

RANCHO SANTA FE SCHOOL DISTRICT

SERIES 4000 PERSONNEL

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RANCHO SANTA FE SCHOOL DISTRICT

I.

Board Policies Covering All Employees

Board Policy No. 4000: DELEGATION OF BOARD AUTHORITY

- A. The Board acknowledges under Education Code section 35161 that it may delegate to the Superintendent of the District any of the powers or duties delegated by law to the Board or the District. It is the policy of the Board that any such delegation shall be, accomplished only through an action of the Board at a meeting of the Board; that any such delegation shall be accomplished only in a Board Policy, Board Bylaw, resolution, motion, job description, or contract.

- B. Powers or duties delegated to the Superintendent may be delegated by the Superintendent to another employee, but any such delegation shall be accomplished only in a written document signed and dated by the Superintendent.

Legal Reference:
Education Code section 35161

Date Policy Adopted By The Board: September 6, 1990
Dates Policy Reviewed By The Board: January 13, 2005; May 17, 2007; December 11, 2008

RANCHO SANTA FE SCHOOL DISTRICT

I.

Board Policies Covering All Employees

Board Policy No. 4001: NON-DISCRIMINATION POLICY

A. Prohibited Discrimination

The District is an equal employment opportunity employer and complies with all applicable federal and state non-discrimination laws. The District prohibits discrimination against any employee, intern, volunteer, or applicant for employment on account of race, religious creed, color, national origin, ancestry, physical or mental disability as defined by federal and state law, medical condition, genetic information, marital status, sex (includes pregnancy, childbirth, breastfeeding and/or related medical conditions), gender, gender identity, gender expression, actual or perceived sexual orientation, reproductive health decisionmaking, age (over 40), political affiliation, military or veteran status, domicile, or membership and/or participation in an employee organization as defined by the Educational Employment Relations Act.

B. Compliance Officer

The Governing Board designates the following compliance officer responsible for receiving, coordinating and investigating the complaints of unlawful discrimination and for complying with state and federal civil rights laws and to answer questions concerning the District's nondiscrimination policies.

Superintendent
Rancho Santa Fe School District
5927 La Granada
Rancho Santa Fe, California, 92067
(858) 756-1141 ext. 114

Mailing Address:
Rancho Santa Fe School District
P.O. Box 809
Rancho Santa Fe, California, 92067

C. Filing of Complaints of Unlawful Discrimination

Any employee, intern, volunteer, or applicant for employment who desires to complain about any illegal harassment under applicable federal and state non-discrimination laws shall use the Complaint Procedure contained in Board Policy 4002. Such complaints shall be immediately investigated and processed.

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 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.

D. Prohibition of Retaliation

The District prohibits retaliation against any District employee, intern, volunteer, or applicant for employment 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 unlawful discrimination complaint process pursuant to District Policy.

Legal Reference:

Federal:

Title VI of Civil Rights Act of 1964 (42 U.S.C. sections 2000d - 2000d-7)
Title VII of Civil Rights Act of 1964 (42 U.S.C. sections 2000e - 2000e-17)
Age Discrimination in Employment Act (29 U.S.C. sections 621-634)
Americans With Disabilities Act (42 U.S.C. sections 12101-12213)
Title IX, Education Amendments of 1972 (20 U.S.C. sections 1681-1688)
Veterans' Re-Employment Rights Act (38 U.S.C. sections 4301-4333)

State:

Fair Employment and Housing Act (FEHA) (Gov't Code sections 12900-12996)
Gov't Code section 11135
Education Code sections 210-232; Sections 44100-44105

Date Policy Adopted By The Board: September 6, 1990

Dates Policy Revised By The Board: March 17, 1993; January 13, 2005, May 17, 2007; June 22, 2017, October 14, 2022, August 3, 2023

Date Policy Reviewed By The Board: December 11, 2008

RANCHO SANTA FE SCHOOL DISTRICT

I.

Board Policies Covering All Employees

Board Policy No. 4002: NON-DISCRIMINATION COMPLAINT PROCEDURE

A. Purpose and Scope

This Board Policy shall be used to process all allegations of discrimination in employment, including those involving an employee, intern, volunteer, or applicant for employment.

B. Complaint Procedures

1. Notice of Receipt of Complaint. A complainant may inform a direct supervisor, another supervisor, or the Superintendent. The employee's direct supervisor may be bypassed in filing a complaint where the supervisor is the subject of the complaint. A supervisor who has received information about an incident of discrimination or harassment, or observed such an incident, shall report it to the Superintendent, whether or not the complainant files a written complaint.
2. Written Complaint. The written complaint should contain the complainant's name, the name of the individual who allegedly committed the act, a description of the incident, the date and location where the incident occurred, and any witness who may have relevant information, other evidence of the discrimination or harassment, and any other pertinent information which may assist in investigating and resolving the complaint.
3. Investigation Process. The Superintendent or designee shall initiate an investigation of an allegation of discrimination or harassment within five (5) business days of receiving notice of the alleged discriminatory or harassing behavior, regardless of whether a written complaint has been filed or whether the written complaint is complete. The investigation shall include the following:
 - a. The Superintendent or designee shall meet with the complainant to describe the District's complaint procedure and discuss the actions being sought by the complainant in response to the allegation. The Superintendent shall inform the complainant that the investigation of the allegations will be fair, timely, and thorough and will be conducted in a manner that provides all parties due process and reaches reasonable conclusions based on the evidence collected. The Superintendent shall also inform the parties that the investigation will be kept confidential to the extent possible, but that some information may be revealed as necessary to conduct an effective investigation.

- b. If the Superintendent or designee determines that a detailed fact-finding investigation is necessary, the investigation shall begin immediately. As part of this investigation, the Superintendent or designee should interview the complainant, the person accused, and other persons who could be expected to have relevant information.
- c. The Superintendent or designee shall track and document the progress of the investigation to ensure reasonable progress and shall inform the parties as necessary.
- d. The Superintendent or designee shall also determine whether interim measures, such as scheduling changes, transfers, or leaves, need to be taken before the investigation is completed to ensure that further incidents are prevented. The Superintendent or designee shall ensure that such interim measures do not constitute retaliation.

4. Written Report on Findings and Corrective Action

No more than twenty (20) business days after receiving the complaint, the Superintendent or designee shall conclude the investigation and prepare a written report of the findings. This timeline may be extended for good cause. If an extension is needed, the parties shall be notified of the extension, including the reasons for the extension.

The report shall include the decision and the reasons for the decision and shall summarize the steps taken during the investigation. If a determination has been made that discrimination or harassment occurred, the report shall also include any corrective action(s) that have been or will be taken to address the behavior, provide appropriate options for remedial actions and resolutions for the complainant, and ensure that retaliation or further discrimination or harassment is prevented.

A summary of the findings shall be presented to the complainant and the person accused.

C. Appeal to Governing Board

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

D. Other Remedies

In addition to filing a discrimination or harassment complaint with the District, a person may file a complaint with either Department of Fair Employment and Housing (DFEH) or the Equal Employment Opportunity Commission (EEOC).

Legal Reference:

Federal and State Non-discrimination Laws and Regulations

Date Policy Adopted By The Board: September 6, 1990

Dates Policy Reviewed By The Board: May 17, 2007; December 11, 2008; June 22, 2017,
October 14, 2022

RANCHO SANTA FE SCHOOL DISTRICT

I.

Board Policies Covering All Employees

Board Policy No. 4003: SEXUAL HARASSMENT POLICY INCLUDING COMPLAINT PROCEDURE FOR ALL ILLEGAL DISCRIMINATION AND HARASSMENT

A. Introduction

The District recognizes that harassment on the basis of sex is a violation of both federal and state employment discrimination laws as well as this District Policy. The District will provide to all employees a work environment free from sexual harassment and will not tolerate such conduct on the part of any employee or nonemployee that the District knows or should know is engaging in harassing conduct towards District employees in the workplace.

Harassment or discrimination against any employee, intern, volunteer, or applicant for employment by a supervisor, management employee, elected or appointed official, co-worker, or third-party on the basis of race, religious creed, color, national origin, ancestry, physical or mental disability as defined by federal and state law, medical condition, genetic information, marital status, sex (includes pregnancy, childbirth, breastfeeding and/or related medical conditions), gender, gender identity, gender expression, reproductive health decisionmaking, actual or perceived sexual orientation, age (over 40), political affiliation, military or veteran status, or association with a person or group with one or more of these actual or perceived characteristics will not be tolerated.

Disciplinary action or other appropriate sanction up to and including termination will be instituted for prohibited behavior as defined below. Any retaliation against a person for filing a complaint or participating in the complaint resolution process is prohibited. Individuals found to be retaliating in violation of this Policy will be subject to appropriate sanction or disciplinary action up to and including termination.

Under this policy and state law, the District is prohibited from requiring an employee, in exchange for a raise or bonus or as a condition of employment or continued employment, to sign a nondisparagement agreement or release the right to file a claim against the District for unlawful acts in the workplace, including sexual harassment. The District is also prohibited from requiring an applicant or employee to disclose information relating to an employee's reproductive health decisionmaking.

B. Definitions

1. **Protected Classifications:** This Policy prohibits harassment or discrimination because of an individual's protected classification. "Protected Classification" includes race, religious creed, color, national origin, ancestry, physical or mental disability as defined by federal and state law, medical condition, genetic information, marital status, sex (includes pregnancy, childbirth, breastfeeding and/or related medical conditions), gender, gender identity, gender expression, actual or perceived sexual orientation, reproductive health decisionmaking, age (over 40), political affiliation, military or veteran status.
2. **Policy Coverage:** This Policy prohibits the District, elected or appointed officials, officers, and employees from harassing or discriminating against employees, interns, volunteers, or applicants for employment because of: 1) an individual's Protected Classification; 2) the perception that an individual has a Protected Classification; or 3) an individual association with a person who has or is perceived to have a Protected Classification.
3. **Discrimination:** This policy prohibits treating individuals differently because of the individual's Protected Classification as defined in this Policy.
4. **Sexual harassment** consists of unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature. It includes but is not limited to circumstances in which:
 - i. Submission to such conduct is made a term or condition of an individual's employment; or
 - ii. Submission to or rejection of such conduct is used as the basis for employment decisions affecting such individual; or
 - iii. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment. A hostile work environment is established where there is unwelcome sexual conduct that a reasonable person of the same gender as the complainant would consider sufficiently severe or pervasive to alter the conditions of employment and create an abusive working environment.

Sexually harassing conduct may be either "quid pro quo" or hostile environment" sexual harassment:

- i. "Quid pro quo" (Latin for "this for that") sexual harassment is characterized by explicit or implicit conditioning of a job or promotion on an applicant or employee's submission to sexual advances or other conduct based on sex.

- ii. Hostile work environment sexual harassment occurs when unwelcome comments or conduct based on sex unreasonably interfere with an employee's work performance or create an intimidating, hostile, or offensive work environment.
5. Harassment may include, but is not limited to, the following types of behavior that is taken because of a person's Protected Classification. Examples of harassment include:
- i. Verbal harassment - Includes, but is not limited to, unwelcome derogatory comments, remarks, slurs, jokes or innuendo based on sex or of a sexual nature and may include, but is not limited to, unwelcome sexual comments, obscenities or innuendo regarding an individual's body, physical appearance, attire, sexual prowess, marital status or sexual orientation or unwelcome or repeated flirting, or proposals to meet, date; or engage in conversations which include the verbal statements defined above; demands for sexual favors, or verbal abuse, threats or intimidation of a sexual nature, or patronizing or ridiculing statements which convey derogatory attitudes toward or are demeaning to a particular gender.
 - ii. Physical harassment - Includes, but is not limited to, unwelcome and offensive touching, assault, impeding or blocking free movement, attempting to or kissing, patting, stroking, grabbing, or invading the space of another; pinching, leering, staring, unnecessarily brushing against, whistling or making sexual signs or gestures toward or in the presence of another.
 - iii. Visual harassment - Includes, but is not limited to, the display or circulation of sexually derogatory, demeaning, or offensive posters, pictures, cards, cartoons, graffiti, drawings, or gestures; or reading materials, computer graphics or electronic media transmissions.
 - iv. Solicitation of sexual favors - Includes, but is not limited to, unwelcome sexual advances, suggestions or requests for sexual acts or favors.
 - v. Electronic communications – Includes, but is not limited to, unwelcome communications, photos, videos, or other content sent through electronic messaging that is sexual in nature, such as texts, emails, and social media.

Harassment because of sex includes sexual harassment, gender harassment, and harassment based on pregnancy, childbirth, or related medical conditions. Sexual harassing conduct need not be motivated by sexual desire.

6. Retaliation: Any adverse conduct taken because a District employee, intern, volunteer, or applicant for employment has reported harassment or discrimination,

or has participated in the complaint and investigation process described herein, is prohibited.

C. Complaints of Illegal Discrimination, Harassment, or Retaliation

Any individual with a complaint of discrimination, harassment, or retaliation for filing a complaint or participating in the complaint process should immediately report it to the Superintendent or Principal. If the Superintendent is the individual about whom the complaint is to be made, the employee should make the complaint directly to the Board President.

All complaints will be fairly, promptly, and thoroughly investigated. Investigations will be conducted in a manner that provides all parties appropriate due process. If misconduct is found at the end of an investigation, appropriate remedial measures shall be taken. Employees shall not be exposed to retaliation as a result of lodging a complaint or participating in any workplace investigation.

No employee is required to file any complaint with the alleged harasser or offender.

Upon notification or discovery of a complaint, the Superintendent or designee will:

1. Inform the complainant of any rights under any relevant complaint procedure or policy;
2. Authorize a timely investigation of the complaint and supervise and/or investigate the complaint. The investigation will include interviews with: 1) the complainant; 2) the accused harasser; and 3) any other persons who reasonably may have relevant knowledge concerning the complaint, such as witnesses and victims of similar conduct;
3. Review factual information gathered through the investigation to determine whether the alleged conduct constitutes harassment; giving consideration to all factual information, the totality of the circumstances, including the nature of the verbal, physical, or visual aspects of the action and the context in which the alleged incidents occurred;
4. Report the results of the investigation and the determination as to whether harassment occurred to appropriate persons including to the complainant and the alleged harasser;
5. If harassment occurred, take and/or recommend to the Board prompt and effective remedial action against the harasser. This action will be commensurate with the severity of the offense and will be communicated to the complainant;
6. Reasonable steps will be taken to protect the victim and other potential victims from further harassment;

7. Reasonable steps will be taken to protect the victim from any retaliation as a result of communicating the complaint;
8. Reasonable steps will be taken to maintain the confidentiality of the complaint process to the extent possible; and
9. Appropriate action will be taken whenever possible to alleviate the effects of the harassment.

D. Appeal Procedure

If the complainant is not satisfied with the decision of the Superintendent, the complainant may appeal the decision to the Board within fifteen (15) calendar days of receipt of the decision. The appeal shall be filed with the Superintendent who shall transmit the appeal to the Board. The Board may or may not meet with the complainant. The Board will, however, issue a decision and give the complainant written notice of its decision.

E. Confidentiality

The District recognizes that confidentiality is important to all parties involved in an investigation of discrimination, harassment, and/or retaliation. Confidentiality will be kept by the District to the extent possible under the circumstances, but complete confidentiality cannot occur due to the need to fully investigate and the duty to take effective remedial action.

F. Dissemination Of Policy

1. All employees shall be notified of this Policy.
2. A copy of this Policy shall be posted along with and in the same manner as is other material which is posted for the benefit or protection of employees.

G. Employee Training

All employees shall receive training in sexual harassment. Governing Board members, supervisors and those with supervisory duties shall receive at least two hours of qualified sexual harassment training before January 1, 2006 and every two years thereafter. All nonsupervisory employees shall receive at least one hour of sexual harassment training by January 1, 2020, and once every 2 years thereafter. Employees newly promoted to positions including supervisory duties and supervisors newly employed after July 1, 2005 shall be trained within six months of the date of such employment or promotion. "Qualified training" shall mean classroom or other effective interactive training and education to include information, examples, and practical guidance regarding the federal and state statutory provisions concerning the prohibition against and the prevention and

correction of sexual harassment and the remedies available to victims of sexual harassment in employment provided by trainers or educators with knowledge and expertise in the prevention of sexual harassment, discrimination and retaliation, and any other requirements of applicable regulations. Supervisors are required to report any complaints of misconduct to the Superintendent.

H. Available Legal Remedies And Additional Complaint Process

Employees, interns, volunteers, or job applicants who believe that they have been subject to discrimination, harassment, or retaliation may, within one year of the harassment, file a complaint of discrimination with the California Department of Fair Employment and Housing (DFEH) or the U.S. Equal Employment Opportunity Commission (EEOC). These governmental agencies offer legal remedies and a complaint process. The nearest DFEH and EEOC offices are listed in the government section of the telephone book or employees can check the equal employment opportunity posters that are located on District bulletin boards for office locations and telephone numbers.

Legal Reference:

Federal: Title VII of Civil Rights Act of 1964, 42 U.S.C. sections 2000e-2000e-17.
Americans With Disabilities Act (ADA), 42 U.S.C. section 12101 *et seq.*
Equal Pay Act of 1963, 29 U.S.C. section 206(d)
Title IX, Education Amendments of 1972, 20 U.S.C. sections 1681-1688, as amended by the Civil Rights Restoration Act of 1987, 20 U.S.C sections 1681-1688
Vocational Rehabilitation Act of 1973, 29 U.S.C. section 791 *et seq.*, sections 503 and 504

State: Fair Employment And Housing Act, Government Code sections 12900-12996
Government Code section 11135
Education Code sections 210-232, 44100-44105, 44858, 44859

Date Policy Adopted By The Board: September 6, 1990

Dates Policy Revised By The Board: March 17, 1993; January 13, 2005; May 17, 2007; June 22, 2017; June 22, 2018, July 11, 2019, August 3, 2023

Dates Policy Reviewed By The Board: December 11, 2008

RANCHO SANTA FE SCHOOL DISTRICT

I.

Board Policies Covering All Employees

Board Policy No. 4004: DRUG AND ALCOHOL FREE WORKPLACE

- A. This Board Policy is adopted pursuant to the federal Drug-Free Workplace Act of 1988 and the California Drug-Free Workplace Act of 1990. It is the policy of the District that all its workplaces and facilities be drug and alcohol free.

- B. The unlawful manufacture, distribution, dispensation, possession, or use of any alcoholic beverage, drug or controlled substance in any workplace or facility of the District is strictly prohibited. All employees are prohibited from the unlawful manufacture, distribution, dispensation, possession, or use of alcohol or a controlled substance in any workplace or facility of the District. All employees will abide by this prohibition as a condition of employment. Any employee who violates this prohibition will be disciplined up to and including dismissal, and/or required to satisfactorily complete a drug abuse assistance or rehabilitation program selected by the District in conformance with law. A copy of this Policy shall be provided to all employees upon initial employment along with the Employee Verification Statement attached to this Policy which shall serve to evidence receipt of a copy of this Policy.

- C. All employees must notify the Superintendent in writing within five (5) calendar days of any conviction for violation of a drug or alcohol statute occurring in any workplace or facility of the District. A conviction includes any finding of guilt, including a no contest plea, or imposition of a sentence. Any employee who is convicted of such a violation will be disciplined up to and including dismissal, and/or required to satisfactorily complete a drug abuse assistance or rehabilitation program selected by the District in conformance with law.

- D. The Board hereby establishes a Drug and Alcohol Free Awareness Program. A copy of this Board Policy shall be posted for all employees. The Superintendent regularly will inform employees of the dangers of drug and alcohol abuse in any workplace or facility of the District, the District policy of maintaining a drug-free workplace, and the potential consequences for violating District Policy. The Superintendent also regularly will inform employees of any available drug and alcohol counseling, rehabilitation and employee assistance programs.

Legal Reference:

Federal Drug-Free Workplace Act of 1988 (DFWA), 41 U.S.C. section 701.

Drug-Free Schools and Communities Act Amendments of 1989, 20 U.S.C. section 3224(a)

California Drug-Free Workplace Act of 1990, Government Code section 8350 *et seq.*

Date Policy Adopted By The Board: September 6, 1990

Dates Policy Revised By The Board: March 15, 1995; January 13, 2005

Dates Policy Reviewed By The Board: May 17, 2007; December 11, 2008

EMPLOYEE VERIFICATION STATEMENT

Date

TO: All Employees

FROM: Superintendent

RE: Drug and Alcohol - Free Workplace Policy Number 4004

This notice is to inform employees of the District's Drug and Alcohol - Free Workplace Policy as required by federal law. It is also to enclose a copy of that Policy for your reference.

The possession of controlled substances or alcohol on District property is strictly prohibited.

It is also a violation of law and District Policy 4004 to be under the influence of alcohol or any controlled substance while at work, at any District sponsored activity, or while performing any duty authorized by the District. Any employee who violates this Policy shall be subject to disciplinary action, up to and including, termination of employment.

The District has established a Drug and Alcohol-Free Awareness Program. The District will provide a copy of Board Policy 4004 to all employees. In addition, the District shall make information available regarding the dangers of drug use and abuse in the workplace to any employee who requests such information. An employee who feels that he or she has an alcohol or a drug use or abuse problem and needs assistance with the problem should contact a District Office administrator. Regardless of whether the employee is participating in a drug awareness and/or rehabilitation program, any employee who violates this or any other the District Policy is subject to disciplinary action up to and including termination of employment.

All employees must abide by Board Policy 4004. Any employee who is convicted of a violation of any criminal drug statute related to the unlawful manufacture, distribution, dispensation, possession or use of controlled substances in the workplace or the manufacture distribution, dispensation, possession or use of alcohol in the workplace shall inform the District no later than five (5) calendar days after such conviction of the fact of the conviction. Any employee who is so convicted shall be subject to disciplinary action, up to and including termination and/or the District can refer the employee to participate in a drug or alcohol abuse assistance or rehabilitation program approved by a federal state, or local health, law enforcement, or other appropriate agency.

EMPLOYEE'S SIGNATURE

DATE: _____

EMPLOYEE'S PRINTED NAME

End: Board Policy 4004

cc: Personnel File

RANCHO SANTA FE SCHOOL DISTRICT

I.

Board Policies Covering All Employees

Board Policy No. 4005: RECRUITMENT AND SELECTION

- A. The District shall follow fair and competent personnel practices in the recruitment and selection of employees. The Superintendent shall be responsible for establishing appropriate recruitment and selection procedures. The Superintendent makes recommendations to the Board with regard to the employment of employees. The Board does not employ any individual, other than the Superintendent, without a positive recommendation from the Superintendent.
- B. Recruitment and selection procedures should incorporate appropriate screening devices, interviews, observations, recommendations and written applications. All such procedures shall comply with applicable law.
- C. The District, pursuant to Education Code section 44830.1 (certificated employees) and Education Code section 45122.1 (classified employees), shall not employ any individual in any position who has been convicted of a violent or serious felony as defined by Penal Code sections 667.5(c) and 1192.7(c), unless specifically authorized by law. The District also shall not retain in employment any non-permanent employee who has been convicted of either a violent or serious felony. The Board requires the Superintendent or designee to ensure compliance with applicable law and this Board Policy.
- D. The District, pursuant to Education Code section 44836 and 44837 (certificated employees) and Education Code section 45123 and 45124 (classified employees), shall not employ any individual who has been convicted of a sex offense as defined in Education Code section 44010 or a controlled substance offense under Education Code section 44011, unless specifically authorized by law; or who has been determined to be a sexual psychopath, unless specifically authorized by law. The Board requires the Superintendent or designee to ensure compliance with applicable law and this Board Policy.
- E. The Superintendent or designee shall ensure that no current certificated temporary, substitute, or probationary employee serving before March 15 of the employee's second complete probationary year, who has been convicted of a violent or serious felony, sex offense listed in Education Code section 44010 or controlled substance offense listed in Education Code section 44011, is retained. Upon notification by the Department of Justice by electronic mail or telephone that a current temporary employee, substitute employee, or probationary employee serving before March 15 has been convicted of a violent or serious felony, that employee shall immediately be placed on leave without pay. When the District receives written electronic notification of the fact of conviction from the Department of Justice, the employee shall be terminated automatically without

regard to any other procedure for termination specified in the Education Code or District procedures unless the employee challenges the record of the Department of Justice and the Department withdraws its notification in writing to the District. Upon receipt of written withdrawal of notification, the employee shall be immediately reinstated with full restoration of salary and benefits for the period of time from the suspension without pay to the reinstatement. Reinstatement will not occur where the period of employment otherwise terminated. The provisions of Education Code section 44830.1 shall apply.

