



# GOVERNING BOARD MEETING AGENDA

26316 Hesperian Blvd. Hayward, CA 94545 • (510) 293-2971 • [www.edenrop.org](http://www.edenrop.org)

---

**Thursday, March 3, 2022**  
**5:45 pm**

## GOVERNING BOARD MEMBERS

---

|                               |                                       |
|-------------------------------|---------------------------------------|
| Juan Campos, President        | San Lorenzo Unified School District   |
| James Aguilar, Vice-President | San Leandro Unified School District   |
| Gabriel Chaparro, Member      | Hayward Unified School District       |
| Gary Howard, Member           | Castro Valley Unified School District |

## MISSION STATEMENT

---

The mission of the Eden Area ROP is to build a foundation for students that prepare them academically, technically, and professionally to meet challenging opportunities of the 21st Century with confidence and purpose.



Regular Meeting of the ROP Governing Board  
Date: Thursday, March 3, 2022  
Time: 5:45 p.m.

#### **NOTICE - COVID-19 PUBLIC HEALTH EMERGENCY BOARD MEMBERS TO ATTEND VIRTUALLY**

Consistent with Assembly Bill 361, effective October 1, 2021, and the continued state of emergency (COVID-19), the Eden Area ROP Governing Board will continue to hold meetings via teleconferencing until further notice. The public is invited to participate via teleconference per the Zoom link below.

##### **Attend Zoom Meeting Instructions:**

- **To observe the meeting by video conference**, please click on [LINK](#) or go <https://us02web.zoom.us/j/81463550245?pwd=REJwRlF2bWx3YzZWdFlaO1SukVOUT09> to at the noticed meeting time.  
Meeting ID: **814 6355 0245**  
Passcode: **EAROP22**

Instructions on how to join a meeting by video conference is available at: <https://support.zoom.us/hc/en-us/articles/201362193> -Joining-a-Meeting.

**To listen to the meeting by phone**, please call at the noticed meeting time **1-669-900-6833**, then enter ID **886 6849 5224**, then press "#". Passcode: **9422829**

Instructions on how to join a meeting by phone are available at: <https://support.zoom.us/hc/en-us/articles/201362663> -Joining-a-meeting-by-phone.

##### **Public Comment Instructions:**

- **To comment by video conference**, click the "Raise Your Hand" button to request to speak when Public Comment is being taken on the eligible Agenda item. You will then be unmuted, during your turn, and allowed to make public comments. After the allotted time, you will then be re-muted. Instructions on how to "Raise Your Hand" is available at: <https://support.zoom.us/hc/en-us/articles/205566129> -Raise-Hand-In-Webinar.
- **To comment by phone**, you will be prompted to "Raise Your Hand" by pressing "\*9" to request to speak when Public Comment is being taken on the eligible Agenda Item. You will then be unmuted, during your turn, and allowed to make public comments. After the allotted time, you will then be re-muted. Instructions of how to raise your hand by phone are available at: <https://support.zoom.us/hc/en-us/articles/201362663> -Joining-a-meeting-by-phone.

#### **AGENDA**

Welcome to the Eden Area Regional Occupational Program Governing Board Meeting. The purpose of the meeting is to consider matters of policy and business necessary for the operation of the Regional Occupational Program.

Any member of the audience may speak on any agenda item by following this process, or upon recognition by the President by identifying him/herself and his/her organization affiliation prior to any action taken by the Governing Board. Such presentations may be limited. If there is a desire to address the Governing Board on a matter relating to the Eden Area ROP that does not appear on the agenda, this may be done during the "Public Comment" section.

State law prohibits the ROP Governing Board from taking any action on or discussing items that are not on the posted agenda except to A) briefly respond to statements made or questions posed by the public in attendance; B) ask questions for clarification; C) provide a reference to a staff member or other resource for factual information in response to the inquiry; or D) ask a staff member to report back on the matter at the next meeting and/or place it on a future agenda. (Government Code Section 54954.2 (a))

This meeting is being recorded. These recordings are maintained by the Eden Area ROP for 30 days and are available for review to the public upon request.

**I. Call to Order**

**II. Roll Call**

**III. Pledge of Allegiance**

**IV. Mission Statement**

**V. Approval of Agenda**

**VI. Public Comment for Agenda items and matters that are related to the Eden Area ROP**

(According to the Brown Act, the Board may not comment or take action on items not on the agenda.)

The Board respects and encourages the public to comment on matters on the Board agenda and within the Board's jurisdiction. The Board fully supports civil discourse and requests that everyone respect each other and their point of view.

**Public Comment Instructions:**

- When it is time for the speakers to address the Board, your name will be called and you will then be unmuted and allowed to make public comments.
- Speakers should rename their Zoom profile names to their real names to expedite this process.
- After the comment, the microphone for the speaker's Zoom profile will be muted.

With Board consensus, the President may increase or decrease the time allowed. This meeting is being recorded to prepare the official minutes.

**VII. Student of the Month**

- A. Presentation of ROP Student of the Month Awards (page 4)

**VIII. Consent Calendar**

Action by the Eden Area ROP Governing Board of the Eden Area Regional Occupational Program means that all items listed under the Consent Calendar are adopted by one single motion, unless a member of the Governing Board, the Superintendent, or a member of the public requests that any such item be removed from the Consent Calendar and voted upon separately.

- A. Request the Governing Board to approve the Minutes of the Regular Governing Board Meeting of February 3, 2022 (pages 5-11)
- B. Request the Governing Board to approve the Bill Warrants (pages 12-17)
- C. Request the Governing Board to approve the Personnel Action Items (pages 18-19)
- D. Request the Governing Board to approve the Listed Donations- Technical Welding Supply LLC (page 20)
- E. Request the Governing Board to approve the Statement of Facts Registry of Public Agencies Filing (pages 21-22)
- F. Request the Governing Board to approve the Revised Course Outlines for the Medical Careers I and II Programs (pages 23-62)

- G. Request the Governing Board to approve the adoption of Resolution 9-21/22: Conflict of Interest Code (pages 63-67)
- H. Request the Governing Board to approve the Agreement with Carla Alonzo for Providing a Mental Health and Wellness Program for the 2021-2022 School Year (page 68-70)

**IX. Information Items**

- A. ROP Pathway Review: Residential & Commercial Construction (pages 71-72)
- B. Adult Programs Update (page 73)
- C. First Reading of Governing Board Policies and Administrative Regulations (pages 74-136)

**X. Action Items**

- A. Request the Governing Board to approve the Second Reading and Adoption of Governing Board Policies, Administrative Regulations and Exhibits 4000 (pages 137-272)
- B. Request the Governing Board to approve the 2021-2022 Second Interim Report (page 273)
- C. Request the Governing Board to approve the adoption of Resolution 10-21/22: Mid-Year Additions/Changes-Revised Signature Card (pages 274-276)
- D. Request the Governing Board to approve the Adoption of Resolution 11 21/22: Proclaiming a Local Emergency, Ratifying the Proclamation of a State of Emergency by Governor Newsom Dated March 4, 2020, and Authorizing Remote Teleconference Meetings for the Period March 6, 2022 through April 7, 2022 (pages 277-280)
- E. Request the Governing Board to approve the Agreement with Premier Commercial Cleaning Solutions, Inc. for Janitorial Services for the 2021-2022 School Year (pages 281-288)

**XI. Superintendent's Report**

**XII. Governing Board Reports**

**XIII. Recess to Closed Session**

- A. Conference with Legal Counsel – Anticipated Litigation (Pursuant Government Code Section 54956.9)
- B. Public Employee Appointment/Employment (Pursuant Government Code section 54957): Superintendent's Contract

**XIV. Reconvene to Open Session and Report Action Taken in Closed Session**

- A. Conference with Legal Counsel – Anticipated Litigation (Pursuant Government Code Section 54956.9)
- B. Public Employee Appointment/Employment (Pursuant Government Code section 54957): Superintendent's Contract

**XV. Adjournment**



**DATE:** March 3, 2022  
**TO:** ROP Governing Board  
**FROM:** Linda Granger, Superintendent  
**PREPARED BY:** Manuschka Michaud, Principal  
**SUBJECT:** Presentation of ROP Student of the Month Awards

## **BACKGROUND**

---

The Eden Area ROP has developed a student recognition program to acknowledge outstanding efforts and achievements of our students.

## **CURRENT SITUATION**

---

The student recognition program has proven to be a successful, motivational tool in the classroom, among the staff and the students of the Eden Area ROP.

The following students were selected as ROP students of the month for March:

| <b>STUDENT NAME</b> | <b>HIGH SCHOOL</b>        | <b>ROP PROGRAM</b>                      | <b>INSTRUCTOR</b> |
|---------------------|---------------------------|---|-------------------|
| Julio Azcorra       | Mt. Eden High School      | Automotive Technology I P               | David Espinoza    |
| Wesley Caldiero     | Castro Valley High School | Automotive Technology I P               | Armando Politron  |
| Liliana Ortega      | Mt. Eden High School      | Automotive Collision & Refinishing II P | Daniel Pareja     |
| John Kuhns          | Arroyo High School        | Construction Technology II P            | Bill Deslaurier   |

## **RECOMMENDATION**

---

Information only

# CONSENT CALENDAR

---



## Minutes of the Regular Meeting of the ROP Governing Board February 3, 2022

### I. Call to Order

Juan Campos, Board President, called the meeting to order at 5:51 p.m. on Thursday, February 3, 2022. Due to COVID-19 all Board members and attendees attended the meeting virtually via Zoom.

### II. Roll Call

#### Eden Area ROP Governing Board Members Present:

|                              |                   |
|------------------------------|-------------------|
| Juan Campos, Board President | San Lorenzo USD   |
| Gary Howard, Member          | Castro Valley USD |
| Gabriel Chaparro, Member     | Hayward USD       |
| James Aguilar, Member        | San Leandro USD   |

Superintendent: Linda Granger, present

#### Eden Area ROP Administrators Present:

|                    |                               |
|--------------------|-------------------------------|
| Mercedes Henderson | Human Resources Administrator |
| Craig Lang         | Director of Adult Programs    |
| Manuschka Michaud  | Principal                     |

#### Eden Area ROP Staff Present:

|                 |   |
|-----------------|---|
| Ashley Auguste  | Careers in Law, Forensics, & Public Safety Instructor |
| Rick Charles    | Entrepreneurship Instructor                           |
| Cheryl Gixti    | Merchandising Instructor                              |
| Gabriela Juarez | Executive Assistant                                   |
| Sukhi Sidhu     | Career Counselor                                      |

#### Others Present:

|  |                 |
|--|-----------------|
| Roman Muñoz                              | Lozano Smith    |
| Niman Singh, Auditor                     | Eide Bailly LLP |
| Students of the Month and their families |                 |

### III. Pledge of Allegiance

Nick Falk led the Pledge of Allegiance.

### IV. Mission Statement

Edward Chan read the Eden Area ROP mission statement.

### V. Approval of Agenda

Trustee James Aguilar moved to approve the agenda. Trustee Gabriel Chaparro seconded the motion. By the following vote, the agenda was approved:

|          |                                       |
|----------|---------------------------------------|
| AYES:    | 4 (Aguilar, Campos, Chaparro, Howard) |
| NOES:    | 0                                     |
| ABSTAIN: | 0                                     |
| ABSENT:  | 0                                     |

**VI. Action Items**

- A. Request the Governing Board to approve the Adoption of Resolution 7 21/22: Proclaiming a Local Emergency, Ratifying the Proclamation of a State of Emergency by Governor Newsom Dated March 4, 2020, and Authorizing Remote Teleconference Meetings for the Period February 3, 2022 through March 5, 2022**

Upon review of and a motion by Trustee James Aguilar and a second by Trustee Gabriel Chaparro the Governing Board approved the adoption of Resolution 7 21/22: Proclaiming a Local Emergency, Ratifying the Proclamation of a State of Emergency by Governor Newsom Dated March 4, 2020, and Authorizing Remote Teleconference Meetings for the Period February 3, 2022 through March 5, 2022.

AYES: 4 (Aguilar, Campos, Chaparro, Howard)  
NOES: 0  
ABSTAIN: 0  
ABSENT: 0

**VII. Public Comment for Agenda items and matters that are related to the Eden Area ROP**

None

**VIII. Student of the Month Awards**

The following students were honored by their teachers, ROP Staff and the Governing Board as students of the month for February 2022:

| STUDENT NAME   | HIGH SCHOOL             | ROP PROGRAM                                   | INSTRUCTOR      |
|----------------|-------------------------|---|-----------------|
| Joseph Aguilar | Arroyo High School      | Merchandising Occupations II P                | Cheryl Gixti    |
| Nicholas Falk  | Hayward High School     | Entrepreneurship II P                         | Richard Charles |
| Edward Chan    | San Leandro High School | Careers In Law, Forensics & Public Safety I P | Ashley Auguste  |

Sukhi Sidhu, Career Counselor, introduced the instructors, who presented their students to the Governing Board. A framed certificate of achievement was delivered to each student. Each student was given an opportunity to introduce their family and say a few words.

**IX. Consent Calendar**

Trustee Gary Howard moved to approve the consent calendar items as follows:

- A. Minutes of the Regular Governing Board Meeting of December 9, 2021
- B. Bill Warrants
- C. Quarterly Report on Williams Act Complaints and Resolutions
- D. Receipt of the Workability I Program Funds
- E. Budget Development Calendar for the 2022-2023 School Year
- F. Agreement with American Fidelity to Provide Section 125 Flexible Benefit Plan Services for the 2022 Calendar Year
- G. Addendum to the MOU with the California Homebuilding Foundation (CHF) to manage the Building Industry Technology Academy (BITA) for the 2021-2022 School Year



Trustee Gabriel Chaparro seconded the motion.

AYES: 4 (Aguilar, Campos, Chaparro, Howard)  
NOES: 0  
ABSTAIN: 0  
ABSENT: 0

**X. Information Items**

**A. Midyear Review of the Superintendent's Goals**

Linda Granger, Superintendent, updated the Board on the progress of her goals. She had several overarching goals and several items within each of those goals to help accomplish them.

Goal one is to develop and implement systems that support the success of all students.

Goal two is to provide relevant, high quality, engaging CTE programs.

Goal three is to implement and maintain effective communication systems.

Goal four is to monitor current funding and identify opportunities to increase and diversify funding streams.

**B. First Reading of Governing Board Policies, Administrative Regulations, and Exhibits 4000**

Linda Granger, Superintendent, shared that during the 2019-2020 school year the Eden Area ROP staff and Governing Board did an extensive review of our Governing Board policies handbook. The State regularly updates or adds policies throughout the year to align with new changes to the law. Last year pandemic related policies were taken for Board approval, however, this year the focus will be on bringing all policy and administrative regulation edits to the Board for review over the next several months.

Superintendent Granger presented to the Governing Board the first reading of the following Board policies, administrative regulations and exhibits:

| NUMBER                        | TYPE       | TITLE   | STATUS  |
|-------------------------------|------------|---|---------|
| 4030                          | Regulation | Nondiscrimination in Employment                 | Replace |
| 4033                          | Policy     | Lactation Accommodation                         | Replace |
| 4112.2                        | Policy     | Certification                                   | Replace |
| 4112.9<br>4212.9<br>4312.9    | Policy     | Employee Notifications                          | Replace |
| 4112.9<br>4212.9<br>4312.9    | Exhibit    | Employee Notification                           | New     |
| 4113                          | Policy     | Assignment                                      | Replace |
| 4113                          | Regulation | Assignment                                      | New     |
| 4119.11<br>4219.11<br>4319.11 | Policy     | Sexual Harassment                               | Replace |
| 4119.11<br>4219.11<br>4319.11 | Regulation | Sexual Harassment                               | Replace |
| 4119.12<br>4219.12            | Regulation | Title IX Sexual Harassment Complaint Procedures | New     |

|                               |            |   |         |
|-------------------------------|------------|---|---------|
| 4319.12                       |            |   |         |
| 4119.12<br>4219.12<br>4319.12 | Exhibit    | Title IX Sexual Harassment Complaint Procedures | New     |
| 4119.22<br>4219.22<br>4319.22 | Policy     | Dress and Grooming                              | Replace |
| 4119.25<br>4219.25<br>4319.25 | Policy     | Political Activities of Employees               | New     |
| 4119.25<br>4219.25<br>4319.25 | Regulation | Political Activities of Employees               | New     |
| 4119.42<br>4219.42<br>4319.42 | Policy     | Exposure Control Plan for Bloodborne Pathogens  | Replace |
| 4119.42<br>4219.42<br>4319.42 | Regulation | Exposure Control Plan for Bloodborne Pathogens  | Replace |
| 4119.42<br>4219.42<br>4319.42 | Exhibit    | Exposure Control Plan for Bloodborne Pathogens  | Replace |
| 4119.43<br>4219.43<br>4319.43 | Policy     | Universal Precautions                           | Replace |
| 4119.43<br>4219.43<br>4319.43 | Regulation | Universal Precautions                           | Replace |
| 4131                          | Policy     | Staff Development                               | Replace |
| 4157<br>4257<br>4357          | Regulation | Employee Safety                                 | Replace |
| 4157.1<br>4257.1<br>4357.1    | Regulation | Work-Related Injuries                           | Replace |
| 4158<br>4258<br>4358          | Policy     | Employee Security                               | Replace |
| 4158<br>4258<br>4358          | Regulation | Employee Security                               | New     |
| 4161.2<br>4261.2<br>4361.2    | Regulation | Personal Leaves                                 | Replace |
| 4216                          | Policy     | Probationary/Permanent Status                   | Replace |

The Governing Board agreed with the additions and replacements of policies, administrative regulations and exhibits.

#### XI. Action Items

##### A. Request the Governing Board to approve the Second Reading and Adoption of Governing Board Policies, Administrative Regulations, Bylaws and Exhibits 5000, 6000, 7000 and 9000

Upon review of and a motion by Trustee Gabriel Chaparro and a second by Trustee Gary Howard the Governing Board approved the second reading and adoption of Governing Board Policies, Administrative Regulations, Bylaws and Exhibits 5000, 6000, 7000 and 9000.

AYES: 4 (Aguilar, Campos, Chaparro, Howard)  
NOES: 0  
ABSTAIN: 0  
ABSENT: 0

**B. Request the Governing Board to approve the Annual Independent Auditor's Report for the Fiscal Year Ending June 30, 2021**

Upon review of and a motion by Trustee Gary Howard and a second by Trustee James Aguilar the Governing Board approved the Annual Independent Auditor's Report for the fiscal year ending June 30, 2021.

AYES: 4 (Aguilar, Campos, Chaparro, Howard)  
NOES: 0  
ABSTAIN: 0  
ABSENT: 0

**C. Request the Governing Board to approve the Governing Board Reorganization**

Trustee James Aguilar moved to nominate Trustee Juan Campos for Board President. Trustee Gary Howard seconded the motion. By the following vote the Governing Board approved to elect Trustee Juan Campos for President.

AYES: 4 (Aguilar, Campos, Chaparro, Howard)  
NOES: 0  
ABSTAIN: 0  
ABSENT: 0

Trustee Juan Campos moved to nominate Trustee James Aguilar for Board Vice-President. Trustee Gabriel Chaparro seconded the motion. By the following vote the Governing Board approved to elect Trustee James Aguilar for Vice-President.

AYES: 4 (Aguilar, Campos, Chaparro, Howard)  
NOES: 0  
ABSTAIN: 0  
ABSENT: 0

**Open Public Hearing for the Eden Area ROP Adoption of the Recommended Textbooks for the 2022-2023 School Year**

Board President Juan Campos opened the public hearing at 6:47 p.m. for the Eden Area ROP adoption of the recommended textbooks for the 2022-2023 school year. The Board solicited comments from the public on the adoption of recommended textbooks. No one from the public responded and thus the public hearing was closed.

**Close Public Hearing**

The public hearing was closed at 6:48 p.m.

**D. Request the Governing Board to approve the Adoption of the Recommended Textbook for the 2022-2023 School Year**

Upon review of and a motion by Trustee Gary Howard and a second by Trustee Gabriel Chaparro the Governing Board approved adoption of the recommended textbook for the 2022-2023 school year.

AYES: 4 (Aguilar, Campos, Chaparro, Howard)  
NOES: 0  
ABSTAIN: 0  
ABSENT: 0

**E. Request the Governing Board to approve the COVID-19 Relief Funds Plan for the 2021-2022 and 2022-2023 Fiscal Years**

Upon review of and a motion by Trustee James Aguilar and a second by Trustee Gary Howard the Governing Board approved the COVID-19 relief funds plan for the 2021-2022 and 2022-2023 fiscal years.

AYES: 4 (Aguilar, Campos, Chaparro, Howard)  
NOES: 0  
ABSTAIN: 0  
ABSENT: 0

**F. Request the Governing Board to approve the adoption of Resolution 8-21/22: Career Technical Education Month (February)**

Upon review of and a motion by Trustee Gabriel Chaparro and a second by Trustee Gary Howard the Governing Board approved the adoption of Resolution 8-21/22: Career Technical Education Month (February).

AYES: 4 (Aguilar, Campos, Chaparro, Howard)  
NOES: 0  
ABSTAIN: 0  
ABSENT: 0

**XII. Superintendent's Report**

Superintendent Granger welcomed back Trustee Gary Howard to the Eden Area ROP Board representing Castro Valley Unified School District.

Superintendent Granger shared that 2 Eden Area ROP programs at Arroyo High School and Castro Valley High School participated in the NorCal DECA competition in San Ramon. This is the first in-person CTSO competition that ROP students have been able to participate in over a year. Thirty-seven Arroyo High School students participated. Of the thirty-seven, nine were finalists. One student placed overall 3<sup>rd</sup> place and brought home the gold and silver medal. Fourteen Castro Valley Students participated in the competition. Of the fourteen, six were finalists and they also brought home a gold and silver medal.

**XIII. Governing Board Reports**

Trustee Gary Howard, Castro Valley USD representative, reported that he was happy to back on the Eden Area ROP Governing Board. He stated that his first year on the Governing Board was also Linda's first year as superintendent and that it was nice to see

how much has happened over the years. He noted that Castro Valley is very enthusiastic about ROP, it is an important part of the learning environment in Castro Valley.

Trustee Juan Campos, San Lorenzo USD representative, also welcomed back Trustee Gary Howard. Trustee Campos was excited to share that SLzUSD has reached an agreement with their Teachers Union.

**XIV. Communications**

**A. Letter from the Alameda County Office of Education regarding the First Interim**

A letter from ACOE was received acknowledging the positive certification of the first interim.

**XV. Recess to Closed Session**

The meeting was called into closed session at 7:14 pm

**A. Personnel (Government Code Section 54957) Public Employee Appointment/Discipline/ Dismissal/Release**

**XVI. Reconvene to Open Session and Report any Action taken in Closed Session**

The meeting resumed to open session at 7:50 p.m.

**A. Personnel (Government Code Section 54957) Public Employee Appointment/Discipline/ Dismissal/Release**

No action was taken.

**XVII. Adjournment**

The Governing Board meeting was adjourned in honor of Lunar New Year and Black History Month.

The meeting was adjourned at 7:51 p.m.

Approved by the Eden Area ROP Governing Board \_\_\_\_\_.

\_\_\_\_\_  
Linda Granger, Superintendent  
Clerk to the ROP Governing Board



**DATE:** March 3, 2022  
**TO:** ROP Governing Board  
**FROM:** Linda Granger, Superintendent  
**PREPARED BY:** Sabrina Ubhoff, Accounting Technician  
**SUBJECT:** Request the Governing Board to approve the Bill Warrants

## **CURRENT SITUATION**

---

The bill warrants submitted for approval are for the period of January 13, 2022 through February 7, 2022 and include test warrant numbers and voided warrants.

## **CONSENT CALENDAR**

---



**DATE:** March 3, 2022  
**TO:** ROP Governing Board  
**FROM:** Linda Granger, Superintendent  
**PREPARED BY:** Mercedes Henderson, Human Resources Administrator  
**SUBJECT:** Request the Governing Board to approve the Personnel Action Items

## **CURRENT SITUATION**

---

The attached listing of personnel action items are the Eden Area ROP Superintendent's recommendations for approval.

## **CONSENT CALENDAR**

---



**DATE:** March 3, 2022  
**TO:** ROP Governing Board  
**FROM:** Linda Granger, Superintendent  
**PREPARED BY:** Manuschka Michaud, Principal  
**SUBJECT:** Request the Governing Board to approve the Listed Donations-  
Technical Welding Supply LLC

## **BACKGROUND**

---

Occasionally, gifts or monetary items are donated to the Eden Area ROP.

## **CURRENT SITUATION**

---

On February 1, 2022, Technical Welding Supply LLC donated spool of MIG wire to the Welding Technology program.

A letter of acceptance will be sent to the donor.

## **CONSENT CALENDAR**

---





**DATE:** March 3, 2022  
**TO:** ROP Governing Board  
**FROM:** Linda Granger, Superintendent  
**SUBJECT:** Request the Governing Board to approve the Statement of Facts Registry of Public Agencies Filing

## **BACKGROUND**

---

Government Code Sections 53050 and 53051 require a Statement of Facts Registry of Public Agencies (formerly Roster of Public Agencies) to be filed whenever there is a change in the officers or members of a district's governing board (within 10 days after a change).

The Superintendent or designee shall verify that all information regarding the ROP and the Board is filed accurately with the Registry of Public Agencies in the office of the Secretary of State, the County Clerk and ACOE. The verified information includes the name of the ROP, the mailing address of the ROP, the names and addresses of the presiding Governing Board officer, the Governing Board Clerk or Secretary and other members of the Governing Board.

## **CURRENT SITUATION**

---

Now that the annual reorganization of the ROP Governing Board has been completed an updated Statement of Facts Registry of Public Agencies Filing will be submitted to the Secretary of State, the County Clerk and ACOE.

## **CONSENT CALENDAR**

---



**Secretary of State**  
**Registry of Public Agencies**  
(Government Code section 53051)

**SF-405**

**IMPORTANT — Read Instructions before completing this form.**

There is **No Fee** for a Registry of Public Agencies filing

**Copy Fees** – First page \$1.00; each attachment page \$0.50;  
Certification Fee - \$5.00

**This Space For Office Use Only**

**1. Type of Filing** (Check one.)

- ☐ Initial Filing (first Registry of Public Agencies filing for an agency)  
☐ Updated Filing (change to an existing Registry of Public Agencies record)

**2. Agency Information**

a. Full Legal Name of Public Agency

b. Nature of Update (complete if Updated Filing)

c. County

d. Official Mailing Address

**3. Chairperson, President, or Other Presiding Officer**

a. Name

b. Title

c. Business or Residence Address

**4. Clerk or Secretary**

a. Name

b. Title

c. Business or Residence Address

**5. Other Members of the Governing Board** (Enter as many as applicable. Attach additional pages for additional members.)

Name

Business or Residence Address

Name

Business or Residence Address

Name

Business or Residence Address

Name

Business or Residence Address

Name

Business or Residence Address

**6. Date and Sign Below** (Additional members set forth on attached pages, if any, are incorporated herein by reference and made part of this Form SF-405, Registry of Public Agencies.)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Type or Print Name



**DATE:** March 3, 2022  
**TO:** ROP Governing Board  
**FROM:** Linda Granger, Superintendent  
**PREPARED BY:** Manuschka Michaud, Principal  
**SUBJECT:** Request the Governing Board to Approve the Revised Course Outlines for the Medical Careers I and II Programs

## **BACKGROUND**

---

The Eden Area Regional Occupational Program continues to update and review course offerings to provide our students with challenging and coherent curriculum that will prepare them for success in the workplace and life-long learning.

## **CURRENT SITUATION**

---

The Medical Careers I and Medical Careers II course outlines have been updated to reflect changes to the program focus for students in year one and year two, with the first year focusing more broadly on patient care and the second year focusing on preparing students for the medical assisting certification.

## **CONSENT CALENDAR**

---

|  |                   |   |                   |
|--|-------------------|---|-------------------|
| <b>Job Titles:</b>                                 | <b>DOT Codes:</b> | <b>Job Titles:</b>                        | <b>DOT Codes:</b> |
| Medical Professional                               | 31.9092.00        | Occupational Health and Safety Technician | 29.9012.00        |
| Medical and Clinical Laboratory Technicians        | 29.2012.00        | Occupational Health and Safety Specialist | 29.9011.00        |
| Occupational Therapist Professionals               | 31.2011.00        | Medical Secretary                         | 43.6013.00        |
| Medical Records and Health Information Technicians | 29.2071.00        |   |                   |

|   |                                       |                      |                                     |                         |                     |                 |
|---|---------------------------------------|----------------------|-------------------------------------|-------------------------|---------------------|-----------------|
| <b>Sector</b>   | Health & Science & Medical Technology |                      | <b>Pathway</b>                      | Patient Care            | <b>Course Title</b> | Medical Careers |
| <b>Abbreviation</b>   | HLT                                   | <b>Grade Level</b>   | 11 & 12                             | <b>Grad Requirement</b> | No                  |                 |
| <b>Course Length</b>  | 1080                                  | <b>Prerequisites</b> | None                                | <b>Elective</b>         | Yes                 |                 |
| <b>Articulated</b>  | Yes                                   |                      | <b>CALPADSs TITLE:</b> Patient Care |                         |                     |                 |
| <b>Meets UC "a-g" Requirement</b>   | "g" Yes                               |                      | <b>CALPADSs NO:</b> 198             |                         |                     |                 |
| <b>7. School / District Web Site</b><br><a href="http://www.edenrop.org">www.edenrop.org</a>  |                                       |                      |                                     |                         |                     |                 |
| <b>8. School Contact</b><br><b>Name:</b> Heather Bystrom<br>Alysa Machado<br>Angelica Peters<br><br><b>Title/Position: Instructors</b><br><b>Phone:</b> 510-293-2960/1<br><b>Fax:</b> 510-293-8325<br><b>E-mail:</b> <a href="mailto:heatherb@edenrop.org">heatherb@edenrop.org</a><br><a href="mailto:amachado@edenrop.org">amachado@edenrop.org</a><br><a href="mailto:apeters@edenrop.org">apeters@edenrop.org</a> |                                       |                      |                                     |                         |                     |                 |
| <b>11. Seeking "Honors" Distinction?</b><br><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No   |                                       |                      |                                     |                         |                     |                 |
| <b>12. Unit Value</b><br><input type="checkbox"/> 0.5 (half year or semester equivalent)<br><input type="checkbox"/> 1.0 (one year equivalent)<br><input checked="" type="checkbox"/> 2.0 (two year equivalent)<br><input type="checkbox"/> Other: _____  |                                       |                      |                                     |                         |                     |                 |
| <b>13. Date of School Board Approval:</b> October 2017  |                                       |                      |                                     |                         |                     |                 |
| <b>14. Was this course previously approved by UC</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No<br>If so, year removed from list? _____ Under what course title? _____   |                                       |                      |                                     |                         |                     |                 |
| <b>15. Is this course modeled after an UC-approved course from another school?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No<br>If so, which school(s)? _____   |                                       |                      |                                     |                         |                     |                 |
| <b>16. Pre-Requisites:</b> Algebra recommended  |                                       |                      |                                     |                         |                     |                 |

|   |  |
|---|--|
| <b>General Course Title:</b> Medical Careers  |  |
| <b>General Course Description:</b> The Medical Careers Program is an extensive medical course offering instruction in a range of health-related careers such as Medical Professional, Pharmacy Aide, Central Supply Aide, Laboratory Aide, and Radiology Aide. Throughout the year, students will be prepared for an entry level career in the medical field. The core curriculum will consist of, in part, anatomy and physiology, medical terminology and career preparation. Students will obtain the administrative and clinical skills necessary to assist the physician with medical office procedures. Clinical skills attained include, but are not limited to, methods of observation, measurement of vital signs, professional with the physical exam, collection of specimens and documentation of procedures and patient care. Students will demonstrate accurate performance of administrative medical skills such as appointment scheduling, filing and charting. Students will also be introduced to basic medical billing and coding procedures. Second semester, based on eligibility will be given the opportunity to gain hands-on experience while volunteering in a medical office or hospital through our internship opportunities. |  |
| <b>College Prerequisite(s):</b>   | <b>HS/ROCP Prerequisite(s):</b>                        |
| <b>Advisories/Recommendations:</b>  |  |
| <b>Course Content:</b>  |  |
| <b>Competencies and Skill Requirements (Use additional pages as necessary)</b><br><b>At the conclusion of this course, the student should be able to:</b><br>The student will be able to:   |  |
| <b>Measurement Methods (include any industry certification or licensure):</b>   |  |
| <b>Textbooks or Other Support Materials (including Software):</b> Medical Professional: Administrative and Clinical Procedures with A&P, 6 <sup>th</sup> Edition, By Kathryn Booth and Leesa Whicker and Terri Wyman and connect access. Current Procedural Terminology (CPT-4) Current Edition, International Classification of Disease (ICD-10) Current Edition, Health Care Procedural Coding System (HCPCS) Current Edition, Physician's Desk Reference (PDR) Current Edition, Nursing Drug Handbook Current Edition, Taber's Medical Dictionary Current Edition  |  |
| <b>DWG Facilitator's Signature:</b>   | <b>Date:</b>   |
| [Office use only.]<br><b>TOPs Code:</b>   | [Office use only.]<br><b>Internal Tracking Number:</b> |
| <b>Date Accepted by Steering Committee:</b>   |  |

## PERFORMANCE OBJECTIVES:

### Career Preparation/Performance Standards:

- Communication Skills** - Students will understand principles of effective communication. They will communicate both orally and in writing. They will listen attentively and follow instructions, requesting clarification or additional information as needed.
- Employment Literacy** - Students will understand career paths and strategies for obtaining employment in their chosen fields. They will assume responsibility for professional growth. They will understand and promote the role of their field in a productive society and the purpose of professional organizations.
- Interpersonal Skills** - Students will understand important concepts in group dynamics, conflict resolution, and negotiation. They will work cooperatively, share responsibilities, accept supervision, and assume leadership roles. They will demonstrate cooperative working relationships across genders and cultural groups.

4. **Occupational Safety** - Students will understand occupational safety issues, including the avoidance of physical hazards in the work environment. They will operate equipment safely to prevent endangering themselves or others. They will demonstrate proper handling of hazardous materials.
5. **Personal Skills** - Students will understand how the development of personal skills affects their employability. They will exhibit positive attitudes, self-confidence, honesty, perseverance, self-discipline, and personal hygiene. They will manage time and balance priorities and demonstrate a capacity for lifelong learning.
6. **Technology Literacy** - Students will understand and adapt to changing technology by identifying, learning, and applying new skills to improve job performance. They will effectively employ technologies relevant to their fields.
7. **Thinking and Problem-Solving Skills** - Students will exhibit critical and creative thinking skills, logical reasoning, and problem-solving skill. They will apply numerical estimation, measurement, and calculation, as appropriate. They will recognize problem situations; identify, locate, and organize needed information or data; and propose, evaluate, and select from alternative solutions.

**METHODS: A variety of instructional strategies will be utilized to accommodate all learning styles:**

Basic information will be delivered through:

- A. Lecture using demonstrations on the SMART Board.
- B. Discussion.
- C. Group Projects.
- D. Writing.
- E. Tests.
- F. Skills Demonstration.

Use of technology and application of skills will be acquired through:

- A. Individual and collaborative research.
- B. Recognizing, planning and analyzing solutions to problems.
- C. Using computer technology as well as paper and pencil solutions to related real world problems.

**EVALUATION: Student achievement in this course will be measured using multiple assessment tools including but not limited to: (a grading scale and/or rubric should be included)**

**EVALUATION/GRADING**

- A. Homework Assignments.

1. Students will be required to read, research and apply curriculum.
2. Students will refer to the text for acquisition of basic concepts, ideas and resources.

- B. Testing.

1. Students will be given performance tests in addition to objective tests on a regular basis. Tests will require students to interpret, analyze, apply and demonstrate ideas and concepts as they relate to the solution of real world problems.
2. Students will be required to demonstrate, illustrate, write and defend processes and methods used in the solution of real world problems.

| School-wide Learning Outcomes (SLO)   |  |
|---|--|
| Upon Graduation:  | Students successfully completing courses through Eden Area Regional Occupational Program will: |
| <p><b>1. Demonstrate appropriate work ethic through:</b></p> <ul style="list-style-type: none"> <li>• Acting as a responsible citizen in the workplace and the community</li> <li>• Modeling integrity, ethical relationship, and effective management</li> </ul> <p><b>2. Demonstrate career and college preparation through:</b></p> <ul style="list-style-type: none"> <li>• Applying appropriate technical skills and academic knowledge</li> <li>• Developing an education and career plan aligned to personal goals</li> <li>• Applying technology to enhance productivity</li> <li>• Practicing personal health and understanding financial literacy</li> </ul> <p><b>3. Demonstrate effective communication through:</b></p> <ul style="list-style-type: none"> <li>• Communicating clearly, effectively, and with reason</li> <li>• Working productively in teams while integrating cultural/global competence</li> </ul> <p><b>4. Demonstrate critical thinking skills through:</b></p> <ul style="list-style-type: none"> <li>• Utilizing critical thinking to make sense of problems and persevere in solving them</li> </ul> |  |

#### A. Biotechnology Pathway

The standards for the applications of the Biotechnology pathway relate to occupations and functions relevant for understanding and solving biomedical problems and creating products to improve the quality of human life. The standards represent knowledge and skills necessary to succeed in diverse careers in this pathway.

A1.0 Define and assess biotechnology and recognize the diverse applications and impact on society.

A1.1 Use data to explain how biotechnology fields such as pharmaceuticals, agriculture, diagnostics, industrial products, instrumentation, and research and development are impacting human life.

A1.2 Describe the use of model organisms in biotechnology research and manufacturing.

A1.3 Recognize the role of innovation in creation of emerging biotechnology careers, including those in nanotechnology, biofuels, and forensics.

A1.4 Research and identify public misunderstandings related to biotechnology and discern the source of these misunderstandings.

A1.5 Evaluate the impact of biotechnological applications on both developing and industrial societies, including legal and judicial practices.

A1.6 Explore and outline the various science and non-science fields and careers associated with biotechnology.

A2.0 Understand the ethical, moral, legal, and cultural issues related to the use of biotechnology research and product development.

A2.1 Know the relationship between morality and ethics in the development of biotechnology health care products.

A2.2 Know the difference between personal, professional, and organizational ethics.

A2.3 Understand the necessity for accurate documentation and record keeping.

- A2.4 Understand the critical need for ethical policies and procedures for institutions engaged in biotechnology research and product development.
  - A2.5 Describe the dilemma of health care costs related to advancements in biotechnology and public access to treatments.
  - A2.6 Prepare a presentation comparing the benefits and harm that can be the result of biotechnology innovations in both the research and application phases and which course of action will result in the best outcomes.
- 
- A3.0 Demonstrate competencies in the fundamentals of molecular cell biology, including deoxyribonucleic acid (DNA) and proteins and standard techniques for their purification and manipulation.
    - A3.1 Define and describe the structure and function of DNA ribonucleic acid (RNA) and proteins, explain the consequences of DNA mutations on proteins.
    - A3.2 Describe enzyme structure and function, diagram the impact of enzymes and catalysis on reaction rates, and recognize the emerging role of enzymes in replacing industrial chemicals.
    - A3.3 Employ standard techniques of DNA extraction, purification, restriction digests, bacterial cell culture, and agarose gel electrophoresis and document and evaluate results.
    - A3.4 Employ standard protein techniques, including antibody production, enzyme assays, spectrophotometry, gel electrophoresis, and chromatography and document and evaluate results.
    - A3.5 Predict outcomes of DNA and protein separation protocols.
  - A4.0 Recognize basic concepts in cell biology and become familiar with the laboratory tools used for their analysis.
    - A4.1 List and describe the structure and function of cellular organelle.
    - A4.2 Describe conditions that promote cell growth under aseptic conditions in the laboratory and workplace.
    - A4.3 Use various methods to monitor the growth of cell cultures.
    - A4.4 Explain the basic concepts of cell growth and reproduction, DNA replication, mitosis, meiosis, and protein synthesis.
    - A4.5 Discuss the structure and function of the macromolecules that compose cells, including carbohydrates, lipids, DNA, RNA, and protein molecules.
    - A4.6 Distinguish between prokaryotic cells, eukaryotic cells, and viruses.
    - A4.7 Conduct indicator tests for the common macromolecules of the cell.
  - A5.0 Integrate computer skills into program components.
    - A5.1 Use the Internet and World Wide Web to collect and share scientific information.
    - A5.2 Use a variety of methods, including literature searches in libraries, computer databases, and online for gathering background information, making observations, and collecting and organizing data.
    - A5.3 Compile labs (results, tables, graphs) in a legal scientific notebook and/or an Internet site or Web page.
  - A6.0 Implement use of the metric system, orders of magnitude, and the pH scale in preparation of reagents, analysis of data, and graphing.
    - A6.1 Apply knowledge of symbols, algebra, and statistics to graphical data presentation.
    - A6.2 Prepare solutions based on both percent and weight composition to demonstrate proficiency in use of mechanical and digital microbalances.
    - A6.3 Calculate and prepare solutions of various molarity; calculate and prepare buffers of various pH; and prepare serial dilutions.
    - A6.4 Create data tables and graphs using Excel for the purpose of collecting and analyzing data.



A7.0 Understand the function of regulatory agencies for the biotechnology industry and the lasting impact of routine laboratory and communication practices on product development and manufacturing.

A7.1 Identify agencies at the local, state, and federal levels.

A7.2 Be aware of the role of agencies in promoting patient safety, quality control, and entrepreneurship.

A7.3 Describe intellectual property.

A7.4 Understand a patent and use online resources to search a patent database.

A7.5 Demonstrate accurate record keeping and follow good laboratory practice (GLP) for lab notebooks.

A7.6 Articulate issues of ethical concern, including plagiarism, copyrights, trademarks, and patents and use online data resources and searchable databases to investigate a copyright, trademark, or patent.

A8.0 Follow sustainable and safe practices with high regard for quality control.

A8.1 Follow written protocols and oral directions to perform a variety of laboratory and technical tasks.

A8.2 Recognize laboratory safety hazards using safe practices to avoid accidents.

A8.3 Locate and use Material Safety Data Sheets (MSDS).

A8.4 Outline the appropriate responses to a laboratory accident including identification of location and use of emergency equipment.

A8.5 Practice laboratory and personal safety including the location and use of emergency equipment (personal protective equipment, no food or drink, no open-toe shoes).

A8.6 Properly and safely use and monitor a variety of scientific equipment, including pH meters, microscopes, spectrophotometers, pipets, micropipets, and balances.

A8.7 Determine which equipment is appropriate to use for a given task and the units of measurement used.

A8.8 Perform specimen collection, label samples, and prepare samples for testing.

A8.9 Handle, transport, and store samples safely.

A9.0 Understand that manufacturing represents inter-connectedness between science and production.

A9.1 Describe the major steps of a product's move through a company's product pipeline.

A9.2 Identify several products obtained through recombinant DNA technology.

A9.3 Outline the steps in production and delivery of a product made through recombinant DNA technology.

A9.4 Cite examples of plant parts or extracts used as pharmaceuticals.

A9.5 Use the Internet to find information about traditional pharmaceuticals, herbal remedies, and recombinant pharmaceuticals.

A9.6 Evaluate the impact of robotics and automation on aseptic processes.

A9.7 Design a flow chart describing the steps for creating a new drug from hypothesis to distribution.

## **B. Patient Care Pathway**

The standards for the Patient Care pathway apply to occupations or functions involved in the prevention, treatment, and management of illness and the preservation of mental and physical well-being through the services offered by the medical and allied health professions. The standards specify the knowledge and skills needed by professional and technical personnel pursuing careers in this pathway.

B1.0 Recognize the integrated systems approach to health care delivery services: prevention, diagnosis, pathology, and treatment

- B1.1 Know relationship and use of an integrated health care delivery system.
  - B1.2 Understand the range between prevention, diagnosis, pathology, and treatment procedures.
  - B1.3 Understand the significance of nontraditional approaches to health care in relationship to delivery systems.
  - B1.4 Illustrate the value of preventive and early intervention in relationship to health care practices.
  - B1.5 Describe the importance of reimbursement systems in relationship to the delivery of patient care.
- 
- B2.0 Understand the basic structure and function of the human body and relate normal function to common disorders.
    - B2.1 Know basic human body structure and function in relationship to specific care between prevention, diagnosis, pathology, and treatment.
    - B2.2 Describe basic stages of growth and development.
    - B2.3 Recognize common disease and disorders of the human body.
    - B2.4 Compare normal function of the human body to the diagnosis and treatment of disease and disorders.
- 
- B3.0 Know how to apply mathematical computations used in health care delivery system.
    - B3.1 Apply mathematical computations related to health care procedures (metric and household, conversions and measurements).
    - B3.2 Analyze diagrams, charts, graphs, and tables to interpret health care results.
    - B3.3 Record time using the 24-hour clock.
- 
- B4.0 Recognize and practice components of an intake assessment relevant to patient care.
    - B4.1 Conduct basic interview to acquire new knowledge (e.g., medical and family histories).
    - B4.2 Identify and summarize major life events as they impact health care practices and patient outcomes.
    - B4.3 Observe patient actions, interests, and behaviors while documenting responses.
    - B4.4 Collect and synthesize information or data about the patient's symptoms and vital signs.
    - B4.5 Evaluate information gathered and connect patient data to appropriate system of care.
- 
- B5.0 Know the definition, spelling, pronunciation, and use of appropriate terminology in the health care setting.
    - B5.1 Use medical terminology in patient care appropriate to communicate information and observations.
    - B5.2 Accurately spell and define occupationally specific terms related to health care.
    - B5.3 Use roots, prefixes, and suffixes to communicate information.
    - B5.4 Use medical abbreviations to communicate information.
    - B5.5 Know the basic structure of medical terms.
    - B5.6 Demonstrate the correct pronunciation of medical terms.
    - B5.7 Practice word building medical terminology skills.
- 
- B6.0 Communicate procedures and goals to patients using various communication strategies to respond to questions and concerns.
    - B6.1 Observe and document the ability of patients to comprehend and understand procedures and determine how to adjust communication techniques.
    - B6.2 Use active listening skills (e.g., reflection, restatement, and clarification) and communication techniques to gather information from the patient.
    - B6.3 Formulate appropriate responses to address the patients concerns and questions in a positive manner.

- B6.4 Employ sensitivity and withhold bias when communicating with patients.
  - B6.5 Report patient's progress and response to treatment goals.
  - B6.6 Maintain written guidelines of the Health Insurance Portability and Accountability Act (HIPAA) in all communications.
- B7.0 Apply observation techniques to detect changes in the health status of patients.
- B7.1 Demonstrate observation techniques.
  - B7.2 Differentiate between normal and abnormal patient health status.
  - B7.3 Document the patient findings and report information appropriately.
  - B7.4 Plan basic care procedures within the scope of practice to assist with patient comfort.
- B8.0 Demonstrate the principles of body mechanics as they apply to the positioning, transferring, and transporting of patients.
- B8.1 Explain the principles of body mechanics.
  - B8.2 Determine appropriate equipment for transportation and transfer, including the modification of equipment and techniques to accommodate the health status of the patient.
  - B8.3 Demonstrate appropriate transport and transfer methods to accommodate the health status of the patient.
  - B8.4 Evaluate equipment for possible hazards.
  - B8.5 Integrate proper body mechanics, ergonomics, safety equipment, and techniques to prevent personal injury to patients and clients.
- B9.0 Implement wellness strategies for the prevention of injury and disease.
- B9.1 Know and implement practices to prevent injury and protect health for self and others.
  - B9.2 Determine effective health and wellness routines for health care workers (i.e., stress management, hygiene, diet, rest, and drug use).
  - B9.3 Identify practices to prevent injuries and protect health, for self and others (i.e., seatbelts, helmets, and body mechanics).
  - B9.4 Know how to access available wellness services (i.e., screening, exams, and immunizations).
  - B9.5 Identify alternative/complementary health practices as used for injury and disease prevention.
  - B9.6 Explore consequences of not utilizing available wellness services and behaviors that prevent injury and illness.
- B10.0 Comply with protocols and preventative health practices necessary to maintain a safe and healthy environment for patients, health care workers, coworkers, and self within the health care setting.
- B10.1 Describe the infection control cycle with consideration of the various types of microorganisms.
  - B10.2 Demonstrate use of facility policies and procedures of infection control while performing patient care.
  - B10.3 Evaluate potential causes and methods of transmitting infections and how to apply standard precautionary guidelines.
  - B10.4 Demonstrate the use of appropriate personal protective equipment (PPE).
  - B10.5 Practice proper hand hygiene.
  - B10.6 Use various manual and mechanical decontamination and sterilization techniques and procedures.
  - B10.7 Document and analyze sanitation and infection control procedures.
  - B11.0 Comply with hazardous waste disposal policies and procedures, including documentation, to ensure that regulated waste is handled, packaged, stored, and disposed of in accordance with federal, state, and local regulations.
  - B11.1 Describe basic emergency procedures used to respond to a hazardous spill.
  - B11.2 Explain how waste is handled, packaged, stored, and disposed of in accordance with federal, state, and local regulations including hazardous chemicals, biohazards, and radioactive materials.

- B11.3 Adhere to the health care setting's waste management program (e.g., recycling and reduction of regulated medical, solid, hazardous, chemical, and radioactive waste materials).
  - B11.4 Apply protective practices and procedure for airborne and blood-borne pathogens for equipment and facilities and identify unsafe conditions for corrective action.
- B12.0 Adhere to the roles and responsibilities, within the scope of practice, that contribute to the design and implementation of treatment planning.
- B12.1 Understand scope of practice and related skills within prevention, diagnosis, pathology, and treatment occupations.
  - B12.2 Describe the various roles and responsibilities of health care workers as team members in an integrated health care delivery system
  - B12.3 Demonstrate the knowledge and delivery of specific skills and procedures as outlined within the scope of practice appropriate for patient care in prevention, diagnosis, pathology, and treatment.
  - B12.4 Follow appropriate guidelines for implementation of various procedures.
- B13.0 Research factors that define cultural differences between and among different ethnic, racial, and cultural groups and special populations.
- B13.1 Utilize culturally appropriate community resources.
  - B13.2 Recognize complementary and alternative medicine as practiced within various cultures.
  - B13.3 Develop ethnographic skills, by location and information retrieval, carefully observe social behavior, and manage stress and time.
  - B13.4 Ask questions and explore aspects of global significance.
  - B13.5 Analyze data using relevant concepts.
  - B13.6 Know when and how to incorporate trained interpreters to facilitate communication and improve patient outcomes.

### C. Health Care Administrative Services Pathway

- Health care administrative workers include site administrators, managers, attorneys, receptionists, secretaries, billing and coding specialists, health informatics technicians, accountants, managers, and other knowledge workers that support the process of patient care. Health care administrative workers are the invisible backbone of health care; without appropriately skilled workers in these fields, health care systems simply could not function.
- C1.0 Understand health care systems as the organization of people, institutions, funding, and resources as well as the broad scope of operations in which health care services are delivered to meet the health needs of target populations.
- C1.1 Understand the specific roles and responsibilities of health care workers, including the health care administrative role of leadership for individuals and the organization within a variety of health care delivery systems.
  - C1.2 Recognize the resources necessary for a health system (e.g., financial, health informatics, diagnostic equipment, pharmaceuticals, and other therapeutic resources).
  - C1.3 Recognize the different general methods of funding health care (e.g., out-of-pocket payments, health insurance, government funding, charities).
  - C1.4 Recognize major specific payment systems (e.g., Medicare, Medicaid, Workers Compensation).
  - C1.5 Recognize the varied vital roles that health care administrative workers serve in the health care process.
  - C1.6 Understand the full process of health care delivery (e.g., from patient illness or injury to recovery).
  - C1.7 Understand common U.S. models for structuring health care funding (e.g., Health Maintenance Organizations [HMOs], Preferred Provider Organization [PPOs], Managed Care Organization [MCOs], and Independent Physician Association [IPAs]).
  - C1.8 Diagram a selected health care organization.



- C2.0 Understand the various health care provider and support roles in patient care as an integrated, comprehensive health care system, to offer the very best options for treatment of patients.
  - C2.1 Recognize health care identifiers (e.g., National Provider Indicator [NPI], Drug Enforcement Administration [DEA] numbers, and Clinical Laboratory Improvement Amendments [CLIA] numbers).
  - C2.2 Describe common medical record documentation formats (e.g., Subjective, Objective, Assessment, and Plan [SOAP] notes, admission notes).
  - C2.3 Understand the major forms of health care interventions (e.g., preventive, curative, palliative).
  - C2.4 Understand the difference between different patient care provider and support roles (e.g., health care administrator, clinical data specialist, health informatics technician, and billing and coding specialist).
- C3.0 Understand the overarching concepts of economic and financial management systems, system and information management, and the latest innovations in health care as they affect health care delivery.
  - C3.1 Understand the basics of business principles, systems thinking, and business management.
  - C3.2 Understand operational planning and management tools for performance and quality improvement.
  - C3.3 Understand development of financial statements, statement generation, reimbursement systems, costing process, measurement, and control.
  - C3.4 Execute financial mathematics, e.g., time value of money calculations, capital budgeting, return on investment, and project risk analyses.
  - C3.5 Perform differential reimbursement calculations by payers (e.g., Medicare/Medicaid, self-pay, managed care) and describe the major principles of health insurance.
  - C3.6 Understand and explain economic evaluation (e.g., cost benefit/cost effectiveness analysis).
- C4.0 Know the role and relationship of public policies and community engagement on the health care delivery system.
  - C4.1 Understand community needs and values and the role of external relations (e.g., demographic/population contexts for development and management of health care services).
  - C4.2 Comprehend and explain the legal and regulatory environment for health services.
  - C4.3 Recognize and explain quantity of health care services.
  - C4.4 Analyze public policy context and choices relating to specific health care delivery systems.
- C5.0 Understand and maintain standards of excellence, professional, ethical, and moral conduct required in management of personnel and policy within the health care delivery system.
  - C5.1 Understand the alignment of personal and organizational conduct management with ethical and professional standards.
  - C5.2 Know the organizational responsibility to the patient and community and a commitment to lifelong learning and improvement.
  - C5.3 Practice the philosophy of respect for life and the need for a balance of benefit over harm resulting from any intervention.
- C6.0 Understand the dynamics of human relations, self-management, organizational, and professional leadership skills necessary within the health care administrative system.
  - C6.1 Identify leadership skills and explain their value to an organization.
  - C6.2 Understand image building and public relations techniques.
  - C6.3 Know and assess decision-making skills.

- C6.4 Demonstrate effective teamwork and critical analysis applying conflict-resolution techniques.
  - C6.5 Examine the value of leadership skills, self-initiation, and confidence through personal reflection.
  - C6.6 Demonstrate parliamentary procedure skills through team activities.
  - C6.7 Describe human resource management and its importance to the successful operation of an organization.
- C7.0 Follow the model of medical safety practices and processes that can help prevent system medication errors and understand the consequences of mistakes.
    - C7.1 Recognize the major consequences mistakes in health care may cause (e.g., deaths, lawsuits).
    - C7.2 Recognize the critical nature of accurate and complete documentation (e.g., medical allergies, conflicting prescriptions).
    - C7.3 Identify patients accurately using appropriate strategies (e.g., continual verification).
    - C7.4 Delineate the process for assessing information required by patients, staff, and the community to determine the best course of action.
- C8.0 Understand the resources, routes and flow of information within the health care system and participate in the design and implementation of effective systems or processes.
    - C8.1 Describe an effective health care information system, including resources, routes, and flow of information.
    - C8.2 Enter information within the parameters of the information system. (e.g., entering appropriate data types in the appropriate fields).
    - C8.3 Follow security guidelines to protect patient data.
    - C8.4 Evaluate the effectiveness of health information systems and determine improvement strategies.
- C9.0 Use an electronic health care patient information system to optimize the acquisition, storage, retrieval, and use of information in health and biomedicine.
    - C9.1 File records using various methodologies (e.g., alphabetically, by patient record number).
    - C9.2 Enter information within the parameters of the information system. (e.g., entering appropriate data types in the appropriate fields).
    - C9.3 Archive and purge documents following policies and regulatory guidelines.
    - C9.4 Compose a rationale that compares and contrasts the relative advantages and disadvantages of paper versus electronic records.
    - C9.5 Distinguish which type of documents must have hard copies retained, and which may be stored only in digital form.
- C10.0 Understand common file formats for document and medical imaging, digitizing paper records, and storing medical images.
    - C10.1 Understand basic document and medical imaging concepts (e.g., resolution, color-depth, compression).
    - C10.2 Understand common file formats for document and medical imaging (e.g., tagged image file format [TIFF], joint photographic experts group [JPEG], 2000).
    - C10.3 Demonstrate how to scan paper records.
    - C10.4 Calculate the approximate storage needs for digitized records and images.
    - C10.5 Attach digitized records and medical images to patient records.
- C11.0 Know how to schedule and manage appointments for providers.
    - C11.1 Understand prioritizing methods (e.g., first-come, first-served; emergency appointments; types of procedures).
    - C11.2 Recognize the logistical challenges of appointments (e.g., quality of care versus cost of care).
    - C11.3 Manage provider general schedules (e.g., what days and times providers are available).
    - C11.4 Understand how to schedule patient appointments for providers.

C11.5 Explain how to communicate the status of an appointment to the provider.

C12.0 Understand how to use health information effectively.

C12.1 Recognize the major uses of health information (e.g., patient care, billing, research).

C12.2 Determine which data components are necessary for the successful completion of tasks.

C12.3 Formulate and report information clearly and concisely.

C12.4 Disseminate information to various audiences.

C13.0 Understand the need to communicate health/medical information accurately and within legal/ regulatory bounds across the organization.

C13.1 Determine which communication methods patients have approved (e.g., e-mail, phone, voicemails).

C13.2 Determine who has been approved for receiving patient communications beyond the patient (e.g., family members, lawyers).

C13.3 Communicate with patients compassionately, accurately, and effectively.

C13.4 Use information technology for mass communications (e.g., mail merge, e-mail, auto-dialers).

C14.0 Understand how to transfer information to third-parties.

C14.1 Recognize the types of third parties that may need patient information (e.g., specialists, pharmacies, insurance companies).

C14.2 Understand the laws and regulations regarding the transfer of information to a third party (e.g., when a company is a covered entity, when a business agreement is required).

C14.3 Use various technologies to transmit information securely (e.g., fax, electronic and postal mail).

C15.0 Code health information and bill payers using industry standard methods of classification of diseases, current procedural terminology, and common health care procedure coding system.

C15.1 Understand the basic concepts of accrual-based accounting (e.g., accounts payable, accounts receivable, credits, debits).

C15.2 Understand medical record documentation (e.g., chart notes, injections, medications, lab reports).

C15.3 Synthesize required information from a medical record and other medical documents for a variety of purposes upon regulatory or legal request.

C15.4 Translate code services (e.g., diagnostic procedures, surgeries) using industry standard methods (e.g., International Classification of Diseases-ninth Ed. [ICD-9], Current Procedural Terminology-fourth Ed. [CPT-4], Healthcare Common Procedure Coding System [HCPCS]).

C15.5 Demonstrate how to bill third-party payers (e.g., insurance companies, Medicare).

C15.6 Receive and process information from third-party payers (e.g., Explanation of Benefits [EOB], Remittance Advice).

C15.7 Audit and analyze coding done by others to determine proper billing.

C16.0 Use a systematic method of continual process improvement.

C16.1 Learn new knowledge and skills regularly (e.g., on-the-job-training [OJT], continuing education).

C16.2 Discover new knowledge through primary research methodologies (e.g., experiments, surveys, data analysis).

## D. Health Care Operational Support Services Pathway

The standards for the Operational Support Services pathway apply to occupations or job functions necessary to provide an environment and support systems for the delivery of health care. Careers could include central supply, facility maintenance, food services, interior decorating, housekeeping, biomedical engineering, epidemiology, social worker, biomedical technician and others.

- D1.0 Describe the process for monitoring clients' expectations by using plans to promote satisfaction and measurement tools to ensure sufficiency of products and delivery of services.
- D1.1 Understand the responsibilities of their roles and perform their tasks safely by using appropriate guidelines.
  - D1.2 Know how to provide support to standardization, consolidation, and re-engineering processes.
  - D1.3 Explain the importance of coordinating intradepartmental activities, including event planning and logistics, with outside agencies and contractors.
  - D1.4 Evaluate and determine a process operational systems improvement.
- D2.0 Assess basic operating procedures of support services.
- D2.1 Identify activities that require coordination between various departments.
  - D2.2 Implement purchasing and procurement techniques.
  - D2.3 Develop a preventative maintenance program for equipment and services.
  - D2.4 Explain staffing needs and productivity.
  - D2.5 Develop reporting mechanisms for measuring productivity.
  - D2.6 Investigate systems and procedures that minimize customer cost of ordering, and storing and using supplies, services, and equipment.
  - D2.7 Integrate infection control standards with design and construction activities.
  - D2.8 Discuss the relationships among organization structures, policies, procedures, and quality assurance.
- D3.0 Comply with legal regulations and facility standards for design, construction, maintenance, and improvement of health care facilities and environments.
- D3.1 Recognize physical, procedural, and electronic barriers.
  - D3.2 Describe the process for evaluating compliance with corporate, legal, regulatory, and accreditation standards, ethics, and codes.
  - D3.3 Adhere to the federal, state, and local regulations that apply to accreditation, design, and construction of a health care facility.
  - D3.4 Use appropriate action to maintain a facility in good repair (e.g., report, make recommendations, or repair).
  - D3.5 Analyze the therapeutic and functional aspects of color, decor, and furnishings as well as the process for coordinating facility furnishings and finishes in accordance with appropriate safety codes.
  - D3.6 Evaluate how risk management can apply to support services functions.
- D4.0 Comply with protocols and practices necessary to maintain a clean and healthy work environment.
- D4.1 Demonstrate the use of appropriate personal protective equipment (PPE).
  - D4.2 Practice proper hand hygiene.
  - D4.3 Use various manual and mechanical decontamination and sterilization techniques and procedures.
  - D4.4 Evaluate potential causes and methods of transmitting infections and how to apply standard precautionary guidelines.
  - D4.5 Document and analyze sanitation and infection control procedures.
  - D4.6 Describe the care needed when handling chemicals.
  - D4.7 Describe basic emergency procedures used to respond to a hazardous spill.
  - D4.8 Explain how waste is handled, packaged, stored, and disposed of in accordance with federal, state, and local regulations, including hazardous chemicals, biohazards, and radioactive materials.



- D4.9 Comply with hazardous waste disposal policies and procedures, including documentation, to ensure that regulated waste is handled, packaged, stored, and disposed of in accordance with federal, state, and local regulations.
  - D4.10 Implement a waste management program, including the recycling and reduction of regulated medical, solid, hazardous, chemical, and radioactive waste materials.
  - D4.11 Demonstrate protection from blood-borne pathogens and identify unsafe conditions for corrective action.
- D5.0 Use principles and techniques of resource management to make appropriate decisions.
    - D5.1 Identify components of a comprehensive training program for health care employees, including safety, infection control, handling of hazardous materials, and use of equipment.
    - D5.2 Follow procedures and processes for the selection, acquisition, distribution, and maintenance of equipment and understand preventive maintenance for buildings and equipment.
    - D5.3 Demonstrate the process for developing inventory-reduction targets to achieve the financial goals of health care organizations.
    - D5.4 Use distribution strategies and systems to ensure the optimal flow of materials.
    - D5.5 Understand a department's labor distribution reports to ensure the proper allocation of resources for projects and operations.
    - D5.6 Evaluate competitive pricing, terms, and service levels to support product recommendations.
  - D6.0 Collect and distribute essential patient information to appropriate team members.
    - D6.1 Recognize and report unusual or unsafe environmental conditions.
    - D6.2 Recognize ethical conflicts related to assessment practices (e.g., labeling, confidentiality).
    - D6.3 Document actions according to the facility's protocol and regulatory guidelines.
    - D6.4 Maintain confidentiality according to the facility's protocol as well as the Health Insurance Portability and Accountability Act (HIPAA).
  - D7.0 Assess and maintain materials for quality management.
    - D7.1 Describe risk management strategies.
    - D7.2 Describe the use of calibration.
    - D7.3 Use appropriate inventory and control systems to purchase materials, supplies, and capital equipment.
    - D7.4 Perform quality control activities using manuals and following directions appropriately.
    - D7.5 Maintain equipment (e.g., imaging, laboratory).
    - D7.6 Send, receive, and distribute material for services.
    - D7.7 Organize inventory, purchase orders, and products.
    - D7.8 Inspect facilities to ensure compliance with standards, regulations, and codes.
    - D7.9 Assess procedures and processes to select, acquire, and maintain inventory.
    - D7.10 Evaluate cost effectiveness of alternative methods for inventory control.
    - D7.11 Discuss policies and procedures to monitor, distribute, and consume materials.
  - D8.0 Demonstrate handling and storage of materials, supplies, and equipment.
    - D8.1 Describe and implement a program to purchase materials, supplies, and capital equipment with allocated resources.
    - D8.2 Use appropriate safety equipment.
    - D8.3 Explain inventory control.
    - D8.4 Demonstrate appropriate inventory control systems (e.g., distribution, consumption, intentional loss of materials or supplies).

D8.5 Demonstrate proper care in handling and storage of sterile and non-sterile items.

## **E. Public and Community Health Pathway**

The standards for the Public and Community Health pathway apply to occupations or functions involved primarily in environmental health, community health and health education, epidemiology, disaster management, and geriatrics. The standards specify the knowledge and skills needed by professionals pursuing careers in this pathway.

E1.0 Understand the context and scope of public health on improving health and quality of life in personal, community, and the global population.

E1.1 Understand written text about the history, philosophy, services, and careers in public health.

E1.2 Describe the environmental, behavioral, biological, and socio-economic factors as well as access, quality, intervention and cost of medical care that are central to communities and the population.

E1.3 Identify the roles and responsibilities of public health in addressing populations, health disparity, and disaster prevention and management.

E1.4 Explain how public health can utilize health information and health communications to improve the health of populations.

E1.5 Explain how public health can utilize social and behavioral interventions to improve the health of populations.

E1.6 Explain how public health can utilize health policy and law to improve the health of populations.

E1.7 Explain how public health assesses the options for intervention to improve the health of a population.

E1.8 Explain the impact of the environment and communicable diseases on the health of populations.

E1.9 Compare the scope of current public health policies with past practices.

E1.10 Defend health decisions, individual rights, and social responsibilities.

E2.0 Design, promote, and implement community health programs which result in health-positive behaviors among all individuals, families, groups in a community, and the global environment.

E2.1 Know public policies that have an impact on people's health.

E2.2 Identify and document factors influencing people's health status through a strong grounding in social and behavioral theory.

E2.3 Understand various strategies to improve the health status of individuals and the community.

E2.4 Understand the many health disparities barriers to access among underserved communities.

E2.5 Develop specific competencies for work in underserved and/or linguistically isolated communities.

E2.6 Demonstrate competency in working with diverse cultures and communities.

E2.7 Demonstrate ways in which enhancing and maintaining personal health and well-being are established.

E2.8 Explain fiscal and organizational resources to ensure optimal health programs and service delivery in communities.

E2.9 Expand health knowledge to provide information and referrals and advocacy on a range of health topics more effectively.

E2.10 Conduct outreach and health education at community sites with various cultural groups.

E2.11 Evaluate the process and outcome of community-based health education programs.

E2.12 Research the social, cultural, and behavioral factors influencing health outcomes.

E3.0 Examine gerontology and its social implications using a life-span perspective that focuses on older adults' needs/concerns along life's continuum in various environments.

E3.1 Understand how the demographics of the older population affect various aspects of our society.

- E3.2 Recognize the contributions that aging persons make to their communities.
- E3.3 Define the life course perspective and describe how age, gender, race, and ethnicity influence the life course.
- E3.4 Identify a range of available services for elders in most communities.
- E3.5 Understand health disparities among older adults and their impact on society.
- E3.6 Understand the role of service providers and the use of community recreation and health services in their involvement with older persons.
- E3.7 Understand common threats to loss of independence: falls, medication management, and lifestyle.
- E3.8 Advocate for technology to enhance older adults' function, independence, and safety.
- E3.9 Assess how policies, regulations, and programs differentially impact older adults and their caregivers, particularly among historically disadvantaged populations.
- E3.10 Differentiate between normal changes in functioning due to aging and pathological changes leading to disease.
- E3.11 Analyze the impact of an aging society on the nation's health care system.
- E4.0 Promote the protection, sustainability, and enhancement of the overall environmental quality of life.
  - E4.1 Identify the various environmental factors that affect a community's health and safety such as water quality, air quality, food supply, industrial hygiene, and solid and hazardous waste disposal.
  - E4.2 Identify human health hazards that may cause sickness or impaired health/well-being.
  - E4.3 Identify the carriers or vectors that promote the transfer of these agents from the environment to the human.
  - E4.4 Interpret the principles of environmental health practices.
  - E4.5 Summarize health conditions that are caused or aggravated by environmental conditions.
  - E4.6 Discuss emerging global environmental health problems.
  - E4.7 Analyze current legislation and regulation regarding environmental issues.
  - E4.8 Explore approaches to control major environmental health problems.
- E5.0 Predict and evaluate rates, risk factors, and health status indicators of morbidity and mortality, disease determinants, and causation.
  - E5.1 Describe the historical roots of epidemiological thinking and its contribution to the evolution of the scientific method.
  - E5.2 Describe the basic epidemiological concepts of rates, causation, and public health surveillance.
  - E5.3 Generate hypotheses of patterns of disease and injuries regarding person, place, and time.
  - E5.4 Research data regarding disease or injuries, including rates, risk factors, disease determinants, and causation of morbidity and mortality.
  - E5.5 Explore the effects of disease, injury, and violence on longevity and quality of life.
  - E5.6 Evaluate methods to prevent, detect, cure, and minimize disease, injury, and violence in the population.
- E6.0 Integrate knowledge and skills necessary as a member of a Community Emergency Response Team (CERT) to demonstrate the response required to meet your community's immediate needs in emergencies or disasters.
  - E6.1 Describe the roles and responsibilities of a member of a Community Emergency Response Team (CERT) in immediate response.
  - E6.2 Describe potential hazards and their effect on the community.
  - E6.3 Describe prevention strategies in homes, workplaces, and communities.
  - E6.4 Identify planning and size-up requirements for potential search and rescue situations.
  - E6.5 Explain how the community has a role in disaster preparedness and response.
  - E6.6 Demonstrate preparation strategies to improve the quality of life for a person or community.
  - E6.7 Employ basic assessment, triage, and treatment as defined by CERT protocols under simulated disaster conditions.

- E6.8 Demonstrate working as a team, applying safe techniques for debris removal, and victim extrication.
- E6.9 Describe the post-disaster emotional environment and the steps that rescuers can take to relieve their own stressors and trauma and those of disaster survivors.

## **F. Mental and Behavioral Health Pathway**

The standards for mental and behavioral health relate to occupations that assist clients on their journey toward better health. Collaborating with other departments as members of interdisciplinary teams of mental health professionals, such as psychiatrists, psychologists, registered nurses, and other disciplines, they assist with delivery of appropriate, quality treatment to patients with behavioral health concerns, psychological crises, and other biopsychological problems. Sample occupations associated with this pathway:

F1.0 Recognize and interpret principles of community engagement.

- F1.1 Identify and describe prevention and early intervention barriers to mental health care.
- F1.2 Define the psycho-education approach and describe how it is used as a tool to help consumers and their families learn more about managing their mental illness.
- F1.3 Define the principles of community engagement and how they apply to community-based participatory research.
- F1.4 Use and apply community-based participatory research methods to increase community participation and resources.
- F1.5 Develop and explore basic outreach approaches that can be successful in increasing awareness about mental health services.
- F1.6 Research and organize community resources that promote community wellness.
- F1.7 Advocate community inclusion and social roles such as; supported housing, employment, education, parenting, citizenship, and anti-stigma.

F2.0 Demonstrate the ability to build relationships by communicating empathy.

- F2.1 Describe the elements of active listening.
- F2.2 Demonstrate active listening by connecting new knowledge or experiences with prior knowledge and problem solving.
- F2.3 Differentiate between giving advice and active listening by constructing real-life examples.
- F2.4 Build strong verbal knowledge to frame language in ways that increase engagement.
- F2.5 Recognize complex language semantics and make appropriate adaptations for the community being served.
- F2.6 Build on communication by using motivational interviewing as an engagement tool.

F3.0 Develop and employ collaboration skills that engage others and build trust.

- F3.1 Define collaboration in a mental health context and build on prior knowledge by recalling collaborative experiences.
- F3.2 Employ aspects of collaborative leadership that enhances decision making and consensus building.
- F3.3 Explore and practice collaborative methods for working with special populations to increase their community capacity.
- F3.4 Design innovative strategies to monitor and evaluate engagement.

F4.0 Recognize and differentiate between the stages of mental health recovery.

- F4.1 Define four stages of mental health recovery (hope, empowerment, self-responsibility, and meaningful role in life) and demonstrate impact on complex mental health problems.

- F4.2 Demonstrate the ability to formulate goals related to each of the four stages of recovery using a multiple-step process of goal setting.
  - F4.3 Compare and contrast a psychosocial rehabilitation and recovery model that supports each individual's potential for recovery verses a medical model that views abnormal behavior as the result of physical problems and should be treated medically.
  - F4.4 Integrate and apply four stages of recovery by designing a recovery plan based on goals that require real-world scenarios.
  - F4.5 Assess the implementation of the recovery plan and formulate alternative approaches to reach desired outcomes.
  - F4.6 Advocate for hope and respect, and believe that all individuals have the capacity for learning and growth.
  - F4.7 Examine ways in which one's recovery from mental illness can be measured.
- F5.0 Communicate and practice leadership and accountability behaviors.
    - F5.1 Identify strategies to work under pressure and cope with stress.
    - F5.2 Develop a basic understanding of various leadership styles that promote positive change in mental health services.
    - F5.3 Compare and contrast different leadership styles and accountability in mental health.
    - F5.4 Construct multiple steps to solve complex problems using real-world scenarios in mental health services.
- F6.0 Analyze and interpret elements of positive psychology (e.g., hope, resilience, strengths, creativity, community building, and supportive spirituality).
    - F6.1 Recall the recovery model and communicate how positive psychology impacts a mental health consumer's recovery.
    - F6.2 Interpret key terms from the positive psychology perspective in relationship to holistic wellness.
    - F6.3 Assess the impact of positive psychology's elements on risk reduction and integrated primary care.
    - F6.4 Build on the discovered strengths and capabilities of individuals.
- F7.0 Formulate and implement quality care and treatment plans.
    - F7.1 Define and describe practices that help individuals improve the quality of all aspects of their lives, including social, occupational, educational, spiritual, and financial.
    - F7.2 Identify and provide evidence for an effective collaborative approach in mental health recovery that is inclusive of the individual in need.
    - F7.3 Practice promoting health and wellness, encouraging individuals to develop and use individualized wellness plans.
    - F7.4 Design a treatment plan that addresses the unique needs of individuals, consistent with their values, hopes and aspirations.
    - F7.5 Adhere to consistent documentation of implemented interventions and progress.
- F8.0 Synthesize, understand, and predict the impact of mental health disparities across consumer populations.
    - F8.1 Define mental health disparities.
    - F8.2 Organize and summarize knowledge on the impact of mental health disparities among different populations.
    - F8.3 Analyze causes for mental health disparities using current research methods and literature.
    - F8.4 Synthesize research articles related to mental health disparities and produce a statement problem on what causes such disparities.
- F9.0 Design a practice model of a personal support network by utilizing prior knowledge of recovery concepts and using natural supports within communities.
    - F9.1 Identify community-based self-help/peer support groups.

- F9.2 Communicate with self-help/peer support groups in the community and generate information about their specific functions and responsibilities to the community they serve.
  - F9.3 Compare and contrast self-help/peer support groups to determine strengths and gaps in service delivery.
  - F9.4 Design a practice self-help/peer support group model that fills in the identified gaps and builds on the identified strengths.
  - F9.5 Examine the role that natural supports such as spiritual organizations, community centers, and other community-related resources play in an individual's mental health recovery.
- F10.0 Formulate an argument and predict how electronic health records can transform quality of care and promote a green economy.
    - F10.1 Access and become familiar with basic electronic health records functions.
    - F10.2 Analyze the effect of electronic health records on the quality of care and a green economy.
    - F10.3 List and describe at least five ways that electronic health records will advance a green economy.
    - F10.4 Distinguish between interoperability at the local primary care level and interoperability with statewide mental health systems in using electronic health records.
- F11.0 Recognize and respect the various cultures of a community and other factors that indicate its diversity in all aspects of communicating, designing, and implementing patient care.
    - F11.1 Identify and understand the patterns of communication including the use of languages.
    - F11.2 Communicate and listen effectively across cultures and all levels of care.
    - F11.3 Demonstrate appropriate judgment on when and how to use trained interpreters.
    - F11.4 Research factors that define cultural differences between and among different ethnic, racial, and special populations.
    - F11.5 Illustrate how to incorporate culturally appropriate community resources.
    - F11.6 Design and execute an ethnographic approach focusing on information retrieval, observing social behavior, managing stress and time, ask questions, explore aspects of global significance, and analyze data using relevant concepts.
- F12.0 Evaluate the purpose and components of a treatment plan related to the consumer's health status.
    - F12.1 Understand the roles of a patient advocate to ensure treatment quality and resources.
    - F12.2 Explain the components of a treatment plan.
    - F12.3 Select appropriate equipment and instruments in accord with the treatment plan.
    - F12.4 Adhere to the roles and responsibilities, within scope of practice, that contribute to the design and implementation of a treatment plan.
    - F12.5 Prioritize and organize work in accordance with the patients' treatment plans.
    - F12.6 Determine the resources available for the effective implementation of treatment plans for patients.
- F13.0 Identify and apply leadership styles in personal growth and development.
    - F13.1 Develop goal setting that leads to professional and career growth.
    - F13.2 Participate in student leadership and skill development activities such as California Health Occupations Students of America (Cal-HOSA).
    - F13.3 Employ self-regulation strategies that include self-monitoring and self-evaluation in approaching new and challenging tasks.
    - F13.4 Build and employ self-confidence to empower self and others.
    - F13.5 Refine and upgrade technical and clinical skills.
    - F13.6 Create and design a working portfolio that will be used for interviews for both post-secondary and employment acceptance.



