposes with the prior permission of their supervisor.

PUSD will cooperate fully with local, state, and federal officials in any investigation related to any suspected illegal activities conducted through district technology resources.

Employees who violate this Acceptable Use Agreement may have their access privileges suspended or revoked. In addition, further disciplinary action may be taken as permitted by applicable law and/or the terms of any applicable collective bargaining agreement.

Notwithstanding the language or descriptions used in this Acceptable Use Agreement, Board Policy 4040 and associated administrative rules and regulations govern the use of PUSD technology resources. All employees, contractors and associated third parties shall acknowledge receipt of this Acceptable Use Agreement and their responsibility to abide by the provisions of Board Policy 4040, associated rules and regulations, and this Acceptable Use Agreement.

SEXUAL HARASSMENT - (BP 4119.11)

The Governing Board is committed to providing a safe work environment that is free of harassment and intimidation. The Board prohibits sexual harassment against district employees and retaliatory behavior or action against any person who complains, testifies, or otherwise participates in the complaint process established for the purpose of this policy Sexual harassment includes, but is not limited to, harassment that is based on the gender, gender identity, gender expression, or sexual orientation of the victim.

This policy shall apply to all district employees and to other persons on district property or with some employment relationship with the district, such as interns, volunteers, contractors, and job applicants.

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

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 employees and others to whom the policy may apply.
3. Ensuring prompt, thorough, and fair investigation of complaints
4. Taking timely and appropriate corrective/remedial action(s), which may require interim separation of the complainant and the alleged harasser and subsequent monitoring of developments

The Superintendent or designee shall periodically evaluate the effectiveness of the district's strategies to prevent and address harassment. Such evaluation may involve conducting regular anonymous employee surveys to assess whether harassment is occurring or is perceived to be tolerated, partnering with researchers or other agencies with the needed expertise to evaluate the district's prevention strategies, and using any other effective tool for receiving feedback on systems and/or processes. As necessary, changes

shall be made to the harassment policy, complaint procedures, or training.

Sexual Harassment Reports and Complaints

Any district employee who feels that he/she has been sexually harassed in the performance of his/her district responsibilities or who has knowledge of any incident of sexual harassment by or against another employee, shall immediately report the incident to his/her direct supervisor, another supervisor, the district's coordinator for nondiscrimination, the Superintendent, or, if available, a complaint hotline or an ombudsman. A supervisor or administrator who receives a harassment complaint shall promptly notify the coordinator. A supervisor, principal or other district administrator who receives a harassment complaint shall promptly notify the Superintendent or designee.

Complaints of sexual harassment shall be filed in accordance with AR 4030 - Nondiscrimination in Employment. An employee may bypass his/her supervisor in filing a complaint where the supervisor is the subject of the complaint.

SEXUAL HARASSMENT - (AR 4119.11)

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:

1. Submission to the conduct is made explicitly or implicitly a term or condition of the individual's employment.

2. Submission to or rejection of such conduct by the individual is used as the basis for an employment decision affecting him/her.

3. The conduct has the purpose or effect of having a negative impact upon the individual's work or has the purpose or effect of creating an intimidating, hostile, or offensive work environment. The conduct is sufficiently severe, persistent, pervasive, or objectively offensive so as to create a hostile or abusive working environment or to limit the individual's ability to participate in or benefit from an education program or activity.

4. Submission to or rejection of the conduct by the other individual is used as the basis for any decision affecting him/her regarding benefits, services, honors, programs, or activities available at or through the district.

Other examples of actions that might constitute sexual harassment, whether committed by a supervisor, a co-worker, or a non-employee, in the work or educational setting, include, but are not limited to:

1. Unwelcome verbal conduct such as sexual flirtations or propositions; graphic comments about an individual's body; overly personal conversations or pressure for sexual activity; sexual jokes or stories; unwelcome sexual slurs, epithets, threats, innuendoes, derogatory comments, sexually degrading descriptions, or the spreading of sexual rumors

2. Unwelcome visual conduct such as drawings, pictures, graffiti, or gestures; sexually explicit emails; displaying sexually suggestive objects

3. Unwelcome physical conduct such as massaging, grabbing, fondling, stroking, or brushing the body; touching an individual's body or clothes in a sexual

way; cornering, blocking, leaning over, or impeding normal movements

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

Training:

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

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

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

Notifications:

A copy of the Board policy and this administrative regulation shall:

1. Be displayed in a prominent location in the main administrative building, district office, or other area of the school where notices of district rules, regulations, procedures, and standards of conduct are posted
2. Be provided to each faculty member, all members of the administrative staff, and all members of the support staff at the beginning of the first quarter or semester of the school year or whenever a new employee is hired
3. Appear in any school or district publication that sets forth the schools 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:

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 7287.8 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.

TOBACCO-FREE SCHOOLS - (BP 3513.3)

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

The Board prohibits the use of tobacco products at any time in district-owned or leased buildings, on district property and in district vehicles.

This prohibition applies to all employees, students and visitors at any instructional program, activity or athletic event.

TOBACCO-FREE SCHOOLS - (AR 3513.3)

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)

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

Enforcement/Discipline:

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

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

NONDISCRIMINATION IN EMPLOYMENT - (BP 4030)

The Governing Board is determined to provide a safe, positive environment where all district employees are assured of full and equal employment access and opportunities, protection from harassment and intimidation, and freedom from any fear of reprisal or retribution for asserting their employment rights in accordance with law. For purposes of this policy, employees include job applicants, interns, volunteers, and persons who contracted with the district to provide services, as applicable.

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

The district shall not inquire into any employee's immigration status nor discriminate against an employee on the basis of immigration status, unless there is clear and convincing evidence that it is necessary to comply with federal immigration law.

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

1. Discrimination in hiring, compensation, terms, conditions, and other privileges of employment
2. Taking of an adverse employment action, such as termination or the denial of employment, promotion, job assignment, or training
3. Unwelcome conduct, whether verbal, physical, or visual, that is so severe or pervasive as to adversely affect an employee's employment opportunities, or that has the purpose or effect of unreasonably interfering with the individual's work performance or creating an intimidating, hostile, or offensive work environment

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

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

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

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

d. Failure to make reasonable accommodation for the known physical or mental disability of an employee, or to engage in a timely, good faith, interactive process with an employee who has requested such accommodations in order to determine the effective reasonable accommodations, if any, to be provided to the employee

The Board also prohibits retaliation against any district employee who opposes any discriminatory employment practice by the district or its employees, agents, or representatives or who

complains, testifies, assists, or in any way participates in the district's complaint process pursuant to this policy. No employee who requests an accommodation for any protected characteristic listed in this policy shall be subjected to any punishment or sanction, regardless of whether the request was granted.

No employee shall, in exchange for a raise or bonus or as a condition of employment or continued employment, be required to sign any document that releases the employee's right to file a claim against the district or to disclose information about harassment or other unlawful employment practices.

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

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

The Superintendent or designee shall use all appropriate means to reinforce the district's nondiscrimination policy, including providing training and information to employees about how to recognize harassment, discrimination, or other related conduct, how to respond appropriately,

and components of the district's policies and regulations regarding discrimination. The Superintendent or designee shall regularly review the district's employment practices and, as necessary, shall take action to ensure district compliance with the nondiscrimination laws.