- F. The District shall not employ any classified employee, or any other employee who is required to have fingerprint clearance, until the legally required fingerprint clearance process is completed. The Board requires the Superintendent or designee to ensure compliance with applicable law and this Board Policy. All applicants for classified employee positions including, but not limited to, part-time positions, substitutes and short-term positions, shall be required to submit fingerprint identification cards for a criminal records investigation. The District shall not employ any applicant until the Department of Justice completes its investigation.
- G. The Superintendent or designee shall provide the means whereby the fingerprint cards may be completed and may charge a fee determined by the Department of Justice to be sufficient to reimburse the Department for the costs incurred in processing the application. The amount of the fee shall be forwarded to the Department of Justice with the required copies of the applicant's fingerprint cards. The District may also collect a reasonable fee payable to the local public law enforcement agency taking the fingerprints and completing the data on the fingerprint cards. In no event shall the fee exceed the actual costs incurred by the agency. These additional fees shall be transmitted to the city or county treasury. If an applicant is subsequently hired by the District within 30 days of the application, the fee may be reimbursed to the applicant. Funds not reimbursed to applicants shall be credited to the general fund of the District. If the fingerprint cards forwarded to the Department of Justice are those of a person already employed by the District, the District shall pay the fee required by this section, which fee shall be a proper charge against the general fund of the District, and no fee shall be charged the employee.
- H. Volunteers: In order to ensure the safety of pupils, the Superintendent or designee shall cause volunteers working directly with pupils to be fingerprinted as if they were employee applicants. Parents of pupils attending or participating in the educational activities of their children may be excused from this requirement.
- I. Contractors And Sole Proprietors: The District will comply with all requirements in Education Code sections 45125.1 and 45125.2 with regard to the prior fingerprinting of sole proprietors and/or employees of a contracting entity doing business with the District. An entity that has a contract with the District shall ensure that any employee who interacts with pupils, outside the immediate supervision and control of the pupil's parent/guardian or school employee, has a valid criminal records summary as described in Education Code Section 44327. Nothing shall preclude the District, on a case-by-case basis, from requiring an entity with whom it has a contract to comply with fingerprinting

requirements even if no requirement exists to do so under Education Code Section 45125.1.

- J. Criminal Record Files: The Superintendent shall designate an employee as record custodian of all confidential fingerprint and criminal records who shall be responsible for the administration of the information. The record custodian shall resolve any questions regarding criminal offender record information. The record custodian shall comply with all laws applicable to such records.
- K. The District shall continue to exercise reasonable care in the recruitment, selection and supervision of all employees.
- L. Applicants for employment may be required to submit a blood or urine sample for analysis to a laboratory or clinic of the District's choice. The procedure for obtaining and processing all samples will protect the privacy rights of applicants for employment. All samples may be analyzed for the presence of drugs or alcohol. Applicants who submit samples that test positive for the presence of any illegal drug may be discontinued from consideration for employment. Any applicant's sample that tests positive for the presence of any other drug or alcohol at levels which the District determines would impair the applicant's ability to satisfactorily and safely perform as an employee may be discontinued from consideration for employment. Any applicant for employment who tests positive for any illegal drug, other drug or alcohol will be given a reasonable opportunity to explain the positive test result. The applicant maybe required to submit another sample if the individual wishes to remain an applicant.
- M. Testing reports will be treated similarly to other confidential personnel documents which have restricted access. All testing of blood or urine samples and the implementation of this Board Policy shall be consistent with applicable federal and state law.

Legal Reference

Education Code sections 35160, 35160.1, 44332.6, 44830.1, 45122.1, 45123, 45124, 45125, 45125.1, 45125.2, and 42125.5

Date Policy Adopted By The Board: January 21, 1998

Dates Policy Revised By The Board: January 13, 2005; May 17, 2007; June 22, 2018, October 14, 2022

Date Policy Reviewed By The Board: December 11, 2008

RANCHO SANTA FE SCHOOL DISTRICT

I.

Board Policies Covering All Employees

Board Policy No. 4006: EMPLOYMENT

- A. Only the Board can hire and terminate employees. The hiring or appointment of an employee shall be acted upon only by the Board. The only exceptions to these requirements are in Board Policy 4015. All informal offers of employment are conditional upon ratification by the Board and may be withdrawn at any time prior to Board ratification.
- B. The specific assignment of an employee shall be determined by the Superintendent.
- C. Employment of Relatives and Spouses
 - 1. The employment of relatives in the same facility, department, division, office or line of supervisory authority can cause serious problems in the work place which adversely affect productivity, morale, confidentiality, safety, security, and create conflicts of interest. The employment of relatives can also adversely impact the nature of the necessary working relationships between supervisors and employees and between co-employees. Additionally, the employment of relatives adversely affects the public trust and confidence in the fairness and efficiency of the employment policies and operations of the District. These adverse effects are caused, in part, by real or perceived favoritism, scheduling conflicts, personal conflicts and hostility in the work place, claims of partiality in providing or awarding favorable working conditions, promotions, transfers or assignments, the compromise or suspected compromise of confidential or privileged information or records, alteration or destruction of records, or the suspected or actual loss or destruction of District property or financial assets. These problems frequently arise when relatives work together.
 - 2. "Relatives," with the exception of married employees, are defined as persons who are related by blood or marriage, or whose relationship is similar to that of persons who are related by blood or marriage (i.e., an adopted child or step parent). The term "spouse" is defined as a partnership between two people by marriage that is recognized by any U.S. state, possession or territory. For purposes of this policy, the term "spouse" includes "domestic partners" as defined by California law.
 - 3. Relatives of currently employed District employees may be hired by the District as employees, promoted or transferred only if: (1) the individuals concerned will not work in a direct, supervisory relationship with each other, or be in the same line of authority or supervision; (2) the individual hired, promoted or transferred

will not work in the same department, division, office or facility or under the authority of one supervisor; (3) the employment, promotion or transfer will not cause any potential conflicts or disruption to District operations; and (3) the employment, promotion or transfer will not pose any potential articulable problems or conflicts involving supervision, security, safety, confidentiality, performance, or morale.

4. Current District employees are strictly prohibited from participating in, or influencing or attempting to influence the selection process or the employment, promotion or transfer of any relative or their spouse.
5. The District reserves the right to take prompt action to prevent the attempt of any relative or spouse to influence the selection or any other employment decision involving any relative or spouse.
6. The employment of spouses or domestic partners in the same department, division or facility frequently involves potential conflicts of interests that are greater for married persons than for other persons. Additionally, the placement of one spouse under the direct supervision of the other frequently leads to problems involving supervision, safety, security or morale. The employment of spouses shall be governed by the rules set forth in the following paragraph 7.
7. No employment decision, including but not limited to transfers or promotions, shall be based on whether an individual has a spouse or domestic partner presently employed by the District except in accordance with the following criteria:
 - a. For business reasons of supervision, safety, security or morale, the District may refuse to place one spouse under the direct supervision of the other spouse.
 - b. For business reasons of supervision, security or morale, the District may refuse to place both spouses in the same department, division or facility if the work involves potential conflicts of interest or other hazards greater for married couples than for other persons.
 - c. For co-employees who marry, the District shall make reasonable efforts to assign job duties so as to minimize problems of supervision, safety, security, or morale.
8. Present employees of the District who marry or who become related by marriage or domestic partnership must immediately notify their supervisors if such employees work in a direct supervisory relationship with one another or do cause an actual conflict or difficulty concerning supervision, security safety, or morale. The District will attempt to reassign one of the employees to another position for

which he or she is qualified, if such a position is available, and no other accommodation is reasonable or practicable.

9. Any decision not to employ, promote or transfer the spouse of an employee or a domestic partner shall be made on a case-by-case basis by the Superintendent taking into account all of the actual facts and circumstances regarding the particular position and the duties and the relationship of the position and duties performed by the employed spouse or partner. This decision shall involve an assessment of the actual work setting to determine whether that setting would pose, because of the mutual concerns married couples are assumed to share, a potential conflict of interest or other hazards greater for married couples or partners than for other employees. If the potential conflict or hazard is determined to be greater, the District will regulate the employment of spouses and partners to avoid the conflict or other hazard by reasonably matching the severity of its actions toward one or the other spouse or partner to the degree of risk and significance of the potential harm involved.

Legal Reference:

Education Code section 35161,44830, 45103

Government Code section 12940

Title 2, California Code of Regulations section 7292.5

Date Policy Adopted By The Board: September 6, 1990

Dates Policy Revised By The Board: January 13, 2005; May 17, 2007, July 11, 2019

Date Policy Reviewed By The Board: December 11, 2008

RANCHO SANTA FE SCHOOL DISTRICT

I.

Board Policies Covering All Employees

Board Policy No. 4007: DUTIES AND RESPONSIBILITIES

- A. Each employee shall be required to perform all listed duties and responsibilities contained in applicable Board Policies, the applicable job description and applicable law.
- B. Each employee shall follow all reasonable directives from the immediate supervisor, the Superintendent and the Board.
- C. The Superintendent shall exercise control and authority over the preparation, review or revision of job descriptions for all employees. Each job description shall contain at a minimum the following information:
 - 1. Job title
 - 2. List of specific and essential duties
 - 3. List of minimum qualifications

The Board retains the authority to take action on all job descriptions including any revisions.

Legal Reference:

Education Code sections 35010, 35020, 35160, 35160.1, 35161

Date Policy Adopted By The Board: September 6, 1990

Dates Policy Reviewed By The Board: January 13, 2005; May 17, 2007; December 11, 2008

RANCHO SANTA FE SCHOOL DISTRICT

I.

Board Policies Covering All Employees

Board Policy No. 4008: PERSONNEL FILES

- A. The District shall maintain personnel files of regular classified and certificated employees who may examine and receive a copy of such files pursuant to this Policy and 1198.5 of the Labor Code.
- B. Materials in the personnel files of an employee which may serve as a basis for affecting the status of the employee's employment are to be made available for the inspection of the employee or the employee's representative. Upon written request, the District shall also provide a copy of personnel records, at a charge not to exceed the actual cost of production. An employee may not inspect or copy:
1. Records relating to the investigation of a possible criminal offense.
 2. Letters of reference.
 3. Ratings, reports, or records that were:
 - a. Obtained prior to the employee's employment.
 - b. Prepared by identifiable examination committee members.
 - c. Obtained in connection with a promotional examination.

Every employee shall have the right to inspect such materials upon request, provided that the request is made at a time when such person is not actually required to render services to the District.

- C. Information of a derogatory nature shall not be entered or filed unless and until the employee is given notice and an opportunity to review and comment thereon. Such notice shall allow ten (10) working days for review and comment. An employee shall have the right to enter comments and have them attached to any such derogatory information. Review of any derogatory information shall take place during normal business hours, and the employee shall be released from duty for this purpose without salary reduction.

This paragraph C does not apply to information listed in the three numbered phrases in paragraph B immediately above. An employee may not inspect ratings, reports, or records which: were obtained prior to the employment of the employee, were prepared by identifiable examination committee members, or were obtained in connection with a promotional examination.

- D. If an employee disagrees with materials or the contents of materials to be placed in the employee's personnel files, the employee may prepare a written statement within ten (10)

work days of acquiring knowledge of the materials which will be attached to the materials in the personnel file.

Legal Reference:

Education Code section 44031

Labor Code section 1198.5

Date Policy Adopted By The Board: September 6, 1990

Dates Policy Revised By The Board: January 13, 2005; May 17, 2007, October 14, 2022

Date Policy Reviewed By The Board: December 11, 2008

RANCHO SANTA FE SCHOOL DISTRICT

I.

Board Policies Covering All Employees

Board Policy No. 4009: HEALTH EXAMINATIONS

A. Medical Examinations In General

It is the policy of the District not to discriminate against applicants or employees based upon physical or mental disability or medical condition. Any refusal to hire an employee or to retain an employee who qualifies as disabled under state and/or federal law will be based upon an individualized medical inquiry which shows that the particular disabled applicant or employee is unable to perform the essential functions of a particular position or is unable to perform them in a manner that does not pose an imminent and substantial danger to the applicant or employee's health or safety or the health and safety of others, and that the individual cannot be reasonably accommodated without undue financial and administrative burdens or without a fundamental alteration of a position or program.

If the disability involves a contagious disease, an individualized medical inquiry will be made to determine how the disease is transmitted; how long the individual may be infectious; the nature and severity of the potential harm to others; and the probability of transmission of the disease to determine if the individual is otherwise qualified for the position. The District, of course, will adhere to all laws requiring reasonable accommodation for disabled individuals.

B. Tuberculosis Testing

1. Applicants For Employment

- a. An individual, with the exception of those described in subdivision (f) below, shall not be initially employed by the District unless the person has submitted to a tuberculosis risk assessment within the past sixty (60) days, and, if tuberculosis risk factors are identified, has undergone an examination set forth in subdivision (b) below, to determine that he or she is free of infectious tuberculosis by a physician and surgeon licensed under Chapter 5 (commencing with Section 2000) of Division 2 of the Business and Professions Code, a physician assistant practicing in compliance with Chapter 7.7 (commencing with Section 3500) of Division 2 of the Business and Professions Code, or a nurse practitioner practicing in compliance with Chapter 6 (commencing with Section 2700) of Division 2 of the Business and Professions Code. If no risk factors are identified, an examination is not required. A person who is subject to this requirement may submit to an examination that complies with subdivision (b) instead of submitting to a tuberculosis risk assessment.

- b. The examination required by this subdivision shall consist of either an approved intradermal tuberculin test or any other test for tuberculosis infection that is recommended by the federal Centers for Disease Control and Prevention (CDC) and licensed by the federal Food and Drug Administration (FDA). If the test is positive, the test shall be followed by an X-ray of the lungs in accordance with subdivision (f) of Section 120115 of the Health and Safety Code. The X-ray may be taken by a competent and qualified X-ray technician if the X-ray is subsequently interpreted by a physician and surgeon licensed under Chapter 5 (commencing with Section 2000) of Division 2 of the Business and Professions Code.
- c. After the tuberculosis risk assessment and, if indicated, the examination, the employee shall file with the Superintendent a certificate from the examining physician and surgeon, physician assistant, or nurse practitioner showing the employee was examined and found free from infectious tuberculosis.
- d. Presentation of the certificate or notice described in (c) above is a condition of initial employment, and the cost of the required examination must be borne by the applicant.
- e. The certificate or notice shall be filed with the Superintendent within thirty (30) days of the commencement date of any offer of employment. Such offer will be contingent upon presentation of the certificate or notice previously described.
- f. Subsection (a) through (e) do not apply to:
 - 1. Any applicant who transfers employment from another school district who can produce a certificate that shows he or she was found to be free of infectious tuberculosis within sixty (60) days of initial hire, or the school previously employing the person verifies that the person has a certificate on file showing that the person is free from infectious tuberculosis.
 - 2. Any applicant who transfers employment from a private or parochial elementary school, secondary school, or nursery school who can produce a certificate as provided for in Section 121525 of the Health and Safety Code that shows that he or she was found to be free of infectious tuberculosis within sixty (60) days of initial hire, or if the school previously employing the person verifies that the person has a certificate on file showing that the person is free from infectious tuberculosis.
 - 3. The Board reserves the right to require either as a condition of employment or otherwise the tuberculosis risk assessment and, if

indicated, the examination set forth in subdivision (b) above, of persons employed if the Superintendent or Principal believes the presence of these persons in and around school premises would constitute a health hazard to pupils. The tuberculosis risk assessment and, if indicated, the examination set forth in subdivision (b) above, is mandatory for drivers who transport students under contract authorized by Sections 39800 and/or 39801 of the Education Code. This subdivision does not apply to private contracted drivers who transport pupils on an infrequent basis, not to exceed once a month.

2. Employees

- a. An employee who has no identified risk factors or who tests negative for the tuberculosis infection shall be required to undergo the tuberculosis risk assessment and, if risk factors are identified, the examination set forth in subdivision (b) above, at least once every four years or more often if directed by the Board upon recommendation of the local health officer. Once an employee has a documented positive test for tuberculosis infection conducted pursuant to this subdivision that has been followed by an X-ray, the tuberculosis risk assessment is no longer required. A referral shall be made within thirty (30) days of completion of the examination to the local health officer to determine the need for follow up care.
- b. For all subsequent tuberculosis risk assessments or examinations, as required, the District will reimburse employees for the actual cost of the risk assessment, or X-ray or intradermal tuberculin test up to but not to exceed the cost charged for such examinations at the time.
- c. The results of any subsequent required tuberculosis risk assessment or examination shall be filed with the Superintendent within thirty (30) days after the date of expiration of the prior certificate on file.
- d. The Superintendent or designee may exempt a pregnant employee, for a period not to exceed sixty (60) days following termination of pregnancy, from the requirement that a positive intradermal tuberculin test be followed by an X-ray of the lungs.
- e. Nothing in this or any other provision of this Policy shall prevent the Board or the Superintendent from requiring more frequent or extensive physical examination than required by this section.
- f. If the Board determines by resolution after hearing that the health of pupils in the District would not be jeopardized thereby, periodic tuberculosis testing may be suspended for any employee who files an affidavit stating adherence to the faith or teachings of any well-recognized religious sect, denomination, or organization and in accordance with its creed, tenets, or principles depends

for healing upon prayer in the practice of religion and that to the best of the employee's knowledge and belief, the employee is free of active tuberculosis. If at any time there is probable cause to believe that the affiant is afflicted with active tuberculosis, the employee may be excluded from active service until the Governing Board is satisfied that the employee presents no imminent and substantial risk to the employee's health and safety or the health and safety of others in the employee's present position and, if so, the employee cannot be reasonably accommodated.

3. Volunteers

- a. A volunteer shall also be required to have on file with the District a certificate showing that, upon initial volunteer assignment, the person submitted to a tuberculosis risk assessment and, if tuberculosis risk factors were identified, was examined and found to be free of infectious tuberculosis. If no risk factors are identified, an examination is not required. At the discretion of the Board, this section shall not apply to a volunteer whose functions do not require frequent or prolonged contact with pupils.

C. Health Examinations

1. Applicants For Position

The District requires that each employee obtain a medical certificate showing whether the applicant is free from any disabling disease unfitting the applicant to work or associate with children.

- a. The medical certificate shall be presented directly to the Superintendent by a physician and surgeon licensed under the Business and Professions Code, or a commissioned medical officer exempt from licensure by Section 2144 of the Business and Professions Code.
- b. The medical examination must have been conducted not more than six (6) months prior to the submission of the certificate and shall be at the expense of the applicant.
- c. Any offer of employment shall be subject to the submission of the required medical certificate.
- d. Notwithstanding Section 44031 of the Education Code, the medical certificate shall become part of the personnel record of the employee and shall be open to the employee or his or her designee for inspection.
- e. The District will provide to first time applicants for employment in positions requiring certification a form entitled "Certificate of Medical Examination of Applicants for First Employment in a California School

District or County Superintendent of Schools Office." A description of the functions to be performed by the applicant in terms of activities will be attached to the form.

- f. Where the results of such medical examination would result in disqualification, an applicant may submit an independent medical opinion for consideration before a final determination of disqualification is made.

2. Employees

- a. The Superintendent may require employees to undergo periodic medical examinations under the same conditions and for the same purpose as that provided to applicants in section 1 above, "Health Examinations," except that such examinations shall be at District expense.
- b. The Superintendent may require an employee who shows evidence of any physiological disorder which may be interfering with job performance to undergo examination by a licensed physician and surgeon selected by the District at the District's expense. The employee has the right to have a similar examination by the employee's own physician at the employee's own expense and to have such personal physician present at the examination by the physician selected by the District. Both the District and the employee shall be entitled to all reports of such examinations. Any such reports shall be treated as confidential medical records. The Superintendent may require additional examinations if in this administrator's opinion, such additional examinations are necessary to provide or corroborate medical information. The cost of such additional examinations shall be borne by the District.
- c. Employees with health problems or medical conditions which render them unfit to work or associate with children and which cannot reasonably be accommodated may be subject to dismissal or termination from employment upon expiration of any leaves to which entitled and to any rights to reemployment under state or federal law.

3. Retirants

- a. Any retirant not previously employed as a retirant shall, as a condition of employment, submit a medical certificate at the retirant's own expense under the same conditions and for the same purposes as are specified subdivisions 1 above entitled "Tuberculosis" and "Health Examinations." Periodic medical examinations may be required of a retirant under the same terms as those required of initially employed retirants of the District except that such examinations shall be at District expense. A "retirant" is an individual who has retired under applicable law. The District may employ such an individual as a consultant, substitute, etc. pursuant to applicable law.

- b. The medical certificate described above for certificated employee shall be filed directly with the County Superintendent of Schools and a duplicate or photographic copy shall be filed directly with the District. The examination shall have been made within six (6) months of filing the certificate with both the County and District Superintendents.
- c. A notice from a public health agency or unit of the Tuberculosis Association that indicates whether or not the retirant is free from active tuberculosis may be substituted for that part of the physician's certificate relating to tuberculosis.
- d. Where the results of such examination may result in disqualification, the retirant applicant may submit an independent medical opinion for consideration before a final determination of disqualification is made.

Legal Reference:

Education Code sections 39800, 39801, 49406, 44839, 44839.5, 45122
Americans With Disabilities Act (ADA), 42 U.S.C. sections 12101-12213
Vocational Rehabilitation Act of 1973, 29 U.S.C. section 791 *et seq.* sections 503 and 504
Fair Employment and Housing Act, Government Code sections 12940-12951
Government Code section 11135

Date Policy Adopted By The Board: September 6, 1990

Dates Policy Revised By The Board: March 17, 1993; January 13, 2005; May 17, 2007; June 4, 2015

Date Policy Reviewed By The Board: December 11, 2008

RANCHO SANTA FE SCHOOL DISTRICT

I.

Board Policies Covering All Employees

Board Policy No. 4010: EMPLOYEE SAFETY AND PROTECTION

- A. The District shall furnish a place of employment which is safe for employees as required by applicable law.

- B. The District shall not require any employee to be in a place of employment which is not safe. No employee shall leave the assigned work station without authorization of the Superintendent or Principal unless there is clearly an emergency. If an employee does leave the assigned work station because of an emergency, the employee will notify promptly the Superintendent or Principal.

- C. All employees have a responsibility to advise the District immediately of any condition which a reasonable person would consider unsafe.

- D. An employee may, when necessary, use reasonable force in the performance of duties in the interests of self-protection. Such force must not exceed that which is needed to repel or protect from bodily injury. An employee also may take reasonable action for the protection of others and for the protection of District, student, or employee property. Under such circumstances, an employee must exercise mature judgment and must act and react in a reasonable and prudent manner.

- E. The District is responsible for the overall development of a comprehensive school safety plan and all District employees will receive training on this plan. (See Board Policy No. 6014 “Civil Defense, Emergencies, and Disaster Preparedness.”)

Legal Reference:

Labor Code sections 6300 *et seq.*, The California Occupational Safety and Health Act of 1973
Education Code sections 32280 – 32289

Date Policy Adopted By The Board: September 6, 1990

Dates Policy Reviewed By The Board: January 13, 2005; December 11, 2008

Date Policy Revised By The Board: May 17, 2007, July 11, 2019

RANCHO SANTA FE SCHOOL DISTRICT

I.

Board Policies Covering All Employees

Board Policy No. 4010.1: INJURY AND ILLNESS PREVENTION PROGRAM

A. The District's Injury and Illness Prevention Program

This comprehensive health and safety program is designed to identify and abate hazards in the workplace by preventing workplace accidents, injuries and illnesses in order to provide a safe and healthful place in which to work. This Policy, along with other applicable District rules and regulations and practices, form the District's Injury and Illness prevention program. In order to be effective, this Program will require the cooperation and support of all District employees.

B. Responsibility For Safety and Health

All employees of the District are responsible for working safely and maintaining a safe and healthful working environment.

C. Program Administrator

The District's Program Administrator is the Superintendent or designee. The Program Administrator is responsible for the overall implementation and maintenance of the District's Injury and Illness Prevention Program. The Program Administrator will:

1. Ensure that managers and supervisors are trained in workplace safety and are familiar with the safety and health hazards to which employees under their immediate supervision or control may be exposed, as well as applicable laws, regulations and District safety rules, policies, practices and procedures;
2. Ensure that employees are trained in accordance with this program;
3. Cause the periodic inspection of all District workplaces in order to identify, evaluate and abate workplace hazards;
4. Develop methods for abating workplace hazards;
5. Ensure that workplace hazards are abated in a timely and effective manner;
6. Ensure that reported workplace hazards, accidents, illnesses or injuries are investigated;
7. Supervise the delegation of specific tasks required to be performed by the

Program.

D. Hazard Assessment Control

1. Identification of Workplace Hazards

a. Periodic Scheduled Inspections

Work areas should be kept neat and orderly. Managers, supervisors, and employees are responsible for conducting daily, ongoing monitoring and inspection of their specific work areas. Additionally, the Program Administrator shall provide for specific inspections of workplace hazards in accordance with current applicable requirements and regulations.

b. Unscheduled Inspections

In addition to scheduled inspections and ongoing review, the Program Administrator will arrange for unscheduled, surprise inspections. The list of subjects for these inspections will be chosen randomly but with particular emphasis placed on maintenance, operations, warehouse, child nutrition, transportation, cafeteria, and general housekeeping.

c. New Potential Hazards

The Program Administrator will arrange for an inspection and investigation of any new substance, process, procedure or equipment introduced into the workplace. The Program Administrator also will arrange for an inspection and investigation whenever the District is made aware of a new or previously unrecognized hazard.

d. Employee Reporting of Hazards

Employees are required to report immediately to their supervisors or the Program Administrator any unsafe condition or hazard which they discover in the workplace. Forms for reporting such hazards may be obtained in each work area or from the Program Administrator. The employment of any employee making a bona fide report of an unsafe condition or hazard in the workplace will not be adversely affected for making such a report. Employees who wish to remain anonymous may submit the required reporting form to the Program Administrator without signature.