## Course Outline

| Medical Careers – First Year |  |             |        |  | MCS  | CCSS  |   |  |
|------------------------------|--|-------------|--------|--|--|---|---|--|
| Unit 1                       | Orientation to the Medical Field & Professionalism   |             |        |  |  |   |   |  |
|                              | SLO 1234   | Class Hours | CVE/CC |  | MCS  | CCSS  |   |  |
|                              |  | 10          | N/A    |  |  |   |   |  |
|                              | LEARNING OUTCOMES<br>1.1 Recognize the duties and responsibilities of a medical professional.<br>1.2 Distinguish various organizations related to the medical profession.<br>1.3 Explain the need for and importance of the medical credentials.<br>1.4 Identify the training needed to become a medical professional.<br>1.5 Discuss professional development as it relates to medical field and education.<br>1.6 Discuss healthcare trends and their relationship to medical industry practice.<br>1.7 Identify medical specialties and specialists certified by the American Board of Medical Specialties (ABMS).<br>1.8 Recognize the duties of various allied health professionals and other medical professionals and where they may work.<br>1.9 Compare specialty careers that a medical professional may choose for advancement.<br>1.10 Differentiate professional associations that relate to healthcare and explain their relationship to the medical profession.<br>1.11 Recognize the importance of professionalism in the medical industry.<br>1.12 Explain the professional behaviors that should be exhibited by medical personnel.<br>1.13 Model strategies for success in medical professions education and practice |             |        |  |  |   | B12.1<br>B12.2<br>B12.3<br>C1.0<br>C1.1<br>C1.2<br>C1.5<br>C1.6<br>C1.7<br>C2.0<br>C2.1<br>C2.3<br>C2.4 | ETS2:<br>Links Among Engineering, Technology, Science, and Society |
|                              |  |             |        |  | See attached index   |   |   |  |
| Unit 2                       | Interpersonal Skills and Communication   |             |        |  |  |   |   |  |
|                              | SLO 1234   | Class Hours | CVE/CC |  | MCS  | CCSS  |   |  |
|                              |  | 10          | N/A    |  |  |   |   |  |
|                              | LEARNING OUTCOMES<br>2.1 Identify elements and types of communication.<br>2.2 Relate communication to human behavior and needs.<br>2.3 Categorize positive and negative communication<br>2.4 Model ways to improve listening, interpersonal skills, and assertiveness skills.  |             |        |  | A5.0, A5.1, A5.2,<br>B6.0, B6.1, B6.2, B6.3,<br>B6.4,<br>B6.5, B6.6,<br>C6.0, C6.1, C6.2, C6.3,<br>C6.4, C6.5, C6.6, C6.7, | LS2.D: Social Interactions and Group Behavior |   |  |

|        |   |  |  |          |  |     |   |  |
|--------|---|--|--|----------|--|-----|---|--|
|        | <p>2.5 Carry out therapeutic communication skills.</p> <p>2.6 Use effective communication strategies with patients in special circumstances.</p> <p>2.7 Carry out positive communication with coworkers and management.</p> <p>2.8 Explain the purpose of the telecommunications equipment commonly found in the medical office.</p> <p>2.9 Relate the five Cs of effective communication to telephone communication skills.</p> <p>2.10 Define the following terms involved in making a good impression on the telephone: <i>telephone etiquette, pitch, pronunciation, enunciation, and tone</i>.</p> <p>2.11 Describe how to appropriately handle the different types of calls coming into the medical practice.</p> <p>2.12 Summarize the purpose of the office routing list with regard to call screening.</p> <p>2.13 Carry out the procedure for taking a complete telephone message.</p> <p>2.14 Outline the preparation required prior to making outgoing calls and the skills used in making the phone call.</p> <p>2.15 Explain why well-written documents are important to the image of the medical practice.</p> <p>2.16 Describe the types of document supplies that will be used in a medical office.</p> <p>2.17 Outline the general guidelines to effective writing.</p> <p>2.18 List and explain the purpose of different types of documents used in a medical office.</p> <p>2.19 Explain why it is important to have a signed written consent from the patient for e-mail communications.</p> <p>2.20 Describe the tasks involved in editing and proofreading a document.</p> <p>2.21 Outline the steps for preparing a completed letter for mailing.</p> <p>2.22 Explain the differences among the different types of mail services offered by the USPS.</p> <p>2.23 Describe the steps involved in processing incoming mail.</p> <p>2.24 Implementing communication through internet-based programs</p> |  |  |          | C13.0, C13.1, C13.2, C13.3<br>C13.4, C14.0, C14.1, C14.2, C14.3, F2.0, F2.1, F2.2, F2.3, F2.4, F2.5, E2.0, E2.2, E2.12 |     |   |  |
| Unit 3 | Introduction to Laboratory  |  |  | SLO 1234 | 10   | N/A | MCS   | CCSS   |
|        | LEARNING OUTCOMES   |  |  |          |  |     | A1.0, A1.1, A1.2<br>A3.1, A3.2<br>B1.0, B1.2, B1.4, B9.0, B9.1, B9.2, B9.3, | RSIT 11-12.4. Determine the meaning of words and phrases as they are used in a text, |



|               |   |  |  |            |            |             |
|---------------|---|--|--|------------|------------|-------------|
|               | <p>3.4 Discuss the role of viruses in human disease.</p> <p>3.5 Discuss the role of bacteria in human disease.</p> <p>3.6 Discuss the role of protozoans in human disease.</p> <p>3.7 Discuss the role of fungi in human diseases.</p> <p>3.8 Discuss the role of multicellular parasites in human disease.</p> <p>3.9 Describe the process involved in diagnosing an infection.</p> <p>3.10 Identify general guidelines for obtaining specimens.</p> <p>3.11 Carry out the procedure for transporting specimens to outside laboratories.</p> <p>3.12 Compare two techniques used in the direct examination of culture specimens.</p> <p>3.13 Carry out the procedure for preparing and examining stained specimens.</p> <p>3.14 Carry out the procedure for culturing specimens in the medical office.</p> <p>3.15 Describe the purpose of the physician's office laboratory.</p> <p>3.16 Identify the medical professional's duties in the physician's office laboratory.</p> <p>3.17 Identify important pieces of laboratory equipment.</p> <p>3.18 Illustrate measures to prevent accidents.</p> <p>3.19 Explain the goal of a quality assurance program in a physician's office laboratory.</p> <p>3.20 Carry out communication with patients regarding test preparation and follow-up.</p> <p>3.21 Carry out accurate documentation, including all logs related to quality control.</p> | <p>B9.4, B9.5, B9.6, B10.0, B10.1, B10.2, B10.3, B10.4, B10.5, B10.6, B10.7, B11.0, B11.1, B11.2, B11.3, B11.4, C2.0, C2.1</p>   | <p>including figurative, connotative, and technical meanings; analyze how an author uses and refines the meaning of a key term or terms over the course of a text (e.g., how Madison defines faction in Federalist No. 10). (See Grade 11/12 Language standards 4-6 on page 46 for additional expectations.)</p> |            |            |             |
| <b>Unit 4</b> | <b>Laboratory Safety</b>  | <b>SLO 1234</b>  | <b>10</b>  | <b>N/A</b> | <b>MCS</b> | <b>CCSS</b> |
|               | <p>LEARNING OUTCOMES</p> <p>4.1 Identify OSHA's role in protecting healthcare workers.</p> <p>4.2 Illustrate the cycle of infection and how to break it.</p> <p>4.3 Summarize the Bloodborne Pathogens Standard and Universal Precautions as described in the rules and regulations of the Occupational Safety and Health Administration (OSHA).</p> <p>4.4 Describe how transmission-based precautions supplement standard precautions.</p> <p>4.5 Summarize OSHA's education and training requirements for ambulatory care settings to quality control.</p>   | <p>A8.0, A8.1, A8.2, A8.3, A8.4, A8.5, A8.6, A8.7, A8.8, A8.9, B8.0, B8.1, B8.2, B8.3, B8.4, B8.5, B9.0, B9.1, B9.2, B9.3, B9.4, B9.5, B9.6, B10.0, B10.1, B10.2, B10.3, B10.4, B10.5, B10.6, B10.7, B11.0, B11.1, B11.2, B11.3, B11.4</p> | <p>LS2.D: Social Interactions and Group Behavior</p>   |            |            |             |

| <b>Unit 5</b> | <b>Law and Ethics</b>  |                 |           |            | <b>CCSS</b>   |
|---------------|--|-----------------|-----------|------------|---|
|               |  | <b>SLO 1234</b> | <b>10</b> | <b>N/A</b> |   |
|               | <p>LEARNING OUTCOMES</p> <p>5.1 Differentiate between laws and ethics.</p> <p>5.2 Identify the responsibilities of the patient and physician in a physician-patient contract, including the components for informed consent that must be understood by the patient.</p> <p>5.3 Describe the four Ds of negligence required to prove malpractice and explain the four Cs of malpractice prevention.</p> <p>5.4 Relate the term <i>credentialing</i> and explain the importance of the FDA and DEA to administrative procedures performed by medical professionals.</p> <p>5.5 Summarize the purpose of the following federal healthcare regulations: HCQIA, False Claims Act, OSHA, and HIPAA.</p> <p>5.6 Identify the six principles for preventing improper release of information from the medical office.</p> <p>5.7 Discuss the importance of ethics in the medical office.</p> <p>5.8 Explain the differences among the practice management models.</p> |                 |           |            | <p><b>MCS</b></p> <p>A2.0, A2.1, A2.2, A2.3, A2.4, A2.5, A2.6, B6.0, B6.6<br/>C13.0, C13.1, C13.2, C13.3,<br/>C14.0, C14.2, C14.3<br/>D3.0, D3.1, D3.2, D3.3, D3.4, D3.5, D3.6</p> <p><b>CCSS</b></p> <p>RSIT 11-12.4. Determine the meaning of words and phrases as they are used in a text, including figurative, connotative, and technical meanings; analyze how an author uses and refines the meaning of a key term or terms over the course of a text<br/>(e.g., how Madison defines faction in Federalist No. 10). (See Grade 11/12 Language standards 4-6 on page 46 for additional expectations.)</p>   |
| <b>Unit 6</b> | <b>Health and Medical Records</b>  |                 |           |            | <b>CCSS</b>   |
|               |  | <b>SLO 1234</b> | <b>10</b> | <b>N/A</b> |   |
|               | <p>LEARNING OUTCOMES</p> <p>6.1 Explain the importance of patient medical records.</p> <p>6.2 Identify the documents that constitute a patient medical record.</p> <p>6.3 Compare SOMR, POMR, SOAP, and CHEDDAR medical record formats.</p> <p>6.4 Recall the six Cs of charting, giving an example of each.</p> <p>6.5 Describe the need for neatness, timeliness, accuracy, and professional tone in patient records.</p> <p>6.6 Illustrate the correct procedure for correcting and updating a medical record.</p> <p>6.7 Describe the steps in responding to a written request for release of medical records.</p> <p>6.8 List four medical mistakes that will be greatly decreased through the use of EHR.</p> <p>6.9 Differentiate among electronic medical records, electronic health records, and personal health records.</p> <p>6.10 Explain the concept of meaningful use, identifying at least two of its</p>                                    |                 |           |            | <p><b>MCS</b></p> <p>A5.0, A5.1, A5.2, A5.3, B1.0, B1.1, B1.2, B1.3, B1.4, B1.5<br/>B4.0, B4.1, B4.2, B4.3, B4.4, B4.5,<br/>B5.0, B5.1, B5.2, B5.3, B5.4, B5.5, B5.6, B5.7, B6.0, B6.1, B6.2, B6.3, B6.4, B6.5, B6.6,<br/>B7.0, B7.1, B7.2, B7.3, B7.4,<br/>B8.0, B8.1, B8.2, B8.3, B8.4, B8.5,<br/>B9.0, B9.1, B9.2, B9.3, B9.4, B9.5, B9.6,<br/>C1.0, C1.1, C1.2, C1.3,</p> <p><b>CCSS</b></p> <p>RSIT 11-12.4. Determine the meaning of words and phrases as they are used in a text, including figurative, connotative, and technical meanings; analyze how an author uses and refines the meaning of a key term or terms over the course of a text<br/>(e.g., how Madison defines faction in Federalist No. 10). (See Grade 11/12 Language</p> |

|               |   |                 |           |            |   |   |
|---------------|---|-----------------|-----------|------------|---|---|
|               | <p>goals.</p> <p>6.11 Contrast the advantages and disadvantages of electronic health records.</p> <p>6.12 Illustrate the steps in creating a new patient record and correcting an existing record using EHR software.</p> <p>6.13 Describe some of the capabilities of EHR software programs.</p> <p>6.14 Explain how you might alleviate a patient's security fears surrounding the use of EHR.</p> <p>6.15 Identify the common equipment used to file and store paper medical records.</p> <p>6.16 Outline the security and safety measures that should be employed when working with paper medical records.</p> <p>6.17 List the common filing supplies used in the medical office.</p> <p>6.18 Contrast the methods used for various filing systems and how color-coding can assist with the filing system.</p> <p>6.19 Recall the steps in the filing process.</p> <p>6.20 Compare active, inactive, and closed files and how to set up a records retention program for the office.</p>                        |                 |           |            | <p>C1.4, C1.5, C1.6, C1.7, C1.8</p> <p>C2.0, C2.1, C2.2, C2.3, C2.4</p> <p>C3.0, C3.1, C3.2, C3.6</p> <p>C8.0, C8.1, C8.2, C8.3, C8.4,</p> <p>C9.0, C9.1, C9.2, C9.3, C9.4, C9.5,</p> <p>C10.0, C10.1, C10.2, C10.3, C10.4, C10.5, C11.0, C11.1, C11.2, C11.3, C11.4, C11.5</p> <p>C12.0, C12.1, C12.2, C12.3, C12.4, C12.5</p> <p>C13.0, C13.1, C13.2, C13.3, C13.4</p> <p>C14.0, C14.1, C14.2, C14.3</p>    | standards 4-6 on page 46 for additional expectations.)  |
| <b>Unit Z</b> | <b>Patient Education and Reception</b>  |                 |           |            |   |   |
|               | <p>LEARNING OUTCOMES</p> <p>7.1 Describe the components of a medical office safety plan.</p> <p>7.2 Summarize OSHA's Hazard Communication Standard.</p> <p>7.3 Describe basic safety precautions you should take to reduce electrical hazards.</p> <p>7.4 Illustrate the necessary steps in a comprehensive fire safety plan.</p> <p>7.5 Summarize proper methods for handling and storing chemicals used in a medical office.</p> <p>7.6 Explain the principles of good ergonomic practice and physical safety in the medical office.</p> <p>7.7 Articulate the cause of most injuries to medical office workers and the four body areas where they occur.</p> <p>7.8 List the design items to be considered when setting up an office reception area.</p> <p>7.9 Summarize the housekeeping tasks required to keep the reception area neat and clean.</p> <p>7.10 Relate how the Americans with Disabilities and Older American Acts have helped to make physical access to the medical office easier for all</p> | <b>SLO 1234</b> | <b>10</b> | <b>N/A</b> | <b>MCS</b>  | <b>CCSS</b>   |
|               |   |                 |           |            | <p>A5.0, A5.1, A5.2, A5.3, B1.0, B1.1, B1.2, B1.3, B1.4, B1.5</p> <p>B4.0, B4.1, B4.2, B4.3, B4.4, B4.5,</p> <p>B5.0, B5.1, B5.2, B5.3, B5.4, B5.5, B5.6, B5.7, B6.0, B6.1, B6.2, B6.3, B6.4, B6.5, B6.6,</p> <p>B7.0, B7.1, B7.2, B7.3, B7.4,</p> <p>B8.0, B8.1, B8.2, B8.3, B8.4, B8.5,</p> <p>B9.0, B9.1, B9.2, B9.3, B9.4, B9.5, B9.6,</p> <p>B10.0, B10.1, B10.2, B10.3, B10.4, B10.5, B10.6, B10.7,</p> | <p>RSIT 11-12.4. Determine the meaning of words and phrases as they are used in a text, including figurative, connotative, and technical meanings; analyze how an author uses and refines the meaning of a key term or terms over the course of a text</p> <p>(e.g., how Madison defines faction in Federalist No. 10). (See Grade 11/12 Language standards 4-6 on page 46 for additional</p> |

|        |   |          |    |     |   |   |
|--------|---|----------|----|-----|---|---|
|        | patients.<br>7.12 Implement policies and procedures for opening and closing the office.<br>7.13 Identify the benefits of patient education and the medical professional's role in providing education.<br>7.14 Describe factors that affect learning and teaching.<br>7.15 Implement teaching techniques.<br>7.16 Choose reliable patient education materials used in the medical office.<br>7.17 Explain how patient education can be used to promote good health habits.<br>7.18 Describe the types of information that should be included in the patient information packet.<br>7.19 Describe the benefits and special considerations of patient education prior to surgery.                         |          |    |     | B12.0, B12.1, B12.2, B12.3, B12.4<br>B13.0, B13.1, B13.2, B13.3, B13.4, B13.5, B13.6<br>C1.0, C1.1, C1.2, C1.3, C1.4, C1.5, C1.6, C1.7, C1.8<br>C2.0, C2.1, C2.2, C2.3, C2.4<br>C3.0, C3.1, C3.2, C3.6<br>C8.0, C8.1, C8.2, C8.3, C8.4,<br>C9.0, C9.1, C9.2, C9.3, C9.4, C9.5,<br>C10.0, C10.1, C10.2, C10.3, C10.4, C10.5, C11.0, C11.1, C11.2, C11.3, C11.4, C11.5<br>C12.0, C12.1, C12.2, C12.3, C12.4, C12.5<br>C13.0, C13.1, C13.2, C13.3, C13.4<br>C14.0, C14.1, C14.2, C14.3 | expectations.)  |
| Unit 8 | Patient Vital Signs, Measurements, Interview, and History   |          |    |     |   |   |
|        |   | SLO 1234 | 25 | N/A | MCS   | CCSS  |
|        | LEARNING OUTCOMES<br>8.1 Describe the vital signs.<br>8.2 Identify various methods of taking a patient's temperature.<br>8.3 Describe the process of obtaining pulse and respirations.<br>8.4 Carry out blood pressure measurements.<br>8.5 Summarize orthostatic, or postural, vital signs.<br>8.6 Illustrate various body measurements.<br>8.7 Identify the skills necessary to conduct a patient interview.<br>8.8 Recognize the signs of anxiety; depression; and physical, mental, or substance abuse.<br>8.9 Use the six Cs for writing an accurate patient history.<br>8.10 Carry out a patient history using critical thinking skills.<br>8.11 Identify the purpose of a general physical exam. |          |    |     | C5.0 Understand and maintain standards of excellence, professional, ethical, and moral conduct required in management of personnel and policy within the health care delivery system.   | AD 12.2 Students evaluate and take and defend positions on the scope and limits of rights and obligations as democratic citizens, the relationships among them, and how they are secured. |

|               |  |  |  |  |  |           |            |            |  |
|---------------|--|--|--|--|--|-----------|------------|------------|--|
|               | <p>8.12 Describe the role of the medical professional in a general physical exam.</p> <p>8.13 Explain safety precautions used during a general physical exam.</p> <p>8.14 Carry out the steps necessary to prepare the patient for an exam.</p> <p>8.15 Carry out positioning and draping a patient in each of the nine common exam positions.</p> <p>8.16 Apply techniques to assist patients from different cultures and patients with physical disabilities.</p> <p>8.17 Identify the six examination methods used in a general physical exam.</p> <p>8.18 List the components of a general physical exam.</p> <p>8.19 Describe follow-up steps after a general physical exam.</p>  |  |  |  |  |           |            |            |  |
| <b>Unit 9</b> | <b>Intro to Anatomy ,Physiology, and Medical Terminology</b>   |  |  |  | <b>SLO 1234</b>  | <b>80</b> | <b>N/A</b> | <b>MCS</b> | <b>CCSS</b>                                |
|               | LEARNING OUTCOMES  |  |  |  | B2.0 Understand the basic structure and function of the human body and relate normal function to common disorders. |           |            |            | LS1.B: Growth and Development of Organisms |
|               | <p>9.1 Explain the importance of understanding both anatomy and physiology when studying the body.</p> <p>9.2 Illustrate body organization from simple to more complex levels.</p> <p>9.3 Describe the locations and characteristics of the four main tissue types.</p> <p>9.4 Describe the body organ systems, their general functions, and the major organs contained in each.</p> <p>9.5 Use medical and anatomical terminology correctly.</p> <p>9.6 Describe the components of medical terms.</p> <p>9.7 Build medical terminology using word parts</p> <p>9.8 Define medical terminology, by dividing it into elements</p> <p>9.10 Spell and pronounce medical terminology correctly</p> <p>9.11 Apply medical terminology and abbreviations in an appropriate manner</p> <p>9.12 Be able to use selected diseases and its process and describe its elements</p> <p>9.13 Explain anatomical position and its relationship to other anatomical positions.</p> <p>9.14 Identify the body cavities and the organs contained in each.</p> <p>9.15 Relate a basic understanding of chemistry to its importance in studying the body.</p> <p>9.16 Name the parts of a cell and their functions.</p> <p>9.17 Summarize how substances move across a cell membrane.</p> <p>9.18 Distinguish the stages of cell division.</p> <p>9.19 Explain the uses of these genetic techniques: the polymerase chain reaction and DNA fingerprinting.</p> |  |  |  |  |           |            |            |  |

|                |  |                 |           |            |   |   |
|----------------|--|-----------------|-----------|------------|---|---|
|                | 9.20 Describe the different patterns of inheritance and common genetic disorders.<br>9.21 Describe the causes, signs and symptoms, and treatments of various genetic diseases and disorders.   |                 |           |            |   |   |
| <b>Unit 10</b> | <b>Anatomy and Physiology</b>  |                 |           |            | <b>MCS</b>  | <b>CCSS</b>   |
|                |  | <b>SLO 2 4</b>  | <b>90</b> | <b>N/A</b> | B2.0<br>Understand the basic structure and function of the human body and relate normal function to common disorders. | LS1.B: Growth and Development of Organisms  |
|                | <b>LEARNING OUTCOMES</b><br>10.1 Summarize the organs of the body systems, including the locations, structures of each system. (Integumentary System, Muscular System, Skeletal System, Respiratory System, Digestive System, Urinary System, Nervous System, Endocrine System, Reproductive System, Lymphatic System, Special Senses)<br>10.2 Describe the causes, signs and symptoms of various disorders and diseases of the body systems.<br>10.3 Explain the functions of each body system<br>10.4 Describe the treatment process of the various disorders and diseases of each body system.<br>10.5 Explain and identify the process of common conditions of body systems<br>10.6 Explain and compare the difference between each system<br>10.7 Explain and examine how each system works with each other to maintain homeostasis.<br>10.8 Be able to identify all components pertaining to each system during assessment (Written, Verbal and Visual)<br>10.9 Use Critical Thinking to establish possible treatment and care plans |                 |           |            |   |   |
| <b>Unit 11</b> | <b>Hematology, Cardiovascular System, Electrocardiography</b>  |                 |           |            | <b>MCS</b>  | <b>CCSS</b>   |
|                |  | <b>SLO 1234</b> | <b>30</b> | <b>N/A</b> | B2.0<br>Understand the basic structure and function of the human body and relate normal function to common disorders. | RSIT 11-12.4. Determine the meaning of words and phrases as they are used in a text, including figurative, connotative, and technical meanings; analyze how an author uses and refines the meaning of a key term or terms over the course of a text |
|                | <b>LEARNING OUTCOMES</b><br>11.1 Describe the structures of the heart and the function of each.<br>11.2 Explain the cardiac cycle, including the cardiac conduction system.<br>11.3 Differentiate among the different types of blood vessels and their functions.<br>11.4 Compare the various types of circulation.<br>11.5 Explain blood pressure and tell how it is controlled.<br>11.6 Describe the causes, signs and symptoms, and treatments of various diseases and disorders of the cardiovascular system.<br>11.7 Describe the components of blood, giving the function of each component listed.<br>11.7 Explain how bleeding is controlled.  |                 |           |            |   |   |



|                |  |   |   |            |  |
|----------------|--|---|---|------------|--|
|                | <p>11.8 Explain the differences among blood types A, B, AB, and O related to their compatibility.</p> <p>11.9 Explain the difference between Rh-positive blood and Rh-negative blood.</p> <p>11.10 Describe the causes, signs and symptoms, and treatments of various diseases and disorders of the blood.</p> <p>11.11 Principles of <u>Electrocardiography</u></p> <p><b>*Brief overview</b></p>   |   |   |            | (e.g., how Madison defines faction in Federalist No. 10). (See Grade 11/12 Language standards 4-6 on page 46 for additional expectations.) |
| <b>Unit 12</b> | <b>Pharmacology</b>  | <b>SLO 1234</b>   | <b>20</b>   | <b>N/A</b> |  |
|                | <p>LEARNING OUTCOMES</p> <p>12.1 Identify the medical professional's role in pharmacology.</p> <p>12.2 Recognize the five categories of pharmacology and their importance to medication administration.</p> <p>12.3 Differentiate the major drug categories, drug names, and their actions.</p> <p>12.4 Classify over-the-counter (OTC), prescription, and herbal drugs.</p> <p>12.5 Use credible sources to obtain drug information.</p> <p>12.6 Carry out the procedure for registering or renewing a physician with the Drug Enforcement Administration (DEA) for permission to administer, dispense, and prescribe controlled drugs.</p> <p>12.7 Identify the parts of a prescription, including commonly used abbreviations and symbols.</p> <p>12.8 Discuss nonpharmacologic treatments for pain.</p> <p>12.9 Describe how vaccines work in the immune system.</p> <p>12.10 Explain the role of the medical professional to ensure safe dosage calculations.</p> <p>12.11 Identify systems of measurements and their common uses.</p> <p>12.12 Convert among systems of measurements.</p> <p>12.13 Execute dosage calculations accurately.</p> <p>12.14 Calculate dosages based on body weight and body surface area.</p> <p>12.15 Describe rules and responsibilities regarding drug administration and the initial preparation for drug administration.</p> <p>12.16 List the rights of drug administration.</p> <p>12.17 Relate special considerations required for medication administration to pediatric, pregnant, breast-feeding, and geriatric patients.</p> <p>12.18 Outline patient education information related to medications.</p> <p>12.19 Implement accurate and complete documentation of medications.</p> | B2.0<br>Understand the basic structure and function of the human body and relate normal function to common disorders. | RSIT 11-12.4. Determine the meaning of words and phrases as they are used in a text, including figurative, connotative, and technical meanings; analyze how an author uses and refines the meaning of a key term or terms over the course of a text<br><br>(e.g., how Madison defines faction in Federalist No. 10). (See Grade 11/12 Language standards 4-6 on page 46 for additional expectations.) |            |  |

| Unit 13 | Lab and Procedural Application   |          |    |     |   |  |
|---------|--|----------|----|-----|---|--|
|         |  | SLO 1234 | 60 | N/A |   |  |
|         | <p>LEARNING OUTCOMES</p> <p>13.1 Discuss the role of the medical professional in collecting, processing, and testing urine and stool samples.</p> <p>13.2 Carry out procedures collecting urine specimens according to guidelines.</p> <p>13.3 Describe the process of urinalysis and its purpose.</p> <p>13.4 Carry out the proper procedure for collecting and processing a stool sample for fecal occult</p> <p>13.5 Discuss the role of the medical professional when collecting, processing, and testing blood specimens.</p> <p>13.6 Describe the equipment needed to collect a blood specimen.</p> <p>13.7 Summarize ways to respond to communicate with patients and to respond to their needs when collecting blood.</p> <p>13.8 Carry out the procedure for collecting a blood specimen.</p> <p>13.9 Carry out the procedure for performing blood tests.</p> <p>13.10 Discuss the medical professional's role in electrocardiography and pulmonary function testing.</p> <p>13.11 Explain the basic principles of electrocardiography and how it relates to the conduction system of the heart.</p> <p>13.12 Identify the components of an electrocardiograph and what each does.</p> <p>13.13 Carry out the steps necessary to obtain an ECG.</p> <p>13.14 Summarize exercise electrocardiography and echocardiography.</p> <p>13.15 Explain the procedure of Holter monitoring.</p> <p>13.16 Carry out the various types of pulmonary function tests.</p> <p>13.17 Describe the procedure for performing pulse oximetry testing.</p> <p>13.18 Recognize the correct equipment to use for administering medications.</p> <p>13.19 Carry out the procedures for administering oral medications.</p> <p>13.20 Carry out procedures for administering parenteral medications by injection.</p> <p>13.21 Carry out procedures for administering parenteral medications by other routes.</p> |          |    |     | B2.0<br>Understand the basic structure and function of the human body and relate normal function to common disorders. | RSIT 11-12.4. Determine the meaning of words and phrases as they are used in a text, including figurative, connotative, and technical meanings; analyze how an author uses and refines the meaning of a key term or terms over the course of a text (e.g., how Madison defines faction in Federalist No. 10). (See Grade 11/12 Language standards 4-6 on page 46 for additional expectations.) |
| Unit 14 | Nutrition and Health   |          |    |     |   |  |
|         |  | SLO 1234 | 8  | N/A |   |  |
|         | <p>LEARNING OUTCOMES</p> <p>14.1 Relate daily energy requirements to the role of calories.</p>   |          |    |     | B2.0<br>Understand the basic  |  |
|         |  |          |    |     | RSIT 11-12.4. Determine the meaning of words  |  |



|                |   |  |  |  |   |
|----------------|---|--|--|--|---|
|                | <p>14.2 Identify nutrients and their role in health.</p> <p>14.3 Implement a plan for a nutritious, well-balanced diet and healthy lifestyle using the USDA's guidelines.</p> <p>14.4 Describe methods used to assess a patient's nutritional status.</p> <p>14.5 Explain reasons that a diet may be modified.</p> <p>14.6 Identify types of patients who require special diets and the modifications required for each.</p> <p>14.7 Describe the warning signs, symptoms, and treatment for eating disorders.</p> <p>14.8 Educate patients about nutritional requirements.</p>   |  |  | <p>structure and function of the human body and relate normal function to common disorders.</p>                                  | <p>and phrases as they are used in a text, including figurative, connotative, and technical meanings; analyze how an author uses and refines the meaning of a key term or terms over the course of a text<br/>(e.g., how Madison defines faction in Federalist No. 10). (See Grade 11/12 Language standards 4-6 on page 46 for additional expectations.)</p>  |
| <b>Unit 15</b> | <b>Diagnostic Imaging, Physical Therapy and Rehabilitation Processes</b>  |  |  |  |   |
|                | <p>LEARNING OUTCOMES</p> <p>15.1 Discuss the general principles of physical therapy.</p> <p>15.2 Relate various cold and heat therapies to their benefits and contraindications.</p> <p>15.3 Recall hydrotherapy methods.</p> <p>15.4 Name several methods of exercise therapy.</p> <p>15.5 Describe the types of massage used in rehabilitation therapy.</p> <p>15.6 Compare different methods of traction.</p> <p>15.7 Carry out the procedure for teaching a patient to use a cane, a walker, crutches, and a wheelchair.</p> <p>15.8 Model the steps you should take when referring a patient to a physical therapist.</p> <p>15.9 Explain what X-rays are and how they are used for diagnostic and therapeutic purposes.</p> <p>15.10 Compare invasive and noninvasive diagnostic procedures.</p> <p>15.11 Carry out the medical professional's role in X-ray and diagnostic radiology testing.</p> <p>15.12 Discuss common diagnostic imaging procedures.</p> <p>15.13 Describe different types of radiation therapy and how they are used.</p> <p>15.14 Explain the risks and safety precautions associated with radiology work.</p> |  |  | <p>B2.0</p> <p>Understand the basic structure and function of the human body and relate normal function to common disorders.</p> | <p>RSIT 11-12.4. Determine the meaning of words and phrases as they are used in a text, including figurative, connotative, and technical meanings; analyze how an author uses and refines the meaning of a key term or terms over the course of a text<br/>(e.g., how Madison defines faction in Federalist No. 10). (See Grade 11/12 Language standards 4-6 on page 46 for additional expectations.)</p> |

|         |  |          |    |     |   |   |
|---------|--|----------|----|-----|---|---|
|         | 15.15 Relate the advances in medical imaging to EHR.   |          |    |     |   |   |
| Unit 16 | Administrative Procedures  |          |    |     |   |   |
|         |  | SLO 1234 | 10 | N/A |   |   |
|         | <p>LEARNING OUTCOMES</p> <p>16.1 Describe how the appointment book is key to the continuity of patient care.</p> <p>16.2 Identify how to properly apply a matrix to an appointment book.</p> <p>16.3 Compare different types of appointment scheduling systems.</p> <p>16.4 Identify ways to organize and schedule patient appointments.</p> <p>16.5 Model how to handle special scheduling situations.</p> <p>16.6 Explain how to schedule appointments that are outside the medical office.</p> <p>16.7 Implement ways to keep an accurate and efficient practitioner schedule.</p> <p>16.8 Explain the basic organizational designs of the medical office and the relationship of the physician and the medical professional with the practice manager and direct supervisors.</p> <p>16.9 Describe the responsibilities of the practice manager.</p> <p>16.10 Summarize the basic human resources functions in practice management.</p> <p>16.11 Distinguish four of the possible traits of someone with leadership skills and the importance of these skills to the healthcare team.</p> <p>16.12 Compare risk management and quality assurance in a medical facility.</p> <p>16.13 Calculate an employee's gross earnings, deductions, and net earnings for a pay period.</p> <p>16.14 Describe the tax forms commonly used in the medical office and the purpose of the office tax liability account.</p> <p>*Preparation for CMAA exam</p> |          |    |     | <p>B6.0 Communicate procedures and goals to patients using various communication strategies to respond to questions and concerns.</p> | <p>RSIT 11-12.4. Determine the meaning of words and phrases as they are used in a text, including figurative, connotative, and technical meanings; analyze how an author uses and refines the meaning of a key term or terms over the course of a text (e.g., how Madison defines faction in Federalist No. 10). (See Grade 11/12 Language standards 4-6 on page 46 for additional expectations.)</p> |
| Unit 17 | Specialties in Healthcare  |          |    |     |   |   |
|         |  | SLO 1234 | 20 | N/A |   |   |
|         | <p>LEARNING OUTCOMES</p> <p>17.1 Relate growth and development to pediatric patient care.</p> <p>17.2 Identify the role of the medical professional during pediatric examinations.</p> <p>17.3 Discuss pediatric immunizations and the role of the medical professional.</p>   |          |    |     | <p>B2.0 Understand the basic structure and function of the human body and relate normal</p>   | <p>RSIT 11-12.4. Determine the meaning of words and phrases as they are used in a text, including figurative, connotative, and</p>  |

|  |   |                                      |   |
|--|---|--------------------------------------|---|
|  | <p>17.4 Explain variations of pediatric screening procedures and diagnostic tests.</p> <p>17.5 Describe common pediatric diseases and disorders and their treatment.</p> <p>17.6 Recognize special health concerns of pediatric patients.</p> <p>17.7 Relate developmental changes in geriatric patients to medical professional practice.</p> <p>17.8 Describe common geriatric diseases and disorders and their treatment.</p> <p>17.9 Identify variations of care for geriatric patients during examinations, screening procedures, diagnostic tests, and treatments.</p> <p>17.10 Explain special health concerns of geriatric patients.</p> <p>17.11 Describe the medical specialties of allergy, cardiology, dermatology, endocrinology, gastroenterology, neurology, oncology, and orthopedics.</p> <p>17.12 Identify common diseases and disorders related to cardiology, dermatology, endocrinology, gastroenterology, neurology, oncology, and orthopedics.</p> <p>17.13 Relate the role of the medical professional in examinations and procedures performed in the medical specialties of allergy, cardiology, dermatology, endocrinology, gastroenterology, neurology, oncology, and orthopedics.</p> <p>17.14 Describe the medical professional's role in eye exams and procedures performed in a medical office.</p> <p>17.15 Discuss various eye disorders encountered in a medical office.</p> <p>17.16 Identify ophthalmic exams performed in the licensed practitioner's office.</p> <p>17.17 Summarize ophthalmologic procedures and treatments.</p> <p>17.18 Describe the medical professional's role in otology.</p> <p>17.19 Describe disorders of the ear encountered in the medical office.</p> <p>17.20 Recall various hearing and other diagnostic ear tests.</p> <p>17.21 Summarize ear procedures and treatments.</p> <p>17.22 Define the medical professional's role in minor surgical procedures.</p> <p>17.23 Describe surgical procedures performed in an office setting.</p> <p>17.24 Identify the instruments used in minor surgery and describe their functions.</p> <p>17.25 Describe the procedures for medical and sterile asepsis in minor surgery.</p> <p>17.26 Summarize the medical professional's duties in pre/postoperative procedures.</p> | <p>function to common disorders.</p> | <p>technical meanings; analyze how an author uses and refines the meaning of a key term or terms over the course of a text<br/>(e.g., how Madison defines faction in Federalist No. 10). (See Grade 11/12 Language standards 4-6 on page 46 for additional expectations.)</p> |
|--|---|--------------------------------------|---|

| Unit 18 | Healthcare Finance and Insurance   |    |     |  |
|---------|--|----|-----|--|
|         | SLO 1234   | 20 | N/A |  |
|         | <p>LEARNING OUTCOMES</p> <p>18.1 Define the basic terms used by the insurance industry.</p> <p>18.2 Compare fee-for-service plans, HMOs, and PPOs and explain the new concept of patient centered medical home.</p> <p>18.3 Outline the key requirements for coverage by the Medicare, Medicaid, TRICARE, and CHAMPVA programs.</p> <p>18.4 Describe allowed charge, contracted fee, capitation, and the formula for RBRVS.</p> <p>18.5 Outline the tasks performed to obtain the information required to produce an insurance claim.</p> <p>18.6 Produce a clean CMS-1500 health insurance claim form.</p> <p>18.7 Explain the methods used to submit an insurance claim electronically.</p> <p>18.8 Recall the information found on every payer's remittance advice.</p> <p>18.9 Recall the six ways that ICD codes are used today.</p> <p>18.10 Compare ICD-9-CM and ICD-10-CM.</p> <p>18.11 Describe the conventions used in ICD-10.</p> <p>18.12 Outline the steps to code a diagnosis using ICD-10-CM.</p> <p>18.13 Explain the purpose and usage of external cause of injury and health status codes.</p> <p>18.14 Illustrate unique coding applications for neoplasms, diabetes mellitus, fractures, signs and symptoms, poisonings, and Z codes.</p> <p>18.15 List the sections of the CPT manual, giving the code range for each.</p> <p>18.16 Describe briefly each of the CPT's general guidelines.</p> <p>18.17 List the types of E/M codes within the CPT.</p> <p>18.18 List the areas included in the surgical coding section.</p> <p>18.19 Locate a CPT code using the CPT manual.</p> <p>18.20 Explain how to locate a HCPCS code using the HCPCS coding manual.</p> <p>18.21 Explain the importance of code linkage in avoiding coding fraud.</p> <p>18.22 Summarize the importance of and how to establish good bookkeeping and banking practices.</p> <p>18.23 Compare single-entry, double-entry, and write-it-once bookkeeping systems and explain accounts receivable and accounts payable.</p> <p>18.24 Describe the common payment methods accepted in medical practices today.</p> <p>18.25 Identify the different types of documents used as statements to bill patients and how these documents are used in cycle billing.</p> <p>18.26 Compare open-book, written-contract, and single-entry accounts and the purpose of creating an accounts receivable aging.</p> |    |     |  |
|         | <p>B2.0</p> <p>Understand the basic structure and function of the human body and relate normal function to common disorders.</p>   |    |     |  |
|         | <p>LS2.D: Social Interactions and Group Behavior</p>   |    |     |  |

|                |   |                 |           |   |  |
|----------------|---|-----------------|-----------|---|--|
|                | <p>18.27 Explain the purposes of the following credit and collections acts: ECOA, FCRA, FDCPA, and TLA.</p> <p>18.28 Relate the required components of a Truth in Lending Statement to credit practices in the medical office.</p> <p>18.29 Summarize two common types of problem collection accounts in the medical office.</p> <p>18.30 Identify negotiable instruments and the items that must be present for a check to be negotiable.</p> <p>18.31 Describe the different types of check endorsements and the steps in creating a bank deposit.</p> <p>18.32 Carry out the process of reconciling the office bank statement.</p> <p>18.33 List several advantages to electronic banking.</p> <p>18.34 Implement setting up, classifying, and recording disbursements in a disbursements journal.</p>   |                 |           | using various communication strategies to respond to questions and concerns.  | including figurative, connotative, and technical meanings; analyze how an author uses and refines the meaning of a key term or terms over the course of a text (e.g., how Madison defines faction in Federalist No. 10). (See Grade 11/12 Language standards 4-6 on page 46 for additional expectations.)  |
| <b>Unit 12</b> | <b>Emergency Preparedness</b>   |                 |           |   |  |
|                | <p><b>LEARNING OUTCOMES</b></p> <p>19.1 Discuss the importance of first aid during a medical emergency.</p> <p>19.2 Identify items found on a crash cart.</p> <p>19.3 Recognize various accidental emergencies and how to deal with them.</p> <p>19.4 List common illnesses that can result in medical emergencies.</p> <p>19.5 Identify less common illnesses that can result in medical emergencies.</p> <p>19.6 Discuss your role in caring for people with psychosocial emergencies.</p> <p>19.7 Carry out the procedure for calming a patient who is under extreme stress.</p> <p>19.8 Discuss ways to educate patients about how to prevent and respond to emergencies.</p> <p>19.9 Illustrate your role in responding to natural disasters and pandemic illness.</p> <p>19.10 Discuss your role in responding to acts of bioterrorism.</p> |                 |           | B2.0<br>Understand the basic structure and function of the human body and relate normal function to common disorders. | RSIT 11-12.4. Determine the meaning of words and phrases as they are used in a text, including figurative, connotative, and technical meanings; analyze how an author uses and refines the meaning of a key term or terms over the course of a text (e.g., how Madison defines faction in Federalist No. 10). (See Grade 11/12 Language standards 4-6 on page 46 for additional expectations.) |
| <b>Unit 20</b> | <b>Career Exploration and Preparedness</b>  |                 |           |   |  |
|                |   | <b>SLO 1234</b> | <b>90</b> | <b>N/A</b>  |  |

|  |  |  |  |
|--|--|--|--|
|  | <p>LEARNING OUTCOMES</p> <p>20.1 Carry out professionalism in all applied training scenarios.</p> <p>20.2 Summarize the necessary steps for obtaining professional certification.</p> <p>20.3 Describe an appropriate strategy for finding a position.</p> <p>20.4 Explain key factors for a successful interview.</p> <p>20.5 Describe ways of becoming a successful employee.</p> <p>20.6 Produce a cover letter</p> <p>20.7 Produce a functional resume</p> <p>20.8 Produce a chronological resume</p> <p>20.9 Complete a job search using web based database</p> <p>20.10 Identify medical sector(s) of choice</p> <p>20.11 Determine goal for educational path</p> <p>20.12 Begin Process for National Exam</p> <p>20.13 National Exam Registration</p> <p>20.14 Complete National Exam</p> | <p>B2.0</p> <p>Understand the basic structure and function of the human body and relate normal function to common disorders.</p> | <p>LS2.D: Social Interactions and Group Behavior</p> |
|--|--|--|--|

## Course Outline

| Medical Careers – Second Year |   |  |             |   |             | MCS   | CCSS  |
|-------------------------------|---|--|-------------|---|-------------|---|---|
| Unit 1                        | Laboratory Skills Review  |  |             |   | Class Hours | CVE/CC  |   |
|                               |   |  | SLO 1 2 3 4 | 5 | n/a         |   |   |
|                               | <u>Outcome:</u> Students will be able to demonstrate proper technique when performing clinical skills of a Medical Professional.<br>1.1 Patient Interview, Screening, History & Documentation<br>1.2 Electrocardiogram (EkG)<br>1.3 Patient Positioning and Draping<br>1.4 Vision Screening<br>1.5 Auditory Screening<br>1.6 Pulmonary Function Tests<br>1.7 Urine and Fecal Tests<br>1.8 Injections (ID, SC, IM)<br>1.9 Skin Tests<br>1.10 Throat Cultures   |  |             |   |             | B4.0 Recognize and practice components of an intake assessment relevant to patient care<br>B2.0 Understand the basic structure and function of the human body and relate normal function to common disorders. | RRLST 11-12.3. Follow precisely a complex multistep procedure when carrying out experiments, or taking measurements, or performing technical tasks; analyze the specific results based on explanations in the text. |
| Unit 2                        | Anatomy & Physiology  |  |             |   | Class Hours | CVE/CC  |   |
|                               |   |  | SLO 1 2 3   | 5 | n/a         |   |   |
|                               | <u>Outcome:</u> Students will be able to demonstrate understanding of the interrelationships among tissues, organs, and systems by passing practical, written and oral evaluations after review of information studied during first year.<br><br>4.1 Anatomy of the Body Systems, with visual understanding using simulation models to know here anatomical structures are located in correlation to others.<br>4.2 Physiology of the body and chemical influence on body mechanics.<br>4.3 Cohesion of Anatomy and Physiology as it pertains to pathological conditions and diseases status. |  |             |   |             | B2.0 Understand the basic structure and function of the human body and relate normal function to common disorders   | LS1.B: Growth and Development of Organisms  |
| Unit 3                        | Service-Learning (CISO)   |  |             |   | Class Hours | CVE/CC  |   |
|                               |   |  | SLO 1 2 3 4 | 5 | n/a         |   |   |
|                               | <u>Outcome:</u> Students will be able to demonstrate understanding of a particular health crisis that is prevalent within their communities by  |  |             |   |             | C5.0 Understand and maintain standards of   | RRLST 11-12.3. Follow precisely a complex   |



|               |  |  |                    |           |            |   |   |
|---------------|--|--|--------------------|-----------|------------|---|---|
|               | researching, compiling, and documenting scientific, peer-reviewed literature related to said health crisis.<br>3.1 Present current day medical case and be able to explain and formulate.  |  |                    |           |            | excellence, professional, ethical, and moral conduct required in management of personnel and policy within the health care delivery system. | multistep procedure when carrying out experiments, or taking measurements, or performing technical tasks; analyze the specific results based on explanations in the text.   |
| <b>Unit 4</b> | <b>Mental Health/Psychology</b>  |  |                    |           |            |   |   |
|               |  |  | <b>SLO 2 4</b>     | <b>40</b> | <b>n/a</b> |   |   |
|               | Outcome: Students will be able to demonstrate understanding of the interrelationships among tissues, organs, psychological crisis and body systems by passing practical, written and oral evaluations after review of information studied during first year.<br><br>4.4 Anatomy of the Body Systems, with visual understanding using simulation models to know here anatomical structures are located in correlation to others.<br>4.5 Physiology of the body and chemical influence on body mechanics.<br>4.6 Cohesion of Anatomy and Physiology as it pertains to pathological conditions and diseases status. |  |                    |           |            | B2.0 Understand the basic structure and function of the human body and relate normal function to common disorder                            | LS1.B: Growth and Development of Organisms  |
| <b>Unit 5</b> | <b>First Aid/CPR/BLS</b>   |  |                    |           |            |   |   |
|               |  |  | <b>SLO 2 4</b>     | <b>40</b> | <b>n/a</b> |   |   |
|               | Outcome: Students will be able to demonstrate understanding of in-depth medical terminology and life-saving practices associated with traumatic cardiac and respiratory events; along with review of first years medical terminology knowledge base.<br><br>5.1 Intermediate terminology base of Body systems.<br>5.2 Terminology based on Pathology<br>5.3 Terminology based on Rehabilitation and Treatment<br>5.4 Intermediate abbreviations for charting<br>5.5 Medical and colloquial translation   |  |                    |           |            | B4.0 Recognize and practice components of an intake assessment relevant to patient care   | RRLST 11-12.3. Follow precisely a complex multistep procedure when carrying out experiments, or taking measurements, or performing technical tasks; analyze the specific results based on explanations in the text. |
| <b>Unit 6</b> | <b>Patient Medical Assessment</b>  |  |                    |           |            |   |   |
|               |  |  | <b>SLO 1 2 3 4</b> | <b>25</b> | <b>n/a</b> |   |   |
|               | Outcome: Students will be able to demonstrate proper technique when performing clinical skills of a Medical Professional.  |  |                    |           |            | B4.0 Recognize and practice components of   | RRLST 11-12.3. Follow precisely a complex   |



|               |  |  |  |    |     |   |   |
|---------------|--|--|--|----|-----|---|---|
|               | 6.1 Patient Interview, Screening, History & Documentation<br>6.2 Electrocardiogram (EKG)<br>6.3 Patient Positioning and Draping<br>6.4 Vision Screening<br>6.5 Auditory Screening<br>6.6 Pulmonary Function Tests<br>6.7 Urine and Fecal Tests<br>6.8 Injections (ID, SC, IM)<br>6.9 Skin Tests<br>6.10 Throat Cultures  |  |  | 20 | n/a | an intake assessment relevant to patient care   | multistep procedure when carrying out experiments, or taking measurements, or performing technical tasks; analyze the specific results based on explanations in the text.                             |
| <b>Unit 7</b> | <b>Introduction to Medical Emergency Technology</b>  |  |  |    |     |   |   |
|               | Outcome: Students will be able to demonstrate understanding of emergency medical technology and proper advanced life support procedures.   |  |  |    |     | C15.0 Code health information and bill payers using industry standard methods of classification of diseases, current procedural terminology, and common health care procedure coding system | A-SSE 4. Derive the formula for the sum of a finite geometric series (when the common ratio is not 1), and use the formula to solve problems. For example, calculate mortgage payments.               |
| <b>Unit 8</b> | <b>Job Seeking Skills</b>  |  |  |    |     |   |   |
|               | Outcome: Students will be able to demonstrate understanding of completing a resume, application, and letters without errors as well as knowledge of computers to prepare for seeking employment and have successful job retention.<br>8.1 Employment Portfolio<br>8.2 Application<br>8.3 Resumes<br>a. Cover Letter<br>b. Interviewing skills<br>c. Professional Letters<br>8.4 Introduction to Computers<br>8.5 Internet Research/Medical Software<br>8.6 Microsoft Office Basics<br>8.7 Mock Interview |  |  |    |     | A5.0 Integrate computer skills into program components.   | WHSST 11-12.6. Use technology, including the Internet, to produce, publish, and update individual or shared writing products in response to ongoing feedback, including new arguments or information. |

| Unit 2 | Internship/CMA Exam Preparation |  |  |
|--------|---------------------------------|--|--|
|        |                                 |  |  |
|        |                                 |  |  |
|        |                                 |  |  |
|        |                                 |  |  |
|        |                                 |  |  |
|        |                                 |  |  |
|        |                                 |  |  |
|        |                                 |  |  |
|        |                                 |  |  |
|        |                                 |  |  |
|        |                                 |  |  |
|        |                                 |  |  |
|        |                                 |  |  |
|        |                                 |  |  |
|        |                                 |  |  |
|        |                                 |  |  |
|        |                                 |  |  |
|        |                                 |  |  |
|        |                                 |  |  |
|        |                                 |  |  |
|        |                                 |  |  |
|        |                                 |  |  |
|        |                                 |  |  |
|        |                                 |  |  |
|        |                                 |  |  |
|        |                                 |  |  |
|        |                                 |  |  |
|        |                                 |  |  |
|        |                                 |  |  |
|        |                                 |  |  |
|        |                                 |  |  |
|        |                                 |  |  |
|        |                                 |  |  |
|        |                                 |  |  |
|        |                                 |  |  |
|        |                                 |  |  |
|        |                                 |  |  |
|        |                                 |  |  |
|        |                                 |  |  |
|        |                                 |  |  |
|        |                                 |  |  |
|        |                                 |  |  |
|        |                                 |  |  |
|        |                                 |  |  |
|        |                                 |  |  |
|        |                                 |  |  |
|        |                                 |  |  |
|        |                                 |  |  |
|        |                                 |  |  |
|        |                                 |  |  |
|        |                                 |  |  |
|        |                                 |  |  |
|        |                                 |  |  |
|        |                                 |  |  |
|        |                                 |  |  |
|        |                                 |  |  |
|        |                                 |  |  |
|        |                                 |  |  |
|        |                                 |  |  |
|        |                                 |  |  |
|        |                                 |  |  |
|        |                                 |  |  |
|        |                                 |  |  |
|        |                                 |  |  |
|        |                                 |  |  |
|        |                                 |  |  |
|        |                                 |  |  |
|        |                                 |  |  |
|        |                                 |  |  |
|        |                                 |  |  |
|        |                                 |  |  |
|        |                                 |  |  |
|        |                                 |  |  |
|        |                                 |  |  |
|        |                                 |  |  |
|        |                                 |  |  |
|        |                                 |  |  |
|        |                                 |  |  |
|        |                                 |  |  |
|        |                                 |  |  |
|        |                                 |  |  |
|        |                                 |  |  |
|        |                                 |  |  |
|        |                                 |  |  |
|        |                                 |  |  |
|        |                                 |  |  |
|        |                                 |  |  |
|        |                                 |  |  |
|        |                                 |  |  |
|        |                                 |  |  |
|        |                                 |  |  |
|        |                                 |  |  |
|        |                                 |  |  |
|        |                                 |  |  |
|        |                                 |  |  |
|        |                                 |  |  |
|        |                                 |  |  |
|        |                                 |  |  |
|        |                                 |  |  |
|        |                                 |  |  |
|        |                                 |  |  |
|        |                                 |  |  |
|        |                                 |  |  |
|        |                                 |  |  |
|        |                                 |  |  |
|        |                                 |  |  |
|        |                                 |  |  |
|        |                                 |  |  |
|        |                                 |  |  |
|        |                                 |  |  |
|        |                                 |  |  |
|        |                                 |  |  |
|        |                                 |  |  |
|        |                                 |  |  |
|        |                                 |  |  |
|        |                                 |  |  |
|        |                                 |  |  |
|        |                                 |  |  |
|        |                                 |  |  |
|        |                                 |  |  |



**DATE:** March 3, 2022  
**TO:** ROP Governing Board  
**FROM:** Linda Granger, Superintendent  
**SUBJECT:** Request the Governing Board to approve the adoption of Resolution 9-21/22: Conflict of Interest Code

## **BACKGROUND**

---

As a public education institution, it is legally required that an agency's conflict of interest code reflects the current structure of the agency and properly identifies all officials and employees who should be filing a Form 700. To ensure the codes remain current and accurate, each agency is required to review its conflict of interest code at least every other year - state agencies in odd-numbered years and local agencies in even-numbered years.

## **CURRENT SITUATION**

---

With the revision of the administrative positions in Educational Services for the 2021-2022 school year, approval of an updated conflict of interest form with the new titles is needed.

## **CONSENT CALENDAR**

---

# EdenAreaROP

## RESOLUTION NO. 9-21/22

---

### Conflict of Interest Code

**WHEREAS**, the Political Reform Act, Government Code 87300-87313, requires each public agency in California to adopt a conflict of interest code; and

**WHEREAS**, the Governing Board of the Eden Area Regional Occupational Program (Eden Area ROP) has previously adopted a local conflict of interest code; and

**WHEREAS**, past and future amendments to the Political Reform Act and implementing regulations may require conforming amendments to be made to the Eden Area ROP conflict of interest code; and

**WHEREAS**, a regulation adopted by the Fair Political Practices Commission, 2 CCR 18730, provides that incorporation by reference of the terms of that regulation, along with an agency-specific appendix designating positions and disclosure categories shall constitute the adoption and amendment of a conflict of interest code in conformance with Government Code 87300 and 87306; and

**WHEREAS**, the Eden Area ROP has recently reviewed its positions, and the duties of each position, and has determined that changes to the current conflict of interest code are necessary; and

**WHEREAS**, any earlier resolutions, bylaws, and/or appendices containing the Eden Area ROP's conflict of interest code shall be rescinded and superseded by this resolution and Appendix; and

**NOW THEREFORE BE IT RESOLVED** that the Eden Area ROP Governing Board adopts the following Conflict of Interest Code including its Appendix of Designated Employees and Disclosure Categories.

**PASSED AND ADOPTED** by the Governing Board of the Eden Area ROP on this 3<sup>rd</sup> day of March 2022, by the following vote:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

---

Linda Granger  
ROP Governing Board Clerk, Eden Area ROP  
Alameda County, State of California

## **Conflict of Interest Code of the Eden Area Regional Occupational Program (Eden Area ROP)**

The provisions of 2 CCR 18730 and any amendments to it adopted by the Fair Political Practices Commission, together with the attached Appendix specifying designated positions and disclosure categories, are incorporated by reference and shall constitute the Eden Area ROP's conflict of interest code.

Governing Board members and designated employees shall file a Statement of Economic Interest/Form 700 in accordance with the disclosure categories listed in the attached Appendix. The Statement of Economic Interest shall be filed with the Eden Area ROP's filing officer and/or, if so required, with the Eden Area ROP's code reviewing body. The Eden Area ROP's filing officer shall make the statements available for public review and inspection.

### **APPENDIX**

#### **Disclosure Categories**

1. Category 1: A person designated Category 1 shall disclose:
  - a. Interests in real property located entirely or partly within district boundaries, or within two miles of district boundaries, or of any land owned or used by the Eden Area ROP.
  - b. Investments or business positions in or income from sources which are engaged in the acquisition or disposal of real property within the district, are contractors or subcontractors which are or have been within the past two years engaged in work or services of the type used by the Eden Area ROP, or manufacture or sell supplies, books, machinery, or equipment of the type used by the Eden Area ROP.
2. Category 2: A person designated Category 2 shall disclose:
  - a. Investments or business positions in or income from sources which are contractors or subcontractors engaged in work or services of the type used by the department which the designated person manages or directs.
  - b. Investments or business positions in or income from sources which manufacture or sell supplies, books, machinery, or equipment of the type used by the department which the designated person manages or directs.
3. Full Disclosure: Because it has been determined that the Eden Area ROP's Governing Board members and/or Superintendent "manage public investments," they and other persons designated for "full disclosure" shall disclose, in accordance with Government Code 87200:

- a. Interests in real property located entirely or partly within district boundaries, or within two miles of district boundaries, or of any land owned or used by the Eden Area ROP.
- b. Investments, business positions, and sources of income, including gifts, loans, and travel payments.

#### Designated Positions

##### Designated Position Disclosure Category

|                               |   |
|-------------------------------|---|
| Governing Board Members       | 1 |
| Superintendent                | 1 |
| Directors                     | 2 |
| Principal                     | 2 |
| Fiscal Services Administrator | 1 |
| Human Resources Administrator | 2 |

#### **Disclosures for Consultants**

Consultants are designated employees who must disclose financial interests as determined on a case- by-case basis by the Superintendent or designee. The Superintendent or designee's written determination shall include a description of the consultant's duties and a statement of the extent of disclosure requirements based upon that description. All such determinations are public records and shall be retained for public inspection along with this conflict of interest code.

A consultant is an individual who, pursuant to a contract with the Eden Area ROP, makes a governmental decision whether to: (2 CCR 18700.3)

1. Approve a rate, rule, or regulation
2. Adopt or enforce a law
3. Issue, deny, suspend, or revoke any permit, license, application, certificate, approval, order, or similar authorization or entitlement
4. Authorize the Eden Area ROP to enter into, modify, or renew a contract that requires Eden Area ROP approval
5. Grant Eden Area ROP approval to a contract that requires Eden Area ROP approval and in which the Eden Area ROP is a party, or to the specifications for such a contract

6. Grant Eden Area ROP approval to a plan, design, report, study, or similar item
7. Adopt or grant Eden Area ROP approval of Eden Area ROP policies, standards, or guidelines

A consultant is also an individual who, pursuant to a contract with the Eden Area ROP, serves in a staff capacity with the Eden Area ROP and in that capacity participates in making a governmental decision as defined in 2 CCR 18704, subsections (a) and (b), or performs the same or substantially all the same duties for the Eden Area ROP that would otherwise be performed by an individual holding a position specified in the Eden Area ROP's conflict of interest code. (2 CCR 18700.3)

**DATE:** March 3, 2022  
**TO:** ROP Governing Board  
**FROM:** Linda Granger, Superintendent  
**PREPARED BY:** Manuschka Michaud, Principal  
**SUBJECT:** Request the Governing Board to approve the-Agreement with Carla Alonzo for Providing a Mental Health and Wellness Program for the 2021-2022 School Year

## **BACKGROUND**

---

Mental Health is a topic that is not always understood. Carla Alonzo is a motivational speaker from the Next Level Speaker academy, workshop facilitator, health care advocate, certified suicide prevention, and sits on the Board of Directors of Latina Contra Cancer. Carla's mission is to inspire, motivate, and empower youth to change the thinking or behavior patterns behind problems, thereby changing how they feel. Her goal is to bring forth their strengths and talents for building mental health by giving them tools and resources so they can master their own identity.

## **CURRENT SITUATION**

---

Carla Alonzo will provide a 60-minute virtual engagement with our students providing the following topics for all ROP classes:

- Transition from self-destruction to self-esteem
- Reframe from Negative Self Talk
- How to build resilience with oneself
- How to communicate with others on internal issues and feel safe
- How to listen without judgement
- Mental Health Hotline numbers and resources
- Access to digital wealth package

## **CONSENT CALENDAR**

---





## **Eden Area ROP**

### **Event Agreement**

This Event Agreement shall begin on 2/5/2022 and shall continue until the end of this school year, May 27, 2022 between Carla Alonzo and ROP.

### **Description of Services**

Carla Alonzo will provide all ROP students and teachers on site and off-site with a Mental Health and Wellness program.

60-Minute Live Engagement to each class with Q/A

Mental Health Hotline number and resources

Educate on Awareness

How to build resilience

Access to digital wealth package.

Follow up within one month of visit.

### **Compensation**

In full consideration for the services provided, the Organization shall pay Carla Alonzo \$7000.00. A deposit of 20% is due upon the signing of the contract agreement. The remaining balance of \$7000.00 is due after Carla Alonzo has completed the presentation to all students and teachers.

### **Natural Disaster**

In the event of fire, riot, war, ordinance, law, or act of God, either party may elect to terminate this Contract and thus be released from obligations assigned by this agreement.



**Notices**

Any communication required under this agreement or regarding the event shall be made to

**Carla Alonzo**

**831.673.1219**

**Info@carlaalonzo.org**

**Corporation:**

Eden ROP

By: Manuschka Michaud  
(Authorized Signature)

Date: 2/9/2022

**Carla Alonzo**

DocuSigned by:  
By: Carla Alonzo  
95069F082DFD427...  
(Authorized Signature)

Date: 2/2/2022

[www.Carlaalonzo.org](http://www.Carlaalonzo.org)

# INFORMATION ITEMS

---

**DATE:** March 3, 2022  
**TO:** ROP Governing Board  
**FROM:** Linda Granger, Superintendent  
**PREPARED BY:** Manuschka Michaud, Principal  
**SUBJECT:** ROP Pathway Review- Residential & Commercial Construction

## **BACKGROUND**

---

The state of California has identified 15 industry sectors. Each sector contains multiple career pathways in which to develop programs of study. It is up to individual school districts and the region's corresponding colleges and businesses to conduct research into the needs of the industry and determine which sectors and careers can best serve the students, industry and community. Pathways available vary by each district.

Formerly, the pathway reviews were presented to the Governing Board under the title "CDE Course Review." The Eden Area ROP has renamed the CDE Course Reviews to Pathway Reviews to more accurately reflect the information being shared with the Board and to align with the current terminology used by the state. Pathways reviews are presented to the Governing Board biennially.

## **CURRENT SITUATION**

---

The Residential and Commercial Construction pathway provides learning opportunities for students interested in preparing for careers in construction and building design, performance, and sustainability. The standards focus on the manner in which residential and commercial structures are designed and built. The pathway includes instruction in the way in which these structures are built (Class B California License).

The attached pathway review is for the following program(s): Construction Technology IP/IIP.

## **RECOMMENDATION**

---

Information only

|   |  |   |   |  |
|---|--|---|---|--|
| <b>SCHOOL DISTRICT:</b>   | <b>EDEN AREA ROP</b>                   | <b>LOCATION:</b>  | <b>Eden Area ROP</b>  |  |
| <b>PATHWAY:</b>   | Residential & Commercial Construction  |   | <b>INSTRUCTORS:</b>   | Bill Deslaurier  |
| Course Name   | Enrollment as of 20-21<br>Year to Date | Enrollment as of 19-20<br>Year to Date  | Enrollment as of 18-19<br>Year to Date  |  |
| Construction Technology IP  | 37                                     | 66  | 58  |  |
| Construction Technology IIP   | 7                                      | N/A   | N/A   |  |
| <b>Comments:</b> <ul style="list-style-type: none"> <li>Required enrollment: Class enrollment maintained to sustain agreed master schedule for onsite and staffing.<br/> <input checked="" type="checkbox"/> YES    <input type="checkbox"/> NO </li> <li>Retention rate (Active Enrollment divided by Year-to-date Enrollment):</li> </ul> |  |   |   |  |
| <b>Text Book:</b> Carpentry   |  |   | <b>Edition:</b> 5 <sup>th</sup>   |  |
| <b>NO.</b>  | <b>YES</b>                             | <b>NO</b>   |   |  |
| 1.  | X                                      |   | <b>ENROLLMENT</b> – Course meets current or future labor market news.<br><b>CLASS SCHEDULE:</b> AM/PM<br><b>SECTIONS PER YEAR:</b><br><b>MINS PER SECTION:</b><br><b>EXPECTED MINIMUM STUDENTS PER SECTION:</b>   |  |
|   |  |   | 2 (Center)  | 2 (Center)   |
|   |  |   | 3hrs Center   | 25+  |
| 2.  | X                                      |   | <b>AVAILABILITY OF QUALIFIED INSTRUCTOR</b> – Qualified/ Credentialed Instructor teaching course.   |  |
| 3.  | X                                      |   | <b>LEADERSHIP</b> – Instructional leaders have sufficient time and resources to implement system improvements and work with their counterparts in other programs.   |  |
| 4.  | X                                      |   | <b>CURRICULUM and INSTRUCTION</b> – Students are provided with a strong experience in and understanding of all aspects of industry.   |  |
| 5.  | X                                      |   | <b>SCHOOL-TO-CAREER AND CAREER PATHWAY DEVELOPMENT</b> – Course is designed as part of a sequence of courses, career pathways, etc.   |  |
| 6.  | X                                      |   | <b>ADVISORY COMMITTEE</b> – The course has been reviewed and recommended by a pre-established committee.<br><input checked="" type="checkbox"/> Yes, instructor was present at advisory meeting and minutes are on file at ROP<br><input type="checkbox"/> No, instructor was not present at advisory. Program was represented, at a joint industrial, by ROP personnel. Instructor MUST attend next advisory for program to meet compliance. |  |
| 7.  | X                                      |   | <b>LABOR MARKET NEEDS</b> – Course meets current or future labor market needs.  |  |
| 8.  | X                                      |   | <b>WORK BASED LEARNING</b> – Course incorporates work based learning opportunities (i.e. guest speakers, field trips, mock interviews, or student organizations)  |  |
| 9.  | X                                      |   | <b>COMMUNITY CLASSROOM AND COOPERATIVE VOCATIONAL EDUCATION</b> – Course incorporates community classroom and cooperative vocational education (i.e., job training, internships, or job shadowing )   |  |
| 10.   | X                                      |   | <b>JOB PLACEMENT/FURTHER EDUCATION OPTIONS</b> – Course has potential for student job placement in entry-level positions or course prepares students for further training opportunities within the designed career pathway.   |  |
| 11.   | X                                      |   | <b>FACILITIES AND EQUIPMENT ACCOMMODATION</b><br><input type="checkbox"/> District will provide a facility which adequately accommodates the program.<br><input checked="" type="checkbox"/> EAROP will provide a facility which adequately accommodates the program.<br><input type="checkbox"/> District shares cost of equipment if program is cross utilized.   |  |
| <b>OTHER CONSIDERATIONS:</b>  |  |   |   |  |
| <input checked="" type="checkbox"/> A-G Credit for UC   |  | <input type="checkbox"/> State and National Licensing or Certification  |   |  |
| <input checked="" type="checkbox"/> Community College Articulation  |  | <input checked="" type="checkbox"/> Strong Business or Industry Partnership                                       |   |  |
| <input type="checkbox"/> Dual Enrollment  |  | <input type="checkbox"/> Emerging Technologies -  |   |  |
| <b>COMPLIANCE CATEGORIES</b>  |  |   |   |  |
| <input checked="" type="checkbox"/> <b>R – Retain Program:</b> Program meets all criteria.  |  | <input type="checkbox"/> <b>W - Watch Program:</b> All criteria not met. See areas that need to be complied with. |   | <input type="checkbox"/> <b>P - Probation:</b> Criteria is not being met. Program in danger of suspension. |
|   |  | <input type="checkbox"/> <b>R – Reduce Program:</b> Downsizing program.   |   | <input type="checkbox"/> <b>S/T - Suspend/ Terminate program.</b>  |

**DATE:** March 3, 2022  
**TO:** ROP Governing Board  
**FROM:** Linda Granger, Superintendent  
**PREPARED BY:** Craig Lang, Director of Adult Programs  
**SUBJECT:** Adult Programs Update

## **BACKGROUND**

---

The Adult Program started in the 2014-2015 school year. The focus of the of Adult Program is to provide short-term quality training to assist adults with increasing their current skill-set and/or transitioning into new careers.

## **CURRENT SITUATION**

---

The Director of Adult Programs, Craig Lang, will give an update on current adult program offerings and describe plans for expanding classes in the future.

## **RECOMMENDATION**

---

Information only

**DATE:** March 3, 2022  
**TO:** ROP Governing Board  
**FROM:** Linda Granger, Superintendent  
**SUBJECT:** First Reading of Governing Board Policies and Administrative Regulations

## BACKGROUND

---

By law, districts are mandated to adopt policies and administrative regulations to help ensure that districts are legally compliant. New laws are passed by the legislature and congress every year and our policies can quickly become out-of-date. The last thorough review of all of the Eden Area ROP Governing Board policies and administrative regulations occurred in the 2019-2020 school year.

## CURRENT SITUATION

---

The Eden Area ROP has contracted with California School Boards Association (CSBA) to receive regular updates and suggested policy language for any additions, changes, or modifications to educational code that impacts policy. Staff regularly review these updates and bring relevant changes to the board for their consideration throughout the year.

What follows is the first reading of updated board policies and administrative regulations to reflect current law and regulations.

| NUMBER | TYPE       | TITLE                                      | STATUS  |
|--------|------------|--|---------|
| 1312.3 | Policy     | Uniform Complaint Procedures               | Replace |
| 1312.3 | Regulation | Uniform Complaint Procedures               | Replace |
| 3515.6 | Regulation | Criminal Background Checks for Contractors | Replace |
| 4161.8 | Regulation | Family Care and Medical Leave              | Replace |
| 4261.8 |            |  |         |
| 4361.8 |            |  |         |
| 5125   | Regulation | Student Records                            | Replace |
| 5145.3 | Regulation | Nondiscrimination/Harassment               | Replace |
| 6112   | Policy     | School Day                                 | Replace |
| 6143   | Policy     | Courses Of Study                           | Replace |
| 9320   | Policy     | Meetings And Notices                       | Replace |

## RECOMMENDATION

---

Information only



# EdenAreaROP SUPERINTENDENT'S MEMO

**To:** Eden Area ROP Governing Board  
**From:** Linda Granger, Superintendent  
**Date:** March 3, 2022  
**Re:** First Reading of Board Policies, Administrative Regulations and Exhibits

Listed below is a summary of the changes being recommended to Board Policies (BP), Administrative Regulations (R) and Exhibits (E) for the consideration of the Board.

| Number | Type | Title                        | Explanation of Change  | Status  |
|--------|------|------------------------------|--|---------|
| 1312.3 | BP   | Uniform Complaint Procedures | Policy updated to reflect NEW LAW (AB 131, 2021) which renumbers the license-exempt California State Preschool Program code sections, ensure consistency with the California Department of Education's 2021-22 federal program monitoring instrument, clarify that districts may not offer or facilitate an informal resolution process to resolve allegations that an employee sexually harassed a student, add Item #3 to the section regarding "Non-UCP Complaints" that any complaint alleging that a student, while in an education program or activity as specified, was subjected to sexual harassment as defined in 34 CFR 106.30 be addressed through federal Title IX complaint procedures, and clarify in Item #5 that complaints alleging a physical safety concern that interferes with a free appropriate public education is a non-UCP complaint.   | Replace |
| 1312.3 | R    | Uniform Complaint Procedures | Regulation updated to delete outdated and/or repealed U.S. Department of Education's Office for Civil Rights (OCR) references and where appropriate add current OCR material, ensure consistency with the California Department of Education's 2021-22 federal program monitoring instrument, clarify posting requirements for the annual notification, compliance officer contact information and information related to Title IX, add material regarding the requirement for an administrator who is not designated as a compliance officer who receives a complaint to notify the compliance officer, clarify that districts may not offer or facilitate an informal resolution process to resolve allegations that an employee sexually harassed a student, add descriptions to the OPTION headings for districts that do or do not allow complainants to appeal to the governing board, delete material regarding respondent being sent the investigation | Replace |



|        |   |  |  |         |
|--------|---|--|--|---------|
|        |   |  | report at the same time it is provided to complainant as this simultaneous exchange is not required by law, amend language in regard to pursuing civil law remedies in the notice to complainants included in investigation reports for allegations of unlawful discrimination, harassment, intimidation, and bullying based on state law, clarify when either party may request reconsideration of an appeal by the Superintendent of Public Instruction, and reflect NEW LAW (AB 131, 2021) which renumbers the license-exempt California State Preschool Program code sections.   |         |
| 3515.6 | R | Criminal Background Checks for Contractors | Regulation updated to reflect NEW LAW (AB 130, 2021) which requires any entity, including a sole proprietor, that has a contract with a district to ensure that employees who interact with students outside of the immediate supervision and control of the student's parent/guardian or school staff have a valid criminal records summary and to immediately provide any subsequent arrest and conviction information received pursuant to the subsequent arrest service. Regulation also updated to delete the list of service providers as the services in Items #1-5 are no longer listed in law and the services in Item #6 regarding the construction, reconstruction, rehabilitation, or repair of a school facility are considered in another portion of the regulation, delete material regarding an exception for employees with limited contact with students as it is no longer provided for in law, generalize information regarding steps that may be taken to protect the safety of students who may come in contact with employees of contracting entities, and rearrange placement of material for clarity and context. | Replace |
| 5125   | R | Student Records                            | Regulation updated to enhance clarity by separating administrative guidance for requests involving changes to student records of current students and guidance related to requests for changes to gender or legal name of former students. Regulation also updated to move materials related to former students to end of regulation in new section - "Updating Name and/or Gender of Former Students."  | Replace |
| 5145.3 | R | Nondiscrimination/Harassment               | Regulation updated to clarify how district employees should handle requests by or on   | Replace |

|      |    |                      |   |         |
|------|----|----------------------|---|---------|
|      |    |                      | behalf of transgender and gender-nonconforming students when changing gender and legal name on student records. Regulation also updated to broaden the section on "Transgender and Gender-Nonconforming Students" to include support for intersex and nonbinary students and related definitions.   |         |
| 6112 | BP | School Day           | Policy updated to reflect clarification in the California Department of Education's Frequently Asked Questions about Independent Study that minimum school day requirements for regular school attendance apply to traditional independent study programs.  | Replace |
| 6143 | BP | Courses Of Study     | Policy updated to (1) expand student characteristics for which districts may not provide any course separately or require or refuse participation, (2) include that the district's course of study may provide for a rigorous academic curriculum that integrates academic and career skills, includes applied learning across all disciplines, and prepares students for high school graduation and career entry, and (3) clarify that the a-g requirements for the University of California and California State University system is 15 yearlong or 30 semesters.  | Replace |
| 9320 | BP | Meetings And Notices | Bylaw updated to clarify that it is discussion among themselves, via technology, of a majority of the governing board regarding an item within the subject matter jurisdiction of the board that can result in a violation of the Brown Act, and that agenda materials are required to be made available for public inspection at the time the materials are distributed to all or a majority of the board when agenda materials relating to an open session of a regular meeting are distributed to the board less than 72 hours before the meeting. Bylaw also updated to add a new section "Teleconferencing During a Proclaimed State of Emergency" which reflects NEW LAW (AB 361, 2021) that (1) authorizes boards, until January 1, 2024, to conduct board meetings by teleconference, as specified, without meeting certain requirements otherwise required of teleconference meetings when holding a board meeting during a proclaimed state of emergency when state or local officials have imposed or recommend measures to promote social | Replace |

|  |  |  |   |  |
|--|--|--|---|--|
|  |  |  | <p>distancing; to determine whether, as a result of an emergency, meeting in person would present imminent risks to the health or safety of attendees; or when it has been determined, as a result of an emergency, that meeting in person would present imminent risks to the health or safety of attendees, (2) includes that the district may, in its discretion, provide a physical location from which the public may attend or comment and, (3) provides that the board may continue to conduct meetings by teleconference during proclaimed states of emergency by a majority vote finding within 30 days after teleconferencing for the first time and every 30 days thereafter that either the state of emergency continues to directly impact the ability of the board to meet safely in person or that state or local officials continue to impose or recommend measures to promote social distancing.</p> |  |
|--|--|--|---|--|

**Policy 1312.3: Uniform Complaint Procedures**

**Status:** DRAFT

**Original Adopted Date:** 03/05/2020 | **Last Revised Date:** 11/04/2021 | **Last Reviewed Date:** 11/04/2021

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

**Complaints Subject to UCP**

The Eden Area ROP's uniform complaint procedures (UCP) shall be used to investigate and resolve complaints regarding the following programs and activities:

1. Accommodations for pregnant and parenting students (Education Code 46015)
2. Adult education programs (Education Code 8500-8538, 52334.7, 52500-52617)
3. ~~After School Education and Safety programs (Education Code 8482-8484.65)~~
4. ~~Agricultural career technical education (Education Code 52460-52462)~~
5. 3. Career technical and technical education and career technical and technical training programs (Education Code 52300-52462)
6. ~~Child care and development programs (Education Code 8200-8498)~~
7. ~~Compensatory education (Education Code 54400)~~
8. 4. Discrimination, harassment, intimidation, or bullying in Eden Area ROP programs and activities, including in those programs or activities funded directly by or that receive or benefit from any state financial assistance, based on the a person's actual or perceived characteristics of race or ethnicity, color, ancestry, nationality, national origin, immigration status, ethnic group identification, age, religion, marital status, pregnancy, parental status, physical or mental disability, medical condition, sex, sexual orientation, gender, gender identity, gender expression, or genetic information, or any other characteristic identified in Education Code 200 or 220, Government Code 11135, or Penal Code 422.55, or based on the person's association with a person or group with one or more of these actual or perceived characteristics (5 CCR 4610)
9. 5. Educational and graduation requirements for students in foster care, homeless students, students from military families, and students formerly in a juvenile court school, ~~migrant students, and immigrant students participating in a newcomer program~~ (Education Code 48645.7, 48853, 48853.5, 49069.5, 51225.1, 51225.2)
10. ~~Migrant education (Education Code 54440-54445)~~
11. 6. Student fees (Education Code 49010-49013)
12. 7. Reasonable accommodations to a lactating student (Education Code 222)
13. 8. Regional occupational centers and programs (Education Code 52300-52334.7)
14. 9. School safety plans (Education Code 32280-32289)
15. 10. Any complaint alleging retaliation against a complainant or other participant in the complaint process or anyone who has acted to uncover or report a violation subject to this policy
16. 11. Any other state or federal educational program the Superintendent of Public Instruction or designee deems appropriate

The Board recognizes that alternative dispute resolution (ADR) can, depending on the nature of the allegations, offer a process for resolving a complaint in a manner that is acceptable to all parties. An ADR process such as mediation

may be offered to resolve complaints that involve more than one student and no adult. However, mediation shall not be offered or used to resolve any complaint involving sexual assault or where there is a reasonable risk that a party to the mediation would feel compelled to participate. The Superintendent or designee shall ensure that the use of ADR is consistent with state and federal laws and regulations.

The Eden Area ROP shall protect all complainants from retaliation. In investigating complaints, the confidentiality of the parties involved shall be protected as required by law. For any complaint alleging retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the Superintendent or designee shall keep the identity of the complainant, and/or the subject of the complaint if different from the complainant, confidential when appropriate and as long as the integrity of the complaint process is maintained.

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

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

The Superintendent or designee shall maintain a record of each complaint and subsequent related actions, including steps taken during the investigation and all information required for compliance with 5 CCR 4631 and 4633.

