

PERSONNEL- 4000 SERIES

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PREAMBLE

CONCEPTS AND ROLES IN PERSONNEL

The Council wishes to establish, through the personnel policies and regulations of the ROP, conditions that will attract and hold the best qualified personnel for all positions, who will devote themselves to the education and welfare of students of the ROP. The Council desires that teachers pursue excellence within their profession. The policies in this section shall reflect these concepts.

The Council affirms its intention to have all policies, regulations, and procedures of the ROP conform to all requirements of law and state regulations, including affirmative action and equal employment opportunity.

The Council

1. Adopts wage and salary schedule.
2. Accepts or rejects employees on the recommendation of the Superintendent.
3. Determines principles of treatment for employees, such as those in connection with sick leave, leaves of absence, retirement, etc.

The Superintendent

1. Recommends for employment and promotion all certificated and classified personnel.
2. Recommends disciplinary action, including suspension and dismissal, against employees whenever there is sufficient evidence warranting any such action according to Council policy and administrative regulations, and/or state or federal laws and regulations.
3. With the staff, assigns, directs, and supervises the work of all employees with due regard for the individual rights involved, and proposes salary schedules for staff members.

Working Relationships between Council and Superintendent

The Council desires to be guided principally by the advice of the Superintendent in regard to its relations with certificated and classified personnel.

The Council does not desire to exercise its employment responsibilities contrary to the recommendation of the Superintendent, and will not employ any person unless recommended

Preamble Continued:

by the Superintendent. If a recommendation by the Superintendent is not acceptable to the Council, the recommendation shall be withdrawn. The Superintendent shall then present other recommendations to the Council for consideration.

The Council desires that the Superintendent conduct the ROP's personnel relations with fair and sound practices approved by the Council.

First Reading:	September	12,	1991
Second Reading:	December	12,	1991
Adopted:	December	12,	1991

CERTIFICATED STAFF MEMBERS

All certificated staff members hired by the ROP are classified as temporary employees.

Regularly assigned teachers can be granted an annual contract by the Council, but shall not be included in computing the service required as a prerequisite to attainment of, or eligibility to, classification as a permanent employee in accordance with EC 44910.

All hourly or contracted teachers are classified as temporary, and based upon satisfactory service are reviewed for continuing service for the next teaching assignment.

First Reading:	September	12,	1991
Second Reading:	December	12,	1991
Adopted:	December	12,	1991

RECRUITMENT AND SELECTION — GENERAL

Teachers and administrators for the ROP shall be recruited from university placement centers, organizational placement offices, local newspaper advertising, or through personal correspondence with qualifying candidates. The objective in recruitment shall be to obtain the best possible certificated personnel within the limits of compensation provided by the ROP.

Whenever appropriate, staff members shall be involved in the selection of personnel.

Applicants who, for any reason, do not meet the standards or needs of the ROP shall be eliminated from further consideration.

All applications or resumes will be logged and retained for a minimum of 12 months.

First Reading:	September 12, 1991
Second Reading:	December 12, 1991
Adopted:	December 12, 1991

RECRUITMENT AND SELECTION: AFFIRMATIVE ACTION

The Council shall provide equal employment opportunities for all persons without regard to race, color, creed, sex, religion, ancestry, national origin, age, or non-job-related handicap or disability. The Council establishes a program of affirmative action in order to assure that all personnel policies relevant to recruiting, hiring, and promoting employees guarantee equal opportunities for all. (Education code 44100 et seq.)

Recruitment, selection, and employment practices of the ROP shall provide a concerted effort to hire and promote qualified individuals of minority ethnic background so that the total ROP staff is representative of student and community populations of the districts served.

Administrators shall periodically reaffirm and review the affirmative action policy and its application in order to ensure compliance with affirmative action provisions of law.

This policy shall be publicized throughout the participating districts served and community and its intent made explicit in all ROP manuals and publications.