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

NONDISCRIMINATION IN EMPLOYMENT - (AR 4030)

Unlawful discrimination or harassment of an individual includes:

1. Slurs, epithets, threats or verbal abuse
2. Derogatory or degrading comments, descriptions, drawings, pictures or gestures
3. Unwelcome jokes, stories, teasing or taunting
4. Any other verbal, written, visual or physical conduct against the individual which:
 - a. Adversely affects his/her employment opportunities, or
 - b. Has the purpose or effect of unreasonably interfering with his/her work performance or creating an intimidating, hostile or offensive work environment

Any employee or job applicant who feels that he/she has been or is being unlawfully

discriminated against or harassed should immediately contact his/her supervisor, the nondiscrimination coordinator (Assistant Superintendent of Personnel) or the Superintendent in order to obtain procedures for reporting a complaint. Such complaints shall be filed in accordance with AR 4031 - Complaints Concerning Discrimination in Employment. An employee may bypass his/her supervisor when the supervisor is the alleged offender.

Any supervisor who receives a discrimination/harassment complaint shall immediately notify the nondiscrimination coordinator or the Superintendent, who shall ensure that the complaint is appropriately investigated in accordance with district policy and regulations.

The Superintendent or designee shall ensure that annual training is provided to all employees regarding the issues of discrimination.

EXPOSURE CONTROL PLAN FOR BLOOD BORNE PATHOGENS - (BP 4219.42)

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

The Superintendent or designee shall determine which employees have occupational exposure to blood borne pathogens and other potentially infectious materials. In accordance with the district's exposure control plan, employees having occupational exposure shall be offered the hepatitis B vaccination.

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

EXPOSURE CONTROL PLAN FOR BLOOD BORNE PATHOGENS - (AR 4219.42)

Definitions:

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

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

Parenteral contact means piercing mucous membranes or the skin barrier through such events as needle sticks, human bites, cuts, and abrasions.

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

A sharps injury is any injury caused by a sharp, including but not limited to cuts, abrasions or needle sticks.

Work practice controls are controls that reduce the likelihood of exposure by defining the manner in which a task is performed.

Engineering controls are controls, such as sharps disposal containers, needleless systems, and sharps with engineered sharps injury protection, that isolate or remove the blood borne pathogens hazard from the workplace.

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

Exposure Control Plan

The district's exposure control plan shall contain at least the following components:

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

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

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

2. The schedule and method of implementing:

- a. Methods of compliance required by 8 CCR 5193(d), such as universal precautions, general and specific engineering and work practice controls, and personal protective equipment.
- b. Hepatitis B vaccination.
- c. Blood borne pathogen post-exposure evaluation and follow-up.
- d. Communication of hazards to employees, including labels, signs, information and training.
- e. Recordkeeping.

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

4. An effective procedure for gathering information about each exposure incident involving a sharp, as required for the log of sharps injuries

5. An effective procedure for periodically determining the frequency of use of the types and brands of sharps involved in exposure incidents documented in the sharps injury log

6. An effective procedure for identifying currently available engineering controls and selecting such controls as appropriate for the procedures performed by employees in their work areas or departments

7. An effective procedure for documenting instances when a licensed healthcare professional directly involved in a patient's care determines, in the reasonable exercise of clinical judgment that the use of an engineering control would jeopardize an individual's safety or the success of a medical, dental or nursing procedure involving the individual

8. An effective procedure for obtaining the active involvement of employees in reviewing and updating the exposure control plan with respect to the procedures performed by employees in their respective work areas or departments

The exposure control plan shall be reviewed and updated at least annually and whenever necessary to:

- a. Reflect new or modified tasks and procedures affecting occupational exposure
- b. To the extent that sharps are used in the district, reflect progress in implementing the use of needleless systems and sharps with engineered sharps injury protection
- c. Include new or revised employee positions with occupational exposure
- d. Review and evaluate the exposure incidents which occurred since the previous update
- e. Review and respond to information indicating that the exposure control plan is deficient in any area

The district's exposure control plan shall be accessible to employees upon request.

Information and Training

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

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

Reporting Incidents

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

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

Sharps Injury Log

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

The information recorded shall include the following, if known or reasonably available:

1. Date and time of the exposure incident
2. Type and brand of sharp involved in the exposure incident
3. A description of the exposure incident, including:
 - a. Job classification of the exposed employee
 - b. Department or work area where the exposure incident occurred

- c. The procedure that the exposed employee was performing at the time of the incident
- d. How the incident occurred
- e. The body part involved in the incident
- f. If the sharp had engineered sharps injury protection, whether the protective mechanism was activated and whether the injury occurred before, during or after the protective mechanism was activated
- g. If the sharp had no engineered sharps injury protection, the injured employee's opinion as to whether and how such a mechanism could have prevented the injury
- h. The employee's opinion about whether any other engineering, administrative or work practice could have prevented the injury

Post-Exposure Evaluation and Follow-up

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

1. Document the route(s) of exposure and the circumstances under which the exposure incident occurred
2. Identify and document the source individual, unless that identification is infeasible or prohibited by law
3. Provide for the collection and testing of the employee's blood for hepatitis B, hepatitis C and HIV serological status

4. Provide for post-exposure prophylaxis, when medically indicated, as recommended by the U.S. Public Health Service

5. Provide for counseling and evaluation of reported illnesses

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

The district shall maintain the confidentiality of the affected employee and the exposure source during all phases of the post-exposure evaluation.

Records

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

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

Upon request by an employee, or a designated representative with the employee's written consent, the Superintendent or designee shall provide access to a record in a reasonable time,

place and manner, no later than 15 days after the request is made.

Records shall be maintained as follows:

1. Medical records shall be maintained for the duration of employment plus 30 years.

2. Training records shall be maintained for three years from the date of training.

3. The sharps injury log shall be maintained five years from the date the exposure incident occurred.

4. Exposure records shall be maintained for at least 30 years.

5. Each analysis using medical or exposure records shall be maintained for at least 30 years.

UNIFORM COMPLAINT (UC) PROCEDURES - (BP 1312.3)

PUSD, as a district, is determined to serve the identified needs of all its students as part of its commitment to both equity and providing rigorous learning opportunities to all students to assist them to achieve their highest potential. Following a data driven and results-based approach, the Governing Board supports a cycle of inquiry approach of continual improvement. The program update to the Board will be guided by the cycle of inquiry and the essential questions: What is the need? What are the goals? What are we using to measure progress? What are the results?

The Governing Board recognizes that the

district has the primary responsibility to ensure compliance with applicable state and federal laws and regulations governing educational programs. The Board encourages early resolution of complaints whenever possible. To resolve complaints which may require a more formal process, the Board adopts the uniform system of complaint processes specified in 5 CCR 4600-4670 and the accompanying administrative regulation.