### Non-UCP Complaints

The following complaints shall not be subject to the Eden Area ROP's UCP but shall be investigated and resolved by the specified agency or through an alternative process:

1. Any complaint alleging child abuse or neglect shall be referred to the County Department of Social Services Protective Services Division or the appropriate law enforcement agency. (5 CCR 4611)
2. Any complaint alleging health and safety violations by a child development program shall, for licensed facilities, be referred to Department of Social Services. (5 CCR 4611)
3. Any complaint alleging that a student, while in an education program or activity in which the district exercises substantial control over the context and respondent, was subjected to sexual harassment as defined in 34 CFR 106.30 shall be addressed through the federal Title IX complaint procedures adopted pursuant to 34 CFR 106.44-106.45, as specified in AR 5145.71 - Title IX Sexual Harassment Complaint Procedures.
4. Any complaint alleging employment discrimination or harassment shall be investigated and resolved by the Eden Area ROP in accordance with the procedures specified in AR 4030 - Nondiscrimination in Employment, including the right to file the complaint with the California Department of Fair Employment and Housing.
5. Any complaint alleging a violation of a state or federal law or regulation related to special education, a settlement agreement related to the provision of a free appropriate public education (FAPE), or failure or refusal to implement, or a due process hearing order to which the district is subject, or a physical safety concern that interferes with the district's provision of FAPE shall be submitted to the California Department of Education (CDE) in accordance with AR 6159.1 - Procedural Safeguards and Complaints for Special Education. (5 CCR 3200-3205)
6. Any complaint related to sufficiency of textbooks or instructional materials, emergency or urgent facilities conditions that pose a threat to the health or safety of students or staff, or teacher vacancies and misassignments shall be investigated and resolved in accordance with AR 1312.4 - Williams Uniform Complaint Procedures. (Education Code 35186)

---

**Policy Reference Disclaimer:** These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

### State References

2 CCR 11023

### Description

Harassment and discrimination prevention and correction -  
<https://simbli.eboardsolutions.com/SU/haAgKnrQhVJbslsh34hY5zslsh5Q==>

|                          |   |
|--------------------------|---|
| 5 CCR 15580-15584        | Child nutrition programs complaint procedures   |
| 5 CCR 3200-3205          | Special education compliance complaints   |
| 5 CCR 4600-4670          | Uniform complaint procedures  |
| 5 CCR 4680-4687          | Williams uniform complaint procedures   |
| 5 CCR 4690-4694          | Complaints regarding health and safety issues in license-exempt preschool programs  |
| 5 CCR 4900-4965          | Nondiscrimination in elementary and secondary education programs  |
| Ed. Code 200-262.4       | Educational equity; prohibition of discrimination on the basis of sex - <a href="https://simbli.eboardsolutions.com/SU/ytTLslshoozWGUAAbNL6kKkgxQ==">https://simbli.eboardsolutions.com/SU/ytTLslshoozWGUAAbNL6kKkgxQ==</a> |
| Ed. Code 18100-18203     | School libraries  |
| Ed. Code 32221.5         | Insurance for athletic team members   |
| Ed. Code 32280-32289     | School safety plans   |
| Ed. Code 35186           | Williams uniform complaint procedures   |
| Ed. Code 46015           | Parental leave for students   |
| Ed. Code 48853-48853.5   | Foster youth  |
| Ed. Code 48985           | Notices in language other than English  |
| Ed. Code 49010-49014     | Student fees  |
| Ed. code 49060-49079     | Student records   |
| Ed. Code 49069.5         | Records of foster youth   |
| Ed. Code 49490-49590     | Child nutrition programs  |
| Ed. Code 49701           | Interstate Compact on Educational Opportunity for Military Children   |
| Ed. Code 51210           | Courses of study grades 1-6   |
| Ed. Code 51222           | Physical education  |
| Ed. Code 51223           | Physical education, elementary schools  |
| Ed. Code 51225.1-51225.2 | Foster youth, homeless children, former juvenile court school students; course credits; graduation requirements   |
| Ed. Code 51226-51226.1   | Career technical education  |
| Ed. Code 51228.1-51228.3 | Course periods without educational content  |
| Ed. Code 52059.5         | Statewide system of support   |
| Ed. Code 52060-52077     | Local control and accountability plan   |
| Ed. Code 52075           | Complaint for lack of compliance with local control and accountability plan requirements  |
| Ed. Code 52300-52462     | Career technical education  |
| Ed. Code 52500-52616.24  | Adult schools   |
| Ed. Code 54400-54425     | Compensatory education programs   |
| Ed. Code 54440-54445     | Migrant education   |
| Ed. Code 54460-54529     | Compensatory education programs   |
| Ed. Code 59000-59300     | Special schools and centers   |
| Ed. Code 64000-64001     | Consolidated application process; school plan for student achievement   |
| Ed. Code 65000-65001     | School site councils  |
| Ed. Code 8200-8498       | Child care and development programs   |
| Ed. Code 8500-8538       | Adult basic education   |
| Gov. Code 11135          | Nondiscrimination in programs or activities funded by state   |

Gov. Code 11135  
 Gov. Code 12900-12996  
 H&S Code 1596.792  
 H&S Code 1596.7925  
 Pen. Code 422.55  
 Pen. Code 422.6

### **Federal References**

20 USC 1221  
 20 USC 1232g  
 20 USC 1681-1688  
 20 USC 6301-6576  
 20 USC 6801-7014  
 28 CFR 35.107  
 29 USC 794  
 34 CFR 100.3  
 34 CFR 104.7  
 34 CFR 106.1-106.82  
 34 CFR 106.8  
 34 CFR 106.9  
 34 CFR 110.25  
 34 CFR 99.1-99.67  
 42 USC 11431-11435  
 42 USC 12101-12213  
 42 USC 2000d-2000e-17  
 42 USC 2000h-2-2000h-6  
 42 USC 6101-6107

### **Management Resources References**

California Department of Education Publication  
 California Department of Education Publication  
 U.S. DOE, Office For Civil Rights Publication  
 U.S. DOE, Office For Civil Rights Publication  
 U.S. DOE, Office for Civil Rights Publication  
 U.S. DOE, Office for Civil Rights Publication  
 U.S. DOE, Office for Civil Rights Publication  
 U.S. DOJ Publication  
 Website

Discrimination -  
<https://simbli.eboardsolutions.com/SU/PcUFWMcCJnzBrKAL0EtQ==>  
 Fair Employment and Housing Act  
 California Child Day Care Act; general provisions and definitions  
 California Child Day Care Act; health and safety regulations  
 Definition of hate crime  
 Civil rights; crimes

### **Description**

Application of laws  
 Family Educational Rights and Privacy Act (FERPA) of 1974  
 Title IX of the Education Amendments of 1972  
 Title I Improving the Academic Achievement of the Disadvantaged  
 Title III language instruction for limited English proficient and immigrant students  
 Nondiscrimination on basis of disability; complaints  
 Rehabilitation Act of 1973, Section 504  
 Prohibition of discrimination on basis of race, color or national origin  
 Designation of responsible employee for Section 504  
 Nondiscrimination on the basis of sex in education programs  
 Designation of responsible employee for Title IX  
 Notification of nondiscrimination on basis of sex  
 Notification of nondiscrimination on the basis of age  
 Family Educational Rights and Privacy Act  
 McKinney-Vento Homeless Assistance Act  
 Title II equal opportunity for individuals with disabilities  
 Title VI and Title VII Civil Rights Act of 1964, as amended  
 Title IX of the Civil Rights Act of 1964  
 Age Discrimination Act of 1975

### **Description**

Uniform Complaint Procedure 2020-21 Program Instrument  
 Sample UCP Board Policies and Procedures  
 Dear Colleague Letter, September 22, 2017  
 Dear Colleague Letter: Title IX Coordinators, April 2015  
 Dear Colleague Letter: Harassment and Bullying, October 2010  
 Dear Colleague Letter: Responding to Bullying of Students with Disabilities, October 2014  
 Revised Sexual Harassment Guidance: Harassment of Students by School Employees, Other Students, or Third Parties, January 2001  
 Guidance to Federal Financial Assistance Recipients Regarding Title VI, 2002  
 U.S. Department of Justice -  
<https://simbli.eboardsolutions.com/SU/BPwrkTmFhG0SXt3hKCVuBw==>

|         |  |
|---------|--|
| Website | California Department of Education -<br><a href="https://simbli.eboardsolutions.com/SU/os2jq5DcA2RawmY2VZ5FZQ==">https://simbli.eboardsolutions.com/SU/os2jq5DcA2RawmY2VZ5FZQ==</a>                    |
| Website | CSBA -<br><a href="https://simbli.eboardsolutions.com/SU/W3QxkK2FPsDsQBnMIENxGg==">https://simbli.eboardsolutions.com/SU/W3QxkK2FPsDsQBnMIENxGg==</a>  |
| Website | U.S. Department of Education, Office for Civil Rights -<br><a href="https://simbli.eboardsolutions.com/SU/HrN4mDOsAx53TBZ2HPwBvQ==">https://simbli.eboardsolutions.com/SU/HrN4mDOsAx53TBZ2HPwBvQ==</a> |

## Cross References

## Description

|              |  |
|--------------|--|
| 0450         | Comprehensive Safety Plan -<br><a href="https://simbli.eboardsolutions.com/SU/BqsTTEay3qjmfO4iSU7slshvA==">https://simbli.eboardsolutions.com/SU/BqsTTEay3qjmfO4iSU7slshvA==</a>                                   |
| 0450         | Comprehensive Safety Plan -<br><a href="https://simbli.eboardsolutions.com/SU/qZV7Uq0UTa6fu4JQDmEslsh5g==">https://simbli.eboardsolutions.com/SU/qZV7Uq0UTa6fu4JQDmEslsh5g==</a>                                   |
| 0470         | COVID-19 Mitigation Plan -<br><a href="https://simbli.eboardsolutions.com/SU/lkd0OQyrdn0CMAAnaMO7MAw==">https://simbli.eboardsolutions.com/SU/lkd0OQyrdn0CMAAnaMO7MAw==</a>  |
| 1250         | Visitors/Outsiders -<br><a href="https://simbli.eboardsolutions.com/SU/r97Rsu8M6iVBGFQk72Bvplusg==">https://simbli.eboardsolutions.com/SU/r97Rsu8M6iVBGFQk72Bvplusg==</a>  |
| 1250         | Visitors/Outsiders -<br><a href="https://simbli.eboardsolutions.com/SU/lozntKyUEVTuEwcqK7gFTw==">https://simbli.eboardsolutions.com/SU/lozntKyUEVTuEwcqK7gFTw==</a>  |
| 1312.4       | Williams Uniform Complaint Procedures -<br><a href="https://simbli.eboardsolutions.com/SU/BYbcDFfdbC6Dc9TjachakQ==">https://simbli.eboardsolutions.com/SU/BYbcDFfdbC6Dc9TjachakQ==</a>                             |
| 1312.4-E(1)  | Williams Uniform Complaint Procedures -<br><a href="https://simbli.eboardsolutions.com/SU/VFSWz7BTK4slshMqMdJvAsMplusw==">https://simbli.eboardsolutions.com/SU/VFSWz7BTK4slshMqMdJvAsMplusw==</a>                 |
| 3260         | Fees And Charges -<br><a href="https://simbli.eboardsolutions.com/SU/GBmLyqzfzSCkfJHelqrNEQ==">https://simbli.eboardsolutions.com/SU/GBmLyqzfzSCkfJHelqrNEQ==</a>  |
| 3260         | Fees And Charges -<br><a href="https://simbli.eboardsolutions.com/SU/zPs9HLtshlshppqbH6809dB9Ew==">https://simbli.eboardsolutions.com/SU/zPs9HLtshlshppqbH6809dB9Ew==</a>  |
| 4030         | Nondiscrimination In Employment -<br><a href="https://simbli.eboardsolutions.com/SU/tA8NrnX4fwhdPnt5IFP14w==">https://simbli.eboardsolutions.com/SU/tA8NrnX4fwhdPnt5IFP14w==</a>                                   |
| 4030         | Nondiscrimination In Employment -<br><a href="https://simbli.eboardsolutions.com/SU/6Cx1vmlZzL4v17kBX0UMmQ==">https://simbli.eboardsolutions.com/SU/6Cx1vmlZzL4v17kBX0UMmQ==</a>                                   |
| 4112.9       | Employee Notifications -<br><a href="https://simbli.eboardsolutions.com/SU/DEDQMTcIL2LReSslshUbwCFuA==">https://simbli.eboardsolutions.com/SU/DEDQMTcIL2LReSslshUbwCFuA==</a>                                      |
| 4112.9       | Employee Notifications -<br><a href="https://simbli.eboardsolutions.com/SU/R1SyYrIz40DSa1c7mTns8w==">https://simbli.eboardsolutions.com/SU/R1SyYrIz40DSa1c7mTns8w==</a>  |
| 4118         | Dismissal/Suspension/Disciplinary Action -<br><a href="https://simbli.eboardsolutions.com/SU/XNvDKoMKzeSET7e8lu7odQ==">https://simbli.eboardsolutions.com/SU/XNvDKoMKzeSET7e8lu7odQ==</a>                          |
| 4119.1       | Civil And Legal Rights -<br><a href="https://simbli.eboardsolutions.com/SU/4iB9yzVMSD28thd0bsVO5A==">https://simbli.eboardsolutions.com/SU/4iB9yzVMSD28thd0bsVO5A==</a>  |
| 4119.11      | Sexual Harassment -<br><a href="https://simbli.eboardsolutions.com/SU/b2kd8gTslshr11dls6OdyxU4g==">https://simbli.eboardsolutions.com/SU/b2kd8gTslshr11dls6OdyxU4g==</a>   |
| 4119.11      | Sexual Harassment -<br><a href="https://simbli.eboardsolutions.com/SU/eF8CtslshRzbrmrzVc4fT29FNg==">https://simbli.eboardsolutions.com/SU/eF8CtslshRzbrmrzVc4fT29FNg==</a>   |
| 4119.11-E(1) | Sexual Harassment -<br><a href="https://simbli.eboardsolutions.com/SU/lrz2uTslshpluso3l8ZiJCD1P9ag==">https://simbli.eboardsolutions.com/SU/lrz2uTslshpluso3l8ZiJCD1P9ag==</a>                                     |
| 4119.23      | Unauthorized Release Of Confidential/Privileged Information -<br><a href="https://simbli.eboardsolutions.com/SU/plusx7quVYJcRgCQGf9vm10iQ==">https://simbli.eboardsolutions.com/SU/plusx7quVYJcRgCQGf9vm10iQ==</a> |
| 4212.9       | Employee Notifications -<br><a href="https://simbli.eboardsolutions.com/SU/gS6nQM3taplus7KNq7ROsEJdQ==">https://simbli.eboardsolutions.com/SU/gS6nQM3taplus7KNq7ROsEJdQ==</a>                                      |
| 4212.9       | Employee Notifications -<br><a href="https://simbli.eboardsolutions.com/SU/4A0tshXyXIJvP6Bft5plusnng==">https://simbli.eboardsolutions.com/SU/4A0tshXyXIJvP6Bft5plusnng==</a>                                      |



|              |  |
|--------------|--|
| 4218         | Dismissal/Suspension/Disciplinary Action -<br><a href="https://simbli.eboardsolutions.com/SU/p907xTHB0BRLxoplusxBqeAzw==">https://simbli.eboardsolutions.com/SU/p907xTHB0BRLxoplusxBqeAzw==</a>              |
| 4218         | Dismissal/Suspension/Disciplinary Action -<br><a href="https://simbli.eboardsolutions.com/SU/QjZchBHjlo4MPVRpFGJCrA==">https://simbli.eboardsolutions.com/SU/QjZchBHjlo4MPVRpFGJCrA==</a>                    |
| 4219.1       | Civil And Legal Rights -<br><a href="https://simbli.eboardsolutions.com/SU/slshiMtmDG5HwlomoOxm8JnSQ==">https://simbli.eboardsolutions.com/SU/slshiMtmDG5HwlomoOxm8JnSQ==</a>                                |
| 4219.11      | Sexual Harassment -<br><a href="https://simbli.eboardsolutions.com/SU/4gkr2olplus5nNrAYmUovOIGA==">https://simbli.eboardsolutions.com/SU/4gkr2olplus5nNrAYmUovOIGA==</a>                                     |
| 4219.11      | Sexual Harassment -<br><a href="https://simbli.eboardsolutions.com/SU/IRPC1EalM3FZbpiYMgcFdg==">https://simbli.eboardsolutions.com/SU/IRPC1EalM3FZbpiYMgcFdg==</a>   |
| 4219.11-E(1) | Sexual Harassment -<br><a href="https://simbli.eboardsolutions.com/SU/NJQ9zeDb7z4szUebtw9EjQ==">https://simbli.eboardsolutions.com/SU/NJQ9zeDb7z4szUebtw9EjQ==</a>   |
| 4219.23      | Unauthorized Release Of Confidential/Privileged Information -<br><a href="https://simbli.eboardsolutions.com/SU/UnlzMtjoly0fkBOcG4ZrMg==">https://simbli.eboardsolutions.com/SU/UnlzMtjoly0fkBOcG4ZrMg==</a> |
| 4244         | Complaints -<br><a href="https://simbli.eboardsolutions.com/SU/aQNldGubKpluslpfZH0rpluskBQQ==">https://simbli.eboardsolutions.com/SU/aQNldGubKpluslpfZH0rpluskBQQ==</a>                                      |
| 4244         | Complaints -<br><a href="https://simbli.eboardsolutions.com/SU/Ojld2dnxGJxfwG6RsewdNg==">https://simbli.eboardsolutions.com/SU/Ojld2dnxGJxfwG6RsewdNg==</a>  |
| 4312.9       | Employee Notifications -<br><a href="https://simbli.eboardsolutions.com/SU/jjOvCL3R0BslshFhOudlvslshXEA==">https://simbli.eboardsolutions.com/SU/jjOvCL3R0BslshFhOudlvslshXEA==</a>                          |
| 4312.9       | Employee Notifications -<br><a href="https://simbli.eboardsolutions.com/SU/10wlsSqx3Y703oUH6Lu9Bg==">https://simbli.eboardsolutions.com/SU/10wlsSqx3Y703oUH6Lu9Bg==</a>                                      |
| 4319.1       | Civil And Legal Rights -<br><a href="https://simbli.eboardsolutions.com/SU/XVplusMxO8wF45tCXAdqo0wWg==">https://simbli.eboardsolutions.com/SU/XVplusMxO8wF45tCXAdqo0wWg==</a>                                |
| 4319.11      | Sexual Harassment -<br><a href="https://simbli.eboardsolutions.com/SU/AXmklsishE6ESRtrrr2slIpOw==">https://simbli.eboardsolutions.com/SU/AXmklsishE6ESRtrrr2slIpOw==</a>                                     |
| 4319.11      | Sexual Harassment -<br><a href="https://simbli.eboardsolutions.com/SU/RNPrp89iWr75pMkO30qU4A==">https://simbli.eboardsolutions.com/SU/RNPrp89iWr75pMkO30qU4A==</a>   |
| 4319.11-E(1) | Sexual Harassment -<br><a href="https://simbli.eboardsolutions.com/SU/LpTkpE99iM5uqkEdplusGiAoA==">https://simbli.eboardsolutions.com/SU/LpTkpE99iM5uqkEdplusGiAoA==</a>                                     |
| 4319.23      | Unauthorized Release Of Confidential/Privileged Information -<br><a href="https://simbli.eboardsolutions.com/SU/FEDeJMdGgJmuugihzeFErA==">https://simbli.eboardsolutions.com/SU/FEDeJMdGgJmuugihzeFErA==</a> |
| 4331         | Staff Development -<br><a href="https://simbli.eboardsolutions.com/SU/WoVV14SyA2vNgt348oslsHRCw==">https://simbli.eboardsolutions.com/SU/WoVV14SyA2vNgt348oslsHRCw==</a>                                     |
| 4344         | Complaints -<br><a href="https://simbli.eboardsolutions.com/SU/81islsHPFcSeJaoFtslshzpmvsRg==">https://simbli.eboardsolutions.com/SU/81islsHPFcSeJaoFtslshzpmvsRg==</a>                                      |
| 4344         | Complaints -<br><a href="https://simbli.eboardsolutions.com/SU/EpF4T2e1sCscykW5uttqlw==">https://simbli.eboardsolutions.com/SU/EpF4T2e1sCscykW5uttqlw==</a>  |
| 5125         | Student Records -<br><a href="https://simbli.eboardsolutions.com/SU/WH7SkYd23dx87QlsQey8plusw==">https://simbli.eboardsolutions.com/SU/WH7SkYd23dx87QlsQey8plusw==</a>                                       |
| 5125         | Student Records -<br><a href="https://simbli.eboardsolutions.com/SU/xplusFMPlzQxLCNMOfm7yyyw==">https://simbli.eboardsolutions.com/SU/xplusFMPlzQxLCNMOfm7yyyw==</a>   |
| 5131.62      | Tobacco -<br><a href="https://simbli.eboardsolutions.com/SU/nKXslshbqgJyyDvAupl0BVblIQ==">https://simbli.eboardsolutions.com/SU/nKXslshbqgJyyDvAupl0BVblIQ==</a>   |
| 5137         | Positive School Climate -<br><a href="https://simbli.eboardsolutions.com/SU/urpjwWVuu9UaXbjXiYKMAw==">https://simbli.eboardsolutions.com/SU/urpjwWVuu9UaXbjXiYKMAw==</a>                                     |
| 5141.4       | Child Abuse Prevention And Reporting -<br><a href="https://simbli.eboardsolutions.com/SU/mkBG513idfpAslsHWCzplusbg7A==">https://simbli.eboardsolutions.com/SU/mkBG513idfpAslsHWCzplusbg7A==</a>              |
| 5141.4       | Child Abuse Prevention And Reporting -<br><a href="https://simbli.eboardsolutions.com/SU/47NI1nZFwlxBAkigIUxLSg==">https://simbli.eboardsolutions.com/SU/47NI1nZFwlxBAkigIUxLSg==</a>                        |

|         |  |
|---------|--|
| 5144    | Discipline -<br><a href="https://simbli.eboardsolutions.com/SU/r6p8cTTa0frJGNZkRU58IA==">https://simbli.eboardsolutions.com/SU/r6p8cTTa0frJGNZkRU58IA==</a>  |
| 5144    | Discipline -<br><a href="https://simbli.eboardsolutions.com/SU/KVzvK1B2oqZCSfZin1Rgdw==">https://simbli.eboardsolutions.com/SU/KVzvK1B2oqZCSfZin1Rgdw==</a>  |
| 5144.1  | Suspension And Expulsion/Due Process -<br><a href="https://simbli.eboardsolutions.com/SU/fsBunrwmpsHHnBCn2muQplusw==">https://simbli.eboardsolutions.com/SU/fsBunrwmpsHHnBCn2muQplusw==</a>              |
| 5145.3  | Nondiscrimination/Harassment -<br><a href="https://simbli.eboardsolutions.com/SU/VfUPcSJZZtt92oksSX5JGw==">https://simbli.eboardsolutions.com/SU/VfUPcSJZZtt92oksSX5JGw==</a>                            |
| 5145.3  | Nondiscrimination/Harassment -<br><a href="https://simbli.eboardsolutions.com/SU/VR3HuGc4OnJmPQbsv3aeqw==">https://simbli.eboardsolutions.com/SU/VR3HuGc4OnJmPQbsv3aeqw==</a>                            |
| 5145.6  | Parental Notifications -<br><a href="https://simbli.eboardsolutions.com/SU/euTjsH5FkRHgS9FlabDM2g==">https://simbli.eboardsolutions.com/SU/euTjsH5FkRHgS9FlabDM2g==</a>                                  |
| 5145.7  | Sexual Harassment -<br><a href="https://simbli.eboardsolutions.com/SU/faSIGnQyujTfPzj4XpiZPg==">https://simbli.eboardsolutions.com/SU/faSIGnQyujTfPzj4XpiZPg==</a>                                       |
| 5145.7  | Sexual Harassment -<br><a href="https://simbli.eboardsolutions.com/SU/gwEZwjnjshDBnbmXH3BRqig==">https://simbli.eboardsolutions.com/SU/gwEZwjnjshDBnbmXH3BRqig==</a>                                     |
| 5145.71 | Title IX Sexual Harassment Complaint Procedures -<br><a href="https://simbli.eboardsolutions.com/SU/p5Ktg9A5BE8gDAJDuuH3LQ==">https://simbli.eboardsolutions.com/SU/p5Ktg9A5BE8gDAJDuuH3LQ==</a>         |
| 6145    | Extracurricular And Cocurricular Activities -<br><a href="https://simbli.eboardsolutions.com/SU/EbLCvCOt44XBu1Vz7xwzdA==">https://simbli.eboardsolutions.com/SU/EbLCvCOt44XBu1Vz7xwzdA==</a>             |
| 6145    | Extracurricular And Cocurricular Activities -<br><a href="https://simbli.eboardsolutions.com/SU/5NoldBcHwFoPG5SXOYovKw==">https://simbli.eboardsolutions.com/SU/5NoldBcHwFoPG5SXOYovKw==</a>             |
| 6178.1  | Work-Based Learning -<br><a href="https://simbli.eboardsolutions.com/SU/cx09lvoiKmDu69FhPQToow==">https://simbli.eboardsolutions.com/SU/cx09lvoiKmDu69FhPQToow==</a>                                     |
| 6178.1  | Work-Based Learning -<br><a href="https://simbli.eboardsolutions.com/SU/GVslshTRdIRBkNoSFjBOVDBXg==">https://simbli.eboardsolutions.com/SU/GVslshTRdIRBkNoSFjBOVDBXg==</a>                               |
| 9011    | Disclosure Of Confidential/Privileged Information -<br><a href="https://simbli.eboardsolutions.com/SU/plusFernMK4TDjaWmZ9vAOBbw==">https://simbli.eboardsolutions.com/SU/plusFernMK4TDjaWmZ9vAOBbw==</a> |
| 9012    | Board Member Electronic Communications -<br><a href="https://simbli.eboardsolutions.com/SU/XyqDxILkc6SplusgeVAMYfMWQ==">https://simbli.eboardsolutions.com/SU/XyqDxILkc6SplusgeVAMYfMWQ==</a>            |
| 9124    | Attorney -<br><a href="https://simbli.eboardsolutions.com/SU/SCAmkZbczLQXtdc2JZUDkg==">https://simbli.eboardsolutions.com/SU/SCAmkZbczLQXtdc2JZUDkg==</a>  |
| 9200    | Limits Of Board Member Authority -<br><a href="https://simbli.eboardsolutions.com/SU/lplusspjGanwlwaeN2Z1XBiMA==">https://simbli.eboardsolutions.com/SU/lplusspjGanwlwaeN2Z1XBiMA==</a>                  |
| 9321    | Closed Session -<br><a href="https://simbli.eboardsolutions.com/SU/MyQpluss80rgctiYYBVNvOKslshg==">https://simbli.eboardsolutions.com/SU/MyQpluss80rgctiYYBVNvOKslshg==</a>                              |
| 9322    | Agenda/Meeting Materials -<br><a href="https://simbli.eboardsolutions.com/SU/Ghjg3tjvplumGe9joApcsNig==">https://simbli.eboardsolutions.com/SU/Ghjg3tjvplumGe9joApcsNig==</a>                            |

**Regulation 1312.3: Uniform Complaint Procedures**

Status: DRAFT

Original Adopted Date: 06/07/2012 | Last Revised Date: 11/04/2021 | Last Reviewed Date: 11/04/2021

Except as the Governing Board may otherwise specifically provide in other Eden Area Regional Occupational Program (Eden Area ROP) policies, these uniform complaint procedures (UCP) shall be used to investigate and resolve only the complaints specified in the accompanying Board policy.

**Compliance Officers**

The Eden Area ROP designates the individual(s), position(s), or unit(s) identified below as responsible for coordinating the Eden Area ROP's response to complaints and for complying with state and federal civil rights laws. The individual(s), position(s), or unit(s) also serve as the compliance officer(s) specified in AR 5145.3 -

Nondiscrimination/Harassment responsible for handling complaints regarding unlawful discrimination, harassment, intimidation, or bullying and in AR 5145.7 - Sexual Harassment for handling complaints regarding sexual harassment.

The compliance officer(s) shall receive and coordinate the investigation of complaints and shall ensure Eden Area ROP compliance with law.

Director of Educational Services \_\_\_\_\_  
(title or position)

Educational Services Department \_\_\_\_\_  
(unit or office)

26316 Hesperian Blvd. Hayward, CA 94545  
(address)

(510) 293-2903 \_\_\_\_\_  
(telephone number)

[eealvite@edenrop.org](mailto:eealvite@edenrop.org) \_\_\_\_\_  
(email)

The compliance officer who receives a complaint may assign another compliance officer to investigate and resolve the complaint. The compliance officer shall promptly notify the complainant and respondent if another compliance officer is assigned to the complaint.

In no instance shall a compliance officer be assigned to a complaint in which the compliance officer has a bias or conflict of interest that would prohibit the fair investigation or resolution of the complaint. Any complaint against a compliance officer or that raises a concern about the compliance officer's ability to investigate the complaint fairly and without bias shall be filed with the Superintendent or designee who shall determine how the complaint will be investigated.

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

Training provided to such employees shall cover current state and federal laws and regulations governing the program; applicable processes for investigating and resolving complaints, including those alleging unlawful discrimination, harassment, intimidation, or bullying; applicable standards for reaching decisions on complaints; and appropriate corrective measures. Assigned employees may have access to legal counsel as determined by the Superintendent or designee.

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

**Notifications**

The Eden Area ROP's UCP policy and administrative regulation shall be posted at the Center, including staff lounges

and student government meeting rooms. (Education Code 234.1)

In addition, the Superintendent or designee shall annually provide written notification of the Eden Area ROP's UCP to students, employees, parents/guardians of students, and other interested parties. (5 CCR 4622)

The notice shall include:

1. A statement that the Eden Area ROP is primarily responsible for compliance with federal and state laws and regulations, including those related to prohibition of unlawful discrimination, harassment, intimidation, or bullying against any protected group, and a list of all programs and activities that are subject to UCP as identified in the section "Complaints Subject to UCP" in the accompanying Board policy
2. The title of the position responsible for processing complaints, the identity of the person(s) currently occupying that position if known, and a statement that such persons will be knowledgeable about the laws and programs that they are assigned to investigate
3. A statement that a UCP complaint, except a complaint alleging unlawful discrimination, harassment, intimidation, or bullying, must be filed no later than one year from the date the alleged violation occurred
4. A statement that a UCP complaint alleging unlawful discrimination, harassment, intimidation, or bullying must be filed no later than six months from the date of the alleged conduct or the date the complainant first obtained knowledge of the facts of the alleged conduct
5. A statement that a student enrolled in a public school shall not be required to pay a fee for participation in an educational activity that constitutes an integral fundamental part of the Eden Area ROP's educational program, including curricular and extracurricular activities

(cf. 3260-Fees and Charges)

6. A statement that a complaint regarding student fees or may be filed anonymously if the complainant provides evidence or information leading to evidence to support the complaint
7. A statement that the Eden Area ROP will post a standardized notice of the educational and graduation requirements of foster youth, homeless students, children of military families, and former juvenile court school students now enrolled in the Eden Area ROP, as specified in Education Code 48645.7, 48853, 48853.5, 49069.5, 51225.1, and 51225.2, and the complaint process
8. A statement that complaints will be investigated in accordance with the Eden Area ROP's UCP and a written decision will be sent to the complainant within 60 days from the receipt of the complaint, unless this time period is extended by written agreement of the complainant
9. A statement that, for programs within the scope of the UCP as specified in the accompanying Board policy, the complainant has a right to appeal the Eden Area ROP's investigation report to the California Department of Education (CDE) by filing a written appeal, including a copy of the original complaint and the Eden Area ROP's decision, within 30 calendar days of receiving the Eden Area ROP's decision
10. A statement advising the complainant of any civil law remedies, including, but not limited to, injunctions, restraining orders, or other remedies or orders that may be available under state or federal laws prohibiting discrimination, harassment, intimidation, or bullying, if applicable
11. A statement that copies of the Eden Area ROP's UCP are available free of charge

The annual notification, complete contact information of the compliance officer(s), and information related to Title IX as required pursuant to Education Code 221.61 shall be posted on the Eden Area ROP web site.

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

If 15 percent or more of students enrolled speak a single primary language other than English, the Eden Area ROP's UCP policy, regulation, forms, and notices shall be translated into that language, in accordance with Education Code 234.1 and 48985. In all other instances, the Eden Area ROP shall ensure meaningful access to all relevant UCP

information for parents/guardians with limited English proficiency.

### Filing of Complaints

The complaint shall be presented to the compliance officer who shall maintain a log of complaints received, providing each with a code number and a date stamp. If a site administrator not designated as a compliance officer receives a complaint, the site administrator shall notify the compliance officer.

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

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

1. A complaint alleging Eden Area ROP violation of applicable state or federal law or regulations governing the programs specified in the accompanying Board policy may be filed by any individual, public agency, or organization. (5 CCR ~~4630~~ 4600)
2. Any complaint alleging noncompliance with law regarding the prohibition against student fees, deposits, and charges may be filed anonymously if the complaint provides evidence, or information leading to evidence, to support an allegation of noncompliance. A complaint about a violation of the prohibition against the charging of unlawful student fees may be filed with the Superintendent or designee.
3. A UCP complaint, except for a UCP complaint alleging unlawful discrimination, harassment, intimidation, or bullying, shall be filed no later than one year from the date the alleged violation occurred. (5 CCR 4630)
4. A complaint alleging unlawful discrimination, harassment, intimidation, or bullying may be filed only by a person who alleges having personally suffered unlawful discrimination, a person who believes that any specific class of individuals has been subjected to unlawful discrimination, or a duly authorized representative who alleges that an individual student has been subjected to discrimination, harassment, intimidation, or bullying. (5 CCR 4630)
5. A complaint alleging unlawful discrimination, harassment, intimidation, or bullying shall be initiated no later than six months from the date that the alleged unlawful discrimination occurred, or six months from the date that the complainant first obtained knowledge of the facts of the alleged unlawful discrimination. The time for filing may be extended for up to 90 days by the Superintendent or designee for good cause upon written request by the complainant setting forth the reasons for the extension. (5 CCR 4630)
6. When a complaint alleging unlawful discrimination, harassment, intimidation, or bullying is filed anonymously, the compliance officer shall pursue an investigation or other response as appropriate, depending on the specificity and reliability of the information provided and the seriousness of the allegation.
7. When a complainant of unlawful discrimination, harassment, intimidation, or bullying or the alleged victim, when not the complainant, requests confidentiality, the compliance officer shall inform the complainant or victim that the request may limit the Eden Area ROP's ability to investigate the conduct or take other necessary action. When honoring a request for confidentiality, the Eden Area ROP shall nevertheless take all reasonable steps to investigate and resolve/respond to the complaint consistent with the request.

### Mediation

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

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

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

The use of mediation shall not extend the Eden Area ROP's timelines for investigating and resolving the complaint unless the complainant agrees in writing to such an extension of time. If mediation is successful and the complaint is withdrawn, then the Eden Area ROP shall take only the actions agreed upon through the mediation. If mediation is unsuccessful, the Eden Area ROP shall then continue with subsequent steps specified in this administrative regulation.

### **Investigation of Complaint**

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

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

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

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

A complainant's refusal to provide the Eden Area ROP's investigator with documents or other evidence related to the allegations in the complaint, failure or refusal to cooperate in the investigation, or any other obstruction of the investigation may result in the dismissal of the complaint because of a lack of evidence to support the allegation. Refusal by the Eden Area ROP to provide the investigator with access to records and/or information related to the allegations in the complaint, failure or refusal to cooperate in the investigation, or any other obstruction of the investigation may result in a finding based on evidence collected that a violation has occurred and in the imposition of a remedy in favor of the complainant. (5 CCR 4631)

### **Timeline for Investigation Report**

Unless extended by written agreement with the complainant, the investigation report shall be sent to the complainant. ~~the compliance officer shall prepare and send to the complainant a written investigation report, as described in the section "Investigation Report" below;~~ within 60 calendar days of the Eden Area ROP's receipt of the complaint. (5 CCR 4631)

~~For any complaint alleging unlawful discrimination, harassment, intimidation, and bullying, the respondent shall be informed of any extension of the timeline agreed to by the complainant. The respondent also shall be sent the investigation report at the same time it is provided to the complainant.~~

Within 60 calendar days of receiving the complaint, the compliance officer shall prepare and send to the complainant a written report, as described in the section "Investigation Report" below. If the complainant is dissatisfied with the compliance officer's decision, the complainant may, within five business days, file the complaint in writing with the Board.

The Board may consider the matter at its next regular Board meeting or at a special Board meeting convened in order to meet the 60-day time limit within which the complaint must be answered. When required by law, the matter shall be considered in closed session. The Board may decide not to hear the complaint, in which case the compliance officer's decision shall be final.

If the Board hears the complaint, the compliance officer shall send the Board's decision to the complainant within 60 calendar days of the Eden Area ROP's initial receipt of the complaint or within the time period that has been specified in a written agreement with the complainant. (5 CCR 4631)

For any complaint alleging unlawful discrimination, harassment, intimidation, and bullying, the respondent shall be informed of any extension of the timeline agreed to by the complainant, ~~shall be sent the Eden Area ROP's investigation report,~~ and, in the same manner as the complainant, may file a complaint with the Board if dissatisfied with the decision.

### Investigation Report

For all complaints, the Eden Area ROP's investigation report shall include: (5 CCR 4631)

1. The findings of fact based on the evidence gathered
2. A conclusion providing a clear determination for each allegation as to whether the Eden Area ROP is in compliance with the relevant law
3. Corrective action(s) whenever the Eden Area ROP finds merit in the complaint, including, when required by law, a remedy to all affected students and parents/guardians and, for a student fees complaint, a remedy that complies with Education Code 49013 and 5 CCR 4600
4. Notice of the complainant's right to appeal the Eden Area ROP's investigation report to CDE, except when the Eden Area ROP has used the UCP to address a complaint not specified in 5 CCR 4610
5. Procedures to be followed for initiating an appeal to CDE

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

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

If the complaint involves a limited-English-proficient (LEP) student or parent/guardian, then the Eden Area ROP's response, if requested by the complainant, and the investigation report shall be written in English and the primary language in which the complaint was filed.

For complaints alleging unlawful discrimination, harassment, intimidation, and bullying based on state law, the investigation report shall also include a notice to the complainant that:

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

### Corrective Actions

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



school policies; or school climate surveys.

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

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

For complaints of retaliation or unlawful discrimination, harassment, intimidation, or bullying involving a student as the respondent, appropriate corrective actions that may be provided to the student include, but are not limited to, the following:

1. Transfer from a class or school as permitted by law
2. Parent/guardian conference
3. Education regarding the impact of the conduct on others
4. Positive behavior support
5. Referral to a student success team
6. Denial of participation in extracurricular or cocurricular activities or other privileges as permitted by law
7. Disciplinary action, such as suspension or expulsion, as permitted by law

When an employee is found to have committed retaliation or unlawful discrimination, harassment, intimidation, or bullying, the Eden Area ROP shall take appropriate disciplinary action, up to and including dismissal, in accordance with applicable law.

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

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

However, if a complaint alleging noncompliance with the law regarding student fees, deposits, and other charges, or courses without educational content is found to have merit, the Eden Area ROP shall provide a remedy to all affected students and parents/guardians subject to procedures established by regulation of the State Board of Education. (Education Code 49013, 51222, 51223, 51228.3, 52075)

For complaints alleging noncompliance with the law regarding student fees, the Eden Area ROP, by engaging in reasonable efforts, shall attempt in good faith to identify and fully reimburse all affected students and parents/guardians who paid the unlawful student fees within one year prior to the filing of the complaint. (Education



### Appeals to the California Department of Education

Any complainant who is dissatisfied with the Eden Area ROP's investigation report on a complaint regarding any specified federal or state educational program subject to UCP may file an appeal in writing with CDE within 30 calendar days of receiving the Eden Area ROP's investigation report. (5 CCR 4632)

The appeal shall be sent to CDE with a copy of the original locally filed complaint and a copy of the Eden Area ROP's investigation report for that complaint. The complainant shall specify and explain the basis for the appeal, including at least one of the following: (5 CCR 4632)

1. The Eden Area ROP failed to follow its complaint procedures.
2. Relative to the allegations of the complaint, the Eden Area ROP's investigation report lacks material findings of fact necessary to reach a conclusion of law.
3. The material findings of fact in the Eden Area ROP's investigation report are not supported by substantial evidence.
4. The legal conclusion in the Eden Area ROP's investigation report is inconsistent with the law.
5. In a case in which the Eden Area ROP found noncompliance, the corrective actions fail to provide a proper remedy.

Upon notification by CDE that the Eden Area ROP's investigation report has been appealed, the Superintendent or designee shall forward the following documents to CDE within 10 days of the date of notification: (5 CCR 4633)

1. A copy of the original complaint
2. A copy of the Eden Area ROP's investigation report
3. A copy of the investigation file including, but not limited to, all notes, interviews, and documents submitted by the parties and gathered by the investigator
4. A report of any action taken to resolve the complaint
5. A copy of the Eden Area ROP's UCP
6. Other relevant information requested by CDE

If notified by CDE that the Eden Area ROP's investigation report failed to address allegation(s) raised by the complaint, the Eden Area ROP shall, within 20 days of the notification, provide CDE and the appellant with an amended investigation report that addresses the allegation(s) that were not addressed in the original investigation report. The amended report shall also inform the appellant of the right to separately appeal the amended report with respect to the allegation(s) that were not addressed in the original report. (5 CCR 4632)

---

**Policy Reference Disclaimer:** These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

#### State References

2 CCR 11023  
5 CCR 15580-15584  
5 CCR 3200-3205  
5 CCR 4600-4670  
5 CCR 4680-4687

#### Description

Harassment and discrimination prevention and correction -  
<https://simbli.eboardsolutions.com/SU/haAgKnrQhVJbslsh34hY5zslsh5Q==>  
Child nutrition programs complaint procedures  
Special education compliance complaints  
Uniform complaint procedures  
Williams uniform complaint procedures

|                          |   |
|--------------------------|---|
| 5 CCR 4690-4694          | Complaints regarding health and safety issues in license-exempt preschool programs  |
| 5 CCR 4900-4965          | Nondiscrimination in elementary and secondary education programs  |
| Ed. Code 200-262.4       | Educational equity; prohibition of discrimination on the basis of sex - <a href="https://simbli.eboardsolutions.com/SU/ytTLslshoozWGUAAbNL6kKkgxQ==">https://simbli.eboardsolutions.com/SU/ytTLslshoozWGUAAbNL6kKkgxQ==</a> |
| Ed. Code 18100-18203     | School libraries  |
| Ed. Code 32221.5         | Insurance for athletic team members   |
| Ed. Code 32280-32289     | School safety plans   |
| Ed. Code 35186           | Williams uniform complaint procedures   |
| Ed. Code 46015           | Parental leave for students   |
| Ed. Code 48853-48853.5   | Foster youth  |
| Ed. Code 48985           | Notices in language other than English  |
| Ed. Code 49010-49014     | Student fees  |
| Ed. code 49060-49079     | Student records   |
| Ed. Code 49069.5         | Records of foster youth   |
| Ed. Code 49490-49590     | Child nutrition programs  |
| Ed. Code 49701           | Interstate Compact on Educational Opportunity for Military Children   |
| Ed. Code 51210           | Courses of study grades 1-6   |
| Ed. Code 51222           | Physical education  |
| Ed. Code 51223           | Physical education, elementary schools  |
| Ed. Code 51225.1-51225.2 | Foster youth, homeless children, former juvenile court school students; course credits; graduation requirements   |
| Ed. Code 51226-51226.1   | Career technical education  |
| Ed. Code 51228.1-51228.3 | Course periods without educational content  |
| Ed. Code 52059.5         | Statewide system of support   |
| Ed. Code 52060-52077     | Local control and accountability plan   |
| Ed. Code 52075           | Complaint for lack of compliance with local control and accountability plan requirements  |
| Ed. Code 52300-52462     | Career technical education  |
| Ed. Code 52500-52616.24  | Adult schools   |
| Ed. Code 54400-54425     | Compensatory education programs   |
| Ed. Code 54440-54445     | Migrant education   |
| Ed. Code 54460-54529     | Compensatory education programs   |
| Ed. Code 59000-59300     | Special schools and centers   |
| Ed. Code 64000-64001     | Consolidated application process; school plan for student achievement   |
| Ed. Code 65000-65001     | School site councils  |
| Ed. Code 8200-8498       | Child care and development programs   |
| Ed. Code 8500-8538       | Adult basic education   |
| Gov. Code 11135          | Nondiscrimination in programs or activities funded by state   |
| Gov. Code 11135          | Discrimination - <a href="https://simbli.eboardsolutions.com/SU/PcUFWeMcCJnzBrKAL0EtFQ==">https://simbli.eboardsolutions.com/SU/PcUFWeMcCJnzBrKAL0EtFQ==</a>  |
| Gov. Code 12900-12996    | Fair Employment and Housing Act   |
| H&S Code 1596.792        | California Child Day Care Act; general provisions and definitions   |

H&S Code 1596.7925  
 Pen. Code 422.55  
 Pen. Code 422.6

California Child Day Care Act; health and safety regulations  
 Definition of hate crime  
 Civil rights; crimes

### **Federal References**

20 USC 1221  
 20 USC 1232g  
 20 USC 1681-1688  
 20 USC 6301-6576  
 20 USC 6801-7014  
 28 CFR 35.107  
 29 USC 794  
 34 CFR 100.3  
 34 CFR 104.7  
 34 CFR 106.1-106.82  
 34 CFR 106.8  
 34 CFR 106.9  
 34 CFR 110.25  
 34 CFR 99.1-99.67  
 42 USC 11431-11435  
 42 USC 12101-12213  
 42 USC 2000d-2000e-17  
 42 USC 2000h-2-2000h-6  
 42 USC 6101-6107

### **Description**

Application of laws  
 Family Educational Rights and Privacy Act (FERPA) of 1974  
 Title IX of the Education Amendments of 1972  
 Title I Improving the Academic Achievement of the Disadvantaged  
 Title III language instruction for limited English proficient and immigrant students  
 Nondiscrimination on basis of disability; complaints  
 Rehabilitation Act of 1973, Section 504  
 Prohibition of discrimination on basis of race, color or national origin  
 Designation of responsible employee for Section 504  
 Nondiscrimination on the basis of sex in education programs  
 Designation of responsible employee for Title IX  
 Notification of nondiscrimination on basis of sex  
 Notification of nondiscrimination on the basis of age  
 Family Educational Rights and Privacy Act  
 McKinney-Vento Homeless Assistance Act  
 Title II equal opportunity for individuals with disabilities  
 Title VI and Title VII Civil Rights Act of 1964, as amended  
 Title IX of the Civil Rights Act of 1964  
 Age Discrimination Act of 1975

### **Management Resources References**

California Department of Education Publication  
 California Department of Education Publication  
 U.S. DOE, Office For Civil Rights Publication  
 U.S. DOE, Office For Civil Rights Publication  
 U.S. DOE, Office for Civil Rights Publication  
 U.S. DOE, Office for Civil Rights Publication  
 U.S. DOE, Office for Civil Rights Publication  
 U.S. DOJ Publication  
 Website  
 Website  
 Website

### **Description**

Uniform Complaint Procedure 2020-21 Program Instrument  
 Sample UCP Board Policies and Procedures  
 Dear Colleague Letter, September 22, 2017  
 Dear Colleague Letter: Title IX Coordinators, April 2015  
 Dear Colleague Letter: Harassment and Bullying, October 2010  
 Dear Colleague Letter: Responding to Bullying of Students with Disabilities, October 2014  
 Revised Sexual Harassment Guidance: Harassment of Students by School Employees, Other Students, or Third Parties, January 2001  
 Guidance to Federal Financial Assistance Recipients Regarding Title VI, 2002  
 U.S. Department of Justice - <https://simbli.eboardsolutions.com/SU/BPwrkTmFhG0SXt3hKCVuBw==>  
 California Department of Education - <https://simbli.eboardsolutions.com/SU/os2jq5DcA2RawmY2VZ5FZQ==>  
 CSBA - <https://simbli.eboardsolutions.com/SU/W3QxkK2FPsDsQBnMIENxGg==>

Website [U.S. Department of Education, Office for Civil Rights -  
https://simbli.eboardsolutions.com/SU/HrN4mDOsAx53TBZ2HPwBvQ==](https://simbli.eboardsolutions.com/SU/HrN4mDOsAx53TBZ2HPwBvQ==)

## Cross References

## Description

|              |  |
|--------------|--|
| 0450         | Comprehensive Safety Plan -<br><a href="https://simbli.eboardsolutions.com/SU/BqsTTEay3qjmfO4iSU7slshvA==">https://simbli.eboardsolutions.com/SU/BqsTTEay3qjmfO4iSU7slshvA==</a>                                   |
| 0450         | Comprehensive Safety Plan -<br><a href="https://simbli.eboardsolutions.com/SU/qZV7Uq0UTa6fu4JQDmEslsh5g==">https://simbli.eboardsolutions.com/SU/qZV7Uq0UTa6fu4JQDmEslsh5g==</a>                                   |
| 0470         | COVID-19 Mitigation Plan -<br><a href="https://simbli.eboardsolutions.com/SU/lkd0OQyrdn0CMAAnaMO7MAw==">https://simbli.eboardsolutions.com/SU/lkd0OQyrdn0CMAAnaMO7MAw==</a>  |
| 1250         | Visitors/Outsiders -<br><a href="https://simbli.eboardsolutions.com/SU/r97Rsu8M6iVBGFQk72Bvplusg==">https://simbli.eboardsolutions.com/SU/r97Rsu8M6iVBGFQk72Bvplusg==</a>  |
| 1250         | Visitors/Outsiders -<br><a href="https://simbli.eboardsolutions.com/SU/lozntKyUEVTuEwcqK7gFTw==">https://simbli.eboardsolutions.com/SU/lozntKyUEVTuEwcqK7gFTw==</a>  |
| 1312.4       | Williams Uniform Complaint Procedures -<br><a href="https://simbli.eboardsolutions.com/SU/BYbcDFdbC6Dc9TjachakQ==">https://simbli.eboardsolutions.com/SU/BYbcDFdbC6Dc9TjachakQ==</a>                               |
| 1312.4-E(1)  | Williams Uniform Complaint Procedures -<br><a href="https://simbli.eboardsolutions.com/SU/VFSWz7BTK4slshMqMdJvAsMplusw==">https://simbli.eboardsolutions.com/SU/VFSWz7BTK4slshMqMdJvAsMplusw==</a>                 |
| 3260         | Fees And Charges -<br><a href="https://simbli.eboardsolutions.com/SU/GBmLyqzfzSCkfJHelqrNEQ==">https://simbli.eboardsolutions.com/SU/GBmLyqzfzSCkfJHelqrNEQ==</a>  |
| 3260         | Fees And Charges -<br><a href="https://simbli.eboardsolutions.com/SU/zPs9HLtslshppqbH6809dB9Ew==">https://simbli.eboardsolutions.com/SU/zPs9HLtslshppqbH6809dB9Ew==</a>  |
| 4030         | Nondiscrimination In Employment -<br><a href="https://simbli.eboardsolutions.com/SU/tA8Nrnxfw4hdPnt5IFP14w==">https://simbli.eboardsolutions.com/SU/tA8Nrnxfw4hdPnt5IFP14w==</a>                                   |
| 4030         | Nondiscrimination In Employment -<br><a href="https://simbli.eboardsolutions.com/SU/6Cx1vmlZzL4v17kBX0UMmQ==">https://simbli.eboardsolutions.com/SU/6Cx1vmlZzL4v17kBX0UMmQ==</a>                                   |
| 4112.9       | Employee Notifications -<br><a href="https://simbli.eboardsolutions.com/SU/DEDQMTcIL2LReSslshUbwCFuA==">https://simbli.eboardsolutions.com/SU/DEDQMTcIL2LReSslshUbwCFuA==</a>                                      |
| 4112.9       | Employee Notifications -<br><a href="https://simbli.eboardsolutions.com/SU/R1SyYrIZ40DSa1c7mTns8w==">https://simbli.eboardsolutions.com/SU/R1SyYrIZ40DSa1c7mTns8w==</a>  |
| 4118         | Dismissal/Suspension/Disciplinary Action -<br><a href="https://simbli.eboardsolutions.com/SU/XNvDKoMKzeSET7e8lu7odQ==">https://simbli.eboardsolutions.com/SU/XNvDKoMKzeSET7e8lu7odQ==</a>                          |
| 4119.1       | Civil And Legal Rights -<br><a href="https://simbli.eboardsolutions.com/SU/4iB9yzVMsD28thd0bsVO5A==">https://simbli.eboardsolutions.com/SU/4iB9yzVMsD28thd0bsVO5A==</a>  |
| 4119.11      | Sexual Harassment -<br><a href="https://simbli.eboardsolutions.com/SU/b2kd8gTslshr11dls6OdyxU4g==">https://simbli.eboardsolutions.com/SU/b2kd8gTslshr11dls6OdyxU4g==</a>   |
| 4119.11      | Sexual Harassment -<br><a href="https://simbli.eboardsolutions.com/SU/eF8CtslshRzbrmrzVc4fT29FNg==">https://simbli.eboardsolutions.com/SU/eF8CtslshRzbrmrzVc4fT29FNg==</a>   |
| 4119.11-E(1) | Sexual Harassment -<br><a href="https://simbli.eboardsolutions.com/SU/lrz2uTslshpluso3l8ZiJCD1P9ag==">https://simbli.eboardsolutions.com/SU/lrz2uTslshpluso3l8ZiJCD1P9ag==</a>                                     |
| 4119.23      | Unauthorized Release Of Confidential/Privileged Information -<br><a href="https://simbli.eboardsolutions.com/SU/plusx7quVYJcRgCQGf9vm10iQ==">https://simbli.eboardsolutions.com/SU/plusx7quVYJcRgCQGf9vm10iQ==</a> |
| 4212.9       | Employee Notifications -<br><a href="https://simbli.eboardsolutions.com/SU/gS6nQM3taplus7KNq7ROsEJdQ==">https://simbli.eboardsolutions.com/SU/gS6nQM3taplus7KNq7ROsEJdQ==</a>                                      |
| 4212.9       | Employee Notifications -<br><a href="https://simbli.eboardsolutions.com/SU/4A0tslshXyXIjvP6B6ft5plusnng==">https://simbli.eboardsolutions.com/SU/4A0tslshXyXIjvP6B6ft5plusnng==</a>                                |
| 4218         | Dismissal/Suspension/Disciplinary Action -<br><a href="https://simbli.eboardsolutions.com/SU/p907xTHB0BRLxoplusxBqeAzw==">https://simbli.eboardsolutions.com/SU/p907xTHB0BRLxoplusxBqeAzw==</a>                    |
| 4218         | Dismissal/Suspension/Disciplinary Action -<br><a href="https://simbli.eboardsolutions.com/SU/QjZchBHjlo4MPVRpFGJCrA==">https://simbli.eboardsolutions.com/SU/QjZchBHjlo4MPVRpFGJCrA==</a>                          |

|              |  |
|--------------|--|
| 4219.1       | Civil And Legal Rights -<br><a href="https://simbli.eboardsolutions.com/SU/slshiMtmDG5HwlomoOxm8JnSQ==">https://simbli.eboardsolutions.com/SU/slshiMtmDG5HwlomoOxm8JnSQ==</a>                                |
| 4219.11      | Sexual Harassment -<br><a href="https://simbli.eboardsolutions.com/SU/4gkr2olplus5nNrAYmUovOIGA==">https://simbli.eboardsolutions.com/SU/4gkr2olplus5nNrAYmUovOIGA==</a>                                     |
| 4219.11      | Sexual Harassment -<br><a href="https://simbli.eboardsolutions.com/SU/IRPC1EalM3FZbpiYMgcFdg==">https://simbli.eboardsolutions.com/SU/IRPC1EalM3FZbpiYMgcFdg==</a>   |
| 4219.11-E(1) | Sexual Harassment -<br><a href="https://simbli.eboardsolutions.com/SU/NJQ9zeDb7z4szUebtw9EjQ==">https://simbli.eboardsolutions.com/SU/NJQ9zeDb7z4szUebtw9EjQ==</a>   |
| 4219.23      | Unauthorized Release Of Confidential/Privileged Information -<br><a href="https://simbli.eboardsolutions.com/SU/UnlzMtjoly0fkBOcG4ZrMg==">https://simbli.eboardsolutions.com/SU/UnlzMtjoly0fkBOcG4ZrMg==</a> |
| 4244         | Complaints -<br><a href="https://simbli.eboardsolutions.com/SU/aQNldGubKpluslpfZH0rpluskBQQ==">https://simbli.eboardsolutions.com/SU/aQNldGubKpluslpfZH0rpluskBQQ==</a>                                      |
| 4244         | Complaints -<br><a href="https://simbli.eboardsolutions.com/SU/Ojld2dnxGJxfwG6RsewdNg==">https://simbli.eboardsolutions.com/SU/Ojld2dnxGJxfwG6RsewdNg==</a>  |
| 4312.9       | Employee Notifications -<br><a href="https://simbli.eboardsolutions.com/SU/jjOvCL3R0BsishFhOudlvslshXEA==">https://simbli.eboardsolutions.com/SU/jjOvCL3R0BsishFhOudlvslshXEA==</a>                          |
| 4312.9       | Employee Notifications -<br><a href="https://simbli.eboardsolutions.com/SU/10wlsSqx3Y703oUH6Lu9Bg==">https://simbli.eboardsolutions.com/SU/10wlsSqx3Y703oUH6Lu9Bg==</a>                                      |
| 4319.1       | Civil And Legal Rights -<br><a href="https://simbli.eboardsolutions.com/SU/XVplusMxO8wF45tCXAdqo0wWg==">https://simbli.eboardsolutions.com/SU/XVplusMxO8wF45tCXAdqo0wWg==</a>                                |
| 4319.11      | Sexual Harassment -<br><a href="https://simbli.eboardsolutions.com/SU/AXmklsishE6ESRtrrr2slIpOw==">https://simbli.eboardsolutions.com/SU/AXmklsishE6ESRtrrr2slIpOw==</a>                                     |
| 4319.11      | Sexual Harassment -<br><a href="https://simbli.eboardsolutions.com/SU/RNPrp89iWr75pMkO30qU4A==">https://simbli.eboardsolutions.com/SU/RNPrp89iWr75pMkO30qU4A==</a>   |
| 4319.11-E(1) | Sexual Harassment -<br><a href="https://simbli.eboardsolutions.com/SU/LpTkpe99iM5uqkEdplusGiAoA==">https://simbli.eboardsolutions.com/SU/LpTkpe99iM5uqkEdplusGiAoA==</a>                                     |
| 4319.23      | Unauthorized Release Of Confidential/Privileged Information -<br><a href="https://simbli.eboardsolutions.com/SU/FEDeJMdGgJmuugihzeFErA==">https://simbli.eboardsolutions.com/SU/FEDeJMdGgJmuugihzeFErA==</a> |
| 4331         | Staff Development -<br><a href="https://simbli.eboardsolutions.com/SU/WoVV14SyA2vNgt348osishRcw==">https://simbli.eboardsolutions.com/SU/WoVV14SyA2vNgt348osishRcw==</a>                                     |
| 4344         | Complaints -<br><a href="https://simbli.eboardsolutions.com/SU/81isishPFcSeJaoFtslshzpmvsRg==">https://simbli.eboardsolutions.com/SU/81isishPFcSeJaoFtslshzpmvsRg==</a>                                      |
| 4344         | Complaints -<br><a href="https://simbli.eboardsolutions.com/SU/EpF4T2e1sCscykW5uttqlw==">https://simbli.eboardsolutions.com/SU/EpF4T2e1sCscykW5uttqlw==</a>  |
| 5125         | Student Records -<br><a href="https://simbli.eboardsolutions.com/SU/WH7SkYd23dx87QlsQey8plusw==">https://simbli.eboardsolutions.com/SU/WH7SkYd23dx87QlsQey8plusw==</a>                                       |
| 5125         | Student Records -<br><a href="https://simbli.eboardsolutions.com/SU/xpluslFMPlzQxLCNMOfm7yyyw==">https://simbli.eboardsolutions.com/SU/xpluslFMPlzQxLCNMOfm7yyyw==</a>                                       |
| 5131.62      | Tobacco -<br><a href="https://simbli.eboardsolutions.com/SU/nKXslshbqgJyyDvAupl0BVbIQ==">https://simbli.eboardsolutions.com/SU/nKXslshbqgJyyDvAupl0BVbIQ==</a>   |
| 5137         | Positive School Climate -<br><a href="https://simbli.eboardsolutions.com/SU/urpjwWVuu9UaXbjXiYKMAw==">https://simbli.eboardsolutions.com/SU/urpjwWVuu9UaXbjXiYKMAw==</a>                                     |
| 5141.4       | Child Abuse Prevention And Reporting -<br><a href="https://simbli.eboardsolutions.com/SU/mkBG513idfpAslshWCzplusbg7A==">https://simbli.eboardsolutions.com/SU/mkBG513idfpAslshWCzplusbg7A==</a>              |
| 5141.4       | Child Abuse Prevention And Reporting -<br><a href="https://simbli.eboardsolutions.com/SU/47Nl1nZFwlxBakigIUxLSg==">https://simbli.eboardsolutions.com/SU/47Nl1nZFwlxBakigIUxLSg==</a>                        |
| 5144         | Discipline -<br><a href="https://simbli.eboardsolutions.com/SU/r6p8cTTa0frJGNZkRU58IA==">https://simbli.eboardsolutions.com/SU/r6p8cTTa0frJGNZkRU58IA==</a>  |
| 5144         | Discipline -<br><a href="https://simbli.eboardsolutions.com/SU/KVzvK1B2oqZCSfZin1Rgdw==">https://simbli.eboardsolutions.com/SU/KVzvK1B2oqZCSfZin1Rgdw==</a>  |

|         |  |
|---------|--|
| 5144.1  | Suspension And Expulsion/Due Process -<br><a href="https://simbli.eboardsolutions.com/SU/fsBunrwmpsHHnBCn2muQplusw==">https://simbli.eboardsolutions.com/SU/fsBunrwmpsHHnBCn2muQplusw==</a>              |
| 5145.3  | Nondiscrimination/Harassment -<br><a href="https://simbli.eboardsolutions.com/SU/VfUPcSJZZtt92oksSX5JGw==">https://simbli.eboardsolutions.com/SU/VfUPcSJZZtt92oksSX5JGw==</a>                            |
| 5145.3  | Nondiscrimination/Harassment -<br><a href="https://simbli.eboardsolutions.com/SU/VR3HuGc4OnJmPQbsv3aeqw==">https://simbli.eboardsolutions.com/SU/VR3HuGc4OnJmPQbsv3aeqw==</a>                            |
| 5145.6  | Parental Notifications -<br><a href="https://simbli.eboardsolutions.com/SU/euTjsH5FkRHgS9FlabDM2g==">https://simbli.eboardsolutions.com/SU/euTjsH5FkRHgS9FlabDM2g==</a>                                  |
| 5145.7  | Sexual Harassment -<br><a href="https://simbli.eboardsolutions.com/SU/faSIGnQyujTfPzj4XpiZPg==">https://simbli.eboardsolutions.com/SU/faSIGnQyujTfPzj4XpiZPg==</a>                                       |
| 5145.7  | Sexual Harassment -<br><a href="https://simbli.eboardsolutions.com/SU/gwEZwjnjshDBnbmXH3BRqig==">https://simbli.eboardsolutions.com/SU/gwEZwjnjshDBnbmXH3BRqig==</a>                                     |
| 5145.71 | Title IX Sexual Harassment Complaint Procedures -<br><a href="https://simbli.eboardsolutions.com/SU/p5Ktg9A5BE8gDAJDuuH3LQ==">https://simbli.eboardsolutions.com/SU/p5Ktg9A5BE8gDAJDuuH3LQ==</a>         |
| 6145    | Extracurricular And Cocurricular Activities -<br><a href="https://simbli.eboardsolutions.com/SU/EbLCvCOt44XBu1Vz7xwzdA==">https://simbli.eboardsolutions.com/SU/EbLCvCOt44XBu1Vz7xwzdA==</a>             |
| 6145    | Extracurricular And Cocurricular Activities -<br><a href="https://simbli.eboardsolutions.com/SU/5NoldBcHwFoPG5SXOYovKw==">https://simbli.eboardsolutions.com/SU/5NoldBcHwFoPG5SXOYovKw==</a>             |
| 6178.1  | Work-Based Learning -<br><a href="https://simbli.eboardsolutions.com/SU/cx09lvoiKmDu69FhPQTtoow==">https://simbli.eboardsolutions.com/SU/cx09lvoiKmDu69FhPQTtoow==</a>                                   |
| 6178.1  | Work-Based Learning -<br><a href="https://simbli.eboardsolutions.com/SU/GVslshTRdIRBkNoSFjBOVDBXg==">https://simbli.eboardsolutions.com/SU/GVslshTRdIRBkNoSFjBOVDBXg==</a>                               |
| 9011    | Disclosure Of Confidential/Privileged Information -<br><a href="https://simbli.eboardsolutions.com/SU/plusFernMK4TDjaWmZ9vAOBbw==">https://simbli.eboardsolutions.com/SU/plusFernMK4TDjaWmZ9vAOBbw==</a> |
| 9012    | Board Member Electronic Communications -<br><a href="https://simbli.eboardsolutions.com/SU/XyqDxILkc6SplusgeVAMYfMWQ==">https://simbli.eboardsolutions.com/SU/XyqDxILkc6SplusgeVAMYfMWQ==</a>            |
| 9124    | Attorney -<br><a href="https://simbli.eboardsolutions.com/SU/SCAmkZbczLQXtdc2JZUDkg==">https://simbli.eboardsolutions.com/SU/SCAmkZbczLQXtdc2JZUDkg==</a>  |
| 9200    | Limits Of Board Member Authority -<br><a href="https://simbli.eboardsolutions.com/SU/lplusspjGanwlwaeN2Z1XBiMA==">https://simbli.eboardsolutions.com/SU/lplusspjGanwlwaeN2Z1XBiMA==</a>                  |
| 9321    | Closed Session -<br><a href="https://simbli.eboardsolutions.com/SU/MyQpluss80rgctiYYBVNvOKslshg==">https://simbli.eboardsolutions.com/SU/MyQpluss80rgctiYYBVNvOKslshg==</a>                              |
| 9322    | Agenda/Meeting Materials -<br><a href="https://simbli.eboardsolutions.com/SU/GhJg3tjyplumGe9joApcsNig==">https://simbli.eboardsolutions.com/SU/GhJg3tjyplumGe9joApcsNig==</a>                            |

## Regulation 3515.6: Criminal Background Checks For Contractors

Status: DRAFT

Original Adopted Date: 03/05/2020

Except in an emergency or exceptional situation, such as when student health or safety is endangered or when repairs are needed to make school facilities safe and habitable, any entity contracting with the Eden Area Regional Occupational Program (Eden Area ROP) to provide specified for services that may require the entity's employees to interact will have contact with students, outside of the immediate supervision and control of parents/guardians or school staff, the entity shall certify to the Eden Area ROP that each of its in writing to the Superintendent or designee that none of those employees who may interact with students has a valid criminal records summary as described in Education Code 44237 and that neither the entity nor any of those employees has been convicted of a violent or serious felony as defined in Education Code 45122.1. Such contracting entity shall also be required to immediately provide the district with any subsequent arrest and conviction information received pursuant to the subsequent arrest service. In the case of a sole proprietor, the Superintendent or designee shall prepare and submit the employee's fingerprints to the Department of Justice. If any contracting employee who may have contact with students has been convicted of a violent or serious felony as defined, a certificate of rehabilitation and a pardon as required pursuant to Education Code 45125.1 shall be submitted to the Superintendent or designee before the contracting employee is authorized to perform the work for the Eden Area ROP. (Education Code 44327, 45125.1)

On a case-by-case basis, the Superintendent or designee may require any entity with which the Eden Area ROP has a contract to comply with these same requirements. (Education Code 45125.1)

For an individual who is operating as the sole proprietor of an entity, the Superintendent or designee shall treat the individual as an employee of the entity and shall prepare and submit the individual's fingerprints to the Department of Justice (DOJ). (Education Code 45125.1)

Any contracting entity's employee who has been convicted of a violent or serious felony, as defined in Education Code 45122.1, shall not be permitted to interact with students unless a certificate of rehabilitation and pardon pursuant to Penal Code 4852.01-4852.22 has been submitted to the Superintendent or designee. (Education Code 45125.1)

These requirements shall apply to a sole proprietor or entity contracting with the Eden Area ROP to provide any of the following services: (Education Code 45125.1, 45125.2)

1. School and classroom janitorial services
  2. School site administrative services
  3. School site grounds and landscape maintenance services
  4. Student transportation services
  5. Construction, reconstruction, rehabilitation, or repair of a school facility
- (cf. 3540 – Transportation)
- (cf. 3551 – Food Service Operations/Cafeteria Fund)
- (cf. 3600 – Consultants)
- (cf. 7140 – Architectural and Engineering Services)

On a case-by-case basis, the Superintendent or designee may require a contracting entity providing school site services other than those listed above to comply with these requirements. (Education Code 45125.1)

The Superintendent or designee may determine that criminal background checks will not be required if: the contract is for the construction, reconstruction, rehabilitation, or repair of a school facility and the contracting entity is providing services in an emergency or exceptional situation, or the Eden Area ROP uses one or more of the following methods to ensure student safety:

1. The contracting entity is providing services in an emergency or exceptional situation, such as when student health or safety is endangered or when repairs are needed to make school facilities safe and habitable. (Education Code



45125.1)

2. The employees of the contracting entity will have limited contact with students. In determining whether a contract employee has limited contact with students, the Superintendent or designee shall consider the totality of the circumstances, including factors such as the length of time the contractors will be on school grounds, whether students will be in proximity with the site where the contractors will be working, and whether the contractors will be working by themselves or with others. (Education Code 45125.1)

1. The installation of a physical barrier at the worksite to limit contact with students

2. Continual supervision and monitoring of all employees of the entity by an employee of the entity whom DOJ has ascertained has not been convicted of a violent or serious felony

3. Surveillance of employees of the entity by school personnel

Upon a determination that an employee will have limited contact with students, the Superintendent or designee shall may take appropriate steps to protect the safety of any students who may come in contact with this employee's of contracting entities, including, but not limited to, ensuring that the employee's of such entities perform during nonschool hours, do not work alone when students are present, have limited access to school grounds, are provided with a visible means of identification, and/or that there are regular patrols or supervision of the site from district security or personnel. (Education Code 45125.1)

These steps may include, but are not limited to, ensuring that the employee is working during nonschool hours, providing for regular patrols or supervision of the site from Eden Area ROP security or personnel, ensuring that the employee is not working alone when students are present, limiting the employee's access to school grounds, and/or providing the employee with a visible means of identification.

(cf. 3515.3 – District Police/Security Department)

3. The contract is for the construction, reconstruction, rehabilitation, or repair of a school facility and either item #1 or #2 above applies or the Eden Area ROP uses one or more of the following methods to ensure student safety: (Education Code 45125.2)

a. The installation of a physical barrier at the worksite to limit contact with students

b. Continual supervision and monitoring of all employees of the entity by an employee of the entity whom the Department of Justice has ascertained has not been convicted of a violent or serious felony

c. Surveillance of employees of the entity by school personnel

**Policy Reference Disclaimer:** These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

#### State References

Ed. Code 41302.5

Ed. Code 45122.1

Ed. Code 45125.1

Ed. Code 45125.2

Pen. Code 1192.7

Pen. Code 667.5

#### Description

School districts, definition

Classified employees, conviction of a violent or serious felony

Fingerprinting; employees of contracting entity

Criminal background checks for construction

Plea bargaining limitation

Prior prison terms, enhancement of prison terms

#### Management Resources References

Website

#### Description

Department of Justice -

<https://simbli.eboardsolutions.com/SU/7I3KL4OPKjj4iH96pQhpg==>

#### Cross References

#### Description



|        |   |
|--------|---|
| 3000   | Concepts And Roles -<br><a href="https://simbli.eboardsolutions.com/SU/krPDlxQ7Fs3H4o24plusjFgGA==">https://simbli.eboardsolutions.com/SU/krPDlxQ7Fs3H4o24plusjFgGA==</a>                     |
| 3515.3 | District Police/Security Department -<br><a href="https://simbli.eboardsolutions.com/SU/kjPwlaBN4nOOYvwUHkdZ1g==">https://simbli.eboardsolutions.com/SU/kjPwlaBN4nOOYvwUHkdZ1g==</a>          |
| 3515.3 | District Police/Security Department -<br><a href="https://simbli.eboardsolutions.com/SU/g5PMFxZIThRnOPcpII79Hg==">https://simbli.eboardsolutions.com/SU/g5PMFxZIThRnOPcpII79Hg==</a>          |
| 3600   | Consultants -<br><a href="https://simbli.eboardsolutions.com/SU/coKmzpWaJpl8LkLTNHNi5g==">https://simbli.eboardsolutions.com/SU/coKmzpWaJpl8LkLTNHNi5g==</a>                                  |
| 7140   | Architectural And Engineering Services -<br><a href="https://simbli.eboardsolutions.com/SU/idislshvhsrgybBaT9HDGMrqw==">https://simbli.eboardsolutions.com/SU/idislshvhsrgybBaT9HDGMrqw==</a> |
| 7140   | Architectural And Engineering Services -<br><a href="https://simbli.eboardsolutions.com/SU/QAjqAvizHt4JDyplusdjlfDpQ==">https://simbli.eboardsolutions.com/SU/QAjqAvizHt4JDyplusdjlfDpQ==</a> |

**Regulation 5125: Student Records**

**Status:** DRAFT

**Original Adopted Date:** 06/05/2020 | **Last Revised Date:** 02/03/2022

**Definitions**

Student means any individual who is or has been in attendance at the Eden Area Regional Occupational Program (Eden Area ROP) and regarding whom the Eden Area ROP maintains student records. (34 CFR 99.3)

Attendance includes, but is not limited to, attendance in person or by paper correspondence, videoconference, satellite, Internet, or other electronic information and telecommunication technologies for students who are not physically present in the classroom, and the period during which a person is working under a work-study program. (34 CFR 99.3)

Student records are any items of information (in handwriting, print, tape, film, computer, or other medium) gathered within or outside the Eden Area ROP that are directly related to an identifiable student and maintained by the Eden Area ROP, required to be maintained by an employee in the performance of the employee's duties, or maintained by a party acting for the Eden Area ROP. Any information maintained for the purpose of second-party review is considered a student record. Student records include the student's health record. (Education Code 49061, 49062; 5 CCR 430; 34 CFR 99.3)

Student records do not include: (Education Code 49061, 49062; ; 34 CFR 99.3)

1. Directory information

(cf. 5125.1 - Release of Directory Information)

2. Informal notes compiled by a school officer or employee which remain in the sole possession of the maker, are used only as a personal memory aid, and are not accessible or revealed to any other person except a substitute employee

3. Records of the law enforcement unit of the Eden Area ROP, subject to 34 CFR 99.8

(cf. 3515 - Campus Security)

(cf. 3515.3 - District Police/Security Department)

4. Records created or received by the Eden Area ROP after an individual is no longer a student and that are not directly related to the individual's attendance as a student

5. Grades on peer-graded papers before they are collected and recorded by a teacher

Mandatory permanent student records are those records which are maintained in perpetuity and which schools have been directed to compile by state law, regulation, or administrative directive. (5 CCR 430)

Mandatory interim student records are those records which the schools are directed to compile and maintain for specified periods of time and are then destroyed in accordance with state law, regulation, or administrative directive. (5 CCR 430)

Permitted student records are those records having clear importance only to the current educational process of the student. (5 CCR 430)

Disclosure means to permit access to, or the release, transfer, or other communication of, personally identifiable information contained in student records to any party, except the party that provided or created the record, by any means including oral, written, or electronic. (34 CFR 99.3)

Access means a personal inspection and review of a record or an accurate copy of a record, or receipt of an accurate copy of a record or an oral description or communication of a record, and a request to release a copy of any record. (Education Code 49061)

Personally identifiable information includes, but is not limited to: (34 CFR 99.3)

1. The student's name

2. The name of the student's parent/guardian or other family members
3. The address of the student or student's family
4. A personal identifier, such as the student's social security number, student number, or biometric record (e.g., fingerprints, retina and iris patterns, voiceprints, DNA sequence, facial characteristics, and handwriting)
5. Other indirect identifiers, such as the student's date of birth, place of birth, and mother's maiden name
6. Other information that, alone or in combination, is linked or linkable to a specific student that would allow a reasonable person in the school community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty
7. Information requested by a person who the Eden Area ROP reasonably believes knows the identity of the student to whom the student record relates

Adult student is a person who is or was enrolled in school and who is at least 18 years of age. (5 CCR 430)

Parent/guardian means a natural parent, an adopted parent, legal guardian, surrogate parent, or foster parent. (Education Code 49061, 56050, 56055)

Legitimate educational interest is an interest held by any school official, employee, contractor, or consultant whose official duties, responsibilities, or contractual obligations to the Eden Area ROP, whether routine or as a result of special circumstances, require access to information contained in student records.

School officials and employees are officials or employees, including teachers, whose duties and responsibilities to the Eden Area ROP, whether routine or as a result of special circumstances, require access to student records. (34 CFR 99.31)

Contractor or consultant is anyone with a formal written agreement or contract with the Eden Area ROP regarding the provision of services or functions outsourced to by the Eden Area ROP. Contractor or consultant shall not include a volunteer or other party. (Education Code 49076)

Custodian of records is the employee responsible for the security of student records maintained by the Eden Area ROP and for devising procedures for assuring that access to such records is limited to authorized persons. (5 CCR 433)

County placing agency means the county social service department or county probation department. (Education Code 49061)

### **Persons Granted Absolute Access**

In accordance with law, absolute access to any student records shall be granted to:

1. Parents/guardians of high school students younger than age 18 years, including the parent who is not the student's custodial parent (Education Code 49069; Family Code 3025)
2. An adult student, or a student under the age of 18 years who attends a postsecondary institution, in which case the student alone shall exercise rights related to the student's records and grant consent for the release of records (34 CFR 99.3, 99.5)
3. Parents/guardians of an adult student with disabilities who is age 18 years or older and has been declared incompetent under state law (Education Code 56041.5)

(cf. 6159 - Individualized Education Program)

### **Access for Limited Purpose/Legitimate Educational Interest**

The following persons or agencies shall have access to those particular records that are relevant to their legitimate educational interest or other legally authorized purpose:

1. Parents/guardians of a student 18 years of age or older who is a dependent child as defined under 26 USC 152 (Education Code 49076; 34 CFR 99.31)
2. Students who are age 16 or older or who have completed the 10th grade (Education Code 49076)

3. School officials and employees, consistent with the definition provided in the section "Definitions" above (Education Code 49076; 34 CFR 99.31)

4. Officials and employees of other public schools, school systems, or postsecondary institutions where the student intends or is directed to enroll, including local, county, or state correctional facilities where educational programs leading to high school graduation are provided, or where the student is already enrolled, as long as the disclosure is for purposes related to the student's enrollment or transfer (Education Code 49076; 34 CFR 99.31)

Unless the annual parent/guardian notification issued pursuant to Education Code 48980 includes a statement that the Eden Area ROP may disclose students' personally identifiable information to officials of another school, school system, or postsecondary institution where the student seeks or intends to enroll, the Superintendent or designee shall, when such a disclosure is made, make a reasonable attempt to notify the parent/guardian or adult student at the last known address, provide a copy of the record that is disclosed, and give the parent/guardian or adult student an opportunity for a hearing to challenge the record. (34 CFR 99.34)

5. Federal, state, and local officials, as needed for an audit or evaluation of, or compliance with a state or federally funded education program and in accordance with a written agreement developed pursuant to 34 CFR 99.35 (Education Code 49076; 34 CFR 99.3, 99.31, 99.35)

6. Any county placing agency acting as an authorized representative of a state or local educational agency which is required to audit or evaluate a state or federally supported education program pursuant to item #7 above (Education Code 49076)

7. Any person, agency, or organization authorized in compliance with a court order or lawfully issued subpoena (Education Code 49077; 5 CCR 435; 34 CFR 99.31)

Unless otherwise instructed by the court, the Superintendent or designee shall, prior to disclosing a record pursuant to a court order or subpoena, give the parent/guardian or adult student at least three days' notice of the name of the requesting agency and the specific record requested, if lawfully possible within the requirements of the judicial order. (Education Code 49077; 5 CCR 435; 34 CFR 99.31)

8. Any Eden Area ROP attorney who is participating in or conducting a truancy mediation program or participating in the presentation of evidence in a truancy petition (Education Code 49076)

9. An Eden Area ROP attorney's office for consideration against a parent/guardian for failure to comply with compulsory education laws (Education Code 49076)

10. Any probation officer, Eden Area ROP attorney, or counsel of record for a student who is a minor for the purposes of conducting a criminal investigation or an investigation in regards to declaring the student a ward of the court or involving a violation of a condition of probation, subject to evidentiary rules specified in Welfare and Institutions Code 701 (Education Code 49076)

When disclosing records for these purposes, the Superintendent or designee shall obtain written certification from the recipient of the records that the information will not be disclosed to another party without prior written consent of the student's parent/guardian or the holder of the student's educational rights, unless specifically authorized by state or federal law. (Education Code 49076)

11. Any judge or probation officer for the purpose of conducting a truancy mediation program for a student or for the purpose of presenting evidence in a truancy petition pursuant to Welfare and Institutions Code 681 (Education Code 49076)

In such cases, the judge or probation officer shall certify in writing to the Superintendent or designee that the information will be used only for truancy purposes. Upon releasing student information to a judge or probation officer, the Superintendent or designee shall inform, or provide written notification to, the student's parent/guardian within 24 hours. (Education Code 49076)

12. A foster family agency with jurisdiction over a currently enrolled or former student; short-term residential treatment program staff responsible for the education or case management of a student; or a caregiver who has direct responsibility for the care of a student, including a certified or licensed foster parent, an approved relative or nonrelated extended family member, or a resource family, as defined (Education Code 49076)

Such individuals shall have access to the student's current or most recent records of grades, attendance, discipline, online communication on platforms established by schools for students and parents/guardians, and any individualized education program or Section 504 plan developed and maintained by the Eden Area ROP (Education Code 49069.3)

(cf. 6164.6 - Identification and Education Under Section 504)

(cf. 6173.1 - Education for Foster Youth)

13. A student age 14 years or older who is both a homeless student and an unaccompanied minor as defined in 42 USC 11434a (Education Code 49076)

(cf. 6173 - Education for Homeless Children)

14. An individual who completes items #1-4 of the caregiver's authorization affidavit pursuant to Family Code 6552 and signs the affidavit for the purpose of enrolling a minor in school (Education Code 49076)

15. A caseworker or other representative of a state or local child welfare agency or tribal organization that has legal responsibility in accordance with state or tribal law for the care and protection of a student, provided that the individual is authorized by the agency or organization to receive the records and the information requested is directly related to providing assistance to address the student's educational needs (Education Code 49076; 20 USC 1232(g))

16. Appropriate law enforcement authorities, in circumstances where Education Code 48902 requires that the Eden Area ROP provide special education and disciplinary records of a student with disabilities who is suspended or expelled for committing an act violating Penal Code 245 (Education Code 48902, 49076)

When disclosing such records, the Superintendent or designee shall obtain written certification by the recipient of the records as described in item #12 above. (Education Code 49076)

17. Designated peace officers or law enforcement agencies in cases where the Eden Area ROP is authorized by law to assist law enforcement in investigations of suspected criminal conduct or kidnapping and a written parental consent, lawfully issued subpoena, or court order is submitted to the Eden Area ROP, or information is provided to it indicating that an emergency exists in which the student's information is necessary to protect the health or safety of the student or other individuals (Education Code 49076.5)

In such cases, the Superintendent or designee shall provide information about the identity and location of the student as it relates to the transfer of that student's records to another public school district in California or any other state or to a California private school. (Education Code 49076.5)

When disclosing records for the above purposes, the Superintendent or designee shall obtain the necessary documentation to verify that the person, agency, or organization is a person, agency, or organization that is permitted to receive such records.

Any person, agency, or organization granted access is prohibited from releasing information to another person, agency, or organization without written permission from the parent/guardian or adult student unless specifically allowed by state law or the federal Family Educational Rights and Privacy Act. (Education Code 49076)

In addition, the parent/guardian or adult student may provide written consent for access to be granted to persons, agencies, or organizations not afforded access rights by law. The written consent shall specify the records to be released and the party or parties to whom they may be released. (Education Code 49061, 49075)

Only a parent/guardian having legal custody of the student may consent to the release of records to others. Either parent/guardian may grant consent if both parents/guardians notify the Eden Area ROP, in writing, that such an agreement has been made. (Education Code 49061)

(cf. 5021 - Noncustodial Parents)

### **Discretionary Access**

At the discretion of the Superintendent or designee, information may be released from a student's records to the following:

1. Appropriate persons, including parents/guardians of a student, in an emergency if the health and safety of the student or other persons are at stake (Education Code 49076; 34 CFR 99.31, 99.32, 99.36)

When releasing information to any such appropriate person, the Superintendent or designee shall record information about the threat to the health or safety of the student or any other person that formed the basis for the disclosure and the person(s) to whom the disclosure was made. (Education Code 49076; 34 CFR 99.32)

Unless it would further endanger the health or safety of the student or other persons, the Superintendent or designee shall inform the parent/guardian or adult student within one week of the disclosure that the disclosure was made, of the articulable and significant threat to the health or safety of the student or other individuals that formed the basis for the disclosure, and of the parties to whom the disclosure was made.

2. Accrediting associations in order to carry out their accrediting functions (Education Code 49076; 34 CFR 99.31)

3. Under the conditions specified in Education Code 49076 and 34 CFR 99.31, organizations conducting studies on behalf of educational institutions or agencies for the purpose of developing, validating, or administering predictive tests, administering student aid programs, or improving instruction, provided that: (Education Code 49076; 34 CFR 99.31)

a. The study is conducted in a manner that does not permit personal identification of students or parents/guardians by individuals other than representatives of the organization who have legitimate interests in the information.

b. The information is destroyed when no longer needed for the purposes for which the study is conducted.

c. The Eden Area ROP enters into a written agreement with the organization that complies with 34 CFR 99.31.

4. Officials and employees of private schools or school systems where the student is enrolled or intends to enroll, subject to the rights of parents/guardians as provided in Education Code 49068 and in compliance with 34 CFR 99.34 (Education Code 49076; 34 CFR 99.31, 99.34)

5. Local health departments operating countywide or regional immunization information and reminder systems and the California Department of Public Health, unless the parent/guardian has requested that no disclosures of this type be made (Health and Safety Code 120440)

6. Contractors and consultants having a legitimate educational interest based on services or functions which have been outsourced to them through a formal written agreement or contract with the Eden Area ROP, excluding volunteers or other parties (Education Code 49076)

(cf. 3600 - Consultants)

7. Agencies or organizations in connection with the student's application for or receipt of financial aid, provided that information permitting the personal identification of a student or the student's parents/guardians for these purposes is disclosed only as may be necessary to determine the eligibility of the student for financial aid, determine the amount of financial aid, determine the conditions which will be imposed regarding the financial aid, or enforce the terms or conditions of the financial aid (Education Code 49076; 34 CFR 99.31)

8. County elections officials for the purpose of identifying students eligible to register to vote or offering such students an opportunity to register, subject to the limits set by 34 CFR 99.37 and under the condition that any information provided on this basis shall not be used for any other purpose or transferred to any other person or agency (Education Code 49076; 34 CFR 99.37)

(cf. 1400 - Relations Between Other Governmental Agencies and the Schools)

When disclosing records for the above purposes, the Superintendent or designee shall obtain the necessary documentation to verify that the person, agency, or organization is a person, agency, or organization that is permitted to receive such records.

Any person, agency, or organization granted access is prohibited from releasing information to another person, agency, or organization without written permission from the parent/guardian or adult student unless specifically allowed by state law or the federal Family Educational Rights and Privacy Act. (Education Code 49076)

### **De-identification of Records**

When authorized by law for any program audit, educational research, or other purposes, the Superintendent or designee may release information from a student record without prior consent of the parent/guardian or adult student after the removal of all personally identifiable information. Prior to releasing such information, the Superintendent or designee shall make a reasonable determination that the student's identity is not personally identifiable, whether through single or multiple releases and taking into account other reasonably available information. (Education Code 49074, 49076; 20 USC 1232g; 34 CFR 99.31)

### **Process for Providing Access to Records**

Student records shall be maintained in a central file at the school attended by the student or, when records are maintained at different locations, a notation shall be placed in the central file indicating where other records may be found. Parents/guardians and adult students shall be notified of the location of student records if not centrally located. (Education Code 49069; 5 CCR 433)

The custodian of records shall be responsible for the security of student records and shall ensure that access is limited to authorized persons. (5 CCR 433)

The custodian of records shall develop reasonable methods, including physical, technological, and administrative policy controls, to ensure that school officials and employees obtain access to only those student records in which they have legitimate educational interests. (34 CFR 99.31)

To inspect, review, or obtain copies of student records, authorized persons shall submit a request to the custodian of records. Prior to granting the request, the custodian of records shall authenticate the individual's identity. For any individual granted access based on a legitimate educational interest, the request shall specify the interest involved.

When required by law, a student's parent/guardian or an adult student shall provide written, signed, and dated consent before the Eden Area ROP discloses the student record. Such consent may be given through electronic means in those cases where it can be authenticated. The Eden Area ROP's consent form shall specify the records that may be disclosed, state the purpose of the disclosure, and identify the party or class of parties to whom the disclosure may be made. Upon request by the parent/guardian or adult student, the Eden Area ROP shall provide a copy of the records disclosed. (34 CFR 99.30)

If the parent/guardian or adult student refuses to provide written consent for the release of student information, the Superintendent or designee shall not release the information, unless it is otherwise subject to release based on a court order or a lawful subpoena.

Within five business days following the date of request, the authorized person shall be granted access to inspect, review, and obtain copies of student records during regular school hours. (Education Code 49069)

Qualified certificated personnel shall be available to interpret records when requested. (Education Code 49069)

The custodian of records or the Superintendent or designee shall prevent the alteration, damage, or loss of records during inspection. (5 CCR 435)

### **Access Log**

A log shall be maintained for each student's record which lists all persons, agencies, or organizations requesting or receiving information from the record and the legitimate educational interest of the requester. (Education Code 49064)

In every instance of inspection by persons who do not have assigned educational responsibility, the custodian of records shall make an entry in the log indicating the record inspected, the name of the person granted access, the reason access was granted, and the time and circumstances of inspection. (5 CCR 435)

The custodian of records shall also make an entry in the log regarding any request for record(s) that was denied and the reason for the denial.

The log shall include requests for access to records by:

1. Parents/guardians or adult students
2. Students who are 16 years of age or older or who have completed the 10th grade
3. Parties obtaining Eden Area ROP-approved directory information
4. Parties who provide written parental consent, in which case the consent notice shall be filed with the record pursuant to Education Code 49075
5. School officials and employees who have a legitimate educational interest
6. Law enforcement personnel seeking to enforce immigration laws

The log shall be open to inspection only by the parent/guardian, adult student, dependent adult student, custodian of records, and certain state or federal officials specified in Education Code 49064. (Education Code 49064; 5 CCR 432)

### Duplication of Student Records

To provide copies of any student record, the Eden Area ROP may charge a reasonable fee not to exceed the actual cost of providing the copies. No charge shall be made for providing up to two transcripts or up to two verifications of various records for any former student. No charge shall be made to locate or retrieve any student record. (Education Code 49065)

### Changes to Student Records

Only a parent/guardian having legal custody of a student or ~~an adult~~ a student who is 18 years of age or is attending an institution of postsecondary education may challenge the content of a record or offer a written response to a record. (Education Code 49061)

~~(cf. 5125.3 – Challenging Student Records)~~

No additions or change shall be made to a student's record after high school graduation or permanent departure, other than routine updating, unless required by law or with prior consent of the parent/guardian or adult student. (Education Code ~~49062.5~~ 49070; 5 CCR 437)

Any request to change a student's legal name in the student's mandatory permanent student record shall be accompanied with appropriate documentation.

