

# Human Resource Services



## Annual Employee Notifications

(All Employees, Substitutes, and  
Short-Term Temporary)

2016-17



### **Board of Education**

Christina Pritchett, President, (Trustee Area 3)  
Jay Hansen, Vice President, (Trustee Area 1)  
Jessie Ryan, 2<sup>nd</sup> Vice President (Trustee Area 7)  
Ellen Cochrane, (Trustee Area 2)  
Gustavo Arroyo, (Trustee Area 4)  
Diana Rodriguez, (Trustee Area 5)  
Darrel Woo, (Trustee Area 6)  
Vacant, Student Board Member

### **Executive Cabinet**

José L. Banda, Superintendent  
Lisa Allen, Interim Deputy Superintendent  
Iris Taylor, Ed.D., Interim Chief Academic Officer  
Gerardo Castillo, Chief Business Officer  
Gabe Ross, Chief Communications Officer  
Cancy McArn, Chief Human Resources Officer  
Cathy Allen, Chief Operations Officer  
Elliot Lopez, Chief Information Officer  
Al Rogers, Chief Strategy Officer

### **Human Resource Services**

Cancy McArn, Chief Human Resources Officer  
Roxanne Findlay, Director II, Human Resource Services  
Tiffany Smith-Simmons, Ed.D., Director II, Human Resource Services  
Christina Villegas, Director II, Human Resource Services  
Cindy Nguyen, Director II, Employee Relations, Human Resource Services





## **„ ANNUAL EMPLOYEE NOTIFICATIONS „**

2. Employees shall use the system only for purposes related to their employment with the district. Commercial, political, and/or personal use of the system is strictly prohibited, including computer games, personal email/banking, and personal on-line activities. The use of signature lines should include name, title, phone number, etc. Confidentiality notice/disclaimers are allowed. No taglines, slogans, or quotes are to be included in the signature lines or in the body of the message. The district reserves the right to monitor any on-line communications for improper use.
3. Users shall not use the system to promote unethical practices or any activity prohibited by law or district policy.
4. Users shall not transmit material that is threatening, obscene, disruptive, or sexually explicit, or that could be construed as harassment or disparagement of others based on their race, national origin, sex, sexual orientation, age, disability, religion, or political beliefs.
5. Users shall not download pictures, images, music files or videos, or host for uploading copyrighted files.
6. Copyrighted material may not be placed on the system without the author's permission. Users may download copyrighted material for their own use only and only in accordance with copyright laws.
7. Vandalism will result in the cancellation of user privileges. Vandalism includes uploading, downloading, or creating computer viruses and/or any malicious attempt to harm or destroy district equipment, materials, or the data of any other user.
- 8.



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Superintendent or designee shall ensure these substances are

## **ANNUAL EMPLOYEE NOTIFICATIONS**

deficiency virus (HIV) and hepatitis B virus (HBV). The Governing Board 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. The Superintendent or designee may exempt designated first-aid providers from pre-exposure hepatitis B vaccination under the conditions specified by state regulations. Any employee not identified as having occupational exposure in the district's exposure determination may petition to be included in the district's employee in-service and hepatitis B vaccination program. Any such petition should be submitted to the Superintendent or designee who shall eval-

## **„ ANNUAL EMPLOYEE NOTIFICATIONS „**

### **Protective Equipment**

The district shall provide appropriate personal protective equipment at no cost to the employee. The district shall maintain, repair, make accessible, and require employees to use and properly handle protective equipment.

### **Information and Training**

The district shall provide a training program as specified by law to all employees in job classifications which have been determined to have some degree of occupational exposure. This program shall be offered at the time of initial assignment, annually thereafter, and whenever a change of tasks or procedures affects the employee's exposure. Employees who fall within the definition of designated first aid providers shall also receive training. Such training shall include the specifics of reporting first-aid incidents which involve blood or body fluids which are potentially infectious.

### **First-Aid Incidents**

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.