Complaints Subject to the UCP

The district's uniform complaint procedures (UCP) shall be used to investigate and resolve the following complaints:

1. Any complaint alleging district violation of applicable state or federal law or regulations governing adult education any programs, subject to the UCP which is offered by the district, including Adult Education programs; After School Education and Safety programs, agricultural career technical education, federal career technical education; child care and development programs; compensatory education; the federal Every Student Succeeds Act; migrant education; Regional Occupational Centers and Programs; school safety plans; California State Preschool Programs; Consolidated Application, and any other district-implemented state categorical program that is not funded through the local control funding formula pursuant to Education Code 64000(a)

(cf. 3553 - Free and Reduced Price Meals)
(cf. 3555 - Nutrition Program Compliance)
(cf. 5148 - Child Care and Development)
(cf. 5148.2 - Before/After School Programs)

(cf. 5148.3 - Preschool/Early Childhood Education)
(cf. 6171 - Title I Programs)
(cf. 6174 - Education for English Learners)
(cf. 6175 - Migrant Education Program)
(cf. 6178 - Career Technical Education)
(cf. 6178.1 - Work-Based Learning)
(cf. 6178.2 - Regional Occupational Center/Program)
(cf. 6200 - Adult Education)

2. Any complaint, by a student, employee, or other person participating in a district program or activity, alleging the occurrence of unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), in those programs or activities funded directly by or that receive or benefit from any state financial assistance, based on the person's actual or perceived characteristics of race or ethnicity, color, ancestry, nationality, national origin, immigration status, ethnic group identification, age, religion, marital status, pregnancy, parental status, physical or mental disability, medical condition, sex, sexual orientation, gender, gender identity, gender expression, or genetic information, or any other characteristic identified in Education Code 200 or 220, Government Code 11135, or Penal Code 422.55, or based on his/her association with a person or group with one or more of these actual or perceived characteristics (5 CCR 4610)

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

(cf. 5145.3 - Nondiscrimination/Harassment)
(cf. 5145.7 - Sexual Harassment)

3. Any complaint alleging district

noncompliance with the requirement to provide reasonable accommodation to a lactating student on school campus to express breast milk, breastfeed an infant child, or address other breastfeeding-related needs of the student (Education Code 222) *If a public school or LEA finds merit in a complaint regarding Reasonable Accommodations to a Lactating Pupil, the public school or LEA shall provide a remedy to the affected pupil. (Federal Program Monitoring requirement)*

(cf. 5146 - Married/Pregnant/Parenting Students)

4. Any complaint, alleging district noncompliance with requirements to provide a pregnant or parenting student the accommodations specified in Education Code 46015, including those related to the provision of parental leave, right of return to the school of previous enrollment or to an alternative education program, if desired, and possible enrollment in school for a fifth year of instruction to enable the student to complete state and Board-imposed graduation requirements (Educational Code 46015) *If a public school or LEA finds merit in a complaint regarding Reasonable Accommodations to a Lactating Pupil, the public school or LEA shall provide a remedy to the affected pupil. (Federal Program Monitoring requirement)*

5. Any complaint alleging district noncompliance with legal requirements related to the implementation of the local control and accountability plan (Education Code 52075)

(cf. 3260 - Fees and Charges)

(cf. 3320 - Claims and Actions against the District)

6. Any complaint alleging district noncompliance with applicable requirements of Education Code 52060-52077 related to the implementation of the local control and accountability plan, including the development of a local control funding formula budget overview for parents/guardians (Education Code 52075)

(cf. 0460 - Local Control and Accountability Plan)

(cf. 3100 - Budget)

7. Any complaint, by or on behalf of a student who is a foster youth as defined in Education Code 51225.2, alleging district noncompliance with any requirement applicable to the student regarding placement decisions; the responsibilities of the district's educational liaison to the student; the award of credit for coursework satisfactorily completed in another school, district, or country; school or records transfer; or the grant of an exemption from Board-imposed graduation requirements (Education Code 48853, 48853.5, 49069.5, 51225.1 51225.2) *If a public school or LEA finds merit in a complaint regarding Education of Pupils in Foster Care, the public school or LEA shall provide a remedy to the affected pupil. (Federal Program Monitoring requirement)*

(cf. 6173.1 - Education for Foster Youth)

8. Any complaint, alleging district noncompliance with the physical education instructional minutes requirement for students in elementary school (Education Code 51210, 51223) by or on behalf of a student who transfers into the district after the second year of high school and is a homeless child or youth as defined in 42 USC 11434a, a former juvenile court school student currently enrolled in the district, a child of a military family as defined in Education Code 49701, or a migrant student as defined in Education Code 54441, or by or on behalf of an immigrant student participating in a newcomer program as defined in Education Code 51225.2 in the third or fourth year of high school, alleging district noncompliance with any requirement applicable to the student regarding the grant of an exemption from Board-imposed graduation requirements (Education Code 51225.1) *If a public school or LEA finds merit in a complaint regarding, Pupils who are Homeless, former Juvenile Court Pupils now enrolled in a school district, and pupils in military families, the public school or LEA shall provide a remedy to the affected pupil. (Federal Program Monitoring requirement)*

(cf. 6173 - Education for Homeless Children)
(cf. 6173.2 - Education of Children of Military Families)
(cf. 6173.3 - Education for Juvenile Court School Students)

9. Any complaint, by or on behalf of a student who is a homeless child or youth as defined in 42 USC 11434a, a former juvenile court school student, a child of a military family as defined in Education Code 49701, a migrant child

as defined in Education Code 54441, or a newly arrived immigrant student who is participating in a newcomer program as defined in Education Code 51225.2, alleging district noncompliance with requirements for the award of credit for coursework satisfactorily completed in another school, district, or country (Education Code 51225.2) *If a public school or LEA finds merit in a complaint regarding, Pupils who are Homeless, former Juvenile Court Pupils now enrolled in a school district, and pupils in military families, the public school or LEA shall provide a remedy to the affected pupil. (Federal Program Monitoring requirement)*

10. Any complaint alleging district noncompliance with the requirements of Education Code 51228.1 and 51228.2 that prohibit the assignment of a student in grades 9-12 to a course without educational content for more than one week in any semester or to a course the student has previously satisfactorily completed, without meeting specified condition (Education Code 51228.3) *If a public school or LEA finds merit in a complaint regarding Course Periods without Educational Content (grades nine through twelve), the public school or LEA shall provide a remedy to the affected pupil. (Federal Program Monitoring requirement)*

(cf 6152 – Class Assignment)

11. Any complaint alleging district noncompliance with the physical education

instructional minutes requirement (Education Code 51210, 51222, 51223)

(cf. 6142.7 - Physical Education and Activity)

12. Complaints regarding the noncompliance of a license-exempt California State Preschool Program (CSPP) with health and safety standards specified in Health and Safety Code 1596.7925 and related state regulations (Education Code 8235.5; Health and Safety Code 1596.7925)

13. Any complaint alleging retaliation against a complainant or other participant in the complaint process or anyone who has acted to uncover or report a violation subject to this policy

14. Any other complaint as specified in district policy

The Board recognizes that alternative dispute resolution (ADR) can, depending on the nature of the allegations, offer a process to reach a resolution to the complaint that is acceptable to all parties. ADR such as mediation may be offered to resolve complaints that involve more than one student and no adult. However, mediation shall not be offered or used to resolve any complaint involving sexual assault or where there is a reasonable risk that a party to the mediation would feel compelled to participate. The Superintendent or designee shall ensure that the use of ADR is consistent with state and federal laws and regulations.

The district shall protect all complainants from retaliation. In investigating complaints, the confidentiality of the parties involved shall be protected as

required by law. For any complaint alleging retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the Superintendent or designee shall keep the identity of the complainant, and/or the subject of the complaint if he/she is different from the complainant, confidential when appropriate and as long as the integrity of the complaint process is maintained.

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

(cf. 5125 - Student Records)

(cf. 9011 - Disclosure of Confidential/Privileged Information)

When an allegation that is not subject to the UCP is included in a UCP complaint, the district shall refer the non-UCP allegation to the appropriate staff or agency and shall investigate and, if appropriate, resolve the UCP-related allegation(s) through the district's UCP.

The Superintendent or designee shall provide training to district staff to ensure awareness and knowledge of current law and related requirements, including the steps and timelines specified in this policy and the accompanying administrative regulation.