Any challenge to the content of a student's record shall be filed in accordance with the process specified in AR 5125.3 - Challenging Student Records. (Education Code 49070)

~~(cf. 5125.3 - Challenging Student Records)~~

~~When a former student submits a state-issued driver's license, birth certificate, passport, social security card, court order, or other government-issued documentation demonstrating that the former student's legal name and/or gender has changed, the Eden Area ROP shall update the former student's records to reflect the updated legal name and/or gender. Upon request by the former student, the Eden Area ROP shall reissue any documents conferred upon the former student, including, but not limited to, a transcript, a high school diploma, a high school equivalency certificate, or other similar documents. The Eden Area ROP is not required to modify records that the former student has not requested for modification or reissuance. (Education Code 49062.5)~~

~~(cf. 5145.3 – Nondiscrimination/Harassment)~~

~~If the former student's name or gender is changed and the requested records are reissued, a new document shall be added to the former student's file that includes all of the following information: (Education Code 49062.5)~~

- ~~1. The date of the request~~
- ~~2. The date the requested records were reissued to the former student~~
- ~~3. A list of the records that were requested by and reissued to the former student~~
- ~~4. The type of documentation, if any, provided by the former student to demonstrate a legal change to the student's name and/or gender~~
- ~~5. The name of the employee who completed the request~~
- ~~6. The current and former names and/or genders of the student~~

~~Any former student who submits a request to change the legal name or gender on the student's records but is unable to provide any government-issued documentation demonstrating the legal name or gender change, may request a name or gender change through the process described in Education Code 49070 and AR 5125.3 – Challenging Student Records.~~



## **Retention and Destruction of Student Records**

All anecdotal information and assessment reports maintained as student records shall be dated and signed by the individual who originated the data. (5 CCR 431)

The following mandatory permanent student records shall be kept indefinitely: (5 CCR 432, 437)

1. Legal name of student

2. Date and place of birth and method of verifying birth date

(cf. 5111 - Admission)

3. Sex of student

4. Name and address of parent/guardian of minor student

a. Address of minor student if different from the above

b. Annual verification of parent/guardian's name and address and student's residence

(cf. 5111.1 - District Residency)

5. Entrance and departure dates of each school year and for any summer session or other extra session

6. Subjects taken during each year, half-year, summer session, or quarter, and marks or credits given towards graduation

(cf. 5121 - Grades/Evaluation of Student Achievement)

7. Verification of or exemption from required immunizations

(cf. 5141.31 - Immunizations)

8. Date of high school graduation or equivalent

Mandatory interim student records, unless forwarded to another district, shall be maintained subject to destruction during the third school year after the school year in which they originated, following a determination that their usefulness has ceased or the student has left the district. These records include: (Education Code 48918, 51747; 5 CCR 432, 437, 16027)

1. Expulsion orders and the causes therefor

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

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

2. A log identifying persons or organizations who request or receive information from the student record

3. Health information, including verification or waiver of the health screening for school entry

(cf. 5141.32 - Health Screening for School Entry)

4. Information on participation in special education programs, including required tests, case studies, authorizations, and actions necessary to establish eligibility for admission or discharge

(cf. 6159 - Individualized Education Program)

(cf. 6164.4 - Identification and Evaluation of Individuals for Special Education)

5. Language training records

(cf. 6174 - Education for English Learners)

6. Progress slips/notices required by Education Code 49066 and 49067

7. Parental restrictions/stipulations regarding access to directory information
8. Parent/guardian or adult student rejoinders to challenged records and to disciplinary action
9. Parent/guardian authorization or prohibition of student participation in specific programs
10. Results of standardized tests administered within the past three years

(cf. 6162.51 - State Academic Achievement Tests)

11. Written findings resulting from an evaluation conducted after a specified number of missed assignments to determine whether it is in a student's best interest to remain in independent study

(cf. 6158 - Independent Study)

Permitted student records may be destroyed six months after the student completes or withdraws from the educational program and their usefulness ceases, including: (5 CCR 432, 437)

1. Objective counselor and/or teacher ratings
2. Standardized test results older than three years
3. Routine disciplinary data

(cf. 5144 - Discipline)

4. Verified reports of relevant behavioral patterns
5. All disciplinary notices
6. Supplementary attendance records

Records shall be destroyed in a way that assures they will not be available to possible public inspection in the process of destruction. (5 CCR 437)

#### **Notification of Parents/Guardians**

Upon any student's initial enrollment, and at the beginning of each school year thereafter, the Superintendent or designee shall notify parents/guardians and eligible students, in writing, of their rights related to student records. If 15 percent or more of the students enrolled in the Eden Area ROP speak a single primary language other than English, then the Eden Area ROP shall provide these notices in that language. Otherwise, the Eden Area ROP shall provide these notices in the student's home language insofar as practicable. The Eden Area ROP shall effectively notify parents/guardians or eligible students with disabilities. (Education Code 49063, 48985; 34 CFR 99.7)

(cf. 5145.6 - Parental Notifications)

The notice shall include: (Education Code 49063; 34 CFR 99.7, 99.34)

1. The types of student records kept by the Eden Area ROP and the information contained therein
2. The title(s) of the official(s) responsible for maintaining each type of record
3. The location of the log identifying those who request information from the records
4. Eden Area ROP criteria for defining school officials and employees and for determining legitimate educational interest
5. Eden Area ROP policies for reviewing and expunging student records
6. The right to inspect and review student records and the procedures for doing so
7. The right to challenge and the procedures for challenging the content of a student record that the parent/guardian or student believes to be inaccurate, misleading, or otherwise in violation of the student's privacy rights
8. The cost, if any, charged for duplicating copies of records

9. The categories of information defined as directory information pursuant to Education Code 49073
  10. The right to consent to disclosures of personally identifiable information contained in the student's records except when disclosure without consent is authorized by law
  11. Availability of the curriculum prospectus developed pursuant to Education Code 49091.14 containing the titles, descriptions, and instructional aims of every course offered by the school
- (cf. 5020 - Parent Rights and Responsibilities)
12. Any other rights and requirements set forth in Education Code 49060-49085, and the right of parents/guardians to file a complaint with the U.S. Department of Education concerning an alleged failure by the Eden Area ROP to comply with 20 USC 1232g
  13. A statement that the Eden Area ROP forwards education records to other agencies or institutions that request the records and in which the student seeks or intends to enroll or is already enrolled as long as the disclosure is for purposes related to the student's enrollment

In addition, the annual parental notification shall include a statement that a student's citizenship status, immigration status, place of birth, or any other information indicating national origin will not be released without parental consent or a court order.

### **Student Records from Social Media**

For the purpose of gathering and maintaining records of students' social media activity, the Superintendent or designee shall: (Education Code 49073.6)

1. Gather or maintain only information that pertains directly to school safety or student safety
2. Provide a student with access to any information that the Eden Area ROP obtained from the student's social media activity and an opportunity to correct or delete such information
3. Destroy information gathered from social media and maintained in student records within one year after a student turns 18 years of age or within one year after the student is no longer enrolled in the Eden Area ROP, whichever occurs first
4. Notify each parent/guardian that the student's information is being gathered from social media and that any information maintained in the student's records shall be destroyed as provided in item #3 above. The notification shall also include, but is not limited to, an explanation of the process by which a student or the student's parent/guardian may access the student's records for examination of the information gathered or maintained and the process by which removal of the information may be requested or corrections to the information may be made. The notification may be provided as part of the annual parental notification required pursuant to Education Code 48980
5. If the Eden Area ROP contracts with a third party to gather information on a student from social media, ensure that the contract:
  - a. Prohibits the third party from using the information for purposes other than those specified in the contract or from selling or sharing the information with any person or entity other than the Eden Area ROP, the student, or the student's parent/guardian
  - b. Requires the third party to destroy the information immediately upon satisfying the terms of the contract, or when the Eden Area ROP notifies the third party that the student has turned 18 years of age or is no longer enrolled in the Eden Area ROP, whichever occurs first

### **Updating Name and/or Gender of Former Students**

When a former student submits a state-issued driver's license, birth certificate, passport, social security card, court order, or other government-issued documentation demonstrating that the former student's legal name and/or gender has changed, the Eden Area ROP shall update the former student's records to include the updated legal name and/or gender. Upon request by the former student, the district shall reissue any documents conferred upon the former student, including, but not limited to, a transcript, a high school diploma, a high school equivalency certificate, or other similar documents. (Education Code 49062.5)

If the former student's name or gender is changed and the requested records are reissued, a new document shall be added to the former student's file that includes all of the following information: (Education Code 49062.5)

1. The date of the request
2. The date the requested records were reissued to the former student
3. A list of the records that were requested by and reissued to the former student
4. The type of documentation, if any, provided by the former student to demonstrate a legal change to the student's name and/or gender
5. The name of the employee who completed the request
6. The current and former names and/or genders of the student

Any former student who submits a request to change the legal name and/or gender on the student's records but is unable to provide any government-issued documentation demonstrating the legal name or gender change, may request a name or gender change through the process described in Education Code 49070 and AR 5125.3 - Challenging Student Records. (Education Code 49062.5)

---

**Policy Reference Disclaimer:** These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

#### State References

#### Description

|                        |  |
|------------------------|--|
| 5 CCR 16020-16027      | Destruction of records of school districts   |
| 5 CCR 430-438          | Individual student records   |
| Bus. Code 22580-22582  | Privacy Rights for California Minors in the Digital World - <a href="https://simbli.eboardsolutions.com/SU/XpZUgtS77ETvzOJMtcapFA==">https://simbli.eboardsolutions.com/SU/XpZUgtS77ETvzOJMtcapFA==</a>  |
| Bus. Code 22584-22585  | Student Online Personal Information Protection Act - <a href="https://simbli.eboardsolutions.com/SU/EnauJhplusaaffvcCQodyGJjng==">https://simbli.eboardsolutions.com/SU/EnauJhplusaaffvcCQodyGJjng==</a> |
| Bus. Code 22586-22587  | Early Learning Personal Information Protection Act - <a href="https://simbli.eboardsolutions.com/SU/HVBisqFqyGv3GFcoYAFARQ==">https://simbli.eboardsolutions.com/SU/HVBisqFqyGv3GFcoYAFARQ==</a>         |
| CCP. 1985.3            | Subpoena duces tecum - <a href="https://simbli.eboardsolutions.com/SU/XUPBrSACIFia2c1R7772slshw==">https://simbli.eboardsolutions.com/SU/XUPBrSACIFia2c1R7772slshw==</a>                                 |
| Ed. Code 17604         | Delegation of powers to agents   |
| Ed. Code 234.7         | Student protections relating to immigration and citizenship status   |
| Ed. Code 48201         | Student records for transfer students who have been suspended/expelled   |
| Ed. Code 48853.5       | Foster youth; placement, immunizations   |
| Ed. Code 48902         | Notification of law enforcement of specified violations  |
| Ed. Code 48904-48904.3 | Withholding grades, diplomas, or transcripts   |
| Ed. Code 48918         | Rules governing expulsion procedures   |
| Ed. Code 48980         | Parental notifications   |
| Ed. Code 48985         | Notices in parent/guardian's primary language  |
| Ed. Code 49060-49079   | Student records  |
| Ed. Code 49091.14      | Parental review of curriculum  |
| Ed. Code 51745         | Independent study  |

|                     |  |
|---------------------|--|
| Ed. Code 56041.5    | Rights of students with disabilities                   |
| Ed. Code 56050      | Surrogate parents                                      |
| Ed. Code 56055      | Foster parents   |
| Ed. Code 69432.9    | Cal Grant program; notification of grade point average |
| Fam. Code 3025      | Access to records by noncustodial parents              |
| Fam. Code 6552      | Caregiver's authorization affidavit                    |
| Gov. Code 6252-6260 | Inspection of public records                           |
| H&S Code 120440     | Immunizations; disclosure of information               |
| Pen. Code 245       | Assault with deadly weapon                             |
| W&I Code 16010      | Health and education records of a minor                |
| W&I Code 681        | Truancy petitions                                      |
| W&I Code 701        | Juvenile court law                                     |

### **Federal References**

|                   |   |
|-------------------|---|
| 16 CFR Part 312   | Children's Online Privacy Protection Rule                             |
| 20 USC 1232g      | Family Educational Rights and Privacy Act (FERPA) of 1974             |
| 20 USC 1232h      | Protection of Pupil Rights Amendment                                  |
| 26 USC 152        | Definition of dependent child   |
| 34 CFR 300.501    | Opportunity to examine records for parents of student with disability |
| 34 CFR 99.1-99.67 | Family Educational Rights and Privacy Act                             |
| 42 USC 11434a     | McKinney-Vento Homeless Assistance Act; definitions                   |

### **Management Resources References**

| <b>Description</b>  |  |
|---|--|
| Promoting Safe & Secure Learning Environment for All: Guidance & Model Policies to Assist CA K-12 Schools in Responding to Immigration Issues, 4/2018   | CA Office of the Attorney General Publication  |
| Legal Guidance on Providing All Children Equal Access to Education, Regardless of Immigration Status, February 2017   | CSBA Publication                               |
| Final Rule and Analysis of Comments and Changes, Family Educational Rights and Privacy, December 9, 2008, Vol. 73, No. 237, pages 74806-74855   | Federal Register                               |
| Data in the Cloud: A Legal and Policy Guide for School Boards on Student Data Privacy in the Cloud Computing Era, April 2014  | National School Boards Association Publication |
| Balancing Student Privacy and School Safety: A Guide to the Family Educational Rights and Privacy Act for Elementary and Secondary Schools, Oct 2007  | U.S. Department of Education Publication       |
| Joint Guidance on the Application of FERPA and HIPAA to Student Health Records, November 2008   | U.S. Department of Education Publication       |
| IDEA and FERPA Confidentiality Provisions, 2014   | U.S. Department of Education Publication       |
| National School Boards Association - <a href="https://simbli.eboardsolutions.com/SU/PGLybcP29yufJSot5FEGJg==">https://simbli.eboardsolutions.com/SU/PGLybcP29yufJSot5FEGJg==</a>                                  | Website  |
| U.S. Department of Education, Family Policy Compliance Office - <a href="https://simbli.eboardsolutions.com/SU/qBuG5WOLFslshHhh9trjQ16OA==">https://simbli.eboardsolutions.com/SU/qBuG5WOLFslshHhh9trjQ16OA==</a> | Website  |
| California Department of Education - <a href="https://simbli.eboardsolutions.com/SU/os2jq5DcA2RawmY2VZ5FZQ==">https://simbli.eboardsolutions.com/SU/os2jq5DcA2RawmY2VZ5FZQ==</a>                                  | Website  |
| CSBA - <a href="https://simbli.eboardsolutions.com/SU/W3QxkK2FPsDsQBnMIENxGg==">https://simbli.eboardsolutions.com/SU/W3QxkK2FPsDsQBnMIENxGg==</a>  | Website  |

**Cross References****Description**

|              |  |
|--------------|--|
| 1312.3       | Uniform Complaint Procedures -<br><a href="https://simbli.eboardsolutions.com/SU/qs2GKTudcR3sSbt2ILyZtQ==">https://simbli.eboardsolutions.com/SU/qs2GKTudcR3sSbt2ILyZtQ==</a>                                      |
| 1312.3       | Uniform Complaint Procedures -<br><a href="https://simbli.eboardsolutions.com/SU/9KbCO6o7mFDaLBkBzO3rUQ==">https://simbli.eboardsolutions.com/SU/9KbCO6o7mFDaLBkBzO3rUQ==</a>                                      |
| 1312.3-E(1)  | Uniform Complaint Procedures -<br><a href="https://simbli.eboardsolutions.com/SU/W6rvYg4mauU6zHehPSApOQ==">https://simbli.eboardsolutions.com/SU/W6rvYg4mauU6zHehPSApOQ==</a>                                      |
| 3260         | Fees And Charges -<br><a href="https://simbli.eboardsolutions.com/SU/GBmLyqzfzSCkfJHelqrNEQ==">https://simbli.eboardsolutions.com/SU/GBmLyqzfzSCkfJHelqrNEQ==</a>  |
| 3260         | Fees And Charges -<br><a href="https://simbli.eboardsolutions.com/SU/zPs9HLtslshppqbH6809dB9Ew==">https://simbli.eboardsolutions.com/SU/zPs9HLtslshppqbH6809dB9Ew==</a>  |
| 3290         | Gifts, Grants And Bequests -<br><a href="https://simbli.eboardsolutions.com/SU/NkGQICc4slshQSDcmiNwFpF7A==">https://simbli.eboardsolutions.com/SU/NkGQICc4slshQSDcmiNwFpF7A==</a>                                  |
| 3312         | Contracts -<br><a href="https://simbli.eboardsolutions.com/SU/BsUoTGuo9tq9FUEplusgoPI9Q==">https://simbli.eboardsolutions.com/SU/BsUoTGuo9tq9FUEplusgoPI9Q==</a>   |
| 3515         | Campus Security -<br><a href="https://simbli.eboardsolutions.com/SU/hPhZ71ILDcJHvLbslshBQvz3w==">https://simbli.eboardsolutions.com/SU/hPhZ71ILDcJHvLbslshBQvz3w==</a>   |
| 4040         | Employee Use Of Technology -<br><a href="https://simbli.eboardsolutions.com/SU/gDTVswWdASQ0j3VBn2zalg==">https://simbli.eboardsolutions.com/SU/gDTVswWdASQ0j3VBn2zalg==</a>  |
| 4040-E(1)    | Employee Use Of Technology -<br><a href="https://simbli.eboardsolutions.com/SU/NQsv4ZCezKjaSAplus9H4iFEg==">https://simbli.eboardsolutions.com/SU/NQsv4ZCezKjaSAplus9H4iFEg==</a>                                  |
| 4117.7       | Employment Status Reports -<br><a href="https://simbli.eboardsolutions.com/SU/wGjKh5o4tJoV2uQH4ekpFQ==">https://simbli.eboardsolutions.com/SU/wGjKh5o4tJoV2uQH4ekpFQ==</a>   |
| 4119.23      | Unauthorized Release Of Confidential/Privileged Information -<br><a href="https://simbli.eboardsolutions.com/SU/plusx7quVYJcRgCQGf9vm10iQ==">https://simbli.eboardsolutions.com/SU/plusx7quVYJcRgCQGf9vm10iQ==</a> |
| 4158         | Employee Security -<br><a href="https://simbli.eboardsolutions.com/SU/cyw9b7er4SvKV0UrvyeZslshQ==">https://simbli.eboardsolutions.com/SU/cyw9b7er4SvKV0UrvyeZslshQ==</a>   |
| 4219.21      | Professional Standards -<br><a href="https://simbli.eboardsolutions.com/SU/L6xFcc0hdppUjb566xoOOQ==">https://simbli.eboardsolutions.com/SU/L6xFcc0hdppUjb566xoOOQ==</a>  |
| 4219.23      | Unauthorized Release Of Confidential/Privileged Information -<br><a href="https://simbli.eboardsolutions.com/SU/UnlzMtjolyOfkBOcG4ZrMg==">https://simbli.eboardsolutions.com/SU/UnlzMtjolyOfkBOcG4ZrMg==</a>       |
| 4258         | Employee Security -<br><a href="https://simbli.eboardsolutions.com/SU/AfuKAeTga4ilOnYXFTDwDg==">https://simbli.eboardsolutions.com/SU/AfuKAeTga4ilOnYXFTDwDg==</a>   |
| 4317.7       | Employment Status Reports -<br><a href="https://simbli.eboardsolutions.com/SU/xYplusnrOcPGZBCsSpAHTvPAw==">https://simbli.eboardsolutions.com/SU/xYplusnrOcPGZBCsSpAHTvPAw==</a>                                   |
| 4319.21      | Professional Standards -<br><a href="https://simbli.eboardsolutions.com/SU/jtFNj01Gctv96WQS8QUQTQ==">https://simbli.eboardsolutions.com/SU/jtFNj01Gctv96WQS8QUQTQ==</a>  |
| 4319.21-E(1) | Professional Standards -<br><a href="https://simbli.eboardsolutions.com/SU/SbNNhECB0KlySslshQpsFOM7w==">https://simbli.eboardsolutions.com/SU/SbNNhECB0KlySslshQpsFOM7w==</a>                                      |
| 4319.23      | Unauthorized Release Of Confidential/Privileged Information -<br><a href="https://simbli.eboardsolutions.com/SU/FEDeJMdGgJmuugihzeFErA==">https://simbli.eboardsolutions.com/SU/FEDeJMdGgJmuugihzeFErA==</a>       |
| 4358         | Employee Security -<br><a href="https://simbli.eboardsolutions.com/SU/ywPZ7adnHJf1uCpPgkJijg==">https://simbli.eboardsolutions.com/SU/ywPZ7adnHJf1uCpPgkJijg==</a>   |
| 5000         | Concepts And Roles -<br><a href="https://simbli.eboardsolutions.com/SU/XL3LZxmsPxxUBSMHGt2eig==">https://simbli.eboardsolutions.com/SU/XL3LZxmsPxxUBSMHGt2eig==</a>  |
| 5020         | Parent Rights And Responsibilities -<br><a href="https://simbli.eboardsolutions.com/SU/ZHUsIshmk3JPNnIMABElc3h6Q==">https://simbli.eboardsolutions.com/SU/ZHUsIshmk3JPNnIMABElc3h6Q==</a>                          |
| 5020         | Parent Rights And Responsibilities -<br><a href="https://simbli.eboardsolutions.com/SU/MTPLQkGLMGE194ImkZnJXQ==">https://simbli.eboardsolutions.com/SU/MTPLQkGLMGE194ImkZnJXQ==</a>                                |

|         |  |
|---------|--|
| 5021    | Noncustodial Parents -<br><a href="https://simbli.eboardsolutions.com/SU/WbNEV4jzbQxcAFpluswJzfg==">https://simbli.eboardsolutions.com/SU/WbNEV4jzbQxcAFpluswJzfg==</a>  |
| 5111    | Admission -<br><a href="https://simbli.eboardsolutions.com/SU/NkLplusG1sYslshDZaTbi7IsErUw==">https://simbli.eboardsolutions.com/SU/NkLplusG1sYslshDZaTbi7IsErUw==</a>   |
| 5113.1  | Chronic Absence And Truancy -<br><a href="https://simbli.eboardsolutions.com/SU/ZY58nuoqDXjh1J4aDDpjQQ==">https://simbli.eboardsolutions.com/SU/ZY58nuoqDXjh1J4aDDpjQQ==</a>                                     |
| 5121    | Grades/Evaluation Of Student Achievement -<br><a href="https://simbli.eboardsolutions.com/SU/hSplusyCylc0r9txuFKeq3o9g==">https://simbli.eboardsolutions.com/SU/hSplusyCylc0r9txuFKeq3o9g==</a>                  |
| 5125.1  | Release Of Directory Information -<br><a href="https://simbli.eboardsolutions.com/SU/nBIMDQvbeRKnOHPijlpHA==">https://simbli.eboardsolutions.com/SU/nBIMDQvbeRKnOHPijlpHA==</a>                                  |
| 5125.1  | Release Of Directory Information -<br><a href="https://simbli.eboardsolutions.com/SU/7RrvG7ihe3wXkO8fqafa6A==">https://simbli.eboardsolutions.com/SU/7RrvG7ihe3wXkO8fqafa6A==</a>                                |
| 5125.2  | Withholding Grades, Diploma Or Transcripts -<br><a href="https://simbli.eboardsolutions.com/SU/xhhplusjQ0ZZb2BB6DnupZgOA==">https://simbli.eboardsolutions.com/SU/xhhplusjQ0ZZb2BB6DnupZgOA==</a>                |
| 5125.3  | Challenging Student Records -<br><a href="https://simbli.eboardsolutions.com/SU/CIUC1WplusN0Eph05oZ1NFplusDA==">https://simbli.eboardsolutions.com/SU/CIUC1WplusN0Eph05oZ1NFplusDA==</a>                         |
| 5126    | Awards For Achievement -<br><a href="https://simbli.eboardsolutions.com/SU/yrtclcxp8CxH3sl5HslshZXcg==">https://simbli.eboardsolutions.com/SU/yrtclcxp8CxH3sl5HslshZXcg==</a>                                    |
| 5126    | Awards For Achievement -<br><a href="https://simbli.eboardsolutions.com/SU/RbPA9QzDGKNvIKTiErZ1mA==">https://simbli.eboardsolutions.com/SU/RbPA9QzDGKNvIKTiErZ1mA==</a>  |
| 5131.1  | Bus Conduct -<br><a href="https://simbli.eboardsolutions.com/SU/6vn62xUIYHpsvplusaxLZxWJA==">https://simbli.eboardsolutions.com/SU/6vn62xUIYHpsvplusaxLZxWJA==</a>   |
| 5131.1  | Bus Conduct -<br><a href="https://simbli.eboardsolutions.com/SU/NYiYU921plus82AxQexMSiKMA==">https://simbli.eboardsolutions.com/SU/NYiYU921plus82AxQexMSiKMA==</a>   |
| 5131.2  | Bullying -<br><a href="https://simbli.eboardsolutions.com/SU/JcJT8wTaV2slshznaxEFdVjqg==">https://simbli.eboardsolutions.com/SU/JcJT8wTaV2slshznaxEFdVjqg==</a>  |
| 5131.2  | Bullying -<br><a href="https://simbli.eboardsolutions.com/SU/KJEhAAzM900qAFyqlY8Uww==">https://simbli.eboardsolutions.com/SU/KJEhAAzM900qAFyqlY8Uww==</a>  |
| 5131.61 | Drug Testing -<br><a href="https://simbli.eboardsolutions.com/SU/swBwBpVadoX6Bu12Xgt6yQ==">https://simbli.eboardsolutions.com/SU/swBwBpVadoX6Bu12Xgt6yQ==</a>  |
| 5131.7  | Weapons And Dangerous Instruments -<br><a href="https://simbli.eboardsolutions.com/SU/H9deq8f6pambbClc9haEog==">https://simbli.eboardsolutions.com/SU/H9deq8f6pambbClc9haEog==</a>                               |
| 5131.7  | Weapons And Dangerous Instruments -<br><a href="https://simbli.eboardsolutions.com/SU/DJSYq8YuslshAlGy3dG37VZgw==">https://simbli.eboardsolutions.com/SU/DJSYq8YuslshAlGy3dG37VZgw==</a>                         |
| 5141.21 | Administering Medication And Monitoring Health Conditions -<br><a href="https://simbli.eboardsolutions.com/SU/CCCEp0aHFRhp0T0Kof6xmw==">https://simbli.eboardsolutions.com/SU/CCCEp0aHFRhp0T0Kof6xmw==</a>       |
| 5141.21 | Administering Medication And Monitoring Health Conditions -<br><a href="https://simbli.eboardsolutions.com/SU/l1WF3whkH1Gz44k31AMslshjA==">https://simbli.eboardsolutions.com/SU/l1WF3whkH1Gz44k31AMslshjA==</a> |
| 5141.22 | Infectious Diseases -<br><a href="https://simbli.eboardsolutions.com/SU/QbJVAQdmFtsJCaENTJI98g==">https://simbli.eboardsolutions.com/SU/QbJVAQdmFtsJCaENTJI98g==</a>   |
| 5141.22 | Infectious Diseases -<br><a href="https://simbli.eboardsolutions.com/SU/xPPv1Ca1UnoZR0xeUtuGw==">https://simbli.eboardsolutions.com/SU/xPPv1Ca1UnoZR0xeUtuGw==</a>   |
| 5141.3  | Health Examinations -<br><a href="https://simbli.eboardsolutions.com/SU/x47TVXZk7IOVhrxhgWdXRQ==">https://simbli.eboardsolutions.com/SU/x47TVXZk7IOVhrxhgWdXRQ==</a>   |
| 5141.52 | Suicide Prevention -<br><a href="https://simbli.eboardsolutions.com/SU/abGkpdKF4AuSlcVZOz00lw==">https://simbli.eboardsolutions.com/SU/abGkpdKF4AuSlcVZOz00lw==</a>  |
| 5141.52 | Suicide Prevention -<br><a href="https://simbli.eboardsolutions.com/SU/JsOVYsraiwdGChgeXbWR7Q==">https://simbli.eboardsolutions.com/SU/JsOVYsraiwdGChgeXbWR7Q==</a>  |
| 5142.1  | Identification And Reporting Of Missing Children -<br><a href="https://simbli.eboardsolutions.com/SU/gKon9P2FslshQGFgRPfVaNeaQ==">https://simbli.eboardsolutions.com/SU/gKon9P2FslshQGFgRPfVaNeaQ==</a>          |

|             |  |
|-------------|--|
| 5144        | Discipline -<br><a href="https://simbli.eboardsolutions.com/SU/r6p8cTTa0frJGNZkRU58IA==">https://simbli.eboardsolutions.com/SU/r6p8cTTa0frJGNZkRU58IA==</a>  |
| 5144        | Discipline -<br><a href="https://simbli.eboardsolutions.com/SU/KVzvK1B2oqZCSfZin1Rgdw==">https://simbli.eboardsolutions.com/SU/KVzvK1B2oqZCSfZin1Rgdw==</a>  |
| 5144.1      | Suspension And Expulsion/Due Process -<br><a href="https://simbli.eboardsolutions.com/SU/fsBunrwmpsHHnBCn2muQplusw==">https://simbli.eboardsolutions.com/SU/fsBunrwmpsHHnBCn2muQplusw==</a>              |
| 5144.4      | Required Parental Attendance -<br><a href="https://simbli.eboardsolutions.com/SU/EplusBplusKcdRIUMgshdxEo2sHw==">https://simbli.eboardsolutions.com/SU/EplusBplusKcdRIUMgshdxEo2sHw==</a>                |
| 5144.4      | Required Parental Attendance -<br><a href="https://simbli.eboardsolutions.com/SU/3ficocyw46oRDSSumjilLsw==">https://simbli.eboardsolutions.com/SU/3ficocyw46oRDSSumjilLsw==</a>                          |
| 5145.12     | Search And Seizure -<br><a href="https://simbli.eboardsolutions.com/SU/LaRzDg0Z2A4vIvPZOvGdlw==">https://simbli.eboardsolutions.com/SU/LaRzDg0Z2A4vIvPZOvGdlw==</a>                                      |
| 5145.13     | Response To Immigration Enforcement -<br><a href="https://simbli.eboardsolutions.com/SU/xB1Ge8eslsh1tJtFyKwZfOleA==">https://simbli.eboardsolutions.com/SU/xB1Ge8eslsh1tJtFyKwZfOleA==</a>               |
| 5145.13     | Response To Immigration Enforcement -<br><a href="https://simbli.eboardsolutions.com/SU/9k64VYfPkc3gpFqVgDvx2w==">https://simbli.eboardsolutions.com/SU/9k64VYfPkc3gpFqVgDvx2w==</a>                     |
| 5145.3      | Nondiscrimination/Harassment -<br><a href="https://simbli.eboardsolutions.com/SU/VfUPcSJZZtt92oksSX5JGw==">https://simbli.eboardsolutions.com/SU/VfUPcSJZZtt92oksSX5JGw==</a>                            |
| 5145.3      | Nondiscrimination/Harassment -<br><a href="https://simbli.eboardsolutions.com/SU/VR3HuGc4OnJmPQbsv3aeqw==">https://simbli.eboardsolutions.com/SU/VR3HuGc4OnJmPQbsv3aeqw==</a>                            |
| 5145.6      | Parental Notifications -<br><a href="https://simbli.eboardsolutions.com/SU/euTjsH5FkRHgS9FlabDM2g==">https://simbli.eboardsolutions.com/SU/euTjsH5FkRHgS9FlabDM2g==</a>                                  |
| 5145.7      | Sexual Harassment -<br><a href="https://simbli.eboardsolutions.com/SU/faSIGnQyujTfPzj4XpiZPg==">https://simbli.eboardsolutions.com/SU/faSIGnQyujTfPzj4XpiZPg==</a>                                       |
| 5145.7      | Sexual Harassment -<br><a href="https://simbli.eboardsolutions.com/SU/gwEZwjnjslshDBnbmXH3BRqig==">https://simbli.eboardsolutions.com/SU/gwEZwjnjslshDBnbmXH3BRqig==</a>                                 |
| 6162.8      | Research -<br><a href="https://simbli.eboardsolutions.com/SU/rLXWpKX8pplusbxnkSuX8co9w==">https://simbli.eboardsolutions.com/SU/rLXWpKX8pplusbxnkSuX8co9w==</a>  |
| 6162.8      | Research -<br><a href="https://simbli.eboardsolutions.com/SU/epS55nQwslshediLmGdedFFPA==">https://simbli.eboardsolutions.com/SU/epS55nQwslshediLmGdedFFPA==</a>  |
| 6163.4      | Student Use Of Technology -<br><a href="https://simbli.eboardsolutions.com/SU/4swqidRakm4AHszd2Magxw==">https://simbli.eboardsolutions.com/SU/4swqidRakm4AHszd2Magxw==</a>                               |
| 6163.4      | Student Use Of Technology -<br><a href="https://simbli.eboardsolutions.com/SU/CY2BagsiitdE8wG0FLJ7Ow==">https://simbli.eboardsolutions.com/SU/CY2BagsiitdE8wG0FLJ7Ow==</a>                               |
| 6163.4-E(1) | Student Use Of Technology -<br><a href="https://simbli.eboardsolutions.com/SU/xqk1B7bezEkeSjPJqLYuXg==">https://simbli.eboardsolutions.com/SU/xqk1B7bezEkeSjPJqLYuXg==</a>                               |
| 6164.2      | Guidance/Counseling Services -<br><a href="https://simbli.eboardsolutions.com/SU/TGUvZ9YYeUcMZslsh2KNSSuRw==">https://simbli.eboardsolutions.com/SU/TGUvZ9YYeUcMZslsh2KNSSuRw==</a>                      |
| 6178.1      | Work-Based Learning -<br><a href="https://simbli.eboardsolutions.com/SU/cx09IvoiKmDu69FhPQTtoow==">https://simbli.eboardsolutions.com/SU/cx09IvoiKmDu69FhPQTtoow==</a>                                   |
| 6178.1      | Work-Based Learning -<br><a href="https://simbli.eboardsolutions.com/SU/GVslshTRdIRBkNoSFjBOVDBXg==">https://simbli.eboardsolutions.com/SU/GVslshTRdIRBkNoSFjBOVDBXg==</a>                               |
| 9011        | Disclosure Of Confidential/Privileged Information -<br><a href="https://simbli.eboardsolutions.com/SU/plusFernMK4TDjaWmZ9vAOBbw==">https://simbli.eboardsolutions.com/SU/plusFernMK4TDjaWmZ9vAOBbw==</a> |
| 9321        | Closed Session -<br><a href="https://simbli.eboardsolutions.com/SU/MyQpluss80rgctiYYBVNvOKslshg==">https://simbli.eboardsolutions.com/SU/MyQpluss80rgctiYYBVNvOKslshg==</a>                              |



**Regulation 5145.3: Nondiscrimination/Harassment**

**Status:** DRAFT

**Original Adopted Date:** 06/05/2020 | **Last Revised Date:** 02/03/2022

The Eden Area Regional Occupational Program (Eden Area ROP) designates the individual(s) identified below as the employee(s) responsible for coordinating the Eden Area ROP's efforts to comply with applicable state and federal civil rights laws and to answer inquiries regarding the Eden Area ROP's nondiscrimination policies. The individual(s) shall also serve as the compliance officer(s) specified in AR 1312.3 - Uniform Complaint Procedures as the responsible employee to handle complaints alleging unlawful discrimination targeting a student, including discriminatory harassment, intimidation, or bullying, based on the student's actual or perceived race, color, ancestry, nationality, national origin, immigration status, ethnic group identification, ethnicity, age, religion, marital status, pregnancy, parental status, physical or mental disability, medical condition, sex, sexual orientation, gender, gender identity, gender expression, genetic information, or any other legally protected status or association with a person or group with one or more of these actual or perceived characteristics. The coordinator/compliance officer(s) may be contacted at: (Education Code 234.1; 5 CCR 4621)

Director of Educational Services

(title or position)

26316 Hesperian Blvd, Hayward, CA 94545

(address)

(510) 293-2903

(telephone number)

ealvite@edenrop.org

(email)

**Measures to Prevent Discrimination**

To prevent unlawful discrimination, including discriminatory harassment, intimidation, retaliation, and bullying, of students at school or in school activities and to ensure equal access of all students to the educational program, the Superintendent or designee shall implement the following measures:

1. Publicize the Eden Area ROP's nondiscrimination policy and related complaint procedures, including the coordinator/compliance officer's contact information, to students, parents/guardians, employees, volunteers, and the general public by posting them in prominent locations and providing easy access to them through Eden Area ROP-supported communications
2. Post the Eden Area ROP's policies and procedures prohibiting discrimination, harassment, student sexual harassment, intimidation, bullying, and cyberbullying, including a section on social media bullying that includes all of the references described in Education Code 234.6 as possible forums for social media, in a prominent location on the Eden Area ROP's web site in a manner that is easily accessible to parents/guardians and students (Education Code 234.6)
3. Post the definition of sex discrimination and harassment as described in Education Code 230, including the rights set forth in Education Code 221.8, in a prominent location on the Eden Area ROP's web site in a manner that is easily accessible to parents/guardians and students (Education Code 234.6)
4. Post in a prominent location on the Eden Area ROP web site in a manner that is easily accessible to parents/guardians and students information regarding Title IX prohibitions against discrimination based on a student's sex, gender, gender identity, pregnancy, and parental status, including the following: (Education Code 221.6, 221.61, 234.6)
  - a. The name and contact information of the Eden Area ROP's Title IX Coordinator, including the phone number and email address
  - b. The rights of students and the public and the responsibilities of the Eden Area ROP under Title IX, including a list of rights as specified in Education Code 221.8 and web links to information about those rights and responsibilities located on the web sites of the Office for Equal Opportunity and the U.S. Department of Education's Office for Civil Rights (OCR)
  - c. A description of how to file a complaint of noncompliance under Title IX, which shall include:

- i. An explanation of the statute of limitations within which a complaint must be filed after an alleged incident of discrimination has occurred and how a complaint may be filed beyond the statute of limitations
    - ii. An explanation of how the complaint will be investigated and how the complainant may further pursue the complaint, including web links to this information on the OCR's web site
    - iii. A web link to the OCR complaints form and the contact information for the office, including the phone number and email address for the office
  - d. A link to the Title IX information included on the California Department of Education's (CDE) web site
5. Post a link to statewide CDE-compiled resources, including community-based organizations, that provide support to youth who have been subjected to school-based discrimination, harassment, intimidation, or bullying and to their families. Such resources shall be posted in a prominent location on the Eden Area ROP's web site in a manner that is easily accessible to parents/guardians and students. (Education Code 234.5, 234.6)
  6. Provide to students a handbook that contains age-appropriate information that clearly describes the Eden Area ROP's nondiscrimination policy, procedures for filing a complaint, and resources available to students who feel that they have been the victim of any such behavior.
  7. Annually notify all students and parents/guardians of the Eden Area ROP's nondiscrimination policy, including its responsibility to provide a safe, nondiscriminatory school environment for all students, including transgender and gender-nonconforming students. The notice shall inform students and parents/guardians that they may request to meet with the compliance officer to determine how best to accommodate or resolve concerns that may arise from the Eden Area ROP's implementation of its nondiscrimination policies. The notice shall also inform all students and parents/guardians that, to the extent possible, the Eden Area ROP will address any individual student's interests and concerns in private.
  8. Ensure that students and parents/guardians, including those with limited English proficiency, are notified of how to access the relevant information provided in the Eden Area ROP's nondiscrimination policy and related complaint procedures, notices, and forms in a language they can understand.
- If 15 percent or more of students enrolled speak a single primary language other than English, the Eden Area ROP's policy, regulation, forms, and notices concerning nondiscrimination shall be translated into that language in accordance with Education Code 234.1 and 48985. In all other instances, the Eden Area ROP shall ensure meaningful access to all relevant information for parents/guardians with limited English proficiency.
9. Provide to students, employees, volunteers, and parents/guardians age-appropriate training and/or information regarding the Eden Area ROP's nondiscrimination policy; what constitutes prohibited discrimination, including discriminatory harassment, intimidation, retaliation, or bullying; how and to whom a report of an incident should be made; and how to guard against segregating or stereotyping students when providing instruction, guidance, supervision, or other services to them. Such training and information shall include details of guidelines the Eden Area ROP may use to provide a discrimination-free environment for all Eden Area ROP students, including transgender and gender-nonconforming students.
  10. At the beginning of each school year, inform school employees that any employee who witnesses any act of unlawful discrimination, including discriminatory harassment, intimidation, or bullying, against a student is required to intervene if it is safe to do so. (Education Code 234.1)
  11. At the beginning of each school year, inform each principal or designee of the Eden Area ROP's responsibility to provide appropriate assistance or resources to protect students from threatened or potentially discriminatory behavior and ensure their privacy rights.

#### **Enforcement of Eden Area ROP Policy**

The Superintendent or designee shall take appropriate actions to reinforce BP 5145.3 - Nondiscrimination/Harassment. As needed, these actions may include any of the following:

1. Removing vulgar or offending graffiti

2. Providing training to students, staff, and parents/guardians about how to recognize unlawful discrimination, how to report it or file a complaint, and how to respond
3. Disseminating and/or summarizing the Eden Area ROP's policy and regulation regarding unlawful discrimination
4. Consistent with laws regarding the confidentiality of student and personnel records, communicating to students, parents/guardians, and the community the school's response plan to unlawful discrimination or harassment
5. Taking appropriate disciplinary action against students, employees, and anyone determined to have engaged in wrongdoing in violation of Eden Area ROP policy, including any student who is found to have filed a complaint of discrimination that the student knew was not true

### **Process for Initiating and Responding to Complaints**

Students who feel that they have been subjected to unlawful discrimination described above or in Eden Area ROP policy are strongly encouraged to immediately contact the compliance officer, principal, or any other staff member. In addition, students who observe any such incident are strongly encouraged to report the incident to the compliance officer or principal, whether or not the alleged victim files a complaint.

Any school employee who observes an incident of unlawful discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, or to whom such an incident is reported shall report the incident to the compliance officer or principal within a school day, whether or not the alleged victim files a complaint.

Any school employee who witnesses an incident of unlawful discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, shall immediately intervene to stop the incident when it is safe to do so. (Education Code 234.1)

When a report of unlawful discrimination, including discriminatory harassment, intimidation, retaliation, or bullying, is made to or received by the principal or compliance officer, the principal or compliance officer shall notify the student or parent/guardian of the right to file a formal complaint in accordance with AR 1312.3 - Uniform Complaint Procedures or, for complaints of sexual harassment that meet the federal Title IX definition, AR 5145.71 - Title IX Sexual Harassment Complaint Procedures. Once notified verbally or in writing, the compliance officer shall begin the investigation and shall implement immediate measures necessary to stop the discrimination and ensure that all students have access to the educational program and a safe school environment. Any interim measures adopted to address unlawful discrimination shall, to the extent possible, not disadvantage the complainant or a student who is the victim of the alleged unlawful discrimination.

Any report or complaint alleging unlawful discrimination by the principal, compliance officer, or any other person to whom a report would ordinarily be made or complaint filed shall instead be made to or filed with the Superintendent or designee who shall determine how the complaint will be investigated.

### **Issues Unique to Intersex, Nonbinary, Transgender and Gender-Nonconforming Students**

Gender identity of a student means the student's gender-related identity, appearance, or behavior as determined from the student's internal sense, whether or not that gender-related identity, appearance, or behavior is different from that traditionally associated with the student's physiology or assigned sex at birth.

Gender expression means a student's gender-related appearance and behavior, whether stereotypically associated with the student's assigned sex at birth. (Education Code 210.7)

Gender transition refers to the process in which a student changes from living and identifying as the sex assigned to the student at birth to living and identifying as the sex that corresponds to the student's gender identity.

Gender-nonconforming student means a student whose gender expression differs from stereotypical expectations.

Intersex student means a student with natural bodily variations in anatomy, hormones, chromosomes, and other traits that differ from expectations generally associated with female and male bodies.

Nonbinary student means a student whose gender identity falls outside of the traditional conception of strictly either female or male, regardless of whether or not the student identifies as transgender, was born with intersex traits, uses

gender-neutral pronouns, or uses agender, genderqueer, pangender, gender nonconforming, gender variant, or such other more specific term to describe their gender.

Transgender student means a student whose gender identity is different from the gender assigned at birth.

The Eden Area ROP prohibits acts of verbal, nonverbal, or physical aggression, intimidation, or hostility that are based on sex, gender identity, or gender expression, or that have the purpose or effect of producing a negative impact on the student's academic performance or of creating an intimidating, hostile, or offensive educational environment, regardless of whether the acts are sexual in nature. Examples of the types of conduct which are prohibited in the Eden Area ROP and which may constitute gender-based harassment include, but are not limited to:

1. Refusing to address a student by a name and the pronouns consistent with the student's gender identity
2. Disciplining or disparaging a student or excluding the student from participating in activities, for behavior or appearance that is consistent with the student's gender identity or that does not conform to stereotypical notions of masculinity or femininity, as applicable
3. Blocking a student's entry to the restroom that corresponds to the student's gender identity
4. Taunting a student because the student participates in an athletic activity more typically favored by a student of the other sex
5. Revealing a student's transgender status gender identity to individuals who do not have a legitimate need for the information, without the student's consent
6. Using gender-specific slurs
7. Physically assaulting a student motivated by hostility toward the student because of the student's gender, gender identity, or gender expression

The Eden Area ROP's uniform complaint procedures (AR 1312.3) or Title IX sexual harassment procedures (AR 5145.71), as applicable, shall be used to report and resolve complaints alleging discrimination against intersex, nonbinary, transgender and gender-nonconforming students.

Examples of bases for complaints include, but are not limited to, the above list, as well as improper rejection by the Eden Area ROP of a student's asserted gender identity, denial of access to facilities that correspond with a student's gender identity, improper disclosure of a student's transgender status gender identity, discriminatory enforcement of a dress code, and other instances of gender-based harassment.

To ensure that intersex, nonbinary, transgender and gender-nonconforming students are afforded the same rights, benefits, and protections provided to all students by law and Board policy, the Eden Area ROP shall address each situation on a case-by-case basis, in accordance with the following guidelines:

1. Right to privacy: A student's intersex, nonbinary, transgender or gender-nonconforming status is the student's private information, and the Eden Area ROP shall only disclose the information to others with the student's prior written consent, except when the disclosure is otherwise required by law or when the Eden Area ROP has compelling evidence that disclosure is necessary to preserve the student's physical or mental well-being. In any case, the Eden Area ROP shall only allow disclosure of a student's personally identifiable information to employees with a legitimate educational interest as determined by the Eden Area ROP pursuant to 34 CFR 99.31. Any Eden Area ROP employee to whom a student's transgender or gender-nonconforming status is disclosed shall keep the student's information confidential. When disclosure of a student's gender identity is made to an Eden Area ROP employee by a student, the employee shall seek the student's permission to notify the compliance officer. If the student refuses to give permission, the employee shall keep the student's information confidential, unless the employee is required to disclose or report the student's information pursuant to this administrative regulation, and shall inform the student that honoring the student's request may limit the Eden Area ROP's ability to meet the student's needs related to the student's status as a transgender or gender-nonconforming student. If the student permits the employee to notify the compliance officer, the employee shall do so within three school days. The Eden Area ROP shall develop strategies to prevent unauthorized disclosure of students' private information. Such strategies may include, but are not limited to, collecting or maintaining information about student gender only when relevant to the educational program or activity, protecting or revealing a student's gender identity as necessary to protect the health or

safety of the student, and keeping a student's unofficial record separate from the official record. The Eden Area ROP shall only disclose the information to others with the student's prior written consent, except when the disclosure is otherwise required by law or when the Eden Area ROP has compelling evidence that disclosure is necessary to preserve the student's physical or mental well-being. In any case, the Eden Area ROP shall only allow disclosure of a student's personally identifiable information to employees with a legitimate educational interest as determined by the Eden Area ROP pursuant to 34 CFR 99.31. Any Eden Area ROP employee to whom a student's intersex, nonbinary, transgender, or gender-nonconforming status is disclosed shall keep the student's information confidential. When disclosure of a student's gender identity is made to an Eden Area ROP employee by a student, the employee shall seek the student's permission to notify the compliance officer. If the student refuses to give permission, the employee shall keep the student's information confidential, unless the employee is required to disclose or report the student's information pursuant to this administrative regulation, and shall inform the student that honoring the student's request may limit the Eden Area ROP's ability to meet the student's needs related to the student's status as an intersex, nonbinary, transgender, or gender-nonconforming student. If the student permits the employee to notify the compliance officer, the employee shall do so within three school days.

As appropriate given the student's need for support, the compliance officer may discuss with the student any need to disclose the student's intersex, nonbinary, transgender or gender-nonconformity status or gender identity or gender expression to the student's parents/guardians and/or others, including other students, teacher(s), or other adults on campus. The Eden Area ROP shall offer support services, such as counseling, to students who wish to inform their parents/guardians of their status and desire assistance in doing so.

2. Determining a Student's Gender Identity: The compliance officer shall accept the student's assertion of gender identity and begin to treat the student consistent with that gender identity unless Eden Area ROP personnel present a credible and supportable basis for believing that the student's assertion is for an improper purpose.
3. Addressing a Student's Transition Needs: The compliance officer shall arrange a meeting with the student and, if appropriate, the student's parents/guardians to identify and develop strategies for ensuring that the student's access to educational programs and activities is maintained. The meeting shall discuss the intersex, nonbinary, transgender or gender-nonconforming student's rights and how those rights may affect and be affected by the rights of other students and shall address specific subjects related to the student's access to facilities and to academic or educational support programs, services, or activities, including, but not limited to, sports and other competitive endeavors. In addition, the compliance officer shall identify specific school site employee(s) to whom the student may report any problem related to the student's status as an intersex, nonbinary, transgender or gender-nonconforming individual, so that prompt action can be taken to address it. Alternatively, if appropriate and desired by the student, the school may form a support team for the student that will meet periodically to assess whether the arrangements for the student are meeting the student's educational needs and providing equal access to programs and activities, educate appropriate staff about the student's transition, and serve as a resource to the student to better protect the student from gender-based discrimination.
4. Accessibility to Sex-Segregated Facilities, Programs, and Activities: When the Eden Area ROP maintains sex-segregated facilities, such as restrooms, students shall be permitted to access facilities consistent with their gender identity. To address any student's privacy concerns in using sex-segregated facilities, the Eden Area ROP shall offer available options such as a gender-neutral or single-use restroom or changing area, a bathroom stall with a door. However, the Eden Area ROP shall not require a student to utilize these options because the student is intersex, nonbinary, transgender or gender-nonconforming. In addition, a student shall be permitted to participate in accordance with the student's gender identity in other circumstances where students are separated by gender, such as for class discussions, yearbook pictures, and field trips. A student's right to participate in a sex-segregated activity in accordance with the student's gender identity shall not render invalid or inapplicable any other eligibility rule established for participation in the activity.
5. Student Records: Upon each student's enrollment, the Eden Area ROP is required to maintain a mandatory permanent student record (official record) that includes the student's gender and legal name.

A student's legal name or gender as entered on the mandatory student record required pursuant to 5 CCR 432 shall only be changed with proper documentation. When a student presents government-issued documentation of a name and/or gender change or submits a request for a name and/or gender change through the process specified in Education Code 49070, the Eden Area ROP shall update the student's records. (Education Code 49062.5, 49070) A student's gender as entered on the student's official record required pursuant to 5 CCR 432 shall only be changed with written authorization of a parent/guardian having

legal custody of the student. (Education Code 49061)

However, when proper documentation or authorization, as applicable, is not submitted with a request to change a student's legal name or gender, any change to the student's record shall be limited to the student's unofficial records such as attendance sheets, report cards, and school identification.

6. Names and Pronouns: If a student so chooses, Eden Area ROP personnel shall be required to address the student by a name and the pronoun(s) consistent with the student's gender identity, without the necessity of a court order or a change to the student's official Eden Area ROP record. However, inadvertent slips or honest mistakes by Eden Area ROP personnel in the use of the student's name and/or consistent pronouns will, in general, not constitute a violation of this administrative regulation or the accompanying Eden Area ROP policy.
7. Uniforms/Dress Code: A student has the right to dress in a manner consistent with the student's gender identity, subject to any dress code adopted on a school site.

---

**Policy Reference Disclaimer:** These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

#### State References

|                      | Description   |
|----------------------|---|
| 5 CCR 432            | Student records   |
| 5 CCR 4600-4670      | Uniform complaint procedures  |
| 5 CCR 4900-4965      | Nondiscrimination in elementary and secondary education programs  |
| Civ. Code 1714.1     | Liability of parent or guardian for act of willful misconduct by a minor - <a href="https://simbli.eboardsolutions.com/SU/NSknePEduiYWusJFnU3r9Q==">https://simbli.eboardsolutions.com/SU/NSknePEduiYWusJFnU3r9Q==</a>    |
| Ed. Code 200-262.4   | Educational equity; prohibition of discrimination on the basis of sex - <a href="https://simbli.eboardsolutions.com/SU/ytLslshoozWGUAAbNL6kKkgxQ==">https://simbli.eboardsolutions.com/SU/ytLslshoozWGUAAbNL6kKkgxQ==</a> |
| Ed. Code 48900.3     | Suspension or expulsion for act of hate violence  |
| Ed. Code 48900.4     | Suspension or expulsion for threats or harassment   |
| Ed. Code 48904       | Liability of parent/guardian for willful student misconduct   |
| Ed. Code 48907       | Exercise of free expression; rules and regulations  |
| Ed. Code 48950       | Speech and other communication  |
| Ed. Code 48985       | Translation of notices  |
| Ed. Code 49020-49023 | Athletic programs   |
| Ed. Code 49060-49079 | Student records   |
| Ed. code 49060-49079 | Student records   |
| Ed. Code 51500       | Prohibited instruction or activity  |
| Ed. Code 51501       | Prohibited means of instruction   |
| Ed. Code 60044       | Prohibited instructional materials  |
| Gov. Code 11135      | Nondiscrimination in programs or activities funded by state   |
| Pen. Code 422.55     | Definition of hate crime  |
| Pen. Code 422.6      | Civil rights; crimes  |

#### Federal References

|                  | Description  |
|------------------|--|
| 20 USC 1681-1688 | Title IX of the Education Amendments of 1972                             |
| 28 CFR 35.107    | Nondiscrimination on basis of disability; complaints                     |
| 29 USC 794       | Rehabilitation Act of 1973, Section 504                                  |
| 34 CFR 100.3     | Prohibition of discrimination on basis of race, color or national origin |
| 34 CFR 104.7     | Designation of responsible employee for Section 504                      |



|                        |  |
|------------------------|--|
| 34 CFR 104.8           | Notice   |
| 34 CFR 106.8           | Designation of responsible employee for Title IX             |
| 34 CFR 106.9           | Notification of nondiscrimination on basis of sex            |
| 34 CFR 110.25          | Prohibition of discrimination based on age                   |
| 34 CFR 99.31           | Disclosure of personally identifiable information            |
| 42 USC 12101-12213     | Title II equal opportunity for individuals with disabilities |
| 42 USC 2000d-2000e-17  | Title VI and Title VII Civil Rights Act of 1964, as amended  |
| 42 USC 2000h-2-2000h-6 | Title IX of the Civil Rights Act of 1964                     |
| 42 USC 6101-6107       | Age Discrimination Act of 1975                               |

## Management Resources References

|  |  |
|--|--|
| CA Office of the Attorney General Publication      | Promoting Safe & Secure Learning Environment for All: Guidance & Model Policies to Assist CA K-12 Schools in Responding to Immigration Issues, 4/2018  |
| Court Decision                                     | Donovan v. Poway Unified School District, (2008) 167 Cal.App.4th 567   |
| Court Decision                                     | Flores v. Morgan Hill Unified School District, (2003) 324 F.3d 1130  |
| CSBA Publication                                   | Updated Legal Guidance: Protecting Transgender and Gender Nonconforming Students Against Sex Discrimination, March 2017  |
| First Amendment Center Publication                 | Public Schools and Sexual Orientation: A First Amendment Framework for Finding Common Ground, 2006   |
| U.S Dept of Ed Office for Civil Rights Publication | Resolution Agreement Between the Arcadia USD, US Dept of Ed, OCR, & the US DOJ, CRD, (2013) OCR 09-12-1020, DOJ 169-12C-70   |
| U.S. Dept of Health & Human Services Publication   | Guid. to Fed Fin. Assist. Recipients Re. Title VI Prohibition Against Nat'l Origin Discrimination Affect Limited English Proficient Persons, Aug. 2013   |
| U.S. DOE, Office for Civil Rights Publication      | Dear Colleague Letter: Harassment and Bullying, October 2010   |
| U.S. DOE, Office for Civil Rights Publication      | Dear Colleague Letter: Title IX Coordinators, April 2015   |
| U.S. DOE, Office for Civil Rights Publication      | Examples of Policies and Emerging Practices for Supporting Transgender Students, May 2016  |
| U.S. DOE, Office for Civil Rights Publication      | Notice of Non-Discrimination, Fact Sheet, August 2010  |
| Website  | First Amendment Center -<br><a href="https://simbli.eboardsolutions.com/SU/jzlfta62CjSCuo68JOXF1w==">https://simbli.eboardsolutions.com/SU/jzlfta62CjSCuo68JOXF1w==</a>                                |
| Website  | California Office of the Attorney General -<br><a href="https://simbli.eboardsolutions.com/SU/5qNslsh5DoKuytasYcv9khGiA==">https://simbli.eboardsolutions.com/SU/5qNslsh5DoKuytasYcv9khGiA==</a>       |
| Website  | California Safe Schools Coalition -<br><a href="https://simbli.eboardsolutions.com/SU/WemZSI34fz0YvWHUM4trDg==">https://simbli.eboardsolutions.com/SU/WemZSI34fz0YvWHUM4trDg==</a>                     |
| Website  | CSBA -<br><a href="https://simbli.eboardsolutions.com/SU/W3QxkK2FPsDsQBnMIENxGg==">https://simbli.eboardsolutions.com/SU/W3QxkK2FPsDsQBnMIENxGg==</a>  |
| Website  | California Department of Education -<br><a href="https://simbli.eboardsolutions.com/SU/os2jq5DcA2RawmY2VZ5FZQ==">https://simbli.eboardsolutions.com/SU/os2jq5DcA2RawmY2VZ5FZQ==</a>                    |
| Website  | U.S. Department of Education, Office for Civil Rights -<br><a href="https://simbli.eboardsolutions.com/SU/HrN4mDOsAx53TBZ2HPwBvQ==">https://simbli.eboardsolutions.com/SU/HrN4mDOsAx53TBZ2HPwBvQ==</a> |

## Cross References

|      |  |
|------|--|
| 0415 | Equity -<br><a href="https://simbli.eboardsolutions.com/SU/dcWsf6AeslshL8JWHgerrR08Q==">https://simbli.eboardsolutions.com/SU/dcWsf6AeslshL8JWHgerrR08Q==</a>                    |
| 0450 | Comprehensive Safety Plan -<br><a href="https://simbli.eboardsolutions.com/SU/BqsTTEay3qjmfO4iSU7slshvA==">https://simbli.eboardsolutions.com/SU/BqsTTEay3qjmfO4iSU7slshvA==</a> |

|              |   |
|--------------|---|
| 0450         | Comprehensive Safety Plan -<br><a href="https://simbli.eboardsolutions.com/SU/qZV7Uq0UTa6fu4JQDmEslsh5g==">https://simbli.eboardsolutions.com/SU/qZV7Uq0UTa6fu4JQDmEslsh5g==</a>            |
| 0470         | COVID-19 Mitigation Plan -<br><a href="https://simbli.eboardsolutions.com/SU/lkd0OQYrdrn0CMAAnaMO7MAw==">https://simbli.eboardsolutions.com/SU/lkd0OQYrdrn0CMAAnaMO7MAw==</a>               |
| 1312.3       | Uniform Complaint Procedures -<br><a href="https://simbli.eboardsolutions.com/SU/qs2GKTudcR3sSbt2ILyZtQ==">https://simbli.eboardsolutions.com/SU/qs2GKTudcR3sSbt2ILyZtQ==</a>               |
| 1312.3       | Uniform Complaint Procedures -<br><a href="https://simbli.eboardsolutions.com/SU/9KbCO6o7mFDaLBkBzO3rUQ==">https://simbli.eboardsolutions.com/SU/9KbCO6o7mFDaLBkBzO3rUQ==</a>               |
| 1312.3-E(1)  | Uniform Complaint Procedures -<br><a href="https://simbli.eboardsolutions.com/SU/W6rvYg4mauU6zHehPSApOQ==">https://simbli.eboardsolutions.com/SU/W6rvYg4mauU6zHehPSApOQ==</a>               |
| 3515.4       | Recovery For Property Loss Or Damage -<br><a href="https://simbli.eboardsolutions.com/SU/UgXruslshalfQAn5vccEKrLQQ==">https://simbli.eboardsolutions.com/SU/UgXruslshalfQAn5vccEKrLQQ==</a> |
| 3530         | Risk Management/Insurance -<br><a href="https://simbli.eboardsolutions.com/SU/Ff4ia0AAsaMygDrG5pM2hQ==">https://simbli.eboardsolutions.com/SU/Ff4ia0AAsaMygDrG5pM2hQ==</a>                  |
| 3530         | Risk Management/Insurance -<br><a href="https://simbli.eboardsolutions.com/SU/hoPekPtwQxdUX1FtAxVw0w==">https://simbli.eboardsolutions.com/SU/hoPekPtwQxdUX1FtAxVw0w==</a>                  |
| 4131         | Staff Development -<br><a href="https://simbli.eboardsolutions.com/SU/cslsh3Ss3AHHGGKKC8eqAV4yg==">https://simbli.eboardsolutions.com/SU/cslsh3Ss3AHHGGKKC8eqAV4yg==</a>                    |
| 4131         | Staff Development -<br><a href="https://simbli.eboardsolutions.com/SU/8CAcELrJtCybNFPvCiecyw==">https://simbli.eboardsolutions.com/SU/8CAcELrJtCybNFPvCiecyw==</a>                          |
| 4219.21      | Professional Standards -<br><a href="https://simbli.eboardsolutions.com/SU/L6xFcc0hdppUjb566xoOQQ==">https://simbli.eboardsolutions.com/SU/L6xFcc0hdppUjb566xoOQQ==</a>                     |
| 4319.21      | Professional Standards -<br><a href="https://simbli.eboardsolutions.com/SU/jtFNj01GCtv96WQS8QUQTQ==">https://simbli.eboardsolutions.com/SU/jtFNj01GCtv96WQS8QUQTQ==</a>                     |
| 4319.21-E(1) | Professional Standards -<br><a href="https://simbli.eboardsolutions.com/SU/SbNNhECB0KlySslshQpsFOm7w==">https://simbli.eboardsolutions.com/SU/SbNNhECB0KlySslshQpsFOm7w==</a>               |
| 5000         | Concepts And Roles -<br><a href="https://simbli.eboardsolutions.com/SU/XL3LZxmsPxxUBSMHGt2eig==">https://simbli.eboardsolutions.com/SU/XL3LZxmsPxxUBSMHGt2eig==</a>                         |
| 5111         | Admission -<br><a href="https://simbli.eboardsolutions.com/SU/NkLplusG1sYslshDZaTbi7IsErUw==">https://simbli.eboardsolutions.com/SU/NkLplusG1sYslshDZaTbi7IsErUw==</a>                      |
| 5113.1       | Chronic Absence And Truancy -<br><a href="https://simbli.eboardsolutions.com/SU/ZY58nuoqDXjh1J4aDDpjQQ==">https://simbli.eboardsolutions.com/SU/ZY58nuoqDXjh1J4aDDpjQQ==</a>                |
| 5125         | Student Records -<br><a href="https://simbli.eboardsolutions.com/SU/WH7SkYd23dx87QlsQey8plusw==">https://simbli.eboardsolutions.com/SU/WH7SkYd23dx87QlsQey8plusw==</a>                      |
| 5125         | Student Records -<br><a href="https://simbli.eboardsolutions.com/SU/xpluslFMPlzQxLCNMOfm7yyyw==">https://simbli.eboardsolutions.com/SU/xpluslFMPlzQxLCNMOfm7yyyw==</a>                      |
| 5125.1       | Release Of Directory Information -<br><a href="https://simbli.eboardsolutions.com/SU/nBIMDQvbeRKnOHPijelPHA==">https://simbli.eboardsolutions.com/SU/nBIMDQvbeRKnOHPijelPHA==</a>           |
| 5125.1       | Release Of Directory Information -<br><a href="https://simbli.eboardsolutions.com/SU/7RrvG7ihe3wXkO8fqafa6A==">https://simbli.eboardsolutions.com/SU/7RrvG7ihe3wXkO8fqafa6A==</a>           |
| 5131         | Conduct -<br><a href="https://simbli.eboardsolutions.com/SU/Oc4gCr2h2q4YLamzlkV07Q==">https://simbli.eboardsolutions.com/SU/Oc4gCr2h2q4YLamzlkV07Q==</a>                                    |
| 5131.2       | Bullying -<br><a href="https://simbli.eboardsolutions.com/SU/JcJT8wTaV2slshznaxEFdVjqg==">https://simbli.eboardsolutions.com/SU/JcJT8wTaV2slshznaxEFdVjqg==</a>                             |
| 5131.2       | Bullying -<br><a href="https://simbli.eboardsolutions.com/SU/KJEhAAzM900qAFyqIY8Uwww==">https://simbli.eboardsolutions.com/SU/KJEhAAzM900qAFyqIY8Uwww==</a>                                 |
| 5131.5       | Vandalism And Graffiti -<br><a href="https://simbli.eboardsolutions.com/SU/CRSreiGah1ynUzyV6smpyA==">https://simbli.eboardsolutions.com/SU/CRSreiGah1ynUzyV6smpyA==</a>                     |
| 5132         | Dress And Grooming -<br><a href="https://simbli.eboardsolutions.com/SU/XpL7yioSw0IKNxjRhRzD6g==">https://simbli.eboardsolutions.com/SU/XpL7yioSw0IKNxjRhRzD6g==</a>                         |



|             |   |
|-------------|---|
| 5132        | Dress And Grooming -<br><a href="https://simbli.eboardsolutions.com/SU/plusf65utUUrgJnCYTRHSpTjw==">https://simbli.eboardsolutions.com/SU/plusf65utUUrgJnCYTRHSpTjw==</a>                       |
| 5137        | Positive School Climate -<br><a href="https://simbli.eboardsolutions.com/SU/urpjuWVuu9UaXbjXiYKMAw==">https://simbli.eboardsolutions.com/SU/urpjuWVuu9UaXbjXiYKMAw==</a>                        |
| 5141.4      | Child Abuse Prevention And Reporting -<br><a href="https://simbli.eboardsolutions.com/SU/mkBG513idfpAslshWCzplusbg7A==">https://simbli.eboardsolutions.com/SU/mkBG513idfpAslshWCzplusbg7A==</a> |
| 5141.4      | Child Abuse Prevention And Reporting -<br><a href="https://simbli.eboardsolutions.com/SU/47Nl1nZFwlxBAkiglUxLSg==">https://simbli.eboardsolutions.com/SU/47Nl1nZFwlxBAkiglUxLSg==</a>           |
| 5141.52     | Suicide Prevention -<br><a href="https://simbli.eboardsolutions.com/SU/abGkpdKF4AuSlcVZOz00lw==">https://simbli.eboardsolutions.com/SU/abGkpdKF4AuSlcVZOz00lw==</a>                             |
| 5141.52     | Suicide Prevention -<br><a href="https://simbli.eboardsolutions.com/SU/JsOVYsraiwdGChgeXbWR7Q==">https://simbli.eboardsolutions.com/SU/JsOVYsraiwdGChgeXbWR7Q==</a>                             |
| 5144        | Discipline -<br><a href="https://simbli.eboardsolutions.com/SU/r6p8cTTa0frJGNZkRU58IA==">https://simbli.eboardsolutions.com/SU/r6p8cTTa0frJGNZkRU58IA==</a>                                     |
| 5144        | Discipline -<br><a href="https://simbli.eboardsolutions.com/SU/KVzyk1B2oqZCSfZin1Rgdw==">https://simbli.eboardsolutions.com/SU/KVzyk1B2oqZCSfZin1Rgdw==</a>                                     |
| 5144.1      | Suspension And Expulsion/Due Process -<br><a href="https://simbli.eboardsolutions.com/SU/fsBunrwmpsHHnBCn2muQplusw==">https://simbli.eboardsolutions.com/SU/fsBunrwmpsHHnBCn2muQplusw==</a>     |
| 5145.12     | Search And Seizure -<br><a href="https://simbli.eboardsolutions.com/SU/LaRzDg0Z2A4vIvPZOvGdlw==">https://simbli.eboardsolutions.com/SU/LaRzDg0Z2A4vIvPZOvGdlw==</a>                             |
| 5145.2      | Freedom Of Speech/Expression -<br><a href="https://simbli.eboardsolutions.com/SU/SyGvsnOslshDw4jgpyn2uiPog==">https://simbli.eboardsolutions.com/SU/SyGvsnOslshDw4jgpyn2uiPog==</a>             |
| 5145.2      | Freedom Of Speech/Expression -<br><a href="https://simbli.eboardsolutions.com/SU/tYNft4plusplus1xeAmr3vc4TI1A==">https://simbli.eboardsolutions.com/SU/tYNft4plusplus1xeAmr3vc4TI1A==</a>       |
| 5145.7      | Sexual Harassment -<br><a href="https://simbli.eboardsolutions.com/SU/faSlGnQyujTfPzj4XpiZPg==">https://simbli.eboardsolutions.com/SU/faSlGnQyujTfPzj4XpiZPg==</a>                              |
| 5145.7      | Sexual Harassment -<br><a href="https://simbli.eboardsolutions.com/SU/gwEZwjnjslshDBnbmXH3BRqig==">https://simbli.eboardsolutions.com/SU/gwEZwjnjslshDBnbmXH3BRqig==</a>                        |
| 5145.9      | Hate-Motivated Behavior -<br><a href="https://simbli.eboardsolutions.com/SU/S55oZzOb82uslshNakerO4C1g==">https://simbli.eboardsolutions.com/SU/S55oZzOb82uslshNakerO4C1g==</a>                  |
| 6143        | Courses Of Study -<br><a href="https://simbli.eboardsolutions.com/SU/u7YgU4HNpTbnNplusVVNL9UUw==">https://simbli.eboardsolutions.com/SU/u7YgU4HNpTbnNplusVVNL9UUw==</a>                         |
| 6144        | Controversial Issues -<br><a href="https://simbli.eboardsolutions.com/SU/Oz2i9UTj1EsuY4wEZ94llg==">https://simbli.eboardsolutions.com/SU/Oz2i9UTj1EsuY4wEZ94llg==</a>                           |
| 6145        | Extracurricular And Cocurricular Activities -<br><a href="https://simbli.eboardsolutions.com/SU/EbLCvCOt44XBu1Vz7xwzdA==">https://simbli.eboardsolutions.com/SU/EbLCvCOt44XBu1Vz7xwzdA==</a>    |
| 6145        | Extracurricular And Cocurricular Activities -<br><a href="https://simbli.eboardsolutions.com/SU/5NoldBcHwFoPG5SXOYovKw==">https://simbli.eboardsolutions.com/SU/5NoldBcHwFoPG5SXOYovKw==</a>    |
| 6163.4      | Student Use Of Technology -<br><a href="https://simbli.eboardsolutions.com/SU/4swqidRakm4AHszd2Magxw==">https://simbli.eboardsolutions.com/SU/4swqidRakm4AHszd2Magxw==</a>                      |
| 6163.4      | Student Use Of Technology -<br><a href="https://simbli.eboardsolutions.com/SU/CY2BagsiitdE8wG0FLJ7Ow==">https://simbli.eboardsolutions.com/SU/CY2BagsiitdE8wG0FLJ7Ow==</a>                      |
| 6163.4-E(1) | Student Use Of Technology -<br><a href="https://simbli.eboardsolutions.com/SU/xqk1B7bezEkeSjPJqLYuXg==">https://simbli.eboardsolutions.com/SU/xqk1B7bezEkeSjPJqLYuXg==</a>                      |
| 6164.2      | Guidance/Counseling Services -<br><a href="https://simbli.eboardsolutions.com/SU/TGUvZ9YYeUcMZslsh2KNSSuRw==">https://simbli.eboardsolutions.com/SU/TGUvZ9YYeUcMZslsh2KNSSuRw==</a>             |

## Policy 6112: School Day

Status: DRAFT

Original Adopted Date: 06/05/2020

The Governing Board shall fix the length of the school day ~~subject to the provisions of~~ in accordance the law. (Education Code 46100)

(cf. 6111 - School Calendar)

~~The~~ At each shool, the length of the school day shall ~~apply equally to students with disabilities unless otherwise be~~ the same for all students, except as otherwise permitted by law. For any student with a disability, the length of the school day shall be as specified in the student's individualized education program or Section 504 plan.

(cf. 6158-Independent Study)

(cf. 6159 - Individualized Education Program)

(cf. 6164.6 - Identification and Education Under Section 504)

In establishing the daily instructional schedule, the Superintendent or designee shall give consideration to course requirements and curricular demands, availability of school facilities, and applicable legal requirements.

The ~~Governing~~ Board encourages flexibility in scheduling so as to provide longer time blocks or class periods when appropriate and desirable to support student learning, provide more intensive study of core academic subjects or extended exploration of complex topics, and reduce transition time between classes.

### Minimum Day

~~An individual class day of less duration than the regular class day shall be permitted in emergencies when the best interests of the students and the Eden Area Regional Occupational Program (Eden Area ROP) will be served. A minimum day is defined as 60 minutes of school time. The Superintendent shall make the decision for call any variance in class schedules.~~

**Policy Reference Disclaimer:** These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

### State References

### Description

|                        |  |
|------------------------|--|
| Ed. Code 37202         | Equal time in all schools                          |
| Ed. Code 37670         | Year-round schools                                 |
| Ed. Code 46010         | Total days of attendance                           |
| Ed. Code 46100         | Length of school day                               |
| Ed. Code 46110-46119   | Attendance in kindergarten and elementary schools  |
| Ed. Code 46140-46147   | Attendance in junior high and high schools         |
| Ed. Code 46160-46162   | Alternative schedule - junior high and high school |
| Ed. Code 46170         | Continuation schools, minimum day                  |
| Ed. Code 46180         | Opportunity schools, minimum day                   |
| Ed. Code 46190-46192   | Adult education classes, day of attendance         |
| Ed. Code 46200-46206   | Minimum instructional time                         |
| Ed. Code 48200         | Minimum school day                                 |
| Ed. Code 48663         | Community day school, minimum school day           |
| Ed. Code 48800-48802   | Concurrent enrollment in community college         |
| Ed. Code 51222         | Physical education, instructional minutes          |
| Ed. Code 51760-51769.5 | Work experience education                          |

Ed. Code 52325  
Ed. Code 8970-8974

Regional occupational center, minimum day  
Early primary program, including extended-day kindergarten

### Management Resources References

NASPE Position Statement  
State Board of Education Policy Statement  
U.S. Department of Education Publication  
Website  
Website  
Website  
Website  
Website  
WestEd Publication

### Description

Recess for Elementary School Students, 2006  
99-03 Physical Education (PE) Requirements for Block Schedules, July 2006  
Extending Learning Time for Disadvantaged Students, August 1995  
National Association for Sport and Physical Education -  
<https://simbli.eboardsolutions.com/SU/X4MSTaz8kYk62dSpBcYTJw==>  
State Board of Education -  
<https://simbli.eboardsolutions.com/SU/Yslsha6E0PnfQFnCvHroniQpw==>  
WestEd -  
<https://simbli.eboardsolutions.com/SU/T0pumukb4iozXYflh5opZA==>  
U.S. Department of Education -  
<https://simbli.eboardsolutions.com/SU/XcSsJimoslsh3XhJKy4tplus7wplusA==>  
California Department of Education -  
<https://simbli.eboardsolutions.com/SU/os2jq5DcA2RawmY2VZ5FZQ==>  
Full-Day Kindergarten: Expanding Learning Opportunities, Policy Brief, April 2005

### Cross References

0470  
3516.5  
6000  
6111  
6145.8  
6154  
6178.1  
6178.1  
9320

### Description

COVID-19 Mitigation Plan -  
<https://simbli.eboardsolutions.com/SU/lkd0OQyrdn0CMAAnaMO7MAw==>  
Emergency Schedules -  
<https://simbli.eboardsolutions.com/SU/plusEplusphqXCAPcGwYJjOobHOQ==>  
Concepts And Roles -  
<https://simbli.eboardsolutions.com/SU/fkPYjKSeWgdHBezNZ2ZcSw==>  
School Calendar -  
<https://simbli.eboardsolutions.com/SU/HhDo4cNavW4slshgaGQTT4H6Q==>  
Assemblies And Special Events -  
<https://simbli.eboardsolutions.com/SU/wuljQpluspRD4e389113cmWOw==>  
Homework/Makeup Work -  
<https://simbli.eboardsolutions.com/SU/pFrhfyyqBslshhl5MTFxiXDoOw==>  
Work-Based Learning -  
<https://simbli.eboardsolutions.com/SU/cx09lvoiKmDu69FhPQToow==>  
Work-Based Learning -  
<https://simbli.eboardsolutions.com/SU/GVslshTRdIRBkNoSFjBOVDBXg==>  
Meetings And Notices -  
<https://simbli.eboardsolutions.com/SU/7xZ5OrPREMw3slshEPdZq5tPw==>

**Policy 6143: Courses Of Study**

**Status:** DRAFT

**Original Adopted Date:** 06/05/2020 | **Last Revised Date:** 02/03/2022

The Governing Board recognizes that a well-aligned sequence of courses fosters academic growth and provides for the best possible use of instructional time. The Eden Area Regional Occupational Program's (Eden Area ROP) course of study shall provide students with opportunities to attain the skills, knowledge, and abilities they need to be successful academically, professionally, and personally.

(cf. 6011 - Academic Standards)

(cf. 6141 - Curriculum Development and Evaluation)

(cf. 6161.1 - Selection and Evaluation of Instructional Materials)

The Superintendent or designee shall establish processes for ensuring the articulation of courses. As necessary, the Superintendent or designee shall work with representatives of appropriate area districts and postsecondary institutions to ensure articulation of courses with other institutions to which district students may matriculate. The sequence of courses shall be designed to ensure that each course provides adequate preparation for the next course in the sequence, only utilizes prerequisites that are essential to success in a given program of course, avoids significant duplication of content, and allows for reinforcement and progression in the subject matter.