2. Monitoring and Correcting Identified Potential Safety and Health Hazards

a. Identified Safety and Health Hazards

The Program Administrator shall keep a list of identified hazards and a written procedure for dealing with each hazard.

b. Newly Discovered Safety and Health Hazards

The Program Administrator shall develop a written procedure for identifying and correcting in a timely manner hazards newly identified through inspections or employee reports.

E. Emergencies

The program Administrator shall prepare procedures to handle emergencies in the event of earthquakes, fires and other disasters.

F. District Safety Rules

District wide safety rules as well as specific safety rules appropriate for each work area and position will be posted in each work area and on or near appropriate equipment. These rules will be communicated to employees by the methods prescribed in paragraph G below.

G. Communicating With Employees On Safety And Health Issues

1. Safety Meetings

Safety meetings will be conducted and documented by supervisors periodically on a monthly basis with additional special meetings whenever necessary. During each meeting, supervisors will discuss the District's IPP as well as the following issues:

- a. New hazards that have been introduced or discovered in the workplace;
- b. Causes of recent accidents or injuries and the methods by which similar accidents or injuries can be prevented in the future; and
- c. Any safety issue deemed by supervisors to require enforcement.

2. Postings

This Board Policy will be posted in appropriate work areas along with general and specific safety rules.

H. Safety And Health Training

Awareness of potential health and safety hazards, as well as knowledge of how to control such hazards, is critical to maintaining a safe and healthful work environment and

preventing injuries, illnesses, and accidents in the workplace. The District is committed to instructing all employees in safe and healthful work practices. To achieve this goal, the District will provide training to each employee with regard to general safety procedures and with regard to any hazards or safety procedures specific to that employee's work assignment.

1. Training of employees

Health and safety training will be provided at the following times:

- a. Upon hiring;
- b. Whenever an employee is given a new job assignment for which training has not previously been provided;
- c. Whenever the District becomes aware that new substances, processes, procedures or equipment which represent a new hazard are introduced into the workplace;
- d. Whenever the District becomes aware of a new or previously unrecognized hazard; and
- e. Whenever the Program Administrator or supervisor believes that additional training is necessary.

2. Training of Supervisors

Supervisors will be trained annually and on special occasions if necessary.

I. Accident Investigation

All work related accidents reported to the District will be investigated in a timely manner. Minor incidents and near misses will be investigated as well as serious accidents. A near miss is an incident which, although not serious, could have resulted in serious injury or significant property damage. Investigation of these instances may avoid serious accidents in the future. The Program Administrator or designee will be responsible for investigation of accidents.

The Program Administrator will be provided with a report of each accident investigation and will keep a record of the results of such investigation on a form prescribed by the Program Administrator.

The Program Administrator will cause each accident investigation report to be reviewed for recommendations as to how such accident or near miss can be prevented in the future and implement any preventative measures.

Legal Reference:
Labor Code section 6401.7

Date Policy Adopted By The Board: June 19, 1991
Date Policy Reviewed By The Board: January 13, 2005; May 17, 2007; December 11, 2008

RANCHO SANTA FE SCHOOL DISTRICT

I.

Board Policies Covering All Employees

Board Policy No. 4011: HAZARDOUS MATERIALS

- A. The Superintendent is directed to develop and implement a Hazard Communication Program to enhance employees' health and safety which is consistent with applicable law.

Legal Reference:
Labor Code section 6328,
Title 8, California Code of Regulations section 340 *et seq.*

Date Policy Adopted By The Board: September 6, 1990
Date Policy Revised By The Board: January 13, 2005
Dates Policy Reviewed By The Board: May 17, 2007; December 11, 2008

RANCHO SANTA FE SCHOOL DISTRICT

I.

Board Policies Covering All Employees

Board Policy No. 4012: REIMBURSEMENT OF EMPLOYEE EXPENSES

- A. Pursuant to the terms of this policy, the District shall reimburse the actual, reasonable and necessary expenses, including travel expenses, of any employee of the District incurred in the course of performing required or authorized services for the District.
- B. The Governing Board shall establish a travel budget for the purpose of reimbursing the expenses of employees incurred in the course of performing required or authorized services for the District. The Board delegates to the Superintendent the authority to approve travel requests and travel claims of employees within the limitations of the established budget. The Superintendent must pre-approve all employee travel outside of the County and all travel in the County only in cases where other than mileage expense will be incurred. The President of the Board shall pre-approve all reimbursable travel expenses of the Superintendent for travel and attendance at meetings and events or other District related activities outside of the County and for such attendance within the County only if expenses will be incurred in addition to or other than for travel by personally owned vehicle for which a travel allowance is otherwise provided.
- C. For pre-approved travel requests, an advance may be authorized when total expenses are estimated to exceed \$200.00, such advance is requested sufficiently in advance of the travel, and the employee agrees to reimburse the District for the balance of the cash advance upon presentation of legible receipts which total less than the amount of the cash advance when added to any reimbursement for meals and other reimbursable expenses.
- D. No District funds will be used to purchase or reimburse an employee for any expense(s) incurred for the purchase of alcoholic beverages or for personal, unnecessary, or unreasonable expenses, and no District funds shall be expended for the purchase of alcoholic beverages.
- E. Travel by Personally Owned Vehicle on District Business
 - 1. Mileage for travel by personally owned vehicle shall be reimbursed upon submission of a travel claim at the rate established by the Internal Revenue Service at the time the travel is performed. If an employee is regularly assigned to a designated work site, reimbursement for use of a personally owned vehicle on District business during regular work hours shall not include that mileage normally attributed to mileage for travel to and home and work. Where the travel is outside of regular work hours, all mileage incurred shall be reimbursed.

2. Authorization for the use of personally owned vehicles for District business is subject to the following rules:
 - a. The driver must possess a valid California Driver's License, personal automobile insurance in the minimum amount of \$100,000/300,000 liability/bodily injury, and a minimum of \$50,000 liability/property damage.
 - b. The District prohibits and is not responsible for accidents or injuries resulting from the use of alcohol or drugs, driving under the influence of alcohol or drugs, the use of cell phones in violation of State law, or smoking while on District business.
 - c. Children with disabilities shall not be transported by personally owned vehicle unless any such transportation complies with the student's individualized plan or IEP and the employee in charge of transporting the child is appropriately trained to perform this duty.
 - d. A valid driver's license and verification of insurance coverage must be carried at all times when using a personally owned vehicle for District business.
 - e. All accidents in a personally owned vehicle while on District business must be reported to the District immediately, to the employee's insurance company, and to the Department of Motor Vehicles in the event of personal injury or property damage in excess of non-reportable levels.
 - f. The District does not reimburse or pay for the following expenses of personally owned vehicles used on official business or parked at a District or other facility:
 - (1) Collision damage
 - (2) Deductible's on insurance claims
 - (3) Repair or replacement of vehicles or the contents of vehicles damaged by vandalism or theft
 - (4) Traffic or parking citations while on official District business

F. Reimbursement for Meal Expenses

For attendance at required activities outside of the District, the District will provide reimbursement for necessary meals with receipts in the following amounts if not otherwise included in the event or attendance fee.

1. Breakfast - will be reimbursed up to a maximum amount of \$12.00 per day only if the employee is required to stay overnight in order to attend the event the following day, or the employee must depart from home to attend the event prior to 6:00 a.m. and the event ends after 9:00 a.m.
2. Lunch - will be reimbursed up to a maximum amount of \$18.00 per day for any day in which the employee will either not be returning home the same day or must travel prior to 11:00 a.m. and the travel will end after 2:00 p.m.

3. Dinner - will be reimbursed up to a maximum amount of \$31.00 per day if the employee is required to stay overnight to attend the event the following day or if travel must begin by 4:00 p.m. or later and will not end until after 7:00 p.m.
4. The number of meals authorized for travel involving overnight lodging must be approved by the Superintendent or designee prior to travel.

G. Expenses other than Meals and Incidental Expenses

To obtain reimbursement for any out-of-pocket travel expenses, including lodging, car rental, parking, plane fare, taxi/bus/shuttle service conference registration, toll charges, and necessary incidental expenses, legible receipts must be presented which do not include personal expenses. The rules below shall apply.

1. Deposits for hotel accommodations shall be the responsibility of the employee.
 2. Hotel rooms should be shared with appropriate personnel whenever possible.
 3. Expenses incurred for tips, gratuities or baggage handling will not be reimbursed.
 4. Ground travel should be arranged so that the maximum number of staff can be accommodated for one charge or at the least cost.
 5. Airfare should be the most economical means available.
- H. Where receipts are lost and cannot be presented with a travel claim, the employee must sign a certification as to those expenses for which receipts are unavailable which must be approved by the Superintendent.
- I. The District shall provide requests for authorization for travel and claim forms for submission by employees with required receipts upon the conclusion of travel.

Legal Reference:

Education Code sections 32435, 44032, 35161

Date Policy Adopted By The Board: September 9, 2003

Date Policy Revised By The Board: November 2, 2017

RANCHO SANTA FE SCHOOL DISTRICT

I.

Board Policies Covering All Employees

Board Policy No. 4013: REIMBURSEMENT OF EXPENSES OF EMPLOYMENT APPLICANTS

- A. The Superintendent may authorize the reimbursement of travel expenses to an employment applicant when an applicant is requested by the District to travel from their place of residence to the District for the purpose of being interviewed and examined prior to possible employment as long as a proper written claim is filed, there are sufficient funds budgeted for such purposes, and expenses approved are consistent with Board policies.

Legal Reference:
Education Code sections 35161, 44016

Date Policy Adopted By The Board: September 6, 1990
Dates Policy Revised By The Board: January 13, 2005; May 17, 2007; December 11, 2008

RANCHO SANTA FE SCHOOL DISTRICT

I.

Board Policies Covering All Employees

Board Policy No. 4014: REPLACING OR REPAIRING EMPLOYEES' PROPERTY

- A. Reimbursement to employees for any verified loss, damage or destruction of personal property suffered while performing services for the District shall be made only if the value is more than \$25.00 and there is no fault on behalf of the employee. The maximum reimbursement for any one item shall be \$125.00. The maximum reimbursement for any vehicle damage shall be \$500.00. Reimbursement for vehicle damage is strictly limited to damage to a vehicle incurred during actual use when an employee is required to utilize their personally owned vehicle on District business other than to go to and from work. The total reimbursement for all loss, damage or destruction of personal property for each employee and/or each incidents under this Policy shall not exceed \$2,000,000.00 in any fiscal year.
- B. A written request for reimbursement must be filed with the Superintendent by the employee within twenty (20) regularly scheduled workdays following the incident. The Superintendent or designee shall conduct such investigation as may be necessary. The burden of proof in all cases is with the employee seeking reimbursement.
- C. Reimbursement for verified loss, damage or destruction of personal property suffered while performing services for the District is provided only when written approval for the use of the personal property was given by the Superintendent before a use while performing services for the District. Exception to such prior approval shall be damage to personally owned vehicles limited to that specified in paragraph A above, eyeglasses, hearing aids, dentures, watches or articles of clothing necessarily worn or carried by the employee. The employee must take reasonable steps to protect all personal property. The Superintendent may cancel the approval at any time upon written notice to the employee.
- D. If an employee receives any payment from an insurance carrier for any loss, damage or destruction for which the District gave reimbursement, the employee shall repay the District if such payment from an insurance carrier covers the same loss, damage or destruction covered by the District. The District shall, in addition, have all rights of subrogation, and the employee shall execute all assignments and other documents and cooperate and perform all other acts as required by the District in pursuing such rights of subrogation.
- E. This Policy should not be construed as a restriction regarding an employee bringing personal property on District property at the employee's own risk subject to the other provisions in this Board Policy.

- F. The District will reimburse for the actual value of the lost, damaged or destroyed personal property subject to the other provisions of this Policy. Reimbursement may be made on the basis of repair cost, if economical, feasible and not greater than the actual value.

Legal Reference:
Education Code sections 35213, 35214

Date Policy Adopted By The Board: September 6, 1990
Date Policy Reviewed By The Board: January 13, 2005; May 17, 2007;
Date Policy Revised By The Board: December 11, 2008, August 12, 2021

RANCHO SANTA FE SCHOOL DISTRICT

I.

Board Policies Covering All Employees

Board Policy No. 4015: EMPLOYEE RESIGNATION

- A. An employee shall resign in writing, and any such resignation normally shall take effect not later than the close of the school year (July 1 through June 30) during which the resignation has been received.

The Superintendent is authorized by the Board to officially accept the resignation of any employee. The resignation of the employee shall be final and effective at the time of acceptance.

The Superintendent may require an employee to use any accumulated vacation prior to the effective date of the resignation.

- B. The Governing Board and an employee may agree that a resignation will be accepted at a mutually agreed upon date not later than two years beyond the close of the school year during which the employee's resignation is received by the Governing Board.

Legal Reference:

Education Code sections 35161, 44930, 45201

Date Policy Adopted By The Board: September 6, 1990

Date Policy Revised By The Board: February 9, 2000

Dates Policy Reviewed By The Board: January 13, 2005; May 17, 2007; December 11, 2008

RANCHO SANTA FE SCHOOL DISTRICT

I.

Board Policies Covering All Employees

Board Policy No. 4016: GRIEVANCE PROCEDURE

A. Definitions.

1. A "grievance" is a formal written allegation by an employee who has been adversely affected by a violation of the specific policies concerning his/her working conditions. Actions to challenge or change the Policies of the District as set forth in other policies must be undertaken under separate legal processes. Other matters for which a specific method of review is provided by law or by rules of the employer are not within the scope of this procedure.
2. A "grievant" is a classified or certificated employee of the District.
3. A "day" is a day in which the administrative office of the District is open.

B. Informal Level.

1. Before filing a formal written grievance, the grievant shall attempt to resolve it by an informal conference with the employee's immediate supervisor.

C. Formal Levels.

Step 1

Within twenty (20) days after the occurrence of the act or omission, or within twenty (20) days after the grievant knew or reasonably should have known of the act or omission giving rise to the grievance, the grievant must present such grievance in writing to the grievant's immediate supervisor and provide a copy to the Superintendent.

This statement shall be a clear, concise statement of the grievance, the circumstances involved, the decision rendered at the informal conference, under B above, and the specific remedy sought.

The supervisor shall communicate a decision to the employee in writing within fifteen (15) days after receiving the grievance. If the supervisor does not respond within the time limits, the grievant may appeal to the next step.

Within the above time limits, either party may request a personal conference with the other party.

Step 2

- a. In the event the grievant is not satisfied with the decision at Step 1, the grievance may appeal the decision on the appropriate form to the Superintendent within ten (10) days.
- b. The statement should include a copy of the original grievance, the decision rendered, and a clear and concise statement of the reasons for the appeal.
- c. The Superintendent shall communicate a decision within twenty (20) days after receipt of the appeal. The Superintendent may request a personal conference within the above time limits. If the Superintendent does not respond within the time limits, the grievant may appeal to the next Step.
- d. In the event that the grievant is not satisfied with the decision at Step 1, he/she may request to the Board that the grievance be submitted to the Board. Such request must be in writing, filed within ten (10) days with the Board President and a copy provided to the Superintendent.
- e. The Board may or may not schedule a conference. The decision of the Board shall be final.

D. Miscellaneous

No grievant shall use the grievance procedure to appeal any decision of the District or its representatives if such decision is pursuant to any order of or written agreement with any state or federal court, regulatory commission or agency, or for which another procedure is provided by Board Policy.

No grievant shall use the grievance procedure in regard to any claim or complaint for which there is another remedial procedure or course established by statute or by regulation having the force of law.

If the grievant introduces new evidence at any Step in the grievance procedure, the District may require that the grievance be returned to the prior Step.

Grievances will be filed and processed on forms developed by the District.

E. Contents of Formal Grievance

A formal grievance shall be signed and dated by the employee submitting the grievance and shall contain a specific description of all of the facts which the employee claims violated a specific Policy of the District concerning the employee's working conditions. The grievance must identify the specific Policy claimed to have been violated, how and by whom it was violated, the date of the violation, and the names of any witnesses or individuals who can or may provide information regarding the claimed violation.

Date Policy Adopted By The Board: September 6, 1990

Dates Policy Revised By The Board: January 13, 2005; May 17, 2007

Date Policy Reviewed By The Board: December 11, 2008

RANCHO SANTA FE SCHOOL DISTRICT

I.

Board Policies Covering All Employees

Board Policy No. 4017: EMPLOYMENT OF SUBSTITUTE CERTIFICATED EMPLOYEES. AND EMPLOYMENT OF SUBSTITUTE AND SHORT-TERM EMPLOYEES NOT IN THE CLASSIFIED SERVICE

- A. The Board hereby delegates to the Superintendent the authority on behalf of the Board and the District to employ and to terminate substitute certificated employees, substitute classified employees not in the classified service, employees in part-time playground positions where the employee is not otherwise employed in a regular classified position; all subject to subsequent ratification by the Board.

- B. In accordance with Education Code section 45103(d)(2) a "short-term" means any employee who is employed to perform a service, upon the completion of which, will not be extended or needed on a continuing basis. Before employing a short-term employee, the Board, at a regularly scheduled Board meeting, shall specify the service required to be performed by the employee, and shall certify the ending date of the service. This ending date may be shortened or extended, but shall not extend beyond seventy-five percent (75%) of a school year.

- C. The delegation of authority in this Board Policy with regard to certificated employees is limited to substitute certificated employees who are employed for less than seventy-five percent (75%) of a school year as defined by Education Code section 44918.

- D. The delegation of authority in this Board Policy with regard to employees substituting for regular classified employees or short-term employees not in the classified service is limited to employees who are employed for less than seventy-five percent (75%) of a school year as defined by Education Code section 45103.

- E. The Superintendent in exercising the delegated authority in this Board Policy shall conform to all relevant laws, Board Policies and appropriate personnel practices. The Superintendent in exercising the delegated authority in this Board Policy also shall act consistently with the Budget adopted by the Board and prudent business practices.

Legal References:

Education Code sections 35161, 44918, 45030, and 45103

Date Policy Adopted By The Board: September 6, 1990

Date Policy Last Revised By The Board: May 6, 2010

RANCHO SANTA FE SCHOOL DISTRICT

I.

Board Policies Covering All Employees

Board Policy No. 4018: FAMILY CARE AND MEDICAL LEAVE

A. Intent Of Policy

This Policy is intended to comply with the federal Family Medical Leave Act of 1993 as amended, 29 U.S.C. § 2601 *et seq.*, and the California Family Rights Act of 1991 as amended, Cal. Gov't Code § 12945.2. No greater or lesser leave benefits will be granted than those provided by applicable state or federal laws. This Policy shall be interpreted so that there will be no violation of either state or federal law.

B. Family Care And Medical Leave

Family care and medical leave consists of unpaid leave for a period of up to twelve (12) work weeks in a year (measured forward from the date on which the leave begins and ending 12 months after that date) for one of the following reasons:

1. The birth or placement of a child for adoption or foster care with the employee within one year of such birth or placement;
2. To care for the employee's child, parent, grandparent, grandchild, sibling, spouse, domestic, partner or "designated person" with a serious health condition;
3. If an employee has a serious health condition that makes the employee unable to perform essential functions of the employee's job.
4. To address a qualifying exigency due to the fact that an eligible employee's spouse, domestic partner, child or parent is a military member on covered active duty or has been notified of an impending call to covered active duty status.
5. To attend individualized education program (IEP) meetings for the employee's child.

Family Care and Medical leave is separate and distinct from disability leave for pregnant employees. Pregnant employees may be entitled to a pregnancy disability leave in addition to family care and medical leave. Section L describes in detail the interplay between pregnancy leave and family care and medical leave.

C. Military Caregiver Leave

Eligible employees who are the spouse, domestic partner, child, parent, or next of kin of a covered service member with a serious injury or illness may take up to twenty-six (26) workweeks of leave during a single 12-month period (beginning on the date the employee begins the leave and ending 12 months after that date) to care for the covered service member.

D. Definitions

1. "Accumulated Sick Leave" means days of sick leave the employee earned in previous school years and has not taken, thereby accruing a balance from year to year.
2. "Child" means a biological, adopted, or foster child, a step-child, a legal ward, a child of a domestic partner, or a child of a person standing in loco parentis who is either under eighteen (18) years old or over eighteen (18) years old and incapable of self-care because of a mental or physical disability.
3. "Covered active duty" for members of the Regular Armed Forces means duty during deployment with the Armed Forces to a foreign country. "Covered active duty" for members of the Reserve components of the Armed Forces (members of the National Guard and Reserves) means duty during deployment with the Armed Forces to a foreign country under a call or order to active duty in support of a contingency operation.
4. "Covered service member" for military caregiver leave means either a current member of the Armed Forces (including a member of the National Guard or Reserves) who is undergoing medical treatment, recuperation, or therapy, is in outpatient status, or is on the temporary disability retired list, for a serious injury or illness, or a veteran of the Armed Forces (including the National Guard or Reserves) who was discharged within the five-year period before the start of the leave and who is undergoing medical treatment, recuperation, or therapy for a qualifying serious injury or illness. A veteran who was dishonorably discharged does not meet the FMLA definition of a covered service member.
5. "Deployment to a foreign country" includes deployment to international waters.
6. "Designated person" means any individual related by blood or whose association with the employee is the equivalent of a family relationship. The designated person may be identified by the employee at the time the employee requests the leave. The District may limit an employee to one designated person per school year.

7. "Differential Pay Sick Leave" means the right to receive the difference between an employee's regular salary and the amount of money the District pays a substitute.
8. "Employee Benefits" means all benefits which may be provided or made available to employees by the District, including group life insurance, health insurance, disability insurance, sick leave, annual leave, and pensions, regardless of whether such benefits are provided by a practice or written Policy of the District or through an employee benefit plan as defined in Section 3(3) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. section 1002 (3)).
9. "Employment in the same position" means employment in the position which the employee held prior to taking a family care and medical leave.
10. "Employment in an equivalent position" means a position that has the same or similar duties, pay, and employment benefits which can be performed at the same or similar geographic location as the position held prior to the leave.
11. "Group health plan" means any plan provided or contributed to by the District to provide health care (directly or otherwise) to employers, employees, former employees, or the families of such employees or former employees.
12. "Health care provider" means:
 - a. A physician or surgeon, or osteopathic physician or surgeon, duly licensed in the state of California or in another state or jurisdiction, including another country, who directly treats or supervises the treatment of the serious health condition; or
 - b. A duly licensed podiatrist, dentist, clinical psychologist, optometrist, chiropractor, nurse practitioner, nurse-midwife, clinical social worker, or physician assistant authorized to diagnose and treat physical or mental health conditions; or
 - c. Any health care provider from whom the District's group health plan will accept a medical certification.
13. "Industrial Accident and Illness" means a work related injury or illness.
14. "Intermittent Leave" means a leave taken in separate blocks of time due to a single illness or injury and may include leave periods from one hour or more to several weeks.
15. "Parent" means a biological, foster, or adoptive parent, a step-parent, a legal guardian or someone who stood in loco parentis to an employee when the employee was a child.

“Pregnancy disability leave” means a leave taken for disability on account of pregnancy, childbirth, or a related medical condition.

16. "Reduced Leave Schedule" means a leave schedule that reduces an employee's usual number of working hours per day or per week.
17. "Serious health condition" means an illness, injury, impairment or physical or mental condition which involves either of the following:
 - a. Inpatient care (overnight stay) in a hospital, hospice, or residential medical care facility; or
 - b. Continuing treatment or continuing supervision by a health care provider.
18. "Sick leave" means days for which an employee is paid but is not required to work because of illness or injury.
19. "Spouse" means a husband or wife according to California law or registered domestic partner.
20. "Domestic partner" means a person in a relationship registered with the Secretary of State.
21. "Continuous service" means any week in which an employee works any part of the week which is counted as a week worked.
22. "Hours worked" does not include time paid but not worked (holidays, paid vacation, unpaid leave or periods of layoff).
23. “Qualifying exigencies” include making alternative child care arrangements for a child of the deployed military member, attending certain military ceremonies and briefings, or making financial or legal arrangements to address the military member’s absence.

E. Eligibility For Family Care And Medical Leave

Employees are required to have completed twelve (12) months of service with the District at the time of a request for leave to be eligible for family care and medical leave. The 12 months of service are not required to be consecutive months. Employment periods prior to a break in service of seven years or more need not be counted in determining whether the employee has been employed by the District for at least 12 months, except for a break in service caused by a military service obligation.

Employees are also required to have completed 1,250 hours worked in the twelve months preceding the leave for eligibility. The 1,250 hours include only those hours actually worked; paid leave and unpaid leave time are not included.

For an employee who takes a pregnancy disability leave that is also a FMLA leave, and who then wants to take CFRA “baby bonding” leave immediately after her pregnancy disability/FMLA leave, the 12-month period during which she must have worked 1,250 hours is that period immediately preceding her first day of pregnancy disability/FMLA leave, not the first day of the subsequent CFRA “baby bonding” leave.

F. Right To Family Care And Medical Leave

Subject to the terms and conditions stated in this Policy, an eligible employee shall be granted an unpaid family care and medical leave for up to a total of twelve work weeks in a one year period, and granted up to twenty-six (26) work weeks of unpaid military caregiver in a one year period.