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

The Superintendent or designee shall maintain records of each complaints and subsequent related actions, including steps

taken during the investigations and all information required for compliance with 5 CCR 4631 and 4633. *The SSPI or his or her designee shall comply with the requirements of 5 CCR section 4633 and shall provide a written decision to the State Board of Education describing the basis for the complaint, the LEA's response to the state preschool health and safety issues pursuant to HSC section 1596.7925 complaint and its remedy or proposed remedy and, as appropriate, a proposed remedy for the issue described in the complaint, if different from the LEA's remedy. (Federal Program Monitoring requirement)*

(cf. 3580 - District Records)

Non-UCP Complaints

The following complaints shall not be subject to the district's UCP but shall be referred to the specified agency: (5 CCR 4611)

1. Any complaint alleging child abuse or neglect shall be referred to the County Department of Social Services, the County Protective Services Division, and the appropriate law enforcement agency.

(cf. 5141.4 - Child Abuse Prevention and Reporting)

2. Any complaint alleging health and safety violations by a child development program shall, for licensed facilities, be referred to Department of Social Services and shall, for licensing-exempt facilities, be referred to the appropriate

Child Development regional administrator.

3. Any complaint alleging fraud shall be referred to the Legal, Audits and Compliance Branch of the California Department of Education.

Any complaint alleging employment discrimination or harassment shall be investigated and resolved by the district in accordance with the procedures specified in AR 4030 - Nondiscrimination in Employment, including the right to file the complaint with the California Department of Fair Employment and Housing.

Any complaint related to sufficiency of textbooks or instructional materials, emergency or urgent facilities conditions that pose a threat to the health or safety of students or staff, or teacher vacancies and misassignments shall be investigated and resolved in accordance with the procedures in AR 1312.4 - Williams Uniform Complaint Procedures. (Education Code 8235.5, 35186)

(cf. 1312.4 - Williams Uniform Complaint Procedures)

All complaints and responses are public records. (Federal Program Monitoring requirement)

UNIFORM COMPLAINT (UC) PROCEDURES - (AR 1312.3)

Except as the Governing Board may otherwise specifically provide in other Board policies, these uniform complaint procedures (UCP) shall be used to investigate and resolve only the complaints specified in BP 1312.3.

Compliance Officers:

The Governing Board designates the individual(s), position(s), or unit(s) identified below as responsible for coordinating the district's response to complaints and for complying with state and federal civil rights laws. The individual(s), position(s), or unit(s) also serve as the compliance officer(s) specified in AR 5145.3 - Nondiscrimination/Harassment responsible for handling complaints regarding unlawful discrimination (such as discriminatory harassment, intimidation, or bullying). The compliance officer(s) shall receive and coordinate the investigation of complaints and shall district compliance with law:

Assistant Superintendent, Educational Services
2000 Railroad Avenue
Pittsburg, CA 94565
(925) 473-2312
amolina@pittsburgusd.net

The Superintendent or designee shall ensure that employees assigned to investigate and resolve complaints receive training and are knowledgeable about the laws and programs at issue in the complaints to which they are assigned. Training provided to such employees shall cover current state and federal laws and

regulations governing the program, applicable processes for investigating and resolving complaints, including those alleging unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), applicable standards for reaching decisions on complaints, and appropriate corrective measures. Designated employees may have access to legal counsel as determined by the Superintendent or designee.

The compliance officer or, if necessary, any appropriate administrator shall determine whether interim measures are necessary during and pending the result of an investigation. If interim measures are determined to be necessary, the compliance officer or the administrator shall consult with the Superintendent, the Superintendent's designee, or, if appropriate, the site principal to implement one or more interim measures. The interim measures shall remain in place until the compliance officer determines that they are no longer necessary or until the district issues its final written decision, whichever occurs first.

Notifications:

The district's UCP policy and administrative regulation shall be posted in all district schools and offices, including staff lounges and student government meeting rooms. (Education Code 234.1)

The Superintendent or designee shall annually provide written notification of the district's uniform complaint procedures to students, employees, parents/guardians, the district advisory committee, school advisory committees,

appropriate private school officials or representatives, and other interested parties. (5 CCR 4622)

The notice shall include:

1. A statement that the district is primarily responsible for compliance with federal and state laws and regulations, including those related to prohibition of unlawful discrimination, harassment, intimidation, or bullying against any protected group and all programs and activities that are subject to UCP as identified in the section "Complaints Subject to UCP" in the accompanying Board policy
2. A statement that a complaint regarding student fees or the local control and accountability plan (LCAP) may be filed anonymously if the complainant provides evidence or information leading to evidence to support the complaint
3. A statement that a student enrolled in a public school shall not be required to pay a fee for participation in an educational activity that constitutes an integral fundamental part of the district's educational program, including curricular and extracurricular activities
4. A statement that a complaint regarding student fees must be filed no later than one year from the date the alleged violation occurred
5. A statement that the district will post a standardized notice of the educational rights of foster youth, homeless students, former juvenile court school students now enrolled in the district, children of military families, migrant students, and immigrant students enrolled in a newcomer program, as specified in Education Code 48853, 48853.5, 49069.5, 51225.1, and 51225.2, and the complaint process
6. Identification of the responsible staff member(s), position(s), or unit(s) designated to receive complaints
7. A statement that complaints will be investigated in accordance with the district's UCP and a written decision will be sent to the complainant within 60 days from the receipt of the complaint, unless this time period is extended by written agreement of the complainant
8. A statement that the complainant has a right to appeal the district's decision to CDE by filing a written appeal, including a copy of the original complaint and the district's decision, within 15 days of receiving the district's decision
9. A statement advising the complainant of any civil law remedies, including, but not limited to, injunctions, restraining orders, or other remedies or orders that may be available under state or federal antidiscrimination laws, if applicable
10. *A statement declaring that the SSPI or his or her designee shall comply with the requirements of 5 CCR section 4633 and shall provide a written decision to the State Board of Education describing the basis for the complaint, the LEA's response to the state preschool health and safety issues pursuant to HSC section 1596.7925 complaint and its remedy or proposed remedy and, as appropriate, a proposed remedy for the issue*

described in the complaint, if different from the LEA's remedy (Federal Program Monitoring requirement)

11. A statement that copies of the district's UCP are available free of charge
12. *All complaints and responses are public records (Federal Program Monitoring requirement)*

The annual notification, complete contact information of the compliance officer(s), and information related to Title IX as required pursuant to Education Code 221.61 shall be posted on the district web site and may be provided through district-supported social media, if available.

The Superintendent or designee shall ensure that all students and parents/guardians, including students and parents/guardians with limited English proficiency, have access to the relevant information provided in the district's policy, regulation, forms, and notices concerning the UCP.

If 15 percent or more of students enrolled in a particular district school speak a single primary language other than English, the district's policy, regulation, forms, and notices concerning the UCP shall be translated into that language, in accordance with Education Code 234.1 and 48985. In all other instances, the district shall ensure meaningful access to all relevant UCP information for parents/guardians with limited English proficiency.

Filing of Complaint:

The complaint shall be presented to the compliance officer who shall maintain a log of complaints received, providing each with a code number and a date stamp.