Legal Reference:	Education Code
200-261	Prohibition of discrimination on basis of sex
44100-44105	Affirmative action employment
44830	Employment restricted to persons possessing prescribed qualifications; public policy of State against discrimination on the basis of race, etc.
44830.5	Assignment of certificated employees to district; ethnic ratio
Administrative Code, Title 5 30-31	Affirmative action employment programs
Government Code 12920-12921 12940 et seq.	Nondiscrimination Discrimination prohibited; unlawful practices, generally
Title VII, Civil Rights Act as amended by Title IX, Equal Employment Opportunity Act	
Executive Order 11246 Equal Pay Act of 1963	
First Reading:	September 12, 1991
Second Reading:	December 12, 1991
Adopted:	December 12, 1991

PERSONNEL RECORDS

Personnel records shall be kept on all current employees and shall include information usually expected in good personnel administration.

A file shall be kept of all former employees, including such essential information as shall be deemed appropriate to the administration.

All personnel files shall be considered confidential and shall not be available to persons other than the employee, the Superintendent, Director of Instruction, and those authorized by the Superintendent.

Written materials filed, except for those prohibited by law, shall be made available for inspection by the employee at an off-duty time. Inspection shall take place in the presence of the Superintendent or Director of Instruction.

Ratings, reports, or records which (1) were obtained prior to the employment of the person involved, (2) were prepared by identifiable examination committee members, or (3) were obtained in connection with a promotional examination shall not be available for inspection by employees.

The employee shall be notified whenever derogatory information is to be placed in his/her personnel file. The employee so notified may request to review and comment on the contents. Such review shall take place during normal working hours. The employee shall be released from duty for this purpose without a salary reduction.

Legal Reference:	Education Code	
	44031	Personnel file contents and inspection
	44663	Performance appraisals and related materials

Attorney General's Office
No. CV 75-73 June 6, 1975

First Reading:	September 12, 1991
Second Reading:	December 12, 1991
Adopted:	December 12, 1991

PERSONNEL RECORDS

Placement of Material in Personnel Files:

1. Material in the employee's personnel file will normally include but shall not be limited to the following:
 - a. Application for employment or resume.
 - b. Initial employment information such as: authorization to employ, oath of office, medical examination records, tuberculosis card, etc.
 - c. Credential status or records.
 - d. Transcripts of records of college work.
 - e. Tentative assignment forms.
 - f. Offer of employment.
 - g. Evaluations, observations, responses, and related materials.
 - h. Complaint resolutions.
 - i. Retirement entry or separation material.
 - j. Any medical information required by policy or regulations of the ROP.
 - k. Changes of status.
 - l. Copies of contracts.
 - m. Absence and leave records.
 - n. Payroll related information.
 - o. Letters, memoranda, and formal notes regarding violations of Council policy, or acts of commission or omission relating to assigned duties.
 - p. Information relating to any legal action involving the employee and the ROP.

2. All material to be placed in a personnel file shall be processed through the administrator responsible for the maintenance of personnel files.

Personnel File Review Procedures

1. File Review by Employee
 - a. Employees may examine their own personnel file at a time when they are not required to render service to the ROP. Such inspection will take place in the office where the files are maintained, during normal business hours, in the presence of the administrator responsible for maintaining personnel files.
 - b. Confidential placement information in file shall not be available for review unless marked "not confidential" or equivalent by the college, university, or other placement office.
 - c. In no instance shall any material be removed from the file. (See procedure to be followed regarding derogatory material above.)
 - d. Any request by an employee to include any materials in the file must be approved by the administrator responsible for maintaining personnel files.
 - e. Requests for copies of material in personnel file must be in writing.

First Reading:	September 12, 1991
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Adopted:	December 12, 1991

DRUG-FREE WORKPLACE

The ROP encourages and supports its employees in their efforts to maintain a healthy lifestyle. The ROP will maintain a drug-free workplace by taking action against employees who use, distribute, or possess illegal controlled substances or alcohol on the job.