An eligible employee is entitled to a combined total of 26 work weeks of military caregiver leave and leave for any other FMLA-qualifying reason in a single 12-month period, provided that the employee may not take more than 12 work weeks of leave (out of the total 26 weeks of leave) for any other FMLA-qualifying reason during this period. The one year period is measured forward from the date on which an eligible employee's first family leave began and ending 12 months after that date.

If both parents are employees of the District, they may take a maximum combined total of 26 weeks in a single 12 month period for military caregiver leave or a combination of qualifying exigency leave and military caregiver leave. For only qualifying exigency leave, they may take a maximum combined total of 12 weeks.

If a holiday falls within a week taken as Family Care and Medical leave, the week is nevertheless counted as a week of Family Care and Medical leave. If school is out and/or the District is closed while an employee is on Family Care and Medical Leave and the employee would not normally be expected to report for work for one or more weeks during the closure (for example, over the winter break), the period of time that the employee would not normally be expected to report to work does not count against the employee's Family Care and Medical leave entitlement.

A request for family care and medical leave must comply with the applicable notice requirements described below. Appropriate certification as described in Section H is also required.

G. Requests For Family Care and Medical Leave

An employee must provide the District at least 30 days advance notice before FMLA leave is to begin if the need for leave is foreseeable based on an expected birth, placement for adoption or foster care, planned medical treatment for a serious health

condition, or planned treatment for a serious injury or illness of a covered service member.

If the employee's need for the leave is foreseeable due to planned medical treatment or medical supervision, the employee shall consult with the District regarding the scheduling of the treatment or supervision so as to prevent undue disruption to the operations of the District. Any scheduling of treatment or supervision shall be subject to the approval of the health care provider of the individual with the serious health condition.

If the need for leave was not foreseeable or in cases of a medical emergency, notice must be given as soon as possible.

The employee must advise the District as soon as practicable if the dates of scheduled leave change or are extended, or were initially unknown.

For foreseeable leave due to a qualifying exigency, an employee must provide notice as soon as practicable, regardless of how far in advance such leave is foreseeable.

H. Certification Of Serious Health Condition From Health Care Provider

1. If the employee is requesting the leave to care for a child, parent or spouse with a serious health condition, the District may require certification of the serious medical condition by the individual's health care provider.
 - a. The certification need not identify the serious health condition involved but shall include:
 - (1) the date on which the serious health condition commenced;
 - (2) the probable duration of the condition;
 - (3) an estimate of the time that the health care provider believes the employee needs to care for the individual requiring the care.
 - (4) a statement that the serious health condition warrants the participation of the employee to provide care for the employee's child, parent or spouse.
 - b. If additional leave is requested beyond the period stated in the certification, the District may require the employee to obtain recertification in accordance with the procedures set forth above.
2. If the employee is requesting the leave for his or her own serious medical condition, the District may require certification of the serious medical condition by his or her health care provider.

- a. The certification need not identify the serious health condition involved but shall include:
 - (1) the date on which the serious health condition commenced;
 - (2) the probable duration of the condition;
 - (3) a statement that, due to the serious health condition, the employee is unable to perform one or more of the essential functions of his or her position.
- b. If additional leave is requested beyond the period stated in the certification, the District may require the employee to obtain recertification in accordance with the procedures set forth above.
- c. If the District has reason to doubt the validity of the certification, the District may require the employee to undergo an examination by a health care provider of the District's choice to obtain a second opinion. If the second opinion differs from the opinion in the original certification, the District may require the employee undergo a third examination conducted by a health care provider jointly selected by the District and the employee. The third opinion shall be binding on the District and the employee. All subsequent opinions obtained after the initial certification shall be at District expense.
- d. Prior to returning to work after an employee has been granted family care and medical leave for his or her own serious medical condition, the District may require the employee to obtain certification from his or her health care provider that the employee is able to resume his or her duties.

I. Right To Reinstatement

1. In general, an employee returning from a family care and medical leave shall be assigned to the position he or she occupied prior to the leave, or an equivalent position with equivalent terms and conditions of employment, including employment benefits such as pay, working conditions, privileges, and status. Additionally, an employee's use of family care and medical leave will not result in the loss of any other employment benefit that the employee earned or was entitled to before using the leave.

J. Intermittent Or Reduced Schedule Leave

1. Leave taken because of the serious health condition of the employee or the employee's spouse, child or parent, may be taken intermittently or on a reduced schedule leave when medically necessary. If an employee needs leave

intermittently or on a reduced leave schedule for planned medical treatment, the employee must make a reasonable effort to schedule the treatment so as not to unduly disrupt District operations.

2. Leave taken for the birth, adoption, or foster care placement of a child of the employee may also be taken intermittently or on a reduced schedule. The minimum duration for intermittent or reduced schedule leave for the birth, adoption, or foster care placement of a child of the employee shall be two weeks, however, the District shall grant a request for such leave of less than two weeks' duration on at least two occasions.
3. If an employee requests intermittent leave, or a reduced schedule leave, the District may require the employee to transfer temporarily to an available alternative position. The alternative position must be one which the employee is qualified for, which has equivalent pay and benefits, and better accommodates the recurring periods of leave than the employee's regular position.
4. Only the amount of intermittent leave actually taken may be counted toward the 12 weeks of leave to which the employee is entitled.

K. Terms Of Family Care And Medical Leave

1. Leave taken pursuant to this Policy is unpaid leave. However, an eligible employee may elect, or the District may require the employee, to substitute accrued paid sick leave, differential pay sick leave or other paid leave for any part of the twelve week period. Nothing in this Policy shall require the District to provide paid sick leave or paid medical leave in any situation in which the District would not otherwise provide any such paid leave.

In the event the employee elects or is required to use sick leave, the accumulated sick leave shall be used first. After the accumulated sick leave is exhausted, the employee may elect or the District may require the employee, to use any available differential pay sick leave during the period of the family care and medical leave.

Because family care and medical leave is limited to a duration of twelve (12) work weeks, it is unlikely the employee will run out of differential pay sick leave within the duration of the family care and medical leave for a particular individual serious health condition.

2. During the period of family care and medical leave, the District shall maintain coverage under any group health plan (as defined in Section 5000(b) (1) of the Internal Revenue Code of 1986) for a maximum of twelve (12) work weeks. The coverage shall be under the same terms and conditions as if the employee had continued in employment for the duration of the leave. The District may collect the amount of premiums paid by the District from the employee if the employee fails to return from leave after the contemplated time period for a reason other than the

continuation, recurrence or onset of a serious health condition or impossibility to return to work.

3. During the period of the family care and medical leave, the employee is entitled to participate in pension and retirement plans (hereinafter, "retirement plans") and supplemental employment benefit plans to the same extent and under the same conditions as would apply to any other unpaid personal leave granted by the District for any reason other than family care and medical necessity.

The District is not required to make plan payments to any retirement plan or to count the leave period for purposes of "time accrued" under any such retirement plan during the unpaid portion of the leave period. However, during the portion of the leave period wherein the employee has elected or the District has required the employee to utilize accrued vacation or other paid leave applicable payments will be made to the retirement plan. In addition, accrued vacation or other accrued paid time off shall count towards "time accrued" under the retirement plan in the same manner as if the employee had utilized the paid leave other than for family care and medical leave. Employees are allowed to continue making contributions to their retirement plan, in accordance with the terms of the plan, during the unpaid portion of the leave.

4. The employee shall maintain employee status during the period of the family care and medical leave. The leave shall not constitute a break in service for purposes of seniority and/or longevity.
5. The employee returning from family care and medical leave shall return with no less seniority than the employee had when the leave commenced for purposes of layoff, recall, promotion, job assignment and seniority-related benefits, such as vacation.
6. Other than as set forth in this Policy, the District shall not refuse to hire, discharge, fine, suspend, expel or discriminate in any fashion against any individual on the basis of using family care and medical leave and/or for giving information or testimony regarding the employee's own family care and medical leave, or another employee's family care and medical leave, in any inquiry or proceeding related to family care and medical leave.
7. Leaves Near the End of the Term (Instructional Employees). The District may require an instructional employee to continue taking a requested leave until the end of the school year in any of the following situations:
 - a. If the instructional employee begins a leave of three or more weeks' duration more than five weeks before the end of a term and would subsequently return to work during the last three weeks of the term;
 - b. If the instructional employee, for reasons other than his/her own serious health condition, begins a leave of more than two weeks' duration during the period that

begins five weeks before the end of a term and would subsequently return to work during the last two weeks of the term; or

- c. If the instructional employee, for reasons other than his/her own serious health condition, begins a leave of more than five days' duration during the period that begins three weeks before the end of a term.

L. Effect of Family Care and Medical Leave on Pregnancy Disability Leave

1. Leave Available

An employee disabled by pregnancy is entitled to up to four months of pregnancy disability leave. (Government Code section 12945.) Pregnancy disability leave runs concurrently with family care and medical leave under federal law (FMLA), but not family care and medical leave under California law (CFRA). Consequently, an eligible employee may take a pregnancy disability leave of up to four (4) months and a subsequent family care and medical leave under CFRA for birth or placement of a child of up to twelve (12) work weeks, for a combination of four (4) months plus twelve (12) weeks (approximately seven (7) months).

In order to be eligible for a combination pregnancy disability/family care and medical leave, pregnant employees must meet the eligibility requirements set forth at Section E above.

2. Compensation During Leave

Leave necessitated by pregnancy, miscarriage, childbirth and recovery therefrom shall be treated the same as sick leave. Consequently, an employee shall utilize sick leave and any available differential pay sick leave during the period of the pregnancy disability/family care and medical leave.

The accumulated sick leave shall be used first. After the accumulated leave is exhausted, the employee shall use any available differential pay sick leave. The employee may also elect, or the District may require the employee to utilize any other paid leave during the pregnancy disability/family care medical leave. Nothing in this Policy shall require the District to provide paid sick leave or paid Medical leave in any situation in which the District would not otherwise provide any such paid leave.

3. Benefits During Leave

The District shall maintain coverage under any group health plan (as defined in Section 5000(b)(1) of the Internal Revenue Code of 1986) for employees who are eligible for combination pregnancy disability/family care and medical leave for the amount of time the employee utilizes accumulated and differential pay sick

leave. In addition, the District shall maintain coverage for a maximum of twelve (12) work weeks of unpaid leave taken pursuant to this Policy. In some instances, the District may recover premiums it paid to maintain health coverage for an employee who fails to return to work following a combination pregnancy disability/family care and medical leave.

Employees on a combination pregnancy disability/family care and medical leave whose paid coverage ceases in accordance with this Policy, may continue their group health insurance coverage through the District in conjunction with federal COBRA guidelines by making monthly payments to the District for the amount of the relevant premium. Employees should contact their supervisor or the District Office for further information.

4. Reinstatement

In general, employees returning from a combination pregnancy disability/family care and medical leave shall be reinstated pursuant to the reinstatement rights set forth in Section I.

However, if an employee returning from pregnancy disability leave is unable to perform the essential functions of the job because of a physical or mental condition, the District's obligations to that employee may be governed by the Americans with Disabilities Act.

M. Effect of Family Care and Medical Leave on Industrial Accident or Illness Disability Leave

1. Leave Available

Leave taken under any industrial accident or illness disability policy runs concurrently with family care and medical leave under both federal and state law.

2. Benefits During Leave

The District shall maintain coverage under any group health plan (as defined in Section 5000(b)(1) of the Internal Revenue Code of 1986) for employees who are eligible for combination industrial injury or illness disability/family care and medical leave for a maximum of twelve (12) work weeks. In some instances, the District may recover premiums it paid to maintain health coverage for an employee who fails to return to work following a combination industrial injury or illness disability/family care and medical leave.

Employees on a combination industrial injury or illness disability/family care and medical leave whose paid coverage ceases after twelve (12) work weeks, may continue their group health insurance coverage through the District in conjunction with federal COBRA guidelines by making monthly payments to the District for

the amount of the relevant premium. Employees should contact their supervisor or the District Office for further information.

3. Reinstatement

In general, employees returning from a combination industrial injury or illness disability/family care and medical leave shall be reinstated pursuant to the reinstatement rights set forth in Section I.

However, if an employee returning from industrial injury or illness disability leave is unable to perform the essential functions of the job because of a physical or mental condition, the District's obligations to that employee may be governed by the Americans with Disabilities Act.

Legal Reference:

Family Medical Leave Act of 1993, 29 U.S.C. sections 2601, 2611- 2654

Code of Federal Regulations, Title 29, section 825

California Family Rights Act of 1991, Government Code sections 12945.1-12945.2

Title 2, C.C.R. sections 7297.0-7297.11.

Government Code section 12945

Date Policy Adopted By The Board: March 16, 1994

Dates Policy Revised By The Board: January 13, 2005; December 11, 2008; June 4, 2015, July 9, 2020, August 12, 2021, August 3, 2023

Date Policy Reviewed by the Board: May 17, 2007

RANCHO SANTA FE SCHOOL DISTRICT

I.

Board Policies Covering All Employees

Board Policy No. 4019: EMPLOYMENT REFERENCES CONCERNING CURRENT AND FORMER EMPLOYEES

- A. Only the Superintendent has authority on behalf of the District to make any oral or written statement or to provide any letter of recommendation/reference to any prospective employer about any matter related to the job performance of a current or former employee. Employees, other than the Superintendent have no authority whatsoever on behalf of the District to make any statement or provide any letter of recommendation/reference, either directly or indirectly, to any prospective employer about any matter related to the job performance of a current or former employee.
- B. Prospective employers inquiring about any matter related to the job performance of a current or former employee shall be informed that only the Superintendent has the authority on behalf of the District to give information in reply to such inquiries.
- C. The Superintendent may give information to any prospective employer about any matter related to the job performance of a current or former employee only if (1) the request for information from the prospective employer is in writing on the prospective employer's stationery and the identity of the agent for the prospective employer is verified, (2) such information is accurate and can be substantiated by records of the District, (3) the release of such information is not prohibited by law, and (4) the Superintendent reasonably concludes that it is appropriate to release the information.
- D. An employee, acting in an individual capacity and outside of the scope of employment, may prepare, during non-working time only, a letter of recommendation/reference at the request of a current or former employee. Any such letter (1) shall not be on any stationery of the District, (2) shall state clearly that it was not prepared on behalf of the District, and (3) shall state clearly that the writer has no authority on behalf of the District to comment on any matter related to the performance of a current or former employee.
- E. Any employee who violates any provision of this Board Policy shall be considered as having acted in an individual capacity and outside the scope of employment, and shall be subject to discipline.

Date Policy Adopted By The Board: March 15, 1995

Dates Policy Reviewed By The Board: January 13, 2005; December 11, 2008

Date Policy Revised By The Board: May 17, 2007

RANCHO SANTA FE SCHOOL DISTRICT

I.

Board Policies Covering All Employees

Board Policy No. 4020: CHILD ABUSE AND NEGLECT REPORTING

- A. The Purpose of this Policy is to provide direction and guidance to District employees regarding their obligations to immediately report suspected child abuse or neglect pursuant to the Child Abuse and Neglect Reporting Act, California Penal Code section 11164 *et seq.*, in order to increase the likelihood that child abuse victims are identified and provided appropriate services and protections.
- B. Definitions
1. "Mandated reporters" are those District employees including, but not limited to, those employees identified below who are in positions in which they may observe child abuse and neglect (Penal Code section 1165.7):
 - a. A teacher or counselor.
 - b. An instructional aide.
 - c. A teacher's aide or teacher's assistant employed by any public or private school.
 - d. A classified employee of any public school.
 - e. An administrative officer or supervisor of child welfare and attendance, or a certificated pupil personnel employee of any public or private school.
 - f. An administrator of a public or private day camp.
 - g. An administrator or employee of a public or private youth center, youth recreation program, or youth organization.
 - h. An administrator or employee of a public or private organization whose duties require direct contact and supervision of children.
 - i. Any employee of a county office of education or the California Department of Education, whose duties bring the employee into contact with children on a regular basis.
 - j. A licensee, an administrator, or an employee of a licensed community care or child day care facility.

- k. A head start teacher.
 - l. An employee of a school district police or security department.
 - m. Any person who is an administrator or presenter of, or a counselor in, a child abuse prevention program in any public or private school.
 - n. Administrators in positions in which they may observe child abuse and neglect are also considered mandated reporters by the District.
 - o. A qualified autism service provider, a qualified autism service professional, or a qualified autism service paraprofessional, as defined in Section 1374.73 of the Health and Safety Code and Section 10144.51 of the Insurance Code.
2. "Child" includes any person under the age of eighteen years
 3. "Child abuse or neglect" - includes physical injury or death inflicted by other than accidental means upon a child by another person, sexual abuse as defined in Penal Code section 11165, neglect as defined in Section 11165.2, the willful harming or injuring of a child or the endangering of the person or health of a child, as defined in Section 11165.3, and unlawful corporal punishment or injury as defined in Section 11165.4. "Child abuse or neglect" does not include a mutual affray between minors or an injury caused by reasonable and necessary force used by a peace officer acting within the course and scope of his or her employment as a peace officer.
 4. Sexual abuse includes sexual assault or sexual exploitation.
 5. Sexual assault includes rape, statutory rape, rape in concert, incest, sodomy, lewd or lascivious acts upon a child, oral copulation, sexual penetration, or child molestation
 6. Sexual exploitation includes conduct involving matter depicting a minor engaged in obscene acts; any person who knowingly promotes, aids, or assists, employs, uses, persuades, induces, or coerces a child, or any person responsible for a child's welfare, who knowingly permits or encourages a child to engage in, or assist others to engage in, prostitution or a live performance involving obscene sexual conduct, or to either pose or model alone or with others for the purposes of preparing a film, photograph, negative, slide, drawing, painting, or other pictorial depiction, involving obscene conduct, or any person who depicts a child in, or who knowingly develops, duplicates, prints, or exchanges, any film, photograph, video tape, negative, or slide in which a child is engaged in an act of obscene sexual conduct, except for law enforcement and prosecution agencies and others described in Section 311.3 (c) and (e) of the Penal Code.

7. A "person responsible for a child's welfare" means a parent, guardian, foster parent, or a licensed administrator or employee of a public or private residential home, residential school, or other residential institution.
8. Neglect includes the negligent treatment or the maltreatment of a child by a person responsible for the child's welfare under circumstances indicating harm or threatened harm to the child's health or welfare. The term includes both acts and omissions on the part of the responsible person.
9. Willful cruelty or unjustifiable punishment occurs when any person willfully causes or permits any child to suffer, or inflicts thereon, unjustifiable physical pain or mental suffering, or having the care or custody of any child, willfully causes or permits the person or health of the child to be placed in a situation such that the child's person or health is endangered.
10. Unlawful corporal punishment or injury occurs when any person willfully inflicts upon any child any cruel or inhuman corporal punishment or injury resulting in a traumatic condition or pain.
11. Child abuse or neglect does not include any amount of force that is reasonable and necessary for an employee to quell a disturbance threatening physical injury to person or damage to property, for the purpose of self-defense, or to obtain possession of weapons or other dangerous objects within the control of the child, or the exercise of that amount of physical control reasonably necessary to maintain order, protect property, the health and safety of students, to maintain proper and appropriate conditions conducive to learning, or the use of reasonable and necessary force used by a peace officer acting within the course and scope of his or her employment as a peace officer.
12. "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 or her training and experience, to suspect child abuse or neglect. The pregnancy of a child, by itself, does not constitute a basis for a reasonable suspicion of sexual abuse.

C. Duty to report suspected child abuse or neglect

A mandated reporter has a legal duty to immediately, or as soon as is practicably possible, report suspected child abuse or neglect pursuant to the procedures set forth in this Policy whenever the mandated reporter, in his or her professional capacity or within the scope of his or her employment, has knowledge of or observes a child whom the mandated reporter knows or reasonably suspects has been the victim of child abuse or neglect.

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 required

reports may be made and signed by a member of the team selected by mutual agreement 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.

Reporting the information regarding a case of possible child abuse or neglect to an employer, supervisor, administrator, counselor, coworker or other person shall not be a substitute for making a mandated report to a specified agency.

D. Penalty for failure to report suspected child abuse or neglect

Any mandated reporter who fails to report known or reasonably suspected child abuse or neglect is guilty of a misdemeanor punishable by up to six months confinement in a county jail or by a fine of one thousand dollars, or by both fine and punishment. Willful failure to report or impeding or inhibiting the reporting of suspected child abuse which results in death or great bodily injury may result in not more than one year in a county jail or a fine of five thousand dollars or both. The failure to report an incident known or reasonably suspected by the mandated reporter to be sexual assault may be filed at any time within five (5) years from the date of occurrence of the offense.

E. Liability of mandated and authorized reporters of suspected child abuse or neglect

No mandated reporter shall be civilly or criminally liable for any report required by law. Any other person reporting a known or suspected instance of child abuse or neglect shall not incur civil or criminal liability as a result of any such report unless it can be proven that the report was false and the person knew that the report was false, or the report was made with reckless disregard of the truth or falsity of the report. Any other person who makes a report of child abuse or neglect known to be false or with reckless disregard of the truth or falsity of the report is liable for any damages caused. No mandated reporter, nor any person taking photographs of a suspected victim of child abuse or neglect at the direction of the mandated reporter, shall incur any criminal or civil liability for taking photographs of a suspected victim of child abuse or neglect, without parental consent, or for disseminating the photographs with the mandated report, provided that the photographs are not used for any other purpose. Any person who, pursuant to a request from a government agency investigating a report of suspected child abuse or neglect, provides the requesting agency with access to the victim shall not incur civil or criminal liability as a result of providing such access.

F. Reporting Procedures

Mandated reporters shall immediately report by telephone any instance of known or suspected child abuse or neglect to the any police department or sheriffs department, county probation department, or San Diego County Child Welfare Services (CWS). The CWS child abuse hotline number is (858) 560-2191. A mandated reporter should make a note of the time and date of the call and the name of the person to whom the report was made. If the abuse is in progress, call 911. The address to send the written report to is Director, San Diego County CWS Agency, 1700 Pacific Highway, M.S. P501, San

Diego, California 92101. The mandated reporter shall also prepare and send a written report on form SS 8572 to the agency within thirty-six (36) hours of receiving the information concerning the incident. The mandated reporter may include with the report any non-privileged documentary evidence the mandated reporter possesses relating to the incident. Forms may be procured from the District Office. Reports of suspected child abuse and all aspects of the reports are confidential.

Reports of suspected child abuse or neglect shall include, if known, the name, business address, and telephone number of the mandated reporter, and the capacity that makes the person a mandated reporter; the child's name and address, present location, and, where applicable, school, grade and class; the names, addresses, and telephone numbers of the child's parents or guardian; the information that gave rise to the reasonable suspicion of child abuse or neglect and the source or sources of that information; and the name address, telephone number, and other relevant personal information about the person or persons who might have abused or neglected the child. A mandated reporter must make the report even if some of the above information is unknown.

Any mandated reporter who has knowledge of or who reasonably suspects that mental suffering has been inflicted upon a child, or that a child's emotional well-being is endangered in any other way, may report the known or suspected instance of child abuse to a designated agency.

A mandated reporter's duties are individual. Reporting a suspicion of possible child abuse or neglect to a supervisor, counselor, manager or other employee is not a substitute for making a mandated report to a designated agency. Any supervisor or manager who impedes or inhibit the reporting duties or subjects any person making a report to sanctions for making the report is guilty of an infraction punishable by a fine not to exceed five thousand (\$5,000) dollars.

Any other person who has knowledge of, or observes a child whom he or 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 a designated agency, and is not required to give his or her name. This includes a mandated reporter acting in their private capacity and not in their professional capacity or within the scope of their employment.

G. Confidentiality

The identity of all persons who report suspected child abuse or neglect shall be confidential and disclosed only among agencies receiving or investigating mandated reports, to the district attorney in a criminal prosecution or in an action initiated under Section 317(c) of the Welfare and Institutions Code, or to the county counsel or district attorney in a proceeding under Section 7800 et seq. of the Family Code, or Section 300 of the Welfare and Institutions Code, or to a licensing agency when abuse or neglect in out-of-home care is reasonably suspected, or when those persons waive confidentiality, or by court order. The identity of reporters will not be disclosed to the District except with the employee's consent or by court order.

H. Interviews of suspected child abuse or neglect victims

Authorized representatives of a social services agency or law enforcement shall be allowed, upon request, to interview victims of suspected child abuse or neglect on District property during work hours upon presentation of proper identification and the reason for the interview. The representative shall inform the child prior to the interview of the child's right to be interviewed in private, or to select an adult employee at the site to be present at the interview. The purpose of the employee's presence is to support the child and make the child as comfortable as possible. The representative of the site shall inform any selected employee of the purpose of the employee's presence, and that the employee may decline the request to be present. If the employee agrees to be present, the interview shall be held at a time during work hours when it does not involve an expense to the District. The selected employee should also be notified that failure to keep the subject of and the content of the interview confidential may subject the employee to criminal prosecution. All interviews must be conducted in a private, enclosed area.

I. Taking of suspected victims of child abuse or neglect into custody

An authorized representative of law enforcement or a social services agency may determine to take a victim of suspected child abuse or neglect into custody upon a showing of proper identification. A site representative must provide to the representative the address and telephone number of the child's parent or guardian. The representative is required to take immediate steps to notify the parent or guardian that the minor is in custody and the place where the child is being held, unless the representative has a reasonable belief that disclosure of where the minor is being held would endanger the child or cause the custody of the child to be disturbed, in which case, the representative may delay such report for a period not to exceed twenty-four (24) hours. District personnel should not notify the parents or guardian unless directed to do so by the representative.