All complaints shall be filed in writing and signed by the complainant. If a complainant is unable to put a complaint in writing due to conditions such as a disability or illiteracy, district staff shall assist in the filing of the complaint. (5 CCR 4600)

Complaints shall also be filed in accordance with the following rules, as applicable:

1. A complaint alleging district violation of applicable state or federal law or regulations governing the programs specified in the accompanying Board policy (item #1 of the section "Complaints Subject to UCP") may be filed by any individual, public agency, or organization. (5 CCR 4630)
2. Any complaint alleging noncompliance with law regarding the prohibition against student fees, deposits, and charges or any requirement related to the LCAP may be filed anonymously if the complaint provides evidence, or information leading to evidence, to support an allegation of noncompliance. A complaint about a violation of the prohibition against the charging of unlawful student fees may be filed with the principal of the school or with the Superintendent or designee. However, any such complaint shall be filed no later than one year from the date the alleged violation occurred. (Education Code 49013, 52075; 5 CCR 4630)
3. A complaint alleging unlawful discrimination (such as discriminatory harassment,

intimidation, or bullying) may be filed only by persons who allege that they have personally suffered unlawful discrimination or who believe that an individual or any specific class of individuals has been subjected to unlawful discrimination. The complaint shall be initiated no later than six months from the date that the alleged unlawful discrimination occurred, or six months from the date that the complainant first obtained knowledge of the facts of the alleged unlawful discrimination. The time for filing may be extended for up to 90 days by the Superintendent or designee for good cause upon written request by the complainant setting forth the reasons for the extension. (5 CCR 4630)

4. When a complaint alleging unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) is filed anonymously, the compliance officer shall pursue an investigation or other response as appropriate, depending on the specificity and reliability of the information provided and the seriousness of the allegation.
5. When the complainant of unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) or the alleged victim, when not the complainant, requests confidentiality, the compliance officer shall inform the complainant or victim that the request may limit the district's ability to investigate the conduct or take other necessary action. When honoring a request for confidentiality, the district shall nevertheless take all reasonable steps to

investigate and resolve/respond to the complaint consistent with the request.

Mediation:

Within three days of receiving the complaint, the compliance officer may informally discuss with all the parties the possibility of using mediation. Mediation shall be offered to resolve complaints that involve more than one student and no adult. However, mediation shall not be offered or used to resolve any complaint involving an allegation of sexual assault or where there is a reasonable risk that a party to the mediation would feel compelled to participate. If the parties agree to mediation, the compliance officer shall make all arrangements for this process.

Before initiating the mediation of a complaint alleging retaliation or unlawful discrimination, harassment, intimidation, or bullying, the compliance officer shall ensure that all parties agree to make the mediator a party to relevant confidential information. The compliance officer shall also notify all parties of the right to end the informal process at any time.

If the mediation process does not resolve the problem within the parameters of law, the compliance officer shall proceed with his/her investigation of the complaint.

The use of mediation shall not extend the district's timelines for investigating and resolving the complaint unless the complainant agrees in writing to such an extension of time. If mediation is successful and the complaint is withdrawn, then the district shall take only the actions agreed upon through the mediation. If mediation is

unsuccessful, the district shall then continue with subsequent steps specified in this administrative regulation.

Investigation of Complaint:

Within 10 business days after the compliance officer receives the complaint, the compliance officer shall begin an investigation into the complaint.

Within 10 business days after the compliance officer receives the complaint, the compliance officer shall provide the complainant and/or the complainant's representative an opportunity to present the information contained in the complaint to the compliance officer and shall notify the complainant and/or representative of the opportunity to present the compliance officer with any evidence, or information leading to evidence, to support the allegations in the complaint. Such evidence or information may be presented at any time during the investigation.

In conducting the investigation, the compliance officer shall collect all available documents and review all available records, notes, or statements related to the complaint, including any additional evidence or information received from the parties during the course of the investigation. The compliance officer shall individually interview all available witnesses with information pertinent to the complaint, and may visit any reasonably accessible location where the relevant actions are alleged to have taken place. At appropriate intervals, the compliance officer shall inform both parties of the status of the investigation.

To investigate a complaint alleging retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the compliance officer shall interview the alleged victim(s), any alleged offenders, and other relevant witnesses privately, separately, and in a confidential manner. As necessary, additional staff or legal counsel may conduct or support the investigation.

A complainant's refusal to provide the district's investigator with documents or other evidence related to the allegations in the complaint, failure or refusal to cooperate in the investigation, or engagement in any other obstruction of the investigation may result in the dismissal of the complaint because of a lack of evidence to support the allegation. Similarly, a respondent's refusal to provide the district's investigator with documents or other evidence related to the allegations in the complaint, failure or refusal to cooperate in the investigation, or engagement in any other obstruction of the investigation may result in a finding, based on evidence collected, that a violation has occurred and in the imposition of a remedy in favor of the complainant. (5 CCR [4631](#))

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

Timeline for Final Decision:

Unless extended by written agreement with the complainant, the compliance officer shall prepare and send to the complainant a written report, as described in the section "Final Written Decision" below, within 60 calendar days of the district's receipt of the complaint. (5 CCR 4631)

For any complaint alleging unlawful discrimination (such as discriminatory harassment, intimidation, and bullying), the respondent shall be informed of any extension of the timeline agreed to by the complainant. The respondent also shall be sent the district's final written decision at the same time it is provided to the complainant.

Final Written Decision:

For all complaints, the district's final written decision shall include: (5 CCR 4631)

1. The findings of fact based on the evidence gathered. In reaching a factual determination, the following factors may be taken into account:
 - a. Statements made by any witnesses
 - b. The relative credibility of the individuals involved
 - c. How the complaining individual reacted to the incident
 - d. Any documentary or other evidence relating to the alleged conduct
 - e. Past instances of similar conduct by any alleged offenders
 - f. Past false allegations made by the complainant
2. The conclusion(s) of law -
3. Disposition of the complaint -
4. Rationale for such disposition -

For complaints of retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the disposition of the complaint shall include a determination for each allegation as to whether retaliation or unlawful discrimination has occurred.

The determination of whether a hostile environment exists may involve consideration of the following:

- a. The manner in which the misconduct affected one or more students' education
 - b. The type, frequency, and duration of the misconduct
 - c. The relationship between the alleged victim(s) and offender(s)
 - d. The number of persons engaged in the conduct and at whom the conduct was directed
 - e. The size of the school, location of the incidents, and context in which they occurred
 - f. Other incidents at the school involving different individuals
5. Corrective action(s), including any actions that have been taken or will be taken to address the allegations in the complaint and including, with respect to a student fees complaint, a remedy that comports with Education Code 49013 and 5 CCR 4600

For complaints of unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the decision may, as required by law, include:

- a. The corrective actions imposed on the respondent
- b. Individual remedies offered or provided to the complainant or another person

who was the subject of the complaint, but this information should not be shared with the respondent.

- c. Systemic measures the school has taken to eliminate a hostile environment and prevent recurrence
6. Notice of the complainant's and respondent's right to appeal the district's decision to CDE within 15 calendar days and procedures to be followed for initiating such an appeal.

The decision may also include follow-up procedures to prevent recurrence or retaliation and for reporting any subsequent problems.

In consultation with district legal counsel, information about the relevant part of a decision may be communicated to a victim who is not the complainant and to other parties who may be involved in implementing the decision or are affected by the complaint, as long as the privacy of the parties is protected. In a complaint alleging unlawful discrimination (such as discriminatory harassment, intimidation, and bullying), notice of the district's decision to the alleged victim shall include information about any sanction to be imposed upon the respondent that relates directly to the alleged victim.