The Eden Area ROP shall not provide any course separately or require or refuse participation by any student on the basis of the student's actual or perceived sex, sexual orientation, gender, gender expression, gender identity, ethnic group identification, immigration status, race, ancestry, national origin, religion, color, or mental or physical disability, or any other characteristic listed in Education Code 200 and 220, Government Code 11135, or Penal Code 422.55, or the student's association with a person or group with one or more of such actual or perceived characteristics. (Education Code 200, 220; Government Code 11135; Penal Code 422.55; or require or refuse participation by any of its students on any such basis. (5 CCR 4940)

### Secondary Grades

The Eden Area ROP shall offer all otherwise qualified students in grades 9-12 a course of study that prepares them, upon graduation from high school, to attain entry-level employment skills in business or industry. (Education Code 51228)

The Superintendent or designee shall develop a process by which courses that meet California college admission criteria (referred to as "a-g" course requirements) are submitted to the University of California for review and certification. The Superintendent or designee shall maintain an accurate list of all current high school courses that have been so certified, shall ensure that the list is provided annually to all students in grades 9-12 and their parents/guardians, and shall make updated lists readily available. (Education Code 51229, 66204)

**Policy Reference Disclaimer:** These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

### State References

### Description

|                   |   |
|-------------------|---|
| 5 CCR 10020-10043 | Automobile driver education and training                              |
| 5 CCR 10060       | Criteria for high school physical education programs                  |
| 5 CCR 4940        | Nondiscrimination; course access                                      |
| Ed. Code 33319.3  | Driver education; CDE materials on road rage                          |
| Ed. Code 33540    | Standards for government and civics instruction                       |
| Ed. Code 48980    | Parental notifications  |
| Ed. Code 51202    | Instruction in personal and public health and safety                  |
| Ed. Code 51203    | Instruction on alcohol, narcotics and dangerous drugs                 |
| Ed. Code 51204    | Course of study designed for student's needs                          |
| Ed. Code 51204.5  | History of California; contributions of men, women, and ethnic groups |

|                      |   |
|----------------------|---|
| Ed. Code 51210-51212 | Course of study for grades 1-6  |
| Ed. Code 51220-51229 | Course of study for grades 7-12   |
| Ed. Code 51241       | Temporary, two-year or permanent exemption from physical education            |
| Ed. Code 51911-51921 | Comprehensive health education  |
| Ed. Code 51930-51939 | California Healthy Youth Act  |
| Ed. Code 51940       | Curriculum for brain and spinal cord injury prevention                        |
| Ed. Code 60040-60052 | Requirements for instructional materials                                      |
| Ed. Code 66204       | Certification of high school courses as meeting university admission criteria |
| H&S Code 11032       | Definition of dangerous drugs   |

### Federal References

20 USC 6111-6251

### Description

School-to-Work Opportunities Act of 1994

### Management Resources References

|         |   |
|---------|---|
| Website | American Health Association -<br><a href="https://simbli.eboardsolutions.com/SU/b3lxYM0IngslokJIUo8EDA==">https://simbli.eboardsolutions.com/SU/b3lxYM0IngslokJIUo8EDA==</a>                                  |
| Website | American Red Cross, Hands-Only CPR -<br><a href="https://simbli.eboardsolutions.com/SU/yNmCLE6BTzYmNrLx5G1otA==">https://simbli.eboardsolutions.com/SU/yNmCLE6BTzYmNrLx5G1otA==</a>                           |
| Website | California Career Resource Network -<br><a href="https://simbli.eboardsolutions.com/SU/aiMKC0wIC2eTMogaBMcl9g==">https://simbli.eboardsolutions.com/SU/aiMKC0wIC2eTMogaBMcl9g==</a>                           |
| Website | California State University, Admission Requirements -<br><a href="https://simbli.eboardsolutions.com/SU/slshdgyHwGx0LyDs8Ow47K5Cg==">https://simbli.eboardsolutions.com/SU/slshdgyHwGx0LyDs8Ow47K5Cg==</a>    |
| Website | University of California, a-g Course Submissions -<br><a href="https://simbli.eboardsolutions.com/SU/dl7biMSP81bUfpxMPCFyyA==">https://simbli.eboardsolutions.com/SU/dl7biMSP81bUfpxMPCFyyA==</a>             |
| Website | University of California, List of Approved a-g Courses -<br><a href="https://simbli.eboardsolutions.com/SU/h6xuwR1faZdgmTplusZLLyXxA==">https://simbli.eboardsolutions.com/SU/h6xuwR1faZdgmTplusZLLyXxA==</a> |
| Website | California Colleges.edu -<br><a href="https://simbli.eboardsolutions.com/SU/Br2HJl1HrO0ihhv4giogOA==">https://simbli.eboardsolutions.com/SU/Br2HJl1HrO0ihhv4giogOA==</a>                                      |
| Website | California Department of Education -<br><a href="https://simbli.eboardsolutions.com/SU/os2jq5DcA2RawmY2VZ5FZQ==">https://simbli.eboardsolutions.com/SU/os2jq5DcA2RawmY2VZ5FZQ==</a>                           |
| Website | CSBA -<br><a href="https://simbli.eboardsolutions.com/SU/W3QxkK2FPsDsQBnMIENxGg==">https://simbli.eboardsolutions.com/SU/W3QxkK2FPsDsQBnMIENxGg==</a>   |

### Cross References

|        |   |
|--------|---|
| 0415   | Equity -<br><a href="https://simbli.eboardsolutions.com/SU/dcWsf6AeslshL8JWHgerrR08Q==">https://simbli.eboardsolutions.com/SU/dcWsf6AeslshL8JWHgerrR08Q==</a>   |
| 3270   | Sale And Disposal Of Books, Equipment And Supplies -<br><a href="https://simbli.eboardsolutions.com/SU/mZ8rRymslshsSyzN2Un5g288w==">https://simbli.eboardsolutions.com/SU/mZ8rRymslshsSyzN2Un5g288w==</a> |
| 3270   | Sale And Disposal Of Books, Equipment And Supplies -<br><a href="https://simbli.eboardsolutions.com/SU/ITSnzs2NarKOslshSNwHA8fCg==">https://simbli.eboardsolutions.com/SU/ITSnzs2NarKOslshSNwHA8fCg==</a> |
| 3513.3 | Tobacco-Free Schools -<br><a href="https://simbli.eboardsolutions.com/SU/tJ0zTslshslshNJ5llr4szPnCMw==">https://simbli.eboardsolutions.com/SU/tJ0zTslshslshNJ5llr4szPnCMw==</a>                           |
| 3513.3 | Tobacco-Free Schools -<br><a href="https://simbli.eboardsolutions.com/SU/IDOrNwb4o0L0slsh08FKzDikQ==">https://simbli.eboardsolutions.com/SU/IDOrNwb4o0L0slsh08FKzDikQ==</a>                               |
| 5121   | Grades/Evaluation Of Student Achievement -<br><a href="https://simbli.eboardsolutions.com/SU/hSplusyCylc0r9txuFKEq3o9g==">https://simbli.eboardsolutions.com/SU/hSplusyCylc0r9txuFKEq3o9g==</a>           |
| 5131.6 | Alcohol And Other Drugs -<br><a href="https://simbli.eboardsolutions.com/SU/cloDY1FarL8O01PyPYplusZ3g==">https://simbli.eboardsolutions.com/SU/cloDY1FarL8O01PyPYplusZ3g==</a>                            |

|        |  |
|--------|--|
| 5131.6 | Alcohol And Other Drugs -<br><a href="https://simbli.eboardsolutions.com/SU/hFj9y0kjVlslshQKYzslshVslshyLkw==">https://simbli.eboardsolutions.com/SU/hFj9y0kjVlslshQKYzslshVslshyLkw==</a>                 |
| 5145.3 | Nondiscrimination/Harassment -<br><a href="https://simbli.eboardsolutions.com/SU/VfUPcSJZZtt92oksSX5JGw==">https://simbli.eboardsolutions.com/SU/VfUPcSJZZtt92oksSX5JGw==</a>                              |
| 5145.3 | Nondiscrimination/Harassment -<br><a href="https://simbli.eboardsolutions.com/SU/VR3HuGc4OnJmPQbsv3aeqw==">https://simbli.eboardsolutions.com/SU/VR3HuGc4OnJmPQbsv3aeqw==</a>                              |
| 5145.6 | Parental Notifications -<br><a href="https://simbli.eboardsolutions.com/SU/euTjsH5FkRHgS9FlabDM2g==">https://simbli.eboardsolutions.com/SU/euTjsH5FkRHgS9FlabDM2g==</a>                                    |
| 6000   | Concepts And Roles -<br><a href="https://simbli.eboardsolutions.com/SU/fkPYjKSeWgdHBezNZ2ZcSw==">https://simbli.eboardsolutions.com/SU/fkPYjKSeWgdHBezNZ2ZcSw==</a>  |
| 6011   | Academic Standards -<br><a href="https://simbli.eboardsolutions.com/SU/hPSNzLmNwRGOGLo0TLZ3Ww==">https://simbli.eboardsolutions.com/SU/hPSNzLmNwRGOGLo0TLZ3Ww==</a>  |
| 6141   | Curriculum Development And Evaluation -<br><a href="https://simbli.eboardsolutions.com/SU/gvILvxQygezatRplusXrmdxA==">https://simbli.eboardsolutions.com/SU/gvILvxQygezatRplusXrmdxA==</a>                 |
| 6141   | Curriculum Development And Evaluation -<br><a href="https://simbli.eboardsolutions.com/SU/PNE3zaoxi3vI9FPnZKmb6Q==">https://simbli.eboardsolutions.com/SU/PNE3zaoxi3vI9FPnZKmb6Q==</a>                     |
| 6141.2 | Recognition Of Religious Beliefs And Customs -<br><a href="https://simbli.eboardsolutions.com/SU/6z05MnoFkdc7gpzgDslsh2Ybw==">https://simbli.eboardsolutions.com/SU/6z05MnoFkdc7gpzgDslsh2Ybw==</a>        |
| 6141.2 | Recognition Of Religious Beliefs And Customs -<br><a href="https://simbli.eboardsolutions.com/SU/KUXLptrESajf2Nuplusf8v4LQ==">https://simbli.eboardsolutions.com/SU/KUXLptrESajf2Nuplusf8v4LQ==</a>        |
| 6144   | Controversial Issues -<br><a href="https://simbli.eboardsolutions.com/SU/Oz2i9UTj1EsuY4wEZ94llg==">https://simbli.eboardsolutions.com/SU/Oz2i9UTj1EsuY4wEZ94llg==</a>                                      |
| 6145   | Extracurricular And Cocurricular Activities -<br><a href="https://simbli.eboardsolutions.com/SU/EbLCvCOt44XBu1Vz7xwzdA==">https://simbli.eboardsolutions.com/SU/EbLCvCOt44XBu1Vz7xwzdA==</a>               |
| 6145   | Extracurricular And Cocurricular Activities -<br><a href="https://simbli.eboardsolutions.com/SU/5NoldBcHwFoPG5SXOYovKw==">https://simbli.eboardsolutions.com/SU/5NoldBcHwFoPG5SXOYovKw==</a>               |
| 6145.8 | Assemblies And Special Events -<br><a href="https://simbli.eboardsolutions.com/SU/wuljQpluspRD4e389113cmWOw==">https://simbli.eboardsolutions.com/SU/wuljQpluspRD4e389113cmWOw==</a>                       |
| 6153   | School-Sponsored Trips -<br><a href="https://simbli.eboardsolutions.com/SU/E7k8DjMmLpwfv3nDWwouGg==">https://simbli.eboardsolutions.com/SU/E7k8DjMmLpwfv3nDWwouGg==</a>                                    |
| 6153   | School-Sponsored Trips -<br><a href="https://simbli.eboardsolutions.com/SU/dcM9LYvUlplusqAHSqmQO2etA==">https://simbli.eboardsolutions.com/SU/dcM9LYvUlplusqAHSqmQO2etA==</a>                              |
| 6161.1 | Selection And Evaluation Of Instructional Materials -<br><a href="https://simbli.eboardsolutions.com/SU/ZIFkrhoPwYZcOtBW3P3Vtw==">https://simbli.eboardsolutions.com/SU/ZIFkrhoPwYZcOtBW3P3Vtw==</a>       |
| 6161.1 | Selection And Evaluation Of Instructional Materials -<br><a href="https://simbli.eboardsolutions.com/SU/cQplusV1BtOQq9adCb0ypR4gw==">https://simbli.eboardsolutions.com/SU/cQplusV1BtOQq9adCb0ypR4gw==</a> |
| 6164.2 | Guidance/Counseling Services -<br><a href="https://simbli.eboardsolutions.com/SU/TGUvZ9YYeUcMZslsh2KNSSuRw==">https://simbli.eboardsolutions.com/SU/TGUvZ9YYeUcMZslsh2KNSSuRw==</a>                        |
| 6177   | Summer Learning Programs -<br><a href="https://simbli.eboardsolutions.com/SU/oc3wFaQ5LHaVE9Uqdwg7lg==">https://simbli.eboardsolutions.com/SU/oc3wFaQ5LHaVE9Uqdwg7lg==</a>                                  |
| 6178.1 | Work-Based Learning -<br><a href="https://simbli.eboardsolutions.com/SU/cx09lvoiKmDu69FhPQToow==">https://simbli.eboardsolutions.com/SU/cx09lvoiKmDu69FhPQToow==</a>                                       |
| 6178.1 | Work-Based Learning -<br><a href="https://simbli.eboardsolutions.com/SU/GVslshTRdIRBkNoSFjBOVDBXg==">https://simbli.eboardsolutions.com/SU/GVslshTRdIRBkNoSFjBOVDBXg==</a>                                 |

**Bylaw 9320: Meetings And Notices**

**Status:** DRAFT

**Original Adopted Date:** 06/05/2020 | **Last Revised Date:** 02/03/2022

Meetings of the Governing Board are conducted for the purpose of accomplishing Eden Area Regional Occupational Program (Eden Area ROP) business. In accordance with state open meeting laws (Brown Act), the Board shall hold its meetings in public and shall conduct closed sessions during such meetings only as authorized by law. To encourage community involvement in the schools, Board meetings shall provide opportunities for questions and comments by members of the public. All meetings shall be conducted in accordance with law and the Board's bylaws, policies, and administrative regulations.

A Board meeting exists whenever a majority of Board members gather at the same time and location, including teleconference location as permitted by Government Code 54953, to hear, discuss, deliberate, or take action upon any item within the subject matter jurisdiction of the Board or Eden Area ROP. (Government Code 54952.2)

A majority of the Board shall not, outside of an authorized meeting, use a series of communications of any kind, directly or through intermediaries, including social media and other electronic communications, to discuss, deliberate, or take action on any item that is within the subject matter jurisdiction of the Board. (Government Code 54952.2)

However, an employee or Eden Area ROP official may engage in separate conversations or communications with Board members in order to answer questions or provide information regarding an item within the subject matter jurisdiction of the Board, as long as that employee or Eden Area ROP official does not communicate the comments or position of any Board members to other Board members. (Government Code 54952.2)

In order to help ensure the participation of individuals with disabilities at Board meetings, the Superintendent or designee shall provide appropriate disability-related accommodations or modifications upon request in accordance with the Americans with Disabilities Act. (Government Code 54953.2, 54954.1, 54954.2)

**Regular Meetings**

The Board shall hold 1 regular meeting(s) each month. Regular meetings shall be held at 5:45 p.m. on the first Thursday (day) at the Eden Area ROP Governing Board Room.

At least 72 hours prior to a regular meeting, the agenda shall be posted at one or more locations freely accessible to members of the public and on the Eden Area ROP's Internet web site. (Government Code 54954.2)

Whenever agenda materials relating to an open session of a regular meeting are distributed to the Board less than 72 hours before the meeting, the Superintendent or designee shall make the materials available for public inspection at a public office or location designated for that purpose at the time the materials are distributed to all or a majority of the Board. (Government Code 54957.5)

**Special Meetings**

Special meetings of the Board may be called at any time by the presiding officer or a majority of the Board members. However, a special meeting shall not be called regarding the salary, salary schedule, or other compensation of the Superintendent, assistant superintendent, or other management employee as described in Government Code 3511.1. (Government Code 54956)

Written notice of special meetings shall be delivered personally or by any other means to all Board members and the local media who have requested such notice in writing. The notice also shall be posted on the Eden Area ROP's Internet web site. The notice shall be received at least 24 hours before the time of the meeting. The notice shall also be posted at least 24 hours before the meeting in a location freely accessible to the public. The notice shall specify the time and location of the meeting and the business to be transacted or discussed. No other business shall be considered at this meeting. (Education Code 35144; Government Code 54956)

Any Board member may waive the 24-hour written notice requirement prior to the time of the meeting by filing a written waiver of notice with the clerk or secretary of the Board or by being present at the meeting at the time it convenes. (Education Code 35144; Government Code 54956)

Every notice of a special meeting shall provide an opportunity for members of the public to directly address the Board concerning any item that has been described in the meeting notice, before or during the item's consideration.



(Government Code 54954.3)

### **Emergency Meetings**

In the case of an *emergency situation* for which prompt action is necessary due to the disruption or threatened disruption of public facilities, the Board may hold an emergency meeting without complying with the 24-hour notice and/or 24-hour posting requirement for special meetings pursuant to Government Code 54956. The Board shall comply with all other requirements for special meetings during an emergency meeting. (Government Code 54956.5)

An *emergency situation* means either of the following: (Government Code 54956.5)

1. An emergency, which shall be defined as a work stoppage, crippling activity, or other activity that severely impairs public health and/or safety as determined by a majority of the members of the Board
2. A dire emergency, which shall be defined as a crippling disaster, mass destruction, terrorist activity, or threatened terrorist activity that poses peril so immediate and significant that requiring the Board to provide one-hour notice before holding an emergency meeting may endanger the public health and/or safety as determined by a majority of the members of the Board

Except in the case of a dire emergency, the Board president or designee shall give notice of the emergency meeting by telephone at least one hour before the meeting to the local media that have requested notice of special meetings. All telephone numbers provided by the media in the most recent request for notification must be exhausted. If telephone services are not functioning, the notice requirement of one hour is waived and, as soon after the meeting as possible, the Board shall notify those media representatives of the meeting and shall describe the purpose of the meeting and any action taken by the Board. In the case of a dire emergency, the Board president or designee shall give such notice at or near the time notification is given to the other members of the Board about the meeting. (Government Code 54956.5)

The minutes of the meeting, a list of persons the Board president or designee notified or attempted to notify, a copy of the roll call vote, and any actions taken at the meeting shall be posted for at least 10 days in a public place as soon after the meeting as possible. (Government Code 54956.5)

### **Adjourned/Continued Meetings**

The Board may adjourn/continue any regular or special meeting to a later time and location that shall be specified in the order of adjournment. Less than a quorum of the Board may adjourn such a meeting. If no Board members are present, the secretary or the clerk may declare the meeting adjourned to a later time and place and shall give notice in the same manner required for special meetings. (Government Code 54955)

Within 24 hours after the time of adjournment, a copy of the order or notice of adjournment/continuance shall be conspicuously posted on or near the door of the place where the meeting was held. (Government Code 54955)

### **Study Sessions, Retreats, Public Forums, and Discussion Meetings**

The Board may occasionally convene a study session or public forum to study an issue in more detail or to receive information from staff or feedback from members of the public.

The Board may also convene a retreat or discussion meeting to discuss Board roles and relationships.

Public notice shall be given in accordance with law when a quorum of the Board is attending a study session, retreat, public forum, or discussion meeting. All such meetings shall comply with the Brown Act and shall be held in open session and within Eden Area ROP boundaries. Action items shall not be included on the agenda for these meetings.

### **Other Gatherings**

Attendance by a majority of Board members at any of the following events is not subject to the Brown Act provided that a majority of the Board members do not discuss specific Eden Area ROP business among themselves other than as part of the scheduled program: (Government Code 54952.2)

1. A conference or similar public gathering open to the public that involves a discussion of issues of general interest to the public or to school board members



2. An open, publicized meeting organized by a person or organization other than the Eden Area ROP to address a topic of local community concern
3. An open and noticed meeting of another body of the Eden Area ROP
4. An open and noticed meeting of a legislative body of another local agency
5. A purely social or ceremonial occasion
6. An open and noticed meeting of a standing committee of the Board, provided that the Board members who are not members of the standing committee attend only as observers

Individual contacts or conversations between a Board member and any other person are not subject to the Brown Act. (Government Code 54952.2)

### **Location of Meetings**

Meetings shall not be held in a facility that prohibits the admittance of any person on the basis of ancestry or any characteristic listed in Government Code 11135. In addition, meetings shall not be held in a facility which is inaccessible to individuals with disabilities or where members of the public must make a payment or purchase in order to be admitted. (Government Code 54961)

Meetings shall be held within Eden Area ROP boundaries, except to do any of the following: (Government Code 54954)

1. Comply with state or federal law or court order or attend a judicial or administrative proceeding to which the Eden Area ROP is a party
2. Inspect real or personal property which cannot conveniently be brought into the Eden Area ROP, provided that the topic of the meeting is limited to items directly related to the property
3. Participate in meetings or discussions of multiagency significance, provided these meetings are held within one of the other agencies' boundaries, with all participating agencies giving the notice required by law
4. Meet in the closest meeting facility if the Eden Area ROP has no meeting facility within its boundaries or if its principal office is located outside the Eden Area ROP
5. Meet with elected or appointed state or federal officials when a local meeting would be impractical, solely to discuss legislative or regulatory issues affecting the Eden Area ROP over which the state or federal officials have jurisdiction
6. Meet in or near a facility owned by the Eden Area ROP but located outside the Eden Area ROP, provided the meeting agenda is limited to items directly related to that facility
7. Visit the office of the Eden Area ROP's legal counsel for a closed session on pending litigation, when doing so would reduce legal fees or costs
8. Attend conferences on nonadversarial collective bargaining techniques
9. Interview residents of another Eden Area ROP regarding the Board's potential employment of an applicant for Superintendent of the Eden Area ROP
10. Interview a potential employee from another Eden Area ROP

Meetings exempted from the boundary requirements, as specified in items #1-10 above, shall still be subject to the notice and open meeting requirements for regular and special meetings when a quorum of the Board attends the meeting.

If a fire, flood, earthquake, or other emergency renders the regular meeting place unsafe, meetings shall be held for the duration of the emergency at a location designated by the Board president or designee, who shall so inform all news media who have requested notice of special meetings by the most rapid available means of communication. (Government Code 54954)

## Teleconferencing

A teleconference is a meeting of the Board in which Board members are in different locations, connected by electronic means through audio and/or video. (Government Code 54953)

The Board may use teleconferences for all purposes in connection with any meeting within the Board's subject matter jurisdiction. All votes taken during a teleconference meeting shall be by roll call. (Government Code 54953)

During the teleconference, at least a quorum of the members of the Board shall participate from locations within Eden Area ROP boundaries. (Government Code 54953)

Agendas shall be posted at all teleconference locations and shall list all teleconference locations whenever they are posted elsewhere. Additional teleconference locations may be provided to the public. (Government Code 54953)

All teleconference locations shall be accessible to the public. All teleconferenced meetings shall be conducted in a manner that protects the statutory and constitutional rights of the parties or the public appearing before the Board, including the right of the public to address the Board directly at each teleconference location. (Government Code 54953)

~~All Board policies, administrative regulations, and bylaws shall apply equally to meetings that are teleconferenced. The Superintendent or designee shall facilitate public participation in the meeting at each teleconference location.~~

### Teleconferencing During a Proclaimed State of Emergency

The Board may conduct Board meetings by teleconference without posting agendas at all teleconference locations, identifying teleconference locations in meeting notices and agendas, allowing public access to each teleconference location, providing an opportunity for members of the public to address the Board directly at each teleconference location, and ensuring that at least a quorum of the Board participate from locations within Eden Area ROP boundaries, during a proclaimed state of emergency pursuant to Government Code 8625-8629 in any of the following circumstances: (Government Code 54953)

1. State or local officials have imposed or recommended measures to promote social distancing
2. For the purpose of determining, by majority vote, whether as the result of the emergency meeting in person would present imminent risks to the health or safety of attendees
3. When it has been determined, by majority vote as described in Item #2 above, that as a result of the emergency meeting in person would present imminent risks to the health or safety of attendees

To conduct a teleconference meeting for these purposes the following requirements shall be satisfied: (Government Code 54953)

1. The notice and agenda shall be given and posted as otherwise required by the Brown Act
2. The notice and agenda of the meeting shall specify the means by which members of the public may access the meeting and offer public comments, including via a call-in or internet-based service option. Members of the public may be required to register to log in to a meeting when making public comments through an internet web site or other online platform that is operated by a third-party and not under the control of the Board.
3. Members of the public shall be allowed to access the meeting, and the agenda shall provide an opportunity for members of the public to address the Board directly pursuant to Government Code 54954.3
4. Members of the public shall not be required to submit public comments in advance of a Board meeting and shall be provided an opportunity to address the Board and offer comments in real time
5. Public comment periods shall not be closed until the timed public comment period, if such is offered by the Board, has elapsed or, if not timed, until a reasonable amount of time per agenda item has been allowed
6. If during a Board meeting a disruption occurs which prevents the Eden Area ROP from broadcasting the meeting to members of the public or for members of the public to offer public comments, the Board shall take no further

action on any agenda item until public access via the call-in or internet-based service option to the meeting is restored

(cf. 9323.2 - Actions by the Board)

The Eden Area ROP may, in its discretion, provide a physical location from which the public may attend or comment. (Government Code 54953) The Board may continue to conduct meetings by teleconference, as specified above for teleconferencing during proclaimed states of emergency, by a majority vote finding within 30 days after teleconferencing for the first time, and every 30 days thereafter, that either: (Government Code 54953)

1. The state of emergency continues to directly impact the ability of the Board to meet safely in person
2. State or local officials continue to impose or recommend measures to promote social distancing

---

**Policy Reference Disclaimer:** These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

#### State References

|                       | Description   |
|-----------------------|---|
| Ed. Code 35140        | Time and place of meetings  |
| Ed. Code 35143        | Annual organizational meetings; date and notice                   |
| Ed. Code 35144        | Special meeting   |
| Ed. Code 35145        | Public meetings   |
| Ed. Code 35145.5      | Agenda; public participation; regulations                         |
| Ed. Code 35146        | Closed sessions; student matters                                  |
| Ed. Code 35147        | Open meeting laws exceptions                                      |
| Gov. Code 11135       | Nondiscrimination in programs or activities funded by state       |
| Gov. Code 3511.1      | Local agency executives   |
| Gov. Code 54950-54963 | The Ralph M. Brown Act  |
| Gov. Code 54953       | Oral summary of recommended salary and benefits of superintendent |
| Gov. Code 54954       | Time and place of regular meetings                                |
| Gov. Code 54954.2     | Agenda posting requirements, board actions                        |
| Gov. Code 54956       | Special Meetings  |
| Gov. Code 54956.5     | Emergency meetings  |

#### Federal References

|                    | Description                     |
|--------------------|---------------------------------|
| 28 CFR 35.160      | Effective communications        |
| 28 CFR 36.303      | Auxiliary aids and services     |
| 42 USC 12101-12213 | Americans with Disabilities Act |

#### Management Resources References

|                          | Description                     |
|--------------------------|---------------------------------|
| Attorney General Opinion | 78 Ops.Cal.Atty.Gen. 327 (1995) |
| Attorney General Opinion | 79 Ops.Cal.Atty.Gen. 69 (1996)  |
| Attorney General Opinion | 84 Ops.Cal.Atty.Gen. 181 (2001) |
| Attorney General Opinion | 84 Ops.Cal.Atty.Gen. 30 (2001)  |
| Attorney General Opinion | 88 Ops.Cal.Atty.Gen. 218 (2005) |

|  |   |
|--|---|
| Court Decision                             | Wolfe v. City of Fremont, (2006) 144 Cal.App. 544   |
| CSBA Publication                           | The Brown Act: School Boards and Open Meeting Laws, rev. 2014   |
| Institute for Local Government Publication | The ABCs of Open Government Laws  |
| League of California Cities Publication    | Open and Public IV: A Guide to the Ralph M. Brown Act, 2nd Ed., 2010  |
| Website                                    | Institute for Local Government -<br><a href="https://simbli.eboardsolutions.com/SU/U2G2edhR1agbQ5dqpTfmA==">https://simbli.eboardsolutions.com/SU/U2G2edhR1agbQ5dqpTfmA==</a>               |
| Website                                    | League of California Cities -<br><a href="https://simbli.eboardsolutions.com/SU/TUf8jslshHeiQslshKJpHe2qEtug==">https://simbli.eboardsolutions.com/SU/TUf8jslshHeiQslshKJpHe2qEtug==</a>    |
| Website                                    | California Attorney General's Office -<br><a href="https://simbli.eboardsolutions.com/SU/5qNslsh5DoKuytasYcv9khGiA==">https://simbli.eboardsolutions.com/SU/5qNslsh5DoKuytasYcv9khGiA==</a> |
| Website                                    | CSBA -<br><a href="https://simbli.eboardsolutions.com/SU/W3QxkK2FPsDsQBnMIENxGg==">https://simbli.eboardsolutions.com/SU/W3QxkK2FPsDsQBnMIENxGg==</a>                                       |

## Cross References

|      |   |
|------|---|
| 0450 | Comprehensive Safety Plan -<br><a href="https://simbli.eboardsolutions.com/SU/BqsTTEay3qjmfO4iSU7slshvA==">https://simbli.eboardsolutions.com/SU/BqsTTEay3qjmfO4iSU7slshvA==</a>                  |
| 0450 | Comprehensive Safety Plan -<br><a href="https://simbli.eboardsolutions.com/SU/qZV7Uq0UTa6fu4JQDmEslsh5g==">https://simbli.eboardsolutions.com/SU/qZV7Uq0UTa6fu4JQDmEslsh5g==</a>                  |
| 1431 | Waivers -<br><a href="https://simbli.eboardsolutions.com/SU/mpo8tSejxslshOnr2ewHvYxslshA==">https://simbli.eboardsolutions.com/SU/mpo8tSejxslshOnr2ewHvYxslshA==</a>                              |
| 2000 | Concepts And Roles -<br><a href="https://simbli.eboardsolutions.com/SU/GzJRLMkOrdylC1fsqEuXA==">https://simbli.eboardsolutions.com/SU/GzJRLMkOrdylC1fsqEuXA==</a>                                 |
| 2111 | Superintendent Governance Standards -<br><a href="https://simbli.eboardsolutions.com/SU/lzG8eMX8fOwvY4oSNBzBnA==">https://simbli.eboardsolutions.com/SU/lzG8eMX8fOwvY4oSNBzBnA==</a>              |
| 2121 | Superintendent's Contract -<br><a href="https://simbli.eboardsolutions.com/SU/jVoYXjIX5Smq6jRw7fN3Yw==">https://simbli.eboardsolutions.com/SU/jVoYXjIX5Smq6jRw7fN3Yw==</a>                        |
| 3100 | Budget -<br><a href="https://simbli.eboardsolutions.com/SU/syXqwYE191LY8Zr1CmGdUQ==">https://simbli.eboardsolutions.com/SU/syXqwYE191LY8Zr1CmGdUQ==</a>   |
| 3100 | Budget -<br><a href="https://simbli.eboardsolutions.com/SU/XLktfuwIU9hrvqU1VXOLAA==">https://simbli.eboardsolutions.com/SU/XLktfuwIU9hrvqU1VXOLAA==</a>   |
| 3311 | Bids -<br><a href="https://simbli.eboardsolutions.com/SU/TWF1r95m6dNmbNGDd2DuLw==">https://simbli.eboardsolutions.com/SU/TWF1r95m6dNmbNGDd2DuLw==</a>   |
| 3311 | Bids -<br><a href="https://simbli.eboardsolutions.com/SU/kSolhGYAYslshKnCwjX0Jkbzw==">https://simbli.eboardsolutions.com/SU/kSolhGYAYslshKnCwjX0Jkbzw==</a>                                       |
| 3312 | Contracts -<br><a href="https://simbli.eboardsolutions.com/SU/BsUoTGuo9tq9FUEplusgoPI9Q==">https://simbli.eboardsolutions.com/SU/BsUoTGuo9tq9FUEplusgoPI9Q==</a>                                  |
| 3314 | Payment For Goods And Services -<br><a href="https://simbli.eboardsolutions.com/SU/3abwPOhZtDjqvYhnJslshPPFg==">https://simbli.eboardsolutions.com/SU/3abwPOhZtDjqvYhnJslshPPFg==</a>             |
| 3516 | Emergencies And Disaster Preparedness Plan -<br><a href="https://simbli.eboardsolutions.com/SU/SbffmW8NstdDplusPi4GP8R8w==">https://simbli.eboardsolutions.com/SU/SbffmW8NstdDplusPi4GP8R8w==</a> |
| 3516 | Emergencies And Disaster Preparedness Plan -<br><a href="https://simbli.eboardsolutions.com/SU/KxcKTTYygqMDwjJm9DVL8MA==">https://simbli.eboardsolutions.com/SU/KxcKTTYygqMDwjJm9DVL8MA==</a>     |
| 6112 | School Day -<br><a href="https://simbli.eboardsolutions.com/SU/Gou79shW0GuzHyVSYvk8Xg==">https://simbli.eboardsolutions.com/SU/Gou79shW0GuzHyVSYvk8Xg==</a>                                       |
| 7150 | Site Selection And Development -<br><a href="https://simbli.eboardsolutions.com/SU/JjaUxriJQbsShLCWtxZ3Jw==">https://simbli.eboardsolutions.com/SU/JjaUxriJQbsShLCWtxZ3Jw==</a>                   |
| 7150 | Site Selection And Development -<br><a href="https://simbli.eboardsolutions.com/SU/Lc1bSrTnN3JTdK8MSkCZEG==">https://simbli.eboardsolutions.com/SU/Lc1bSrTnN3JTdK8MSkCZEG==</a>                   |
| 9005 | Governance Standards -<br><a href="https://simbli.eboardsolutions.com/SU/Qlvu1QcS9zRiiXlityWn8A==">https://simbli.eboardsolutions.com/SU/Qlvu1QcS9zRiiXlityWn8A==</a>                             |

|             |   |
|-------------|---|
| 9012        | Board Member Electronic Communications -<br><a href="https://simbli.eboardsolutions.com/SU/XyqDxILkc6SplusgeVAMYfMWQ==">https://simbli.eboardsolutions.com/SU/XyqDxILkc6SplusgeVAMYfMWQ==</a> |
| 9100        | Organization -<br><a href="https://simbli.eboardsolutions.com/SU/CMslshdn8jYWoBuSCVOcj5nJg==">https://simbli.eboardsolutions.com/SU/CMslshdn8jYWoBuSCVOcj5nJg==</a>                           |
| 9121        | President -<br><a href="https://simbli.eboardsolutions.com/SU/bpEDzOYTkrPeaHM7vt7pTw==">https://simbli.eboardsolutions.com/SU/bpEDzOYTkrPeaHM7vt7pTw==</a>                                    |
| 9270        | Conflict Of Interest -<br><a href="https://simbli.eboardsolutions.com/SU/1LgN9SnEesJg90dZuXVKpw==">https://simbli.eboardsolutions.com/SU/1LgN9SnEesJg90dZuXVKpw==</a>                         |
| 9270-E(1)   | Conflict Of Interest -<br><a href="https://simbli.eboardsolutions.com/SU/9GT6YEIRywwZpzeplus2smk5w==">https://simbli.eboardsolutions.com/SU/9GT6YEIRywwZpzeplus2smk5w==</a>                   |
| 9310        | Board Policies -<br><a href="https://simbli.eboardsolutions.com/SU/z9mBQu3aHHrczd41tLDFLA==">https://simbli.eboardsolutions.com/SU/z9mBQu3aHHrczd41tLDFLA==</a>                               |
| 9321        | Closed Session -<br><a href="https://simbli.eboardsolutions.com/SU/MyQpluss80rgctiYYBVNvOKslshg==">https://simbli.eboardsolutions.com/SU/MyQpluss80rgctiYYBVNvOKslshg==</a>                   |
| 9322        | Agenda/Meeting Materials -<br><a href="https://simbli.eboardsolutions.com/SU/Ghig3tjvplusmGe9joApcsNig==">https://simbli.eboardsolutions.com/SU/Ghig3tjvplusmGe9joApcsNig==</a>               |
| 9323        | Meeting Conduct -<br><a href="https://simbli.eboardsolutions.com/SU/RnyuzpluslQeslshGGiBB7hDfSlg==">https://simbli.eboardsolutions.com/SU/RnyuzpluslQeslshGGiBB7hDfSlg==</a>                  |
| 9323.2      | Actions By The Board -<br><a href="https://simbli.eboardsolutions.com/SU/L4m83QLouIZ6tbjz3FYlyw==">https://simbli.eboardsolutions.com/SU/L4m83QLouIZ6tbjz3FYlyw==</a>                         |
| 9323.2-E(1) | Actions By The Board -<br><a href="https://simbli.eboardsolutions.com/SU/R4x9ycd3ZUAnyc6KmSk7sg==">https://simbli.eboardsolutions.com/SU/R4x9ycd3ZUAnyc6KmSk7sg==</a>                         |
| 9324        | Minutes And Recordings -<br><a href="https://simbli.eboardsolutions.com/SU/XXHBrtslshTR9SyM46glTg9PA==">https://simbli.eboardsolutions.com/SU/XXHBrtslshTR9SyM46glTg9PA==</a>                 |

# ACTION ITEMS

---

**DATE:** March 3, 2022  
**TO:** ROP Governing Board  
**FROM:** Linda Granger, Superintendent  
**SUBJECT:** Request the Governing Board to approve the Second Reading and Adoption of Governing Board Policies, Administrative Regulations and Exhibits 4000

## BACKGROUND

By law, districts are mandated to adopt policies and administrative regulations to help ensure that districts are legally compliant. New laws are passed by the legislature and congress every year and our policies can quickly become out-of-date. The last thorough review of all of the Eden Area ROP Governing Board policies and administrative regulations occurred in the 2019-2020 school year.

## CURRENT SITUATION

The board policies and administrative regulations listed below have been updated based on the feedback and discussion at the February 3, 2022 Governing Board meeting.

What follows is the second reading of updated board policies, administrative regulations and exhibits to reflect current law and regulations.

| NUMBER                        | TYPE       | TITLE   | STATUS  |
|-------------------------------|------------|---|---------|
| 4030                          | Regulation | Nondiscrimination in Employment                 | Replace |
| 4033                          | Policy     | Lactation Accommodation                         | Replace |
| 4112.2                        | Policy     | Certification                                   | Replace |
| 4112.9<br>4212.9<br>4312.9    | Policy     | Employee Notifications                          | Replace |
| 4112.9<br>4212.9<br>4312.9    | Exhibit    | Employee Notification                           | New     |
| 4113                          | Policy     | Assignment                                      | Replace |
| 4113                          | Regulation | Assignment                                      | New     |
| 4119.11<br>4219.11<br>4319.11 | Policy     | Sexual Harassment                               | Replace |
| 4119.11<br>4219.11<br>4319.11 | Regulation | Sexual Harassment                               | Replace |
| 4119.12<br>4219.12<br>4319.12 | Regulation | Title IX Sexual Harassment Complaint Procedures | New     |
| 4119.12<br>4219.12<br>4319.12 | Exhibit    | Title IX Sexual Harassment Complaint Procedures | New     |
| 4119.22<br>4219.22<br>4319.22 | Policy     | Dress and Grooming                              | Replace |

|                               |            |  |         |
|-------------------------------|------------|--|---------|
| 4119.25<br>4219.25<br>4319.25 | Policy     | Political Activities of Employees              | New     |
| 4119.25<br>4219.25<br>4319.25 | Regulation | Political Activities of Employees              | New     |
| 4119.42<br>4219.42<br>4319.42 | Policy     | Exposure Control Plan for Bloodborne Pathogens | Replace |
| 4119.42<br>4219.42<br>4319.42 | Regulation | Exposure Control Plan for Bloodborne Pathogens | Replace |
| 4119.42<br>4219.42<br>4319.42 | Exhibit    | Exposure Control Plan for Bloodborne Pathogens | Replace |
| 4119.43<br>4219.43<br>4319.43 | Policy     | Universal Precautions                          | Replace |
| 4119.43<br>4219.43<br>4319.43 | Regulation | Universal Precautions                          | Replace |
| 4131                          | Policy     | Staff Development                              | Replace |
| 4157<br>4257<br>4357          | Regulation | Employee Safety                                | Replace |
| 4157.1<br>4257.1<br>4357.1    | Regulation | Work-Related Injuries                          | Replace |
| 4158<br>4258<br>4358          | Policy     | Employee Security                              | Replace |
| 4158<br>4258<br>4358          | Regulation | Employee Security                              | New     |
| 4161.2<br>4261.2<br>4361.2    | Regulation | Personal Leaves                                | Replace |
| 4216                          | Policy     | Probationary/Permanent Status                  | Replace |

## RECOMMENDATION

It is recommended that the Governing Board approve the second reading and adoption of Governing Board Policies, Administrative Regulations and Exhibits 4000.



**Regulation 4030: Nondiscrimination In Employment**

**Status:** DRAFT

**Original Adopted Date:** 05/07/2020

All allegations of discrimination in employment, including those involving an employee, job applicant, intern, volunteer, or person contracted to provide services to the Eden Area Regional Occupational Program (Eden Area ROP) shall be investigated and resolved in accordance with procedures specified in this administrative regulation.

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

(cf. 1240 - Volunteer Assistance)

(cf. 3312 - Contracts)

(cf. 3600 - Consultants)

(cf. 4032 - Reasonable Accommodation)

The Eden Area ROP designates the position identified below as its coordinator for nondiscrimination in employment (coordinator) to coordinate the Eden Area ROP's efforts to comply with state and federal nondiscrimination laws and to answer inquiries regarding the Eden Area ROP's nondiscrimination policies. The coordinator may be contacted at:

Human Resources Administrator

26316 Hesperian Blvd

Hayward, CA 94545

(510) 293-2916

mhenderson@edenrop.org

**Measures to Prevent Discrimination**

To prevent unlawful discrimination, harassment, and retaliation in Eden Area ROP employment, the Superintendent or designee shall implement the following measures:

1. Display in a prominent and accessible location at every work site where the Eden Area ROP has employees and post electronically on computers in a conspicuous location, the California Department of Fair Employment and Housing (DFEH) posters in regard to workplace discrimination and harassment and the rights of transgender employees (Government Code 12950)

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

2. Publicize the Eden Area ROP's nondiscrimination policy and regulation, including the complaint procedures and the coordinator's contact information, by: (5 CCR 4960; 34 CFR 100.6, 106.9)

a. Including them in each announcement, bulletin, or application form that is used in employee recruitment

b. Posting them in staff lounges and other prominent locations

c. Posting them on the Eden Area ROP's website

(cf. 1113 - District and School Web Sites)

(cf. 1114 - District-Sponsored Social Media)

(cf. 4111/4211/4311 - Recruitment and Selection)

3. Disseminate the Eden Area ROP's nondiscrimination policy to all employees by one or more of the following methods: (2 CCR 11023)

a. Providing a copy of the policy to all employees, with an acknowledgment form for each employee to sign and return

- b. Sending the policy via email with an acknowledgment return form
- c. Posting the policy on the Eden Area ROP intranet with a tracking system ensuring all employees have read and acknowledged receipt of the policies
- d. Discussing the policy with employees upon hire and/or during a new hire orientation session
- e. Any other way that ensures employees receive and understand the policy

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

4. Provide to employees a handbook which contains information that clearly describes the Eden Area ROP's nondiscrimination policy, procedures for filing a complaint, and resources available to employees who believe they have been the victim of any discriminatory or harassing behavior

5. Provide training to employees, volunteers, and interns regarding the Eden Area ROP's nondiscrimination policy, including what constitutes unlawful discrimination, harassment, and retaliation and how and to whom a report of an incident should be made

The Eden Area ROP may also provide bystander intervention training to employees which includes information and practical guidance on how to recognize potentially problematic behaviors and which may motivate them to take action when they observe such behaviors. The training and education may include exercises to provide employees with the skills and confidence to intervene as appropriate and to provide them with resources they can call upon that support their intervention. (Government Code 12950.2)

(cf. 4131/4231/4331-Staff Development)

6. Periodically review the Eden Area ROP's recruitment, hiring, and promotion processes and regularly monitor the terms, conditions, and privileges of employment to ensure Eden Area ROP compliance with law

7. For any Eden Area ROP facility where 10 percent of employees have a language other than English as their spoken language, translate the policy into every language spoken by at least 10 percent of the workforce (2 CCR 11023)

### **Complaint Procedure**

Complaints of sexual harassment shall be investigated and resolved in accordance with AR 4119.12/4219.12/4319.12 - Title IX Sexual Harassment Complaint Procedures if the alleged conduct meets the definition of sexual harassment pursuant to 34 CFR 106.30.

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

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

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

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

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

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

(cf. 4030 - Nondiscrimination in Employment)

(cf. 4032 - Reasonable Accommodation)

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

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

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

(cf. 3580 - District Records)

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

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

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

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

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

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

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

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

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

(cf. 1312.1 - Complaints Concerning District Employees)

(cf. 9321 - Closed Session Purposes and Agendas)

### **Other Remedies**

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

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

discriminatory act(s) or within 30 days after the termination of proceedings by DFEH, whichever is earlier (42 USC 2000e-5)

---

**Policy 4033: Lactation Accommodation**

Status: DRAFT

Original Adopted Date: 05/07/2020

The Governing Board recognizes the immediate and long-term health benefits of breastfeeding and desires to provide a supportive environment for any Eden Area Regional Occupational Program (Eden Area ROP) employee to express milk for an infant child upon returning to work following the birth of the child. The Governing Board prohibits discrimination, harassment, and/or retaliation against any Eden Area ROP employee for seeking an accommodation to express breast milk for an infant child while at work.

(cf. 4030 - Nondiscrimination in Employment)

As, employee shall notify the employee's supervisor or other appropriate personnel in advance of the intent to request an accommodation. The supervisor shall respond to the request and shall work with the employee to make arrangements. If needed, the supervisor shall address scheduling in order to ensure that the employees' essential job duties are covered during the break time.

Lactation accommodations shall be granted unless circumstances exist as specified by law. (Labor Code 1031, 1032; 29 USC 207)

Before a determination is made to deny lactation accommodations to an employee, the employee's supervisor shall consult with the Superintendent or designee. When lactation accommodations are denied, the Superintendent or designee shall document the options that were considered and the reasons for denying the accommodations.

The Superintendent or designee shall provide a written response to any employee who was denied the accommodation(s). (Labor Code 1034)

The Eden Area ROP shall include this policy in its employee handbook or in any set of policies that the Eden Area ROP makes available to employees. In addition, the Superintendent or designee shall distribute the policy to new employees upon hire and when an employee makes an inquiry about or requests parental leave. (Labor Code 1034)

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

**Break Time and Location Requirements**

The Eden Area ROP shall provide a reasonable amount of break time to accommodate an employee each time the employee has a need to express breast milk for an infant child. (Labor Code 1030)

To the extent possible, any break time granted for lactation accommodation shall 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. (Labor Code 1030; 29 USC 207)

The employee shall be provided the use of a private room or location, other than a bathroom, which may be the employee's work area or another location that is in close proximity to the employee's work area. The room or location provided shall meet the following requirements: (Labor Code 1031; 29 USC 207)

1. Is shielded from view and free from intrusion while the employee is expressing milk
2. Is safe, clean, and free of hazardous materials, as defined in Labor Code 6382
3. Contains a place to sit and a surface to place a breast pump and personal items
4. Has 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
5. Has access to a sink with running water and a refrigerator or, if a refrigerator cannot be provided, another cooling device suitable for storing milk in close proximity to the employee's workspace

If a multipurpose room is used for lactation, among other uses, the use of the room for lactation shall take precedence over other uses for the time it is in use for lactation purposes. (Labor Code 1031)

**Dispute Resolution**

An employee may file a complaint with the Labor Commissioner at the California Department of Industrial Relations for any alleged violation of Labor Code 1030-1034. (Labor Code 1034)

(cf. 4144/4244/4344-Complaints)

**Policy 4112.2: Certification**

**Status:** DRAFT

**Original Adopted Date:** 05/07/2020

The Governing Board recognizes that the Eden Area Regional Occupational Program's (Eden Area ROP) ability to provide a high-quality educational program is dependent upon the employment of certificated staff who are adequately prepared and have demonstrated proficiency in basic skills and in the subject matter to be taught. The Superintendent or designee shall ensure that persons employed to fill positions requiring certification qualifications possess the appropriate credential, permit, or other certification document from the Commission on Teacher Credentialing (CTC) and fulfill any additional state, federal, or Eden Area ROP requirements for the position.

(cf. 4111/4211/4311 - Recruitment and Selection)

(cf. 4112.21 - Interns)

(cf. 4112.22 - Staff Teaching English Learners)

(cf. 4112.23 - Special Education Staff)

(cf. 4112.24 - Teacher Qualifications Under the No Child Left Behind Act)

(cf. 4112.5/4212.5/4312.5 - Criminal Record Check)

(cf. 4113 - Assignment)

(cf. 4121 - Temporary/Substitute Personnel)

(cf. 5148 - Child Care and Development)

(cf. 6178 - Career Technical Education)

(cf. 6200 - Adult Education)

The Superintendent or designee shall provide assistance and support to teachers holding preliminary credentials to help them meet the qualifications required for the clear credential.

(cf. 4131 - Staff Development)

(cf. 4131.1 - Teacher Support and Guidance)

**Priorities for Hiring Based on Unavailability of Credentialed Teacher**

The Superintendent or designee shall make reasonable efforts to recruit a fully prepared teacher who is authorized in the subject or setting for each assignment or, when necessary, a fully prepared teacher serving on a local assignment option. Whenever a teacher with a clear or preliminary credential is not available, the Superintendent or designee shall make reasonable efforts to recruit an individual for the assignment in the following order: (Education Code 44225.7)

1. A candidate who is scheduled to complete preliminary credential requirements within six months and who holds short-term staff permit issued by the CTC
2. An individual who is granted an emergency permit issued by the CTC or for whom a credential waiver has been granted by the CTC

The Board shall approve, as an action item at an open Board meeting, a notice of intent to employee a PIP applicant for a specific position.

3. An individual who has been granted a credential waiver by the CTC

Prior to requesting that the CTC issue an emergency permit or a limited assignment permit, the Board shall annually approve a Declaration of Need for Fully Qualified Educators. The Declaration of Need shall be approved by the Governing Board as an action item at a regularly scheduled open Board meeting, with the entire Declaration of Need being included in the Governing Board agenda. (Education Code 44225, 44225.7; 5 CCR 80023.2, 80026, 80027, 80027.1)

The Declaration of Need shall certify that there is an insufficient number of certificated persons who meet the Eden Area ROP's specified employment criteria for the position(s) and that the Eden Area ROP has made reasonable efforts to recruit individuals who meet the qualifications specified in items #1-#2 above. The Declaration of Need shall also indicate the number and type of emergency permits that the Eden Area ROP estimates it will need during the valid period of the Declaration of Need, based on the previous year's actual needs and projections of enrollment. Whenever the actual number of permits needed exceeds the estimate by 10 percent, the Governing Board shall revise and resubmit the Declaration of Need. (5 CCR 80026)

Whenever it is necessary to employ noncredentialed teachers to fill a position requiring certification qualifications, the Superintendent or designee shall provide support and guidance in accordance with law to ensure the quality of the instructional program.

---

**Policy 4112.9: Employee Notifications**

**Status:** DRAFT

**Original Adopted Date:** 05/07/2020

The Governing Board believes that providing clear communications to staff is essential to establishing a professional, positive work environment and enhancing their job performance. The Superintendent or designee shall provide Eden Area Regional Occupational Program (Eden Area ROP) employees all notifications required by law and any other notifications the Superintendent or designee believes will promote staff knowledge of the Eden Area ROP's policies, programs, activities, and operations.

When required by law, Board policy, or administrative regulation, Eden Area ROP employees shall be asked to sign an acknowledgment indicating receipt of the notification. Such acknowledgments shall be retained in each employee's personnel file.

(cf. 3580 - District Records)

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

---



**Policy 4212.9: Employee Notifications**

**Status:** DRAFT

**Original Adopted Date:** 05/07/2020

The Governing Board believes that providing clear communications to staff is essential to establishing a professional, positive work environment and enhancing their job performance. The Superintendent or designee shall provide Eden Area Regional Occupational Program (Eden Area ROP) employees all notifications required by law and any other notifications the Superintendent or designee believes will promote staff knowledge of the Eden Area ROP's policies, programs, activities, and operations.

When required by law, Board policy, or administrative regulation, Eden Area ROP employees shall be asked to sign an acknowledgment indicating receipt of the notification. Such acknowledgments shall be retained in each employee's personnel file.

(cf. 3580 - District Records)

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

---

**Policy 4312.9: Employee Notifications**

**Status:** DRAFT

**Original Adopted Date:** 05/07/2020

The Governing Board believes that providing clear communications to staff is essential to establishing a professional, positive work environment and enhancing their job performance. The Superintendent or designee shall provide Eden Area Regional Occupational Program (Eden Area ROP) employees all notifications required by law and any other notifications the Superintendent or designee believes will promote staff knowledge of the Eden Area ROP's policies, programs, activities, and operations.

When required by law, Board policy, or administrative regulation, Eden Area ROP employees shall be asked to sign an acknowledgment indicating receipt of the notification. Such acknowledgments shall be retained in each employee's personnel file.

(cf. 3580 - District Records)

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

---

**Exhibit****Descriptor Code: 4112.9****Descriptor Code: 4212.9****Descriptor Code: 4312.9****Employee Notifications**

Note: The following exhibit lists notices which the law requires be provided to employees. See the referenced Board policy, administrative regulation, or Board bylaw for further information about related program and notice requirements.

| <b>When/Whom to Notify</b>                          | <b>Education or Other Legal Code</b>                     | <b>Board Policy/ Administrative Regulation #</b> | <b>Subject</b>  |
|---|--|--|---|
| <b>I. To All Employees</b>                          |  |  |   |
| At the beginning of school year or upon employment  | Education Code 231.5; Government Code 12950              | AR 4119.11<br>4219.11<br>4319.11                 | The district's policy on sexual harassment, legal remedies, complaints  |
| Annually, and 72 hours before pesticide application | Education Code 17612                                     | AR 3514.2  | Use of pesticide product, active ingredients, Internet address to access information on pesticides  |
| Annually  | Education Code 49013; 5 CCR 4622                         | AR 1312.3<br>BP 0460<br>BP 3260                  | Uniform complaint procedures, appeals, civil law remedies, coordinator, complaints about student fees and local control and accountability plan |
| Annually  | Education Code 49414                                     | AR 5141.21                                       | Request for volunteers to be trained to administer epinephrine auto-injectors   |
| To all employees                                    | Government Code 1126                                     | BP 4136<br>4236<br>4336                          | Prohibition of activities that are inconsistent, incompatible, in conflict with, or inimical to duties; discipline; appeal                      |
| <b>When/Whom to Notify</b>                          | <b>Education or Other Legal Code</b>                     | <b>Board Policy/ Administrative Regulation #</b> | <b>Subject</b>  |
| <b>I. To All Employees (continued)</b>              |  |  |   |
| To all employees                                    | Government Code 8355; 41 USC 8102; 34 CFR 84.205, 84.210 | BP 4020<br>BP 4159<br>4259<br>4359               | District's drug- and alcohol-free workplace; actions to be taken if violated; available employee assistance programs                            |

|  |   |                                  |  |
|--|---|----------------------------------|--|
| Upon employment  | Government Code<br>21029                    | None                             | Right to purchase PERS<br>service credit for military<br>service performed prior to<br>public employment   |
| Upon placement of automated<br>external defibrillator (AED) in<br>school, and annually thereafter            | Health and Safety<br>Code 1797.196          | AR 5141                          | Proper use of AED; location<br>of all AEDs on campus,<br>sudden cardiac arrest, school's<br>emergency response plan  |
| Annually, or more frequently<br>if there is new information  | Health and Safety<br>Code 120875,<br>120880 | BP 4119.43<br>4219.43<br>4319.43 | AIDS and hepatitis B,<br>including methods to prevent<br>exposure  |
| To new employees upon<br>hire and other employees<br>upon request, in districts with<br>25 or more employees | Labor Code 230.1                            | AR 4161.2<br>4261.2<br>4361.2    | Rights pursuant to Labor<br>Code 230-230.1 pertaining<br>to leaves and<br>accommodations for victims<br>of crime or abuse  |
| With each paycheck   | Labor Code 246                              | AR 4161.1<br>4361.1<br>AR 4261.1 | Amount of sick leave available   |
| Upon hire, in employee<br>handbook, and upon request<br>for parental leave                                   | Labor Code<br>1034                          | BP 4033                          | The district's policy on<br>lactation accommodation  |
| To covered employees and<br>former employees   | Labor Code<br>2800.2                        | AR 4154<br>4254<br>4354          | Availability of COBRA/<br>Cal-COBRA continuation<br>and conversion coverage;<br>statement encouraging careful<br>examination of options before<br>declining coverage |

| <b>When/Whom<br/>to Notify</b> | <b>Education or<br/>Other Legal<br/>Code</b> | <b>Board Policy/<br/>Administrative<br/>Regulation #</b> | <b>Subject</b> |
|--------------------------------|--|--|----------------|
|--------------------------------|--|--|----------------|

**I. To All Employees** (continued)

|   |                      |                               |   |
|---|----------------------|-------------------------------|---|
| To employees participating<br>in a flexible spending account                                    | Labor Code<br>2810.7 | None                          | Deadline to withdraw funds<br>from account before the end<br>of the plan year   |
| To every new employee, either<br>at the time employee is hired<br>or by end of first pay period | Labor Code<br>3551   | AR 4157.1<br>4257.1<br>4357.1 | Workers' compensation<br>benefits, how to obtain medical<br>care, role of primary physician,<br>form for reporting personal<br>physician/chiropractor |
| Within one day of receiving<br>notice of potential exposure                                     | Labor Code 6409.6    | AR 4157<br>4257               | Potential exposure to<br>COVID-19; benefits to which  |

|  |                                      |  |  |
|--|--------------------------------------|--|--|
| to COVID-19, to employees who were on the premises during the infectious period, the exclusive representative, and the employer of subcontracted employees as applicable |                                      | 4357   | employees may be entitled; available leave options; protection against discrimination and retaliation; district's disinfection and safety plan                               |
| Prior to beginning employment  | Penal Code 11165.7, 11166.5          | AR 5141.4  | Status as a mandated reporter of child abuse, reporting obligations, confidentiality rights, copy of law   |
| Upon employment, and when employee goes on leave for specified reasons   | Unemployment Insurance Code 2613     | AR 4154<br>4254<br>4354                          | Disability insurance rights and benefits   |
| To all employees and job applicants  | 2 CCR 11023; 34 CFR 104.8, 106.9     | BP 0410<br>AR 4030                               | District's policy on nondiscrimination and related complaint procedures  |
| To all employees via employee handbook, or to each new employee  | 2 CCR 11091, 11095; 29 CFR 825.300   | AR 4161.8<br>4261.8<br>4361.8                    | Benefits through Family and Medical Leave Act (FMLA) and California Family Rights Act (CFRA); obligation to provide 30 days' notice of need for leave when possible          |
| To all employees   | 8 CCR 3203                           | AR 4157<br>4257<br>4357                          | The right and procedure to access the injury and illness prevention program  |
| <b>When/Whom to Notify</b>   | <b>Education or Other Legal Code</b> | <b>Board Policy/ Administrative Regulation #</b> | <b>Subject</b>   |
| <b>I. To All Employees (continued)</b>   |                                      |  |  |
| To all employees   | 34 CFR 106.8                         | AR 4119.11<br>4219.11<br>4319.11                 | Nondiscrimination on the basis of sex; contact information for district's Title IX Coordinator; referral of inquiries to Title IX Coordinator and/or Office for Civil Rights |
| Annually   | 40 CFR 763.84, 763.93                | AR 3514  | Availability of asbestos management plan; inspections, response actions, post-response actions planned or in progress  |
| <b>II. To Certificated Employees</b>   |                                      |  |  |
| To eligible certificated employees in a timely manner, and to part-time and substitute certificated employees within 30 days of hire                                     | Education Code 22455.5               | AR 4121  | Criteria for membership in retirement system; right to elect membership at any time  |

|   |                                      |  |  |
|---|--------------------------------------|--|--|
| Upon employment of a retired certificated individual  | Education Code 22461                 | AR 4117.14<br>4317.14                            | Postretirement earnings limitation or employment restriction; monthly report of compensation |
| To certificated employees   | Education Code 35171                 | AR 4115<br>BP 4315                               | District regulations related to performance evaluations                                      |
| 30 days before last day of school year for instructional staff, or by June 30 for noninstructional certificated staff, in any year in which employee is evaluated | Education Code 44663                 | AR 4115  | Copy of employee's evaluation  |
| <b>When/Whom to Notify</b>  | <b>Education or Other Legal Code</b> | <b>Board Policy/ Administrative Regulation #</b> | <b>Subject</b>   |

## **II. To Certificated Employees (continued)**

|   |                                      |                      |   |
|---|--------------------------------------|----------------------|---|
| By May 30, if district issues reemployment notices to certificated employees  | Education Code 44842                 | AR 4112.1            | Request that the employee notify district of intent to remain in service next year                    |
| To probationary and temporary certificated employees upon employment, and every July thereafter   | Education Code 44916                 | AR 4112.1<br>AR 4121 | Employment status and salary  |
| When certificated employee is subject to disciplinary action for cause, at any time of year or, for charge of unsatisfactory performance, during instructional year | Education Code 44934, 44934.1, 44936 | BP 4118              | Notice of charges, procedures, and employee rights; intent to dismiss or suspend 30 days after notice |
| To certificated employee charged with unprofessional conduct, at least 45 days prior to suspension/dismissal notice   | Education Code 44938                 | BP 4118              | Notice of deficiency and opportunity to correct   |
| To certificated employee charged with unsatisfactory performance, at least 90 days prior to suspension/dismissal notice or prior to last quarter of school year     | Education Code 44938                 | BP 4118              | Notice of deficiency and opportunity to correct   |

|  |                        |         |   |
|--|------------------------|---------|---|
| To certificated employee charged with mandatory leave of absence offense, within 10 days of entry of judgment in proceedings | Education Code 44940.5 | AR 4118 | Notice of intent to dismiss 30 days from notice unless employee demands hearing |
|--|------------------------|---------|---|

| <b>When/Whom to Notify</b> | <b>Education or Other Legal Code</b> | <b>Board Policy/ Administrative Regulation #</b> | <b>Subject</b> |
|----------------------------|--------------------------------------|--|----------------|
|----------------------------|--------------------------------------|--|----------------|

## **II. To Certificated Employees (continued)**

|  |                      |                         |   |
|--|----------------------|-------------------------|---|
| Before the end of the school year to temporary employee who served 75 percent of school year but will be released  | Education Code 44954 | BP 4121                 | District's decision not to reelect employee for following school year                   |
| To teacher, when a student engages in or is reasonably suspected of specified acts                                 | Education Code 49079 | AR 4158<br>4258<br>4358 | Student has committed specified act that constitutes ground for suspension or expulsion |
| To certificated employee upon change in employment status due to alleged misconduct or while allegation is pending | 5 CCR 80303          | AR 4117.7<br>4317.7     | Contents of state regulation re: report to Commission on Teacher Credentialing          |

## **III. To Classified Employees**

|  |                             |                         |   |
|--|-----------------------------|-------------------------|---|
| At least 60 days prior to layoff, or by April 29 for specially funded program that expires at end of school year | Education Code 45117        | AR 4217.3               | Notice of layoff and reemployment rights  |
| Upon employment and upon each change in classification   | Education Code 45169        | AR 4212                 | Employee's class specification, salary data, assignment or work location, duty hours, prescribed workweek |
| To permanent employee whose leave is exhausted   | Education Code 45192, 45195 | AR 4261.1<br>AR 4261.11 | Exhaustion of leave, opportunity to request additional leave  |

## **IV. To Administrative/Supervisory Personnel**

|   |                      |                      |  |
|---|----------------------|----------------------|--|
| To superintendent, deputy, associate, or assistant superintendent or senior manager of classified service, at least 45 days before expiration of contract | Education Code 35031 | BP 2121<br>BP 4312.1 | Decision not to reelect or reemploy upon expiration of contract or term      |
| Upon request by administrative or supervisory employee transferred to teaching position   | Education Code 44896 | AR 4313.2            | Statement of the reasons for the reassignment                                |
| By March 15 to employee who may be released/reassigned the following school year  | Education Code 44951 | AR 4313.2            | Notice that employee may be released or reassigned the following school year |

## **V. To Individual Employees Under Special Circumstances**

|   |                    |         |   |
|---|--------------------|---------|---|
| In the event of a breach of security of district records, to affected employees | Civil Code 1798.29 | BP 3580 | Types of records affected, date of breach, description of incident, and, as applicable, contact information for credit reporting agencies |
|---|--------------------|---------|---|

| <b>When/Whom to Notify</b> | <b>Education or Other Legal Code</b> | <b>Board Policy/ Administrative Regulation #</b> | <b>Subject</b> |
|----------------------------|--------------------------------------|--|----------------|
|----------------------------|--------------------------------------|--|----------------|

**V. To Individual Employees Under Special Circumstances** (continued)

|  |                           |                                  |  |
|--|---------------------------|----------------------------------|--|
| Prior to placing derogatory information in personnel file  | Education Code 44031      | AR 4112.6<br>4212.6<br>4312.6    | Notice of derogatory information, opportunity to review and comment  |
| To employees who volunteer to administer epinephrine auto-injector   | Education Code 49414      | AR 5141.21                       | Defense and indemnification from civil liability by the district   |
| To district police officer, within 30 days of decision to impose discipline  | Government Code 3304      | AR 3515.3                        | Decision to impose discipline, including the date that discipline will be imposed  |
| To employee returning from military leave of absence, within 30 days of return   | Government Code 20997     | AR 4161.5<br>4261.5<br>4361.5    | Right to receive PERS service credit for military service; application form  |
| 24 hours before Board meets in closed session to hear complaints or charges against employee   | Government Code 54957     | BB 9321                          | Employee's right to have complaints/charges heard in open session  |
| When taking disciplinary action against employee for disclosure of confidential information  | Government Code 54963     | BP 4119.23<br>4219.23<br>4319.23 | Law prohibiting disclosure of confidential information obtained in closed session  |
| Within one working day of work-related injury or victimization of crime  | Labor Code 3553, 5401     | AR 4157.1<br>4257.1<br>4357.1    | Potential eligibility for workers' compensation benefits, claim form   |
| When adverse employment action is based on DOJ criminal history information or subsequent arrest notification                              | Penal Code 11105, 11105.2 | AR 4112.5<br>4212.5<br>4312.5    | Copy of DOJ notification   |
| To any employee with exposure to blood or other potentially infectious materials, upon initial employment and at least annually thereafter | 8 CCR 3204                | AR 4119.42<br>4219.42<br>4319.42 | The existence, location, and availability of exposure and medical records; person responsible for maintaining and providing access to records; right to access records |

| <b>When/Whom to Notify</b> | <b>Education or Other Legal Code</b> | <b>Board Policy/ Administrative Regulation #</b> | <b>Subject</b> |
|----------------------------|--------------------------------------|--|----------------|
|----------------------------|--------------------------------------|--|----------------|

**V. To Individual Employees Under Special Circumstances** (continued)



|  |  |                                   |   |
|--|--|-----------------------------------|---|
| To any employee assigned to a work area where hazardous chemicals are present, upon initial assignment and upon new exposure situation                               | 8 CCR 5191                                   | AR 3514.1                         | Location and availability of chemical hygiene plan, exposure limits, signs and symptoms of exposure, location of reference material   |
| To any employee who may be exposed to hazardous substances in the work area, upon initial assignment and when new hazard is introduced into work area                | 8 CCR 5194                                   | AR 3514.1                         | Any presence of hazardous substances in the work area, location and availability of hazard communication program, new material safety data sheet, employee rights   |
| To employee eligible for military leave  | 38 USC 4334                                  | AR 4161.5<br>4261.5<br>4361.5     | Notice of rights, benefits, and obligations under military leave  |
| Within five days of employee's request for FMLA leave, receipt of supporting information, or district's knowledge that the requested leave may qualify as FMLA leave | 29 CFR 825.300;<br>2 CCR 11049,<br><br>11091 | AR 4161.8<br>4261.8<br><br>4361.8 | Designation of leave as FMLA or non-FMLA; if not eligible, reason not eligible; requirement to use paid leave; any requirement for fitness-for-duty certification; any subsequent changes in designation notice |
| Whenever notice of eligibility for FMLA is provided to employee  | 29 CFR 825.300                               | AR 4161.8<br>4261.8<br>4361.8     | Rights and responsibilities re: use of FMLA; consequences of failure to meet obligations  |

---

**Policy 4113: Assignment**

**Status:** DRAFT

**Original Adopted Date:** 05/07/2020

In order to serve the best interests of students and the educational program, the Governing Board authorizes the Superintendent or designee to assign certificated personnel to positions for which they are qualified pursuant to their certification preparation, professional experience, and aptitude.

(cf. 4112.2 - Certification)

(cf. 4112.21 - Interns)

(cf. 4112.22 - Staff Teaching English Learners)

(cf. 4112.23 - Special Education Staff)

(cf. 4112.8/4212.8/4312.8 - Employment of Relatives)

Teachers may be assigned to any school within the Eden Area Regional Occupational Program (Eden Area ROP) in accordance with Board policy.

(cf. 4141/4241 - Collective Bargaining Agreement)

**Assignment to Courses/Classes**

The Superintendent or designee shall assign teachers based on the grade level and subject matter authorized by their credentials.

When there is no credential authorization requirement for teaching a course, the Superintendent or designee shall select the credentialed teacher whose knowledge and skills best prepare the teacher to provide instruction in that subject.

When specifically authorized by law or regulation, the Superintendent or designee may, with the teacher's consent, assign a teacher to a position outside the teacher's credential authorization in accordance with the local teaching assignment options described in the Commission on Teacher Credentialing's (CTC) Administrator's Assignment Manual. Such assignments shall be annually approved by Board resolution. In such cases, the Superintendent or designee shall reference in Eden Area ROP records the statute or regulation under which the assignment is authorized.

If at any time a certificated employee is required by the Eden Area ROP to accept an assignment which the employee believes is not legally authorized by the employee's credential, the employee shall notify the Superintendent or designee, in writing, of the misassignment. Within 15 working days, the Superintendent or designee shall notify the employee of the legality of the assignment. If no action is taken by the Eden Area ROP, the employee shall provide written notification to the County Superintendent of Schools. No adverse action shall be taken against an employee who files a notice of misassignment. (Education Code 44258.9)

**Vacancies and Misassignments**

Annually, the Eden Area ROP shall review potential misassignments and vacant positions throughout the Eden Area ROP. Upon receiving notification from CTC of the availability of data regarding potential misassignments and vacant positions in the Eden Area ROP, the Superintendent shall review the data within 60 days. When necessary, the Superintendent or designee may respond by submitting additional documentation to the County Superintendent showing that an employee is legally authorized for an assignment and/or that a position identified as vacant was miscoded and a legally authorized employee is assigned to the position. (Education Code 44258.9)

If the Eden Area ROP subsequently receives, within 90 days of CTC's initial notification, a notification from the County Superintendent indicating that a certificated employee in the Eden Area ROP is assigned to a position for which the employee has no legal authorization, the Eden Area ROP shall correct the assignment within 30 calendar days. (Education Code 44258.9)

Any complaint alleging teacher misassignment or vacancy shall be filed and addressed through the Eden Area ROP's procedures specified in AR 1312.4 - Williams Uniform Complaint Procedures.

### **Equitable Distribution of Qualified and Experienced Teachers**

The Superintendent or designee shall identify and address the equitable distribution of highly qualified and experienced teachers among Eden Area ROP schools, including those with higher than average levels of low-income, minority, and/or academically underperforming students. The Superintendent or designee shall annually report to the Board comparisons of teacher qualifications across Eden Area ROP schools, including the number of teachers serving under a provisional internship permit, short-term staff permit, intern credential, emergency permit, or credential waiver.

Strategies for ensuring equitable access to experienced teachers may include, but are not limited to, incentives for voluntary transfers, provision of professional development, and/or programs to recruit and retain effective teachers.

---

**Regulation 4113: Assignment**

**Status:** DRAFT

**Original Adopted Date:** Pending

**Assignment to Departmentalized Classes Outside Credential Authorization**

Any holder of a credential other than an emergency permit may be assigned, with consent, to teach departmentalized classes in grades K-12 regardless of the designations on the teaching credential, provided that the teacher's subject matter knowledge is verified prior to the assignment. (Education Code 44258.3)

Procedures for verifying a teacher's subject matter knowledge shall be developed and implemented by the Superintendent or designee with the involvement of appropriate subject matter specialists, including curriculum specialists, resource teachers, classroom teachers certified to teach the subject, staff assigned to regional subject matter projects or curriculum institutes, or college faculty. (Education Code 44258.3)

Procedures to be used for this purpose shall specify: (Education Code 44258.3)

1. One or more of the following ways in which subject matter competence shall be assessed:
  - a. Observation by subject matter specialists
  - b. Oral interviews
  - c. Demonstration lessons
  - d. Presentation of curricular portfolios
  - e. Written examinations
2. Specific criteria and standards for verifying subject matter knowledge by any of the above methods. These criteria shall include, but need not be limited to, evidence of the individual's knowledge of the subject matter to be taught, including demonstrated knowledge of the curriculum framework for the subject and the specific content of the Eden Area Regional Occupational Program's (Eden Area ROP) course of study for the subject at the grade level to be taught.

Whenever a teacher is assigned to teach departmentalized classes pursuant to Education Code 44258.3, the Superintendent or designee shall notify the exclusive representative of the Eden Area ROP's certificated employees. (Education Code 44258.3)

**Policy 4119.11: Sexual Harassment**

**Status:** DRAFT

**Original Adopted Date:** 05/07/2020

The following policy shall apply to all Eden Area Regional Occupational Program (Eden Area ROP) employees, interns, volunteers, contractors, job applicants, and other persons with an employment relationship with the Eden Area ROP.

The Governing Board is committed to providing a safe work environment that is free of harassment and intimidation. The Board prohibits sexual harassment against Eden Area ROP employees and retaliatory behavior or action against any person who complains, testifies, or otherwise participates in the complaint process established for the purpose of this policy.

Sexual harassment includes, but is not limited to, harassment that is based on the sex, gender, gender identity, gender expression, or sexual orientation of the victim and harassment based on pregnancy, childbirth, or related medical conditions.

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

1. Providing training to employees in accordance with law and administrative regulation
2. Publicizing and disseminating the Eden Area ROP's sexual harassment policy to employees and others to whom the policy may apply

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

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

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

**Sexual Harassment Reports and Complaints**

Eden Area ROP's employee who feels that they have been sexually harassed in the performance of their Eden Area ROP responsibilities or who has knowledge of any incident of sexual harassment by or against another employee shall immediately report the incident to their direct supervisor, an Eden Area ROP administrator, or the Eden Area ROP's Title IX Coordinator. Employees may bypass their supervisor in filing a complaint if the supervisor is the subject of the complaint. A supervisor or administrator who receives a harassment complaint shall promptly notify the Title IX Coordinator.

Once notified, the Title IX Coordinator shall ensure the complaint or allegation is addressed through AR 4119.12/4219.12/4319.12 - Title IX Sexual Harassment Complaint Procedures or AR 4030 - Nondiscrimination in Employment, as applicable. Because a complaint or allegation that is dismissed or denied under the Title IX complaint procedure may still be subject to consideration under state law, the Title IX Coordinator shall ensure that any implementation of AR 4119.12/4219.12/4319.12 concurrently meets the requirements of AR 4030.

The Title IX Coordinator shall offer supportive measures to the complainant and respondent, as deemed appropriate under the circumstances.

Upon investigation of a sexual harassment complaint, any Eden Area ROP employee found to have engaged or participated in sexual harassment or to have aided, abetted, incited, compelled, or coerced another to commit sexual harassment in violation of this policy shall be subject to disciplinary action, up to and including dismissal, in accordance with law and the applicable collective bargaining agreement.

**Policy 4219.11: Sexual Harassment**

**Status:** DRAFT

**Original Adopted Date:** 05/07/2020

The following policy shall apply to all Eden Area Regional Occupational Program (Eden Area ROP) employees, interns, volunteers, contractors, job applicants, and other persons with an employment relationship with the Eden Area ROP.

The Governing Board is committed to providing a safe work environment that is free of harassment and intimidation. The Board prohibits sexual harassment against Eden Area ROP employees and retaliatory behavior or action against any person who complains, testifies, or otherwise participates in the complaint process established for the purpose of this policy.

Sexual harassment includes, but is not limited to, harassment that is based on the sex, gender, gender identity, gender expression, or sexual orientation of the victim and harassment based on pregnancy, childbirth, or related medical conditions.

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

1. Providing training to employees in accordance with law and administrative regulation
2. Publicizing and disseminating the Eden Area ROP's sexual harassment policy to employees and others to whom the policy may apply

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

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

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

### **Sexual Harassment Reports and Complaints**

Eden Area ROP's employee who feels that they have been sexually harassed in the performance of their Eden Area ROP responsibilities or who has knowledge of any incident of sexual harassment by or against another employee shall immediately report the incident to their direct supervisor, an Eden Area ROP administrator, or the Eden Area ROP's Title IX Coordinator. Employees may bypass their supervisor in filing a complaint if the supervisor is the subject of the complaint. A supervisor or administrator who receives a harassment complaint shall promptly notify the Title IX Coordinator.

Once notified, the Title IX Coordinator shall ensure the complaint or allegation is addressed through AR 4119.12/4219.12/4319.12 - Title IX Sexual Harassment Complaint Procedures or AR 4030 - Nondiscrimination in Employment, as applicable. Because a complaint or allegation that is dismissed or denied under the Title IX complaint procedure may still be subject to consideration under state law, the Title IX Coordinator shall ensure that any implementation of AR 4119.12/4219.12/4319.12 concurrently meets the requirements of AR 4030. The Title IX Coordinator shall offer supportive measures to the complainant and respondent, as deemed appropriate under the circumstances. Upon investigation of a sexual harassment complaint, any Eden Area ROP employee found to have engaged or participated in sexual harassment or to have aided, abetted, incited, compelled, or coerced another to commit sexual harassment in violation of this policy shall be subject to disciplinary action, up to and including dismissal, in accordance with law and the applicable collective bargaining agreement.

**Policy 4319.11: Sexual Harassment**

**Status:** DRAFT

**Original Adopted Date:** 05/07/2020

The following policy shall apply to all Eden Area Regional Occupational Program (Eden Area ROP) employees, interns, volunteers, contractors, job applicants, and other persons with an employment relationship with the Eden Area ROP.

The Governing Board is committed to providing a safe work environment that is free of harassment and intimidation. The Board prohibits sexual harassment against Eden Area ROP employees and retaliatory behavior or action against any person who complains, testifies, or otherwise participates in the complaint process established for the purpose of this policy.

Sexual harassment includes, but is not limited to, harassment that is based on the sex, gender, gender identity, gender expression, or sexual orientation of the victim and harassment based on pregnancy, childbirth, or related medical conditions.

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

1. Providing training to employees in accordance with law and administrative regulation
2. Publicizing and disseminating the Eden Area ROP's sexual harassment policy to employees and others to whom the policy may apply

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

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

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

### **Sexual Harassment Reports and Complaints**

Eden Area ROP's employee who feels that they have been sexually harassed in the performance of their Eden Area ROP responsibilities or who has knowledge of any incident of sexual harassment by or against another employee shall immediately report the incident to their direct supervisor, an Eden Area ROP administrator, or the Eden Area ROP's Title IX Coordinator. Employees may bypass their supervisor in filing a complaint if the supervisor is the subject of the complaint. A supervisor or administrator who receives a harassment complaint shall promptly notify the Title IX Coordinator.

Once notified, the Title IX Coordinator shall ensure the complaint or allegation is addressed through AR 4119.12/4219.12/4319.12 - Title IX Sexual Harassment Complaint Procedures or AR 4030 - Nondiscrimination in Employment, as applicable. Because a complaint or allegation that is dismissed or denied under the Title IX complaint procedure may still be subject to consideration under state law, the Title IX Coordinator shall ensure that any implementation of AR 4119.12/4219.12/4319.12 concurrently meets the requirements of AR 4030.

The Title IX Coordinator shall offer supportive measures to the complainant and respondent, as deemed appropriate under the circumstances.

Upon investigation of a sexual harassment complaint, any Eden Area ROP employee found to have engaged or participated in sexual harassment or to have aided, abetted, incited, compelled, or coerced another to commit sexual harassment in violation of this policy shall be subject to disciplinary action, up to and including dismissal, in accordance with law and the applicable collective bargaining agreement.

**Regulation 4119.11: Sexual Harassment**

**Status:** DRAFT

**Original Adopted Date:** 05/07/2020

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

**Definitions**

Sexual harassment includes, but is not limited to, unwelcome sexual advances, unwanted requests for sexual favors, or other unwanted verbal, visual, or physical conduct of a sexual nature, regardless of whether or not the conduct is motivated by sexual desire. Conduct is considered to be sexual harassment when made against another person of the same or opposite sex in the work or educational setting under any of the following conditions: (Education Code 212.5; Government Code 12940; 2 CCR 11034)

1. Submission to the conduct is made explicitly or implicitly a term or condition of the individual's employment.
2. Submission to or rejection of the conduct is used as the basis for an employment decision affecting the individual.
3. The conduct has the purpose or effect of having a negative impact upon the individual's work performance or of creating an intimidating, hostile, or offensive work environment.
4. Submission to or rejection of the conduct is used as the basis for any decision affecting the individual regarding benefits, services, honors, programs, or activities available at or through the Eden Area Regional Occupational Program (Eden Area ROP).

For purposes of applying the complaint procedures specified in Title IX of the Education Amendments of 1972, sexual harassment is defined as any of the following forms of conduct that occurs in an education program or activity in which a district school exercises substantial control over the context and respondent: (34 CFR 106.30, 106.44)

1. An Eden Area ROP employee conditioning the provision of a district aid, benefit, or service on the person's participation in unwelcome sexual conduct
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the Eden Area ROP's education program or activity
3. Sexual assault, dating violence, domestic violence, or stalking as defined in 20 USC 1092 or 34 USC 12291

**Examples of Sexual Harassment**

Examples of actions that might constitute sexual harassment under state or federal law in accordance with the definitions above, in the work or educational setting, whether committed by a supervisor, a co-worker, or a non-employee, include, but are not limited to:

1. Unwelcome verbal conduct such as sexual flirtations or propositions; graphic comments about an individual's body; overly personal conversations or pressure for sexual activity; sexual jokes or stories; unwelcome sexual slurs, epithets, threats, innuendoes, derogatory comments, sexually degrading descriptions, or the spreading of sexual rumors
2. Unwelcome visual conduct such as drawings, pictures, graffiti, or gestures; sexually explicit emails; displaying sexually suggestive objects
3. Unwelcome physical conduct such as massaging, grabbing, fondling, stroking, or brushing the body; touching an individual's body or clothes in a sexual way; cornering, blocking, leaning over, or impeding normal movements

**Title IX Coordinator/Compliance Officer**

The Eden Area ROP designates the following individual(s) as the responsible employee(s) to coordinate its efforts to comply with Title IX of the Education Amendments of 1972 in accordance with AR 4119.12/4219.12/4319.12 - Title IX Sexual Harassment Complaint Procedures, as well as to oversee, investigate, and resolve sexual harassment complaints processed under AR 4030 - Nondiscrimination in Employment. The Title IX Coordinator(s) may be contacted at:



Human Resources Administrator

26316 Hesperian Blvd., Hayward, CA 94545

(510) 293-2916

mhenderson@edenrop.org

## Training

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

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

(cf. 4300 - Administrative and Supervisory Personnel)

Such training may be completed by employees individually or as part of a group presentation, may be completed in shorter segments as long as the applicable hourly requirement is met, and may be provided in conjunction with other training provided to the employees. The training shall be presented by trainers or educators with knowledge and expertise in the prevention of harassment, discrimination, and retaliation. (Government Code 12950.1)

The Eden Area ROP's sexual harassment training and education program shall include, but is not limited to, the following: (Government Code 12950.1; 2 CCR 11024)

1. Information and practical guidance regarding federal and state laws concerning the prohibition, prevention, and correction of sexual harassment
2. The types of conduct that constitute sexual harassment
3. Remedies available for victims in civil actions, and potential employer/individual exposure/liability
4. Strategies to prevent harassment in the workplace
5. Supervisors' obligation to report sexual harassment, discrimination, and retaliation of which they become aware
6. Practical examples which illustrate sexual harassment, discrimination, and retaliation using training modalities such as role plays, case studies, and group discussions, based on factual scenarios taken from case law, news and media accounts, and hypotheticals based on workplace situations and other sources
7. The limited confidentiality of the complaint process
8. Resources for victims of unlawful harassment, such as to whom they should report any alleged harassment
9. Steps necessary to take appropriate remedial measures to correct harassing behavior, which includes the district's obligation to conduct an effective workplace investigation of a harassment complaint
10. What to do if the supervisor is personally accused of harassment
11. The essential elements of the district's anti-harassment policy, and how to use the policy if a harassment complaint is filed

Employees shall receive a copy of the district's sexual harassment policy and administrative regulations, which they shall read and acknowledge that they have received.

12. Information, including practical examples, of harassment based on gender identity, gender expression, and sexual orientation

13. Prevention of abusive conduct, including a review of the definition and elements of abusive conduct pursuant to Government Code 12950.1, the negative effects that abusive conduct has on the victim and other in the workplace, the detrimental consequences of this conduct on employee productivity and morale, and that a single act does not constitute abusive conduct unless the act is severe or egregious

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

### **Notifications**

The Superintendent or designee shall notify employees that the Eden Area ROP does not discriminate on the basis of sex as required by Title IX, that the Title IX nondiscrimination requirement extends to employment, and that inquiries about the application of Title IX to the Eden Area ROP may be referred to the district's Title IX Coordinator and/or to the Assistant Secretary for Civil Rights, U.S. Department of Education. (34 CFR 106.8)

The Eden Area ROP shall notify employees, bargaining units, and applicants for employment of the name or title, office address, email address, and telephone number of the district's Title IX Coordinator. (34 CFR 106.8)

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

1. Be displayed in a prominent location in the main administrative building, Eden Area ROP office, or other area of the school where notices of Eden Area ROP rules, regulations, procedures, and standards of conduct are posted
2. Be provided to every Eden Area ROP employee at the beginning of the first quarter or semester of the school year or whenever a new employee is hired

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

3. Appear in any Eden Area ROP publication that sets forth the Eden Area ROP's comprehensive rules, regulations, procedures, and standards of
4. Be posted, along with the name or title and contact information of the Title IX Coordinator, in a prominent location on the district's web site (34 CFR 106.8)
5. Be included, along with the name or title and contact information of the Title IX Coordinator, in any handbook provided to employees or employee organizations (34 CFR 106.8)

All employees shall receive a copy of an information sheet prepared by the California Department of Fair Employment and Housing (DFEH) or the Eden Area ROP that contains, at a minimum, components on: (Government Code 12950)

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

In addition, the Eden Area ROP shall post, in a prominent and accessible location, the DFEH poster on discrimination in employment and the illegality of sexual harassment and the DFEH poster regarding transgender rights. (Government Code 12950)

## **Complaint Procedures**

All complaints and allegations of sexual harassment by and against employees shall be investigated and resolved in accordance with law and district procedures. The Title IX Coordinator shall review the allegations to determine the applicable procedure for responding to the complaint. All complaints that meet the definition of sexual harassment under Title IX shall be investigated and resolved in accordance with AR 4119.12/4219.12/4319.12 - Title IX Sexual Harassment Complaint Procedures. Other sexual harassment complaints shall be investigated and resolved pursuant to AR 4030 - Nondiscrimination in Employment.

If sexual harassment is found following an investigation, the Title IX Coordinator, or designee in consultation with the Coordinator, shall take prompt action to stop the sexual harassment, prevent recurrence, and address any continuing effects.