All employees are prohibited from using, distributing, possessing, or being under the influence of illegal controlled substances or alcohol during assigned work hours or while on ROP property.

Legal Reference:

The Drug-Free Workplace Act of 1988

Education Code

- 44932 Grounds for dismissal of permanent employee; Suspension of employees
- 44425 Conviction of sex or narcotic offense as grounds for revocation by commission; plea of nolo contendere to sex offense
- 44011 "Controlled substance offense"
- 45113 Rules and regulations for classified service in districts not incorporating the merit system
- 45123 Employment after conviction of sex offense or controlled substance offense; rehabilitated controlled substance offender

First Reading: February 24, 2000
Second Reading: March 23, 2000
Adopted: March 23, 2000

CHILD ABUSE REPORTING STATEMENT

The Council requires all employees who are child care custodians, as defined by Penal Code 11165, to report known or suspected instances of child abuse.

Prior to employment, persons in the defined positions shall sign a statement to the effect that the employee knows of the legal requirement to report known or suspected instances of child abuse and is prepared to comply with this provision of law. (Penal Code 11166.5)

The Superintendent shall ensure that the provisions of this policy are carried out in accordance with the law.

Legal Reference: Education Code
44690 et seq. Staff development in the detection of child
abuse and neglect

Penal Code 273 a Willful cruelty or unjustifiable punishment of child; endangering life
of health
11165-11165.5 Definitions relating to child abuse
11166-11170 Reporting known or suspected cases of child abuse
11172 Exemption from civil and criminal liability resulting from required
reporting of known or suspected child abuse; failure to report is a
misdemeanor.

First Reading: September 12, 1991
Second Reading: December 12, 1991
Adopted: December 12, 1991

CHILD ABUSE REPORTING STATEMENT

Signed Statement

Section 11166 of the Penal Code requires any child care custodian, who has knowledge of or observes a child in his or her professional capacity or within the scope of his or her employment, whom he or she knows or reasonably suspects has been a victim of a child abuse, to report the known or suspected instance of child abuse to a child protective agency immediately or as soon as practically possible by telephone and to prepare and send a written report thereof within thirty—six (36) hours of receiving the information concerning the incident.

"Child Care Custodian" includes teachers, administrative officers, supervisors of child welfare and attendance, or certificated pupil personnel employees of any public or private school; administrators of a public or private day camp; licensees, administrators, and employees of community care facilities or child day care facilities licensed to care for children; headstart teachers; licensing workers or licensing evaluators; public assistance workers; employees of a child care institution including, but not limited to, foster parents, group home personnel, and personnel of residential care facilities; and social workers or probation officers.

I have been informed of the above law and will comply with its provisions.

(Type employee's name below line, with signature above)

This statement is a permanent record of the Mission Valley Regional Occupational Center/Program.

First Reading:	September 12, 1991
Second Reading:	December 12, 1991
Adopted:	December 12, 1991

ASSIGNMENT AND REASSIGNMENT

The assignment of staff members and their transfer shall be made by the administrative staff with the approval of the Superintendent.

Classified

The Council shall classify all positions in the classified service and other positions not requiring certification qualifications. Each position shall have a designated title, regular minimum number of assigned hours per day, days per week, and months per year. A specific statement of the duties required and the regular monthly salary ranges shall be established for each position.

Certificated

A certificated employee will be assigned by the Superintendent to a position for which the employee's preparation, certification, experience, and aptitude fits him/her and the ROP.