If the complaint involves a limited-English-proficient student or parent/guardian and the student involved is enrolled in a school at which 15 percent or more of the students speak a single primary language other than English, then the decision shall also be translated into that language pursuant to Education Code [48985](#). In all other instances, the district shall ensure meaningful access to all relevant information for

parents/guardians with limited English proficiency.

For complaints alleging unlawful discrimination based on state law (such as discriminatory harassment, intimidation, and bullying), the decision shall also include a notice to the complainant that:

1. The complainant may pursue available civil law remedies outside of the district's complaint procedures, including seeking assistance from mediation centers or public/private interest attorneys, 60 calendar days after the filing of an appeal with CDE. (Education Code 262.3)
2. The 60 days moratorium does not apply to complaints seeking injunctive relief in state courts or to discrimination complaints based on federal law. (Education Code 262.3)
3. Complaints alleging discrimination based on race, color, national origin, sex, gender, disability, or age may also be filed with the U.S. Department of Education, Office for Civil Rights at www.ed.gov/ocr within 180 days of the alleged discrimination.

Corrective Actions:

When a complaint is found to have merit, the compliance officer shall adopt any appropriate corrective action permitted by law. Appropriate corrective actions that focus on the larger school or district environment may include, but are not limited to, actions to reinforce district policies; training for faculty, staff, and students; updates to school policies; or school climate surveys.

For complaints involving retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), appropriate remedies that may be offered to the victim but not communicated to the respondent may include, but are not limited to, the following:

1. Counseling
2. Academic support
3. Health services
4. Assignment of an escort to allow the victim to move safely about campus
5. Information regarding available resources and how to report similar incidents or retaliation
6. Separation of the victim from any other individuals involved, provided the separation does not penalize the victim
7. Restorative justice
8. Follow-up inquiries to ensure that the conduct has stopped and there has been no retaliation

For complaints involving retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), appropriate corrective actions that focus on a student offender may include, but are not limited to, the following:

1. Transfer from a class or school as permitted by law
2. Parent/guardian conference
3. Education regarding the impact of the conduct on others
4. Positive behavior support
5. Referral to a student success team (cf. 6164.5 - Student Success Teams)
6. Denial of participation in extracurricular or cocurricular activities or other privileges as permitted by law (cf. 6145 - Extracurricular and Cocurricular Activities)

7. Disciplinary action, such as suspension or expulsion, as permitted by law (cf. 5144 - Discipline)

When an employee is found to have committed retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the district shall take appropriate disciplinary action, up to and including dismissal, in accordance with applicable law and collective bargaining agreement.

The district may also consider training and other interventions for the larger school community to ensure that students, staff, and parents/guardians understand the types of behavior that constitute unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), that the district does not tolerate it, and how to report and respond to it.

When a complaint is found to have merit, an appropriate remedy shall be provided to the complainant or other affected person.

However, if a complaint alleging noncompliance with the laws regarding student fees, deposits, and other charges, physical education instructional minutes, or any requirement related to the LCAP is found to have merit, the district shall provide a remedy to all affected students and parents/guardians subject to procedures established by regulation of the State Board of Education. (Education Code 49013, 51222, 51223, 52075)

For complaints alleging noncompliance with the laws regarding student fees, the district shall attempt in good faith, by engaging in reasonable efforts, to identify and fully reimburse all affected

students and parents/guardians who paid the unlawful student fees within one year prior to the filing of the complaint. (Education Code 49013; 5 CCR 4600)

Appeals to the California Department of Education:

Any complainant who is dissatisfied with the district's final written decision on a complaint regarding any specified federal or state educational program subject to UCP may file an appeal in writing with CDE within 15 calendar days of receiving the district's decision. (5 CCR 4632)

The complainant shall specify the basis for the appeal of the decision and how the facts of the district's decision are incorrect and/or the law has been misapplied. The appeal shall be sent to CDE with a copy of the original locally filed complaint and a copy of the district's decision in that complaint. (5 CCR 4632)

When a respondent in any complaint alleging unlawful discrimination (such as discriminatory harassment, intimidation, and bullying) is dissatisfied with the district's final written decision, the respondent, in the same manner as the complainant, may file an appeal with CDE.

Upon notification by the CDE that the complainant has appealed the district's decision, the Superintendent or designee shall forward the following documents to the CDE: (5 CCR [4633](#))

A copy of the original complaint

A copy of the decision

A summary of the nature and extent of the investigation conducted by the district, if not covered by the decision

A copy of the investigation file, including but not limited to all notes, interviews, and documents submitted by the parties and gathered by the investigator

A report of any action taken to resolve the complaint

A copy of the district's complaint procedures

Other relevant information requested by the CDE

Health and Safety Complaints in California State Preschool Program:

In each license-exempt CSPP classroom, a notice shall be posted notifying parents/guardians, students, and teachers of the health and safety requirements of Title 5 regulations that apply to CSPP programs pursuant to Health and Safety

Code 1596.7925 and the location at which to obtain a form to file any complaint alleging noncompliance with those requirements. (Education Code 8235.5)

Any complaint regarding specified health or safety issues in a license-exempt CSPP program shall be filed with the preschool program administrator or designee, and may be filed anonymously. The complaint form shall specify the location for filing the complaint and shall contain a space to indicate whether the complainant desires a response to the complaint. If it is determined that the complaint is beyond the authority of the preschool program administrator, the matter shall

be forwarded to the Superintendent or designee in a timely manner, not to exceed 10 working days, for resolution. (Education Code 8235.5)

Investigation of a complaint regarding health or safety issues in a license-exempt CSPP program shall begin within 10 days of receipt of the complaint. (Education Code 8235.5)

The preschool administrator or designee shall remedy a valid complaint within a reasonable time period not to exceed 30 working days from the date the complaint was received. If the complainant has indicated on the complaint form a desire to receive a response to the complaint, the preschool administrator or Superintendent's designee shall report the resolution of the complaint to the complainant within 45 working days of the initial filing of the complaint. If the preschool administrator makes this report, the information shall be reported at the same time to the Superintendent or designee. If a complainant is not satisfied with the resolution of a complaint, the complainant has the right to describe the complaint to the Board at a regularly scheduled meeting. (Education Code 8235.5)

A complainant may file a written appeal of the district's decision to CDE in accordance with 5 CCR 4632. (Education Code 8235.5)

Any such appeal shall be filed within 30 days of receiving the decision.

On a quarterly basis, the Superintendent or designee shall report summarized data on the nature and resolution of all CSPP health and safety complaints, including the number of complaints by general subject area with the number of resolved

and unresolved complaints, to the Board at a regularly scheduled Board meeting and to the County Superintendent of Schools. (Federal Program Monitoring requirement)

COMPLAINTS CONCERNING DISCRIMINATION IN EMPLOYMENT - (AR 4031)

The following procedures shall be used when a district employee or job applicant has a complaint alleging that a specific action, policy, procedure or practice discriminates against him/her on any basis specified in the district's nondiscrimination policies.

1. The complaint should be initiated promptly after a complainant knew, or should have known, of the alleged discrimination.
2. All parties involved in allegations of discrimination shall be notified when a complaint is filed, when a complaint meeting or hearing is scheduled, and when a decision or ruling is made. The parties also shall be notified of their right to appeal the decision to the next level.
3. When a complaint is brought against the individual responsible for the complaint process at any level, the complainant may address the complaint directly to the next appropriate level.
4. Meetings related to a complaint shall be held at times the district determines appropriate to the circumstances.
5. For the protection of all the parties involved, complaint proceedings shall be kept confidential insofar as appropriate.
6. All documents, communications and records dealing with the investigation of the complaint

shall be placed in a confidential district personnel complaint file and not in the employee's individual personnel file.