---

**Regulation 4219.11: Sexual Harassment**

**Status:** DRAFT

**Original Adopted Date:** 05/07/2020

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

**Definitions**

Sexual harassment includes, but is not limited to, unwelcome sexual advances, unwanted requests for sexual favors, or other unwanted verbal, visual, or physical conduct of a sexual nature, regardless of whether or not the conduct is motivated by sexual desire. Conduct is considered to be sexual harassment when made against another person of the same or opposite sex in the work or educational setting under any of the following conditions: (Education Code 212.5; Government Code 12940; 2 CCR 11034)

1. Submission to the conduct is made explicitly or implicitly a term or condition of the individual's employment.
2. Submission to or rejection of the conduct is used as the basis for an employment decision affecting the individual.
3. The conduct has the purpose or effect of having a negative impact upon the individual's work performance or of creating an intimidating, hostile, or offensive work environment.
4. Submission to or rejection of the conduct is used as the basis for any decision affecting the individual regarding benefits, services, honors, programs, or activities available at or through the Eden Area Regional Occupational Program (Eden Area ROP).

For purposes of applying the complaint procedures specified in Title IX of the Education Amendments of 1972, sexual harassment is defined as any of the following forms of conduct that occurs in an education program or activity in which a district school exercises substantial control over the context and respondent: (34 CFR 106.30, 106.44)

1. An Eden Area ROP employee conditioning the provision of a district aid, benefit, or service on the person's participation in unwelcome sexual conduct
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the Eden Area ROP's education program or activity
3. Sexual assault, dating violence, domestic violence, or stalking as defined in 20 USC 1092 or 34 USC 12291

**Examples of Sexual Harassment**

Examples of actions that might constitute sexual harassment under state or federal law in accordance with the definitions above, in the work or educational setting, whether committed by a supervisor, a co-worker, or a non-employee, include, but are not limited to:

1. Unwelcome verbal conduct such as sexual flirtations or propositions; graphic comments about an individual's body; overly personal conversations or pressure for sexual activity; sexual jokes or stories; unwelcome sexual slurs, epithets, threats, innuendoes, derogatory comments, sexually degrading descriptions, or the spreading of sexual rumors
2. Unwelcome visual conduct such as drawings, pictures, graffiti, or gestures; sexually explicit emails; displaying sexually suggestive objects
3. Unwelcome physical conduct such as massaging, grabbing, fondling, stroking, or brushing the body; touching an individual's body or clothes in a sexual way; cornering, blocking, leaning over, or impeding normal movements

**Title IX Coordinator/Compliance Officer**

The Eden Area ROP designates the following individual(s) as the responsible employee(s) to coordinate its efforts to comply with Title IX of the Education Amendments of 1972 in accordance with AR 4119.12/4219.12/4319.12 - Title IX Sexual Harassment Complaint Procedures, as well as to oversee, investigate, and resolve sexual harassment complaints processed under AR 4030 - Nondiscrimination in Employment. The Title IX Coordinator(s) may be contacted at:

Human Resources Administrator

26316 Hesperian Blvd., Hayward, CA 94545

(510) 293-2916

mhenderson@edenrop.org

## **Training**

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

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

(cf. 4300 - Administrative and Supervisory Personnel)

Such training may be completed by employees individually or as part of a group presentation, may be completed in shorter segments as long as the applicable hourly requirement is met, and may be provided in conjunction with other training provided to the employees. The training shall be presented by trainers or educators with knowledge and expertise in the prevention of harassment, discrimination, and retaliation. (Government Code 12950.1)

The Eden Area ROP's sexual harassment training and education program shall include, but is not limited to, the following: (Government Code 12950.1; 2 CCR 11024)

1. Information and practical guidance regarding federal and state laws concerning the prohibition, prevention, and correction of sexual harassment
2. The types of conduct that constitute sexual harassment
3. Remedies available for victims in civil actions, and potential employer/individual exposure/liability
4. Strategies to prevent harassment in the workplace
5. Supervisors' obligation to report sexual harassment, discrimination, and retaliation of which they become aware
6. Practical examples which illustrate sexual harassment, discrimination, and retaliation using training modalities such as role plays, case studies, and group discussions, based on factual scenarios taken from case law, news and media accounts, and hypotheticals based on workplace situations and other sources
7. The limited confidentiality of the complaint process
8. Resources for victims of unlawful harassment, such as to whom they should report any alleged harassment
9. Steps necessary to take appropriate remedial measures to correct harassing behavior, which includes the Eden Area ROP's obligation to conduct an effective workplace investigation of a harassment complaint
10. What to do if the supervisor is personally accused of harassment
11. The essential elements of the Eden Area ROP's anti-harassment policy, and how to use the policy if a harassment complaint is filed Employees shall receive a copy of the Eden Area ROP's sexual harassment policy and administrative regulations, which they shall read and acknowledge that they have received.
12. Information, including practical examples, of harassment based on gender identity, gender expression, and sexual orientation
13. Prevention of abusive conduct, including a review of the definition and elements of abusive conduct pursuant to

Government Code 12950.1, the negative effects that abusive conduct has on the victim and other in the workplace, the detrimental consequences of this conduct on employee productivity and morale, and that a single act does not constitute abusive conduct unless the act is severe or egregious

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

### **Notifications**

The Superintendent or designee shall notify employees that the Eden Area ROP does not discriminate on the basis of sex as required by Title IX, that the Title IX nondiscrimination requirement extends to employment, and that inquiries about the application of Title IX to the Eden Area ROP may be referred to the Eden Area ROP's Title IX Coordinator and/or to the Assistant Secretary for Civil Rights, U.S. Department of Education. (34 CFR 106.8)

The Eden Area ROP shall notify employees, bargaining units, and applicants for employment of the name or title, office address, email address, and telephone number of the Eden Area ROP's Title IX Coordinator. (34 CFR 106.8)

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

1. Be displayed in a prominent location in the main administrative building, Eden Area ROP office, or other area of the school where notices of Eden Area ROP rules, regulations, procedures, and standards of conduct are posted
2. Be provided to every Eden Area ROP employee at the beginning of the first quarter or semester of the school year or whenever a new employee is hired

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

3. Appear in any Eden Area ROP publication that sets forth the Eden Area ROP's comprehensive rules, regulations, procedures, and standards of conduct
4. Be posted, along with the name or title and contact information of the Title IX Coordinator, in a prominent location on the Eden Area ROP's web site (34 CFR 106.8)
5. Be included, along with the name or title and contact information of the Title IX Coordinator, in any handbook provided to employees or employee organizations (34 CFR 106.8)

All employees shall receive a copy of an information sheet prepared by the California Department of Fair Employment and Housing (DFEH) or the Eden Area ROP that contains, at a minimum, components on: (Government Code 12950)

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

In addition, the Eden Area ROP shall post, in a prominent and accessible location, the DFEH poster on discrimination in employment and the illegality of sexual harassment and the DFEH poster regarding transgender rights. (Government Code 12950)

### **Complaint Procedures**

All complaints and allegations of sexual harassment by and against employees shall be investigated and resolved in accordance with law and Eden Area ROP procedures. The Title IX Coordinator shall review the allegations to determine the applicable procedure for responding to the complaint. All complaints that meet the definition of sexual harassment under Title IX shall be investigated and resolved in accordance with AR 4119.12/4219.12/4319.12 - Title IX Sexual Harassment Complaint Procedures. Other sexual harassment complaints shall be investigated and resolved pursuant to AR 4030 - Nondiscrimination in Employment.

If sexual harassment is found following an investigation, the Title IX Coordinator, or designee in consultation with the Coordinator, shall take prompt action to stop the sexual harassment, prevent recurrence, and address any continuing effects.

---

**Regulation 4319.11: Sexual Harassment**

**Status:** DRAFT

**Original Adopted Date:** 05/07/2020

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

**Definitions**

Sexual harassment includes, but is not limited to, unwelcome sexual advances, unwanted requests for sexual favors, or other unwanted verbal, visual, or physical conduct of a sexual nature, regardless of whether or not the conduct is motivated by sexual desire. Conduct is considered to be sexual harassment when made against another person of the same or opposite sex in the work or educational setting under any of the following conditions:(Education Code 212.5; Government Code 12940; 2 CCR 11034)

1. Submission to the conduct is made explicitly or implicitly a term or condition of the individual's employment.
2. Submission to or rejection of the conduct is used as the basis for an employment decision affecting the individual.
3. The conduct has the purpose or effect of having a negative impact upon the individual's work performance or of creating an intimidating, hostile, or offensive work environment.
4. Submission to or rejection of the conduct is used as the basis for any decision affecting the individual regarding benefits, services, honors, programs, or activities available at or through the Eden Area Regional Occupational Program (Eden Area ROP).

For purposes of applying the complaint procedures specified in Title IX of the Education Amendments of 1972, sexual harassment is defined as any of the following forms of conduct that occurs in an education program or activity in which a district school exercises substantial control over the context and respondent: (34 CFR 106.30, 106.44)

1. An Eden Area ROP employee conditioning the provision of a district aid, benefit, or service on the person's participation in unwelcome sexual conduct
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the Eden Area ROP's education program or activity
3. Sexual assault, dating violence, domestic violence, or stalking as defined in 20 USC 1092 or 34 USC 12291

**Examples of Sexual Harassment**

Examples of actions that might constitute sexual harassment under state or federal law in accordance with the definitions above, in the work or educational setting, whether committed by a supervisor, a co-worker, or a non-employee, include, but are not limited to:

1. Unwelcome verbal conduct such as sexual flirtations or propositions; graphic comments about an individual's body; overly personal conversations or pressure for sexual activity; sexual jokes or stories; unwelcome sexual slurs, epithets, threats, innuendoes, derogatory comments, sexually degrading descriptions, or the spreading of sexual rumors
2. Unwelcome visual conduct such as drawings, pictures, graffiti, or gestures; sexually explicit emails; displaying sexually suggestive objects
3. Unwelcome physical conduct such as massaging, grabbing, fondling, stroking, or brushing the body; touching an individual's body or clothes in a sexual way; cornering, blocking, leaning over, or impeding normal movements

**Title IX Coordinator/Compliance Officer**

The Eden Area ROP designates the following individual(s) as the responsible employee(s) to coordinate its efforts to comply with Title IX of the Education Amendments of 1972 in accordance with AR 4119.12/4219.12/4319.12 -Title IX Sexual Harassment Complaint Procedures, as well as to oversee, investigate, and resolve sexual harassment complaints processed under AR 4030 - Nondiscrimination in Employment. The Title IX Coordinator(s) may be contacted at:



Human Resources Administrator

26316 Hesperian Blvd., Hayward, CA 94545

(510) 293-2916

mhenderson@edenrop.org

## Training

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

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

(cf. 4300 - Administrative and Supervisory Personnel)

Such training may be completed by employees individually or as part of a group presentation, may be completed in shorter segments as long as the applicable hourly requirement is met, and may be provided in conjunction with other training provided to the employees. The training shall be presented by trainers or educators with knowledge and expertise in the prevention of harassment, discrimination, and retaliation. (Government Code 12950.1)

The Eden Area ROP's sexual harassment training and education program shall include, but is not limited to, the following: (Government Code 12950.1; 2 CCR 11024)

1. Information and practical guidance regarding federal and state laws concerning the prohibition, prevention, and correction of sexual harassment
2. The types of conduct that constitute sexual harassment
3. Remedies available for victims in civil actions, and potential employer/individual exposure/liability
4. Strategies to prevent harassment in the workplace
5. Supervisors' obligation to report sexual harassment, discrimination, and retaliation of which they become aware
6. Practical examples which illustrate sexual harassment, discrimination, and retaliation using training modalities such as role plays, case studies, and group discussions, based on factual scenarios taken from case law, news and media accounts, and hypotheticals based on workplace situations and other sources
7. The limited confidentiality of the complaint process
8. Resources for victims of unlawful harassment, such as to whom they should report any alleged harassment
9. Steps necessary to take appropriate remedial measures to correct harassing behavior, which includes the Eden Area ROP's obligation to conduct an effective workplace investigation of a harassment complaint
10. What to do if the supervisor is personally accused of harassment
11. The essential elements of the Eden Area ROP's anti-harassment policy, and how to use the policy if a harassment complaint is filed

Employees shall receive a copy of the Eden Area ROP's sexual harassment policy and administrative regulations, which they shall read and acknowledge that they have received.

12. Information, including practical examples, of harassment based on gender identity, gender expression, and sexual

orientation

13. Prevention of abusive conduct, including a review of the definition and elements of abusive conduct pursuant to Government Code 12950.1, the negative effects that abusive conduct has on the victim and other in the workplace, the detrimental consequences of this conduct on employee productivity and morale, and that a single act does not constitute abusive conduct unless the act is severe or egregious

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

### **Notifications**

The Superintendent or designee shall notify employees that the Eden Area ROP does not discriminate on the basis of sex as required by Title IX, that the Title IX nondiscrimination requirement extends to employment, and that inquiries about the application of Title IX to the Eden Area ROP may be referred to the Eden Area ROP's Title IX Coordinator and/or to the Assistant Secretary for Civil Rights, U.S. Department of Education. (34 CFR 106.8)

The Eden Area ROP shall notify employees, bargaining units, and applicants for employment of the name or title, office address, email address, and telephone number of the Eden Area ROP's Title IX Coordinator. (34 CFR 106.8)

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

1. Be displayed in a prominent location in the main administrative building, Eden Area ROP office, or other area of the school where notices of Eden Area ROP rules, regulations, procedures, and standards of conduct are posted (Education Code 231.5)
2. Be provided to every Eden Area ROP employee at the beginning of the first quarter or semester of the school year or whenever a new employee is hired (Education Code 231.5)

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

3. Appear in any Eden Area ROP publication that sets forth the Eden Area ROP's comprehensive rules, regulations, procedures, and standards of conduct
4. Be posted, along with the name or title and contact information of the Title IX Coordinator, in a prominent location on the Eden Area ROP's web site (34 CFR 106.8)
5. Be included, along with the name or title and contact information of the Title IX Coordinator, in any handbook provided to employees or employee organizations (34 CFR 106.8)

All employees shall receive a copy of an information sheet prepared by the California Department of Fair Employment and Housing (DFEH) or the Eden Area ROP that contains, at a minimum, components on: (Government Code 12950)

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

In addition, the Eden Area ROP shall post, in a prominent and accessible location, the DFEH poster on discrimination in employment and the illegality of sexual harassment and the DFEH poster regarding transgender rights.

(Government Code 12950)

### **Complaint Procedures**

All complaints and allegations of sexual harassment by and against employees shall be investigated and resolved in accordance with law and Eden Area ROP procedures. The Title IX Coordinator shall review the allegations to determine the applicable procedure for responding to the complaint. All complaints that meet the definition of sexual harassment under Title IX shall be investigated and resolved in accordance with AR 4119.12/4219.12/4319.12 - Title IX Sexual Harassment Complaint Procedures. Other sexual harassment complaints shall be investigated and resolved pursuant to AR 4030 - Nondiscrimination in Employment.

If sexual harassment is found following an investigation, the Title IX Coordinator, or designee in consultation with the Coordinator, shall take prompt action to stop the sexual harassment, prevent recurrence, and address any continuing effects.

---

**Regulation 4119.12: Title IX Sexual Harassment Complaint Procedures**

**Status:** DRAFT

**Original Adopted Date:** Pending

The complaint procedures described in this administrative regulation shall be used to address any complaint governed by Title IX of the Education Amendments of 1972 alleging that an Eden Area Regional Occupational Program (Eden Area ROP) employee, while in an education program or activity in which an Eden Area ROP school exercises substantial control over the context and respondent, was subjected to one or more of the following forms of sexual harassment: (34 CFR 106.30, 106.44)

1. An Eden Area ROP employee conditioning the provision of an Eden Area ROP aid, benefit, or service on a person's participation in unwelcome sexual conduct
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the Eden Area ROP education program or activity
3. Sexual assault, dating violence, domestic violence, or stalking as defined in 20 USC 1092 or 34 USC 12291

All other sexual harassment complaints or allegations shall be investigated and resolved in accordance with AR 4030 - Nondiscrimination in Employment. The determination of whether the allegations meet the definition of sexual harassment under Title IX shall be made by the Eden Area ROP's Title IX Coordinator.

Because the complainant has a right to pursue a complaint under AR 4030 for any allegation that is dismissed or denied under the Title IX complaint procedure, the Title IX Coordinator shall ensure that all requirements and timelines for AR 4030 are concurrently met while implementing the Title IX procedure.

**Reporting Allegations/Filing a Formal Complaint**

An employee who is the alleged victim of sexual harassment may submit a report of sexual harassment to the Eden Area ROP's Title IX Coordinator using the contact information listed in AR 4119.11/4219.11/4319.11 - Sexual Harassment or to the employee's direct supervisor or other Eden Area ROP administrator, who shall forward the report to the Title IX Coordinator within one day of receiving the report.

Upon receiving such a report, the Title IX Coordinator shall inform the complainant of the right to file a formal complaint and the process for filing a formal complaint.

A formal complaint, with the complainant's physical or digital signature, may be filed with the Title IX Coordinator in person, by mail, by email, or by any other method authorized by the Eden Area ROP. (34 CFR 106.30)

Even if the alleged victim chooses not to file a formal complaint, the Title IX Coordinator shall file a formal complaint in situations when a safety threat exists. In addition, the Title IX Coordinator may file a formal complaint in other situations as permitted under the Title IX regulations, including as part of the Eden Area ROP's obligation to not be deliberately indifferent to known allegations of sexual harassment. In such cases, the Title IX Coordinator shall provide the alleged victim notices as required by the Title IX regulations at specific points in the complaint process.

The Title IX Coordinator, investigator, decision-maker, or a facilitator of an informal resolution process shall not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent. Such persons shall receive training in accordance with 34 CFR 106.45. (34 CFR 106.45)

**Supportive Measures**

Upon receipt of a report of Title IX sexual harassment, the Title IX Coordinator shall promptly contact the complainant to discuss the availability of supportive measures and shall consider the complainant's wishes with respect to the supportive measures implemented. Supportive measures shall be offered as appropriate, as reasonably available, and without charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures shall be nondisciplinary, nonpunitive, and not unreasonably burden the other party, including measures designed to protect the safety of all parties or the Eden Area ROP's educational environment or to deter sexual harassment. Supportive measures may include, but are not limited to, counseling, extensions of deadlines, modifications of work schedules, mutual restrictions on contact, changes in work locations, leaves of absence, increased security, and monitoring of certain areas of the campus. (34 CFR 106.30, 106.44)

The Eden Area ROP shall maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the Eden Area ROP's ability to provide the supportive measures. (34 CFR 106.30)

### **Emergency Removal**

If an Eden Area ROP employee is the respondent, the employee may be placed on administrative leave during the pendency of the formal complaint process. (34 CFR 106.44)

If the respondent is a student, the Eden Area ROP may, on an emergency basis, remove the student from the Eden Area ROP's education program or activity, provided that the Eden Area ROP conducts an individualized safety and risk analysis, determines that removal is justified due to an immediate threat to the physical health or safety of any student or other individual arising from the allegations, and provides the student with notice and an opportunity to challenge the decision immediately following the removal. This authority to remove a student does not modify a student's rights under the Individuals with Disabilities Education Act or Section 504 of the Rehabilitation Act of 1973. (34 CFR 106.44)

### **Dismissal of Complaint**

The Title IX Coordinator shall dismiss a formal complaint if the alleged conduct would not constitute sexual harassment as defined in 34 CFR 106.30 even if proved. The Title IX Coordinator shall also dismiss any complaint in which the alleged conduct did not occur in the Eden Area ROP's education program or activity or did not occur against a person in the United States, and may dismiss a formal complaint if the complainant notifies the Eden Area ROP in writing that the complainant would like to withdraw the complaint or any allegations in the complaint, the respondent is no longer employed by the Eden Area ROP, or sufficient circumstances prevent the Eden Area ROP from gathering evidence sufficient to reach a determination with regard to the complaint. (34 CFR 106.45)

Upon dismissal, the Title IX Coordinator shall promptly send written notice of the dismissal and the reasons for the dismissal simultaneously to the parties, and shall inform them of their right to appeal the dismissal of a formal complaint or any allegation in the complaint in accordance with the appeal procedures described in the section "Appeals" below. (34 CFR 106.45)

If a complaint is dismissed, the conduct may still be addressed pursuant to AR 4030 - Nondiscrimination in Employment as applicable.

### **Informal Resolution Process**

When a formal complaint of sexual harassment is filed, the Eden Area ROP may offer an informal resolution process, such as mediation, at any time prior to reaching a determination regarding responsibility. The Eden Area ROP shall not require a party to participate in the informal resolution process or to waive the right to an investigation and adjudication of a formal complaint. (34 CFR 106.45)

The Eden Area ROP may facilitate an informal resolution process provided that the Eden Area ROP: (34 CFR 106.45)

1. Provides the parties with written notice disclosing the allegations, the requirements of the informal resolution process, the right to withdraw from the informal process and resume the formal complaint process, and any consequences resulting from participating in the informal resolution process, including that records will be maintained or could be shared.
2. Obtains the parties' voluntary, written consent to the informal resolution process

### **Written Notice**

If a formal complaint is filed, the Title IX Coordinator shall provide the known parties with written notice of the following: (34 CFR 106.45)

1. The Eden Area ROP's complaint process, including any informal resolution process
2. The allegations potentially constituting sexual harassment with sufficient details known at the time, including the identity of parties involved in the incident if known, the conduct allegedly constituting sexual harassment, and the date and location of the alleged incident if known. Such notice shall be provided with sufficient time

for the parties to prepare a response before any initial interview.

If, during the course of the investigation, new Title IX allegations arise about the complainant or respondent that are not included in the initial notice, the Title IX Coordinator shall provide notice of the additional allegations to the parties.

3. A statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the complaint process
4. The opportunity for the parties to have an advisor of their choice who may be, but is not required to be, an attorney, and the ability to inspect and review evidence
5. The prohibition against knowingly making false statements or knowingly submitting false information during the complaint process

The above notice shall also include the name of the investigator, facilitator of an informal process, and decision-maker and shall inform the parties that, if at any time a party has concerns regarding conflict of interest or bias regarding any of these persons, the party should immediately notify the Title IX Coordinator.

### **Investigation Procedures**

During the investigation process, the Eden Area ROP's designated investigator shall: (34 CFR 106.45)

1. Provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence
2. Not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence
3. Provide the parties with the same opportunities to have others present during any grievance proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice, who may be, but is not required to be, an attorney
4. Not limit the choice or presence of an advisor for either the complainant or respondent in any meeting or grievance proceeding, although the Eden Area ROP may establish restrictions regarding the extent to which the advisor may participate in the proceedings as long as the restrictions apply equally to both parties
5. Provide, to a party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all investigative interviews or other meetings, with sufficient time for the party to prepare to participate
6. Send in an electronic format or hard copy to both parties and their advisors, if any, the evidence obtained as part of the investigation that is directly related to the allegations raised in the complaint, and provide the parties at least 10 days to submit a written response for the investigator to consider prior to the completion of the investigative report
7. Objectively evaluate all relevant evidence, including both inculpatory and exculpatory evidence, and determine credibility in a manner that is not based on a person's status as a complainant, respondent, or witness
8. Create an investigative report that fairly summarizes relevant evidence and, at least 10 days prior to the determination of responsibility, send to the parties and their advisors, if any, the investigative report in an electronic format or a hard copy, for their review and written response

Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence are offered to prove that someone other than the respondent committed the conduct alleged by the complainant or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent. (34 CFR 106.45)

Privacy rights of all parties to the complaint shall be maintained in accordance with applicable state and federal laws.

### **Written Decision**

The Superintendent shall designate an employee as the decision-maker to determine responsibility for the alleged conduct, who shall not be the Title IX Coordinator or a person involved in the investigation of the matter. (34 CFR 106.45)

After the investigative report has been sent to the parties but before reaching a determination regarding responsibility, the decision-maker shall afford each party the opportunity to submit written, relevant questions that the party wants asked of any party or witness, provide each party with the answers, and allow for additional, limited follow-up questions from each party

The decision-maker shall issue, and simultaneously provide to both parties, a written decision as to whether the respondent is responsible for the alleged conduct. (34 CFR 106.45)

The written decision shall be issued within 60 calendar days of the receipt of the complaint.

The timeline may be temporarily extended for good cause with written notice to the complainant and respondent of the extension and the reasons for the action. (34 CFR 106.45)

In making this determination, the decision-maker shall use the "preponderance of the evidence" standard for all formal complaints of sexual harassment. (34 CFR 106.45)

The written decision shall include the following: (34 CFR 106.45)

1. Identification of the allegations potentially constituting sexual harassment as defined in 34 CFR 106.30
2. A description of the procedural steps taken from receipt of the formal complaint through the written decision, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held if the Eden Area ROP includes hearings as part of the grievance process
3. Findings of fact supporting the determination
4. Conclusions regarding the application of the Eden Area ROP's code of conduct or policies to the facts
5. A statement of, and rationale for, the result as to each allegation, including a decision regarding responsibility, any disciplinary sanctions the Eden Area ROP's imposes on the respondent, and whether remedies designed to restore or preserve equal access to the Eden Area ROP's educational program or activity will be provided by the Eden Area ROP to the complainant
6. The Eden Area ROP's procedures and permissible bases for the complainant and respondent to appeal

## **Appeals**

Either party may appeal the Eden Area ROP's decision or dismissal of a formal complaint or any allegation in the complaint, if the party believes that a procedural irregularity affected the outcome, new evidence is available that could affect the outcome, or a conflict of interest or bias by the Title IX Coordinator, investigator(s), or decision-maker(s) affected the outcome. If an appeal is filed, the Eden Area ROP shall: (34 CFR 106.45)

1. Notify the other party in writing when an appeal is filed and implement appeal procedures equally for both parties
2. Ensure that the decision-maker(s) for the appeal is trained in accordance with 34 CFR 106.45 and is not the same decision-maker(s) who reached the determination regarding responsibility or dismissal, the investigator(s), or the Title IX Coordinator
3. Give both parties a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome
4. Issue a written decision describing the result of the appeal and the rationale for the result
5. Provide the written decision simultaneously to both parties

An appeal must be filed in writing within 10 calendar days of receiving the notice of the decision or dismissal, stating

the grounds for the appeal and including any relevant documentation in support of the appeal. Appeals submitted after this deadline are not timely and shall not be considered.

A written decision shall be provided to the parties within 20 calendar days from the receipt of the appeal.

Either party has the right to file a complaint with the U.S. Department of Education's Office for Civil Rights within 180 days of the date of the most recently alleged misconduct.

The complainant shall be advised of any civil law remedies, including, but not limited to, injunctions, restraining orders, or other remedies or orders that may be available under state or federal antidiscrimination laws, if applicable.

### **Remedies**

When a determination of responsibility for sexual harassment has been made against the respondent, the Eden Area ROP shall provide remedies to the complainant. Such remedies may include the same individualized services described above in the section "Supportive Measures," but need not be nondisciplinary or nonpunitive and need not avoid burdening the respondent. (34 CFR 106.45)

### **Disciplinary Actions**

The Eden Area ROP shall not impose any disciplinary sanctions or other actions against a respondent, other than supportive measures as described above in the section "Supportive Measures," until the complaint procedure has been completed and a determination of responsibility has been made. (34 CFR 106.44)

When an employee is found to have committed sexual harassment or retaliation, the Eden Area ROP shall take appropriate disciplinary action, up to and including dismissal, in accordance with applicable law and collective bargaining agreement.

### **Record-Keeping**

The Superintendent or designee shall maintain, for a period of seven years: (34 CFR 106.45)

1. A record of all reported cases and Title IX investigations of sexual harassment, any determinations of responsibility, any audio or audiovisual recording and transcript if applicable, any disciplinary sanctions imposed, any remedies provided to the complainant, and any appeal or informal resolution and the results therefrom.
  2. A record of any actions, including supportive measures, taken in response to a report or formal complaint of sexual harassment, including the Eden Area ROP's basis for its conclusion that its response was not deliberately indifferent, the measures taken that were designed to restore or preserve equal access to the education program or activity, and, if no supportive measures were provided to the complainant, the reasons that such a response was not unreasonable in light of the known circumstances.
  3. All materials used to train the Title IX Coordinator, investigator(s), decision-maker(s), and any person who facilitates an informal resolution process. The Eden Area ROP shall make such training materials publicly available on its web site, or if the Eden Area ROP does not maintain a web site, available upon request by members of the public.
-



**Regulation 4219.12: Title IX Sexual Harassment Complaint Procedures**

**Status:** DRAFT

**Original Adopted Date:** Pending

The complaint procedures described in this administrative regulation shall be used to address any complaint governed by Title IX of the Education Amendments of 1972 alleging that Eden Area Regional Occupational Program (Eden Area ROP) employee, while in an education program or activity in which an Eden Area ROP school exercises substantial control over the context and respondent, was subjected to one or more of the following forms of sexual harassment: (34 CFR 106.30, 106.44)

1. An Eden Area ROP employee conditioning the provision of an Eden Area ROP aid, benefit, or service on a person's participation in unwelcome sexual conduct
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the Eden Area ROP's education program or activity
3. Sexual assault, dating violence, domestic violence, or stalking as defined in 20 USC 1092 or 34 USC 12291

All other sexual harassment complaints or allegations shall be investigated and resolved in accordance with AR 4030 - Nondiscrimination in Employment. The determination of whether the allegations meet the definition of sexual harassment under Title IX shall be made by the Eden Area ROP's Title IX Coordinator.

Because the complainant has a right to pursue a complaint under AR 4030 for any allegation that is dismissed or denied under the Title IX complaint procedure, the Title IX Coordinator shall ensure that all requirements and timelines for AR 4030 are concurrently met while implementing the Title IX procedure.

**Reporting Allegations/Filing a Formal Complaint**

An employee who is the alleged victim of sexual harassment may submit a report of sexual harassment to the Eden Area ROP's Title IX Coordinator using the contact information listed in AR 4119.11/4219.11/4319.11 - Sexual Harassment or to the employee's direct supervisor or other Eden Area ROP administrator, who shall forward the report to the Title IX Coordinator within one day of receiving the report.

Upon receiving such a report, the Title IX Coordinator shall inform the complainant of the right to file a formal complaint and the process for filing a formal complaint.

A formal complaint, with the complainant's physical or digital signature, may be filed with the Title IX Coordinator in person, by mail, by email, or by any other method authorized by the Eden Area ROP. (34 CFR 106.30)

Even if the alleged victim chooses not to file a formal complaint, the Title IX Coordinator shall file a formal complaint in situations when a safety threat exists. In addition, the Title IX Coordinator may file a formal complaint in other situations as permitted under the Title IX regulations, including as part of the Eden Area ROP's obligation to not be deliberately indifferent to known allegations of sexual harassment. In such cases, the Title IX Coordinator shall provide the alleged victim notices as required by the Title IX regulations at specific points in the complaint process.

The Title IX Coordinator, investigator, decision-maker, or a facilitator of an informal resolution process shall not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent. Such persons shall receive training in accordance with 34 CFR 106.45. (34 CFR 106.45)

**Supportive Measures**

Upon receipt of a report of Title IX sexual harassment, the Title IX Coordinator shall promptly contact the complainant to discuss the availability of supportive measures and shall consider the complainant's wishes with respect to the supportive measures implemented. Supportive measures shall be offered as appropriate, as reasonably available, and without charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures shall be nondisciplinary, nonpunitive, and not unreasonably burden the other party, including measures designed to protect the safety of all parties or the Eden Area ROP's educational environment or to deter sexual harassment. Supportive measures may include, but are not limited to, counseling, extensions of deadlines, modifications of work schedules, mutual restrictions on contact, changes in work locations, leaves of absence, increased security, and monitoring of certain areas of the campus. (34 CFR 106.30, 106.44)

The Eden Area ROP shall maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the Eden Area ROP's ability to provide the supportive measures. (34 CFR 106.30)

### **Emergency Removal**

If an Eden Area ROP employee is the respondent, the employee may be placed on administrative leave during the pendency of the formal complaint process. (34 CFR 106.44)

If the respondent is a student, the Eden Area ROP may, on an emergency basis, remove the student from the Eden Area ROP's education program or activity, provided that the Eden Area ROP conducts an individualized safety and risk analysis, determines that removal is justified due to an immediate threat to the physical health or safety of any student or other individual arising from the allegations, and provides the student with notice and an opportunity to challenge the decision immediately following the removal. This authority to remove a student does not modify a student's rights under the Individuals with Disabilities Education Act or Section 504 of the Rehabilitation Act of 1973. (34 CFR 106.44)

### **Dismissal of Complaint**

The Title IX Coordinator shall dismiss a formal complaint if the alleged conduct would not constitute sexual harassment as defined in 34 CFR 106.30 even if proved. The Title IX Coordinator shall also dismiss any complaint in which the alleged conduct did not occur in the Eden Area ROP's education program or activity or did not occur against a person in the United States, and may dismiss a formal complaint if the complainant notifies the Eden Area ROP in writing that the complainant would like to withdraw the complaint or any allegations in the complaint, the respondent is no longer employed by the Eden Area ROP, or sufficient circumstances prevent the Eden Area ROP from gathering evidence sufficient to reach a determination with regard to the complaint. (34 CFR 106.45)

Upon dismissal, the Title IX Coordinator shall promptly send written notice of the dismissal and the reasons for the dismissal simultaneously to the parties, and shall inform them of their right to appeal the dismissal of a formal complaint or any allegation in the complaint in accordance with the appeal procedures described in the section "Appeals" below. (34 CFR 106.45)

If a complaint is dismissed, the conduct may still be addressed pursuant to AR 4030 - Nondiscrimination in Employment as applicable.

### **Informal Resolution Process**

When a formal complaint of sexual harassment is filed, the Eden Area ROP may offer an informal resolution process, such as mediation, at any time prior to reaching a determination regarding responsibility. The Eden Area ROP shall not require a party to participate in the informal resolution process or to waive the right to an investigation and adjudication of a formal complaint. (34 CFR 106.45)

The Eden Area ROP may facilitate an informal resolution process provided that the Eden Area ROP: (34 CFR 106.45)

1. Provides the parties with written notice disclosing the allegations, the requirements of the informal resolution process, the right to withdraw from the informal process and resume the formal complaint process, and any consequences resulting from participating in the informal resolution process, including that records will be maintained or could be shared.
2. Obtains the parties' voluntary, written consent to the informal resolution process

### **Written Notice**

If a formal complaint is filed, the Title IX Coordinator shall provide the known parties with written notice of the following: (34 CFR 106.45)

1. The Eden Area ROP's complaint process, including any informal resolution process
2. The allegations potentially constituting sexual harassment with sufficient details known at the time, including the identity of parties involved in the incident if known, the conduct allegedly constituting sexual harassment, and the date and location of the alleged incident if known. Such notice shall be provided with sufficient time

for the parties to prepare a response before any initial interview.

If, during the course of the investigation, new Title IX allegations arise about the complainant or respondent that are not included in the initial notice, the Title IX Coordinator shall provide notice of the additional allegations to the parties.

3. A statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the complaint process
4. The opportunity for the parties to have an advisor of their choice who may be, but is not required to be, an attorney, and the ability to inspect and review evidence
5. The prohibition against knowingly making false statements or knowingly submitting false information during the complaint process

The above notice shall also include the name of the investigator, facilitator of an informal process, and decision-maker and shall inform the parties that, if at any time a party has concerns regarding conflict of interest or bias regarding any of these persons, the party should immediately notify the Title IX Coordinator.

### **Investigation Procedures**

During the investigation process, the Eden Area ROP's designated investigator shall: (34 CFR 106.45)

1. Provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence
2. Not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence
3. Provide the parties with the same opportunities to have others present during any grievance proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice, who may be, but is not required to be, an attorney
4. Not limit the choice or presence of an advisor for either the complainant or respondent in any meeting or grievance proceeding, although the Eden Area ROP may establish restrictions regarding the extent to which the advisor may participate in the proceedings as long as the restrictions apply equally to both parties
5. Provide, to a party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all investigative interviews or other meetings, with sufficient time for the party to prepare to participate
6. Send in an electronic format or hard copy to both parties and their advisors, if any, the evidence obtained as part of the investigation that is directly related to the allegations raised in the complaint, and provide the parties at least 10 days to submit a written response for the investigator to consider prior to the completion of the investigative report
7. Objectively evaluate all relevant evidence, including both inculpatory and exculpatory evidence, and determine credibility in a manner that is not based on a person's status as a complainant, respondent, or witness
8. Create an investigative report that fairly summarizes relevant evidence and, at least 10 days prior to the determination of responsibility, send to the parties and their advisors, if any, the investigative report in an electronic format or a hard copy, for their review and written response

Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence are offered to prove that someone other than the respondent committed the conduct alleged by the complainant or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent. (34 CFR 106.45)

Privacy rights of all parties to the complaint shall be maintained in accordance with applicable state and federal laws.

### **Written Decision**

The Superintendent shall designate an employee as the decision-maker to determine responsibility for the alleged conduct, who shall not be the Title IX Coordinator or a person involved in the investigation of the matter. (34 CFR 106.45)

After the investigative report has been sent to the parties but before reaching a determination regarding responsibility, the decision-maker shall afford each party the opportunity to submit written, relevant questions that the party wants asked of any party or witness, provide each party with the answers, and allow for additional, limited follow-up questions from each party

The decision-maker shall issue, and simultaneously provide to both parties, a written decision as to whether the respondent is responsible for the alleged conduct. (34 CFR 106.45)

The written decision shall be issued within 60 calendar days of the receipt of the complaint.

The timeline may be temporarily extended for good cause with written notice to the complainant and respondent of the extension and the reasons for the action. (34 CFR 106.45)

In making this determination, the decision-maker shall use the "preponderance of the evidence" standard for all formal complaints of sexual harassment. (34 CFR 106.45)

The written decision shall include the following: (34 CFR 106.45)

1. Identification of the allegations potentially constituting sexual harassment as defined in 34 CFR 106.30
2. A description of the procedural steps taken from receipt of the formal complaint through the written decision, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held if the Eden Area ROP includes hearings as part of the grievance process
3. Findings of fact supporting the determination
4. Conclusions regarding the application of the Eden Area ROP's code of conduct or policies to the facts
5. A statement of, and rationale for, the result as to each allegation, including a decision regarding responsibility, any disciplinary sanctions the Eden Area ROP imposes on the respondent, and whether remedies designed to restore or preserve equal access to the Eden Area ROP's educational program or activity will be provided by the Eden Area ROP to the complainant
6. The Eden Area ROP's procedures and permissible bases for the complainant and respondent to appeal

## **Appeals**

Either party may appeal the Eden Area ROP's decision or dismissal of a formal complaint or any allegation in the complaint, if the party believes that a procedural irregularity affected the outcome, new evidence is available that could affect the outcome, or a conflict of interest or bias by the Title IX Coordinator, investigator(s), or decision-maker(s) affected the outcome. If an appeal is filed, the Eden Area ROP shall: (34 CFR 106.45)

1. Notify the other party in writing when an appeal is filed and implement appeal procedures equally for both parties
2. Ensure that the decision-maker(s) for the appeal is trained in accordance with 34 CFR 106.45 and is not the same decision-maker(s) who reached the determination regarding responsibility or dismissal, the investigator(s), or the Title IX Coordinator
3. Give both parties a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome
4. Issue a written decision describing the result of the appeal and the rationale for the result
5. Provide the written decision simultaneously to both parties

An appeal must be filed in writing within 10 calendar days of receiving the notice of the decision or dismissal, stating

the grounds for the appeal and including any relevant documentation in support of the appeal. Appeals submitted after this deadline are not timely and shall not be considered.

A written decision shall be provided to the parties within 20 calendar days from the receipt of the appeal.

Either party has the right to file a complaint with the U.S. Department of Education's Office for Civil Rights within 180 days of the date of the most recently alleged misconduct.

The complainant shall be advised of any civil law remedies, including, but not limited to, injunctions, restraining orders, or other remedies or orders that may be available under state or federal antidiscrimination laws, if applicable.

### **Remedies**

When a determination of responsibility for sexual harassment has been made against the respondent, the Eden Area ROP shall provide remedies to the complainant. Such remedies may include the same individualized services described above in the section "Supportive Measures," but need not be nondisciplinary or nonpunitive and need not avoid burdening the respondent. (34 CFR 106.45)

### **Disciplinary Actions**

The Eden Area ROP shall not impose any disciplinary sanctions or other actions against a respondent, other than supportive measures as described above in the section "Supportive Measures," until the complaint procedure has been completed and a determination of responsibility has been made. (34 CFR 106.44)

When an employee is found to have committed sexual harassment or retaliation, the Eden Area ROP shall take appropriate disciplinary action, up to and including dismissal, in accordance with applicable law and collective bargaining agreement.

### **Record-Keeping**

The Superintendent or designee shall maintain, for a period of seven years: (34 CFR 106.45)

1. A record of all reported cases and Title IX investigations of sexual harassment, any determinations of responsibility, any audio or audiovisual recording and transcript if applicable, any disciplinary sanctions imposed, any remedies provided to the complainant, and any appeal or informal resolution and the results therefrom.
  2. A record of any actions, including supportive measures, taken in response to a report or formal complaint of sexual harassment, including the Eden Area ROP's basis for its conclusion that its response was not deliberately indifferent, the measures taken that were designed to restore or preserve equal access to the education program or activity, and, if no supportive measures were provided to the complainant, the reasons that such a response was not unreasonable in light of the known circumstances.
  3. All materials used to train the Title IX Coordinator, investigator(s), decision-maker(s), and any person who facilitates an informal resolution process. The Eden Area ROP shall make such training materials publicly available on its web site, or if the Eden Area ROP does not maintain a web site, available upon request by members of the public.
-

**Regulation 4319.12: Title IX Sexual Harassment Complaint Procedures**

**Status:** DRAFT

**Original Adopted Date:** Pending

The complaint procedures described in this administrative regulation shall be used to address any complaint governed by Title IX of the Education Amendments of 1972 alleging that an Eden Area Regional Occupational Program (Eden Area ROP) employee, while in an education program or activity in which an Eden Area ROP school exercises substantial control over the context and respondent, was subjected to one or more of the following forms of sexual harassment: (34 CFR 106.30, 106.44)

1. An Eden Area ROP employee conditioning the provision of an Eden Area ROP aid, benefit, or service on a person's participation in unwelcome sexual conduct
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the Eden Area ROP's education program or activity
3. Sexual assault, dating violence, domestic violence, or stalking as defined in 20 USC 1092 or 34 USC 12291

All other sexual harassment complaints or allegations shall be investigated and resolved in accordance with AR 4030 - Nondiscrimination in Employment. The determination of whether the allegations meet the definition of sexual harassment under Title IX shall be made by the Eden Area ROP's Title IX Coordinator.

Because the complainant has a right to pursue a complaint under AR 4030 for any allegation that is dismissed or denied under the Title IX complaint procedure, the Title IX Coordinator shall ensure that all requirements and timelines for AR 4030 are concurrently met while implementing the Title IX procedure.

**Reporting Allegations/Filing a Formal Complaint**

An employee who is the alleged victim of sexual harassment may submit a report of sexual harassment to the Eden Area ROP's Title IX Coordinator using the contact information listed in AR 4119.11/4219.11/4319.11 - Sexual Harassment or to the employee's direct supervisor or other Eden Area ROP administrator, who shall forward the report to the Title IX Coordinator within one day of receiving the report.

Upon receiving such a report, the Title IX Coordinator shall inform the complainant of the right to file a formal complaint and the process for filing a formal complaint.

A formal complaint, with the complainant's physical or digital signature, may be filed with the Title IX Coordinator in person, by mail, by email, or by any other method authorized by the Eden Area ROP. (34 CFR 106.30)

Even if the alleged victim chooses not to file a formal complaint, the Title IX Coordinator shall file a formal complaint in situations when a safety threat exists. In addition, the Title IX Coordinator may file a formal complaint in other situations as permitted under the Title IX regulations, including as part of the Eden Area ROP's obligation to not be deliberately indifferent to known allegations of sexual harassment. In such cases, the Title IX Coordinator shall provide the alleged victim notices as required by the Title IX regulations at specific points in the complaint process.

The Title IX Coordinator, investigator, decision-maker, or a facilitator of an informal resolution process shall not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent. Such persons shall receive training in accordance with 34 CFR 106.45. (34 CFR 106.45)

**Supportive Measures**

Upon receipt of a report of Title IX sexual harassment, the Title IX Coordinator shall promptly contact the complainant to discuss the availability of supportive measures and shall consider the complainant's wishes with respect to the supportive measures implemented. Supportive measures shall be offered as appropriate, as reasonably available, and without charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures shall be nondisciplinary, nonpunitive, and not unreasonably burden the other party, including measures designed to protect the safety of all parties or the Eden Area ROP's educational environment or to deter sexual harassment. Supportive measures may include, but are not limited to, counseling, extensions of deadlines, modifications of work schedules, mutual restrictions on contact, changes in work locations, leaves of absence, increased security, and monitoring of certain areas of the campus. (34 CFR 106.30, 106.44)

The Eden Area ROP shall maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the Eden Area ROP's ability to provide the supportive measures. (34 CFR 106.30)

### **Emergency Removal**

If an Eden Area ROP employee is the respondent, the employee may be placed on administrative leave during the pendency of the formal complaint process. (34 CFR 106.44)

If the respondent is a student, the Eden Area ROP may, on an emergency basis, remove the student from the Eden Area ROP's education program or activity, provided that the Eden Area ROP conducts an individualized safety and risk analysis, determines that removal is justified due to an immediate threat to the physical health or safety of any student or other individual arising from the allegations, and provides the student with notice and an opportunity to challenge the decision immediately following the removal. This authority to remove a student does not modify a student's rights under the Individuals with Disabilities Education Act or Section 504 of the Rehabilitation Act of 1973. (34 CFR 106.44)

### **Dismissal of Complaint**

The Title IX Coordinator shall dismiss a formal complaint if the alleged conduct would not constitute sexual harassment as defined in 34 CFR 106.30 even if proved. The Title IX Coordinator shall also dismiss any complaint in which the alleged conduct did not occur in the Eden Area ROP's education program or activity or did not occur against a person in the United States, and may dismiss a formal complaint if the complainant notifies the Eden Area ROP in writing that the complainant would like to withdraw the complaint or any allegations in the complaint, the respondent is no longer employed by the Eden Area ROP, or sufficient circumstances prevent the Eden Area ROP from gathering evidence sufficient to reach a determination with regard to the complaint. (34 CFR 106.45)

Upon dismissal, the Title IX Coordinator shall promptly send written notice of the dismissal and the reasons for the dismissal simultaneously to the parties, and shall inform them of their right to appeal the dismissal of a formal complaint or any allegation in the complaint in accordance with the appeal procedures described in the section "Appeals" below. (34 CFR 106.45)

If a complaint is dismissed, the conduct may still be addressed pursuant to AR 4030 - Nondiscrimination in Employment as applicable.

### **Informal Resolution Process**

When a formal complaint of sexual harassment is filed, the Eden Area ROP may offer an informal resolution process, such as mediation, at any time prior to reaching a determination regarding responsibility. The district shall not require a party to participate in the informal resolution process or to waive the right to an investigation and adjudication of a formal complaint. (34 CFR 106.45)

The Eden Area ROP may facilitate an informal resolution process provided that the Eden Area ROP: (34 CFR 106.45)

1. Provides the parties with written notice disclosing the allegations, the requirements of the informal resolution process, the right to withdraw from the informal process and resume the formal complaint process, and any consequences resulting from participating in the informal resolution process, including that records will be maintained or could be shared.
2. Obtains the parties' voluntary, written consent to the informal resolution process

### **Written Notice**

If a formal complaint is filed, the Title IX Coordinator shall provide the known parties with written notice of the following: (34 CFR 106.45)

1. The Eden Area ROP's complaint process, including any informal resolution process
2. The allegations potentially constituting sexual harassment with sufficient details known at the time, including the identity of parties involved in the incident if known, the conduct allegedly constituting sexual harassment, and the date and location of the alleged incident if known. Such notice shall be provided with sufficient time

for the parties to prepare a response before any initial interview.

If, during the course of the investigation, new Title IX allegations arise about the complainant or respondent that are not included in the initial notice, the Title IX Coordinator shall provide notice of the additional allegations to the parties.

3. A statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the complaint process
4. The opportunity for the parties to have an advisor of their choice who may be, but is not required to be, an attorney, and the ability to inspect and review evidence
5. The prohibition against knowingly making false statements or knowingly submitting false information during the complaint process

The above notice shall also include the name of the investigator, facilitator of an informal process, and decision-maker and shall inform the parties that, if at any time a party has concerns regarding conflict of interest or bias regarding any of these persons, the party should immediately notify the Title IX Coordinator.

### **Investigation Procedures**

During the investigation process, the Eden Area ROP's designated investigator shall: (34 CFR 106.45)

1. Provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence
2. Not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence
3. Provide the parties with the same opportunities to have others present during any grievance proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice, who may be, but is not required to be, an attorney
4. Not limit the choice or presence of an advisor for either the complainant or respondent in any meeting or grievance proceeding, although the Eden Area ROP may establish restrictions regarding the extent to which the advisor may participate in the proceedings as long as the restrictions apply equally to both parties
5. Provide, to a party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all investigative interviews or other meetings, with sufficient time for the party to prepare to participate
6. Send in an electronic format or hard copy to both parties and their advisors, if any, the evidence obtained as part of the investigation that is directly related to the allegations raised in the complaint, and provide the parties at least 10 days to submit a written response for the investigator to consider prior to the completion of the investigative report
7. Objectively evaluate all relevant evidence, including both inculpatory and exculpatory evidence, and determine credibility in a manner that is not based on a person's status as a complainant, respondent, or witness
8. Create an investigative report that fairly summarizes relevant evidence and, at least 10 days prior to the determination of responsibility, send to the parties and their advisors, if any, the investigative report in an electronic format or a hard copy, for their review and written response

Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence are offered to prove that someone other than the respondent committed the conduct alleged by the complainant or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent. (34 CFR 106.45)

Privacy rights of all parties to the complaint shall be maintained in accordance with applicable state and federal laws.



## Written Decision

The Superintendent shall designate an employee as the decision-maker to determine responsibility for the alleged conduct, who shall not be the Title IX Coordinator or a person involved in the investigation of the matter. (34 CFR 106.45)

After the investigative report has been sent to the parties but before reaching a determination regarding responsibility, the decision-maker shall afford each party the opportunity to submit written, relevant questions that the party wants asked of any party or witness, provide each party with the answers, and allow for additional, limited follow-up questions from each party

The decision-maker shall issue, and simultaneously provide to both parties, a written decision as to whether the respondent is responsible for the alleged conduct. (34 CFR 106.45)

The written decision shall be issued within 60 calendar days of the receipt of the complaint.

The timeline may be temporarily extended for good cause with written notice to the complainant and respondent of the extension and the reasons for the action. (34 CFR 106.45)

In making this determination, the decision-maker shall use the "preponderance of the evidence" standard for all formal complaints of sexual harassment. (34 CFR 106.45)

The written decision shall include the following: (34 CFR 106.45)

1. Identification of the allegations potentially constituting sexual harassment as defined in 34 CFR 106.30
2. A description of the procedural steps taken from receipt of the formal complaint through the written decision, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held if the Eden Area ROP includes hearings as part of the grievance process
3. Findings of fact supporting the determination
4. Conclusions regarding the application of the Eden Area ROP's code of conduct or policies to the facts
5. A statement of, and rationale for, the result as to each allegation, including a decision regarding responsibility, any disciplinary sanctions the Eden Area ROP imposes on the respondent, and whether remedies designed to restore or preserve equal access to the Eden Area ROP's educational program or activity will be provided by the Eden Area ROP to the complainant
6. The Eden Area ROP's procedures and permissible bases for the complainant and respondent to appeal

## Appeals

Either party may appeal the Eden Area ROP's decision or dismissal of a formal complaint or any allegation in the complaint, if the party believes that a procedural irregularity affected the outcome, new evidence is available that could affect the outcome, or a conflict of interest or bias by the Title IX Coordinator, investigator(s), or decision-maker(s) affected the outcome. If an appeal is filed, the Eden Area ROP shall: (34 CFR 106.45)

1. Notify the other party in writing when an appeal is filed and implement appeal procedures equally for both parties
2. Ensure that the decision-maker(s) for the appeal is trained in accordance with 34 CFR 106.45 and is not the same decision-maker(s) who reached the determination regarding responsibility or dismissal, the investigator(s), or the Title IX Coordinator
3. Give both parties a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome
4. Issue a written decision describing the result of the appeal and the rationale for the result
5. Provide the written decision simultaneously to both parties

An appeal must be filed in writing within 10 calendar days of receiving the notice of the decision or dismissal, stating the grounds for the appeal and including any relevant documentation in support of the appeal. Appeals submitted after this deadline are not timely and shall not be considered.

A written decision shall be provided to the parties within 20 calendar days from the receipt of the appeal.

Either party has the right to file a complaint with the U.S. Department of Education's Office for Civil Rights within 180 days of the date of the most recently alleged misconduct.

The complainant shall be advised of any civil law remedies, including, but not limited to, injunctions, restraining orders, or other remedies or orders that may be available under state or federal antidiscrimination laws, if applicable.

### **Remedies**

When a determination of responsibility for sexual harassment has been made against the respondent, the Eden Area ROP shall provide remedies to the complainant. Such remedies may include the same individualized services described above in the section "Supportive Measures," but need not be nondisciplinary or nonpunitive and need not avoid burdening the respondent. (34 CFR 106.45)

### **Disciplinary Actions**

The Eden Area ROP shall not impose any disciplinary sanctions or other actions against a respondent, other than supportive measures as described above in the section "Supportive Measures," until the complaint procedure has been completed and a determination of responsibility has been made. (34 CFR 106.44)

When an employee is found to have committed sexual harassment or retaliation, the Eden Area ROP shall take appropriate disciplinary action, up to and including dismissal, in accordance with applicable law and collective bargaining agreement.

### **Record-Keeping**

The Superintendent or designee shall maintain, for a period of seven years: (34 CFR 106.45)

1. A record of all reported cases and Title IX investigations of sexual harassment, any determinations of responsibility, any audio or audiovisual recording and transcript if applicable, any disciplinary sanctions imposed, any remedies provided to the complainant, and any appeal or informal resolution and the results therefrom.
  2. A record of any actions, including supportive measures, taken in response to a report or formal complaint of sexual harassment, including the Eden Area ROP's basis for its conclusion that its response was not deliberately indifferent, the measures taken that were designed to restore or preserve equal access to the education program or activity, and, if no supportive measures were provided to the complainant, the reasons that such a response was not unreasonable in light of the known circumstances.
  3. All materials used to train the Title IX Coordinator, investigator(s), decision-maker(s), and any person who facilitates an informal resolution process. The Eden Area ROP shall make such training materials publicly available on its web site, or if the Eden Area ROP does not maintain a web site, available upon request by members of the public.
-

**Exhibit**

**Descriptor Code: 4119.12**

**Descriptor Code: 4219.12**

**Descriptor Code: 4319.12**

**Title IX Sexual Harassment Complaint Procedures**

---

**NOTICE OF TITLE IX SEXUAL HARASSMENT POLICY**

The Code of Federal Regulations, Title 34, Section 106.8 requires the Eden Area Regional Occupational Program (Eden Area ROP) to issue the following notification to employees, job applicants, and employee organizations:

The Eden Area ROP does not discriminate on the basis of sex in any education program or activity that it operates. The prohibition against discrimination on the basis of sex is required by federal law (20 USC 1681-1688; 34 CFR Part 106) and extends to employment. The Eden Area ROP also prohibits retaliation against any employee for filing a complaint or exercising any right granted under Title IX.

Title IX requires a school Eden Area ROP to take immediate and appropriate action to address any potential Title IX violations that are brought to its attention. Any inquiries about the application of Title IX, this notice, and who is protected by Title IX may be referred to the Eden Area ROP's Title IX Coordinator, to the Assistant Secretary for Civil Rights of the U.S. Department of Education, or both.

The Eden Area ROP has designated and authorized the following employee as the Eden Area ROP's Title IX Coordinator, to address concerns or inquiries regarding discrimination on the basis of sex, including sexual harassment, sexual assault, dating violence, domestic violence, and stalking:

Human Resources Administrator

26316 Hesperian Blvd., Hayward, CA 94545

(510) 293-2916

mhenderson@edenrop.org

Any individual may report sex discrimination, including sexual harassment, to the Title IX Coordinator or any other school employee at any time, including during non-business hours, by mail, phone, or email. During Eden Area ROP business hours, reports may also be made in person. Upon receiving an allegation of sexual harassment, the Title IX Coordinator will promptly notify the parties, in writing, of the applicable Eden Area ROP complaint procedure.

To view an electronic copy of the Eden Area ROP's policies and administrative regulations on sexual harassment, including the grievance process that complies with 34 CFR 106.45, please see BP/AR 4119.11/4219.11/4319.11 - Sexual Harassment and AR 4119.12/4219.12/4319.12 -

Title IX Sexual Harassment Complaint Procedures on the Eden Area ROP's web site at [www.edenarearop.org](http://www.edenarearop.org).

**Policy 4119.22: Dress And Grooming**

**Status:** DRAFT

**Original Adopted Date:** 05/07/2020

The Governing Board believes that appropriate dress and grooming by Eden Area Regional Occupational Program (Eden Area ROP) employees contribute to a productive learning environment and model positive behavior. During school hours and at school activities, employees shall maintain professional standards of dress and grooming that demonstrate their high regard for education, present an image consistent with their job responsibilities and assignment, and do not endanger the health or safety of employees or students. All employees shall be held to the same standards unless their assignment provides for modified dress as approved by their supervisor.

(cf. 0415 - Equity)

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

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

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

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

The Eden Area ROP shall allow employees to appear and dress in a manner consistent with their gender identity or gender expression. (Government Code 12949)

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

(cf. 4030 - Nondiscrimination in Employment)

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

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

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

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

---

**Policy 4219.22: Dress And Grooming**

**Status:** DRAFT

**Original Adopted Date:** 05/07/2020

The Governing Board believes that appropriate dress and grooming by Eden Area Regional Occupational Program (Eden Area ROP) employees contribute to a productive learning environment and model positive behavior. During school hours and at school activities, employees shall maintain professional standards of dress and grooming that demonstrate their high regard for education, present an image consistent with their job responsibilities and assignment, and do not endanger the health or safety of employees or students. All employees shall be held to the same standards unless their assignment provides for modified dress as approved by their supervisor.

(cf. 0415 - Equity)

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

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

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

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

The Eden Area ROP shall allow employees to appear and dress in a manner consistent with their gender identity or gender expression. (Government Code 12949)

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

(cf. 4030 - Nondiscrimination in Employment)

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

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

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

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

---

**Policy 4319.22: Dress And Grooming**

**Status:** DRAFT

**Original Adopted Date:** 05/07/2020

The Governing Board believes that appropriate dress and grooming by Eden Area Regional Occupational Program (Eden Area ROP) employees contribute to a productive learning environment and model positive behavior. During school hours and at school activities, employees shall maintain professional standards of dress and grooming that demonstrate their high regard for education, present an image consistent with their job responsibilities and assignment, and do not endanger the health or safety of employees or students. All employees shall be held to the same standards unless their assignment provides for modified dress as approved by their supervisor.

(cf. 0415 - Equity)

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

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

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

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

The Eden Area ROP shall allow employees to appear and dress in a manner consistent with their gender identity or gender expression. (Government Code 12949)

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

(cf. 4030 - Nondiscrimination in Employment)

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

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

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

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

---

**Policy 4119.25: Political Activities Of Employees**

**Status:** DRAFT

**Original Adopted Date:** Pending

The Governing Board recognizes the importance of political activity, voting, and civic engagement, and respects the right of Eden Area Regional Occupational Program (Eden Area ROP) employees to engage in political discussions and activities as individuals on their own time and at their own expense. When engaging in such activities, employees shall make it clear that they are acting on their own behalf and not as representatives of the Eden Area ROP.

Eden Area ROP employees, as members of the community, may use school facilities for meetings, including political activities, as permitted under the Civic Center Act and Eden Area ROP policy.

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

---

**Policy 4219.25: Political Activities Of Employees**

**Status:** DRAFT

**Original Adopted Date:** Pending

The Governing Board recognizes the importance of political activity, voting, and civic engagement, and respects the right of Eden Area Regional Occupational Program (Eden Area ROP) employees to engage in political discussions and activities as individuals on their own time and at their own expense. When engaging in such activities, employees shall make it clear that they are acting on their own behalf and not as representatives of the Eden Area ROP.

Eden Area ROP employees, as members of the community, may use school facilities for meetings, including political activities, as permitted under the Civic Center Act and Eden Area ROP policy.

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

---



**Policy 4319.25: Political Activities Of Employees**

**Status:** DRAFT

**Original Adopted Date:** Pending

The Governing Board recognizes the importance of political activity, voting, and civic engagement, and respects the right of Eden Area Regional Occupational Program (Eden Area ROP) employees to engage in political discussions and activities as individuals on their own time and at their own expense. When engaging in such activities, employees shall make it clear that they are acting on their own behalf and not as representatives of the Eden Area ROP.

Eden Area ROP employees, as members of the community, may use school facilities for meetings, including political activities, as permitted under the Civic Center Act and Eden Area ROP policy.

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

---

**Regulation 4119.25: Political Activities Of Employees**

**Status:** DRAFT

**Original Adopted Date:** Pending

No employee shall be prohibited from soliciting or receiving political funds or contributions to promote the support or defeat of a ballot measure during nonworking time, including before and after school, the lunch period, or other scheduled work intermittency during the school day. (Education Code 7056)

Eden Area Regional Occupational Program (Eden Area ROP) employees shall not:

1. Use Eden Area ROP funds, services, supplies, equipment, work hours, or other public resources to urge the support or defeat of any ballot measure or candidate, including any candidate for election to the Governing Board (Education Code 7054, 7056; Government Code 8314)
  2. Use the Eden Area ROP's seal in any campaign literature or mass mailing with the intent to deceive voters, including, but not limited to, the use of a reproduction or facsimile of the seal in a manner that creates a misleading, erroneous, or false impression that the document is authorized by the Board, a Board member, or the Eden Area ROP (Elections Code 18304)
  3. During working hours, solicit or receive any political funds or contributions to promote the passage or defeat of a ballot measure that would affect the rate of pay, hours of work, retirement, civil service or other working conditions (Education Code 7056)
  4. During working hours, solicit or receive any political funds or contributions to promote the passage or defeat of other types of ballot measures
  5. Use Eden Area ROP equipment for the preparation or reproduction of political campaign materials
  6. Post or distribute political campaign materials in classrooms, through distance learning platforms, or on Eden Area ROP property
  7. Disseminate political campaign materials through the Eden Area ROP's mail service, e-mail, or staff mailboxes
  8. Use students to write, address, or distribute political campaign materials
  9. Present viewpoints on particular candidates or ballot measures in the classroom without giving equal time to the presentation of all perspectives
  10. Wear buttons, hats, or other articles of clothing that express political opinions on ballot measures or candidates during instructional time
-

**Regulation 4219.25: Political Activities Of Employees**

**Status:** DRAFT

**Original Adopted Date:** Pending

No employee shall be prohibited from soliciting or receiving political funds or contributions to promote the support or defeat of a ballot measure during nonworking time, including before and after school, the lunch period, or other scheduled work intermittency during the school day. (Education Code 7056)

Eden Area Regional Occupational Program (Eden Area ROP) employees shall not:

1. Use Eden Area ROP funds, services, supplies, equipment, work hours, or other public resources to urge the support or defeat of any ballot measure or candidate, including any candidate for election to the Governing Board (Education Code 7054, 7056; Government Code 8314)
  2. Use the Eden Area ROP's seal in any campaign literature or mass mailing with the intent to deceive voters, including, but not limited to, the use of a reproduction or facsimile of the seal in a manner that creates a misleading, erroneous, or false impression that the document is authorized by the Board, a Board member, or the Eden Area ROP (Elections Code 18304)
  3. During working hours, solicit or receive any political funds or contributions to promote the passage or defeat of a ballot measure that would affect the rate of pay, hours of work, retirement, civil service or other working conditions (Education Code 7056)
  4. During working hours, solicit or receive any political funds or contributions to promote the passage or defeat of other types of ballot measures
  5. Use Eden Area ROP equipment for the preparation or reproduction of political campaign materials
  6. Post or distribute political campaign materials in classrooms, through distance learning platforms, or on Eden Area ROP property
  7. Disseminate political campaign materials through the Eden Area ROP's mail service, e-mail, or staff mailboxes
  8. Use students to write, address, or distribute political campaign materials
  9. Present viewpoints on particular candidates or ballot measures in the classroom without giving equal time to the presentation of all perspectives
  10. Wear buttons, hats, or other articles of clothing that express political opinions on ballot measures or candidates during instructional time
-

**Regulation 4319.25: Political Activities Of Employees**

**Status:** DRAFT

**Original Adopted Date:** Pending

No employee shall be prohibited from soliciting or receiving political funds or contributions to promote the support or defeat of a ballot measure during nonworking time, including before and after school, the lunch period, or other scheduled work intermittency during the school day. (Education Code 7056)

Eden Area Regional Occupational Program (Eden Area ROP) employees shall not:

1. Use Eden Area ROP funds, services, supplies, equipment, work hours, or other public resources to urge the support or defeat of any ballot measure or candidate, including any candidate for election to the Governing Board (Education Code 7054, 7056; Government Code 8314)
  2. Use the Eden Area ROP's seal in any campaign literature or mass mailing with the intent to deceive voters, including, but not limited to, the use of a reproduction or facsimile of the seal in a manner that creates a misleading, erroneous, or false impression that the document is authorized by the Board, a Board member, or the Eden Area ROP (Elections Code 18304)
  3. During working hours, solicit or receive any political funds or contributions to promote the passage or defeat of a ballot measure that would affect the rate of pay, hours of work, retirement, civil service or other working conditions (Education Code 7056)
  4. During working hours, solicit or receive any political funds or contributions to promote the passage or defeat of other types of ballot measures
  5. Use Eden Area ROP equipment for the preparation or reproduction of political campaign materials
  6. Post or distribute political campaign materials in classrooms, through distance learning platforms, or on Eden Area ROP property
  7. Disseminate political campaign materials through the Eden Area ROP's mail service, e-mail, or staff mailboxes
  8. Use students to write, address, or distribute political campaign materials
  9. Present viewpoints on particular candidates or ballot measures in the classroom without giving equal time to the presentation of all perspectives
  10. Wear buttons, hats, or other articles of clothing that express political opinions on ballot measures or candidates during instructional time
-

**Policy 4119.42: Exposure Control Plan For Bloodborne Pathogens**

**Status:** DRAFT

**Original Adopted Date:** 05/07/2020

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

(cf. 4119.43/4219.43/4319.43 - Universal Precautions)

(cf. 5141.21-Administering Medication and Monitoring Health Conditions)

(cf. 5141.6-School Health Services)

The exposure control plan shall be consistent with the Eden Area Regional Occupational Program's (Eden Area ROP) injury and illness prevention program established pursuant to Labor Code 6401.7 and 8 CCR 3203. (8 CCR 5193)

(cf. 4157/4257/4357 - Employee Safety)

The Superintendent or designee shall determine which employees have occupational exposure to bloodborne pathogens and other potentially infectious materials. In accordance with the Eden Area ROP's exposure control plan, employees having occupational exposure shall receive training and be offered the hepatitis B vaccination. (8 CCR 5193; 29 CFR 1910.1030)

In the event that an employee has an exposure incident, the Eden Area ROP shall implement follow-up procedures in accordance with the exposure control plan. All such incidents shall be evaluated to determine whether changes need to be made in Eden Area ROP practices.

---

**Policy 4219.42: Exposure Control Plan for Bloodborne Pathogens**

**Status:** DRAFT

**Original Adopted Date:** 05/07/2020

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

(cf. 4119.43/4219.43/4319.43 - Universal Precautions)

(cf. 5141.21-Adminstring Medication and Monitoring Health Conditions)

(cf. 5141.6-School Health Services)

The exposure control plan shall be consistent with the Eden Area Regional Occupational Program's (Eden Area ROP) injury and illness prevention program established pursuant to Labor Code 6401.7 and 8 CCR 3203. (8 CCR 5193)

(cf. 4157/4257/4357 - Employee Safety)

The Superintendent or designee shall determine which employees have occupational exposure to bloodborne pathogens and other potentially infectious materials. In accordance with the Eden Area ROP's exposure control plan, employees having occupational exposure shall receive training and be offered the hepatitis B vaccination. (8 CCR 5193; 29 CFR 1910.1030)

In the event that an employee has an exposure incident, the Eden Area ROP shall implement follow-up procedures in accordance with the exposure control plan. All such incidents shall be evaluated to determine whether changes need to be made in Eden Area ROP practices.

---

**Policy 4319.42: Exposure Control Plan for Bloodborne Pathogens**

**Status:** DRAFT

**Original Adopted Date:** 05/07/2020

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

(cf. 4119.43/4219.43/4319.43 - Universal Precautions)

(cf. 5141.21-Adminstring Medication and Monitoring Health Conditions)

(cf. 5141.6-School Health Services)

The exposure control plan shall be consistent with the Eden Area Regional Occupational Program's (Eden Area ROP) injury and illness prevention program established pursuant to Labor Code 6401.7 and 8 CCR 3203. (8 CCR 5193)

(cf. 4157/4257/4357-Employee Safety)

The Superintendent or designee shall determine which employees have occupational exposure to bloodborne pathogens and other potentially infectious materials. In accordance with the Eden Area ROP's exposure control plan, employees having occupational exposure shall receive training and be offered the hepatitis B vaccination. (8 CCR 5193; 29 CFR 1910.1030)

In the event that an employee has an exposure incident, the Eden Area ROP shall implement follow-up procedures in accordance with the exposure control plan. All such incidents shall be evaluated to determine whether changes need to be made in Eden Area ROP practices.

---

**Regulation 4119.42: Exposure Control Plan For Bloodborne Pathogens**

Status: DRAFT

Original Adopted Date: 05/07/2020

**Definitions**

Occupational exposure means reasonably anticipated skin, eye, mucous membrane, or parenteral contact with blood or other potentially infectious materials that may result from the performance of an employee's duties. (8 CCR 5193; 29 CFR 1910.1030)

Exposure incident means a specific eye, mouth, other mucous membrane, nonintact skin, or parenteral contact with blood or other potentially infectious materials that result from the performance of an employee's duties. (8 CCR 5193 ; 29 CFR 1910.1030)

Parenteral contact means piercing mucous membranes or the skin barrier through such events as needlesticks, human bites, cuts, and abrasions. (8 CCR 5193; 29 CFR 1910.1030)

A sharp is any object that can be reasonably anticipated to penetrate the skin or any other part of the body and to result in an exposure incident. (8 CCR 5193)

A sharps injury is any injury caused by a sharp, including, but not limited to, cuts, abrasions, or needlesticks. (8 CCR 5193)

Work practice controls are controls that reduce the likelihood of exposure by defining the manner in which a task is performed. (8 CCR 5193; 29 CFR 1910.1030)

Engineering controls are controls, such as sharps disposal containers, needleless systems, and sharps with engineered sharps injury protection, that isolate or remove the bloodborne pathogens hazard from the workplace. (8 CCR 5193; 29 CFR 1910.1030)

Engineered sharps injury protection is a physical attribute, such as a barrier, blunting, encapsulation, withdrawal, or other effective mechanism, built into a needle device or into a non-needle sharp which effectively reduces the risk of an exposure incident. (8 CCR 5193; 29 CFR 1910.1030)

Personal protective equipment is specialized clothing or equipment worn or used by an employee for protection against a hazard, such as gloves, gowns, laboratory coats, face shields or masks. (8 CCR 5193)

**Exposure Control Plan**

The Eden Area Regional Occupational Program's (Eden Area ROP) written exposure control plan for bloodborne pathogens shall contain at least the following components: (8 CCR 5193; 29 CFR 1910.1030)

1. A determination of which employees have occupational exposure to blood or other potentially infectious materials, which shall be made without regard to employee's use of personal protective equipment and shall include a list of:

- a. All job classifications in which all employees have occupational exposure
- b. Job classifications in which some employees have occupational exposure
- c. All tasks and procedures, or groups of closely related tasks and procedures, in which occupational exposure occurs and which are performed by employees listed in item #1b above

(cf. 5141.21-Adminstring Medication and Monitoring Health Conditions)  
(cf. 5141.6-School Health Services)

2. The schedule and method of implementing each of the following in accordance with 8 CCR 5193 and this administrative regulation :

- a. Methods of compliance required by 8 CCR 5193(d) and 29 CFR 1910.1030, including universal precautions, general and specific engineering and work practice controls, and personal protective equipment

(cf. 4119.43/4219.43/4319.43 - Universal Precautions)



- b. Hepatitis B vaccination
  - c. Bloodborne pathogen post-exposure evaluation and follow-up
  - d. Communication of hazards to employees through information and training
  - e. Recordkeeping, including medical records, training records, and a log of sharps injuries
3. The Eden Area ROP's procedure for documenting the route(s) of exposure and the circumstances under which exposure incidents occurred
  4. An effective procedure for gathering information about each exposure incident involving a sharp
  5. An effective procedure for periodically determining the frequency of use of the types and brands of sharps involved in exposure incidents
  6. An effective procedure for identifying currently available engineering controls and selecting such controls, as appropriate, for the procedures performed by employees in their work areas or departments
  7. An effective procedure for documenting instances when a licensed healthcare professional directly involved in care determines that the use of an engineering control would jeopardize the employee's safety or the success of a medical, dental or nursing procedure involving the employee
  8. An effective procedure for obtaining the active involvement of employees in reviewing and updating the exposure control plan with respect to the procedures performed by employees in their respective work areas or departments

The exposure control plan shall be reviewed and updated at least annually and whenever necessary to: (8 CCR 5193; 29 CFR 1910.1030)

1. Reflect new or modified tasks and procedures affecting occupational exposure
2. Reflect changes in technology that eliminate or reduce exposure to bloodborne pathogens and, to the extent that sharps are used in the Eden Area ROP, document consideration and implementation of appropriate commercially available needleless systems and needle devices and sharps with engineered sharps injury protection
3. Include new or revised employee positions with occupational exposure
4. Review and evaluate the exposure incidents which occurred since the previous update
5. Review and respond to information indicating that the exposure control plan is deficient in any area

The Eden Area ROP's exposure control plan shall be accessible to employees upon request. (8 CCR 3204, 5193 (c); 29 CFR 1910.1030)

### **Preventive Measures**

The Superintendent or designee shall use engineering controls and work practice controls as defined above, to eliminate or minimize employee exposure to bloodborne pathogens. Engineering controls and work practice controls shall be evaluated on a regular schedule and, as applicable, maintained, replaced, or updated to ensure their effectiveness. (8 CCR 5193; 29 CFR 1910.1030)

Whenever potential occupational exposure continues to exist after institution of engineering and work practice controls, the Eden Area ROP shall provide, at no cost to the employee, appropriate personal protective equipment. (8 CCR 5193; 29 CFR 1910.1030)

Employees shall observe universal precautions to prevent contact with blood or other potentially infectious materials, including, but not limited to, handwashing, proper use of personal protective equipment, and proper disposal or washing of contaminated garments or objects. (8 CCR 5193; 29 CFR 1910.1030)

Any use of needleless systems, needle devices, or non-needle sharps shall adhere to the specific requirements of 8 CCR 5193(d) and 29 CFR 1910.1030.

### **Pre-Exposure Hepatitis B Vaccination**

The hepatitis B vaccination and vaccination series shall be made available at no cost to all employees who have occupational exposure. The hepatitis B vaccination shall be made available after an employee with occupational exposure has received the required training and within 10 working days of initial assignment, unless the employee has previously received the complete hepatitis B vaccination series, antibody testing has revealed that the employee is immune, or vaccination is contraindicated for medical reasons. (8 CCR 5193; 29 CFR 1910.1030)

Employees who decline to accept the vaccination shall sign the hepatitis B declination statement. (8 CCR 5193; 29 CFR 1910.1030)

The Superintendent or designee may exempt from the pre-exposure hepatitis B vaccine designated first aid providers whose primary job assignment is not the rendering of first aid, provided that the district implements the procedures in its exposure control plan for providing hepatitis B vaccine to all unvaccinated first aid providers who have rendered assistance in any situation involving the presence of blood or other potentially infectious materials and provides appropriate follow-up for those who experience an exposure incident. (8 CCR 5193)

### **Training**

The Superintendent or designee shall ensure that all employees with occupational exposure participate in a training program at the time of initial assignment to tasks where occupational exposure may take place and at least annually thereafter. The training shall be offered during working hours and at no cost to the employee. (8 CCR 5193; 29 CFR 1910.1030)

The training shall address, at a minimum: (8 CCR 5193; 29 CFR 1910.1030)

1. The exposure control standard contained in 8 CCR 5193 and 29 CFR 1910.1030
2. The epidemiology and symptoms of bloodborne diseases
3. Modes of transmission of bloodborne pathogens
4. The district's exposure control plan and the means by which employees may obtain a copy of the written plan
5. Appropriate methods for recognizing tasks and other activities that may involve exposure to blood and other potentially infectious materials
6. The use and limitations of methods to prevent or reduce exposure, including appropriate engineering controls, administrative or work practice controls, and personal protective equipment
7. The types, proper use, location, removal, handling, decontamination, and disposal of personal protective equipment
8. The basis for selecting personal protective equipment
9. The hepatitis B vaccine, including its efficacy, safety, and method of administration; the benefits of being vaccinated; and that the vaccine will be offered free of charge
10. Appropriate actions to take and persons to contact in an emergency or exposure incident involving blood or other potentially infectious materials
11. The post-exposure evaluation and follow-up that the district is required to provide for the employee following an exposure incident

Additional training shall be provided to affected employees whenever a change, such as the introduction or modification of tasks or procedures or the introduction of new engineering, administrative, or work practice controls, affects the employee's exposure. The additional training may be limited to addressing the new exposures created. (8 CCR 5193; 29 CFR 1910.1030)

Designated first aid providers shall receive training that includes the specifics of reporting first-aid incidents which involve blood or body fluids which are potentially infectious. (8 CCR 5193)

## Reporting Incidents

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

Unvaccinated designated first aid providers must report any first aid incident involving the presence of blood or other potentially infectious material, regardless of whether an exposure incident occurred, by the end of the work shift. The full hepatitis B vaccination series shall be made available to such employees no later than 24 hours after the first aid incident. (8 CCR 5193)

## Sharps Injury Log

The Superintendent or designee shall establish and maintain a log recording each exposure incident involving a sharp. (8 CCR 5193; 29 CFR 1910.1030)

The exposure incident shall be recorded within 14 working days of the date the incident is reported to the district. (8 CCR 5193)

The information recorded shall include the following, if known or reasonably available: (8 CCR 5193; 29 CFR 1910.1030)

1. Date and time of the exposure incident
2. Type and brand of sharp involved in the exposure incident
3. A description of the exposure incident, including:
  - a. Job classification of the exposed employee
  - b. Department or work area where the exposure incident occurred
  - c. The procedure that the exposed employee was performing at the time of the incident
  - d. How the incident occurred
  - e. The body part involved in the incident
  - f. If the sharp had engineered sharps injury protection, whether the protective mechanism was activated and whether the injury occurred before, during or after the protective mechanism was activated
  - g. If the sharp had no engineered sharps injury protection, the injured employee's opinion as to whether and how such a mechanism could have prevented the injury
  - h. The employee's opinion about whether any other engineering, administrative or work practice could have prevented the injury

## Post-Exposure Evaluation and Follow-up

Following a report of an exposure incident, the Superintendent or designee shall immediately make available to the exposed employee, at no cost, a confidential medical evaluation, post-exposure evaluation and follow-up. The Superintendent or designee shall, at a minimum: (8 CCR 5193; 29 CFR 1910.1030)

1. Document the route(s) of exposure and the circumstances under which the exposure incident occurred
2. Identify and document the source individual, unless that identification is infeasible or is prohibited by law
3. With the consent of the exposed employee, provide for the collection and testing of the employee's blood for hepatitis B, hepatitis C and HIV serological status
4. Provide for post-exposure prophylaxis, when medically indicated, as recommended by the U.S. Public Health Service
5. Provide for counseling and evaluation of reported illnesses

The Superintendent or designee shall provide the health care professional responsible for the employee's hepatitis B vaccination with a copy of 8 CCR 5193 and 29 CFR 1910.1030; a description of the employee's duties as they relate

to the exposure incident; documentation of the route(s) of exposure and circumstances under which exposure occurred; results of the source individual's blood testing, if available; and all medical records maintained by the Eden Area ROP relevant to the appropriate treatment of the employee, including vaccination status. (8 CCR 5193; 29 CFR 1910.1030)

The Eden Area ROP shall maintain the confidentiality of the affected employee and the exposure source during all phases of the post-exposure evaluation. (8 CCR 5193)

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

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

## **Records**

Upon an employee's initial employment and at least annually thereafter, the Superintendent or designee shall inform employees with occupational exposure of the existence, location and availability of related records; the person responsible for maintaining and providing access to records; and the employee's right of access to these records. (8 CCR 3204)

(cf. 1340 - Access to District Records)

(cf. 3580 - District Records)

(cf. 4112.9/4219.9/4312.9-Employee Notifications)

The district shall maintain a medical record of each employee with occupational exposure, including the employee's hepatitis B vaccination status, the results of any post-exposure medical examinations and follow-up procedures, a copy of the information provided to the health care professional, and a copy of the health care professional's written opinion. The medical record shall be kept confidential and not disclosed or reported without the employee's written consent to any person within or outside the workplace except as required by law. (8 CCR 5193; 29 CFR 1910.1030)

Upon request by an employee, or a designated representative with the employee's written consent, the Superintendent or designee shall provide access to a record in a reasonable time, place and manner, no later than 15 days after the request is made. (8 CCR 3204)

Records shall be maintained as follows: (8 CCR 3204, 5193; 29 CFR 1910.1030)

1. The medical records of each employee with occupational exposure shall be maintained for the duration of employment plus 30 years.
  2. Training records shall be maintained for three years from the date of training.
  3. The sharps injury log shall be maintained five years from the date the exposure incident occurred.
  4. Exposure records shall be maintained for at least 30 years.
  5. Each analysis using medical or exposure records shall be maintained for at least 30 years.
-

**Regulation 4219.42: Exposure Control Plan for Bloodborne Pathogens**

**Status:** DRAFT

**Original Adopted Date:** 05/07/2020

**Definitions**

Occupational exposure means reasonably anticipated skin, eye, mucous membrane, or parenteral contact with blood or other potentially infectious materials that may result from the performance of an employee's duties. (8 CCR 5193; 29 CFR 1910.1030)

Exposure incident means a specific eye, mouth, other mucous membrane, nonintact skin, or parenteral contact with blood or other potentially infectious materials that result from the performance of an employee's duties. (8 CCR 5193 ; 29 CFR 1910.1030)

Parenteral contact means piercing mucous membranes or the skin barrier through such events as needlesticks, human bites, cuts, and abrasions. (8 CCR 5193; 29 CFR 1910.1030)

A sharp is any object that can be reasonably anticipated to penetrate the skin or any other part of the body and to result in an exposure incident. (8 CCR 5193)

A sharps injury is any injury caused by a sharp, including, but not limited to, cuts, abrasions, or needlesticks. (8 CCR 5193)

Work practice controls are controls that reduce the likelihood of exposure by defining the manner in which a task is performed. (8 CCR 5193; 29 CFR 1910.1030)

Engineering controls are controls, such as sharps disposal containers, needleless systems, and sharps with engineered sharps injury protection, that isolate or remove the bloodborne pathogens hazard from the workplace. (8 CCR 5193; 29 CFR 1910.1030)

Engineered sharps injury protection is a physical attribute, such as a barrier, blunting, encapsulation, withdrawal, or other effective mechanism, built into a needle device or into a non-needle sharp which effectively reduces the risk of an exposure incident. (8 CCR 5193; 29 CFR 1910.1030)

Personal protective equipment is specialized clothing or equipment worn or used by an employee for protection against a hazard, such as gloves, gowns, laboratory coats, face shields or masks. (8 CCR 5193)

**Exposure Control Plan**

The Eden Area Regional Occupational Program's (Eden Area ROP) written exposure control plan for bloodborne pathogens shall contain at least the following components: (8 CCR 5193; 29 CFR 1910.1030)

1. A determination of which employees have occupational exposure to blood or other potentially infectious materials, which shall be made without regard to employee's use of personal protective equipment and shall include a list of:

- a. All job classifications in which all employees have occupational exposure
- b. Job classifications in which some employees have occupational exposure
- c. All tasks and procedures, or groups of closely related tasks and procedures, in which occupational exposure occurs and which are performed by employees listed in item #1b above

(cf. 5141.21-Adminstring Medication and Monitoring Health Conditions)  
(cf. 5141.6-School Health Services)

2. The schedule and method of implementing each of the following in accordance with 8 CCR 5193 and this administrative regulation :

- a. Methods of compliance required by 8 CCR 5193(d) and 29 CFR 1910.1030, including universal precautions, general and specific engineering and work practice controls, and personal protective equipment

(cf. 4119.43/4219.43/4319.43 - Universal Precautions)

- b. Hepatitis B vaccination
  - c. Bloodborne pathogen post-exposure evaluation and follow-up
  - d. Communication of hazards to employees through information and training
  - e. Recordkeeping, including medical records, training records, and a log of sharps injuries
3. The Eden Area ROP's procedure for documenting the route(s) of exposure and the circumstances under which exposure incidents occurred
  4. An effective procedure for gathering information about each exposure incident involving a sharp
  5. An effective procedure for periodically determining the frequency of use of the types and brands of sharps involved in exposure incidents
  6. An effective procedure for identifying currently available engineering controls and selecting such controls, as appropriate, for the procedures performed by employees in their work areas or departments
  7. An effective procedure for documenting instances when a licensed healthcare professional directly involved in care determines that the use of an engineering control would jeopardize the employee's safety or the success of a medical, dental or nursing procedure involving the employee
  8. An effective procedure for obtaining the active involvement of employees in reviewing and updating the exposure control plan with respect to the procedures performed by employees in their respective work areas or departments

The exposure control plan shall be reviewed and updated at least annually and whenever necessary to: (8 CCR 5193; 29 CFR 1910.1030)

1. Reflect new or modified tasks and procedures affecting occupational exposure
2. Reflect changes in technology that eliminate or reduce exposure to bloodborne pathogens and, to the extent that sharps are used in the Eden Area ROP, document consideration and implementation of appropriate commercially available needleless systems and needle devices and sharps with engineered sharps injury protection
3. Include new or revised employee positions with occupational exposure
4. Review and evaluate the exposure incidents which occurred since the previous update
5. Review and respond to information indicating that the exposure control plan is deficient in any area

The Eden Area ROP's exposure control plan shall be accessible to employees upon request. (8 CCR 3204, 5193 (c); 29 CFR 1910.1030)

### **Preventive Measures**

The Superintendent or designee shall use engineering controls and work practice controls as defined above, to eliminate or minimize employee exposure to bloodborne pathogens. Engineering controls and work practice controls shall be evaluated on a regular schedule and, as applicable, maintained, replaced, or updated to ensure their effectiveness. (8 CCR 5193; 29 CFR 1910.1030)

Whenever potential occupational exposure continues to exist after institution of engineering and work practice controls, the Eden Area ROP shall provide, at no cost to the employee, appropriate personal protective equipment. (8 CCR 5193; 29 CFR 1910.1030)

Employees shall observe universal precautions to prevent contact with blood or other potentially infectious materials, including, but not limited to, handwashing, proper use of personal protective equipment, and proper disposal or washing of contaminated garments or objects. (8 CCR 5193; 29 CFR 1910.1030)

Any use of needleless systems, needle devices, or non-needle sharps shall adhere to the specific requirements of 8 CCR 5193(d) and 29 CFR 1910.1030.