### **Exposure Incidents:**

#### **Post-evaluation and Follow-up**

All exposure incidents must be reported as soon as possible to the Superintendent or designee. Following a report of an exposure incident, the district shall provide the exposed employee with a confidential medical evaluation and follow-up, as required

## **ANNUAL EMPLOYEE NOTIFICATIONS**

1. The nature of the disease and the probability of its being transmitted, including the duration and severity of the risk.
2. The physical condition of the employee, including diagnosis, treatment, and prognosis of the condition.
3. The actual requirements of the employee's job and the expected type of interaction with others in the school setting.

This report shall be forwarded to the Board for confidential review and action. The job assignment of an employee with a disabling infectious disease shall be reevaluated whenever there is a change in medical knowledge or in the employee's medical regimen or health which might affect his/her assignment.

### **Confidentiality**

The Board and the Superintendent or designee shall ensure that employee rights to confidentiality are observed. The district shall disclose medical record information only to the extent required or permitted by law. The medical records of any employee with a disabling infectious disease shall be held in strict confidence.

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

**(BP 4020)**

## **„ ANNUAL EMPLOYEE NOTIFICATIONS „**

credential. When the conviction becomes final or when imposition of sentence is suspended, the commission shall revoke the credential.

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

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day, seven days a week at 1



## **ANNUAL EMPLOYEE NOTIFICATIONS**

- (b) Knowingly and willfully assign or require a subordinate certificated person to perform any professional service which the subordinate is not authorized to perform by his or her credential or which is not approved by appropriate governing board authorization, unless he or she has made reasonable attempts to correct the situation but has been unsuccessful, and has notified the County Superintendent of Schools of those attempts, and the County Superintendent of Schools has determined, within 45 days of being notified of the assignment, that the assignment was caused by extraordinary circumstances which make correction impossible.
- (c) Neither (a) nor (b) shall be applicable in a situation where extraordinary circumstances make the correction of the misassignment impossible.
- (d) There shall be no adverse action taken against a certificated person under this rule for actions attributable to circumstances beyond his or her control.

### Performance with Impaired Faculties

- 80336 (a) A certificated person shall not:
- (1) Perform or attempt to perform any duties or services authorized by his or her credential during any period in which he or she knows or is in possession of facts showing that his or her mental or intellectual faculties are substantially impaired for any reason, including but not limited to use of alcohol or any controlled substance.
  - (2) Assign or require or r3.7(e) ses or ar

## **ANNUAL EMPLOYEE NOTIFICATIONS**

5. Implements the Governing Board of Education's policies and administrative rules and regulations.
6. Pursues appropriate measures to correct those laws, policies, and regulations that are not consistent with sound educational goals.
7. Avoids using positions for personal gain through political, social, religious, economic, or other influence.
8. Accepts academic degrees or professional certification used in relationship with professional responsibilities only from duly accredited institutions.
9. Maintains the standards and seeks to improve the effectiveness of the profession through research and continuing professional development.
10. Honors all contracts until fulfillment or release.
11. Seeks to involve the public and keep them honestly informed.
12. Recommends the employment, development, promotion, and retention of the best possible personnel to assure a quality educational program.
13. Affirms duty of loyalty to carry out the goals, objectives, programs, and policies of the Board and the district.

### **GIFTS TO PERSONNEL (BP 5133)**

The intent of this Board Policy is directed at **all employees** of the district.

The Governing Board recognizes that a certificated employee shall not accept any c

HUMAN RESOURCE SERVICES  
P.O.Box 246870 • Sacramento, CA 958246870  
(916)643-9050 • FAX (916)399-2016

José L. Banda, Superintendent  
Cancy McArn, Chief Human Resources Officer

SUBJECT: TITLE IX I SEXUAL HARASSMENT I DISCRIMINATION HR-01

TO: All Employees, Substitutes, and Short-Term Temps

DATE: August 2016

PREPARED BY: Christina Villegas DEPARTMENT: Human Resources Services

REVIEWED BY: Roxanne Findlay  
Cindy Nguyen APPROVED: \_\_\_\_\_  
Tiffany Smith-Simmons Ed.D.  
Christina Villegas