7. Time limits specified in these procedures may be revised only by written agreement of all parties involved. If the district fails to respond within a specified or adjusted time limit, a complainant may proceed to the next level. If a complainant fails to take the complaint to the next step within the prescribed time, the complaint shall be considered settled at the preceding step.

Level I

The complainant shall first meet informally with his/her supervisor or the administrator of the school where the alleged discriminatory act occurred. A complaint regarding discrimination away from the school site should be discussed informally with the complainant's supervisor. If the complainant's concerns are not clear or cannot be resolved through informal discussion, the supervisor or other administrator shall prepare, within 10 working days, a written summary of his/her meeting(s) with the complainant. This report shall be made available to the nondiscrimination coordinator (coordinator) designated by the Board of Education in BP 4030 - Nondiscrimination in Employment.

Level II

If a complaint cannot be resolved to the satisfaction of the complainant at Level I, he/she may submit a formal written complaint to the coordinator within 10 working days of his/her attempt to resolve the complaint informally. The written complaint shall include the following:

1. The complainant's name, address and telephone number

2. The name and work location of the district staff member who committed the alleged violation

3. A description of the alleged discriminatory act(s) or omission(s)

4. The discriminatory basis alleged

5. A specific description of the time, place, nature, participants in and witnesses to the alleged violation

6. Other pertinent information which may assist in investigating and resolving the complaint

7. The complainant's signature or that of his/her representative

The coordinator shall assign a staff member to assist the complainant with this writing if such help is needed. The coordinator shall respond to the complaint in writing within 10 working days.

The coordinator shall conduct any investigation necessary to respond to the complaint, including discussion with the complainant, person(s) involved, appropriate staff members and students, and review of the Level I report and all other relevant documents. If a response from third parties is necessary, the coordinator may designate up to 10 additional working days for investigation of the complaint.

Level III

If the complaint cannot be resolved at Level II, either party may present the complaint to the Superintendent or designee within 10 working days. The Superintendent or designee shall review the Level II investigation file, including the written complaint and all responses from district staff. The

Superintendent or designee shall respond to the complaint in writing within 10 working days.

If the Superintendent or designee finds it necessary to conduct further investigation, he/she may designate up to 10 additional working days for such investigation and shall respond to the complaint in writing within 10 working days of completing the investigation.

Level IV

If the matter is not resolved at Level III, either party may file a written appeal to the Board within 10 working days after receiving the Level III response. The Superintendent or designee shall provide the Board with all information presented at previous levels.

The Board shall grant the hearing request for the next regular Board meeting for which the matter can be placed on the agenda. Any complaint against a district employee shall be addressed in closed session in accordance with law. The Board shall render its decision within 10 working days.

The Board may appoint a hearing panel to review the complaint and previous decisions and make recommendations to the Board. The panel shall hear the appeal and render its decision within 10 working days.

Other Remedies:

Complainants may appeal the Board's action to the California Department of Education. The Superintendent or designee shall ensure that complainants are informed that injunctions, restraining orders and other civil law remedies may also be available to them. This information shall be published with the district's nondiscrimination

complaint procedures and included in any related notices.

ANIMALS ON DISTRICT PROPERTY

The Board of Education recognizes that animals can be an effective teaching aid. In addition, instruction related to the care and treatment of animals teaches students a sense of responsibility and promotes the humane treatment of living creatures.

Animals may be brought to school for educational purposes, subject to rules and precautions specified in administrative regulations related to health, safety and sanitation. Teachers shall ensure that these rules and precautions are observed so as to protect both the students and animals. Seeing-eye dogs and service dogs may accompany students and staff at school as needed.

(Dogs may be used for law enforcement purposes.)

EMPLOYEES WITH INFECTIOUS DISEASE - (BP 4119.41)

The Governing Board desires to promote the health of district students and staff in order to reduce absenteeism and enhance employee and student performance. The Superintendent or designee shall develop strategies to prevent the outbreak or spread of infectious diseases at district schools.

An infectious disease is one that is caused by a microorganism and is potentially transmittable to another individual, whether through airborne transmission, bloodborne transmission, skin-to-skin contact, foodborne transmission, or other casual or noncasual means. A communicable infectious disease, such as influenza or chicken pox, is contagious and can be readily transmitted by infectious bacteria or viral organisms.

In accordance with law, job applicants shall be required to provide evidence that they are free of tuberculosis or any other communicable infectious disease prior to beginning employment.

To prevent the outbreak or spread of infectious diseases, the Superintendent or designee may provide infection prevention supplies and information to employees, including information about recommended vaccinations. Employees also shall observe universal precautions to avoid contact with potentially infectious blood or other bodily fluids.

Plans for addressing a communicable infectious disease outbreak, including, but not limited to, plans for addressing employee shortages during such an outbreak, shall be included in the district's emergency preparedness plan.

The Superintendent or designee shall immediately report to the local health officer the presence or suspected presence of any communicable infectious disease. In addition, a school nurse or other health care provider who knows of or is in attendance on a case or suspected case of any of the diseases or conditions listed in 17 CCR 2500 shall make a report to the local health officer. If no health care provider is in attendance, any individual having knowledge of a person who is suspected to be suffering from one of the specified diseases or conditions may make a report to the local health officer.

The district shall not discriminate against any employee or job applicant who has an infectious disease that meets the federal or state definition of a disability under the Americans with Disabilities Act, California Fair Employment and Housing Act, or Section 504 of the Federal Rehabilitation Act.

Upon request, any qualified person with a disability shall be provided reasonable accommodation to perform the essential duties of his/her position in accordance with the criteria and processes described in AR 4032 - Reasonable Accommodation.

POLITICAL ACTIVITIES OF EMPLOYEES - (BP 4119.25)

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

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

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

POLITICAL ACTIVITIES OF EMPLOYEES - (AR 4119.25)

District employees shall not:

1. Use district funds, services, supplies or equipment to urge the passage or defeat of any ballot measure or candidate, including any candidate for election to the Board of Education (Education Code 7054).
2. During working hours and on district property, solicit or receive any political funds or contributions to promote the passage or defeat of a ballot measure that would affect the rate of pay,

hours of work, retirement, civil service or other working conditions (Education Code 7056).

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

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

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

6. Post or distribute political campaign materials on district property.

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

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

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

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

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

Nothing in Board policy or administrative regulation shall be construed to prevent employees from soliciting or receiving funds or contributions for political purposes during

nonworking time, including before and after school, the lunch period or other scheduled work intermittency during the school day. (Education Code 7056).

Employee Organizations:

Employee organizations may use district mailboxes and other means to communicate with employees, subject to reasonable regulation. Employee organizations may have access at reasonable times to areas in which employees work; may use institutional bulletin boards, mailboxes, and other means of communication and may use district facilities at reasonable times for the purpose of meetings. (Government Code 3543.1).

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

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

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

SOLICITING AND SELLING - (BP 4135)

Employees shall not solicit district staff, students or their families with the intent to sell general merchandise, books, equipment or services for their own personal profit or benefit. Solicitation of students and staff on behalf of the school or other charitable organizations shall be conducted in

accordance with applicable Board policy and administrative regulation.

Staff members shall respect the confidentiality of district employees and students and shall not use their status as district employees to secure information such as names, addresses, e-mail addresses, and telephone numbers for solicitations or use in personal profit-making or beneficial ventures.