### **Pre-Exposure Hepatitis B Vaccination**

The hepatitis B vaccination and vaccination series shall be made available at no cost to all employees who have occupational exposure. The hepatitis B vaccination shall be made available after an employee with occupational exposure has received the required training and within 10 working days of initial assignment, unless the employee has previously received the complete hepatitis B vaccination series, antibody testing has revealed that the employee is immune, or vaccination is contraindicated for medical reasons. (8 CCR 5193; 29 CFR 1910.1030)

Employees who decline to accept the vaccination shall sign the hepatitis B declination statement. (8 CCR 5193; 29 CFR 1910.1030)

The Superintendent or designee may exempt from the pre-exposure hepatitis B vaccine designated first aid providers whose primary job assignment is not the rendering of first aid, provided that the district implements the procedures in its exposure control plan for providing hepatitis B vaccine to all unvaccinated first aid providers who have rendered assistance in any situation involving the presence of blood or other potentially infectious materials and provides appropriate follow-up for those who experience an exposure incident. (8 CCR 5193)

### **Training**

The Superintendent or designee shall ensure that all employees with occupational exposure participate in a training program at the time of initial assignment to tasks where occupational exposure may take place and at least annually thereafter. The training shall be offered during working hours and at no cost to the employee. (8 CCR 5193; 29 CFR 1910.1030)

The training shall address, at a minimum: (8 CCR 5193; 29 CFR 1910.1030)

1. The exposure control standard contained in 8 CCR 5193 and 29 CFR 1910.1030
2. The epidemiology and symptoms of bloodborne diseases
3. Modes of transmission of bloodborne pathogens
4. The district's exposure control plan and the means by which employees may obtain a copy of the written plan
5. Appropriate methods for recognizing tasks and other activities that may involve exposure to blood and other potentially infectious materials
6. The use and limitations of methods to prevent or reduce exposure, including appropriate engineering controls, administrative or work practice controls, and personal protective equipment
7. The types, proper use, location, removal, handling, decontamination, and disposal of personal protective equipment
8. The basis for selecting personal protective equipment
9. The hepatitis B vaccine, including its efficacy, safety, and method of administration; the benefits of being vaccinated; and that the vaccine will be offered free of charge
10. Appropriate actions to take and persons to contact in an emergency or exposure incident involving blood or other potentially infectious materials
11. The post-exposure evaluation and follow-up that the district is required to provide for the employee following an exposure incident

Additional training shall be provided to affected employees whenever a change, such as the introduction or modification of tasks or procedures or the introduction of new engineering, administrative, or work practice controls, affects the employee's exposure. The additional training may be limited to addressing the new exposures created. (8 CCR 5193; 29 CFR 1910.1030)

Designated first aid providers shall receive training that includes the specifics of reporting first-aid incidents which involve blood or body fluids which are potentially infectious. (8 CCR 5193)

## Reporting Incidents

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

Unvaccinated designated first aid providers must report any first aid incident involving the presence of blood or other potentially infectious material, regardless of whether an exposure incident occurred, by the end of the work shift. The full hepatitis B vaccination series shall be made available to such employees no later than 24 hours after the first aid incident. (8 CCR 5193)

## Sharps Injury Log

The Superintendent or designee shall establish and maintain a log recording each exposure incident involving a sharp. (8 CCR 5193; 29 CFR 1910.1030)

The exposure incident shall be recorded within 14 working days of the date the incident is reported to the district. (8 CCR 5193)

The information recorded shall include the following, if known or reasonably available: (8 CCR 5193; 29 CFR 1910.1030)

1. Date and time of the exposure incident
2. Type and brand of sharp involved in the exposure incident
3. A description of the exposure incident, including:
  - a. Job classification of the exposed employee
  - b. Department or work area where the exposure incident occurred
  - c. The procedure that the exposed employee was performing at the time of the incident
  - d. How the incident occurred
  - e. The body part involved in the incident
  - f. If the sharp had engineered sharps injury protection, whether the protective mechanism was activated and whether the injury occurred before, during or after the protective mechanism was activated
  - g. If the sharp had no engineered sharps injury protection, the injured employee's opinion as to whether and how such a mechanism could have prevented the injury
  - h. The employee's opinion about whether any other engineering, administrative or work practice could have prevented the injury

## Post-Exposure Evaluation and Follow-up

Following a report of an exposure incident, the Superintendent or designee shall immediately make available to the exposed employee, at no cost, a confidential medical evaluation, post-exposure evaluation and follow-up. The Superintendent or designee shall, at a minimum: (8 CCR 5193; 29 CFR 1910.1030)

1. Document the route(s) of exposure and the circumstances under which the exposure incident occurred
2. Identify and document the source individual, unless that identification is infeasible or is prohibited by law
3. With the consent of the exposed employee, provide for the collection and testing of the employee's blood for hepatitis B, hepatitis C and HIV serological status
4. Provide for post-exposure prophylaxis, when medically indicated, as recommended by the U.S. Public Health Service
5. Provide for counseling and evaluation of reported illnesses

The Superintendent or designee shall provide the health care professional responsible for the employee's hepatitis B vaccination with a copy of 8 CCR 5193 and 29 CFR 1910.1030; a description of the employee's duties as they relate



to the exposure incident; documentation of the route(s) of exposure and circumstances under which exposure occurred; results of the source individual's blood testing, if available; and all medical records maintained by the Eden Area ROP relevant to the appropriate treatment of the employee, including vaccination status. (8 CCR 5193; 29 CFR 1910.1030)

The Eden Area ROP shall maintain the confidentiality of the affected employee and the exposure source during all phases of the post-exposure evaluation. (8 CCR 5193)

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

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

## **Records**

Upon an employee's initial employment and at least annually thereafter, the Superintendent or designee shall inform employees with occupational exposure of the existence, location and availability of related records; the person responsible for maintaining and providing access to records; and the employee's right of access to these records. (8 CCR 3204)

(cf. 1340 - Access to District Records)

(cf. 3580 - District Records)

(cf. 4112.9/4219.9/4312.9-Employee Notifications)

The district shall maintain a medical record of each employee with occupational exposure, including the employee's hepatitis B vaccination status, the results of any post-exposure medical examinations and follow-up procedures, a copy of the information provided to the health care professional, and a copy of the health care professional's written opinion. The medical record shall be kept confidential and not disclosed or reported without the employee's written consent to any person within or outside the workplace except as required by law. (8 CCR 5193; 29 CFR 1910.1030)

Upon request by an employee, or a designated representative with the employee's written consent, the Superintendent or designee shall provide access to a record in a reasonable time, place and manner, no later than 15 days after the request is made. (8 CCR 3204)

Records shall be maintained as follows: (8 CCR 3204, 5193; 29 CFR 1910.1030)

1. The medical records of each employee with occupational exposure shall be maintained for the duration of employment plus 30 years.
  2. Training records shall be maintained for three years from the date of training.
  3. The sharps injury log shall be maintained five years from the date the exposure incident occurred.
  4. Exposure records shall be maintained for at least 30 years.
  5. Each analysis using medical or exposure records shall be maintained for at least 30 years.
-

**Regulation 4319.42: Exposure Control Plan for Bloodborne Pathogens**

Status: DRAFT

Original Adopted Date: 05/07/2020

**Definitions**

Occupational exposure means reasonably anticipated skin, eye, mucous membrane, or parenteral contact with blood or other potentially infectious materials that may result from the performance of an employee's duties. (8 CCR 5193; 29 CFR 1910.1030)

Exposure incident means a specific eye, mouth, other mucous membrane, nonintact skin, or parenteral contact with blood or other potentially infectious materials that result from the performance of an employee's duties. (8 CCR 5193 ; 29 CFR 1910.1030)

Parenteral contact means piercing mucous membranes or the skin barrier through such events as needlesticks, human bites, cuts, and abrasions. (8 CCR 5193; 29 CFR 1910.1030)

A sharp is any object that can be reasonably anticipated to penetrate the skin or any other part of the body and to result in an exposure incident. (8 CCR 5193)

A sharps injury is any injury caused by a sharp, including, but not limited to, cuts, abrasions, or needlesticks. (8 CCR 5193)

Work practice controls are controls that reduce the likelihood of exposure by defining the manner in which a task is performed. (8 CCR 5193; 29 CFR 1910.1030)

Engineering controls are controls, such as sharps disposal containers, needleless systems, and sharps with engineered sharps injury protection, that isolate or remove the bloodborne pathogens hazard from the workplace. (8 CCR 5193; 29 CFR 1910.1030)

Engineered sharps injury protection is a physical attribute, such as a barrier, blunting, encapsulation, withdrawal, or other effective mechanism, built into a needle device or into a non-needle sharp which effectively reduces the risk of an exposure incident. (8 CCR 5193; 29 CFR 1910.1030)

Personal protective equipment is specialized clothing or equipment worn or used by an employee for protection against a hazard, such as gloves, gowns, laboratory coats, face shields or masks. (8 CCR 5193)

**Exposure Control Plan**

The Eden Area Regional Occupational Program's (Eden Area ROP) written exposure control plan for bloodborne pathogens shall contain at least the following components: (8 CCR 5193; 29 CFR 1910.1030)

1. A determination of which employees have occupational exposure to blood or other potentially infectious materials, which shall be made without regard to employee's use of personal protective equipment and shall include a list of:

- a. All job classifications in which all employees have occupational exposure
- b. Job classifications in which some employees have occupational exposure
- c. All tasks and procedures, or groups of closely related tasks and procedures, in which occupational exposure occurs and which are performed by employees listed in item #1b above

(cf. 5141.21-Adminstring Medication and Monitoring Health Conditions)  
(cf. 5141.6-School Health Services)

2. The schedule and method of implementing each of the following in accordance with 8 CCR 5193 and this administrative regulation :

- a. Methods of compliance required by 8 CCR 5193(d) and 29 CFR 1910.1030, including universal precautions, general and specific engineering and work practice controls, and personal protective equipment

(cf. 4119.43/4219.43/4319.43 - Universal Precautions)

- b. Hepatitis B vaccination
  - c. Bloodborne pathogen post-exposure evaluation and follow-up
  - d. Communication of hazards to employees through information and training
  - e. Recordkeeping, including medical records, training records, and a log of sharps injuries
3. The Eden Area ROP's procedure for documenting the route(s) of exposure and the circumstances under which exposure incidents occurred
  4. An effective procedure for gathering information about each exposure incident involving a sharp
  5. An effective procedure for periodically determining the frequency of use of the types and brands of sharps involved in exposure incidents
  6. An effective procedure for identifying currently available engineering controls and selecting such controls, as appropriate, for the procedures performed by employees in their work areas or departments
  7. An effective procedure for documenting instances when a licensed healthcare professional directly involved in care determines that the use of an engineering control would jeopardize the employee's safety or the success of a medical, dental or nursing procedure involving the employee
  8. An effective procedure for obtaining the active involvement of employees in reviewing and updating the exposure control plan with respect to the procedures performed by employees in their respective work areas or departments

The exposure control plan shall be reviewed and updated at least annually and whenever necessary to: (8 CCR 5193; 29 CFR 1910.1030)

1. Reflect new or modified tasks and procedures affecting occupational exposure
2. Reflect changes in technology that eliminate or reduce exposure to bloodborne pathogens and, to the extent that sharps are used in the Eden Area ROP, document consideration and implementation of appropriate commercially available needleless systems and needle devices and sharps with engineered sharps injury protection
3. Include new or revised employee positions with occupational exposure
4. Review and evaluate the exposure incidents which occurred since the previous update
5. Review and respond to information indicating that the exposure control plan is deficient in any area

The Eden Area ROP's exposure control plan shall be accessible to employees upon request. (8 CCR 3204, 5193 (c); 29 CFR 1910.1030)

### **Preventive Measures**

The Superintendent or designee shall use engineering controls and work practice controls as defined above, to eliminate or minimize employee exposure to bloodborne pathogens. Engineering controls and work practice controls shall be evaluated on a regular schedule and, as applicable, maintained, replaced, or updated to ensure their effectiveness. (8 CCR 5193; 29 CFR 1910.1030)

Whenever potential occupational exposure continues to exist after institution of engineering and work practice controls, the Eden Area ROP shall provide, at no cost to the employee, appropriate personal protective equipment. (8 CCR 5193; 29 CFR 1910.1030)

Employees shall observe universal precautions to prevent contact with blood or other potentially infectious materials, including, but not limited to, handwashing, proper use of personal protective equipment, and proper disposal or washing of contaminated garments or objects. (8 CCR 5193; 29 CFR 1910.1030)

Any use of needleless systems, needle devices, or non-needle sharps shall adhere to the specific requirements of 8 CCR 5193(d) and 29 CFR 1910.1030.

### **Pre-Exposure Hepatitis B Vaccination**

The hepatitis B vaccination and vaccination series shall be made available at no cost to all employees who have occupational exposure. The hepatitis B vaccination shall be made available after an employee with occupational exposure has received the required training and within 10 working days of initial assignment, unless the employee has previously received the complete hepatitis B vaccination series, antibody testing has revealed that the employee is immune, or vaccination is contraindicated for medical reasons. (8 CCR 5193; 29 CFR 1910.1030)

Employees who decline to accept the vaccination shall sign the hepatitis B declination statement. (8 CCR 5193; 29 CFR 1910.1030)

The Superintendent or designee may exempt from the pre-exposure hepatitis B vaccine designated first aid providers whose primary job assignment is not the rendering of first aid, provided that the district implements the procedures in its exposure control plan for providing hepatitis B vaccine to all unvaccinated first aid providers who have rendered assistance in any situation involving the presence of blood or other potentially infectious materials and provides appropriate follow-up for those who experience an exposure incident. (8 CCR 5193)

### **Training**

The Superintendent or designee shall ensure that all employees with occupational exposure participate in a training program at the time of initial assignment to tasks where occupational exposure may take place and at least annually thereafter. The training shall be offered during working hours and at no cost to the employee. (8 CCR 5193; 29 CFR 1910.1030)

The training shall address, at a minimum: (8 CCR 5193; 29 CFR 1910.1030)

1. The exposure control standard contained in 8 CCR 5193 and 29 CFR 1910.1030
2. The epidemiology and symptoms of bloodborne diseases
3. Modes of transmission of bloodborne pathogens
4. The district's exposure control plan and the means by which employees may obtain a copy of the written plan
5. Appropriate methods for recognizing tasks and other activities that may involve exposure to blood and other potentially infectious materials
6. The use and limitations of methods to prevent or reduce exposure, including appropriate engineering controls, administrative or work practice controls, and personal protective equipment
7. The types, proper use, location, removal, handling, decontamination, and disposal of personal protective equipment
8. The basis for selecting personal protective equipment
9. The hepatitis B vaccine, including its efficacy, safety, and method of administration; the benefits of being vaccinated; and that the vaccine will be offered free of charge
10. Appropriate actions to take and persons to contact in an emergency or exposure incident involving blood or other potentially infectious materials
11. The post-exposure evaluation and follow-up that the district is required to provide for the employee following an exposure incident

Additional training shall be provided to affected employees whenever a change, such as the introduction or modification of tasks or procedures or the introduction of new engineering, administrative, or work practice controls, affects the employee's exposure. The additional training may be limited to addressing the new exposures created. (8 CCR 5193; 29 CFR 1910.1030)

Designated first aid providers shall receive training that includes the specifics of reporting first-aid incidents which involve blood or body fluids which are potentially infectious. (8 CCR 5193)

## Reporting Incidents

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

Unvaccinated designated first aid providers must report any first aid incident involving the presence of blood or other potentially infectious material, regardless of whether an exposure incident occurred, by the end of the work shift. The full hepatitis B vaccination series shall be made available to such employees no later than 24 hours after the first aid incident. (8 CCR 5193)

## Sharps Injury Log

The Superintendent or designee shall establish and maintain a log recording each exposure incident involving a sharp. (8 CCR 5193; 29 CFR 1910.1030)

The exposure incident shall be recorded within 14 working days of the date the incident is reported to the district. (8 CCR 5193)

The information recorded shall include the following, if known or reasonably available: (8 CCR 5193; 29 CFR 1910.1030)

1. Date and time of the exposure incident
2. Type and brand of sharp involved in the exposure incident
3. A description of the exposure incident, including:
  - a. Job classification of the exposed employee
  - b. Department or work area where the exposure incident occurred
  - c. The procedure that the exposed employee was performing at the time of the incident
  - d. How the incident occurred
  - e. The body part involved in the incident
  - f. If the sharp had engineered sharps injury protection, whether the protective mechanism was activated and whether the injury occurred before, during or after the protective mechanism was activated
  - g. If the sharp had no engineered sharps injury protection, the injured employee's opinion as to whether and how such a mechanism could have prevented the injury
  - h. The employee's opinion about whether any other engineering, administrative or work practice could have prevented the injury

## Post-Exposure Evaluation and Follow-up

Following a report of an exposure incident, the Superintendent or designee shall immediately make available to the exposed employee, at no cost, a confidential medical evaluation, post-exposure evaluation and follow-up. The Superintendent or designee shall, at a minimum: (8 CCR 5193; 29 CFR 1910.1030)

1. Document the route(s) of exposure and the circumstances under which the exposure incident occurred
2. Identify and document the source individual, unless that identification is infeasible or is prohibited by law
3. With the consent of the exposed employee, provide for the collection and testing of the employee's blood for hepatitis B, hepatitis C and HIV serological status
4. Provide for post-exposure prophylaxis, when medically indicated, as recommended by the U.S. Public Health Service
5. Provide for counseling and evaluation of reported illnesses

The Superintendent or designee shall provide the health care professional responsible for the employee's hepatitis B vaccination with a copy of 8 CCR 5193 and 29 CFR 1910.1030; a description of the employee's duties as they relate

to the exposure incident; documentation of the route(s) of exposure and circumstances under which exposure occurred; results of the source individual's blood testing, if available; and all medical records maintained by the Eden Area ROP relevant to the appropriate treatment of the employee, including vaccination status. (8 CCR 5193; 29 CFR 1910.1030)

The Eden Area ROP shall maintain the confidentiality of the affected employee and the exposure source during all phases of the post-exposure evaluation. (8 CCR 5193)

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

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

## **Records**

Upon an employee's initial employment and at least annually thereafter, the Superintendent or designee shall inform employees with occupational exposure of the existence, location and availability of related records; the person responsible for maintaining and providing access to records; and the employee's right of access to these records. (8 CCR 3204)

(cf. 1340 - Access to District Records)

(cf. 3580 - District Records)

(cf. 4112.9/4219.9/4312.9-Employee Notifications)

The district shall maintain a medical record of each employee with occupational exposure, including the employee's hepatitis B vaccination status, the results of any post-exposure medical examinations and follow-up procedures, a copy of the information provided to the health care professional, and a copy of the health care professional's written opinion. The medical record shall be kept confidential and not disclosed or reported without the employee's written consent to any person within or outside the workplace except as required by law. (8 CCR 5193; 29 CFR 1910.1030)

Upon request by an employee, or a designated representative with the employee's written consent, the Superintendent or designee shall provide access to a record in a reasonable time, place and manner, no later than 15 days after the request is made. (8 CCR 3204)

Records shall be maintained as follows: (8 CCR 3204, 5193; 29 CFR 1910.1030)

1. The medical records of each employee with occupational exposure shall be maintained for the duration of employment plus 30 years.
  2. Training records shall be maintained for three years from the date of training.
  3. The sharps injury log shall be maintained five years from the date the exposure incident occurred.
  4. Exposure records shall be maintained for at least 30 years.
  5. Each analysis using medical or exposure records shall be maintained for at least 30 years.
-

**Exhibit**

**Descriptor Code: 4119.42**

**Descriptor Code: 4219.42**

**Descriptor Code: 4319.42**

**Exposure Control Plan for Bloodborne Pathogens**

---

**HEPATITIS B VACCINE DECLINATION**

In accordance with 8 CCR 5193 and 29 CFR 1910.1030, the Eden Area Regional Occupational Program (Eden Area ROP) makes the hepatitis B vaccine available to employees who may reasonably be expected to have contact with blood or other potentially infectious materials in the performance of their duties. Any employee who declines this vaccine is required to read and sign the following statement:

I understand that, due to my occupational exposure to blood or other potentially infectious materials, I may be at risk of acquiring hepatitis B virus (HBV) infection. I have been given the opportunity to be vaccinated with hepatitis B vaccine, at no charge to myself. However, I decline hepatitis B vaccination at this time. I understand that by declining this vaccine, I continue to be at risk of acquiring hepatitis B, a serious disease. If in the future I continue to have occupational exposure to blood or other potentially infectious materials and I want to be vaccinated with hepatitis B vaccine, I can receive the vaccination series at no charge to myself.

---

Employee Name (Please print)

---

Signature

---

Date

---

**Policy 4119.43: Universal Precautions**

**Status:** DRAFT

**Original Adopted Date:** 05/07/2020

In order to protect all employees from contact with potentially infectious blood or other body fluids, the Governing Board requires that universal precautions be observed throughout the Eden Area Regional Occupational Program (Eden Area ROP).

Universal precautions are appropriate for preventing the spread of all infectious diseases and shall be used regardless of whether bloodborne pathogens are known to be present.

(cf. 4157/4257/4357 - Employee Safety)

(cf. 5141 - Health Care and Emergencies)

(cf. 5141.22 - Infectious Diseases)

(cf. 5141.24 - Specialized Health Care Services)

(cf. 5141.6 - School Health Services)

(cf. 6145.2 - Athletic Competition)

The Superintendent or designee shall distribute to employees information provided by the California Department of Education (CDE) regarding acquired immune deficiency syndrome (AIDS), AIDS-related conditions, and hepatitis B. This information shall include, but not be limited to, any appropriate methods employees may use to prevent exposure to AIDS and hepatitis B, including information concerning the availability of a vaccine to prevent contraction of hepatitis B, and that the cost of this vaccination may be covered by the health plan of the employees. Information shall be distributed annually, or more frequently if there is new information supplied by CDE. (Health and Safety Code 120875, 120880)

Information regarding universal precautions may be included in employee handbooks.

Employees shall immediately report any exposure incident or first aid incident in accordance with the Eden Area ROP's exposure control plan for bloodborne pathogens or other safety procedures.

(cf. 4119.42/4219.42/4319.42 - Exposure Control Plan for Bloodborne Pathogens)

---



**Policy 4219.43: Universal Precautions**

**Status:** DRAFT

**Original Adopted Date:** 05/07/2020

In order to protect all employees from contact with potentially infectious blood or other body fluids, the Governing Board requires that universal precautions be observed throughout the Eden Area Regional Occupational Program (Eden Area ROP).

Universal precautions are appropriate for preventing the spread of all infectious diseases and shall be used regardless of whether bloodborne pathogens are known to be present.

(cf. 4157/4257/4357 - Employee Safety)

(cf. 5141 - Health Care and Emergencies)

(cf. 5141.22 - Infectious Diseases)

(cf. 5141.24 - Specialized Health Care Services)

(cf. 5141.6 - School Health Services)

(cf. 6145.2 - Athletic Competition)

The Superintendent or designee shall distribute to employees information provided by the California Department of Education (CDE) regarding acquired immune deficiency syndrome (AIDS), AIDS-related conditions, and hepatitis B. This information shall include, but not be limited to, any appropriate methods employees may use to prevent exposure to AIDS and hepatitis B, including information concerning the availability of a vaccine to prevent contraction of hepatitis B, and that the cost of this vaccination may be covered by the health plan of the employees. Information shall be distributed annually, or more frequently if there is new information supplied by CDE. (Health and Safety Code 120875, 120880)

Information regarding universal precautions may be included in employee handbooks.

Employees shall immediately report any exposure incident or first aid incident in accordance with the Eden Area ROP's exposure control plan for bloodborne pathogens or other safety procedures.

(cf. 4119.42/4219.42/4319.42 - Exposure Control Plan for Bloodborne Pathogens)

---

**Policy 4319.43: Universal Precautions**

**Status:** DRAFT

**Original Adopted Date:** 05/07/2020

In order to protect all employees from contact with potentially infectious blood or other body fluids, the Governing Board requires that universal precautions be observed throughout the Eden Area Regional Occupational Program (Eden Area ROP).

Universal precautions are appropriate for preventing the spread of all infectious diseases and shall be used regardless of whether bloodborne pathogens are known to be present.

(cf. 4157/4257/4357 - Employee Safety)

(cf. 5141 - Health Care and Emergencies)

(cf. 5141.22 - Infectious Diseases)

(cf. 5141.24 - Specialized Health Care Services)

(cf. 5141.6 - School Health Services)

(cf. 6145.2 - Athletic Competition)

The Superintendent or designee shall distribute to employees information provided by the California Department of Education (CDE) regarding acquired immune deficiency syndrome (AIDS), AIDS-related conditions, and hepatitis B. This information shall include, but not be limited to, any appropriate methods employees may use to prevent exposure to AIDS and hepatitis B, including information concerning the availability of a vaccine to prevent contraction of hepatitis B, and that the cost of this vaccination may be covered by the health plan of the employees. Information shall be distributed annually, or more frequently if there is new information supplied by CDE. (Health and Safety Code 120875, 120880)

Information regarding universal precautions may be included in employee handbooks.

Employees shall immediately report any exposure incident or first aid incident in accordance with the Eden Area ROP's exposure control plan for bloodborne pathogens or other safety procedures.

(cf. 4119.42/4219.42/4319.42 - Exposure Control Plan for Bloodborne Pathogens)

---

**Regulation 4119.43: Universal Precautions**

**Status:** DRAFT

**Original Adopted Date:** 05/07/2020

**Definitions**

Universal precautions are an approach to infection control. All human blood and certain human body fluids, including but not limited to semen, vaginal secretions and any body fluid that is visibly contaminated with blood, are treated as if known to be infectious for human immunodeficiency virus (HIV), hepatitis B virus (HBV), hepatitis C virus (HCV) and other bloodborne pathogens. (8 CCR 5193; 29 CFR 1910.1030)

Occupational exposure means reasonably anticipated contact with blood or other potentially infectious materials that may result from the performance of an employee's duties. (8 CCR 5193; 29 CFR 1910.1030)

A sharp is any object that can be reasonably anticipated to penetrate the skin or any other part of the body and to result in an exposure incident. (8 CCR 5193)

**Infection Control Practices**

For the prevention of infectious disease, the district shall:

1. Effectively maintain the worksite in a clean and sanitary condition, and implement an appropriate written schedule for cleaning and decontamination of the worksite  
  
(cf. 4119.42/4219.42/4319.42-Exposure Control Plan for Bloodborne Pathogens)
2. When necessary for employees with occupational exposure to bloodborne pathogens, provide appropriate personal protective equipment, such as gloves, masks, and outer garments, at no cost to the employee. (8 CCR 5193)
3. Provide handwashing facilities which are readily accessible to employees, or, if not feasible, provide an appropriate antiseptic hand cleanser in conjunction with clean cloth or paper towels, or antiseptic towelettes.

Any employee who has contact with blood or other body fluid, regardless of whether bloodborne pathogens are known to be present, shall:

1. Use personal protective equipment as appropriate.
2. Wash hands and other skin surfaces thoroughly with soap and running water:
  - a. Immediately or as soon as feasible following contact with blood or other potentially infectious materials
  - b. Immediately after removing gloves or other personal protective equipment
3. When handwashing facilities are not available, use antiseptic hand cleanser in conjunction with clean cloth or paper towels, or antiseptic towelettes. In such instances, hands shall be washed with soap and running water as soon as feasible.
4. Refrain from eating, drinking, smoking, applying cosmetics or lip balm, or handling contact lenses in work areas with a reasonable likelihood of occupational exposure to bloodborne pathogens.
5. Clean and decontaminate all equipment and environmental and work surfaces after contact with blood or other potentially infectious material, no later than the end of the shift or more frequently as required by state regulations.
6. Rather than using the hands directly, use mechanical means such as a brush and dust pan, tongs or forceps to clean up broken glassware which may be contaminated.
7. Use effective techniques designed to minimize the risk of a sharps injury in all procedures involving the use of sharps.

(cf. 5141.21 - Administering Medication and Monitoring Health Conditions)

(cf. 5141.24 - Specialized Health Care Services)

8. Handle, store, treat, and dispose of regulated waste in accordance with Health and Safety Code 117600-118360 and other applicable state and federal regulations.

a. Immediately or as soon as possible after use, contaminated sharps shall be placed in containers meeting the requirements of 8 CCR 5193

b. Specimens of blood or other potentially infectious material shall be placed in a container which prevents leakage during collection, handling, processing, storage, transport, or shipping.

(cf. 4157/4257/4357 - Employee Safety)

(cf. 5141 - Health Care and Emergencies)

(cf. 5141.22 - Infectious Diseases)

(cf. 5141.6 - School Health Services)

(cf. 6145.2 - Athletic Competition)

---

**Regulation 4219.43: Universal Precautions**

**Status:** DRAFT

**Original Adopted Date:** 05/07/2020

**Definitions**

Universal precautions are an approach to infection control. All human blood and certain human body fluids, including but not limited to semen, vaginal secretions and any body fluid that is visibly contaminated with blood, are treated as if known to be infectious for human immunodeficiency virus (HIV), hepatitis B virus (HBV), hepatitis C virus (HCV) and other bloodborne pathogens. (8 CCR 5193; 29 CFR 1910.1030)

Occupational exposure means reasonably anticipated contact with blood or other potentially infectious materials that may result from the performance of an employee's duties. (8 CCR 5193; 29 CFR 1910.1030)

A sharp is any object that can be reasonably anticipated to penetrate the skin or any other part of the body and to result in an exposure incident. (8 CCR 5193)

**Infection Control Practices**

For the prevention of infectious disease, the district shall:

1. Effectively maintain the worksite in a clean and sanitary condition, and implement an appropriate written schedule for cleaning and decontamination of the worksite  
  
(cf. 4119.42/4219.42/4319.42-Exposure Control Plan for Bloodborne Pathogens)
2. When necessary for employees with occupational exposure to bloodborne pathogens, provide appropriate personal protective equipment, such as gloves, masks, and outer garments, at no cost to the employee. (8 CCR 5193)
3. Provide handwashing facilities which are readily accessible to employees, or, if not feasible, provide an appropriate antiseptic hand cleanser in conjunction with clean cloth or paper towels, or antiseptic towelettes.

Any employee who has contact with blood or other body fluid, regardless of whether bloodborne pathogens are known to be present, shall:

1. Use personal protective equipment as appropriate.
2. Wash hands and other skin surfaces thoroughly with soap and running water:
  - a. Immediately or as soon as feasible following contact with blood or other potentially infectious materials
  - b. Immediately after removing gloves or other personal protective equipment
3. When handwashing facilities are not available, use antiseptic hand cleanser in conjunction with clean cloth or paper towels, or antiseptic towelettes. In such instances, hands shall be washed with soap and running water as soon as feasible.
4. Refrain from eating, drinking, smoking, applying cosmetics or lip balm, or handling contact lenses in work areas with a reasonable likelihood of occupational exposure to bloodborne pathogens.
5. Clean and decontaminate all equipment and environmental and work surfaces after contact with blood or other potentially infectious material, no later than the end of the shift or more frequently as required by state regulations.
6. Rather than using the hands directly, use mechanical means such as a brush and dust pan, tongs or forceps to clean up broken glassware which may be contaminated.
7. Use effective techniques designed to minimize the risk of a sharps injury in all procedures involving the use of sharps.

(cf. 5141.21 - Administering Medication and Monitoring Health Conditions)

(cf. 5141.24 - Specialized Health Care Services)

8. Handle, store, treat, and dispose of regulated waste in accordance with Health and Safety Code 117600-118360 and other applicable state and federal regulations.

a. Immediately or as soon as possible after use, contaminated sharps shall be placed in containers meeting the requirements of 8 CCR 5193

b. Specimens of blood or other potentially infectious material shall be placed in a container which prevents leakage during collection, handling, processing, storage, transport, or shipping.

(cf. 4157/4257/4357 - Employee Safety)

(cf. 5141 - Health Care and Emergencies)

(cf. 5141.22 - Infectious Diseases)

(cf. 5141.6 - School Health Services)

(cf. 6145.2 - Athletic Competition)

---

**Regulation 4319.43: Universal Precautions**

**Status:** DRAFT

**Original Adopted Date:** 05/07/2020

**Definitions**

Universal precautions are an approach to infection control. All human blood and certain human body fluids, including but not limited to semen, vaginal secretions and any body fluid that is visibly contaminated with blood, are treated as if known to be infectious for human immunodeficiency virus (HIV), hepatitis B virus (HBV), hepatitis C virus (HCV) and other bloodborne pathogens. (8 CCR 5193; 29 CFR 1910.1030)

Occupational exposure means reasonably anticipated contact with blood or other potentially infectious materials that may result from the performance of an employee's duties. (8 CCR 5193; 29 CFR 1910.1030)

A sharp is any object that can be reasonably anticipated to penetrate the skin or any other part of the body and to result in an exposure incident. (8 CCR 5193)

**Infection Control Practices**

For the prevention of infectious disease, the district shall:

1. Effectively maintain the worksite in a clean and sanitary condition, and implement an appropriate written schedule for cleaning and decontamination of the worksite  
  
(cf. 4119.42/4219.42/4319.42-Exposure Control Plan for Bloodborne Pathogens)
2. When necessary for employees with occupational exposure to bloodborne pathogens, provide appropriate personal protective equipment, such as gloves, masks, and outer garments, at no cost to the employee. (8 CCR 5193)
3. Provide handwashing facilities which are readily accessible to employees, or, if not feasible, provide an appropriate antiseptic hand cleanser in conjunction with clean cloth or paper towels, or antiseptic towelettes.

Any employee who has contact with blood or other body fluid, regardless of whether bloodborne pathogens are known to be present, shall:

1. Use personal protective equipment as appropriate.
2. Wash hands and other skin surfaces thoroughly with soap and running water:
  - a. Immediately or as soon as feasible following contact with blood or other potentially infectious materials
  - b. Immediately after removing gloves or other personal protective equipment
3. When handwashing facilities are not available, use antiseptic hand cleanser in conjunction with clean cloth or paper towels, or antiseptic towelettes. In such instances, hands shall be washed with soap and running water as soon as feasible.
4. Refrain from eating, drinking, smoking, applying cosmetics or lip balm, or handling contact lenses in work areas with a reasonable likelihood of occupational exposure to bloodborne pathogens.
5. Clean and decontaminate all equipment and environmental and work surfaces after contact with blood or other potentially infectious material, no later than the end of the shift or more frequently as required by state regulations.
6. Rather than using the hands directly, use mechanical means such as a brush and dust pan, tongs or forceps to clean up broken glassware which may be contaminated.
7. Use effective techniques designed to minimize the risk of a sharps injury in all procedures involving the use of sharps.

(cf. 5141.21 - Administering Medication and Monitoring Health Conditions)

(cf. 5141.24 - Specialized Health Care Services)

8. Handle, store, treat, and dispose of regulated waste in accordance with Health and Safety Code 117600-118360 and other applicable state and federal regulations.

a. Immediately or as soon as possible after use, contaminated sharps shall be placed in containers meeting the requirements of 8 CCR 5193

b. Specimens of blood or other potentially infectious material shall be placed in a container which prevents leakage during collection, handling, processing, storage, transport, or shipping.

(cf. 4157/4257/4357 - Employee Safety)

(cf. 5141 - Health Care and Emergencies)

(cf. 5141.22 - Infectious Diseases)

(cf. 5141.6 - School Health Services)

(cf. 6145.2 - Athletic Competition)

---



**Policy 4131: Staff Development**

**Status:** DRAFT

**Original Adopted Date:** 05/07/2020

The Governing Board believes that, in order to maximize student learning, achievement, and well-being, certificated staff members must be continuously learning and improving relevant skills. The Superintendent or designee shall develop a program of ongoing professional development which includes opportunities for teachers to enhance their instructional and classroom management skills, become informed about changes in pedagogy and subject matter, and strengthen practices related to social-emotional development and learning. .

(cf. 6111 - School Calendar)

The Superintendent or designee shall involve teachers, site and Eden Area Regional Occupational Program (Eden Area ROP) administrators, and others, as appropriate, when creating, reviewing, and amending the Eden Area ROP's staff development program. The Superintendent or designee shall ensure that the Eden Area ROP's staff development program is aligned with Eden Area ROP priorities for student learning, achievement and well-being, school improvement objectives, the local control and accountability plan, and other district and school plans.

The Eden Area ROP staff development program shall assist certificated staff in developing knowledge and skills, including, but not limited to:

1. Mastery of subject-matter knowledge, including current state and Eden Area ROP academic standards

(cf. 6011 - Academic Standards)

(cf. 6142.1 - Sexual Health and HIV/AIDS Prevention Instruction)

(cf. 6142.2 - World/Foreign Language Instruction)

(cf. 6142.3 - Civic Education)

(cf. 6142.5 - Environmental Education)

(cf. 6142.6 - Visual and Performing Arts Education)

(cf. 6142.7 - Physical Education and Activity)

(cf. 6142.8 - Comprehensive Health Education)

(cf. 6142.91 - Reading/Language Arts Instruction)

(cf. 6142.92 - Mathematics Instruction)

(cf. 6142.93 - Science Instruction)

(cf. 6142.94 - History-Social Science Instruction)

2. Use of effective, subject-specific teaching methods, strategies, and skills

3. Use of technologies to enhance instruction and learning, including face-to-face, remote, or hybrid instruction

(cf. 0440 - District Technology Plan)

(cf. 4040 - Employee Use of Technology)

(cf. 6163.4 - Student Use of Technology)

4. Sensitivity to and ability to meet the needs of diverse student populations, including, but not limited to, students with characteristics specified in Education Code 200 and/or 220, Government Code 11135, and/or Penal Code 422.55

(cf. 4112.22 - Staff Teaching English Learners)

(cf. 4112.23 - Special Education Staff)

(cf. 5147 - Dropout Prevention)

(cf. 6141.5 - Advanced Placement)

(cf. 6171 - Title I Programs)

(cf. 6172 - Gifted and Talented Student Program)

(cf. 6173 - Education for Homeless Children)

(cf. 6173.1 - Education for Foster Youth)

(cf. 6174 - Education for English Learners)

(cf. 6175 - Migrant Education Program)

5. Understanding of how academic and career technical instruction can be integrated and implemented to increase student learning

(cf. 6178 - Career Technical Education)

6. Knowledge of strategies that encourage parents/guardians to participate fully and effectively in their student's education

(cf. 1240 - Volunteer Assistance)

(cf. 5020 - Parent Rights and Responsibilities)

(cf. 6020 - Parent Involvement)

7. Effective classroom management skills and strategies for establishing a climate that promotes respect, fairness, acceptance, and civility including conflict resolution, hatred prevention, and positive behavioral interventions and supports

(cf. 5131 - Conduct)

(cf. 5131.2 - Bullying)

(cf. 5137 - Positive School Climate)

(cf. 5138 - Conflict Resolution/Peer Mediation)

(cf. 5145.9 - Hate-Motivated Behavior)

8. Ability to relate to students, understand their various stages of growth and development, and motivate them to learn

9. Ability to interpret and use data and assessment results to guide instruction

(cf. 5121 - Grades/Evaluation of Student Achievement)

(cf. 6162.5 - Student Assessment)

10. Knowledge of topics related to student mental and physical health, safety, and welfare, which may include social-emotional learning and trauma-informed practices

(cf. 0450 - Comprehensive Safety Plan)

(cf. 5030 - Student Wellness)

(cf. 5131.6 - Alcohol and Other Drugs)

(cf. 5131.63 - Steroids)

(cf. 5141.21 - Administering Medication and Monitoring Health Conditions)

(cf. 5141.4 - Child Abuse Prevention and Reporting)

(cf. 5141.52 - Suicide Prevention)

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 5145.7 - Sexual Harassment)

11. Knowledge of topics related to employee health, safety, and security

(cf. 3514.1 - Hazardous Substances)

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

(cf. 4119.42/4219.42/4319.42- Exposure Control Plan for Bloodborne Pathogens)

(cf. 4119.43/4219.43/4319.43 - Universal Precautions)

(cf. 4157/4257/4357 - Employee Safety)

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

Professional learning opportunities offered by the Eden Area ROP shall be evaluated based on the criteria specified in Education Code 44277. Such opportunities may be part of a coherent plan that combines school activities within a school, including lesson study or co-teaching, and external learning opportunities that are related to academic subjects taught, provide time to meet and work with other teachers, and support instruction and student learning. Learning activities may include, but are not limited to, mentoring projects for new teachers, extra support for teachers to improve practice, and collaboration time for teachers to develop new instructional lessons, select or develop common formative assessments, or analyze student data. (Education Code 44277)

The Eden Area ROP's staff evaluation process may be used to recommend additional individualized staff development for individual employees.

(cf. 4115 - Evaluation/Supervision)

The Governing Board may budget funds for actual and reasonable expenses incurred by staff who participate in staff development activities.

(cf. 3100 - Budget)

(cf. 3350 - Travel Expenses)

The Superintendent or designee shall provide a means for continual evaluation of the benefit of staff development activities to both staff and students and shall regularly report to the Governing Board regarding the effectiveness of the staff development program. Based on the Superintendent's report, the Governing Board may revise the program as necessary to ensure that the staff development program supports the Eden Area ROP's priorities for student achievement and well-being.

(cf. 0500 - Accountability)

---

**Regulation 4157: Employee Safety**

**Status:** DRAFT

**Original Adopted Date:** 05/07/2020

The Superintendent or designee shall provide safety devices and implement safeguards, methods, and processes that are reasonably necessary for the safety and health of employees in the workplace. (Labor Code 6401)

(cf. 4157.1/4257.1/4357.1 - Work-Related Injuries)

(cf. 4157.2/4257.2/4357.2 - Ergonomics)

(cf. 4161.11/4261.11/4361.11 - Industrial Accident/Illness Leave)

**Injury and Illness Prevention Program**

The Eden Area Regional Occupational Program's (Eden Area ROP) injury and illness prevention program shall cover all Eden Area ROP employees and all other workers whom the Eden Area ROP controls or directs and directly supervises on the job to the extent that the workers are exposed to hazards specific to their worksite and job assignment. The obligation of contractors or other employers who control or direct and supervise their own employees on the job shall not be affected by the Eden Area ROP's injury and illness prevention program. (Labor Code 6401.7)

The Eden Area ROP's injury and illness prevention program shall include: (Labor Code 6401.7; 8 CCR 3203)

1. The name/position of the person(s) with authority and responsibility for implementing the program.
2. A system for ensuring that employees comply with safe and healthful work practices, which may include, but not be limited to:
  - a. Recognition of employees who follow safe and healthful work practices  
(cf. 4156.2/4256.2/4356.2 - Awards and Recognition)
  - b. Training and retraining programs
  - c. Disciplinary actions  
(cf. 4118 - Dismissal/Suspension/Disciplinary Action)  
(cf. 4218 - Dismissal/Suspension/Disciplinary Action)
3. A system for communicating with employees, in a form readily understandable by all employees on matters related to occupational health and safety, including provisions designed to encourage employees to report hazards at the worksite without fear of reprisal. The communications system may include, but not be limited to:
  - a. Meetings
  - b. Training programs
  - c. Posting
  - d. Written communications
  - e. A system of anonymous notification by employees about hazards
  - f. A labor/management safety and health committee
4. Procedures for identifying and evaluating workplace hazards, including scheduled periodic inspections to identify unsafe conditions and work practices. Such inspections shall be made:
  - a. Whenever new substances, processes, procedures, or equipment that represents a new occupational safety or health hazard is introduced into the workplace
  - b. Whenever the Eden Area ROP is made aware of a new or previously unrecognized hazard

(cf. 3514 - Environmental Safety)

(cf. 3514.1 - Hazardous Substances)

5. A procedure for investigating occupational injury or illness.

6. Methods and/or procedures for correcting unsafe or unhealthful conditions, work practices, and work procedures in a timely manner, based on the severity of the hazard, when the hazard is observed or discovered.

When an imminent hazard exists which cannot be immediately abated without endangering employee(s) and/or property, these procedures shall call for the removal of all exposed staff from the area except those necessary to correct the hazardous condition. Employees needed to correct the condition shall be provided necessary safeguards.

7. Provision of training and instruction as follows:

a. To all new employees

b. To all employees given new job assignments for which training has not previously been received

c. Whenever new substances, processes, procedures, or equipment is introduced into the workplace and represents a new hazard

d. Whenever the Eden Area ROP is made aware of a new or previously unrecognized hazard

e. To supervisors, to familiarize them with the safety and health hazards to which employees under their immediate direction and control may be exposed

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

The Superintendent or designee shall provide employees, or their representative designated pursuant to 8 CCR 3203, with either of the following: (8 CCR 3203)

1. Access to the Eden Area ROP's injury and illness prevention program in a reasonable time, place, and manner, but in no event later than five business days after the request for access is received from an employee or a designated representative of the employee

When an employee or designated representative requests a copy of the Eden Area ROP's injury and illness prevention program, the Superintendent or designee shall provide the requester a printed copy unless the employee or designated representative agrees to receive an electronic copy.

The Superintendent or designee shall provide one printed copy free of charge. If the employee or designated representative requests additional copies within one year of the previous request and the Eden Area ROP's injury and illness prevention program has not been updated with new information since the prior copy was provided, the Eden Area ROP may charge reasonable reproduction costs pursuant to 8 CCR 3204 for the additional copies.

2. Unobstructed access to the Eden Area ROP's injury and illness prevention program through the Eden Area ROP's server or web site, which allows an employee to review, print, and email the current version of the Eden Area ROP's injury and illness prevention program

The Superintendent or designee shall communicate the right and procedure to access the Eden Area ROP's injury and illness prevention program to all employees. (8 CCR 3203)

### **Eye Safety Devices**

Eye safety devices shall be worn by employees whenever they are engaged in or observing an activity involving hazards or hazardous substances likely to cause injury to the eyes. (Education Code 32030-32034)

## **First Aid and Medical Services**

The Superintendent or designee shall ensure the ready availability of medical personnel for advice and consultation on matters of industrial health or injury. Whenever an Eden Area ROP facility or Eden Area ROP grounds are not in close proximity to an infirmary, clinic, or hospital where all injured employees may be treated, the Superintendent or designee shall ensure that at least one employee is adequately trained to provide first aid. (8 CCR 3400)

The Superintendent or designee shall make adequate first aid materials readily available for employees at every worksite. Such materials shall be approved by a consulting physician and shall be kept in a sanitary and usable condition. The Superintendent or designee shall frequently inspect all first aid materials and replenish them as necessary. (8 CCR 3400)

The Superintendent or designee shall ensure that suitable facilities for quick drenching or flushing of the eyes and body are provided within the work area for immediate emergency use when the eyes or body or any person may be exposed to injurious corrosive materials. (8 CCR 3400)

To avoid unnecessary delay in medical treatment in the event of an employee's serious injury or illness, the Superintendent or designee shall use one or more of the following: (8 CCR 3400)

1. A communication system for contacting a physician or emergency medical service, such as access to 911 or equivalent telephone system. The communication system or the employees using the system shall have the ability to direct emergency services to the location of the injured or ill employee.
2. Readily accessible and available on-site treatment facilities suitable for treatment of reasonably anticipated injury and illness.

(cf. 5141.6 - School Health Services)

3. Proper equipment for prompt medical transport when transportation of injured or ill employees is necessary and appropriate.

## **Protection from Communicable Diseases and Infections**

The Superintendent or designee shall develop an exposure control plan for bloodborne pathogens that is consistent with the Eden Area ROP's injury and illness prevention program. The plan shall include a determination of which job classifications have occupational exposure to blood or other potentially infectious materials; precautions to be implemented, including universal precautions, engineering and work practice controls, and personal protective equipment; availability of the hepatitis B vaccination; provision of information and training to employees; and follow-up actions to be taken if exposure occurs. The Eden Area ROP shall ensure that a copy of the exposure control plan is accessible to employees in accordance with law. (8 CCR 5193; 29 CFR 1910.1030)

Strategies to prevent and mitigate the outbreak or spread of infectious diseases shall be followed for diseases that are communicated through airborne transmission, skin-to-skin contact, foodborne transmission, or other casual or noncasual means. Such strategies shall include, but are not limited to, communication and training about the disease(s); campus closures and alternative means of instruction when necessary; preventative measures, such as social distancing, personal protective equipment, temperature checks, and/or any other health screening allowed by law; and cleaning and sanitization of Eden Area ROP facilities and equipment.

The Superintendent or designee shall immediately report to the local health officer the presence or suspected presence of any communicable disease. (17 CCR 2508)

## **COVID-19 Exposure**

If the Eden Area ROP receives notice of potential exposure to COVID-19, the Superintendent or designee shall, within one business day of the notice, take all of the following actions: (Labor Code 6409.6)

1. Provide a written notice to all employees, and the employers of subcontracted employees, who were on the premises at the same worksite as the qualifying individual within the infectious period that they may have been exposed to COVID-19. The notice shall be provided in a manner normally used to communicate employment-related information, which may include, but is not limited to, personal service, email, or text message if it can reasonably be anticipated to be received by the employee within one business day of sending.

2. Provide a written notice to the exclusive representative, if any, of employees who were on the premises within the infectious period
3. Provide all employees who may have been exposed and the exclusive representative, if any, with information regarding:
  - a. COVID-19-related benefits to which the employee may be entitled under applicable federal, state, or local laws, including, but not limited to, workers' compensation
  - b. Available leave options for exposed employees
  - c. Antiretaliation and antidiscrimination protections of the employee
4. Notify all employees, and the employers of subcontracted employees and the exclusive representative, if any, of the disinfection and safety plan that the Eden Area ROP plans to complete in accordance with Centers for Disease Control and Prevention guidelines

The above notifications shall be maintained for a period of at least three years. (Labor Code 6409.6)

If the Eden Area ROP is notified of the number of cases that meet the definition of a COVID-19 outbreak, as defined by the California Department of Public Health, within 48 hours, the Superintendent or designee shall, within 48 hours of the notice, notify the local public health agency of the names, number, occupation, and worksite of employees who meet the definition of a qualifying individual. The Superintendent or designee shall continue to give notice to the local health department of any subsequent laboratory-confirmed cases of COVID-19 at the worksite. (Labor Code 6409.6)

In the event that Cal/OSHA prohibits entry into any Eden Area ROP workplace or performance of an Eden Area ROP operation or process based on a determination that the workplace exposes employees to the risk of COVID-19 infection and constitutes an imminent hazard to employees, the Eden Area ROP shall post a notice thereof provided by Cal/OSHA in a conspicuous place at the work site. This notice shall not be removed except by an authorized representative of Cal/OSHA and only when the place of employment, operation, or process is made safe and the required safeguards or safety appliances or devices are provided. (Labor Code 6325)

---

**Regulation 4257: Employee Safety**

**Status:** DRAFT

**Original Adopted Date:** 05/07/2020

The Superintendent or designee shall provide safety devices and implement safeguards, methods, and processes that are reasonably necessary for the safety and health of employees in the workplace. (Labor Code 6401)

(cf. 4157.1/4257.1/4357.1 - Work-Related Injuries)

(cf. 4157.2/4257.2/4357.2 - Ergonomics)

(cf. 4161.11/4261.11/4361.11 - Industrial Accident/Illness Leave)

**Injury and Illness Prevention Program**

The Eden Area Regional Occupational Program's (Eden Area ROP) injury and illness prevention program shall cover all Eden Area ROP employees and all other workers whom the Eden Area ROP controls or directs and directly supervises on the job to the extent that the workers are exposed to hazards specific to their worksite and job assignment. The obligation of contractors or other employers who control or direct and supervise their own employees on the job shall not be affected by the Eden Area ROP's injury and illness prevention program. (Labor Code 6401.7)

The Eden Area ROP's injury and illness prevention program shall include: (Labor Code 6401.7; 8 CCR 3203)

1. The name/position of the person(s) with authority and responsibility for implementing the program.
2. A system for ensuring that employees comply with safe and healthful work practices, which may include, but not be limited to:

- a. Recognition of employees who follow safe and healthful work practices

(cf. 4156.2/4256.2/4356.2 - Awards and Recognition)

- b. Training and retraining programs

- c. Disciplinary actions

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

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

3. A system for communicating with employees, in a form readily understandable by all employees on matters related to occupational health and safety, including provisions designed to encourage employees to report hazards at the worksite without fear of reprisal. The communications system may include, but not be limited to:

- a. Meetings

- b. Training programs

- c. Posting

- d. Written communications

- e. A system of anonymous notification by employees about hazards

- f. A labor/management safety and health committee

4. Procedures for identifying and evaluating workplace hazards, including scheduled periodic inspections to identify unsafe conditions and work practices. Such inspections shall be made:

- a. Whenever new substances, processes, procedures, or equipment that represents a new occupational safety or health hazard is introduced into the workplace

- b. Whenever the Eden Area ROP is made aware of a new or previously unrecognized hazard



(cf. 3514 - Environmental Safety)

(cf. 3514.1 - Hazardous Substances)

5. A procedure for investigating occupational injury or illness.

6. Methods and/or procedures for correcting unsafe or unhealthful conditions, work practices, and work procedures in a timely manner, based on the severity of the hazard, when the hazard is observed or discovered.

When an imminent hazard exists which cannot be immediately abated without endangering employee(s) and/or property, these procedures shall call for the removal of all exposed staff from the area except those necessary to correct the hazardous condition. Employees needed to correct the condition shall be provided necessary safeguards.

7. Provision of training and instruction as follows:

a. To all new employees

b. To all employees given new job assignments for which training has not previously been received

c. Whenever new substances, processes, procedures, or equipment is introduced into the workplace and represents a new hazard

d. Whenever the Eden Area ROP is made aware of a new or previously unrecognized hazard

e. To supervisors, to familiarize them with the safety and health hazards to which employees under their immediate direction and control may be exposed

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

The Superintendent or designee shall provide employees, or their representative designated pursuant to 8 CCR 3203, with either of the following: (8 CCR 3203)

1. Access to the Eden Area ROP's injury and illness prevention program in a reasonable time, place, and manner, but in no event later than five business days after the request for access is received from an employee or a designated representative of the employee

When an employee or designated representative requests a copy of the Eden Area ROP's injury and illness prevention program, the Superintendent or designee shall provide the requester a printed copy unless the employee or designated representative agrees to receive an electronic copy.

The Superintendent or designee shall provide one printed copy free of charge. If the employee or designated representative requests additional copies within one year of the previous request and the Eden Area ROP's injury and illness prevention program has not been updated with new information since the prior copy was provided, the Eden Area ROP may charge reasonable reproduction costs pursuant to 8 CCR 3204 for the additional copies.

2. Unobstructed access to the Eden Area ROP's injury and illness prevention program through the Eden Area ROP's server or web site, which allows an employee to review, print, and email the current version of the Eden Area ROP's injury and illness prevention program

The Superintendent or designee shall communicate the right and procedure to access the Eden Area ROP's injury and illness prevention program to all employees. (8 CCR 3203)

### **Eye Safety Devices**

Eye safety devices shall be worn by employees whenever they are engaged in or observing an activity involving hazards or hazardous substances likely to cause injury to the eyes. (Education Code 32030-32034)

## **First Aid and Medical Services**

The Superintendent or designee shall ensure the ready availability of medical personnel for advice and consultation on matters of industrial health or injury. Whenever an Eden Area ROP facility or Eden Area ROP grounds are not in close proximity to an infirmary, clinic, or hospital where all injured employees may be treated, the Superintendent or designee shall ensure that at least one employee is adequately trained to provide first aid. (8 CCR 3400)

The Superintendent or designee shall make adequate first aid materials readily available for employees at every worksite. Such materials shall be approved by a consulting physician and shall be kept in a sanitary and usable condition. The Superintendent or designee shall frequently inspect all first aid materials and replenish them as necessary. (8 CCR 3400)

The Superintendent or designee shall ensure that suitable facilities for quick drenching or flushing of the eyes and body are provided within the work area for immediate emergency use when the eyes or body or any person may be exposed to injurious corrosive materials. (8 CCR 3400)

To avoid unnecessary delay in medical treatment in the event of an employee's serious injury or illness, the Superintendent or designee shall use one or more of the following: (8 CCR 3400)

1. A communication system for contacting a physician or emergency medical service, such as access to 911 or equivalent telephone system. The communication system or the employees using the system shall have the ability to direct emergency services to the location of the injured or ill employee.
2. Readily accessible and available on-site treatment facilities suitable for treatment of reasonably anticipated injury and illness.

(cf. 5141.6 - School Health Services)

3. Proper equipment for prompt medical transport when transportation of injured or ill employees is necessary and appropriate.

## **Protection from Communicable Diseases and Infections**

The Superintendent or designee shall develop an exposure control plan for bloodborne pathogens that is consistent with the Eden Area ROP's injury and illness prevention program. The plan shall include a determination of which job classifications have occupational exposure to blood or other potentially infectious materials; precautions to be implemented, including universal precautions, engineering and work practice controls, and personal protective equipment; availability of the hepatitis B vaccination; provision of information and training to employees; and follow-up actions to be taken if exposure occurs. The Eden Area ROP shall ensure that a copy of the exposure control plan is accessible to employees in accordance with law. (8 CCR 5193; 29 CFR 1910.1030)

Strategies to prevent and mitigate the outbreak or spread of infectious diseases shall be followed for diseases that are communicated through airborne transmission, skin-to-skin contact, foodborne transmission, or other casual or noncasual means. Such strategies shall include, but are not limited to, communication and training about the disease(s); campus closures and alternative means of instruction when necessary; preventative measures, such as social distancing, personal protective equipment, temperature checks, and/or any other health screening allowed by law; and cleaning and sanitization of Eden Area ROP facilities and equipment.

The Superintendent or designee shall immediately report to the local health officer the presence or suspected presence of any communicable disease. (17 CCR 2508)

## **COVID-19 Exposure**

If the Eden Area ROP receives notice of potential exposure to COVID-19, the Superintendent or designee shall, within one business day of the notice, take all of the following actions: (Labor Code 6409.6)

1. Provide a written notice to all employees, and the employers of subcontracted employees, who were on the premises at the same worksite as the qualifying individual within the infectious period that they may have been exposed to COVID-19. The notice shall be provided in a manner normally used to communicate employment-related information, which may include, but is not limited to, personal service, email, or text message if it can reasonably be anticipated to be received by the employee within one business day of sending.

2. Provide a written notice to the exclusive representative, if any, of employees who were on the premises within the infectious period
3. Provide all employees who may have been exposed and the exclusive representative, if any, with information regarding:
  - a. COVID-19-related benefits to which the employee may be entitled under applicable federal, state, or local laws, including, but not limited to, workers' compensation
  - b. Available leave options for exposed employees
  - c. Antiretaliation and antidiscrimination protections of the employee
4. Notify all employees, and the employers of subcontracted employees and the exclusive representative, if any, of the disinfection and safety plan that the Eden Area ROP plans to complete in accordance with Centers for Disease Control and Prevention guidelines

The above notifications shall be maintained for a period of at least three years. (Labor Code 6409.6)

If the Eden Area ROP is notified of the number of cases that meet the definition of a COVID-19 outbreak, as defined by the California Department of Public Health, within 48 hours, the Superintendent or designee shall, within 48 hours of the notice, notify the local public health agency of the names, number, occupation, and worksite of employees who meet the definition of a qualifying individual. The Superintendent or designee shall continue to give notice to the local health department of any subsequent laboratory-confirmed cases of COVID-19 at the worksite. (Labor Code 6409.6)

In the event that Cal/OSHA prohibits entry into any Eden Area ROP workplace or performance of an Eden Area ROP operation or process based on a determination that the workplace exposes employees to the risk of COVID-19 infection and constitutes an imminent hazard to employees, the Eden Area ROP shall post a notice thereof provided by Cal/OSHA in a conspicuous place at the work site. This notice shall not be removed except by an authorized representative of Cal/OSHA and only when the place of employment, operation, or process is made safe and the required safeguards or safety appliances or devices are provided. (Labor Code 6325)

---

**Regulation 4357: Employee Safety**

**Status:** DRAFT

**Original Adopted Date:** 05/07/2020

The Superintendent or designee shall provide safety devices and implement safeguards, methods, and processes that are reasonably necessary for the safety and health of employees in the workplace. (Labor Code 6401)

(cf. 4157.1/4257.1/4357.1 - Work-Related Injuries)

(cf. 4157.2/4257.2/4357.2 - Ergonomics)

(cf. 4161.11/4261.11/4361.11 - Industrial Accident/Illness Leave)

**Injury and Illness Prevention Program**

The Eden Area Regional Occupational Program's (Eden Area ROP) injury and illness prevention program shall cover all Eden Area ROP employees and all other workers whom the Eden Area ROP controls or directs and directly supervises on the job to the extent that the workers are exposed to hazards specific to their worksite and job assignment. The obligation of contractors or other employers who control or direct and supervise their own employees on the job shall not be affected by the Eden Area ROP's injury and illness prevention program. (Labor Code 6401.7)

The Eden Area ROP's injury and illness prevention program shall include: (Labor Code 6401.7; 8 CCR 3203)

1. The name/position of the person(s) with authority and responsibility for implementing the program.
2. A system for ensuring that employees comply with safe and healthful work practices, which may include, but not be limited to:

- a. Recognition of employees who follow safe and healthful work practices

(cf. 4156.2/4256.2/4356.2 - Awards and Recognition)

- b. Training and retraining programs

- c. Disciplinary actions

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

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

3. A system for communicating with employees, in a form readily understandable by all employees on matters related to occupational health and safety, including provisions designed to encourage employees to report hazards at the worksite without fear of reprisal. The communications system may include, but not be limited to:

- a. Meetings

- b. Training programs

- c. Posting

- d. Written communications

- e. A system of anonymous notification by employees about hazards

- f. A labor/management safety and health committee

4. Procedures for identifying and evaluating workplace hazards, including scheduled periodic inspections to identify unsafe conditions and work practices. Such inspections shall be made:

- a. Whenever new substances, processes, procedures, or equipment that represents a new occupational safety or health hazard is introduced into the workplace

- b. Whenever the Eden Area ROP is made aware of a new or previously unrecognized hazard

(cf. 3514 - Environmental Safety)

(cf. 3514.1 - Hazardous Substances)

5. A procedure for investigating occupational injury or illness.

6. Methods and/or procedures for correcting unsafe or unhealthful conditions, work practices, and work procedures in a timely manner, based on the severity of the hazard, when the hazard is observed or discovered.

When an imminent hazard exists which cannot be immediately abated without endangering employee(s) and/or property, these procedures shall call for the removal of all exposed staff from the area except those necessary to correct the hazardous condition. Employees needed to correct the condition shall be provided necessary safeguards.

7. Provision of training and instruction as follows:

a. To all new employees

b. To all employees given new job assignments for which training has not previously been received

c. Whenever new substances, processes, procedures, or equipment is introduced into the workplace and represents a new hazard

d. Whenever the Eden Area ROP is made aware of a new or previously unrecognized hazard

e. To supervisors, to familiarize them with the safety and health hazards to which employees under their immediate direction and control may be exposed

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

The Superintendent or designee shall provide employees, or their representative designated pursuant to 8 CCR 3203, with either of the following: (8 CCR 3203)

1. Access to the Eden Area ROP's injury and illness prevention program in a reasonable time, place, and manner, but in no event later than five business days after the request for access is received from an employee or a designated representative of the employee

When an employee or designated representative requests a copy of the Eden Area ROP's injury and illness prevention program, the Superintendent or designee shall provide the requester a printed copy unless the employee or designated representative agrees to receive an electronic copy.

The Superintendent or designee shall provide one printed copy free of charge. If the employee or designated representative requests additional copies within one year of the previous request and the Eden Area ROP's injury and illness prevention program has not been updated with new information since the prior copy was provided, the Eden Area ROP may charge reasonable reproduction costs pursuant to 8 CCR 3204 for the additional copies.

2. Unobstructed access to the Eden Area ROP's injury and illness prevention program through the Eden Area ROP's server or web site, which allows an employee to review, print, and email the current version of the Eden Area ROP's injury and illness prevention program

The Superintendent or designee shall communicate the right and procedure to access the Eden Area ROP's injury and illness prevention program to all employees. (8 CCR 3203)

### **Eye Safety Devices**

Eye safety devices shall be worn by employees whenever they are engaged in or observing an activity involving hazards or hazardous substances likely to cause injury to the eyes. (Education Code 32030-32034)

## **First Aid and Medical Services**

The Superintendent or designee shall ensure the ready availability of medical personnel for advice and consultation on matters of industrial health or injury. Whenever an Eden Area ROP facility or Eden Area ROP grounds are not in close proximity to an infirmary, clinic, or hospital where all injured employees may be treated, the Superintendent or designee shall ensure that at least one employee is adequately trained to provide first aid. (8 CCR 3400)

The Superintendent or designee shall make adequate first aid materials readily available for employees at every worksite. Such materials shall be approved by a consulting physician and shall be kept in a sanitary and usable condition. The Superintendent or designee shall frequently inspect all first aid materials and replenish them as necessary. (8 CCR 3400)

The Superintendent or designee shall ensure that suitable facilities for quick drenching or flushing of the eyes and body are provided within the work area for immediate emergency use when the eyes or body or any person may be exposed to injurious corrosive materials. (8 CCR 3400)

To avoid unnecessary delay in medical treatment in the event of an employee's serious injury or illness, the Superintendent or designee shall use one or more of the following: (8 CCR 3400)

1. A communication system for contacting a physician or emergency medical service, such as access to 911 or equivalent telephone system. The communication system or the employees using the system shall have the ability to direct emergency services to the location of the injured or ill employee.
2. Readily accessible and available on-site treatment facilities suitable for treatment of reasonably anticipated injury and illness.

(cf. 5141.6 - School Health Services)

3. Proper equipment for prompt medical transport when transportation of injured or ill employees is necessary and appropriate.

## **Protection from Communicable Diseases and Infections**

The Superintendent or designee shall develop an exposure control plan for bloodborne pathogens that is consistent with the Eden Area ROP's injury and illness prevention program. The plan shall include a determination of which job classifications have occupational exposure to blood or other potentially infectious materials; precautions to be implemented, including universal precautions, engineering and work practice controls, and personal protective equipment; availability of the hepatitis B vaccination; provision of information and training to employees; and follow-up actions to be taken if exposure occurs. The Eden Area ROP shall ensure that a copy of the exposure control plan is accessible to employees in accordance with law. (8 CCR 5193; 29 CFR 1910.1030)

Strategies to prevent and mitigate the outbreak or spread of infectious diseases shall be followed for diseases that are communicated through airborne transmission, skin-to-skin contact, foodborne transmission, or other casual or noncasual means. Such strategies shall include, but are not limited to, communication and training about the disease(s); campus closures and alternative means of instruction when necessary; preventative measures, such as social distancing, personal protective equipment, temperature checks, and/or any other health screening allowed by law; and cleaning and sanitization of Eden Area ROP facilities and equipment.

The Superintendent or designee shall immediately report to the local health officer the presence or suspected presence of any communicable disease. (17 CCR 2508)

## **COVID-19 Exposure**

If the Eden Area ROP receives notice of potential exposure to COVID-19, the Superintendent or designee shall, within one business day of the notice, take all of the following actions: (Labor Code 6409.6)

1. Provide a written notice to all employees, and the employers of subcontracted employees, who were on the premises at the same worksite as the qualifying individual within the infectious period that they may have been exposed to COVID-19. The notice shall be provided in a manner normally used to communicate employment-related information, which may include, but is not limited to, personal service, email, or text message if it can reasonably be anticipated to be received by the employee within one business day of sending.

2. Provide a written notice to the exclusive representative, if any, of employees who were on the premises within the infectious period
3. Provide all employees who may have been exposed and the exclusive representative, if any, with information regarding:
  - a. COVID-19-related benefits to which the employee may be entitled under applicable federal, state, or local laws, including, but not limited to, workers' compensation
  - b. Available leave options for exposed employees
  - c. Antiretaliation and antidiscrimination protections of the employee
4. Notify all employees, and the employers of subcontracted employees and the exclusive representative, if any, of the disinfection and safety plan that the Eden Area ROP plans to complete in accordance with Centers for Disease Control and Prevention guidelines

The above notifications shall be maintained for a period of at least three years. (Labor Code 6409.6)

If the Eden Area ROP is notified of the number of cases that meet the definition of a COVID-19 outbreak, as defined by the California Department of Public Health, within 48 hours, the Superintendent or designee shall, within 48 hours of the notice, notify the local public health agency of the names, number, occupation, and worksite of employees who meet the definition of a qualifying individual. The Superintendent or designee shall continue to give notice to the local health department of any subsequent laboratory-confirmed cases of COVID-19 at the worksite. (Labor Code 6409.6)

In the event that Cal/OSHA prohibits entry into any Eden Area ROP workplace or performance of an Eden Area ROP operation or process based on a determination that the workplace exposes employees to the risk of COVID-19 infection and constitutes an imminent hazard to employees, the Eden Area ROP shall post a notice thereof provided by Cal/OSHA in a conspicuous place at the work site. This notice shall not be removed except by an authorized representative of Cal/OSHA and only when the place of employment, operation, or process is made safe and the required safeguards or safety appliances or devices are provided. (Labor Code 6325)

---

**Regulation 4157.1: Work-Related Injuries**

**Status:** DRAFT

**Original Adopted Date:** 05/07/2020

In order to provide medical benefits, temporary or permanent disability benefits, wage replacement, retraining or skill enhancement, and/or death benefits in the event that an employee becomes injured or ill in the course of employment, the Eden Area Regional Occupational Program (Eden Area ROP) shall provide all employees with insurance and workers' compensation benefits in accordance with law. The Superintendent or designee shall develop an efficient claims handling process that reduces costs and facilitates employee recovery.

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

(cf. 4032 - Reasonable Accommodation)

(cf. 4113.4/4213.4/4313.4 - Temporary Modified/Light-Duty Assignment)

(cf. 4154/4254/4354 - Health and Welfare Benefits)

(cf. 4157/4257/4357 - Employee Safety)

(cf. 4157.2/4257.2/4357.2 - Ergonomics)

(cf. 4161.11/4261.11/4361.11 - Industrial Accident/Illness Leave)

The Superintendent or designee shall notify every new employee, at the time of hire or by the end of the first pay period, of the employee's right to receive workers' compensation benefits if injured at work. (Labor Code 3551; 8 CCR 15596)

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

In addition, a notice regarding workers' compensation benefits shall be posted in a conspicuous location frequented by employees, where the notice may be easily read during the workday. (Labor Code 3550)

In the event that an employee is injured or becomes ill in the course of employment, the employee shall report the work-related injury or illness to the Superintendent or designee as soon as practicable. The employee and appropriate district staff shall also promptly document the date and time of any incident, a description of the incident, and any persons present.

Within one working day of receiving notice or knowledge of any injury to an employee in the course of employment, the Superintendent or designee shall provide a claim form and notice of potential eligibility for workers' compensation benefits to the employee or, in the case of the employee's death, to the employee's dependents. The claim form and notice shall be provided personally or by first class mail. (Labor Code 5401)

The Superintendent or designee shall additionally ensure that any employee who is a victim of a crime that occurred at the place of employment is given written notice personally or by first class mail within one working day of the crime, or when the Eden Area ROP reasonably should have known of the crime, that the employee is eligible for workers' compensation benefits for injuries, including psychiatric injuries, that may have resulted from the crime. (Labor Code 3553)

The Superintendent or designee shall ensure that all employee notices described above are in the form prescribed by the Department of Industrial Relations (DIR), Division of Workers Compensation.

Upon learning of a work-related injury or illness, or injury or illness alleged to have arisen out of and in the course of employment, the Superintendent or designee shall report the incident to the Eden Area ROP's insurance carrier or DIR, as applicable, within five days after obtaining knowledge of the injury or illness. If a subsequent death arises as a result of the reported injury or illness, an amended report indicating the death shall be filed within five days after being notified of or learning about the death. (Labor Code 6409.1)

In addition, in every case involving death or serious injury or illness, the Superintendent or designee shall immediately make a report to the Division of Occupational Safety and Health (Cal/OSHA) by telephone or through an online mechanism made available by Cal/OSHA. (Labor Code 6409.1)

For the purpose of this report, serious injury or illness means any injury or illness occurring in a place of employment



or in connection with any employment that requires inpatient hospitalization for other than medical observation or diagnostic testing, or in which an employee suffers an amputation, the loss of an eye, or any serious degree of permanent disfigurement. (Labor Code 6302)

---

**Regulation 4257.1: Work-Related Injuries**

**Status:** DRAFT

**Original Adopted Date:** 05/07/2020

In order to provide medical benefits, temporary or permanent disability benefits, wage replacement, retraining or skill enhancement, and/or death benefits in the event that an employee becomes injured or ill in the course of employment, the Eden Area Regional Occupational Program (Eden Area ROP) shall provide all employees with insurance and workers' compensation benefits in accordance with law. The Superintendent or designee shall develop an efficient claims handling process that reduces costs and facilitates employee recovery.

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

(cf. 4032 - Reasonable Accommodation)

(cf. 4113.4/4213.4/4313.4 - Temporary Modified/Light-Duty Assignment)

(cf. 4154/4254/4354 - Health and Welfare Benefits)

(cf. 4157/4257/4357 - Employee Safety)

(cf. 4157.2/4257.2/4357.2 - Ergonomics)

(cf. 4161.11/4261.11/4361.11 - Industrial Accident/Illness Leave)

The Superintendent or designee shall notify every new employee, at the time of hire or by the end of the first pay period, of the employee's right to receive workers' compensation benefits if injured at work. (Labor Code 3551; 8 CCR 15596)

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

In addition, a notice regarding workers' compensation benefits shall be posted in a conspicuous location frequented by employees, where the notice may be easily read during the workday. (Labor Code 3550)

In the event that an employee is injured or becomes ill in the course of employment, the employee shall report the work-related injury or illness to the Superintendent or designee as soon as practicable. The employee and appropriate district staff shall also promptly document the date and time of any incident, a description of the incident, and any persons present.

Within one working day of receiving notice or knowledge of any injury to an employee in the course of employment, the Superintendent or designee shall provide a claim form and notice of potential eligibility for workers' compensation benefits to the employee or, in the case of the employee's death, to the employee's dependents. The claim form and notice shall be provided personally or by first class mail. (Labor Code 5401)

The Superintendent or designee shall additionally ensure that any employee who is a victim of a crime that occurred at the place of employment is given written notice personally or by first class mail within one working day of the crime, or when the Eden Area ROP reasonably should have known of the crime, that the employee is eligible for workers' compensation benefits for injuries, including psychiatric injuries, that may have resulted from the crime. (Labor Code 3553)

The Superintendent or designee shall ensure that all employee notices described above are in the form prescribed by the Department of Industrial Relations (DIR), Division of Workers Compensation.

Upon learning of a work-related injury or illness, or injury or illness alleged to have arisen out of and in the course of employment, the Superintendent or designee shall report the incident to the Eden Area ROP's insurance carrier or DIR, as applicable, within five days after obtaining knowledge of the injury or illness. If a subsequent death arises as a result of the reported injury or illness, an amended report indicating the death shall be filed within five days after being notified of or learning about the death. (Labor Code 6409.1)

In addition, in every case involving death or serious injury or illness, the Superintendent or designee shall immediately make a report to the Division of Occupational Safety and Health (Cal/OSHA) by telephone or through an online mechanism made available by Cal/OSHA. (Labor Code 6409.1)

For the purpose of this report, serious injury or illness means any injury or illness occurring in a place of employment

or in connection with any employment that requires inpatient hospitalization for other than medical observation or diagnostic testing, or in which an employee suffers an amputation, the loss of an eye, or any serious degree of permanent disfigurement. (Labor Code 6302)

---

**Regulation 4357.1: Work-Related Injuries**

**Status:** DRAFT

**Original Adopted Date:** 05/07/2020

In order to provide medical benefits, temporary or permanent disability benefits, wage replacement, retraining or skill enhancement, and/or death benefits in the event that an employee becomes injured or ill in the course of employment, the Eden Area Regional Occupational Program (Eden Area ROP) shall provide all employees with insurance and workers' compensation benefits in accordance with law. The Superintendent or designee shall develop an efficient claims handling process that reduces costs and facilitates employee recovery.

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

(cf. 4032 - Reasonable Accommodation)

(cf. 4113.4/4213.4/4313.4 - Temporary Modified/Light-Duty Assignment)

(cf. 4154/4254/4354 - Health and Welfare Benefits)

(cf. 4157/4257/4357 - Employee Safety)

(cf. 4157.2/4257.2/4357.2 - Ergonomics)

(cf. 4161.11/4261.11/4361.11 - Industrial Accident/Illness Leave)

The Superintendent or designee shall notify every new employee, at the time of hire or by the end of the first pay period, of the employee's right to receive workers' compensation benefits if injured at work. (Labor Code 3551; 8 CCR 15596)

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

In addition, a notice regarding workers' compensation benefits shall be posted in a conspicuous location frequented by employees, where the notice may be easily read during the workday. (Labor Code 3550)

In the event that an employee is injured or becomes ill in the course of employment, the employee shall report the work-related injury or illness to the Superintendent or designee as soon as practicable. The employee and appropriate district staff shall also promptly document the date and time of any incident, a description of the incident, and any persons present.

Within one working day of receiving notice or knowledge of any injury to an employee in the course of employment, the Superintendent or designee shall provide a claim form and notice of potential eligibility for workers' compensation benefits to the employee or, in the case of the employee's death, to the employee's dependents. The claim form and notice shall be provided personally or by first class mail. (Labor Code 5401)

The Superintendent or designee shall additionally ensure that any employee who is a victim of a crime that occurred at the place of employment is given written notice personally or by first class mail within one working day of the crime, or when the Eden Area ROP reasonably should have known of the crime, that the employee is eligible for workers' compensation benefits for injuries, including psychiatric injuries, that may have resulted from the crime. (Labor Code 3553)

The Superintendent or designee shall ensure that all employee notices described above are in the form prescribed by the Department of Industrial Relations (DIR), Division of Workers Compensation.

Upon learning of a work-related injury or illness, or injury or illness alleged to have arisen out of and in the course of employment, the Superintendent or designee shall report the incident to the Eden Area ROP's insurance carrier or DIR, as applicable, within five days after obtaining knowledge of the injury or illness. If a subsequent death arises as a result of the reported injury or illness, an amended report indicating the death shall be filed within five days after being notified of or learning about the death. (Labor Code 6409.1)

In addition, in every case involving death or serious injury or illness, the Superintendent or designee shall immediately make a report to the Division of Occupational Safety and Health (Cal/OSHA) by telephone or through an online mechanism made available by Cal/OSHA. (Labor Code 6409.1)

For the purpose of this report, serious injury or illness means any injury or illness occurring in a place of employment

or in connection with any employment that requires inpatient hospitalization for other than medical observation or diagnostic testing, or in which an employee suffers an amputation, the loss of an eye, or any serious degree of permanent disfigurement. (Labor Code 6302)

---

**Policy 4158: Employee Security**

**Status:** DRAFT

**Original Adopted Date:** 05/07/2020 | **Last Reviewed Date:** 05/07/2020

The Governing Board expects a safe and orderly work environment for all employees. As part of the Eden Area Regional Occupational Program's (Eden Area ROP) comprehensive safety plan, the Superintendent or designee shall develop strategies for protecting employees from potentially dangerous persons and situations and for providing necessary assistance and support when emergency situations occur.

Any person who threatens the safety of others at any district facility may be removed by the Superintendent or designee in accordance with AR 3515.2 - Disruptions.

Any employee against whom violence or any threat of violence has been directed in the workplace shall notify the Superintendent or designee immediately. As appropriate, the Superintendent or designee shall initiate legal and security measures to protect the employee and others in the workplace. Such measures may include seeking a temporary restraining order on behalf of the employee pursuant to Code of Civil Procedure 527.8 and/or a gun violence restraining order pursuant to Penal Code 18150 and 18170.

Upon request by an employee who is a victim of domestic violence, sexual assault, or stalking, the Superintendent or designee shall provide reasonable accommodations in accordance with Labor Code 230-230.1 and the accompanying administrative regulation to protect the employee's safety while at work.