J. Internal child abuse or neglect reporting procedures

Internal procedures not inconsistent with this Policy may be established to facilitate reporting and notice to supervisors and managers of reports made provided that no such internal procedures shall require any mandated reporter to disclose his or her identity to the District.

K. Certification of knowledge of duties by mandated reporters

The Superintendent shall cause any mandated reporter, prior to the commencement of employment, and as a prerequisite to employment, to sign a statement on a form provided by the District to the effect that he or she is a mandated reporter, has knowledge of his or her reporting obligations under Penal Code section 11166 and will comply with those provisions, and knowledge of his or her confidentiality rights under Section 11167(d). The employee shall be provided with a copy of Sections 11166, 11167, and 11165.7 of the Penal Code. Such signed statement shall be placed in the employee's personnel file.

L. Training

- (1) The District shall provide annual training on the mandatory reporting requirements to its employees and persons working on its behalf who are mandated reporters as defined in Section 11165.7 of the Penal Code, pursuant to this section and subdivision (d) of Section 11165.7 of the Penal Code. Mandated reporter training shall also be provided to school personnel hired during the course of the school year.
- (2) Training required under subsection (1) shall include training in child abuse identification and child abuse reporting. It shall also provide information that failure to report an incident of known or reasonably suspected child abuse or neglect, as required by Section 11166 of the Penal Code, is a misdemeanor punishable by up to six months confinement in a county jail, or by a fine of one thousand dollars (\$1,000), or by both that imprisonment and fine.
- (3) The District shall have all employees receive training pursuant to subsection (1) within the first six weeks of each school year or within the first six weeks of that person's employment. All employees who receive this training will submit a certificate of completion to the Superintendent.

Legal Reference:

Education Code section 49001

Family Code section 7800 *et seq.*

Penal Code: Sections 261, 261.5(d), 264.1, 285, 286(a) or (b), 288 (l)(c), 288a, 289, 311.3 (c) and (e), 311.1, 311.3, 311.4(a), 647.6, UI64 *et seq.* and 11172 and 1174.3

Welfare and Institutions Code: Sections 300, 317(c)

Date Policy Adopted By the Board: May 17, 2007

Date Policy Revised By the Board: December 11, 2008; June 4, 2015, July 11, 2019, July 9, 2020

RANCHO SANTA FE SCHOOL DISTRICT

I.

Board Policies Covering All Employees

Board Policy No. 4022: COMMUNICATIONS FROM EMPLOYEES TO PUPILS

- A. District certificated employees and other staff members are strongly encouraged and expected to regularly communicate with pupils with whom they have an established professional relationship because of their employment with the District. All such communications should be of a professional nature and directly related to the educational needs of the pupils. All such communications must protect the privacy rights of pupils, and not disclose confidential pupil information to others who have no legal right of access to confidential pupil information. These communications may take many forms including electronic communications. All electronic communications should be through the District's e-mail system or other District network systems.

- B. District certificated employees and other staff members are strongly discouraged from communicating with pupils outside of the school environment with whom they have no established professional relationship, other than brief incidental contacts, unless a familial relationship exists or there is an established professional relationship because of some other educational organization or activity.

- C. District certificated employees and other staff members are strongly discouraged from interacting or communicating with pupils on social networking sites such as Facebook, LinkedIn, Twitter or Instagram unless there is a familial relationship or other special relationship made known to the Superintendent or designee and approved by the Superintendent or designee prior to any such communications.

- D. District employees are strongly encouraged to take precautionary steps with regard to social networking sites, including but not limited to the following:
 - 1. Utilize privacy settings and set them to the most restrictive in order to limit what can be viewed by the general public.
 - 2. Not interact with any former pupils of the District until they are at least eighteen (18) years of age.
 - 3. Use direct messaging when sharing personal information as opposed to wall posts or other public posting methods.
 - 4. Recognize that material or information posted on the Internet generally is not private.

5. Recognize that unprofessional online content viewed by District employees, parents of District pupils, and District pupils will undermine one's ability to effectively perform his or her job duties. Examples include, but are not limited to, sexual or pornographic materials and unprotected expression disparaging District personnel, pupils or parents of pupils.
- E. Employees who violate this Policy shall be subject to disciplinary action up to, and including, dismissal.

Legal Reference:
Education Code Sections 35161

Date Policy Adopted By The Board: March 3, 2011
Date Policy Revised By The Board: July 18, 2013

RANCHO SANTA FE SCHOOL DISTRICT

I.

Board Policies Covering All Employees

Board Policy No. 4023: CELLULAR TELEPHONES FOR SPECIFIED DISTRICT EMPLOYEES

- A. The Governing Board acknowledges that it is in the best interests of the District for specified District employees to have the ability to rapidly communicate in order to transact and tend to District business while on or off District property. It is also in the District's best interests for specified District employees to be able to communicate with family members and others where District business impacts their obligations to such individuals or otherwise reasonably necessitates communication during or after the work day. The Governing Board additionally wants to ensure that the District does not pay for inordinate incidental or emergency personal use of cellular phones.
- B. In order to provide specified employees with rapid communication capability, the Governing Board requires the specified employees identified below to purchase and possess their own personal cellular telephone and telephone plan for which the specified employee is solely liable.

Group One

Superintendent

Chief Business Officer

Principal

Assistant Principal

Director of Technology

Director of Maintenance and Operations

Director of Special Education

Executive Assistant to the Superintendent & Business Services

Assistant to the Principals

Group Two

Senior Systems Analyst

- B. The Governing Board shall provide each specified employee in Paragraph B – Group One with a maximum stipend of ninety dollars (\$90.00) per month for all cellular telephone use, and shall provide each specified employee in Paragraph B – Group Two a maximum stipend of sixty dollars (\$60.00) per month for all cellular telephone use. The cellular telephone plans for the employees specified in Paragraph B – Group One must include texting and email-capabilities.

- D. To assure the confidentiality and privacy of communications regarding District business, the specified employees are prohibited from using cellular telephones belonging to others in order to comply with this Board Policy or to participate in telephone plans with others who are not specified employees.
- E. This District shall not be responsible to any telephone company or other cellular service provider for payment to them by the specified employees of all fees and charges incurred.
- F. Except for use of a wireless telephone for emergency purposes, including, but not limited to, an emergency call to a law enforcement agency, health care provider, fire department, or other emergency services agency or entity, Vehicle Code section 23123 prohibits a person from driving a motor vehicle while using a wireless telephone unless that telephone is specifically designed and configured to allow hands-free listening and talking, and is used in that manner while driving.
- G. The District requires all employees under this Board Policy to use their cellular telephones in strict compliance with all laws, safely and courteously.

Legal Reference:

Education Code section 35160

Vehicle Code section 23123

Date Policy Adopted By The Board: September 3, 2009

Dates Policy Revised By The Board: July 1, 2010, November 3, 2011, March 1, 2012; June 22, 2018, July 11, 2019, July 9, 2020.

RANCHO SANTA FE SCHOOL DISTRICT

I.

Board Policies Covering All Employees

Board Policy No. 4024: **IMPLEMENTATION OF THE CALIFORNIA HEALTHY WORKPLACES, HEALTHY FAMILIES ACT OF 2014 REQUIRED BY CALIFORNIA LABOR CODE SECTIONS 245-249**

A. Intent of Policy

This Policy is intended to comply with the California Healthy Workplaces, Healthy Families Act Of 2014 required by California Labor Code sections 245-249 effective July 1, 2015. Notwithstanding any other Board Policy, this Policy shall be interpreted and implemented so that there will be no violation of Labor Code sections 245-249.

B. An employee of the District who, on or after July 1, 2015, works for the District in any capacity for 30 or more days within a school year (July 1 - June 30) from the commencement of employment is entitled to paid sick leave as specified below, in addition to or in conjunction with other sick leave granted by law or Board Policy:

1. An employee shall be credited with 24 hours of paid sick leave upfront at the beginning of the school year. (Labor Code section 246(d).)
2. Pursuant to Labor Code section 246.5, Paid Sick Leave under this section may be used for the following:
 - a. The diagnosis, care or treatment of an existing health condition of, or preventive care for, the employee or his/her family member (as defined in Labor Code section 245.5 and set out below).
 - b. Need of the employee to obtain or seek any relief or medical attention specified in Labor Code sections 230(c) and 230.1(a) for the health, safety, or welfare of the employee, or his/her child, when the employee has been a victim of domestic violence, sexual assault, or stalking.
3. Employees are entitled to use the paid sick leave provided for by this section beginning on the 90th calendar day from the start of employment. The designation of sick leave taken for the reasons set forth in this Policy shall be made at the sole discretion of the employee.

C. The District shall display a poster in a conspicuous place containing all the information required by Labor Code section 247.

- D. The District shall retain for at least three years records documenting the hours worked and paid sick days accrued and used by an employee under this Policy. (Labor Code section 247.5.)
- E. Paid sick leave under this Policy shall not carry over from year to year. (*See* section B.1 above and Labor Code section 246(d).)
- F. Paid sick leave under this Policy shall run concurrent with any other eligible leave where applicable (e.g. sick leave or personal necessity granted by law or Board Policy).
- G. For purposes of this Policy, “family member” means:
1. A child, which for purposes of this article means a biological, adopted, or foster child, stepchild, legal ward, or a child to whom the employee stands in loco parentis. This definition of a child is applicable regardless of age or dependency status.
 2. A biological, adoptive, or foster parent, stepparent, or legal guardian of an employee or the employee's spouse or registered domestic partner, or a person who stood in loco parentis when the employee was a minor child.
 3. A spouse.
 4. A registered domestic partner.
 5. A grandparent.
 6. A grandchild.
 7. A sibling.
 8. A designated person, which, for purposes of this Policy, means a person identified by the employee at the time the employee requests paid sick days. An employer may limit an employee to one designated person per school year.

Legal Reference:
Labor Code sections 245-249

Date Policy Adopted by the Board: August 20, 2015
Date Policy Revised by the Board: October 14, 2022

RANCHO SANTA FE SCHOOL DISTRICT

I.

Board Policies Covering All Employees

Board Policy No. 4025: LACTATION ACCOMMODATION

- A. The Governing Board prohibits discrimination, harassment, and/or retaliation against any District employee who chooses to express breast milk for her infant child while at work.

- B. All lactating employees have the right to request a lactation accommodation. The employee may request this accommodation by making the request to her direct supervisor. The supervisor shall work with the employee to address arrangements and scheduling. The supervisor and employee shall work together to ensure that the employee's essential job duties are covered during the break and that breaks are scheduled at times that do not seriously disrupt the operations of the District.

- C. The District shall provide a reasonable amount of break time to accommodate an employee each time she has a need to express breast milk. The break time shall, if possible, run concurrently with the break time already provided to the employee. Any additional break time used by a non-exempt employee for this purpose shall be unpaid.

- D. The District shall provide the employee with the use of a room or other location for the employee to express milk in private. The room or location shall meet the following requirements:
 - 1. A room or location shall not be a bathroom and shall be in close proximity to the employee's work area, shielded from view, and free from intrusion while the employee is expressing milk.

 - 2. The room must be safe, clean, and free of hazardous materials; contain a surface to place a breast pump and personal items; and contain a place to sit.

 - 3. The employee must have access to electricity or alternative devices, including, but not limited to, extension cords or charging stations needed to operate an electric or battery-powered breast pump.

 - 4. The room or location may include the place where the employee normally works if it otherwise meets the requirements of Paragraph D.

5. A lactation room or location may be temporary due to operational, financial, or space limitations, but shall otherwise meet the requirements of Paragraph D.
 6. Where a multipurpose room is designated for use as a lactation room, among other uses, the use of the room for lactation shall take precedence over the other uses, but only for the time it is actually in use for lactation purposes.
- E. The District shall provide lactating employees with access to a sink with running water and a refrigerator suitable for storing milk in close proximity to the employee's workspace. If a refrigerator cannot be provided, the District may provide another cooling device suitable for storing milk, such as a cooler.
 - F. Lactation accommodations may be denied only in limited circumstances in accordance with law. In any case in which lactation accommodations are denied, the Superintendent or designee shall document the options that were considered and the reasons for denying the accommodations.
 - G. If the District cannot provide a break time or a location that complies with this Policy, the Superintendent or designee shall provide a written response to the employee.
 - H. If an employee believes that the District is not providing her with an adequate break time and/or a place to express milk as required, the employee may file a complaint with the Superintendent which will be processed under the complaint procedure set forth in Board Policy 4003. The employee may also file a complaint with the Labor Commissioner's Bureau of Field Enforcement (BOFE) at the BOFE office nearest to the District.
 - I. The District shall distribute this policy to new employees upon hire and when an employee makes an inquiry about or requests parental leave.

Legal Reference:

Labor Code sections 1030, 1031, 1032, 1033, 1034

Date Policy Adopted by the Board: July 9, 2020

RANCHO SANTA FE SCHOOL DISTRICT

II.

Board Policies Covering All Certificated Employees

Board Policy No. 4100: RULES OF CONDUCT

- A. Each employee is required to perform all listed duties and responsibilities contained in applicable Board Policies, the applicable job description and applicable law.
- B. Each employee shall follow all reasonable directives from the employee's immediate supervisor, the Superintendent or designee, and the Board. Each employee is required to follow all such directives unless they necessarily place the employee, another employee, or a student in an unsafe or dangerous condition; or they necessarily require the violation of applicable law.
- C. Each employee shall adhere to relevant working conditions, the employee's assignment, including any rules or regulations regarding discipline established by the Board, the Superintendent or the employee's immediate supervisor.
- D. Each employee shall adhere to all applicable law, including the law covering the operations of the District, the educational program of the District, the rights of students, the rights of employees, and the rights of parents and the public.
- E. The District is an equal employment opportunity employer which complies with all applicable federal and state non-discrimination laws. The District does not tolerate the violation of such laws by any employee. The District also does not tolerate illegal sexual harassment or any other illegal harassment by an employee.
- F. The District is committed to all applicable laws concerning equal educational opportunity for all the students in the District. The District does not tolerate the violation of such laws by any employee.
- G. Each employee is prohibited from the unlawful manufacture, distribution, dispensation, possession, or use of alcohol or a controlled substance in any workplace or facility of the District. Each employee must notify the Superintendent in writing within five (5) days of any drug or alcohol statute conviction for a violation occurring in any workplace or facility of this District. A conviction includes any finding of guilt, including a no contest plea, or imposition of a sentence.
- H. No employee shall be under the influence of alcohol or a controlled substance while the employee is acting within the scope of employment. The use of drugs under and consistent with the directions of a physician which does not unreasonably impair the performance of an employee is not prohibited. An employee may use prescribed drugs while acting within the scope of employment as long as such use is under and consistent

with the directions of a physician and such use does not unreasonably impair the performance of the employee.

- I. Each employee shall report any unsafe condition or illegal activity to the Superintendent as soon as possible after discovering the unsafe condition or illegal activity. The District does not tolerate the observance of illegal activity without reporting it as soon as possible to a representative of the District.
- J. The District requires each employee to adhere to the Child Abuse And Neglect Reporting Act (Penal Code sections 11164-11174.4). Each employee who has knowledge of or observes a child in the employee's professional capacity or within the scope of employment whom the employee knows or reasonably suspects has been the victim of child abuse or neglect shall report the known or suspected instance of abuse or neglect to a child protective agency immediately or as soon as practically possible by telephone. Each employee then shall prepare and send a written report to the child protective agency within 36 hours of receiving the information concerning the incident.
- K. No employee shall inflict, or cause to be inflicted, corporal punishment upon a student. The term "corporal punishment" means the same as it is defined by Education Code section 49001. Each employee is required to adhere to Education Code sections 49000 and 49001 which prohibit corporal punishment.
- L. No employee shall release confidential information involving another employee or a student to a parent or any other member of the public unless expressly authorized by applicable law, the Superintendent or designee, or the Board. Each employee is required to adhere to all applicable laws protecting the privacy rights of employees and students.
- M. No employee shall smoke at any workplace or facility of the District. The District discourages all employees from smoking, and prohibits smoking wherever an employee is acting within the scope of employment.
- N. Pursuant to Education Code section 44932(a), a permanent employee may be dismissed for:
 - 1. Immoral or unprofessional conduct;
 - 2. Commission, aiding, or advocating the commission of acts of criminal syndicalism, as prohibited by law;
 - 3. Dishonesty;
 - 4. Unsatisfactory Performance;
 - 5. Evident unfitness for service;
 - 6. Physical or mental condition unfitting them to instruct or associate with children;

7. Persistent violation of or refusal to obey the school laws of California, or reasonable regulations adopted by the State Board of Education, or reasonable regulations or policies adopted by the District;
 8. Conviction of a felony or of any crime involving moral turpitude;
 9. Violation of statutes prohibiting the advocacy of communism;
 10. Knowing membership in the Communist Party; or
 11. Alcoholism or other drug abuse which makes the employee unfit to instruct or associate with children.
- O. The Commission On Teacher Credentialing has adopted Rules of Conduct For Professional Educators which became operative on February 3, 1989. Each employee is required to abide by such rules which are set forth in the California Code of Regulations, Title 5, Sections 80331-80338.
- P. The Board delegates to the Superintendent the authority to adopt written rules or directives regarding the conduct of employees as long as they are not inconsistent with Policies adopted by the Board. Any such written regulations shall be adhered to as if they were adopted by the Board.
- Q. Effective March 1, 2016, all employees shall not display any temporary or permanent tattoos, scarifications or brands while they are acting within the scope of employment. This Board Policy does not prohibit them, but only prohibits displaying them during the scope of employment. The display of any unauthorized temporary or permanent tattoo, scarification or brand shall be considered inappropriate and unprofessional. Exceptions include any tattoo, scarification or brand required by a religious organization or practice, or any tattoo, scarification or brand required by a medical condition with prior written permission by the Superintendent. The Superintendent may make other exceptions within his/her discretion but prior written permission must be obtained from the Superintendent.
- A tattoo is any marking of the skin with designs, forms, figures, art, etc. with ink. A scarification is any cutting of the skin for the purpose of creating a design, form, figure, art, etc. Branding is any burning of the skin for the purpose of creating a design, form, figure, art, etc.
- R. Effective March 1, 2016, all employees are expected to wear clothing and shoes that are appropriate for the workplace and present a professional appearance when they are acting within the scope of employment. Jewelry may be worn but it should not pose a safety hazard or be excessive. Employees acting within the scope of employment may wear earrings as long as they do not pose a safety hazard or are excessive. Piercings in all other visible parts of the body during the scope of employment is prohibited. Exceptions include any clothing or jewelry required by a religious organization or practice, or any clothing or

jewelry required by a medical condition with prior written permission by the Superintendent. The Superintendent may make other exceptions within his/her discretion but prior written permission must be obtained from the Superintendent.

- S. In order to ensure school safety, District employees shall be issued an employee identification badge/access control card (“ID”). Employees are required to wear their ID in plain view at all times while on District property. Employees who elect to wear their ID using a lanyard ID holder shall use only the lanyard ID holder issued by the District. The purpose of this requirement is to help students, staff, and visitors easily identify employees and to serve as a visual cue for emergency responders in the event of an emergency.

Legal Reference:

Education Code sections 35160, 35160.1, 35161, 44830, 44831, 49000, 49001

Family Code: Section 7800 *et seq.*

Penal Code: Sections 261, 261.5(d), 264.1, 285, 286(a) or (b), 288 (l)(c), 288a, 289, 311.3 (c) and (e), 311.1, 311.4(a), 647.6, 11164 *et seq.*,

Welfare and Institutions Code sections 300, 317(c)

Date Policy Adopted By The Board: September 6, 1990

Dates Policy Revised By The Board: March 12, 1997; January 13, 2005, May 17, 2007

December 11, 2008, March 10, 2016, August 3, 2023

RANCHO SANTA FE SCHOOL DISTRICT

II.

Board Policies Covering All Certificated Employees

Board Policy No. 4101: PROBATIONARY CERTIFICATED EMPLOYEES

- A. With respect to probationary employees whose probationary period commenced during the 1983-84 fiscal year or any fiscal year thereafter, the following provisions shall apply:
1. Such probationary employees may be dismissed during the school year or suspended without pay for a specified period of time in excess of fifteen (15) workdays under Education Code section 44948.3. Nothing in this Policy shall be construed to limit such right to dismiss or suspend. Among the reasons that may be deemed sufficient by the District to dismiss or suspend without pay such probationary employees are:
 - a. Unsatisfactory performance determined pursuant to the Stull Act (Education Code sections 44660, *et seq.*);
 - b. Cause, as defined in Education Code section 44932.
 2. The District Superintendent or designee shall give thirty (30) days' prior written notice of dismissal during the school year not later than March 15 in the case of second-year probationary employees. The notice shall include a statement of the reasons for the dismissal or suspension and notice of the opportunity to appeal. In the event of a dismissal or suspension for unsatisfactory performance, a copy of the evaluation conducted pursuant to Education Code section 44664 shall accompany the written notice.
 3. If the notice of dismissal during the school year or suspension is given, the employee shall have fifteen (15) calendar days from receipt of the notice of dismissal or suspension to submit to the Board a written request for a hearing. The failure of an employee to request a hearing within fifteen (15) days from receipt of a dismissal or suspension notice shall constitute a waiver of the right to a hearing. The hearing shall be held before an impartial individual selected by the Board. The individual's decision shall constitute a recommendation to the Board and shall be advisory only.
- B. Provision A does not apply to any notice of non-reelection to a probationary employee pursuant to applicable law.

Legal Reference:

Education Code sections 35160.5(a)(2), 44948.3, 44660 *et seq.*

Date Policy Adopted By The Board: September 6, 1990

Dates Policy Revised By The Board: March 12, 1997; January 13, 2005; May 17, 2007

Date Policy Reviewed By The Board: December 11, 2008

RANCHO SANTA FE SCHOOL DISTRICT

II.

Board Policies Covering All Certificated Employees

Board Policy No. 4103: DESIGNATION OF MANAGEMENT TEAM

- A. The Board hereby designates the following employees as certificated management employees:

Superintendent
Principal
Assistant Principal
Director of Special Education

Legal Reference:
Government Code section 3540.1

Date Policy Adopted By The Board: February 21, 2004
Dates Policy Revised By The Board: January 13, 2005; December 11, 2008; June 22, 2017
Date Policy Reviewed By The Board: May 17, 2007, July 11, 2019, August 12, 2021

RANCHO SANTA FE SCHOOL DISTRICT

II.

Board Policies Covering All Certificated Employees

Board Policy No. 4104: HOURS OF EMPLOYMENT

- A. A full-time certificated employee shall work the number of days specified in the member's individual offer of employment form.
- B. The workday for full-time certificated employees shall be eight [8] hours per day except on days of student study team, staff meetings or other meetings requiring teacher attendance. Effective July 1, 2000, an employee, with prior notice to the Superintendent or Principal, may arrive at work fifteen (15) or less minutes early and thus depart early at the end of the work day after completion of the required length of the work day. This "early" option may not be utilized by an employee to miss staff meetings, IEP's, parent conferences, or any other required meetings or professional duty that would compromise the instructional day for pupils. Employees who utilize this "early" option will notify the school office of their arrival and departure times.
- C. A full-time certificated employee shall have at least a thirty (30) minute duty-free lunch period during the eight hour work day.
- D. A full-time certificated employee who directly supervises or teaches pupils is to be on duty thirty (30) minutes before and after the employee's assigned supervision or teaching responsibilities.
- E. A full-time certificated employee is required to attend all faculty meetings, parent-teacher meetings, and back-to-school and open house meetings.
- F. There shall be enough instructional minutes at each grade level to meet the requirements in Education Code sections 46200-46203.

Legal Reference:

Education Code sections 35160, 35160.1

Date Policy Adopted By The Board: September 6, 1990

Date Policy Revised By The Board: February 9, 2000; January 13, 2005

RANCHO SANTA FE SCHOOL DISTRICT

II.

Board Policies Covering All Certificated Employees

Board Policy No. 4105: COMPETENCE IN EVALUATION OF CERTIFICATED EMPLOYEES

- A. The Governing Board believes that the Superintendent, Assistant Superintendent and Principals are competent to evaluate the certificated staff based on meeting the following criteria:
1. Possession of a valid administrative credential.
 2. Knowledge of evaluative techniques and procedures.
 3. Competence in instructional methodology.
 4. Familiarity with District curriculum and priorities, policies and practices, District standards for student progress, and District policies and procedures related to personnel supervision, performance evaluation and staff development.

Legal Reference:
Education Code sections 33039, 44660-44665
Government Code section 3543.2

Date Policy Adopted by the Board: January 13, 2005
Dates Policy Reviewed by the Board: May 17, 2007; December 11, 2008

RANCHO SANTA FE SCHOOL DISTRICT

II.