Legal Reference:	Education Code
35020	Duties of employees fixed by governing board
35025	Additional powers and duties of superintendent
35035(c)	Additional powers and duties of superintendent (clarifies power of district superintendent to transfer teacher from one school to another)
44032	Payment of expenses; advance on funds; direction of travel by governing board
44033	Reimbursement on a flat rate or mileage basis
44256	Authorization for teaching credentials; kinds
44257	Authorization for teaching assignment
44258-44264	(reassignment of teachers)
45102	Assignment at times other than regular academic year
45109	Fixing of duties
45110	Inconsistent duties; compensation
45127	Work week (conditions of service)
45132	Four—consecutive—day work week
45169	Data furnished employee, copies; application
45183	Basis for assignment of duties
44863	Subjects authorized in special certificate

Government Code

3543.2	Scope of representation (re transfer/reassignment)
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First Reading: Second	September	12,	1991
Reading: Adopted:	December	12,	1991
	December	12,	1991

MISSION VALLEY REGIONAL OCCUPATIONAL CENTER PROGRAM
Classified Personnel

Goals of Performance Evaluation

Developed by the classified staff committee

1. Performance evaluation is designed to provide information to the employee so that strengths and weaknesses can be clarified.
2. Performance evaluation is not designed to be punitive or self-serving.
3. Performance evaluation involves procedures that bring the appraisee into closer understanding of reasonable expectations.
4. Performance evaluation is designed to clarify and define reasonable "targets" of achievement.
5. Performance evaluation is a legitimate and responsible activity, the fundamental consequences of which are to improve the employee's performance.

1st Reading: 2/26/98
2nd Reading: 3/26/98
Adopted: 3/26/98

MISSION VALLEY ROC/P
Guidelines For Classified Evaluations

1. New classified employees will be evaluated sixty days from the date of employment, at six months, and at the end of the first year. After one year employees shall be evaluated on an annual basis. If any evaluation indicates a "needs improvement" or "fails to meet standards," the employee will be evaluated on those areas in sixty days.
2. When hired, all new employees will receive a copy of the evaluation form and job description. A meeting will be held between the employee and supervisor to review and discuss expectations and evaluation procedures.
3. Employees will be probationary for a period of six months from start date.
4. An evaluation conference will be held with the employee and the supervisor to discuss the evaluation.
5. The form for the classified evaluation will be Form #CLE97.
6. An employee who changes classification shall follow the evaluation guidelines for a new employee.
7. Whenever possible, job performance shall be discussed with the employee by his/her immediate supervisor at the time the issue is pertinent, rather than waiting until the time of the required written appraisal.

II. Evaluation Summary to be completed by supervisor/employee:

Considering all the above appraisal factors regarding work performance, please comment about overall performance.

III. Employee Development:

List ways the employee might improve his job performance and suggest methods of achieving such development.

IV. Future Goals or Growth Objectives to be completed jointly during the evaluation:

In compliance with the Rules and Regulations of the Personnel commission adopted pursuant to Section 45261, Education Code, State of California, I approve for the above named employee to be:

- Recommended for continued employment with annual evaluation
- Recommended for continued employment with the condition of reevaluation in sixty days
- Recommended for remediation plan
- Recommended for administrative review of employment

It is understood that in signing this performance report the employee acknowledges having seen and discussed the rating but does not necessarily agree with the conclusions of the evaluator. It is further understood that the employee has 10 days to file a rebuttal which will be attached to the evaluation filed in the employee's personnel folder.

Employee Signature

Date

Supervisor Signature

Date

EVALUATION

Evaluation is a process whereby the effectiveness of the staff member is appraised in relation to job-related responsibilities and duties, predetermined ROP goals and objectives, Council and business expectations, employee competencies, and ROP policies, regulations, and procedures.

The evaluation shall recognize the worth and needs of the individual evaluated in the total working environment and shall lend direction toward improvement of individual effectiveness.

Staff members will be evaluated at least once during each year by ROP administration. All evaluations will be in written form and will be discussed with the staff member.

Evaluation Guideline - Certificated

In the development of guidelines to evaluate certificated personnel the Council shall avail itself of the advice of certificated personnel in assessing certificated competency as it reasonably relates to:

1. The progress of students toward standards of expected achievement.
2. The instructional techniques and strategies used by the employee.
3. The employee's adherence to curricular objectives.
4. The establishment and maintenance of a suitable learning environment within the scope of the employee's responsibilities.
5. Additional evaluation and assessment guidelines as the Council may develop.