Educational tours may be promoted on school premises only if they are sponsored by the district. Employees engaged in planning, organizing or leading tours as private, non-district-sponsored businesses shall make it clear that they do not represent the school or district. All activities related to such tours must be carried on outside of school hours and off school premises.

Staff participation in “flower funds”, “anniversary funds”, or other similar funds shall be voluntary.

TUTORING - (BP 4137)

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

To preclude conflicts of interest, teachers may not accept any kind of remuneration for tutoring a student enrolled in any of their classes. Teachers who tutor other students must perform this service outside of school facilities and make their own arrangements with parents/guardians for the fees to be charged. The Board encourages teachers to

tutor only in subjects or grade levels for which they are certificated

AMERICAN WITH DISABILITIES ACT (ADA) OF 1990

The ADA prohibits discrimination against any qualified individual with a disability because of that disability. The purpose of the ADA is to provide a clear and comprehensive mandate for the elimination of discrimination against individuals with disabilities. The Pittsburg Unified School District provides equal access and opportunity to all persons, including qualified individuals with a disability. Applicants and employees are provided opportunities for employment in all positions, with or without reasonable accommodation. For further information on the ADA, contact:

Assistant Superintendent, Human Resources
2000 Railroad Avenue
Pittsburg, CA 94565
(925) 473-2336

EMPLOYEE ASSISTANCE PROGRAM (EAP)

The Board of Education recognizes that school district employees may have problems which can have detrimental effects upon job performance and student safety. The Board encourages employees to seek help when such problems exist and to take advantage of the resources that are available to assist them.

Employees shall have confidential access to information about the district's employee assistance program. This information shall be available to all employees and their spouses and dependents.

EAP services are administered by Managed Health Network (MHN)

- Stress and anxiety
- Grief and loss
- Health and wellness
- Alcohol and drug dependency
- Daily living
- Marriage, family and relationship issues
- Domestic violence
- Financial and legal issues
- Identity theft

Call toll-free 24/7/365 at (800) 977-7593, or visit www.members.mhn.com and register with the company code: pusd.

Management and supervisory staff shall be knowledgeable about the district's employee assistance program and may counsel employees about the program, as appropriate.

Participation in the assistance program shall not jeopardize an employee's employment or career advancement, nor will it protect the employee from disciplinary action for substandard job performance.

PROFESSIONAL STANDARDS - (E 4119.21)

Code of Ethics of the Education Profession

Preamble

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

educator accepts the responsibility to adhere to the highest ethical standards.

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

Principle I - Commitment to the Student:

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

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

1. Shall not unreasonably restrain the student from independent action in the pursuit of learning.
2. Shall not unreasonably deny the student access to varying points of view.
3. Shall not deliberately suppress or distort subject matter relevant to the student's progress.
4. Shall make reasonable effort to protect the student from conditions harmful to learning or to health and safety.
5. Shall not intentionally expose the student to embarrassment or disparagement.

6. Shall not on the basis of race, color, creed, gender, national origin, marital status, political or religious beliefs, family, social, or cultural background, or sexual orientation, unfairly:

a. Exclude any student from participation in any program

b. Deny benefits to any student

c. Grant any advantage to any student

7. Shall not use professional relationships with students for private advantage.

8. Shall not disclose information in the course of professional service unless disclosure serves a compelling professional purpose or is required by law.

Principle II - Commitment to the Profession:

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

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

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

1. Shall not in any application for a professional position deliberately make a false statement or fail

to disclose a material fact related to competency and qualifications.

2. Shall not misrepresent his/her professional qualifications.

3. Shall not assist any entry into the profession of a person known to be unqualified in respect to character, education, or other relevant attribute.

4. Shall not knowingly make a false statement concerning the qualifications of a candidate for a professional position.

5. Shall not assist a noneducator in the unauthorized practice of teaching.

6. Shall not disclose information about colleagues obtained in the course of professional service unless disclosure serves a compelling professional purpose or is required by law.

7. Shall not knowingly make false or malicious statements about a colleague.

8. Shall not accept any gratuity, gift, or favor that might impair or appear to influence professional decisions or action.

DRESS AND GROOMING - (BP 4119.22)

The Board of Education believes that appropriate dress and grooming by district employees contribute to a productive learning environment and model positive behavior. During school hours and at school activities, employees shall maintain professional standards of dress and grooming that demonstrate their high regard for education, present an image consistent with their job responsibilities and assignment, and not endanger the health or safety of employees or students. All

employees shall be held to the same standards unless their assignment provides for modified dress as approved by their supervisor.

The district shall allow employees to appear and dress in a manner consistent with their gender identity or gender expression.

The district shall not discriminate against employees based on hair texture and protective hairstyles, including, but not limited to, braids, locks, and twists. (Government Code 12926)

The district shall not dismiss an employee, discriminate against an employee in compensation or in terms, conditions, or privileges of employment, or refuse to hire a job applicant on the basis of religious dress or grooming practices. (Government Code 12926, 12940)

This policy shall be presented to employees upon employment, through the employee handbook or other appropriate means, and may be periodically reviewed with all employees as necessary.

OATH or AFFIRMATION - (AR 4112.3)

This oath or affirmation is different from the oath or affirmation required of certificated employees as a licensing requirement pursuant to Education Code 44334, in which credential candidates must affirm that they support the Constitution of the United States of America, the Constitution of the State of California, and the laws of the United States and the State of California. Thus, the district should require all employees to take the oath or affirmation required by Government Code 3100-3102.

The California Constitution requires that Board members take the same oath; see BB 9224 - Oath or Affirmation.

All district employees are declared by law to be disaster service workers and thus shall take the oath or affirmation required for disaster service workers before beginning employment with the district. In the event of natural, manmade or war-caused emergencies which result in conditions of disaster or extreme peril to life, property and resources, all district employees are subject to disaster service activities as assigned to them by their supervisors or by law. (Government Code 3100-3102)

Legally employed noncitizens shall be exempt from taking this oath. (Government Code 3101)

At the advice of legal counsel, the Superintendent or designee may exempt an employee from taking the oath if he/she raises a valid religious objection.

The Superintendent, deputy or assistant superintendent, principal or other person authorized in Education Code 60 shall administer the oath or affirmation when a district employee is hired.

In the case of intermittent, temporary, emergency or successive employments, the

Superintendent or designee may determine that the oath shall be effective for all successive periods of employment which begin within one calendar year from the date that the oath was subscribed. (Government Code 3102)

The Superintendent or designee shall file the executed oath or affirmation within 30 days of the date on which it is taken and subscribed. An employee's oath or affirmation may be destroyed five years after the termination of employment. (Government Code 3105)

Reimbursement of Expenses for Disaster Service Workers

Whenever an employee seeks compensation or reimbursement of expenses as a disaster service worker, the Superintendent or designee shall ascertain and certify that the employee has taken the oath or affirmation.

GENERAL HANDBOOK ACKNOWLEDGMENT

This Employee handbook is an important document intended to help you become acquainted with Pittsburg Unified School District. This document is intended to provide guidelines and general descriptions only; it is not the final word in all cases. Individual circumstances may call for individual attention.

Because the District's operations may change, the contents of this handbook may be changed at any time, with or without notice, in an individual case or generally, at the sole discretion of management.

Receipt of Employee Handbook:

I have received a copy of the Pittsburg Unified School District Employee Handbook. I acknowledge this to be a living document. When the District modifies this handbook, you will be notified.

Print Name: _____

Signature: _____

Date: _____

Department/Site: _____