Sexual harassment violates federal and state laws as well as the Sacramento City Unified School District's Board Policies and Administrative Regulations- 4119.11(a) and 5145.7(a). By definition, "sexual harassment includes, but is not limited to, unwelcome sexual advances, requests for sexual favors, or other verbal, visual or physical conduct of a sexual nature made by someone from or in the work or educational setting." Additionally, the District prohibits discrimination, harassment, intimidation, and bullying based on actual or perceived ancestry, age, color, disability, gender identity, gender expression, nationality, race or ethnicity, religion, sex, sexual orientation, or association with a person or a group with one or more of these actual or perceived characteristics, as stated in District Board Policy – 4030.

500; San Francisco, CA 941051260. Phone: 1-800-669-4000

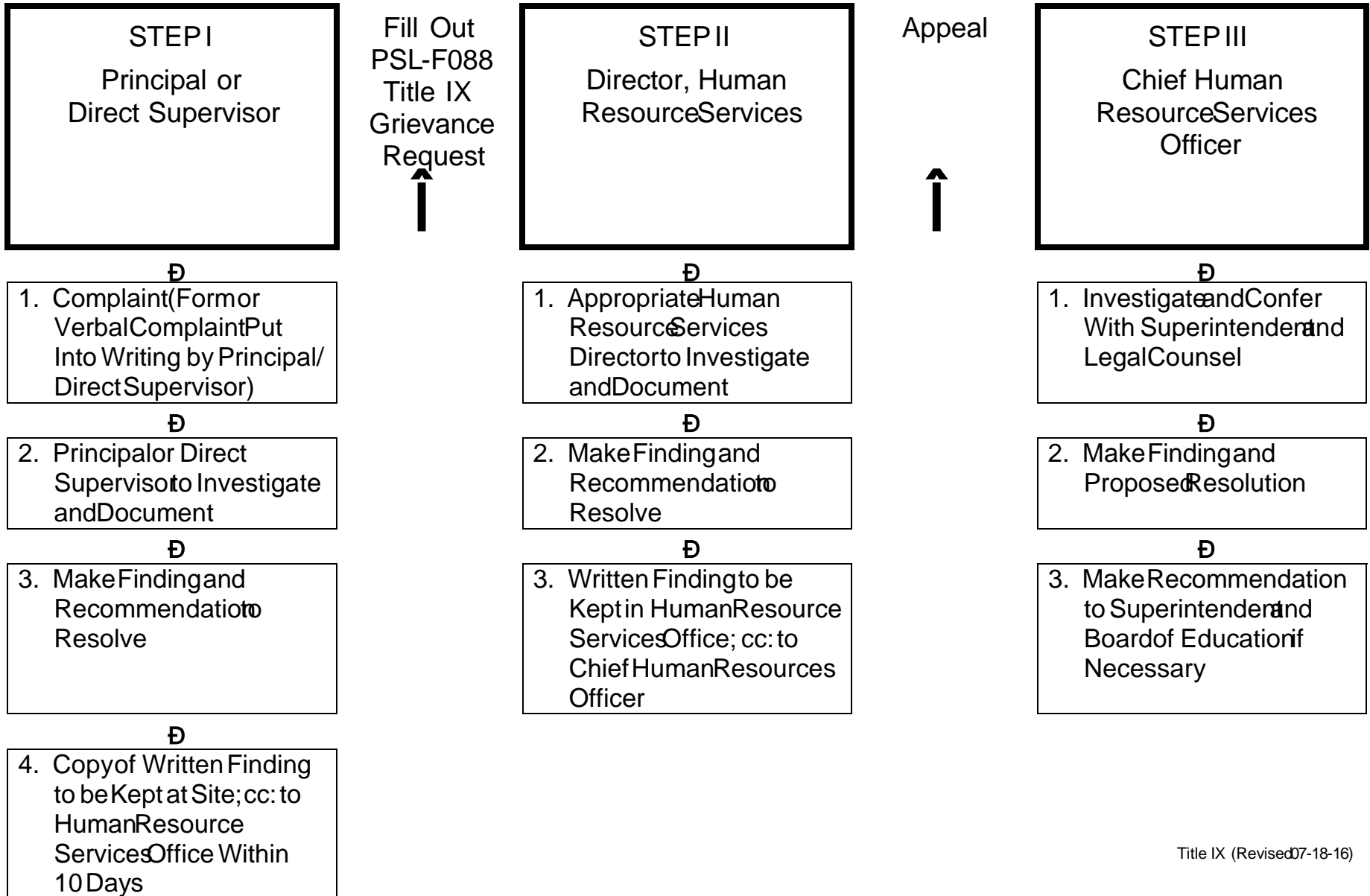
st to obtain information or schedule an appointment.