The Council, with the direction of the administration, shall develop and adjust guidelines and assessment criteria as it deems necessary.

Legal Reference:	Education Code
33039	State guidelines for teacher evaluation procedures
35160.5	Requirement of district policies for competency of personnel assigned to evaluate.
35171	Availability of rules and regulations for evaluation of performance
44660-44665	Evaluation and assessment of performance of certificated employees
Government Code	
3543.2	Scope of representation (re—evaluate procedures)

First Reading:	September 12, 1991
Second Reading:	December 12, 1991
Adopted:	December 12, 1991

MISSION VALLEY ROP/C

GUIDELINES FOR CERTIFICATED EVALUATIONS AND OBSERVATIONS

1. New contracted certificated instructors will be evaluated every year for three years. If the evaluations are above satisfactory, then evaluations may be conducted every other year. Instructors may request to be evaluated, even if they are not required to do so. Also, administration may evaluate an instructor having met the 3 year performance criteria if there is need for improvement in any area of the teachers' performance.
2. A minimum of one formal classroom observation will be made on all contracted teachers. If any area of the classroom observation is found to be in the "needs improvement" category, a meeting will immediately take place between the observer and the instructor to establish steps for improvement and remediation. Another classroom observation will then be set within 30 days.
3. Prior to a classroom observation, a pre-planning meeting may be held at the instructor's or observer's request.
4. A follow-up meeting to a classroom observation will be held at the instructor's or observer's request.
5. The form for classroom observations will be CO 92 (see attached).
6. The form for certificated evaluations will be CE 92 (see attached).

Regulation established: November 9, 1992

MISSION VALLEY REGIONAL OCCUPATIONAL PROGRAM/CENTER
Certificated Personnel

GOALS OF PERFORMANCE EVALUATION

Developed by the Teacher Evaluation Committee

1. Performance evaluation is designed to provide information to the employee so that strengths and weaknesses can be clarified.
2. Performance evaluation is not designed to be punitive or self-serving.
3. Performance evaluation involves procedures that bring the appraisee into closer understanding of reasonable expectations.
4. Performance evaluation is designed to clarify and define reasonable "targets" of achievement.
5. Performance evaluation is a legitimate and responsible activity, the fundamental consequences of which are to improve the delivery of effective instruction.

First Reading: November 5, 1992
Second Reading: December 10, 1992
Adoption: December 10, 1992

TEACHING HOURS

The Superintendent shall establish the hours of employment, duties, and periods of assignment.

First Reading:	September	12,	1991
Second Reading:	December	12,	1991
Adopted:	December	12,	1991

CONCURRENT EMPLOYMENT

All concurrent employment must be submitted by the employee in writing to the ROP Administration within one (1) week of obtaining other employment.

First Reading:	September	12,	1991
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Adopted:	December	12,	1991

NON-ROP EMPLOYMENT

Personnel of the ROP may receive compensation for outside activities as long as such activities are not inconsistent, incompatible, in conflict with, or unfavorable to the duties of the employee, or to the duties, functions, or responsibilities of the ROP.

The Superintendent is authorized to determine which outside activities are inconsistent, incompatible, or in conflict with any employee's duties. Such outside activities may be prohibited if they:

1. Involve the use of ROP time, facilities, equipment or supplies, or the name, prestige or influence of the ROP for private gain or advantage, or
2. Involve the acceptance of any money or other consideration from any person or agency, other than this ROP, for the performance of any act which the ROP would normally consider a part of the duties of the employee, or
3. Involve the performance of an act as part of the employee's outside activities which may later be subject to the control, inspection, review, audit, or enforcement of any officer or employee of the ROP, or
4. Make such time demands on the employee that it interferes with the proper discharge of the employee's duties at the ROP, or
5. Would be unethical, or bring disrepute to the ROP, cause poor public relations between the ROP and the community.