Board Policies Covering All Certificated Employees

Board Policy No. 4106: EVALUATION OF CERTIFICATED EMPLOYEES

- A. Each certificated employee shall be evaluated to determine whether such employee is meeting the job responsibilities defined in the applicable job description, and/or defined in other actions by the Board and applicable law. Such evaluation shall assess the competency of each certificated employee with regard to the fulfillment of the employee's job responsibilities. Evaluations shall include evaluation of certificated employees using the California Standards for the Teaching Profession developed by the California Commission on Teacher Credentialing and the requirements contained in Education Code section 44660 et seq. The Superintendent shall be evaluated on criteria mutually agreed upon by the Board and the Superintendent.
- B. Each school year the assigned evaluator and the certificated employee should meet to discuss specific objectives for the school year. The evaluator shall determine such specific objectives after review of input from appropriate sources including the evaluatee. The formal evaluation finalized pursuant to this Board Policy should reference such specific objectives in addition to the evaluatee's other job responsibilities.
- C. Any formal evaluation made pursuant to this Board Policy shall be reduced to writing and a copy given to the evaluatee thirty (30) days before the last school day scheduled on the school calendar, or in the case of any such employee employed on a twelve-month basis, no later than June 30 of the year in which the formal evaluation is made.
- D. Each evaluatee shall have the right to initiate a written response to the formal evaluation finalized pursuant to this Board Policy. This written response shall be placed in the permanent personnel file of the evaluatee.
- E. Each evaluatee shall be granted a meeting with the evaluator to discuss the formal evaluation. This meeting shall be scheduled before the last school day scheduled on the school calendar, or in the case of any such employee employed on a twelve-month basis, before July 30.
- F. Each probationary certificated employee shall be evaluated at least once each school year. Each permanent certificated employee shall be evaluated at least every other school year. On a case-by-case basis, the District and a permanent certificated employee employed at least ten years with the District, who is highly qualified as defined in 20 U.S.C. section 7801, and whose previous evaluation rated the employee as meeting or exceeding standards, may mutually agree to the performance of an evaluation every five years. If such agreement occurs, either the teacher or the District may withdraw from such agreement at any time.

- G. The job performance of certificated employees may be observed and assessed at any time. In cases of serious concerns regarding job performance, an evaluator also may conduct evaluations of job performance in an evaluation procedure other than the one described in this Board Policy.

Legal Reference:

Education Code sections 44660-44664

20U.S.C. section 7801

Date Policy Adopted By The Board: September 6, 1990

Date Policy Revised By The Board: August 21, 1991; January 13, 2005

Dates Policy Reviewed By The Board: May 17, 2007; December 11, 2008

RANCHO SANTA FE SCHOOL DISTRICT

II.

Board Policies Covering All Certificated Employees

Board Policy No. 4107: LEAVES OF ABSENCE

- A. The leaves herein are granted in compliance with the minimum requirements of the law. Unless the number of days of leave set forth in this Board Policy is greater than the minimums established by law, only the minimums established by law are granted.
- B. The leaves included under provision D are leaves that must be granted by the District as long as all express conditions are satisfied. The leaves under provision I are leaves that may be granted within the sole discretion of the District.
- C. The Superintendent has the authority of the District to request and approve verifications of leaves or make final decisions on leaves concerning all certificated employees. The Board has the authority to approve verifications of leaves or make final decisions on leaves by the Superintendent.
- D. Sick Leave (Education Code section 44978)
 - 1. Every certificated employee employed five (5) days a week by the District and twelve months per year (full-time) shall be entitled to twelve (12) days' leave of absence for illness or injury, exclusive of all days he is not required to render service to the District, with full pay for a school year of service. A certificated employee employed for less than five (5) school days a week and/or less than twelve months per year shall be entitled to a proportional amount of leave of absence for illness or injury; pay for any day of such absence shall be the same as the pay which would have been received had the employee served during the day. Credit for leave of absence need not be accrued prior to taking such leave by the employee and such leave of absence may be taken at any time during the school year. If such employee does not take the full amount of leave allowed in any school year under this provision, the amount not taken shall be accumulated from year to year.
 - 2. Any employee shall have the right to utilize sick leave provided for in this provision and the benefit provided by the provision of extended illness leave for absences necessitated by pregnancy, miscarriage, childbirth, and recovery therefrom.
- E. Extended Sick Leave (Education Code sections 44977 and 44978.1)
 - 1. During each school year, when a certificated employee has exhausted all available sick leave, including all accumulated sick leave, and continues to be absent from

his or her duties on account of illness or accident for an additional period of five school months, whether or not the absence arises out of or in the course of employment, the amount deducted from the salary due him or her for any of the additional five months in which the absence occurs shall not exceed the sum that is actually paid a substitute employee employed to fill his or her position during his or her absence or, if no substitute employee was employed, the amount that would have been paid to the substitute had he or she been employed.

2. For purposes of this provision sick leave, including accumulated sick leave, and the five-month period shall run consecutively. An employee shall not be provided more than one five-month period per illness or accident. However, if a school year terminates before the five-month period is exhausted, the employee may take the balance of the five-month period in a subsequent school year. No other paid or partial paid illness or accident leave shall be granted by the District.
3. When a certificated employee has exhausted all available sick leave, including accumulated sick leave, and continues to be absent on account of illness or accident for a period beyond the five-month period provided immediately above, and the certificated employee is not medically able to resume the duties of his or her position, the certificated employee shall no longer be employed by the District but shall be placed on a reemployment list for a period of 24 months if the employee is on probationary status, or for a period of 39 months if the employee is on permanent status. The 24-month or 39-month period shall commence at the expiration of the five-month period of partial paid sick leave.
4. When the certificated employee is medically able, as determined by a physician selected or agreed to by the District, during the 24-month or 39-month period, the employee shall be returned to employment in a position for which he or she is credentialed and qualified. If the employee does not return to work during the 24-month or 39-month period, the employee shall be taken off the reemployment list and shall lose all reemployment rights to the District.

F. Pregnancy Leave (Education Code section 44965)

1. A certificated employee shall have the right to utilize sick leave provided for in this Policy for her absences necessitated by her pregnancy, miscarriage, childbirth, and recovery therefrom.
2. A certificated employee who is required to be absent from duty because she is pregnant or has miscarried or has given birth is entitled to an unpaid leave of absence. The length of absence, including the date on which the leave shall commence and the date on which the employee shall resume duties, shall be determined by the employee and the employee's physician. Disabilities caused or contributed to by pregnancies, miscarriages, childbirth, and recovery therefrom are, for all job-related purposes, temporary disabilities and shall be treated as such under any health or temporary disability insurance or sick leave plan. Leaves of

absence for disabilities caused or contributed to by pregnancy, miscarriage, or childbirth shall be paid leaves of absence to the same extent as leaves for illness, injury, or disabilities.

G. Parental Leave (Education Code section 44977.5)

1. During each school year, a certificated employee may use his or her sick leave for purposes of parental leave for a period of up to 12 workweeks.
2. When an employee has exhausted all sick leave, including all accumulated sick leave, and continues to be absent from his or her duties on account of parental leave pursuant to Section 12945.2 of the Government Code, the amount deducted from the salary due him or her for any of the remaining portion of the 12-workweek period in which the absence occurs shall not exceed the sum that is actually paid a substitute employee employed to fill his or her position during his or her absence or, if no substitute employee was employed, the amount that would have been paid to a substitute had he or she been employed.
3. For purposes of this provision the 12-workweek period shall be reduced by any period of sick leave, including accumulated sick leave, taken during a period of parental leave.
4. An employee shall not be provided more than one 12-week period for parental leave during any 12-month period.
5. Parental leave taken pursuant to Education Code section 44977.5 shall run concurrently with parental leave taken pursuant to Government Code section 12945.2 of the Government Code. The aggregate amount of parental leave taken pursuant to Education Code section 44977.5 and Government Code section 12945.2 shall not exceed 12 workweeks in a 12-month period.
6. For purposes of this provision, “parental leave” means leave for reason of the birth of a child of the employee, or the placement of a child with an employee in connection with the adoption or foster care of the child by the employee.
7. Pursuant to Education Code section 44977.5, a certificated employee who has exhausted all available sick leave and continues to be absent from his or her duties on account of parental leave pursuant to Section 12945.2 of the Government Code, shall be compensated at no less than fifty (50) percent of his or her regular salary for the remaining portion of the 12-workweek period of parental leave.

H. Industrial Accident And Illness Leave (Education Code section 44984)

The District specifically limits its liability to the minimum requirements mandated by Education Code section 44984.

1. Such leave shall not exceed sixty (60) working days in any one fiscal year for the same accident.
2. Allowable leave shall not accumulate from year to year.
3. Industrial accident or illness leave will commence on first day of absence.
4. Payment for wages lost on any day shall not, when added to an award granted the employee under the workers' compensation laws of this State, exceed the normal wages for the day.
5. Industrial accident leave will be reduced by one day for each day of authorized absence regardless of a compensation award made under workers' compensation.
6. When an industrial accident or illness occurs at a time when the full sixty (60) days will overlap into the next fiscal year, the employee shall be entitled to only that amount remaining at the end of the fiscal year in which the injury or illness occurred, for the same illness or injury.
7. When entitlement to industrial accident or illness leave has been exhausted, entitlement to other statutory sick leave will then be used; but if an employee is receiving workers' compensation, the employee shall be entitled to use only so much of the accumulated or available sick leave, accumulated compensation time, vacation or other available leave which, when added to the workers' compensation award, provide for a full day's wage or salary.

I. Personal Necessity Leave (Education Code section 44981)

1. A certificated employee may use accumulated sick leave in case of personal necessity up to a maximum of eight (8) days per school year.
 - Death or serious illness of a member of the employee's immediate family;
 - Accident involving the employee's person or property, or the person or property of a member of the employee's immediate family;
 - Religious observance; or
 - An emergency requiring prompt response, which response cannot reasonably be made by anyone other than the employee and cannot be made at any time other than during the employee's working hours.
3. For purposes of this provision, "personal necessity" shall not include:
 - Pursuit of business, financial, or economic interests of the employee;

- Vacation or other recreational pursuits;
 - Social events.
4. For purposes of this provision, "members of the immediate family" means the mother, father, grandmother, grandfather, or a grandchild of the employee or the spouse of an employee, and the spouse, son, son-in-law, daughter, daughter-in-law, mother-in-law, father-in-law, brother, or sister of the employee, or any relative living in the immediate household of the employee.
 5. A certificated employee may use two (2) days of accumulated sick leave each school year for the purpose of "personal business." For purposes of this provision, "personal business" does not include vacation, holidays or recreational pursuits. It does include important family events such as graduations and weddings. A teacher shall not take such personal business leave to be absent on a "critical" instructional day as determined by the Superintendent, to extend a holiday weekend, to be absent from inservice training, to be absent from an IEP meeting or conference, to be absent from any meeting scheduled by the Superintendent or to engage in any concerted activity against the District. The employee must give at least seventy-two (72) hours prior notice to the Superintendent and must clearly describe the specific purpose of the requested absence. The Superintendent must grant the personal business day unless to do so would violate this provision or cause harm to the educational program.
 6. Effective January 1, 2000, pursuant to Labor Code section 233, an employee may use no more than six (6) days in any calendar year of accumulated sick leave to attend to the illness of a child, parent, or spouse of the employee. All conditions and restrictions for use of sick leave by the employee shall apply.

J. Bereavement Leave (Education Code section 44985, Government Code section 12945.7)

- a. The District will grant a request by an employee to take up to (5) five days of bereavement leave upon the death of a family member. For purposes of this policy, "family member" shall mean a spouse or a child, parent, sibling, grandparent, grandchild, domestic partner, son-in-law, daughter-in-law, parent-in-law, or any relative living in the immediate household of the employee.
- b. Each certificated employee is entitled to a paid leave of absence, not to exceed three (3) days, or five (5) days for in-state travel if travel one way exceeds 300 miles, or five (5) days if out-of-state travel is required, on account of death of an employee's family member. No deduction shall be made from the salary of such employee nor shall such leave be deducted from other leaves.
- c. The remaining two (2) days of leave may be unpaid, except that an employee may use vacation, personal leave, accrued and available sick leave, or compensatory time off that is otherwise available to the employee.

- d. Bereavement leave is not required to be consecutive. However, it must be completed within three months of the date of the family member's death.
- e. The District may request that an employee seeking bereavement leave provide documentation to support the leave, which shall be provided within 30 days of the first day of the leave.
- f. The District shall maintain the confidentiality of any employee requesting leave under this section. Any documentation provided to the District shall be maintained as confidential and shall not be disclosed except to internal personnel or counsel, as necessary, or as required by law.

K. Jury Duty Leave (Education Code section 44036)

Each certificated employee shall be eligible for leave of absence when regularly called or jury duty in the manner provided for by law subject to the following provisions:

- 1. Subject to the provisions below, the employee, while serving on jury duty, shall receive regular earnings from the District and shall transmit to the District all fees, exclusive of mileage received for jury service.
 - 2. As a matter of general policy, the District does not normally encourage employees to seek exemption from or postponement of jury duty; the District will cooperate with the employee in any appropriate manner.
 - 3. An employee on jury leave for one semester or less shall be entitled to return to the same assignment held at the time such leave commenced, unless such assignment had been discontinued, in which case the employee shall be entitled to a comparable position. An employee on jury leave for more than one semester shall be entitled to return to an assignment comparable to the assignment held at the time such leave commenced. In any case, the assignment of the employee upon return to work shall be comparable to that held at the time jury leave began.
- L. A teacher, with prior written permission from the Superintendent, may work a full day in the summer to prepare the teacher's classroom for the school year, and receive a compensatory day off during the school year in exchange to be selected by the teacher and mutually agreed to by the teacher and the Superintendent. This day off will not be scheduled so as to all the teacher to be absent on a "critical" instructional day as determined by the Superintendent, to extend a holiday weekend, to be absent from in-service training, to be absent from an IEP meeting or conference, to be absent from any meeting scheduled by the Superintendent, or to engage in any concerted activity against the District.
- M. The District may grant, within its sole discretion, leaves of absence for the following reasons:

1. Special Leave

A special leave of absence with or without pay may be granted by the Board upon the recommendation of the Superintendent. A special leave may include a sabbatical leave, a child care leave, an illness leave or any other leave within the discretion of the Board.

Legal Reference:

Education Code sections 44978, 44977, 44978.1, 44965, 44984, 44981, 44985, 44036, 44977.5

Government Code section 12945.7

Labor Code section 233

Date Policy Adopted By The Board: September 6, 1990

Dates Policy Revised By The Board: February 9, 2000; January 13, 2005, December 11, 2008, May 6, 2010, March 10, 2016; June 22, 2017; June 22, 2018, July 11, 2019, August 3, 2023

RANCHO SANTA FE SCHOOL DISTRICT

II.

Board Policies Covering All Certificated Employees

Board Policy No. 4108: HEALTH AND WELFARE BENEFITS

- A. Commencing on July 1, 2021, the District will contribute up to a maximum of \$950.00 per month per permanent or probationary certificated employee for current coverage for employee only under current health, dental and life insurance policies. The above maximum amount will be prorated for part-time permanent or probationary certificated employees in accordance with their work hours and work year. If an eligible chooses a plan for which the premium for employee only coverage is less than the District's maximum contribution, any savings may be used by the employee to pay part of the costs for dental or spousal health coverage.
- B. If, in any month, the cost of the health care coverage in paragraph A exceeds the specific maximum contribution of the District, the amount of the excess will be deducted from the paychecks of employees.
- C. The amount of life insurance available to employees under paragraph A above shall be \$100,000.00.
- D. A vision plan will be provided for eligible employees who choose to participate at their own cost which shall be paid for by payroll deduction. If an eligible employee chooses a health care plan that is less than the maximum contribution of the District, the employee to pay any part of the costs of a vision plan.
- E. Domestic Partners
 - 1. Commencing January 1, 2005, eligible employees may receive health (medical, dental and vision) benefits for their domestic partners, upon written request, subject to any legal restrictions, the terms of this Board Policy, and the policies of the District's health care providers and carriers. Eligible employees for purposes of this Board Policy are those regular employees who are currently eligible for health benefits under this Board Policy.
 - 2. The term "domestic partner" for purposes of this Board Policy shall have the same meaning as that definition in Family Code section 297 effective January 1, 2005. The law defines domestic partners as "two adults who have chosen to share one another's lives in an intimate and committed relationship of mutual caring." In California, and also under this Board Policy, a domestic partnership shall be established when all of the following requirements are met:

- a. Both partners have a common residence. The term "common residence" means that both domestic partners share the same residence. It is not necessary that the legal right to possess the common residence be in both of their names. Two people have a common residence even if one or both have additional residences. Domestic partners do not cease to have a common residence if one leaves the common residence but intends to return.
- b. Both persons agree to be jointly responsible for each other's basic living expenses incurred during the domestic partnership. The term "basic living expenses" means shelter, utilities, and all other costs directly related to the maintenance of the common household of the common residence of the domestic partners. It also means any other cost, such as medical care, if some or all of the cost is paid as a benefit because a person is another person's domestic partner. The term "joint responsibility" means that each partner agrees to provide for the other partner's basic living expenses if the partner is unable to provide for himself or herself.
- c. Neither person is married to someone else nor a member of another domestic partnership with someone else that has not been terminated, dissolved or adjudged a nullity.
- d. The two persons are not related by blood in any way that would prevent them from being married to each other in California.
- e. Both persons are at least eighteen years of age or if the persons are of the opposite sex and one or both of them are over the age of 62.
- f. Either of the following:
 - (1) Both persons are members of the same sex.
 - (2) Both persons meet the eligibility criteria under Title II of the federal Social Security Act as defined in 42 U.S.C. Section 402(a) for old-age insurance benefits, or Title XVI of the federal Social Security Act as defined in 42 U.S.C. Section 1381 for aged individuals. Notwithstanding any other provision of law, persons of opposite sexes may not constitute a domestic partnership unless one or both of the persons are over the age of 62.
- g. Both persons are capable of consenting to the domestic partnership.
- h. Neither person has filed a Declaration of Domestic Partnership with the California Secretary of State pursuant to applicable law which has not been terminated pursuant to applicable law.

- i. Both persons file a Declaration of Domestic Partnership with the California Secretary of State pursuant to applicable law.
- F. Domestic partners of eligible employees shall receive health benefits under this Board Policy only if all requirements in provision B are met, and the District receives a copy of the registered form of the Declaration of Domestic Partnership which has been returned to the domestic partners from the California Secretary of State. (Family Code section 298.5). The District may require verification and/or evidence of compliance in addition to receipt of a copy of the registered form of the Declaration of Domestic Partnership. The burden of proof is on the eligible employee seeking health benefits for his or her domestic partner.
- G. Eligible employees who do obtain health benefits for their domestic partners pursuant to Board Policy shall immediately notify the District in writing whenever the domestic partnership is terminated. (Family Code section 299).
- H. It is the intent of the Board that this Board Policy be consistent with current law. Any part of this Board Policy which is not consistent with current law shall be void. Any changes in applicable law which impacts this Board Policy shall automatically modify this Board Policy to ensure consistency.

Legal Reference:

Family Code sections 297, 298, 298.5, 299, 299.5, 299.6

Government Code sections 22867, 22868, 22869, 22871, 22871.1, 22871.2, 22871.3, 22872, 22873, 22874, 22875, 22876, 22877, 53200, 53201, 53202, 53206, 53205.1

Date Policy Adopted By The Board: September 6, 1990

Dates Policy Revised By The Board: February 9, 2000; January 13, 2005; December 11, 2008, May 6, 2010, July 18, 2013; June 4, 2015, November 2, 2017, July 11, 2019, August 12, 2021

RANCHO SANTA FE SCHOOL DISTRICT

II.

Board Policies Covering All Certificated Employees

Board Policy No. 4110: SALARY SCHEDULE RULES

A. Initial Placement On The Salary Schedule

1. Initial placement on the Salary Schedule is based upon any year(s) of credited outside teaching experience and verified degrees(s) and earned hours of formal education at an accredited institution of higher learning.
2. Commencing effective July 1, 2000, (and with no retroactivity) all teachers new to the District and currently employed teachers shall receive credit with regard to step placement on the Salary Schedule for outside teaching experience up to a maximum of four (4) years. (Historical note: commencing July 1, 1986, a maximum of one year outside teaching credit was given; and prior to July 1, 1986, no credit was given for outside teaching experience.) A year of outside teaching experience shall be given only if the teacher actually worked full-time for at least seventy-five percent (75%) of the assigned full-time school year, and such outside teaching experience was in a public school district which requires a credential.

A maximum of one year of outside teaching experience shall be given if the teacher actually worked full time for at least seventy-five percent (75%) of the assigned full time school year in a private or parochial school where the teacher possessed a regular public school teaching credential.

No credit for outside teaching experience shall be given for substitute teaching.

3. Degrees must be earned from accredited institutions of higher learning. Teachers are required to provide original and certified transcripts for proof of any degree(s) earned and any additional unit(s) earned.
4. Units earned for initial placement must be earned on the upper division or graduate level and must have been taken after the date of the bachelor's degree. All units must be from accredited institutions of higher learning, and acceptable by a university in the University of California a system for advancement towards a master's degree. All units will be evaluated on a semester unit basis. Special lower division units may be accepted if appropriate to obtaining a special credential. Hours referred to on the Salary Schedule refer to semester hours and not quarter hours. Quarter hours earned must then be adjusted. No credit shall be given for course work which is an approximate duplication of work previously

done, unless absolutely required by the exigencies of California credentials, or for some justifiable reason, and approved by the Superintendent.

B. Reclassification On The Salary Schedule

1. All teachers shall be placed in the appropriate classification (Column: AB+30, AB+45, MA, MA+30) at the time of initial employment.
2. Any subsequent reclassification(s) are based upon verified degrees(s) and earned hours of formal education at an accredited institution of higher learning. Teachers are required to provide original and certified transcripts for proof of any degree(s) earned and any additional unit(s) earned. Units earned for progress from one column to another must be earned on the upper division or graduate level and must have been taken after the date of the bachelor's degree. All units must be from accredited institutions of higher learning, and acceptable by a university in the University of California system for advancement towards a master's degree. All units will be reevaluated on a semester unit basis. Special lower division units may be accepted if appropriate to obtaining a special credential. Hours referred to on the Salary Schedule refer to semester hours and not quarter hours. Quarter hours earned must then be adjusted. No credit shall be given for course work which is approximate duplication of work previously done, as determined by the Superintendent, unless absolutely required by the exigencies of California credentials, or for some justifiable reason, and approved by the Superintendent.
3. The burden of proof of training, experience, possession of credentials, and other required documents shall lie with the teacher.
4. Whenever a teacher wishes to transfer to a higher classification on the Salary Schedule, the teacher should obtain advance written approval from the Superintendent. In any event, written approval from the Superintendent is required before any transfer to a higher classification is finalized.

Application for transfer to a higher classification for the following school year shall be made in writing to the Superintendent by May 15. All transcripts of courses for advancement on the Salary Schedule for a school year must be in the Superintendent's office by September 15.

Any request for approval of a course for transfer to a higher classification must include necessary information for basing a decision, including: name of course(s); catalog description; name of college or university; type of instruction (extension or residence); level of instruction (lower division, under graduate, graduate, post graduate); and an explanation of the reasons; advancement expected and documentation.

5. A total of nine (9) units of course work is permitted per year, with no more than six (6) units taken in any semester. The District will recognize up to nine (9) units per year toward column advancement.

C. Step Advancement On The Salary Schedule

1. After initial employment, a teacher may advance one step on the Salary Schedule for each year of teaching experience in the District but only if the teacher actually worked full time for at least seventy-five percent (75%) of the assigned full time school year.

Date Policy Adopted By The Board: July 19, 2000

Dates Policy Reviewed By The Board: January 13, 2005; May 17, 2007; December 11, 2008

RANCHO SANTA FE SCHOOL DISTRICT

II.

Board Policies Covering All Certificated Employees

Board Policy No. 4111: ENROLLMENT OF CHILDREN WHOSE PARENTS OR LEGAL GUARDIANS ARE PERMANENT FULL-TIME CERTIFICATED EMPLOYEES OF THE DISTRICT AND WHO ARE NOT RESIDENTS OF THE DISTRICT

- A. Effective with the 2016-2017 school year, the Superintendent may enroll a child(ren) whose parent or legal guardian is a permanent full-time certificated employee of the District and who is not a resident of the District subject to the rules in this Board Policy, and only if the child(ren) were enrolled in the District at the end of the 2015-2016 school year. There will be only one exception. The Superintendent within his/her discretion may enroll a child(ren) if there is a sibling already currently enrolled in the District under this Board Policy, it is in the best interests of the District to grant enrollment as determined by the Superintendent, and there is no substantial additional costs or possible adverse impact to grant such enrollment as determined by the Superintendent.
- B. The District will continue to not be responsible for the transportation to and from school for any child enrolled under this Board Policy.
- C. A permit for enrollment under this Board Policy may be revoked at any time during the school year if the employee is no longer employed by the District.
- D. No child(ren) of any employee who is enrolled under this Board Policy will require a change in placement, transfer or reassignment of any child whose parent or legal guardian is a resident of the District. Children whose parents or legal guardians are residents of the District always will have priority for placements, assignments and educational services over children who are enrolled under this Board Policy.
- E. The Superintendent will determine the assignment of children who are enrolled under this Board Policy. No child(en) of any employee who is enrolled under this Board Policy will be assigned under the direct supervision of the employee who is the parent or legal guardian except where it is impossible not to do so.

Date Policy Adopted By The Board: January 12, 2006

Date Policy Revised By The Board: May 6, 2010, June 7, 2012, May 1, 2013, June 2, 2016

RANCHO SANTA FE SCHOOL DISTRICT

III.