- 
- If you

# PROCESS OF INVESTIGATION OF

## EMPLOYEE

Confidentiality Rule: Do not delegate calling to anyone else. Do not leave messages that are detailed. Mark all information regarding this matter CONFIDENTIAL.



Confidentiality Rule: Do not delegate calling to anyone else. Do not leave messages that are detailed. Mark all information regarding this matter CONFIDENTIAL.

Important Note: At any time during the process, the parent/guardian or student may contact and work directly with the Title IX Officer (Director, Student Services/Alternative Education).

**STEP I: School Site**

- a) Parent/guardian or student submits a complaint either verbal or in writing to the Principal, Assistant Principal, Counselor, Teacher, Activities Advisor, or any other staff member.

Includes Nondiscrimination & Sexual Harassment(BP/AR 0410, 4119.11 & 4030)

The Governing Board prohibits unlawful discrimination, intimidation, bullying against and/or harassment of district employees, job applicants, and District programs & activities on the basis of actual or perceived race, color, national origin, nationality ancestry ethnicity, ethnic group identification, religious creed, religion, age, marital status, pregnancy, physical or mental disability, disability



Human Resource Services

## Title IX Grievance Review Request

**CONFIDENTIAL**

Instructions: Individuals alleging Title IX discrimination and requesting review are required to complete this form and submit it to the appropriate Title IX Compliance Coordinator:

Student Related Issues Director of Student Services/Alternative Education

Employee Related Issues Chief Human Resources Officer

5735 4<sup>th</sup> Avenue, Sacramento, CA 95824 P.O. Box 246870, Sacramento, CA 95824-6870



# Human Resource Services

## Uniform Complaint Procedure

Extracted From AR 1312.3 Community Relations

### Compliance Officers

The Governing Board designates the following compliance officers to receive and investigate complaints and ensure district compliance with law:

Chief Human Resource Officer  
5735 -47th Avenue  
Sacramento, CA 95824  
(916) 6439050

The Chief Human Resource Officer, Human Resource Services shall ensure that employees designated to investigate complaints are knowledgeable about the laws and programs for which they





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. [T5 CCR 4631]

### Step 3: Investigation of Complaint

The compliance officer shall make all reasonable efforts to hold an investigative meeting within five days of receiving the complaint or an unsuccessful attempt to mediate the complaint. This meeting shall provide an opportunity for the complainant and/or his/her representative to repeat the complaint orally.

The complainant and/or his/her representative and the district's representatives shall have an opportunity to present information relevant to the complaint. Parties to the dispute may discuss the complaint and question each other or each other's witnesses. [T5 CCR 4631]

Refusal by the complainant to provide the investigator with documents or other evidence related to the allegations in the complaint, or to otherwise fail or refuse to cooperate in the investigation or engage in any other obstructions of the investigation, may result in the dismissal of the complaint because of lack of evidence to support the allegations. [T5CCR 4631]oppo-0.8( i)cC

extent necessary to carry out the investigation or proceedings, as determined by the Superintendent or designee on a case-by-case basis. [T5CCR 4621]

The Board prohibits retaliation in any form for participation in complaint procedures, including but not limited to the filing of a complaint or the reporting of instances of discrimination. Such participation shall not in any way affect the status, grades or work assignments of the complainant.