Legal Reference:

Education Code
35160 Authority of governing board commencing January 1, 1976

Government Code
1126 Incompatible activities of employees

First Reading: February 24, 2000
Second Reading: March 23, 2000
Adopted: March 23, 2000

CONFLICT OF INTEREST

BP 4117.2

All employees and officers of the ROP shall perform their duties in an impartial manner, free from bias caused by their own interests.

No employee or officer of the ROP shall accept any money or other valuable thing or any inducement to directly or indirectly introduce, recommend, approve, or otherwise influence the adoption or purchase of any equipment, supplies, or material. Violation of this section will subject an employee to discipline. A violation of this section may also subject the employee to criminal sanctions for violating state law.

CONFLICT OF INTEREST CODE

The Conflict of Interest Code is promulgated under the authority of the Political Reform Act, Government Code Section 81000 et seq., which requires all state and local government agencies to adopt and promulgate a conflict of interest code. Regulation 2 Cal. Code of Regs., Section 18730, as adopted by the Fair Political Practices Commission contains the terms of a standard conflict of interest code; which may be incorporated by reference and may be amended by the Fair Political Practices Commission after public notice and hearings to conform to amendments in the Political Reform Act.

Therefore, the terms of 2 Cal. Code of Regs., Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference and, along with the attached Appendix in which positions are designated and disclosure categories are set forth constitute the Conflict of Interest Code of Mission Valley ROP.

Designated employees shall file their statements of economic interest with the ROP secretary, who will make the Statements available for public inspection and reproduction (Gov. Code Section 81008). The original statement of the Superintendent and each member of the school board shall be forwarded to the Clerk, Board of Supervisors and a copy retained by Mission Valley ROP.

FINANCIAL INTEREST

Board members and designated employees shall not be financially interested in any contract made by the Board or in any contract they make in their capacity as Board members or designated employees. (Government Code 1090)

GIFTS

Designated employees shall not accept from any single source in any calendar year any gifts in excess of the prevailing gift limitation specified in law if the employee would be required to report the receipt of income or gifts from that source on his/her statement of economic interests. (Government Code 89503)

The above limitations on gifts do not apply to wedding gifts and gifts exchanged between individuals on birthdays, holidays and other similar occasions, provided that the gifts exchanged are not substantially disproportionate in value. (Government Code 89503)

Gifts of travel and related lodging and subsistence shall be subject to the above limitations except as described in Government Code 89506.

A gift of travel does not include travel provided by the district for Board members and designated employees. (Government Code 89506)

HONORARIA

Board members and any designated employees who manage public investments shall not accept any honorarium, which is defined as any payment made in consideration for any speech given, article published, or attendance at any public or private gathering, if the employee would be required to report the receipt of income or gifts from that source on his/her statement of economic interests. (Government Code 89502)

The term "honorarium" does not include: (Government Code 89501)

1. Earned income for personal services customarily provided in connection with a bona fide business, trade or profession unless the sole or predominant activity of the business, trade or profession is making speeches
2. Any honorarium which is not used and, within 30 days after receipt, is either returned to the donor or delivered to the district for donation into the general fund without being claimed as a deduction from income for tax purposes

APPENDIX
DESIGNATED POSITIONS/DISCLOSURE CATEGORIES

DESIGNATED POSITIONS

<u>Position</u>	<u>Disclosure Category</u>
<u>Board Members</u>	1
<u>Superintendent</u>	1
<u>Director, Business Services</u>	1
<u>Director, Educational Services</u>	1
<u>Coordinator</u>	2
<u>Information Technology Manager</u>	2
<u>Public Relations Officer/Administrative Assistant</u>	2
<u>Consultants</u>	*
	-

A consultant is an individual who, pursuant to a contract with the ROP, makes any of several specified governmental decisions or serves in a staff capacity with the ROP, performing the same or substantially the same duties for the ROP that would otherwise be performed by an individual holding a position specified in the ROP' s conflict of interest code.