Board Policies Covering All Classified Employees

Board Policy No. 4200: THE CLASSIFIED SERVICE

- A. Probationary and permanent classified employees employed by the Board shall be considered the classified service, and shall be covered by applicable Board Policies in the 4000 series.
- B. Substitute and short-term employees, employed and paid for less than seventy-five (75) percent of a school year, shall not be a part of the classified service, and shall not be covered by Board Policies in the 4200 series. A "substitute employee" means any individual employed to replace any classified employee who is temporarily absent from duty. In addition, if the District is then engaged in a procedure to hire a permanent employee to fill a vacancy in any classified position, the Board may fill the vacancy through the employment for not more than sixty (60) calendar days, of one or more substitute employees.
- C. In accordance with Education Code section 45103(d)(2) a "short-term" means any employee who is employed to perform a service, upon the completion of which, will not be extended or needed on a continuing basis. Before employing a short-term employee, the Board, at a regularly scheduled Board meeting, shall specify the service required to be performed by the employee, and shall certify the ending date of the service. This ending date may be shortened or extended, but shall not extend beyond seventy-five percent (75%) of a school year.
- D. Pursuant to Education Code section 45103, "seventy-five (75) percent (%) of a school year" means 195 working days, including holidays, sick leave, vacation and other leaves of absence, irrespective of number of hours worked per day.
- E. Part-time playground positions, apprentices and professional experts employed on a temporary basis for a specific project, regardless of length of employment, shall not be a part of the classified service where the employee is not otherwise employed in a classified position.
- F. Full-time students employed part-time, and part-time students employed part-time in any college work-study program, or in a work experience education program conducted by a community college district pursuant to applicable law and which is financed by state or federal funds, shall not be a part of the classified service.
- G. All other individuals excluded from the classified service by law shall not be part of the classified service.

H. Individuals hired as "restricted" pursuant to Education Code section 45108 shall be part of the classified service except for all purposes identified in Section 45108 or other law.

I. The Board hereby designates the following employees as classified management employees:

Director of Technology
Chief Business Officer
Director of Finance

Legal Reference:

Education Code sections 45103, 45104, 45105, 45108
Government Code section 3540.1

Date Policy Adopted By The Board: September 6, 1990

Dates Policy Revised By The Board: January 13, 2005, May 17, 2007, May 6, 2010; June 22, 2017; June 22, 2018, October 14, 2022

RANCHO SANTA FE SCHOOL DISTRICT

III.

Board Policies Covering All Classified Employees

Board Policy No. 4201: CLASSIFICATIONS IN THE CLASSIFIED SERVICE

- A. A "classification" means that each position in the classified service shall have a designated title, a regular minimum number of assigned hours per day, days per week, and months per year, a specific statement of the duties required to be performed by the employees in each such position in a job description, and the regular monthly salary ranges for each such position.

Legal Reference:

Education Code sections 45101, 45109

Date Policy Adopted By The Board: September 6, 1990

Dates Policy Reviewed By The Board: January 13, 2005; May 17, 2007; December 11, 2008

RANCHO SANTA FE SCHOOL DISTRICT

III.

Board Policies Covering All Classified Employees

Board Policy No. 4202: RULES OF CONDUCT

- A. Each employee is required to perform all listed duties and responsibilities contained in applicable Board Policies, the applicable job description and applicable law.
- B. Each employee shall follow all reasonable directives from the employee's immediate supervisor, the Superintendent or designee, and the Board. Each employee is required to follow all such directives unless they necessarily place the employee, another employee or a student in an unsafe or dangerous condition; or they necessarily require the violation of applicable law.
- C. Each employee shall adhere to relevant working conditions, the employee's assignment, including any rules or regulations regarding discipline, established by a collective bargaining agreement, the Board, the Superintendent or designee, or the employee's immediate supervisor.
- D. Each employee shall adhere to all applicable law, including the law covering the operations of the District, the educational program of the District, the rights of students, the rights of employees, and the rights of parents and the public.
- E. The District is an equal employment opportunity employer which complies with all applicable federal and state non-discrimination laws. The District does not tolerate the violation of such laws by any employee. The District also does not tolerate illegal sexual harassment or any other illegal harassment by an employee.
- F. The District is committed to all applicable laws concerning equal educational opportunity for all the students in the District. The District does not tolerate the violation of such laws by any employee.
- G. Each employee is prohibited from the unlawful manufacture, distribution, dispensation, possession, or use of alcohol or a controlled substance in any workplace or facility of the District. Each employee must notify the Superintendent in writing within five (5) days of any drug or alcohol statute conviction for a violation occurring in any workplace or facility of this District. A conviction includes any finding of guilt, including a no contest plea, or imposition of a sentence.
- H. No employee shall be under the influence of alcohol or a controlled substance while the employee is acting within the scope of employment. The use of drugs under and consistent with the directions of a physician which does not unreasonably impair the performance of an employee is not prohibited. An employee may use prescribed drugs

while acting within the scope of employment as long as such use is under and consistent with the directions of a physician and such use does not unreasonably impair the performance of the employee.

- I. Each employee shall report any unsafe condition or illegal activity to the Superintendent as soon as possible after discovering the unsafe condition or illegal activity. The District does not tolerate the observance of illegal activity without reporting it as soon as possible to a representative of the District.
- J. The District requires each employee to adhere to the Child Abuse And Neglect Reporting Act (Penal Code sections 11164-11174.3). Each employee who has knowledge of or observes a child in the employee's professional capacity or within the scope of employment when the employee knows or reasonably suspects has been the victim of child abuse or neglect shall report the known or suspected instance of child abuse to a child protective agency immediately or as soon as practically possible by telephone. Each employee then shall prepare and send a written report to the child protective agency within 36 hours of receiving the information concerning the incident.
- K. No employee shall inflict, or cause to be inflicted, corporal punishment upon a student. The term "corporal punishment" means the same as it is defined by Education Code section 49001. Each employee is required to adhere to Education Code sections 49000 and 49001 which prohibit corporal punishment.
- L. No employee shall release confidential information involving another employee or a student to a parent or any other member of the public unless expressly authorized by applicable law, the Superintendent or designee, or the Board. Each employee is required to adhere to all applicable laws protecting the privacy rights of employees and students.
- M. No employee shall smoke at any workplace or facility of the District. The District discourages all employees from smoking, and prohibits smoking wherever an employee is acting within the scope of employment.
- N. The Board delegates to the Superintendent the authority to adopt written regulations regarding the conduct of employees as long as they are not inconsistent with Policies adopted by the Board. Any such written regulations shall be adhered to as if they were adopted by the Board.
- O. Effective March 1, 2016, all employees shall not display any temporary or permanent tattoos, scarifications or brands while they are acting within the scope of employment. This Board Policy does not prohibit them, but only prohibits displaying them during the scope of employment. The display of any unauthorized temporary or permanent tattoo, scarification or brand shall be considered inappropriate and unprofessional. Exceptions include any tattoo, scarification or brand required by a religious organization or practice, or any tattoo, scarification or brand required by a medical condition with prior written permission by the Superintendent. The Superintendent may make other exceptions within his/her discretion but prior written permission must be obtained from the Superintendent.

A tattoo is any marking of the skin with designs, forms, figures, art, etc. with ink. A scarification is any cutting of the skin for the purpose of creating a design, form, figure, art, etc. Branding is any burning of the skin for the purpose of creating a design, form, figure, art, etc.

- P. Effective March 1, 2016, all employees are expected to wear clothing and shoes that are appropriate for the workplace and present a professional appearance when they are acting within the scope of employment. Jewelry may be worn but it should not pose a safety hazard or be excessive. Employees acting within the scope of employment may wear earrings as long as they do not pose a safety hazard or are excessive. Piercings in all other visible parts of the body during the scope of employment is prohibited. Exceptions include any clothing or jewelry required by a religious organization or practice, or any clothing or jewelry required by a medical condition with prior written permission by the Superintendent. The Superintendent may make other exceptions within his/her discretion but prior written permission must be obtained from the Superintendent.
- Q. In order to ensure school safety, District employees shall be issued an employee identification badge/access control card ("ID"). Employees are required to wear their ID in plain view at all times while on District property. Employees who elect to wear their ID using a lanyard ID holder shall use only the lanyard ID holder issued by the District. The purpose of this requirement is to help students, staff, and visitors easily identify employees and to serve as a visual cue for emergency responders in the event of an emergency.

Legal Reference:

Education Code sections 45101,45109, and 45133

Date Policy Adopted By The Board: September 6, 1990

Date Policy Revised By The Board: October 16, 1991, August 3, 2023

Dates Policy Reviewed By The Board: January 13, 2005; December 11, 2008

RANCHO SANTA FE SCHOOL DISTRICT

III.

Board Policies Covering All Classified Employees

Board Policy No. 4203: Hours of Employment And Overtime

A. Workweek:

The workweek for full-time classified employees shall consist of five (5) consecutive days, Monday through Friday, or eight (8) hours per day and forty (40) hours per week. This Policy shall not restrict the extension of the regular workday or workweek on an over-time basis when such is necessary to carry on the business of the District. The Board may establish a 10-hour-per-day, 40-hour, four- consecutive-day workweek for classified employees pursuant to Education Code section 45132 and any other applicable law.

B. Workday:

The length of the work day shall be designated by the District for each classified position at the time of employment. Each employee shall be assigned a fixed, regular, and ascertainable minimum number of hours. The District may change the times of an employee's assignment within its discretion.

C. Changes In Hours Of Employment:

The District may change within its discretion the work year, the work week or the work day for classified employees.

D. Adjustment of Assigned Time:

Any classified employee who works an average of thirty (30) minutes or more per day in excess of their regular part-time assignment for a period of twenty (20) consecutive working days or more shall have the regular assignment adjusted upward to reflect the longer hours, effective with the next pay period.

E. Lunch Period:

Employees shall be entitled to an uninterrupted lunch period after the employee has been on duty for six (6) hours. The length of time for such lunch period shall be for a period of one (1) or one-half (1/2) hour and shall be scheduled for full-time employees at or about mid-point of each work shift.

F. Rest Periods:

1. Employees shall be granted rest periods which, insofar as practicable, shall be in the middle of each work period at the rate of fifteen (15) minutes per four (4) hours worked or major fraction thereof.
2. Specified periods may be designated when the operations of the District require someone to be present at the employee's work site at all times or when the District determines it is necessary for the efficient operation of the District. Such times shall be determined by supervisors after consultation with the employees involved.
3. Rest periods are a part of the regular workday and shall be compensated at the regular rate of pay for the employees.

G. Voting Time Off:

If an employee's work schedule is such that it does not allow sufficient time to vote in any federal, state, or local election in which the employee is entitled to vote, the District shall arrange to allow sufficient time for such voting by the employee without loss of pay.

H. Overtime:

Overtime must have prior written approval from the employee's supervisor. All overtime hours as defined in this section shall be compensated at a rate of pay equal to time and one-half the regular rate of pay of the employee. Overtime is defined to include any time worked in excess of eight (8) hours in anyone day or in excess of forty (40) hours in any calendar week, whether such hours are worked prior to the commencement of a regularly assigned starting time or subsequent to the assigned quitting time leading to the maximum eight (8) hours in any day or on anyone shift or in excess of the forty (40) hour week.

I. Compensatory Time Off:

1. Subject to limitations under the federal Fair Labor Standards Act, an employee, with District approval, shall have the option to elect to take compensatory time off in lieu of cash compensation for overtime work. Such election shall be submitted in writing to the immediate supervisor within the pay period earned. Compensatory time off shall be granted at the appropriate rate of overtime.
2. Subject to limitations under the federal Fair Labor Standards Act, compensatory time shall be taken at a time mutually acceptable to the employee and the District within twelve (12) months of the date on which it was earned. If the compensatory time has not been taken within twelve (12) months of the date on which it was earned, the District shall pay the employee in cash for all such time at the appropriate overtime rate based on the employee's rate of pay at the time it was earned.

3. As long as the federal Fair Labor Standards Act or similar statute is applicable to the District, an employee, with District approval, may take compensatory time off in lieu of cash for overtime work, but an employee may accrue no more than 240 hours and must take compensatory time off within twelve months of the time of the overtime work.

J. Minimum Call-in Time:

Any employee called in to work on a day when the employee is not scheduled to work shall receive a minimum of one (1) hour pay at the appropriate rate of pay.

K. Call Back Time:

Any employee called back to work after completion of the regular assignment shall be compensated for at least one (1) hour of work at the overtime rate, irrespective of the actual time spent.

L. Absence From Work:

1. Tardiness

- a. In addition to pay being docked for tardiness, an employee is subject to discipline for unexcused irregularities discovered in time cards. No employee may be terminated for tardiness unless there is an excessive number of unexcused tardies.
 - b. An employee who has provided a written excuse which appears questionable shall be provided the opportunity to meet and discuss the circumstances with the supervisor.
2. An employee who is absent from work for any reason shall complete a District Absence Form, indicating the type of absence.
 3. Employees are expected to cease work at the end of their regularly scheduled work period. Overtime or compensatory time will be granted only upon written approval by the supervisor.
 4. Employees may be excused from work during assigned work time only upon approval of the Superintendent or the Principal.

M. Application Of Fair Labor Standards Act:

The District may take any action necessary to ensure compliance with the federal FLSA.

N. Exempt From Overtime:

The following supervisory or administrative classified positions are exempt from overtime pursuant to Education Code section 45130:

Chief Business Officer
Director of Technology
Director of Maintenance and Operations
Accounting Manager
Foundation Development Director
Director of Finance

Legal Reference:

Education Code sections 45109, 45113, 45127, 45128, 45129, 45130, 45131, 45132

Date Policy Adopted By The Board: September 6, 1990

Dates Policy Reviewed By The Board: January 13, 2005; May 17, 2007; December 11, 2008

Date Policy Revised By The Board: December 7, 2017, October 14, 2022

RANCHO SANTA FE SCHOOL DISTRICT

III.

Board Policies Covering All Classified Employees

Board Policy No. 4204: HOLIDAYS

- A. Classified employees shall be granted the following holidays with pay to be scheduled each year by the District provided they are in paid status during a portion of the working day immediately preceding or succeeding the holiday:

New Year's Day
Martin Luther King, Jr. Day
Lincoln's Day
Washington's Day
Friday during Spring Break (in lieu of Admission Day)
Memorial Day
Juneteenth
Independence Day
Labor Day
Veterans' Day
Thanksgiving Holidays (2)
Christmas Eve
Christmas Day
New Year's Eve
New Year's Day

- B. Classified employees also shall be granted pursuant to applicable and current law additional holidays which are declared by the President or the Governor, as provided for in subdivisions (11) and (12) of Education Code section 37220 (a) for a public fast thanksgiving or holiday; or any day declared a holiday under Education Code section 37220 (a)(13) To be eligible for any such additional holidays, classified employees must be in paid status during a portion of the working day immediately preceding or succeeding the holiday.
- C. Pursuant to applicable and current law, classified employees also shall receive regular pay whether or not they are required to report for work on school days which pupils would, otherwise been in attendance but are not and for which certificated personnel receive regular pay. To be eligible for any such additional paid day, classified employees must be in paid status during a portion of the working day immediately preceding or succeeding the paid day.

Legal Reference:

Education Code sections 37220, 45203, 45204, 45205, 45206, 45206.5

Date Policy Adopted By The Board: September 6, 1990

Date Policy Revised By The Board: March 20, 2002; May 17, 2007, August 3, 2023

Dates Policy Reviewed By The Board: January 13, 2005; December 11, 2008

RANCHO SANTA FE SCHOOL DISTRICT

III.

Board Policies Covering All Classified Employees

Board Policy No. 4205: VACATION PLAN

A. Eligibility:

All employees except substitute, short-term and limited term employees shall be provided paid vacations. Employees shall not be permitted to take vacation days during their probationary period.

B. Paid Vacation:

Employees shall receive a monthly rate of vacation, according to years of service, for each month they are in a paid status for more than one-half of the working days of the month. The employee's anniversary date shall be the basis for the computation of earned vacation for longevity in service. For computational purposes, 10½ month employees will be treated as 11 month employees.

C. Vacation Schedule For 12 Month Employees:

First through fifth year - one day per month;
Sixth through tenth year - one and one-quarter days per month;
Eleventh years or more - one and two-thirds days per month.

D. Vacation Pay:

Pay for vacation days for classified employees shall be the same as that which the employee would have received had they been in a working status.

E. Vacation Pay Upon Termination:

An employee terminating for any reason, after six (6) months of service, shall be paid for any unused vacation earned. The termination date will be the employee's last day of service, and any unused vacation to be paid will be computed to that date. If an employee is terminated and had been granted vacation which was not yet earned at the time of termination of his services, the District shall deduct from the employee's severance check the full amount of salary which was paid for such unearned days of vacation taken.

F. Vacation Postponement:

1. If an employee's vacation becomes due during a period when they are on leave due to illness or injury, they may request that their vacation date be changed, and

the District shall grant such request in accordance with vacation dates available at that time. The employee may elect to have their vacation rescheduled in accordance with the vacation schedule available at that time, or may request to carry-over vacation to the following year.

2. If for any reason a classified employee is not permitted to take all or any part of their annual vacation the amount not taken shall be accumulated for use in the following year.

G. Limit On Accrual Of Vacation:

An employee is entitled to earn or accrue no more than forty (40) vacation days. This provision shall be effective on July 1,1993.

H. Holidays:

When a paid holiday falls during the scheduled vacation of an employee, such paid holiday shall not be counted as a vacation day.

I. Vacation Scheduling:

Vacations shall be scheduled by the District at times requested by employees consistent with the best interests of the District and within the District's work requirements.

J. Interruption of Vacation:

A classified employee shall be permitted to interrupt or terminate vacation leave in order to begin another type of paid leave without a return to active service, provided the employee supplies prior written notice and supporting information regarding the basis for such interruption or termination.

Legal Reference:

Education Code sections 45103, 45197, 45200, and 45286

Date Policy Adopted By The Board: September 6, 1990

Date Policy Revised By The Board: March 17, 1993;

Dates Policy Reviewed By The Board: January 13, 2005; May 17, 2007; December 11, 2008

RANCHO SANTA FE SCHOOL DISTRICT

III.

Board Policies Covering All Classified Employees

Board Policy No. 4206: SALARY CHECKS AND DEDUCTIONS

A. Paychecks:

Regular paychecks of employees shall be itemized to include: regular pay, other pay, gross pay, federal withholding tax, social security deduction, retirement deduction, and other miscellaneous deductions, including any health and welfare deductions.

B. Payroll Errors:

Whenever it is determined that an error has been made in the calculation or reporting in any classified employee payroll or in the payment of any classified employee's salary, the District shall, within five (5) workdays following such determination, provide the employee pursuant to Education Code section 45167 with a statement of the correction and a supplemental payment drawn against any available funds.

C. Over-Payment Of Pay And Allowances:

1. In the event of any over-payment of pay and allowances, the employee or the District shall notify the other as soon as practicable.
2. In the event that the District learns of an overpayment, no deduction shall be made from any paycheck unless the employee is first notified about the specific reasons for the overpayment and the employee is given a reasonable opportunity to meet with a District representative to discuss the matter, present evidence in opposition to the finding of overpayment, and discuss a repayment schedule.
3. Under no circumstances shall a deduction be made from any one paycheck that is greater than twenty-five percent (25%) of the employee's gross pay in a pay period. The sole exception to this rule shall be where an individual is no longer an employee of the District.

D. Payroll Adjustments:

Any payroll adjustment due an employee including, but not limited to, vacation pay, working out of class, overtime, additional regular pay, or approved other reasons, shall be paid by regular payroll check following the payroll adjustment. The District will make every effort to ensure the adjustment is included in the regular payroll immediately following the circumstances requiring payroll adjustment.

Legal Reference:
Education Code section 45167

Date Policy Adopted By The Board: September 6, 1990
Dates Policy Reviewed By The Board: January 13, 2005; May 17, 2007; December 11, 2008

RANCHO SANTA FE SCHOOL DISTRICT

III.

Board Policies Covering All Classified Employees

Board Policy No. 4207: SALARY RULES

A. The Board shall adopt a salary schedule for all classified employees.

B. Regular Rate Of Pay:

The regular rate of pay for each position shall be in accordance with the rates established for each classification as provided for in the salary schedule adopted by the Board.

C. Initial Placement On The Salary Schedule

Initial placement on the Salary Schedule is based upon any year(s) of similar outside work experience. Commencing July 1, 2021, all new classified employees may receive credit with regard to step placement on the Salary Schedule for outside work experience up to a maximum of four (4) years, as determined by the Superintendent. An exception to this policy may only occur with the approval of the Governing Board.

D. Salary Step Advancement:

Employees shall be eligible to advance one step on the salary schedule each year effective July 1, but only if in the prior year the employee worked full time for at least seventy-five percent (75%) of the employee's assigned work year. Regular advancement shall be based primarily on satisfactory job performance. The Superintendent shall investigate any evaluation report before denying an employee step advancement.

E. Promotions:

When an employee is assigned to a position in a classification with a higher maximum salary than the employee's previous class, the employee's salary shall be adjusted to the minimum (Step 1) of the new classification; provided, however, that if the minimum of the new classification is lower than the employee's existing salary, the employee shall be assigned to a step in the new class which is the next higher dollar amount above the employee's existing salary.

F. Reclassification:

When a job class is moved from one salary schedule classification to another, all employees whose positions are allocated to the class shall be adjusted to corresponding step in the new classification.

G. Re-employment:

Pursuant to Education Code section 45309, any permanent classified employee who voluntarily resigns from a permanent classified position may be reinstated or re-employed by the Governing Board, within 39 months after his last day of paid service and without further competitive examination, to a position in the former employee's classification as a permanent or limited-term employee, or as a permanent or limited-term employee in a related lower class or a lower class in which the employee formerly had permanent status. If the Governing Board elects to reinstate or reemploy a person as a permanent employee under the provisions of this Board Policy, it shall disregard the break in service of the employee and classify that employee as permanent and restore to that employee all of the rights, benefits and burdens of a permanent employee in the class to which that employee is reinstated or reemployed.

Legal Reference:

Education Code sections 45160, 45309

Date Policy Adopted By The Board: September 6, 1990

Dates Policy Reviewed By The Board: January 13, 2005; May 17, 2007; December 11, 2008

Dates Policy Revised By The Board: August 12, 2021, October 14, 2022

RANCHO SANTA FE SCHOOL DISTRICT

III.

Board Policies Covering All Classified Employees

Board Policy No. 4208: HEALTH AND WELFARE BENEFITS

- A. Commencing on July 1, 2021, the District will contribute up to a maximum of \$950.00 per month per full-time permanent or probationary twelve month classified employee for current coverage for employee only under current health, dental, and life insurance policies. The above maximum amount will be prorated for part-time twelve month employees in accordance with their work hours and work year. If an eligible employee chooses a plan for which the premium for employee only coverage is less than the District's maximum contribution, any savings may be used by the employee to pay part of the costs for dental or spousal health coverage.
- B. Commencing on July 1, 2021, the District will contribute up to a maximum of \$950.00 per month per permanent or probationary ten and eleven month classified employee assigned to a work schedule of 75% or more for current coverage for employee only under current health, dental, and life insurance policies. Ten and eleven month classified employees who are assigned a work schedule of less than 75% are not eligible for health and welfare benefits under this Board Policy. The above maximum amount will be prorated for eligible part-time ten and eleven month employees in accordance with their work hours and work year. If an eligible employee chooses a plan for which the premium for employee only coverage is less than the District's maximum contribution, any savings may be used by the employee to pay part of the costs for dental or spousal health coverage.
- C. If, in any month, the cost of the health care coverage in paragraph A and B exceeds the specific maximum contribution of the District, the amount of the excess will be deducted from the paychecks of employees by automatic payroll deduction.
- D. The amount of term life insurance made available to employees under paragraph A and B shall be \$100,000.00.
- E. Eligible employees may purchase spousal health care coverage at their own cost and such premiums shall also be deducted by automatic payroll deduction.
- F. Domestic Partners
 - 1. Commencing January 1, 2005, eligible employees may receive health (medical, dental and vision) benefits for their domestic partners, upon written request, subject to any legal restrictions, the terms of this Board Policy, and the policies of the District's health care providers and carriers. Eligible employees for purposes

of this Board Policy are those regular employees who are currently eligible for health benefits under this Board Policy.