The Superintendent or designee may pursue legal action on behalf of an employee against a student or the student's parent/guardian to recover damages for injury to the employee's person or property caused by the student's willful misconduct that occurred on Eden Area ROP property, at a school or Eden Area ROP activity, or in retaliation for lawful acts of the employee in the performance of the employee's duties. (Education Code 48904, 48905)

The Superintendent or designee shall provide staff development in crisis prevention and intervention techniques, which may include training in classroom management, effective communication techniques, procedures for responding to an active shooter situation, and crisis resolution.

In accordance with law, the Superintendent or designee shall inform teachers, administrators, and/or counselors of crimes and offenses committed by students who may pose a danger in the classroom. (Education Code 48201, 49079; Welfare and Institutions Code 827)

The Superintendent or designee may make available at appropriate locations, including, but not limited to, Eden Area ROP and school offices, gyms, and classrooms, communication devices that would enable two-way communication with law enforcement and others when emergencies occur.

### **Use of Pepper Spray**

Employees shall not carry or possess pepper spray on school property or at school activities, except when authorized by the Superintendent or designee for self-defense purposes. When allowed, an employee may only possess pepper spray in accordance with administrative regulations and Penal Code 22810. Any employee who is negligent or careless in the possession or handling of pepper spray shall be subject to appropriate disciplinary measures.

### **Reporting of Injurious Objects**

Employees shall take immediate action upon being made aware that any person is in possession of a weapon or unauthorized injurious object on school grounds or at a school-related or school-sponsored activity. Employees shall exercise their best judgment as to the potential danger involved and shall do one of the following:

1. Confiscate the object and deliver it to the Superintendent or designee immediately
2. Immediately notify the Superintendent or designee, who shall take appropriate action
3. Immediately call 911 and the Superintendent or designee

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

**Policy 4258: Employee Security**

**Status:** DRAFT

**Original Adopted Date:** 05/07/2020

The Governing Board expects a safe and orderly work environment for all employees. As part of the Eden Area Regional Occupational Program's (Eden Area ROP) comprehensive safety plan, the Superintendent or designee shall develop strategies for protecting employees from potentially dangerous persons and situations and for providing necessary assistance and support when emergency situations occur.

Any person who threatens the safety of others at any district facility may be removed by the Superintendent or designee in accordance with AR 3515.2 - Disruptions.

Any employee against whom violence or any threat of violence has been directed in the workplace shall notify the Superintendent or designee immediately. As appropriate, the Superintendent or designee shall initiate legal and security measures to protect the employee and others in the workplace. Such measures may include seeking a temporary restraining order on behalf of the employee pursuant to Code of Civil Procedure 527.8 and/or a gun violence restraining order pursuant to Penal Code 18150 and 18170.

Upon request by an employee who is a victim of domestic violence, sexual assault, or stalking, the Superintendent or designee shall provide reasonable accommodations in accordance with Labor Code 230-230.1 and the accompanying administrative regulation to protect the employee's safety while at work.

The Superintendent or designee may pursue legal action on behalf of an employee against a student or the student's parent/guardian to recover damages for injury to the employee's person or property caused by the student's willful misconduct that occurred on Eden Area ROP property, at a school or Eden Area ROP activity, or in retaliation for lawful acts of the employee in the performance of the employee's duties. (Education Code 48904, 48905)

The Superintendent or designee shall provide staff development in crisis prevention and intervention techniques, which may include training in classroom management, effective communication techniques, procedures for responding to an active shooter situation, and crisis resolution.

In accordance with law, the Superintendent or designee shall inform teachers, administrators, and/or counselors of crimes and offenses committed by students who may pose a danger in the classroom. (Education Code 48201, 49079; Welfare and Institutions Code 827)

The Superintendent or designee may make available at appropriate locations, including, but not limited to, Eden Area ROP and school offices, gyms, and classrooms, communication devices that would enable two-way communication with law enforcement and others when emergencies occur.

**Use of Pepper Spray**

Employees shall not carry or possess pepper spray on school property or at school activities, except when authorized by the Superintendent or designee for self-defense purposes. When allowed, an employee may only possess pepper spray in accordance with administrative regulations and Penal Code 22810. Any employee who is negligent or careless in the possession or handling of pepper spray shall be subject to appropriate disciplinary measures.

**Reporting of Injurious Objects**

Employees shall take immediate action upon being made aware that any person is in possession of a weapon or unauthorized injurious object on school grounds or at a school-related or school-sponsored activity. Employees shall exercise their best judgment as to the potential danger involved and shall do one of the following:

1. Confiscate the object and deliver it to the Superintendent or designee immediately
2. Immediately notify the Superintendent or designee, who shall take appropriate action
3. Immediately call 911 and the Superintendent or designee

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

**Policy 4358: Employee Security**

**Status:** DRAFT

**Original Adopted Date:** 05/07/2020

The Governing Board expects a safe and orderly work environment for all employees. As part of the Eden Area Regional Occupational Program's (Eden Area ROP) comprehensive safety plan, the Superintendent or designee shall develop strategies for protecting employees from potentially dangerous persons and situations and for providing necessary assistance and support when emergency situations occur.

Any person who threatens the safety of others at any district facility may be removed by the Superintendent or designee in accordance with AR 3515.2 - Disruptions.

Any employee against whom violence or any threat of violence has been directed in the workplace shall notify the Superintendent or designee immediately. As appropriate, the Superintendent or designee shall initiate legal and security measures to protect the employee and others in the workplace. Such measures may include seeking a temporary restraining order on behalf of the employee pursuant to Code of Civil Procedure 527.8 and/or a gun violence restraining order pursuant to Penal Code 18150 and 18170.

Upon request by an employee who is a victim of domestic violence, sexual assault, or stalking, the Superintendent or designee shall provide reasonable accommodations in accordance with Labor Code 230-230.1 and the accompanying administrative regulation to protect the employee's safety while at work.

The Superintendent or designee may pursue legal action on behalf of an employee against a student or the student's parent/guardian to recover damages for injury to the employee's person or property caused by the student's willful misconduct that occurred on Eden Area ROP property, at a school or Eden Area ROP activity, or in retaliation for lawful acts of the employee in the performance of the employee's duties. (Education Code 48904, 48905)

The Superintendent or designee shall provide staff development in crisis prevention and intervention techniques, which may include training in classroom management, effective communication techniques, procedures for responding to an active shooter situation, and crisis resolution.

In accordance with law, the Superintendent or designee shall inform teachers, administrators, and/or counselors of crimes and offenses committed by students who may pose a danger in the classroom. (Education Code 48201, 49079; Welfare and Institutions Code 827)

The Superintendent or designee may make available at appropriate locations, including, but not limited to, Eden Area ROP and school offices, gyms, and classrooms, communication devices that would enable two-way communication with law enforcement and others when emergencies occur.

### **Use of Pepper Spray**

Employees shall not carry or possess pepper spray on school property or at school activities, except when authorized by the Superintendent or designee for self-defense purposes. When allowed, an employee may only possess pepper spray in accordance with administrative regulations and Penal Code 22810. Any employee who is negligent or careless in the possession or handling of pepper spray shall be subject to appropriate disciplinary measures.

### **Reporting of Injurious Objects**

Employees shall take immediate action upon being made aware that any person is in possession of a weapon or unauthorized injurious object on school grounds or at a school-related or school-sponsored activity. Employees shall exercise their best judgment as to the potential danger involved and shall do one of the following:

1. Confiscate the object and deliver it to the Superintendent or designee immediately
2. Immediately notify the Superintendent or designee, who shall take appropriate action
3. Immediately call 911 and the Superintendent or designee

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



**Regulation 4158: Employee Security**

**Status:** DRAFT

**Original Adopted Date:** Pending

An employee may use reasonable and necessary force for self-defense or defense of another person, to quell a disturbance threatening physical injury to others or damage to property, or to obtain possession of weapons or other dangerous objects within the control of a student. (Education Code 44807, 49001)

An employee shall promptly report to the principal or other immediate supervisor any attack, assault, or physical threat made against the employee by a student or by any other individual in relation to the performance of the employee's duties, and any action the employee took in response. Reports of an attack, assault, or threat shall be forwarded immediately to the Superintendent or designee.

In addition, the employee and the principal or other immediate supervisor shall promptly report to local law enforcement authorities an attack, assault, or physical threat made against the employee by a student. (Education Code 44014)

**Notice Regarding Student Offenses**

When a student commits certain offenses that may endanger staff or others, the following procedures shall be implemented to notify staff members as appropriate:

**1. Acts That Are Grounds for Suspension or Expulsion**

- a. The Superintendent or designee shall inform the teacher(s) of each student who, during the previous three school years, has engaged in or is reasonably suspected to have engaged in any act, except the possession or use of tobacco products, that would constitute a ground for suspension or expulsion as specified in AR 5144.1 - Suspension and Expulsion/Due Process. This information shall be based upon Eden Area ROP records maintained in the ordinary course of business or records received from a law enforcement agency. (Education Code 49079)
- b. Upon receiving a transfer student's record regarding acts committed by the student that resulted in suspension or expulsion, the Superintendent or designee shall inform the student's teacher(s) that the student was suspended from school or expelled from the former Eden Area ROP and of the act that resulted in the suspension or expulsion. (Education Code 48201)
- c. Information received by teacher(s) shall be received in confidence for the limited purpose for which it was provided and shall not be further disseminated by the teacher. (Education Code 48201, 49079)

**2. Offenses Reported to the Eden Area ROP by a Court**

- a. When informed by a court that a minor student has been found by the court to have committed any felony or any misdemeanor involving curfew, gambling, alcohol, drugs, tobacco products, carrying of weapons, a sex offense listed in Penal Code 290, assault or battery, larceny, vandalism, or graffiti, the Superintendent or designee shall expeditiously notify the school principal. (Welfare and Institutions Code 827)
- b. The principal shall expeditiously disseminate this information to any counselor who directly supervises or reports on the student's behavior or progress and to any teacher or administrator directly supervising or reporting on the student's behavior or progress whom the principal thinks may need the information in order to work with the student appropriately, avoid being needlessly vulnerable, or protect others from vulnerability. (Welfare and Institutions Code 827)
- c. Any court-initiated information that a teacher, counselor, or administrator receives shall be kept confidential and used only to rehabilitate the student and protect other students and staff. The information shall be further disseminated only when communication with the student, parent/guardian, law enforcement staff, and probation officer is necessary to rehabilitate the student or to protect students and staff. (Welfare and Institutions Code 827)
- d. When a student is removed from school as a result of an offense, the Superintendent shall hold the court's information in a separate confidential file until the student is returned to the Eden Area ROP. If

the student is returned to a different Eden Area ROP, the Superintendent shall transmit the information provided by the student's parole or probation officer to the superintendent of the new Eden Area ROP of attendance. (Welfare and Institutions Code 827)

- e. Any confidential file of court-initiated information shall be kept until the student becomes 18, graduates from high school, or is released from juvenile court jurisdiction, whichever occurs first, and shall then be destroyed. (Welfare and Institutions Code 827)

In order to maintain confidentiality when providing information about student offenses to a counselor or teacher, the principal or designee shall send the staff member a written notification that a student has committed an offense that requires review of a student's file in the school office. This notice shall not name or otherwise identify the student. The staff member shall initial the notification and shall also initial the student's file when reviewing it in the school office.

### **Accommodations for Victims of Domestic Violence, Sexual Assault, or Stalking**

When requested by an employee who is a victim of domestic violence, sexual assault, or stalking, the Eden Area ROP shall provide the employee reasonable accommodations which may include the implementation of safety measures, including: (Labor Code 230)

1. A transfer, reassignment, or modified schedule
2. A changed work telephone or work station
3. An installed lock
4. Assistance in documenting domestic violence, sexual assault, stalking, or other crime that occurs in the workplace
5. Referral to a victim assistance organization
6. Another safety procedure or adjustment to a job structure, workplace facility, or work requirement in response to domestic violence, sexual assault, stalking, or other crime

The Superintendent or designee shall engage in a timely, good faith, and interactive process with the employee to determine effective reasonable accommodations that do not pose an undue hardship on the Eden Area ROP. In determining whether an accommodation is reasonable, the Superintendent or designee shall consider any exigent circumstance or danger facing the employee. (Labor Code 230)

Upon the request of the Superintendent or designee, an employee requesting a reasonable accommodation shall provide a written statement, signed by the employee or an individual acting on the employee's behalf, certifying that the accommodation is for an authorized purpose. The Superintendent or designee may also request that the employee provide certification of the employee's status as a victim of domestic violence, sexual assault, or stalking. Such certification may include: (Labor Code 230)

1. A police report indicating that the employee was a victim
2. A court order protecting or separating the employee from the perpetrator of the crime or abuse, or other evidence from the court or prosecuting attorney that the employee has appeared in court
3. Documentation from a licensed medical professional or health care provider, domestic violence or sexual assault counselor, victim advocate, or counselor that the employee was undergoing treatment or receiving services for physical or mental injuries or abuse resulting in victimization from the crime or abuse
4. Any other form of documentation that reasonably verifies that the crime or abuse occurred, including, but not limited to, a written statement signed by the employee or by an individual acting on the employee's behalf

Any verbal or written statement, police or court record, or other documentation identifying an employee as a victim shall be confidential and shall not be disclosed by the Eden Area ROP except as required by federal or state law or as necessary to protect the employee's safety in the workplace. The employee shall be notified before any authorized disclosure. (Labor Code 230)

Every six months after the date of the certification, the Superintendent or designee may request recertification of

the employee's status as a victim of domestic violence, sexual assault, or stalking or ongoing circumstances related to the crime or abuse. The employee shall notify the Superintendent or designee if, due to changing circumstances, the employee needs a new accommodation or no longer needs an accommodation. (Labor Code 230)

The Eden Area ROP shall not retaliate against an employee because of the employee's status as a victim of crime or abuse or for requesting a reasonable accommodation, regardless of whether the request was granted. (Labor Code 230)

### **Use of Pepper Spray**

The Superintendent or designee shall notify employees of the Eden Area ROP's policy prohibiting the possession of pepper spray on school property or at school-related activities without prior approval of the Superintendent or designee. Employees wishing to carry pepper spray shall submit to the Superintendent or designee a written request setting forth the need for the pepper spray. The Superintendent or designee shall notify the employee in writing as to whether the request was approved or denied.

When approving an employee's request, the Superintendent or designee shall inform the employee of the following conditions:

1. The pepper spray shall be used only in self-defense pursuant to Penal Code 22810.
  2. An employee who uses pepper spray other than in self-defense shall be subject to disciplinary action by the Eden Area ROP and, in accordance with law, a fine and/or imprisonment.
  3. The pepper spray must be stored in a secure place and not be accessible to students or other individuals. Negligent storage of the pepper spray may subject the employee to disciplinary action.
-

**Regulation 4258: Employee Security**

**Status:** DRAFT

**Original Adopted Date:** Pending

An employee may use reasonable and necessary force for self-defense or defense of another person, to quell a disturbance threatening physical injury to others or damage to property, or to obtain possession of weapons or other dangerous objects within the control of a student. (Education Code 44807, 49001)

An employee shall promptly report to the principal or other immediate supervisor any attack, assault, or physical threat made against the employee by a student or by any other individual in relation to the performance of the employee's duties, and any action the employee took in response. Reports of an attack, assault, or threat shall be forwarded immediately to the Superintendent or designee.

In addition, the employee and the principal or other immediate supervisor shall promptly report to local law enforcement authorities an attack, assault, or physical threat made against the employee by a student. (Education Code 44014)

**Notice Regarding Student Offenses**

When a student commits certain offenses that may endanger staff or others, the following procedures shall be implemented to notify staff members as appropriate:

**1. Acts That Are Grounds for Suspension or Expulsion**

- a. The Superintendent or designee shall inform the teacher(s) of each student who, during the previous three school years, has engaged in or is reasonably suspected to have engaged in any act, except the possession or use of tobacco products, that would constitute a ground for suspension or expulsion as specified in AR 5144.1 - Suspension and Expulsion/Due Process. This information shall be based upon Eden Area ROP records maintained in the ordinary course of business or records received from a law enforcement agency. (Education Code 49079)
- b. Upon receiving a transfer student's record regarding acts committed by the student that resulted in suspension or expulsion, the Superintendent or designee shall inform the student's teacher(s) that the student was suspended from school or expelled from the former Eden Area ROP and of the act that resulted in the suspension or expulsion. (Education Code 48201)
- c. Information received by teacher(s) shall be received in confidence for the limited purpose for which it was provided and shall not be further disseminated by the teacher. (Education Code 48201, 49079)

**2. Offenses Reported to the Eden Area ROP by a Court**

- a. When informed by a court that a minor student has been found by the court to have committed any felony or any misdemeanor involving curfew, gambling, alcohol, drugs, tobacco products, carrying of weapons, a sex offense listed in Penal Code 290, assault or battery, larceny, vandalism, or graffiti, the Superintendent or designee shall expeditiously notify the school principal. (Welfare and Institutions Code 827)
- b. The principal shall expeditiously disseminate this information to any counselor who directly supervises or reports on the student's behavior or progress and to any teacher or administrator directly supervising or reporting on the student's behavior or progress whom the principal thinks may need the information in order to work with the student appropriately, avoid being needlessly vulnerable, or protect others from vulnerability. (Welfare and Institutions Code 827)
- c. Any court-initiated information that a teacher, counselor, or administrator receives shall be kept confidential and used only to rehabilitate the student and protect other students and staff. The information shall be further disseminated only when communication with the student, parent/guardian, law enforcement staff, and probation officer is necessary to rehabilitate the student or to protect students and staff. (Welfare and Institutions Code 827)
- d. When a student is removed from school as a result of an offense, the Superintendent shall hold the court's information in a separate confidential file until the student is returned to the Eden Area ROP. If

the student is returned to a different Eden Area ROP, the Superintendent shall transmit the information provided by the student's parole or probation officer to the superintendent of the new Eden Area ROP of attendance. (Welfare and Institutions Code 827)

- e. Any confidential file of court-initiated information shall be kept until the student becomes 18, graduates from high school, or is released from juvenile court jurisdiction, whichever occurs first, and shall then be destroyed. (Welfare and Institutions Code 827)

In order to maintain confidentiality when providing information about student offenses to a counselor or teacher, the principal or designee shall send the staff member a written notification that a student has committed an offense that requires review of a student's file in the school office. This notice shall not name or otherwise identify the student. The staff member shall initial the notification and shall also initial the student's file when reviewing it in the school office.

### **Accommodations for Victims of Domestic Violence, Sexual Assault, or Stalking**

When requested by an employee who is a victim of domestic violence, sexual assault, or stalking, the Eden Area ROP shall provide the employee reasonable accommodations which may include the implementation of safety measures, including: (Labor Code 230)

1. A transfer, reassignment, or modified schedule
2. A changed work telephone or work station
3. An installed lock
4. Assistance in documenting domestic violence, sexual assault, stalking, or other crime that occurs in the workplace
5. Referral to a victim assistance organization
6. Another safety procedure or adjustment to a job structure, workplace facility, or work requirement in response to domestic violence, sexual assault, stalking, or other crime

The Superintendent or designee shall engage in a timely, good faith, and interactive process with the employee to determine effective reasonable accommodations that do not pose an undue hardship on the Eden Area ROP. In determining whether an accommodation is reasonable, the Superintendent or designee shall consider any exigent circumstance or danger facing the employee. (Labor Code 230)

Upon the request of the Superintendent or designee, an employee requesting a reasonable accommodation shall provide a written statement, signed by the employee or an individual acting on the employee's behalf, certifying that the accommodation is for an authorized purpose. The Superintendent or designee may also request that the employee provide certification of the employee's status as a victim of domestic violence, sexual assault, or stalking. Such certification may include: (Labor Code 230)

1. A police report indicating that the employee was a victim
2. A court order protecting or separating the employee from the perpetrator of the crime or abuse, or other evidence from the court or prosecuting attorney that the employee has appeared in court
3. Documentation from a licensed medical professional or health care provider, domestic violence or sexual assault counselor, victim advocate, or counselor that the employee was undergoing treatment or receiving services for physical or mental injuries or abuse resulting in victimization from the crime or abuse
4. Any other form of documentation that reasonably verifies that the crime or abuse occurred, including, but not limited to, a written statement signed by the employee or by an individual acting on the employee's behalf

Any verbal or written statement, police or court record, or other documentation identifying an employee as a victim shall be confidential and shall not be disclosed by the Eden Area ROP except as required by federal or state law or as necessary to protect the employee's safety in the workplace. The employee shall be notified before any authorized disclosure. (Labor Code 230)

Every six months after the date of the certification, the Superintendent or designee may request recertification of

the employee's status as a victim of domestic violence, sexual assault, or stalking or ongoing circumstances related to the crime or abuse. The employee shall notify the Superintendent or designee if, due to changing circumstances, the employee needs a new accommodation or no longer needs an accommodation. (Labor Code 230)

The Eden Area ROP shall not retaliate against an employee because of the employee's status as a victim of crime or abuse or for requesting a reasonable accommodation, regardless of whether the request was granted. (Labor Code 230)

### **Use of Pepper Spray**

The Superintendent or designee shall notify employees of the Eden Area ROP's policy prohibiting the possession of pepper spray on school property or at school-related activities without prior approval of the Superintendent or designee. Employees wishing to carry pepper spray shall submit to the Superintendent or designee a written request setting forth the need for the pepper spray. The Superintendent or designee shall notify the employee in writing as to whether the request was approved or denied.

When approving an employee's request, the Superintendent or designee shall inform the employee of the following conditions:

1. The pepper spray shall be used only in self-defense pursuant to Penal Code 22810.
  2. An employee who uses pepper spray other than in self-defense shall be subject to disciplinary action by the Eden Area ROP and, in accordance with law, a fine and/or imprisonment.
  3. The pepper spray must be stored in a secure place and not be accessible to students or other individuals. Negligent storage of the pepper spray may subject the employee to disciplinary action.
-

**Regulation 4358: Employee Security**

**Status:** DRAFT

**Original Adopted Date:** Pending

An employee may use reasonable and necessary force for self-defense or defense of another person, to quell a disturbance threatening physical injury to others or damage to property, or to obtain possession of weapons or other dangerous objects within the control of a student. (Education Code 44807, 49001)

An employee shall promptly report to the principal or other immediate supervisor any attack, assault, or physical threat made against the employee by a student or by any other individual in relation to the performance of the employee's duties, and any action the employee took in response. Reports of an attack, assault, or threat shall be forwarded immediately to the Superintendent or designee.

In addition, the employee and the principal or other immediate supervisor shall promptly report to local law enforcement authorities an attack, assault, or physical threat made against the employee by a student. (Education Code 44014)

**Notice Regarding Student Offenses**

When a student commits certain offenses that may endanger staff or others, the following procedures shall be implemented to notify staff members as appropriate:

**1. Acts That Are Grounds for Suspension or Expulsion**

- a. The Superintendent or designee shall inform the teacher(s) of each student who, during the previous three school years, has engaged in or is reasonably suspected to have engaged in any act, except the possession or use of tobacco products, that would constitute a ground for suspension or expulsion as specified in AR 5144.1 - Suspension and Expulsion/Due Process. This information shall be based upon Eden Area ROP records maintained in the ordinary course of business or records received from a law enforcement agency. (Education Code 49079)
- b. Upon receiving a transfer student's record regarding acts committed by the student that resulted in suspension or expulsion, the Superintendent or designee shall inform the student's teacher(s) that the student was suspended from school or expelled from the former Eden Area ROP and of the act that resulted in the suspension or expulsion. (Education Code 48201)
- c. Information received by teacher(s) shall be received in confidence for the limited purpose for which it was provided and shall not be further disseminated by the teacher. (Education Code 48201, 49079)

**2. Offenses Reported to the Eden Area ROP by a Court**

- a. When informed by a court that a minor student has been found by the court to have committed any felony or any misdemeanor involving curfew, gambling, alcohol, drugs, tobacco products, carrying of weapons, a sex offense listed in Penal Code 290, assault or battery, larceny, vandalism, or graffiti, the Superintendent or designee shall expeditiously notify the school principal. (Welfare and Institutions Code 827)
- b. The principal shall expeditiously disseminate this information to any counselor who directly supervises or reports on the student's behavior or progress and to any teacher or administrator directly supervising or reporting on the student's behavior or progress whom the principal thinks may need the information in order to work with the student appropriately, avoid being needlessly vulnerable, or protect others from vulnerability. (Welfare and Institutions Code 827)
- c. Any court-initiated information that a teacher, counselor, or administrator receives shall be kept confidential and used only to rehabilitate the student and protect other students and staff. The information shall be further disseminated only when communication with the student, parent/guardian, law enforcement staff, and probation officer is necessary to rehabilitate the student or to protect students and staff. (Welfare and Institutions Code 827)
- d. When a student is removed from school as a result of an offense, the Superintendent shall hold the court's information in a separate confidential file until the student is returned to the Eden Area ROP. If

the student is returned to a different Eden Area ROP, the Superintendent shall transmit the information provided by the student's parole or probation officer to the superintendent of the new Eden Area ROP of attendance. (Welfare and Institutions Code 827)

- e. Any confidential file of court-initiated information shall be kept until the student becomes 18, graduates from high school, or is released from juvenile court jurisdiction, whichever occurs first, and shall then be destroyed. (Welfare and Institutions Code 827)

In order to maintain confidentiality when providing information about student offenses to a counselor or teacher, the principal or designee shall send the staff member a written notification that a student has committed an offense that requires review of a student's file in the school office. This notice shall not name or otherwise identify the student. The staff member shall initial the notification and shall also initial the student's file when reviewing it in the school office.

### **Accommodations for Victims of Domestic Violence, Sexual Assault, or Stalking**

When requested by an employee who is a victim of domestic violence, sexual assault, or stalking, the Eden Area ROP shall provide the employee reasonable accommodations which may include the implementation of safety measures, including: (Labor Code 230)

1. A transfer, reassignment, or modified schedule
2. A changed work telephone or work station
3. An installed lock
4. Assistance in documenting domestic violence, sexual assault, stalking, or other crime that occurs in the workplace
5. Referral to a victim assistance organization
6. Another safety procedure or adjustment to a job structure, workplace facility, or work requirement in response to domestic violence, sexual assault, stalking, or other crime

The Superintendent or designee shall engage in a timely, good faith, and interactive process with the employee to determine effective reasonable accommodations that do not pose an undue hardship on the Eden Area ROP. In determining whether an accommodation is reasonable, the Superintendent or designee shall consider any exigent circumstance or danger facing the employee. (Labor Code 230)

Upon the request of the Superintendent or designee, an employee requesting a reasonable accommodation shall provide a written statement, signed by the employee or an individual acting on the employee's behalf, certifying that the accommodation is for an authorized purpose. The Superintendent or designee may also request that the employee provide certification of the employee's status as a victim of domestic violence, sexual assault, or stalking. Such certification may include: (Labor Code 230)

1. A police report indicating that the employee was a victim
2. A court order protecting or separating the employee from the perpetrator of the crime or abuse, or other evidence from the court or prosecuting attorney that the employee has appeared in court
3. Documentation from a licensed medical professional or health care provider, domestic violence or sexual assault counselor, victim advocate, or counselor that the employee was undergoing treatment or receiving services for physical or mental injuries or abuse resulting in victimization from the crime or abuse
4. Any other form of documentation that reasonably verifies that the crime or abuse occurred, including, but not limited to, a written statement signed by the employee or by an individual acting on the employee's behalf

Any verbal or written statement, police or court record, or other documentation identifying an employee as a victim shall be confidential and shall not be disclosed by the Eden Area ROP except as required by federal or state law or as necessary to protect the employee's safety in the workplace. The employee shall be notified before any authorized disclosure. (Labor Code 230)

Every six months after the date of the certification, the Superintendent or designee may request recertification of



the employee's status as a victim of domestic violence, sexual assault, or stalking or ongoing circumstances related to the crime or abuse. The employee shall notify the Superintendent or designee if, due to changing circumstances, the employee needs a new accommodation or no longer needs an accommodation. (Labor Code 230)

The Eden Area ROP shall not retaliate against an employee because of the employee's status as a victim of crime or abuse or for requesting a reasonable accommodation, regardless of whether the request was granted. (Labor Code 230)

### **Use of Pepper Spray**

The Superintendent or designee shall notify employees of the Eden Area ROP's policy prohibiting the possession of pepper spray on school property or at school-related activities without prior approval of the Superintendent or designee. Employees wishing to carry pepper spray shall submit to the Superintendent or designee a written request setting forth the need for the pepper spray. The Superintendent or designee shall notify the employee in writing as to whether the request was approved or denied.

When approving an employee's request, the Superintendent or designee shall inform the employee of the following conditions:

1. The pepper spray shall be used only in self-defense pursuant to Penal Code 22810.
  2. An employee who uses pepper spray other than in self-defense shall be subject to disciplinary action by the Eden Area ROP and, in accordance with law, a fine and/or imprisonment.
  3. The pepper spray must be stored in a secure place and not be accessible to students or other individuals. Negligent storage of the pepper spray may subject the employee to disciplinary action.
-

**Regulation 4161.2: Personal Leaves**

**Status:** DRAFT

**Original Adopted Date:** 05/07/2020

Personal leaves granted to Eden Area Regional Occupational Program (Eden Area ROP) employees shall be used as permitted in this administrative regulation, or other Governing Board-approved policy or Eden Area ROP regulation.

For the purpose of any personal leave offered pursuant to state law, a registered domestic partner shall have the same rights, protections, and benefits as a spouse and protections provided to a spouse's child shall also apply to a child of a registered domestic partner. (Family Code 297.5)

Whenever possible, employees shall request personal leaves in advance and prepare suitable instructions, including lesson plans as applicable, for a substitute employee.

(cf. 4121 - Temporary/Substitute Personnel)

**Bereavement**

Employees are entitled to a leave of up to three days, or five days if out-of-state travel is required, upon the death of any member of the employee's immediate family. No deduction shall be made from the employee's salary, nor shall such leave be deducted from any other leave to which the employee is entitled. (Education Code 44985, 45194)

(cf. 4161/4261/4361 - Leaves)

Members of the immediate family include: (Education Code 44985, 45194)

1. The mother, father, grandmother, grandfather, or grandchild of the employee or of the employee's spouse
2. The employee's spouse, son, son-in-law, daughter, daughter-in-law, brother, or sister
3. Any relative living in the employee's immediate household

At the employee's request, bereavement leave may be extended under personal necessity leave provisions as provided in the section "Personal Necessity" below. (Education Code 44981, 45207)

**Personal Necessity**

Employees may use a maximum of seven days of their accrued personal illness/injury leave (sick leave) during each school year for reasons of personal necessity. (Education Code 44981, 45207)

(cf. 4161.1/4361.1 - Personal Illness/Injury Leave)

(cf. 4261.1 - Personal Illness/Injury Leave)

Acceptable reasons for the use of personal necessity leave include:

1. Death of a member of the employee's immediate family when the number of days of absence exceeds the limits set by bereavement leave provisions (Education Code 44981, 45207)
2. An accident involving the employee or the employee's property, or the person or property of a member of the employee's immediate family (Education Code 44981, 45207)
3. Illness, preventive care, or other need of a member of the employee's family, as defined in Labor Code 245.5 (Education Code 44981; Labor Code 246.5)

(cf. 4161.8/4261.8/4361.8 - Family Care and Medical Leave)

4. A classified employee's appearance in any court or before any administrative tribunal as a litigant, party, or witness under subpoena or other order (Education Code 45207)

5. Personal business of a serious nature which the employee cannot disregard

Leave for personal necessity may be allowed for other reasons at the discretion of the Superintendent or designee. However, personal necessity leave shall not be granted for purposes of personal convenience, for the extension of a holiday or vacation, or for matters which can be taken care of outside of working hours. The Superintendent or

designee shall have final discretion as to whether a request reflects personal necessity.

Advance permission shall not be required of an employee in any case involving the death of a member of the employee's immediate family, an accident involving the employee's person or property or the person or property of a member of the employee's immediate family, or the illness, preventive care, or other need of a member of the employee's family. (Education Code 44981, 45207)

For any leave that is planned, or where the need for leave is foreseeable, an employee shall notify the Superintendent or designee in advance. In all other circumstances, the employee shall notify the Superintendent or designee of the need for the leave as soon as practicable.

After any absence due to personal necessity, the employee shall verify the absence by submitting a completed and signed Eden Area ROP absence form to the employee's immediate supervisor.

### **Legal Duties**

An employee may take time off work in order to: (Labor Code 230)

1. Serve on an inquest jury or trial jury
2. Comply with a subpoena or other court order to appear as a witness

Notices, summons, and subpoenas for court appearances shall be submitted to the Eden Area ROP office when requesting leave.

A classified employee called for jury duty shall be granted leave with pay up to the amount of the difference between the employee's regular earnings and any amount received for jury fees. (Education Code 44037)

A certificated employee who is called for jury duty also shall be granted leave with pay up to the difference between the employee's regular earnings and any jury fees received.

An employee shall be granted leave with pay to appear in court as a witness other than a litigant or to respond to an official order from another governmental jurisdiction for reasons not brought about through the connivance or misconduct of the employee. Such an employee shall receive the difference between the employee's regular earnings and any witness fees received.

### **Leaves for Crime Victims for Judicial Proceedings**

An employee may be absent from work in order to attend judicial proceedings related to a crime when the employee is a victim, or an immediate family member, registered domestic partner, or child of a registered domestic partner of a victim, of any of the following crimes: (Labor Code 230.2)

1. A violent felony as defined in Penal Code 667.5(c)
2. A serious felony as defined in Penal Code 1192.7(c)
3. A felony provision of law proscribing theft or embezzlement

For these purposes, the employee may use vacation, personal leave, personal illness/injury leave, unpaid leave, or compensatory time off that is otherwise available to the employee. (Labor Code 230.2)

Prior to taking time off, an employee shall give the Superintendent or designee a copy of the notice of each scheduled proceeding that is provided by the responsible agency, unless advance notice is not feasible. When advance notice is not feasible or an unscheduled absence occurs, the employee shall, within a reasonable time after the absence, provide documentation evidencing the judicial proceeding from the court or government agency setting the hearing, the Eden Area ROP attorney or prosecuting attorney's office, or the victim/witness office that is advocating on behalf of the victim. (Labor Code 230.2)

The Eden Area ROP shall keep confidential any records pertaining to the employee's absence from work by reason of this leave. (Labor Code 230.2)

### **Leaves for Victims of Crime or Abuse**

An employee who is a victim of domestic violence, sexual assault, or stalking, who is a victim of a crime that caused

physical injury or that caused mental injury with a threat of physical injury, or whose immediate family member, as defined, is deceased as the direct result of a crime may use vacation, sick leave, personal leave, or compensatory time off that is otherwise available to the employee to attend to the following activities: (Labor Code 230, 230.1, 246.5)

1. Obtain or attempt to obtain any relief, including, but not limited to, a temporary restraining order, restraining order, or other injunctive relief to help ensure the health, safety, or welfare of the employee or the employee's child
2. Seek medical attention for injuries caused by crime or abuse
3. Obtain services from a domestic violence shelter, program, rape crisis center, or victim services organization or agency as a result of the crime or abuse
4. Obtain psychological counseling or mental health services related to an experience of crime or abuse
5. Participate in safety planning and take other actions to increase safety from future crime or abuse, including temporary or permanent relocation

Prior to taking time off, an employee shall give reasonable notice to the Superintendent or designee, unless advance notice is not feasible. When an unscheduled absence occurs, the employee shall provide, within a reasonable period of time, certification of the absence in the form of any of the following: (Labor Code 230, 230.1)

1. A police report indicating that the employee was a victim
2. A court order protecting or separating the employee from the perpetrator of the crime or abuse, or other evidence from the court or prosecuting attorney that the employee has appeared in court
3. Documentation from a domestic violence or sexual assault counselor as defined in Evidence Code 1037.1 or 1035.2, licensed medical professional or health care provider, victim advocate, or counselor that the employee was undergoing treatment or receiving services for physical or mental injuries or abuse resulting in victimization from the crime or abuse
4. Any other form of documentation that reasonably verifies that the crime or abuse occurred, including, but not limited to, a written statement signed by the employee or by an individual acting on the employee's behalf certifying that the absence is for a purpose authorized under Labor Code 230 or 230.1

The Eden Area ROP shall maintain the confidentiality of such an employee to the extent authorized by law. (Labor Code 230, 230.1)

The Superintendent or designee shall inform employees of their rights pursuant to Labor Code 230 and 230.1 using a form developed by the Labor Commissioner or a substantially similar form developed by the Eden Area ROP. Such information shall be provided to new employees upon hire and to other employees upon request. (Labor Code 230.1)

### **Personal Leave for Child-Related Activities**

Any employee who is a parent/guardian of one or more children of an age to attend any of grades K-12 or a program offered by a licensed child care provider may use up to 40 hours of personal leave, vacation, or compensatory time off each school year in order to: (Labor Code 230.8)

1. Find, enroll, or reenroll a child in a school or with a licensed child care provider or to participate in activities of the school or child care provider, provided the employee gives reasonable advance notice of the absence. Time off for this purpose shall not exceed eight hours in any calendar month.
2. Address a school or child care emergency, provided the employee gives notice. An emergency exists when the child cannot remain in school or with a child care provider due to one of the following circumstances:

- a. A request by the school or child care provider that the child be picked up
- b. An attendance policy, excluding planned holidays, that prohibits the child from attending or requires that the child be picked up from the school or child care provider
- c. Behavioral or discipline problems
- d. Closure or unexpected unavailability of the school or child care provider, excluding planned holidays
- e. A natural disaster, including, but not limited to, fire, earthquake, or flood

For purposes of this leave, parent/guardian includes a parent, guardian, stepparent, foster parent, grandparent, or person who stands in loco parentis to a child. (Labor Code 230.8)

### **Spouse on Leave from Military Deployment**

An employee who works an average of 20 hours or more per week and whose spouse is a member of the United States Armed Forces, National Guard, or reserves may take up to 10 days of unpaid leave during a period that the employee's spouse is on leave from deployment during a military conflict, as defined in Military and Veterans Code 395.10. (Military and Veterans Code 395.10)

Within two business days of receiving official notice that the employee's spouse will be on leave from deployment, the employee shall provide the Superintendent or designee with notice of the intention to take the leave. The employee shall submit written documentation certifying that the employee's spouse will be on leave from deployment during the time that the leave is requested. (Military and Veterans Code 395.10)

### **Leave for Emergency Duty**

An employee may take time off to perform emergency duty as a volunteer firefighter, a reserve peace officer, or emergency rescue personnel. (Labor Code 230.3)

Any employee who performs duty as a volunteer firefighter, reserve peace officer, or emergency rescue personnel shall be permitted to take temporary leaves of absence, not to exceed an aggregate total of 14 days per calendar year, for the purpose of engaging in fire, law enforcement, or emergency rescue training. (Labor Code 230.4)

### **Civil Air Patrol Leave**

An employee may take up to 10 days of unpaid leave per calendar year, beyond any leave otherwise available to the employee, to respond to an emergency operational mission of the California Civil Air Patrol, provided that the employee has been employed by the Eden Area ROP for at least a 90-day period immediately preceding the leave. Such leaves shall not exceed three days for a single mission, unless an extension is granted by the governmental entity authorizing the mission and is approved by the Superintendent or designee. (Labor Code 1501, 1503)

The employee shall give the Eden Area ROP as much advance notice as possible of the intended dates of the leave. The Superintendent or designee may require certification from the proper Civil Air Patrol authority to verify the eligibility of the employee for the leave and may deny the leave if the employee fails to provide the required certification. (Labor Code 1503)

---

**Regulation 4261.2: Personal Leaves**

**Status:** DRAFT

**Original Adopted Date:** 05/07/2020

Personal leaves granted to Eden Area Regional Occupational Program (Eden Area ROP) employees shall be used as permitted in this administrative regulation, or other Governing Board-approved policy or Eden Area ROP regulation.

For the purpose of any personal leave offered pursuant to state law, a registered domestic partner shall have the same rights, protections, and benefits as a spouse and protections provided to a spouse's child shall also apply to a child of a registered domestic partner. (Family Code 297.5)

Whenever possible, employees shall request personal leaves in advance and prepare suitable instructions, including lesson plans as applicable, for a substitute employee.

(cf. 4121 - Temporary/Substitute Personnel)

**Bereavement**

Employees are entitled to a leave of up to three days, or five days if out-of-state travel is required, upon the death of any member of the employee's immediate family. No deduction shall be made from the employee's salary, nor shall such leave be deducted from any other leave to which the employee is entitled. (Education Code 44985, 45194)

(cf. 4161/4261/4361 - Leaves)

Members of the immediate family include: (Education Code 44985, 45194)

1. The mother, father, grandmother, grandfather, or grandchild of the employee or of the employee's spouse
2. The employee's spouse, son, son-in-law, daughter, daughter-in-law, brother, or sister
3. Any relative living in the employee's immediate household

At the employee's request, bereavement leave may be extended under personal necessity leave provisions as provided in the section "Personal Necessity" below. (Education Code 44981, 45207)

**Personal Necessity**

Employees may use a maximum of seven days of their accrued personal illness/injury leave (sick leave) during each school year for reasons of personal necessity. (Education Code 44981, 45207)

(cf. 4161.1/4361.1 - Personal Illness/Injury Leave)

(cf. 4261.1 - Personal Illness/Injury Leave)

Acceptable reasons for the use of personal necessity leave include:

1. Death of a member of the employee's immediate family when the number of days of absence exceeds the limits set by bereavement leave provisions (Education Code 44981, 45207)
2. An accident involving the employee or the employee's property, or the person or property of a member of the employee's immediate family (Education Code 44981, 45207)
3. Illness, preventive care, or other need of a member of the employee's family, as defined in Labor Code 245.5 (Education Code 44981; Labor Code 246.5)

(cf. 4161.8/4261.8/4361.8 - Family Care and Medical Leave)

4. A classified employee's appearance in any court or before any administrative tribunal as a litigant, party, or witness under subpoena or other order (Education Code 45207)

5. Personal business of a serious nature which the employee cannot disregard

Leave for personal necessity may be allowed for other reasons at the discretion of the Superintendent or designee. However, personal necessity leave shall not be granted for purposes of personal convenience, for the extension of a holiday or vacation, or for matters which can be taken care of outside of working hours. The Superintendent or

designee shall have final discretion as to whether a request reflects personal necessity.

Advance permission shall not be required of an employee in any case involving the death of a member of the employee's immediate family, an accident involving the employee's person or property or the person or property of a member of the employee's immediate family, or the illness, preventive care, or other need of a member of the employee's family. (Education Code 44981, 45207)

For any leave that is planned, or where the need for leave is foreseeable, an employee shall notify the Superintendent or designee in advance. In all other circumstances, the employee shall notify the Superintendent or designee of the need for the leave as soon as practicable.

After any absence due to personal necessity, the employee shall verify the absence by submitting a completed and signed Eden Area ROP absence form to the employee's immediate supervisor.

### **Legal Duties**

An employee may take time off work in order to: (Labor Code 230)

1. Serve on an inquest jury or trial jury
2. Comply with a subpoena or other court order to appear as a witness

Notices, summons, and subpoenas for court appearances shall be submitted to the Eden Area ROP office when requesting leave.

A classified employee called for jury duty shall be granted leave with pay up to the amount of the difference between the employee's regular earnings and any amount received for jury fees. (Education Code 44037)

A certificated employee who is called for jury duty also shall be granted leave with pay up to the difference between the employee's regular earnings and any jury fees received.

An employee shall be granted leave with pay to appear in court as a witness other than a litigant or to respond to an official order from another governmental jurisdiction for reasons not brought about through the connivance or misconduct of the employee. Such an employee shall receive the difference between the employee's regular earnings and any witness fees received.

### **Leaves for Crime Victims for Judicial Proceedings**

An employee may be absent from work in order to attend judicial proceedings related to a crime when the employee is a victim, or an immediate family member, registered domestic partner, or child of a registered domestic partner of a victim, of any of the following crimes: (Labor Code 230.2)

1. A violent felony as defined in Penal Code 667.5(c)
2. A serious felony as defined in Penal Code 1192.7(c)
3. A felony provision of law proscribing theft or embezzlement

For these purposes, the employee may use vacation, personal leave, personal illness/injury leave, unpaid leave, or compensatory time off that is otherwise available to the employee. (Labor Code 230.2)

Prior to taking time off, an employee shall give the Superintendent or designee a copy of the notice of each scheduled proceeding that is provided by the responsible agency, unless advance notice is not feasible. When advance notice is not feasible or an unscheduled absence occurs, the employee shall, within a reasonable time after the absence, provide documentation evidencing the judicial proceeding from the court or government agency setting the hearing, the Eden Area ROP attorney or prosecuting attorney's office, or the victim/witness office that is advocating on behalf of the victim. (Labor Code 230.2)

The Eden Area ROP shall keep confidential any records pertaining to the employee's absence from work by reason of this leave. (Labor Code 230.2)

### **Leaves for Victims of Crime or Abuse**

An employee who is a victim of domestic violence, sexual assault, or stalking, who is a victim of a crime that caused

physical injury or that caused mental injury with a threat of physical injury, or whose immediate family member, as defined, is deceased as the direct result of a crime may use vacation, sick leave, personal leave, or compensatory time off that is otherwise available to the employee to attend to the following activities: (Labor Code 230, 230.1, 246.5)

1. Obtain or attempt to obtain any relief, including, but not limited to, a temporary restraining order, restraining order, or other injunctive relief to help ensure the health, safety, or welfare of the employee or the employee's child
2. Seek medical attention for injuries caused by crime or abuse
3. Obtain services from a domestic violence shelter, program, rape crisis center, or victim services organization or agency as a result of the crime or abuse
4. Obtain psychological counseling or mental health services related to an experience of crime or abuse
5. Participate in safety planning and take other actions to increase safety from future crime or abuse, including temporary or permanent relocation

Prior to taking time off, an employee shall give reasonable notice to the Superintendent or designee, unless advance notice is not feasible. When an unscheduled absence occurs, the employee shall provide, within a reasonable period of time, certification of the absence in the form of any of the following: (Labor Code 230, 230.1)

1. A police report indicating that the employee was a victim
2. A court order protecting or separating the employee from the perpetrator of the crime or abuse, or other evidence from the court or prosecuting attorney that the employee has appeared in court
3. Documentation from a domestic violence or sexual assault counselor as defined in Evidence Code 1037.1 or 1035.2, licensed medical professional or health care provider, victim advocate, or counselor that the employee was undergoing treatment or receiving services for physical or mental injuries or abuse resulting in victimization from the crime or abuse
4. Any other form of documentation that reasonably verifies that the crime or abuse occurred, including, but not limited to, a written statement signed by the employee or by an individual acting on the employee's behalf certifying that the absence is for a purpose authorized under Labor Code 230 or 230.1

The Eden Area ROP shall maintain the confidentiality of such an employee to the extent authorized by law. (Labor Code 230, 230.1)

The Superintendent or designee shall inform employees of their rights pursuant to Labor Code 230 and 230.1 using a form developed by the Labor Commissioner or a substantially similar form developed by the Eden Area ROP. Such information shall be provided to new employees upon hire and to other employees upon request. (Labor Code 230.1)

### **Personal Leave for Child-Related Activities**

Any employee who is a parent/guardian of one or more children of an age to attend any of grades K-12 or a program offered by a licensed child care provider may use up to 40 hours of personal leave, vacation, or compensatory time off each school year in order to: (Labor Code 230.8)

1. Find, enroll, or reenroll a child in a school or with a licensed child care provider or to participate in activities of the school or child care provider, provided the employee gives reasonable advance notice of the absence. Time off for this purpose shall not exceed eight hours in any calendar month.
2. Address a school or child care emergency, provided the employee gives notice. An emergency exists when the child cannot remain in school or with a child care provider due to one of the following circumstances:



- a. A request by the school or child care provider that the child be picked up
- b. An attendance policy, excluding planned holidays, that prohibits the child from attending or requires that the child be picked up from the school or child care provider
- c. Behavioral or discipline problems
- d. Closure or unexpected unavailability of the school or child care provider, excluding planned holidays
- e. A natural disaster, including, but not limited to, fire, earthquake, or flood

For purposes of this leave, parent/guardian includes a parent, guardian, stepparent, foster parent, grandparent, or person who stands in loco parentis to a child. (Labor Code 230.8)

### **Spouse on Leave from Military Deployment**

An employee who works an average of 20 hours or more per week and whose spouse is a member of the United States Armed Forces, National Guard, or reserves may take up to 10 days of unpaid leave during a period that the employee's spouse is on leave from deployment during a military conflict, as defined in Military and Veterans Code 395.10. (Military and Veterans Code 395.10)

Within two business days of receiving official notice that the employee's spouse will be on leave from deployment, the employee shall provide the Superintendent or designee with notice of the intention to take the leave. The employee shall submit written documentation certifying that the employee's spouse will be on leave from deployment during the time that the leave is requested. (Military and Veterans Code 395.10)

### **Leave for Emergency Duty**

An employee may take time off to perform emergency duty as a volunteer firefighter, a reserve peace officer, or emergency rescue personnel. (Labor Code 230.3)

Any employee who performs duty as a volunteer firefighter, reserve peace officer, or emergency rescue personnel shall be permitted to take temporary leaves of absence, not to exceed an aggregate total of 14 days per calendar year, for the purpose of engaging in fire, law enforcement, or emergency rescue training. (Labor Code 230.4)

### **Civil Air Patrol Leave**

An employee may take up to 10 days of unpaid leave per calendar year, beyond any leave otherwise available to the employee, to respond to an emergency operational mission of the California Civil Air Patrol, provided that the employee has been employed by the Eden Area ROP for at least a 90-day period immediately preceding the leave. Such leaves shall not exceed three days for a single mission, unless an extension is granted by the governmental entity authorizing the mission and is approved by the Superintendent or designee. (Labor Code 1501, 1503)

The employee shall give the Eden Area ROP as much advance notice as possible of the intended dates of the leave. The Superintendent or designee may require certification from the proper Civil Air Patrol authority to verify the eligibility of the employee for the leave and may deny the leave if the employee fails to provide the required certification. (Labor Code 1503)

---

**Regulation 4361.2: Personal Leaves**

**Status:** DRAFT

**Original Adopted Date:** 05/07/2020

Personal leaves granted to Eden Area Regional Occupational Program (Eden Area ROP) employees shall be used as permitted in this administrative regulation, or other Governing Board-approved policy or Eden Area ROP regulation.

For the purpose of any personal leave offered pursuant to state law, a registered domestic partner shall have the same rights, protections, and benefits as a spouse and protections provided to a spouse's child shall also apply to a child of a registered domestic partner. (Family Code 297.5)

Whenever possible, employees shall request personal leaves in advance and prepare suitable instructions, including lesson plans as applicable, for a substitute employee.

(cf. 4121 - Temporary/Substitute Personnel)

**Bereavement**

Employees are entitled to a leave of up to three days, or five days if out-of-state travel is required, upon the death of any member of the employee's immediate family. No deduction shall be made from the employee's salary, nor shall such leave be deducted from any other leave to which the employee is entitled. (Education Code 44985, 45194)

(cf. 4161/4261/4361 - Leaves)

Members of the immediate family include: (Education Code 44985, 45194)

1. The mother, father, grandmother, grandfather, or grandchild of the employee or of the employee's spouse
2. The employee's spouse, son, son-in-law, daughter, daughter-in-law, brother, or sister
3. Any relative living in the employee's immediate household

At the employee's request, bereavement leave may be extended under personal necessity leave provisions as provided in the section "Personal Necessity" below. (Education Code 44981, 45207)

**Personal Necessity**

Employees may use a maximum of seven days of their accrued personal illness/injury leave (sick leave) during each school year for reasons of personal necessity. (Education Code 44981, 45207)

(cf. 4161.1/4361.1 - Personal Illness/Injury Leave)

(cf. 4261.1 - Personal Illness/Injury Leave)

Acceptable reasons for the use of personal necessity leave include:

1. Death of a member of the employee's immediate family when the number of days of absence exceeds the limits set by bereavement leave provisions (Education Code 44981, 45207)
2. An accident involving the employee or the employee's property, or the person or property of a member of the employee's immediate family (Education Code 44981, 45207)
3. Illness, preventive care, or other need of a member of the employee's family, as defined in Labor Code 245.5 (Education Code 44981; Labor Code 246.5)

(cf. 4161.8/4261.8/4361.8 - Family Care and Medical Leave)

4. A classified employee's appearance in any court or before any administrative tribunal as a litigant, party, or witness under subpoena or other order (Education Code 45207)

5. Personal business of a serious nature which the employee cannot disregard

Leave for personal necessity may be allowed for other reasons at the discretion of the Superintendent or designee. However, personal necessity leave shall not be granted for purposes of personal convenience, for the extension of a holiday or vacation, or for matters which can be taken care of outside of working hours. The Superintendent or

designee shall have final discretion as to whether a request reflects personal necessity.

Advance permission shall not be required of an employee in any case involving the death of a member of the employee's immediate family, an accident involving the employee's person or property or the person or property of a member of the employee's immediate family, or the illness, preventive care, or other need of a member of the employee's family. (Education Code 44981, 45207)

For any leave that is planned, or where the need for leave is foreseeable, an employee shall notify the Superintendent or designee in advance. In all other circumstances, the employee shall notify the Superintendent or designee of the need for the leave as soon as practicable.

After any absence due to personal necessity, the employee shall verify the absence by submitting a completed and signed Eden Area ROP absence form to the employee's immediate supervisor.

### **Legal Duties**

An employee may take time off work in order to: (Labor Code 230)

1. Serve on an inquest jury or trial jury
2. Comply with a subpoena or other court order to appear as a witness

Notices, summons, and subpoenas for court appearances shall be submitted to the Eden Area ROP office when requesting leave.

A classified employee called for jury duty shall be granted leave with pay up to the amount of the difference between the employee's regular earnings and any amount received for jury fees. (Education Code 44037)

A certificated employee who is called for jury duty also shall be granted leave with pay up to the difference between the employee's regular earnings and any jury fees received.

An employee shall be granted leave with pay to appear in court as a witness other than a litigant or to respond to an official order from another governmental jurisdiction for reasons not brought about through the connivance or misconduct of the employee. Such an employee shall receive the difference between the employee's regular earnings and any witness fees received.

### **Leaves for Crime Victims for Judicial Proceedings**

An employee may be absent from work in order to attend judicial proceedings related to a crime when the employee is a victim, or an immediate family member, registered domestic partner, or child of a registered domestic partner of a victim, of any of the following crimes: (Labor Code 230.2)

1. A violent felony as defined in Penal Code 667.5(c)
2. A serious felony as defined in Penal Code 1192.7(c)
3. A felony provision of law proscribing theft or embezzlement

For these purposes, the employee may use vacation, personal leave, personal illness/injury leave, unpaid leave, or compensatory time off that is otherwise available to the employee. (Labor Code 230.2)

Prior to taking time off, an employee shall give the Superintendent or designee a copy of the notice of each scheduled proceeding that is provided by the responsible agency, unless advance notice is not feasible. When advance notice is not feasible or an unscheduled absence occurs, the employee shall, within a reasonable time after the absence, provide documentation evidencing the judicial proceeding from the court or government agency setting the hearing, the Eden Area ROP attorney or prosecuting attorney's office, or the victim/witness office that is advocating on behalf of the victim. (Labor Code 230.2)

The Eden Area ROP shall keep confidential any records pertaining to the employee's absence from work by reason of this leave. (Labor Code 230.2)

### **Leaves for Victims of Crime or Abuse**

An employee who is a victim of domestic violence, sexual assault, or stalking, who is a victim of a crime that caused

physical injury or that caused mental injury with a threat of physical injury, or whose immediate family member, as defined, is deceased as the direct result of a crime may use vacation, sick leave, personal leave, or compensatory time off that is otherwise available to the employee to attend to the following activities: (Labor Code 230, 230.1, 246.5)

1. Obtain or attempt to obtain any relief, including, but not limited to, a temporary restraining order, restraining order, or other injunctive relief to help ensure the health, safety, or welfare of the employee or the employee's child
2. Seek medical attention for injuries caused by crime or abuse
3. Obtain services from a domestic violence shelter, program, rape crisis center, or victim services organization or agency as a result of the crime or abuse
4. Obtain psychological counseling or mental health services related to an experience of crime or abuse
5. Participate in safety planning and take other actions to increase safety from future crime or abuse, including temporary or permanent relocation

Prior to taking time off, an employee shall give reasonable notice to the Superintendent or designee, unless advance notice is not feasible. When an unscheduled absence occurs, the employee shall provide, within a reasonable period of time, certification of the absence in the form of any of the following: (Labor Code 230, 230.1)

1. A police report indicating that the employee was a victim
2. A court order protecting or separating the employee from the perpetrator of the crime or abuse, or other evidence from the court or prosecuting attorney that the employee has appeared in court
3. Documentation from a domestic violence or sexual assault counselor as defined in Evidence Code 1037.1 or 1035.2, licensed medical professional or health care provider, victim advocate, or counselor that the employee was undergoing treatment or receiving services for physical or mental injuries or abuse resulting in victimization from the crime or abuse
4. Any other form of documentation that reasonably verifies that the crime or abuse occurred, including, but not limited to, a written statement signed by the employee or by an individual acting on the employee's behalf certifying that the absence is for a purpose authorized under Labor Code 230 or 230.1

The Eden Area ROP shall maintain the confidentiality of such an employee to the extent authorized by law. (Labor Code 230, 230.1)

The Superintendent or designee shall inform employees of their rights pursuant to Labor Code 230 and 230.1 using a form developed by the Labor Commissioner or a substantially similar form developed by the Eden Area ROP. Such information shall be provided to new employees upon hire and to other employees upon request. (Labor Code 230.1)

### **Personal Leave for Child-Related Activities**

Any employee who is a parent/guardian of one or more children of an age to attend any of grades K-12 or a program offered by a licensed child care provider may use up to 40 hours of personal leave, vacation, or compensatory time off each school year in order to: (Labor Code 230.8)

1. Find, enroll, or reenroll a child in a school or with a licensed child care provider or to participate in activities of the school or child care provider, provided the employee gives reasonable advance notice of the absence. Time off for this purpose shall not exceed eight hours in any calendar month.
2. Address a school or child care emergency, provided the employee gives notice. An emergency exists when the child cannot remain in school or with a child care provider due to one of the following circumstances:

- a. A request by the school or child care provider that the child be picked up
- b. An attendance policy, excluding planned holidays, that prohibits the child from attending or requires that the child be picked up from the school or child care provider
- c. Behavioral or discipline problems
- d. Closure or unexpected unavailability of the school or child care provider, excluding planned holidays
- e. A natural disaster, including, but not limited to, fire, earthquake, or flood

For purposes of this leave, parent/guardian includes a parent, guardian, stepparent, foster parent, grandparent, or person who stands in loco parentis to a child. (Labor Code 230.8)

### **Spouse on Leave from Military Deployment**

An employee who works an average of 20 hours or more per week and whose spouse is a member of the United States Armed Forces, National Guard, or reserves may take up to 10 days of unpaid leave during a period that the employee's spouse is on leave from deployment during a military conflict, as defined in Military and Veterans Code 395.10. (Military and Veterans Code 395.10)

Within two business days of receiving official notice that the employee's spouse will be on leave from deployment, the employee shall provide the Superintendent or designee with notice of the intention to take the leave. The employee shall submit written documentation certifying that the employee's spouse will be on leave from deployment during the time that the leave is requested. (Military and Veterans Code 395.10)

### **Leave for Emergency Duty**

An employee may take time off to perform emergency duty as a volunteer firefighter, a reserve peace officer, or emergency rescue personnel. (Labor Code 230.3)

Any employee who performs duty as a volunteer firefighter, reserve peace officer, or emergency rescue personnel shall be permitted to take temporary leaves of absence, not to exceed an aggregate total of 14 days per calendar year, for the purpose of engaging in fire, law enforcement, or emergency rescue training. (Labor Code 230.4)

### **Civil Air Patrol Leave**

An employee may take up to 10 days of unpaid leave per calendar year, beyond any leave otherwise available to the employee, to respond to an emergency operational mission of the California Civil Air Patrol, provided that the employee has been employed by the Eden Area ROP for at least a 90-day period immediately preceding the leave. Such leaves shall not exceed three days for a single mission, unless an extension is granted by the governmental entity authorizing the mission and is approved by the Superintendent or designee. (Labor Code 1501, 1503)

The employee shall give the Eden Area ROP as much advance notice as possible of the intended dates of the leave. The Superintendent or designee may require certification from the proper Civil Air Patrol authority to verify the eligibility of the employee for the leave and may deny the leave if the employee fails to provide the required certification. (Labor Code 1503)

---

**Policy 4216: Probationary/Permanent Status**

**Status:** DRAFT

**Original Adopted Date:** 05/07/2020

The Governing Board desires to employ and retain highly qualified classified personnel to support the Eden Area Regional Occupational Program's (Eden Area ROP) educational program and operations. Newly hired classified employees shall serve a probationary period during which the Board shall determine their suitability for long-term Eden Area ROP employment.

A probationary employee who has been employed by the Eden Area ROP for six months or 130 days of paid service, whichever is longer, shall be classified as a permanent employee of the Eden Area ROP. (Education Code 45113, 45301)

Probationary employees shall receive 3 written performance evaluations by their supervisor during the probationary period at approximately 2 months, 3 months and 5 months. These evaluations shall indicate whether the evaluator is satisfied or not satisfied with the employee's ability, performance, and compatibility with the job.

(cf. 4215 - Evaluation/Supervision)

The Eden Area ROP may, without cause, dismiss a new employee during the probationary period.

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

Permanent employees promoted to a higher classification shall be considered probationary in their new position until they have satisfactorily completed the probationary period.

A permanent employee who accepts a promotion and fails to complete the probationary period for that promotional position shall be employed in the classification from which the employee was promoted. (Education Code 45113)

This policy shall be made available to classified employees and the public. (Education Code 45113)

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

---

**DATE:** March 3, 2022  
**TO:** ROP Governing Board  
**FROM:** Linda Granger, Superintendent  
**PREPARED BY:** Anthony Oum, Fiscal Services Administrator  
**SUBJECT:** Request the Governing Board to approve the 2021-2022 Second Interim Report

## **BACKGROUND**

---

The Second Interim Report reflects revenues and expenditures as of January 31, 2022. The report was prepared and reviewed in accordance with all federal, state and local adopted criteria and standards using Local Control Funding Formula (LCFF) and Local Control Action Plan (LCAP).

The District Board of Education shall certify in writing whether or not Eden Area ROP is able to meet its financial obligations for the remainder of the 2021-2022 fiscal year and, based on current forecasts, for the next two subsequent fiscal years (i.e., FY 2022-2023 and 2023-2024). The certifications shall be classified as either positive, qualified, or negative, pursuant to standards and criteria adopted by the State Board of Education (Education Code 33127). Eden Area ROP is certifying a positive certification, and that staff prepared the report, along with assumptions using the School Services of California (SSC) Inc. Dartboard as well as Alameda County Office of Education (ACOE) guidelines. In certifying the 2021-2022 Second Interim Report as positive, the Board understands its fiduciary responsibility to maintain fiscal solvency for the current and the two subsequent fiscal years.

The report confirms the Eden Area ROP's ability to meet all financial obligations for the current FY 2021-2022 and two subsequent fiscal years (i.e., FY 2022-2023 and 2023-2024). Finally, the Eden Area ROP continues to meet and exceed AB 1200 requirements. The report is included under separate cover and is available for review by the public upon request.

## **RECOMMENDATION**

---

It is recommended that the Governing Board approve the 2021-2022 Second Interim Report.

**DATE:** March 3, 2022  
**TO:** ROP Governing Board  
**FROM:** Linda Granger, Superintendent  
**SUBJECT:** Request the Governing Board to approve the adoption of Resolution 10-21/22: Mid-Year Additions/Changes-Revised Signature Card

## **BACKGROUND**

---

Education Code Section 42632 for K-12 requires that signatures of all governing board members and signatures of persons authorized by the governing board to sign orders must be filed with the County Superintendent of Schools.

Annually, the Eden Area ROP files signature cards by way of resolutions for authorized agents and Governing Board members.

Any time during the school year that there is a change (addition or replacement) of authorized agents or Governing Board members, the Alameda County Office of Education requires a mid-year revision to any applicable signature cards.

## **CURRENT SITUATION**

---

On August 5, 2021, the Governing Board approved:

- Resolution 1-21/22: Signature Card Board Members
- Resolution 2-21/22: Signature Card-Authorized Agents: Payroll Warrants and Disbursements
- Resolution 3-21/22: Signature Card-Authorized Agents: Official Documents and Reports

As of January 2022, the Eden Area ROP has had one replacement on the Governing Board. Attached is Resolution 10-21/22: Mid-Year Additions/Changes-Revised Signature Card that reflects the changes.

## **RECOMMENDATION**

---

It is recommended that the Governing Board approve the adoption of Resolution 10-21/22: Mid-Year Additions/Changes-Revised Signature Card.



# EdenAreaROP

## RESOLUTION NO. 10-21/22

### Mid-Year Additions/Changes-Revised Signature Card

#### REVISED SIGNATURE CARD FOR:

- ☐ Authorized Agents-Payroll Warrants & Disbursements
- ☐ Authorized Agents-Official Documents & Reports
- ☒ Board Members

#### TO THE ALAMEDA COUNTY SUPERINTENDENT OF SCHOOLS:

#### AUTHORIZED AGENTS - PAYROLL WARRANTS & DISBURSEMENTS

Pursuant to Education Code Section 42632 for K-12 Education and Section 85232 for Community Colleges, each order drawn on the funds of our school district shall be signed by at least a majority of the members of the governing board of the district or by a person(s) authorized by the governing board to sign orders in its name.

The following signature is the person in addition to signatures authorized by the governing board to sign orders in its name:

|   |           |
|---|-----------|
| Signature   | Type Name |
| <input type="checkbox"/> Additional<br><input type="checkbox"/> Replacement | Title     |
|   | Type Name |

#### AUTHORIZED AGENTS - OFFICIAL DOCUMENTS & REPORTS

|   |           |
|---|-----------|
| Signature   | Type Name |
| <input type="checkbox"/> Additional<br><input type="checkbox"/> Replacement | Title     |
|   | Type Name |

#### BOARD MEMBERS

|  |              |
|--|--------------|
| Signature  | Gary Howard  |
| <input type="checkbox"/> Additional<br><input checked="" type="checkbox"/> Replacement | Type Name    |
|  | Dot Theodore |

**PASSED AND ADOPTED** by the Governing Board of the Eden Area ROP on this 3<sup>rd</sup> day of March 2022 by the following vote:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

By approval of this resolution, I hereby certify that the signature(s) appearing above are true and were affixed in my presence.

---

Date

---

Signature, President of the Governing Board

**DATE:** March 3, 2022  
**TO:** ROP Governing Board  
**FROM:** Linda Granger, Superintendent  
**SUBJECT:** Request the Governing Board to approve the Adoption of Resolution 11 21/22: Proclaiming a Local Emergency, Ratifying the Proclamation of a State of Emergency by Governor Newsom Dated March 4, 2020, and Authorizing Remote Teleconference Meetings for the Period March 6, 2022 through April 7, 2022

## **BACKGROUND**

---

On September 16, 2021, AB 361 became law, allowing legislative bodies to meet virtually during a proclaimed state of emergency if any of the following apply:

1. State or local officials have imposed or recommended measures to promote social distancing,
2. The purpose of the meeting is to determine, whether as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees, or
3. The legislative body has already determined that as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

## **CURRENT SITUATION**

---

Public Schools in California are currently operating under mandates to maximize distancing as well as implement other safety measures to minimize the spread of COVID-19. Hosting an in-person meeting at this time would present imminent risks to the health and safety of attendees. Approving Resolution 11 21/22 would enable the Eden Area ROP to hold virtual Governing Board meetings.

## **RECOMMENDATION**

---

It is recommended that the Governing Board approve the Adoption of Resolution 11 21/22: Proclaiming a Local Emergency, Ratifying the Proclamation of a State of Emergency by Governor Newsom Dated March 4, 2020, and Authorizing Remote Teleconference Meetings for the Period March 6, 2022 through April 7, 2022.

# EdenAreaROP

## RESOLUTION NO. 11-21/22

---

Proclaiming a Local Emergency, Ratifying the Proclamation of a State of Emergency by Governor Newsom Dated March 4, 2020, and Authorizing Remote Teleconference Meetings for the Period March 6, 2022 through April 7, 2022

**WHEREAS**, the Eden Area Regional Occupational Program (Eden Area ROP) is committed to preserving and nurturing public access and participation in meetings of the Governing Board; and

**WHEREAS**, all meetings of the Eden Area ROP's legislative bodies are open and public, as required by the Ralph M. Brown Act (Cal. Gov. Code 54950 – 54963), so that any member of the public may attend, participate, and watch the District's legislative bodies conduct their business; and

**WHEREAS**, the Brown Act, Government Code section 54953(e), as amended by Assembly Bill 361, Chapter 165 of the Statutes of 2021, makes provisions for remote teleconferencing participation in meetings by members of a legislative body, without compliance with the requirements of Government Code section 54953(b)(3), subject to the existence of certain conditions; and

**WHEREAS**, a required condition is that a state of emergency is declared by the Governor pursuant to Government Code section 8625, proclaiming the existence of conditions of disaster or of extreme peril to the safety of persons and property within the state caused by conditions as described in Government Code section 8558; and

**WHEREAS**, a proclamation is made when there is an actual incident, threat of disaster, or extreme peril to the safety of persons and property within the jurisdictions that are within the Eden Area ROP's boundaries, caused by natural, technological, or human-caused disasters; and

**WHEREAS**, it is further required that state or local officials have imposed or recommended measures to promote social distancing or that the legislative body meeting in person would present imminent risks to the health and safety of attendees; and

**WHEREAS**, such conditions now exist in the county, specifically, a State of Emergency has been proclaimed by the Governor on March 4, 2020, based on an outbreak of respiratory illness due to COVID-19; and

**WHEREAS**, the World Health Organization, the United States Centers for Disease Control and Prevention, the State of California including the California Department of Public Health, and the Alameda County Public Health Department have recognized that the country, state, and county face a life-threatening pandemic caused by the COVID-19 virus;

**WHEREAS**, with the continuing presence of COVID-19, opening a physical meeting location to the public to hold in-person Governing Board meetings would present an imminent risk to the health and safety of attendees given that members of the public are not required to be vaccinated to attend Board meetings, and with limited staff members, it is impractical to check and enforce the mask mandate and other indoor COVID-19 health and safety protocols for members of the public; and

**WHEREAS**, the Governing Board does hereby find that the Governor's March 4, 2020, State of Emergency proclamation due to the continuing presence of COVID-19 has caused, and will continue to cause, conditions of peril to the safety of persons within the county that are likely to be beyond the control of services, personnel, equipment, and facilities of the Eden Area ROP, and desires to proclaim a local emergency and ratify the proclamation of state of emergency by the Governor of the State of California; and

**WHEREAS**, as a consequence of the local emergency, the Governing Board does hereby find that the legislative bodies of the Eden Area ROP, including any subsidiary bodies and committees created by action of the Board, shall conduct their meetings without compliance with paragraph (3) of subdivision (b) of Government Code section 54953, as authorized by subdivision (e) of section 54953, and that such legislative bodies shall comply with the requirements to provide the public with access to the meetings as prescribed in paragraph (2) of subdivision (e) of section 54953; and

**WHEREAS**, to ensure the public has access to the Governing Board meetings on Zoom, the Eden Area ROP has posted and will continue to post the Zoom login information on its website and meeting agendas, and the public has and will continue to have the opportunity to provide live public comments during the Zoom meeting.

**NOW, THEREFORE**, The Governing Board of the Eden Area ROP hereby resolve as follows:

Section 1. Recitals. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.

Section 2. Proclamation of Local Emergency. The Board hereby proclaims that a local emergency now exists throughout the county, and opening a physical meeting location to the public to hold in-person Governing Board meetings would present an imminent risk to the health and safety of attendees due to the continuing presence of COVID-19.

Section 3. Ratification of Governor's Proclamation of a State of Emergency. The Board hereby ratifies the Governor of the State of California's Proclamation of a State of Emergency, effective as of its issuance date of March 4, 2020.

Section 4. Remote Teleconference Meetings. The Superintendent and legislative bodies of the Eden Area ROP are hereby authorized and directed to take all actions necessary to carry out the intent and purpose of this Resolution including, conducting open and public meetings in accordance with Government Code section 54953(e) and other applicable provisions of the Brown Act.

Section 5. Effective Date of Resolution. This Resolution shall take effect March 6, 2022, and shall be effective until the earlier of (i) April 7, 2022, or such time the Governing Board adopts a subsequent resolution in accordance with Government Code section 54953(e)(3) to extend the time during which the legislative bodies of the Eden Area ROP may continue to teleconference without compliance with paragraph (3) of subdivision (b) of section 54953.

**PASSED AND ADOPTED** by the Governing Board of the Eden Area ROP on this 3<sup>rd</sup> day of March 2022, by the following vote:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

---

Linda Granger  
ROP Governing Board Clerk, Eden Area ROP  
Alameda County, State of California



**DATE:** March 3, 2022  
**TO:** ROP Governing Board  
**FROM:** Linda Granger, Superintendent  
**PREPARED BY:** Anthony Oum, Fiscal Services Administrator  
**SUBJECT:** Request the Governing Board to approve the Agreement with Premier Commercial Cleaning Solutions, Inc. for Janitorial Services for the remainder of 2021-2022 School Year

## **BACKGROUND**

---

Each year, Eden Area ROP contracts for janitorial services.

## **CURRENT SITUATION**

---

After an evaluation of the quality of service we have been receiving from our current janitorial service company, the Eden Area ROP sought informal bids from seven janitorial service companies. Premier Commercial Cleaning Solutions, Inc. (PCCS) was selected amongst the seven vendors that participated in this informal bid process.

The attached agreement provides details of the janitorial services provided by PCCS for the remainder of the 2021-2022 school year.

## **RECOMENDATION**

---

It is recommended that the Governing Board approve the agreement with Premier Commercial Cleaning Solutions, Inc. for janitorial services for the remainder of 2021-2022 school year.



## PROPOSAL FOR JANITORIAL SERVICES

Prepared for:

Eden Area ROP  
26316 Hesperian Blvd  
Hayward, CA 94545

By:  
Premier Commercial Cleaning Solutions, Inc.  
32108 Alvarado Blvd #312  
Union City, CA 94587  
510-441-2427



January 31, 2022

Dear Anthony,

Thank you for the opportunity to provide you with a proposal for janitorial services for your facility, based on top quality maintenance service at a competitive price. Your desire to find the best-qualified contractor to partner with was apparent in our meeting.

We are a family-owned and operated full-service company with over 30 years of experience in the janitorial business and provide services throughout the San Francisco Bay Area. Our customers range in size from medium to large companies. We are fully insured, licensed, and bonded.

We are proud to say that we do our job well and safely. We believe in achieving excellence in all that we do. We also believe in providing our customers with professional service to rest assured that their building is in good hands. At Premier Commercial Cleaning Solutions, Inc., we guarantee that we will be competitive in terms of cost and will most certainly be the best-qualified contractor for the task at hand through efficient administration.

Our team is accessible through our office, or you may call them via cell phone at any time. Every effort to maintain excellent communication to ensure your expectations are achieved.

If you have any questions about our proposed services or need clarification on any point, please do not hesitate to call us. We appreciate the opportunity to submit this proposal and look forward to hearing from you soon.

Sincerely,

*Cristi Alonso*

Cristi Alonso  
Director of Business Development

## Why Use Premier Cleaning Solutions?

At Premier Cleaning Solutions, we take pride in keeping your building clean!

Premier Cleaning Solutions will provide you with a clean, safe, and healthy environment for your customers and employees:

- Clean buildings project a first-class image.
- Clean buildings improve the longevity of the building.
- Healthy buildings ensure a working environment free from contaminants.
- Healthy buildings provide a safer workplace and decrease the number of workers' comp claims due to slip/fall accidents and the spread of viruses.
- Healthy buildings reduce the sick time taken by employees working in the building.

Premier Cleaning Solutions will keep your building in tip-top shape. A well-kept building reduces costs:

- Clean buildings are less expensive to maintain.
- Clean buildings ensure that property values will remain high because having a clean facility improves the longevity of the building.

Premier Cleaning Solutions offers a full-service partnership for all your building maintenance needs. As well as handling all your cleaning needs, we can manage your restroom and paper supplies – this saves you time that can be spent on your business!

We provide quick responses to your needs and offer specialized cleaning services such as carpet spotting, carpet cleaning, hard floor care, and window washing. Give us the opportunity to make **"Your Clean Business Our Business"**

" I have witnessed not only the excellence in service that I have come to know and expect, but I have also watched their company grow and service competitors in our business with equal professionalism. This is a model that I find harder to find as each year passes. A true small business that takes pride in doing the job well every time, while building personal relationships that drive the success of both their organization and those that they serve. I can state unquestionably: The value of service received was far greater than the remuneration remitted. Luis and Cristi are the "Real Deal." I could not recommend them to anyone in need of janitorial or maintenance services any more highly."

*-R Wheaton, Facilities Manager*

## Our Company Profile

### **Business Details**

Premier Cleaning Solutions, Inc. is a full-service janitorial company with over 30 years of professional cleaning experience. Our janitorial services make a dramatic difference in the appearance of commercial buildings from the onset. Our attention to detail, hands-on management approach, and the highest quality janitorial products enable us to serve commercial cleaning needs effectively. We cater each job specification to the client's service needs and have been serving the San Francisco Bay Area since 1993.

### **Business Capacity**

We service sizes from medium offices to 100,000 square foot buildings, including high rises. Some of the industries we have serviced include Bio-Tech, Healthcare, Research & Development, Manufacturing, Churches, Educational Facilities, Multi-tenant, Transportation, and Aviation.

### **Our Vision**

*“Your Clean Business is Our Business”* We pride ourselves on providing a level of personal care that reflects our philosophy to ensure quality service that exceeds the expectations of our clients.

### **Our Mission Statement**

To build long-term relationships with clients and provide exceptional janitorial service. We pride ourselves on clear, open communication to fully understand our client's expectations.

### **Our Core Values**

We integrate honesty, integrity, teamwork, and business ethics into all aspects of our business.

### **Our Value Proposition**

- We work closely with our clients and staff to ensure we meet our client's needs.
- We communicate with our clients regularly to avoid misunderstanding and respond immediately to our clients' concerns or problems, with no go-between to hinder communication.
- We have a hands-on management approach that, when needed, will roll up our sleeves to get the job done in a timely, efficient manner.

## Eden Area ROP Janitorial Cleaning Schedule

### Service Areas

- Campus Areas A, B, C, F, G, H

### Scope Of Work

| Each Service  |   |
|---|---|
| <ul style="list-style-type: none"> <li>Remove trash and spot clean trash receptacles</li> <li>Clean and disinfect desktops, countertops and tabletops</li> <li>Clean and disinfect drinking fountains</li> <li>Vacuum all carpeted floors and runners</li> <li>Mop and disinfect all hard surface floors and mats</li> <li>Clean glass entrance doors and partitions</li> </ul> | <ul style="list-style-type: none"> <li>Clean and disinfect toilets, urinals, sinks and dispensers, and restroom mirrors</li> <li>Spot clean chairs, cabinets, and vending machines</li> <li>Clean and disinfect breakroom surfaces and breakroom appliance exteriors</li> <li>Restock restrooms/breakrooms soap and paper products dispensers with customer's supplies</li> </ul> |
| Weekly Service  |   |
| <ul style="list-style-type: none"> <li>Dust horizontal surfaces such as file cabinets, copy machines, bookshelves, and tables (excluding walls)</li> <li>Dust desktop and accessories such as calculators, calendars, letter trays, etc.</li> </ul>   | <ul style="list-style-type: none"> <li>Clean carpet stains equivalent to the size of a quarter or smaller, and no more than a total of 8 spots</li> <li>Clean and disinfect restroom mirrors</li> <li>Spot clean bathroom walls, partition walls and doors</li> </ul>   |
| Monthly Service   |   |
| <ul style="list-style-type: none"> <li>Clean and disinfect partition walls and doors in restrooms</li> <li>Low dusting of chair rails and legs, desk and table legs, baseboard, ledges, vents, etc.</li> <li>Vacuum upholstered furniture</li> </ul>  | <ul style="list-style-type: none"> <li>Vertical dusting of sides of desks, cabinets, files, bookshelves, etc.</li> <li>High dusting of ledges, picture frames, door frames, wall vents, etc.</li> <li>Dust windowsills</li> </ul>   |

## **Cost Summary**

Pricing includes all necessary equipment, labor, and supervision for all services listed from February 22, 2022 – June 30, 2022

Total Service Fee: \$35,096.00

## **Additional Services – Prices Upon Request**

- COVID prevention, disinfect, and sanitize using electrostatic fogging
- Interior window cleaning/glass partitions
- Steam clean & disinfect restrooms
- High dusting/vacuum air vent covers
- Steam clean carpets
- Strip, seal and wax floors
- Additional service requests are billed at \$50.00 per hour

## **Supplies**

Eden Area ROP provides all consumable paper products, liners, and any specialty cleaning products required by the client. PCCS will supply all cleaning supplies, equipment, and tools.

## **A Few of Our Current Clients**

Avis Car Rental  
513 Eccles Avenue  
South San Francisco, CA  
Since 1998

Air Liquide America  
46409 Landing Parkway  
Fremont, CA  
Since 2006

Air Canada  
San Francisco Int'l Airport  
San Francisco, CA  
Since 1994

NeoTech/Oncore  
6600 Stevenson Blvd  
Newark, CA  
Since 2018

St Anne Church & Classrooms  
32223 Cabello Street  
Union City, CA  
Since 2017

Virgin Atlantic  
San Francisco International Airport  
San Francisco, CA  
Since 2000

Landsberg  
3811 Central  
Newark, CA  
Since 2018

Murieta HOA  
3961 Cedar Avenue  
Newark, CA  
Since 2009

References upon request.



## SERVICE CONTRACT

This agreement is made between Premier Commercial Cleaning Solutions, Inc (service provider), and Eden Area ROP (client) 26316 Hesperian Blvd, Hayward, CA 94545


1. PCCS will provide janitorial services from **February 22, 2022, to June 30, 2022**, with month-to-month terms. If the client is not satisfied with services, the client must provide a 30-day written notice. Said notice must demonstrate clear proof of breach of janitorial service per this agreement. If the client has any grievances in connection with the service, the client will provide written notification of the grievance and permit PCCS to resolve it within ten days.
2. PCCS will perform service as per our proposal. As consideration for these services client will pay the amount list below for the period above.

**\$35,096.00**

An invoice will be issued in advance on the 1st day of each month and is **due 30 days** after services have been completed. If payment is not received within 70 days, PCCS reserves the right to suspend service until the account is brought current. PCCS bills separately for special services such as carpet cleaning, window cleaning, strip, waxing, buffing, COVID protocol and labor charges, etc. All additional service invoices are **due 30 days** after the service has been completed. The above fee is based on current labor and material costs. If such costs change or the job requirements change, PCCS reserves the right to amend the fee accordingly. The client may either agree to the adjusted price or may elect to cancel service.

3. PCCS carries liability insurance and is bonded.
4. The undersigned who has executed this agreement on behalf of the client warrants and represents that he/she has full authority to enter into this agreement on the client's behalf. This agreement will be binding upon the parties hereto their respective successors and assigns.

The parties hereto, intending to be legally bound, have signed this Agreement on the day and year written below.

BY  \_\_\_\_\_ Date 02/11/2022  
Eden Area ROP

BY Cristi Alonso \_\_\_\_\_ Date February 10, 2022  
Cristi Alonso  
Premier Commercial Cleaning Solutions, Inc