### Appeals to the California Department of Education

If dissatisfied with the district's decision, the complainant may appeal in writing to the California Department of Education within 15 days of receiving the district's decision. For good cause, the Superintendent of Public Instruction may grant an extension for filing appeals. [T5 CCR 4652]

When appealing to the California Department of Education, the complainant must specify the reason(s) for appealing the district's decision and must include a copy of the filed complaint and the district's decision. [T5 CCR 4652]

The California Department of Education may directly intervene in the complaint without waiting for action by the district when one of the conditions listed in 5 CCR 4650 exists. In addition, the California Department of Education may also intervene in those cases where the district has not taken action within 60 calendar days of the date the complaint was filed with the district.

### Civil Law Remedies

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



Complaints alleging discrimination

from providing pupils prizes or other recognition for voluntarily participating in fundraising activities.

This is declarative of existing law and shall not be interpreted to prohibit the imposition of a fee, deposit, or other charge otherwise allowed by law.

A complaint of noncompliance with the requirements of this pupil fee law may be filed with the principal of a school under the Uniform Complaint Procedures set forth in Chapter 5.1 (commencing with Section 4600) of Division 1 of Title 5 of the California Code of Regulations.

A complaint may be filed anonymously if the complaint provides evidence or information leading to evidence to support an allegation of noncompliance with the requirements.

A complainant not satisfied with the decision of a District



# Human Resource Services

## Williams Uniform Complaint Procedure

Extracted From AR 13124 Community Relations

### Types of Williams Complaints

The district shall use the following procedures to investigate and resolve complaints when the complainant alleges that any of the following has occurred (Education Code 35186)

#### 1. Instructional Materials

- a. A pupil, including an English learner, does not have standards-aligned textbooks or instructional materials or state or district-adopted textbooks or other required instructional materials to use in class.
- b. A pupil does not have access to instructional materials to use at home or after school in order to complete required homework assignments.
- c. Textbooks or instructional materials are in poor or unusable condition, have missing pages, or are unreadable due to damage.

#### 2. Teacher Vacancy or Misassignment

- a. A semester begins and a certificated teacher is not assigned to teach the class.  
Vacancy means a position to which a single designated certificated employee has not been assigned at the beginning of the year for an entire year or, if the position is for a one-

## Filing of Complaint

A complaint alleging any condition(s) specified above shall be filed with the principal of the school or his or her designee, in which the complaint arises. The principal or designee shall forward a complaint about problems beyond his/her authority to the Superintendent or designee within 10 working days.



# Reports

All Schools

**HUMAN RESOURCE SERVICES**

P.O. Box 246870 Sacramento, CA 95824

(916) 649-5050





Parent/Public: Williams Case Complaint Concerning Deficiencies Related to:  
(BP 1312.4, E[1] 1312.4)(continued)

Teacher Vacancy or  
Misassignments

- ...A semester begins and a teacher vacancy exists for a position to which a single designated certificated employee has not been assigned at the beginning of the year for an entire year or, if the position is for a one-semester course, a position of which a single designated certificated employee has not been assigned at the beginning of a semester for an entire semester (EC 35186[e][2][ A], T5CCR 4682)
- ...A teacher who lacks credentials or training to teach English learners is assigned to teach a class with more than 20% English learner pupils in the class. (EC 35186[e][2][ B], T5CCR 4682)
- ...A teacher assigned to teach a class for which the teacher lacks a subject matter competency (EC 35186[e][2][ C], T5CCR 4682)
- ...A condition poses an urgent or emergency threat to the health or safety of pupil or staff, including: gas leaks, nonfunctioning heating, ventilation, fire sprinklers or air-

Conditions of Facilities

1.			
Person(s) Involved in Complaint:			
2.			
Date of Occurrence (mm/dd/yy):		Time:	Witness:
	/	/	
Ethnicity (if applicable):		Age (if applicable):	Sex: ..Male ..Female