2. The term "domestic partner" for purposes of this Board Policy shall have the same meaning as that definition in Family Code section 297 effective January 1, 2005. The law defines domestic partners as "two adults who have chosen to share one another's lives in an intimate and committed relationship of mutual caring." In California, and also under this Board Policy, a domestic partnership shall be established when all of the following requirements are met:
 - a. Both partners have a common residence. The term "common residence" means that both domestic partners share the same residence. It is not necessary that the legal right to possess the common residence be in both of their names. Two people have a common residence even if one or both have additional residences. Domestic partners do not cease to have a common residence if one leaves the common residence but intends to return.
 - b. Both persons agree to be jointly responsible for each other's basic living expenses incurred during the domestic partnership. The term "basic living expenses" means shelter, utilities, and all other costs directly related to the maintenance of the common household of the common residence of the domestic partners. It also means any other cost, such as medical care, if some or all of the cost is paid as a benefit because a person is another person's domestic partner. The term "joint responsibility" means that each partner agrees to provide for the other partner's basic living expenses if the partner is unable to provide for himself or herself.
 - c. Neither person is married to someone else nor a member of another domestic partnership with someone else that has not been terminated, dissolved or adjudged a nullity.
 - d. The two persons are not related by blood in any way that would prevent them from being married to each other in California.
 - e. Both persons are at least eighteen years of age or if the persons are of the opposite sex and one or both of them are over the age of 62.
 - f. Either of the following:
 - (1) Both persons are members of the same sex.
 - (2) Both persons meet the eligibility criteria under Title II of the federal Social Security Act as defined in 42 U.S.C. Section 402(a) for old-age insurance benefits, or Title XVI of the federal Social Security Act as defined in 42 U.S.C. Section 1381 for aged

individuals. Notwithstanding any other provision of law, persons of opposite sexes may not constitute a domestic partnership unless on or both of the persons are over the age of 62.

- g. Both persons are capable of consenting to the domestic partnership.
 - h. Neither person has filed a Declaration of Domestic Partnership with the California Secretary of State pursuant to applicable law which has not been terminated pursuant to applicable law.
 - i. Both persons file a Declaration of Domestic Partnership with the California Secretary of State pursuant to applicable law.
- G. Domestic partners of eligible employees shall receive health benefits under this Board Policy only if all requirements in provision B are met, and the District receives a copy of the registered form of the Declaration of Domestic Partnership which has been returned to the domestic partners from the California Secretary of State (Family Code section 298.5). The District may require verification and/or evidence of compliance in addition to receipt of a copy of the registered form of the Declaration of Domestic Partnership. The burden of proof is on the eligible employee seeking health benefits for his or her domestic partner.
- H. Eligible employees who do obtain health benefits for their domestic partners pursuant to Board Policy shall immediately notify the District in writing whenever the domestic partnership is terminated (Family Code section 299).
- I. It is the intent of the Board that this Board Policy be consistent with current law. Any part of this Board Policy which is not consistent with current law shall be void. Any changes in applicable law which impacts this Board Policy shall automatically modify this Board Policy to ensure consistency.

Legal Reference:

Education Code section 45103

Family Code sections 297, 298, 298.5, 299, 299.5, 299.6

Government Code sections 22867, 22868, 22869, 22871, 22871.1, 22871.2, 22871.3, 22872, 22873, 22874, 22875, 22876, 22877, 53200, 53201, 53202, 53206, 53205.1

Date Policy Adopted By The Board: September 6, 1990

Dates Policy Revised By The Board: February 9, 2000; January 13, 2005; December 11, 2008, May 6, 2010, July 18, 2013; June 4, 2015, November 2, 2017, July 11, 2019, August 12, 2021

RANCHO SANTA FE SCHOOL DISTRICT

III.

Board Policies Covering All Classified Employees

Board Policy No. 4209: TRANSFERS

- A. A transfer is a voluntary or involuntary movement from one position to another position within a classification. A transfer may be made by the Superintendent at any time.
- B. If an employee wishes to transfer voluntarily from the present position to another position within the same classification, the employee shall notify the Superintendent in writing of this desire, specifying the position desired. Such requests for transfer shall be considered in filling vacancies.

Legal Reference:

Education Code sections 35160, 35160.1, 45101, 45103, 45240-45320

Date Policy Adopted By The Board: September 6, 1990

Dates Policy Reviewed By The Board: January 13, 2005; May 17, 2007; December 11, 2008

RANCHO SANTA FE SCHOOL DISTRICT

III.

Board Policies Covering All Classified Employees

Board Policy No. 4210: LEAVES OF ABSENCE

- A. The leaves herein are granted in compliance with the minimum requirements of the law. Unless the number of days of leave set forth in this Policy is greater than the minimums established by law, only the minimums established by law are granted.
- B. The leaves included under paragraph D are leaves that must be granted by the District as long as all express conditions are satisfied. The leaves under paragraph E are leaves that may be granted within the sole discretion of the District.
- C. Only the Superintendent has the authority of the District to approve verifications of leaves or make final decisions on leaves. The Superintendent may prepare and distribute leave forms as long as those forms do not violate the paragraphs of this Policy. The Superintendent may adopt verification procedures to implement the paragraphs of this Policy as long as those verification procedures do not violate the paragraphs of this Policy.
- D. Sick Leave (Education Code section 45191)
 - a. Every classified employee on a full-time basis shall be entitled to twelve (12) days leave of absence for illness or injury. A classified employee employed for a full workweek, but less than a full fiscal year, is entitled to that proportion of 12 days as the number of months he/she is employed bears to twelve (12).
 - b. Sick leave for a part-time or regular hourly employee shall be on the basis of his/her daily hours prorated one (1) day per month of service.
 - c. Credit for illness and injury need not be accrued prior to taking such leave by the employee and such leave may be taken at any time during the year. However, a new employee of the District shall not be eligible to take more than six (6) days or the proportionate number to which he/she may be entitled, until the first day of the calendar months after completion of six (6) months of service with the District.
 - d. If the employee does not utilize the full amount of leave allowed in any year, the amount not taken shall be accumulated from year to year so long as he/she remains in the employment of the District.
 - e. Employees shall be required to present a licensed California Physician's or Christian Science Practitioner's certificate verifying the personal illness or injury

and that the employee is released to full duty after five (5) consecutive working days of absence, or sooner if so determined by the Superintendent.

E. Extended Sick Leave (Education Code section 45196)

Each year classified employees shall be credited with a total of 100 working days of paid sick leave, including the days provided for under Paragraph D, above (Education Code Section 45191). Upon exhaustion of all accumulated sick leave, an employee who continues to be absent from his/her duties on account of illness or an accident shall receive extended sick leave pay at a rate of 50 percent of the employee's regular salary. In order to qualify for extended sick leave, an employee must have exhausted all regular accumulated sick leave. The paid sick leave authorized under this Paragraph shall be exclusive of any other paid leave, holidays, vacation, or compensating time to which the employee may be entitled.

Before an employee may be provided extended sick leave benefits, the Superintendent may require the employee to present a licensed California certificate verifying the personal illness or injury, the estimated duration of the absence, and the expected date of return. Upon the employee's return to work, the employee shall be required to present certification by one of the above and that the employee is released to full duty.

F. Pregnancy Leave (Education Code section 45193)

- a. Employees are entitled to use sick leave for disabilities caused or contributed to by pregnancy, miscarriage, childbirth, or recovery therefrom. Such leave shall not be used for child care, child rearing, or preparation for child bearing, but shall be limited to those disabilities as set forth above.
- b. The length of such disability leave, including the date on which the leave shall commence and the date on which the duties are to be resumed, shall be determined by the employee and the employee's physician; however, the District may require a verification of the extent of disability through consultation with the employee's physician or through a physical examination of the employee by a physician appointed by the District.
- c. The date on which the employee shall resume duties shall be determined by the employee on leave and the employee's physician; however, the District may require a verification of the extent of disability through consultation with the employee's physician or through a physical examination of the employee by a physician appointed by the District as to the employee's ability to return to normal duty.
- d. The employee on leave for pregnancy disability shall be entitled to return to a position comparable to that held at the time the leave commences.

G. Parental Leave (Education Code section 45196.1)

1. During each school year, a classified employee may use his or her sick leave for purposes of parental leave for a period of up to 12 workweeks.
2. When an employee has exhausted all available sick leave, including all accumulated sick leave, and continues to be absent from his or her duties on account of parental leave pursuant to Section 12945.2 of the Government Code, the employee shall be compensated at a rate of 50 percent of the employee's regular salary for the remaining portion of the 12-workweek period of parental leave.
3. For purposes of this provision the 12-workweek period shall be reduced by any period of sick leave, including accumulated sick leave, taken during a period of parental leave.
4. An employee shall not be provided more than one 12-week period for parental leave during any 12-month period.
5. Parental leave taken pursuant to Education Code section 45196.1 shall run concurrently with parental leave taken pursuant to Government Code section 12945.2 of the Government Code. The aggregate amount of parental leave taken pursuant to Education Code section 44977.5 and Government Code section 12945.2 shall not exceed 12 workweeks in a 12-month period.
6. For purposes of this provision, "parental leave" means leave for reason of the birth of a child of the employee, or the placement of a child with an employee in connection with the adoption or foster care of the child by the employee.

H. Industrial Accident And Illness Leave (Education Code section 45192)

- a. An employee shall be eligible for industrial accident and illness leave for personal illness or injury which has qualified for workers' compensation under the provisions of the State Compensation Insurance Fund.
- b. An employee who has sustained a job-related injury or illness shall report the same to his/her immediate supervisor on the appropriate District form within twenty-four (24) hours of the injury or illness. To qualify for industrial accident or illness leave, an employee shall be examined and treated, if necessary, by a physician designated by the District or the District's industrial accident insurance carrier. Whoever may be designated to treat the employee, if necessary, the District retains the right to have the employee thereafter examined by a physician designated by the District to assist in determining the length of time during which the employee will be temporarily unable to perform assigned duties and the degree to which a disability or illness is attributable to the injury and job.
- c. Industrial accident or illness leave shall be subject to the following limitations:

- (1) Such leave shall not exceed sixty (60) days during which schools of the District are required to be in session or when the employee would otherwise have been performing work for the District in any one fiscal year for the same industrial accident or illness.
 - (2) Such leave shall not be accumulated from year to year. Such leave shall commence on the first day of authorized absence and shall be reduced by one (1) day for each day of authorized absence regardless of a temporary disability indemnity award.
 - (3) When such leave overlaps into the next fiscal year, the employee shall be entitled to only the amount of unused leave due for the same injury or illness.
 - (4) For any days of absence from duty as a result of the same industrial accident or illness, the employee shall endorse to the District any temporary disability indemnity checks received by him/her which could make the total compensation from both the District and such disability indemnity exceed 100% of the amount the employee would have received as salary had there been no industrial accident or illness. If the employee fails to endorse to the District any temporary disability indemnity checks received on account of the industrial accident or illness as provided herein, the District shall deduct from the employee's salary warrant the amount of such disability indemnity actually paid to and retained by the employee.
 - (5) Upon conclusion of such leave, an employee may utilize any available personal illness or injury leave providing that any personal illness or injury leave utilization, when combined with any temporary disability indemnity shall not exceed 100% of the amount the employee would have received as salary had there been no industrial accident or illness.
- d. Any employee shall be permitted to return to service following an industrial accident or illness only upon presentation of a release from the authorized worker's compensation physician certifying the employee's ability to return to his/her position without restrictions or detriment to the employee's physical and emotional well-being, and the health and safety of others.
- e. When all available leaves of absence, paid or unpaid, have been exhausted and if the employee is not medically able to assume the duties of his/her position, he/she shall be placed on a re-employment list for a period of thirty-nine (39) months. When available, during the 39-month period, he/she shall be employed in a vacant position in the class of his/her previous assignment over all other available candidates except for a re-employment list established because of lack of work or lack of funds, in which case he/she shall be listed in accordance with appropriate seniority regulations. An employee who has been placed on a reemployment list,

as provided herein, who has been medically released for return to duty and who fails to accept an appropriate assignment shall be dismissed for cause.

I. Personal Necessity Leave (Education Code section 45207)

- a. An employee may use no more than seven (7) days of accumulated sick leave per school year in case of personal necessity.
- b. For purposes of this provision, "personal necessity" is defined as:
 - Death or serious illness of a member of the employee's immediate family;
 - Accident involving his person or property, or the person or property of a member of his immediate family;
 - Religious observance.
 - Attendance at birth of child during regular workday; or
 - An emergency requiring prompt response, which response cannot reasonably be made by anyone other than the employee and cannot be made at any time other than during the employee's working hours.
- c. For purposes of this provision, "personal necessity" shall not include:
 - Pursuit of business, financial, or economic interests of the employee;
 - Vacation or other recreational pursuits; or
 - Social events
- d. Except in the case of an emergency, such as the death of a member of the employee's immediate family or an accident involving the employee's or his immediate family member's person or property, advance permission of leave pursuant hereto must be obtained from the Superintendent.
- e. Pursuant to Labor Code section 233, an employee may use no more than six (6) days in any calendar year of accumulated sick leave to attend to the illness of a child, parent, spouse, or domestic partner of the employee. All conditions and restrictions for use of sick leave by the employee shall apply.

J. Bereavement Leave (Education Code section 45194, Government Code section 12945.7)

- a. The District will grant a request by an employee to take up to (5) five days of bereavement leave upon the death of a family member. For purposes of this policy, "family member" shall mean a spouse or a child, parent, sibling, grandparent, grandchild, domestic partner, son-in-law, daughter-in-law, parent-in-law, or any relative living in the immediate household of the employee.
- b. An employee shall be eligible for a minimum of three (3) days of paid bereavement leave of absence, or five (5) days leave of absence if out-of-state travel is required, without loss of salary on account of the death of an employee's family member.

- c. The remaining two (2) days of leave may be unpaid, except that an employee may use vacation, personal leave, accrued and available sick leave, or compensatory time off that is otherwise available to the employee.
- d. Bereavement leave is not required to be consecutive. However, it must be completed within three months of the date of the family member's death.
- e. The District may request that an employee seeking bereavement leave provide documentation to support the leave, which shall be provided within 30 days of the first day of the leave.
- f. The District shall maintain the confidentiality of any employee requesting leave under this section. Any documentation provided to the District shall be maintained as confidential and shall not be disclosed except to internal personnel or counsel, as necessary, or as required by law.

K. Jury Duty Leave (Education Code section 44036 and 44037)

Employees shall be eligible for leave of absence when regularly called for jury duty in the manner provided for by law subject to the following provisions:

- a. Subject to the provisions below, the employee, while serving on jury duty, shall receive his/her regular earnings from the District and shall transmit to the District all fees, exclusive of mileage received from jury service.
- b. As a matter of general policy, the District does not normally encourage employees to seek exemption from or postponement of jury duty; the District will cooperate with the employee in any appropriate manner. Employees, who would otherwise be ineligible for paid leave under these provisions, who are denied an exemption or postponement after a good-faith application for same, shall be eligible for paid leave for a period not to exceed the normal tour of jury service for the particular judicial jurisdiction.
- c. An employee on jury leave for one semester or less shall be entitled to return to the same assignment held at the time such leave commenced, unless such assignment had been discontinued, in which case the employee shall be entitled to a comparable position. An employee on jury leave for more than one semester shall be entitled to return to an assignment comparable to the assignment held at the time such leave commenced. In any case, the assignment of the employee upon return to work shall be comparable to that held at the time jury leave began.
- d. No more than one classified employee or two (2) percent of the classified staff, whichever is greater, shall be granted jury duty leave with pay at any one time.

L. Additional Leave For Nonindustrial Accident Or Illness; Reemployment Preference
(Education Code section 45195)

- a. A permanent employee of the classified service who has exhausted all entitlement to sick leave, vacation, compensatory overtime, or other available paid leave and who is absent because of nonindustrial accident or illness may be granted additional leave, paid or unpaid, not to exceed six months. The Board may renew the leave of absence, paid or unpaid, for two additional six-month periods or such lesser leave periods that it may provide but not to exceed a total of 18 months.
- b. An employee, upon ability to resume the duties of a position within the class to which he was assigned, may do so at any time during the leaves of absence granted under this Policy and time lost shall not be considered a break in service. He shall be restored to a position within the class to which he was assigned and, if at all possible, to his position with all the rights, benefits and burdens of a permanent employee.
- c. If at the conclusion of all leaves of absence, paid or unpaid, the employee is still unable to assume the duties of his position, he shall be placed on a reemployment list for a period of 39 months.
- d. At any time, during the prescribed 39 months, the employee is able to assume the duties of his position he shall be reemployed in the first vacancy in the classification of his previous assignment. His reemployment will take preference over all other applicants except for those laid off for lack of work or funds in which case he shall be ranked according to his proper seniority. Upon resumption of his duties, the break in service will be disregarded and he shall be fully restored as a permanent employee.

M. The District may grant, within its sole discretion and pursuant to any of its Policies, leaves of absence for the following reasons:

a. Special Leave

A special leave of absence with or without pay may be granted by the Board upon the recommendation of the Superintendent.

Legal Reference:

Education Code sections 45190, 45191, 45196, 45296.1, 45192, 45193, 45207, 45194, 44036, 44037, and
45195

Labor Code section 233

Government Code section 12945.7

Date Policy Adopted By The Board: September 6, 1990

Dates Policy Revised By The Board: January 13, 2005; May 17, 2007; June 22, 2017; June 22, 2018, July 11, 2019, October 14, 2022, August 3, 2023

Date Policy Reviewed By The Board: December 11, 2008, July 11, 2019

RANCHO SANTA FE SCHOOL DISTRICT

III.

Board Policies Covering All Classified Employees

Board Policy No. 4211: EVALUATION PROCEDURE

- A. The District retains sole responsibility for the evaluation and assessment of the job performance of each employee and, except as required by law, the implementation and administration of the procedures for such evaluation and assessment is solely within the discretion of the District.

- B. The Superintendent shall establish appropriate evaluation forms and procedures so that classified employees may be evaluated. Evaluation forms shall be placed in the personnel files of classified employees subject to their right to attach a statement to any derogatory information placed in their personnel files within a reasonable period of time specified in Board Policy.

Legal Reference:
Education Code section 44031

Date Policy Adopted By The Board: September 6, 1990
Dates Policy Reviewed By The Board: January 13, 2005; May 17, 2007; December 11, 2008

RANCHO SANTA FE SCHOOL DISTRICT

III.

Board Policies Covering All Classified Employees

Board Policy No. 4212: DISCIPLINE

- A. Probationary employees and other non-permanent classified employees may be disciplined within the sole discretion and at the pleasure of the District. The probationary period shall be six months or 130 days of paid service, whichever is longer. Probationary employees and other non-permanent classified employees are not covered by any other provision in this Board Policy.
- B. A permanent classified employee may be disciplined by the District for cause. The term "discipline" for the purpose of this Board Policy specifically does not include adverse or negative evaluations, warnings, reprimands, directives and the implementation of other employment policies such as the denial of any leave. The term "discipline" for the purpose of this Board Policy shall be consistent with applicable law and is limited to any action whereby a classified employee is deprived of any classification or any incident of any classification in which he/she has permanence, including dismissal, suspension, or demotion, without the classified employee's voluntary consent, except a layoff for lack of work or lack of funds.
- C. Prior to the taking of discipline, the Superintendent or designee shall give written notice to the classified employee. This written notice of proposed disciplinary action shall be served by certified mail or personal delivery to the classified employee.
- D. The written notice of proposed disciplinary action shall be served by personal delivery or by certified mail. Service by certified mail shall be deemed complete on the date of mailing. The contents of the written notice shall include at least the following:
 - 1. A statement in ordinary and concise language of the specific acts and omissions upon which the proposed disciplinary action is based. Such statement may incorporate by reference the acts and omissions described in attached memoranda or other attached documents.
 - 2. The specific disciplinary action proposed.
 - 3. The cause(s) or reason(s) for the specific disciplinary action proposed.
 - 4. A copy of the applicable rule(s) where it is claimed a violation of rule(s) took place.
 - 5. A statement that the classified employee has the right to respond to the matters raised in the written notice both orally and in writing, including the submission of

affidavits, prior to the end of the ten (10) calendar days following the date the written notice was served.

6. A statement that the classified employee, upon request, is entitled to appear personally before the Superintendent or designee regarding the matters raised in the written notice prior to the end of the ten (10) calendar days following the date the written notice was served. At such meeting the classified employee shall be granted a reasonable opportunity to make any representations the classified employee believes are relevant to the case.
7. A statement that the classified employee, upon written request, is entitled to an evidentiary hearing before the Board or a hearing officer designated by the Board before any disciplinary action is final. A statement that the proposed disciplinary action may commence after the ten (10) calendar days following the date the written notice was served. A statement that no evidentiary hearing shall be held unless notice is delivered to the Superintendent or designee within ten (10) calendar days after the date the written notice of proposed disciplinary action was served.
8. Attached or enclosed with the written notice of proposed disciplinary action shall be a card or paper, the signing and filing of which shall constitute a demand for hearing, and a denial of all charges.

E. The term "cause" shall include, but not be limited to, the following:

- Incompetent, untimely, unsatisfactory or negligent performance of duty.
- Failure to possess the minimum qualifications for the position, such as loss of driver's license.
- Insubordination, including but not limited to the refusal to perform assigned duties or the refusal to obey a lawful directive from a supervisor.
- Carelessness or negligence in the performance of assigned duties or in the care or use of District property.
- Loss, theft, conversion, damage, destruction or other misuse of District property or property entrusted to its use;
- Discourteous, offensive, or abusive conduct or language toward other employees, District officials, pupils, or the public.
- Threats of harm or acts of actual or attempted violence toward other employees, pupils, parents or members of the public.
- Dishonesty.

- Drinking alcoholic beverages on the job, reporting to work while intoxicated or under the influence of alcoholic beverages, or bringing alcohol on District property or to any District sponsored event except where specific, prior written authorization has been provided.
- Use or possession of narcotics on the job, or reporting to work under the influence of narcotics or other controlled substances. The use of narcotics or other controlled substances under and consistent with the directions of a physician which do not impair the performance of a classified employee is not prohibited.
- Personal conduct unbecoming an employee of the District which may have an adverse impact on the District.
- Engaging in political or union activity during assigned hours of work unless otherwise authorized by law, contract, or another Board Policy or practice.
- Conviction of any felony or any crime involving moral turpitude, or conviction of any crime which relates to the qualifications, certification, functions, or duties required of the employee in the assigned position.
- Abuse of any leave or vacation, including but not limited to excessive absenteeism, absence without authorization or excuse, or without prior notice where possible, or unauthorized absence from duty or place of assigned duty.
- Falsifying any information supplied to the District, including, but not limited to, information supplied on application forms, employment records, or any other District records.
- Persistent violation or a refusal to obey safety rules and regulations made applicable to school districts by the District Governing Board or by any appropriate federal, state, or local governmental agency.
- Failure to fully comply with District policies, rules, regulations, and the provisions of any applicable collective bargaining agreement.
- Offering of anything of value or offering any service in exchange for special treatment in connection with the classified employee's assigned duties, or the accepting of anything of value or any service in exchange for granting any special treatment to another employee or to any member of the public, or other misuse of authority or position.
- Willful, negligent or intentional violation of any law concerning the District.
- Abandonment of position which is defined as an unexcused absence for more than five (5) consecutive workdays.

- Advocacy of overthrow of federal, state, or local government by force, violence or other unlawful means.
 - Sexual Harassment, or discrimination on any unlawful basis.
 - Fraud or misrepresentation in securing appointment or promotion.
 - Failure to report accidents, injuries and known safety hazards or violations.
 - Any other act or omission that is detrimental to the District or may bring discredit upon the classified service of the District.
- F. An employee facing discipline as defined above may be represented by a lawful representative at any disciplinary conference or hearing held pursuant to this Board Policy.
- G. A classified employee shall receive an evidentiary hearing on the proposed disciplinary action only if a written demand for such a hearing is delivered to the Superintendent or designee within ten (10) calendar days after service of the written notice of proposed disciplinary action. In the absence of a timely demand for a hearing, the Board may take final action upon the proposed disciplinary action after the time period for demanding a hearing has expired.
1. Upon timely request for a hearing, a hearing will normally be held before the Board, or a hearing officer designated by the Board, within forty-five (45) calendar days of the hearing demand. The classified employee shall have a right to appear in person, with counsel at the employee's expense or such other lawful representative selected by the classified employee. The District will have the burden of proof and shall first present evidence. Normal procedures shall be followed; i.e., charging party presentation, defense cross-examination, and defense presentation, charging party cross-examination and rebuttal evidence from each party. Hearings will be recorded at the request of either party with such expense being borne by the requesting party, or the District will share equally with the employee or representative the costs of a court reporter, transcription of the record of the hearing, and for an original and one copy of the official transcript.
 2. No transcript or copy of any such hearing transcript shall be provided by the District to the employee or representative unless the employee first remits to the District one half of the costs of the court reporter, preparation of the transcript, and a copy of the record. If a hearing officer is appointed by the Board, the hearing officer shall submit a nonbinding recommended decision to the Board including the hearing officer's findings and conclusions.

3. The Board's determination of the sufficiency of the cause for disciplinary action shall be conclusive in all cases.
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- H. Except as provided in Paragraph I, in the event an employee timely requests an evidentiary hearing on the charges, the District may implement the discipline and stop paying an employee after a decision has been rendered following hearing, or after 30 calendar days from the date the hearing is requested, whichever occurs first.
 - I. The District may implement the discipline and stop paying an employee if the Governing Board, or an impartial third-party hearing officer finds that at the time discipline was imposed at the conclusion of the review process specified in *Skelly v. State Personnel Bd.* (1975) 15 Cal.3d 194, the District demonstrated by a preponderance of the evidence that the employee engaged in criminal misconduct; misconduct that presents a risk of harm to pupils, staff, or property; or committed habitual violations of the district's policies or regulations.

Legal Reference:

Education Code sections 45103, 45113, 45116

Date Policy Adopted By The Board: September 6, 1990

Dates Policy Revised By The Board: January 13, 2005; December 11, 2008; July 9, 2020, August 3, 2023

Date Policy Reviewed By The Board: May 17, 2007