*Consultants shall be included in the list of designated employees and shall disclose pursuant to the broadest disclosure category in the code subject to the following limitation:

The Superintendent may determine in writing that a particular consultant, although a designated position, is hired to perform a range of duties that is limited in scope and thus is not required to fully comply with the disclosure requirements in this section. Such written determination shall include a description and a statement of the extent of disclosure requirements. The Superintendent's determination is a public record and shall be retained for public inspection in the same manner and location as this conflict of interest code.

DISCLOSURE CATEGORIES

Category Disclosure Required

- 1 Persons in this category must disclose all investments and business positions in business entities, sources of income and interests in real property, gifts and honoraria.

- 2 Persons in this category must disclose those investments and business positions in business entities, sources of income and interests in real property of the type utilized by the unit for which the designated employee is director, manager or responsible.

Legal Reference:

EDUCATION CODE

- 1006 Qualifications for holding office
- 35107 School district employees
- 35230-35240 Corrupt practices
- 35233 Prohibitions applicable to members of governing boards
- 60071 Prohibited offers to influence adoption or purchase of instructional materials
- 60072 School officials; acceptance of consideration or inducements; prohibition
- 60073 Penalty for violators; misdemeanor and removal from official position

GOVERNMENT CODE

- 1090-1098 Prohibitions applicable to specified officers
- 1125-1129 Incompatible activities
- 81000-91015 Political Reform Act of 1974, especially:
 - 82011 Code reviewing body
 - 82019 Definition of "designated employee"
 - 82028 Definition of "gifts"
 - 82030 Definition of "income"
 - 82033 Definition of "interest in real property"
 - 82034 Definition of "investment"
- 87100-87103.6 General prohibitions
- 87200-87210 Disclosure
- 87300-87313 Conflict of interest code
- 87500 Statements of economic interests
- 89501-89503 Honoraria and gifts
- 89506 Travel payments, advances and reimbursements
- 91000-91015 Enforcement

CODE OF REGULATIONS, TITLE 2

- 18100-18730 Regulations of the Fair Political Practices Commission

Management Resources:

WEB SITES

FPPC: <http://wwwippc.ca.gov>

Policy Adopted:	March 23, 2000
Revised Policy, First Reading:	January 20, 2011
Revised Policy, Second and Final Reading:	February 17, 2011
Policy Adopted:	February 17, 2011

ACCEPTANCE OF GIFTS

The offering of any valuable thing to any member of the Council, or any employee of the ROP, with the intent to influence the action of the Council member or employee in regard to the granting of any teacher certificate, the appointment of any teacher, superintendent or other officer or employee, the adoption of any textbook or the making of any contract to which the Council member or employee is a party, or the acceptance by any member of the Council or employee of any valuable thing with corrupt intent is a misdemeanor under California law.

No employee or officer of the ROP will accept gifts from any person, group, or entity doing (or wanting to do) business with the ROP. All business-related gratuities are specifically prohibited except for items generally distributed for advertising purposes and having a value of less than \$10.

No employee or officer of the ROP shall hold a vested interest in any contract made by the ROP.

Any contract or appointment obtained from the Council by corrupt means is void.

Legal Reference:

Education Code

35230 Corrupt practices as a misdemeanor

35231 Contract procured by corrupt means is void

First Reading: February 24, 2000

Second Reading: March 23, 2000

Adopted: March 23, 2000

Eligibility

All Mission Valley Regional Occupational Program (MVROP) certificated and classified personnel who worked for MVROP prior to July 1, 1989, are eligible for MVROP-paid health insurance and dental insurance to age 65 if the employee meets the following criteria:

1. The retiring person must be receiving STRS or PERS.
2. The person retiring must be age 55 or older.
3. The person retiring must have worked for MVROP for at least 10 years.
4. The person retiring must be an MVROP employee at time of retirement.
5. Employees who intend to retire and want to be enrolled in a MVROP approved health plan upon retirement, must enroll in that plan during the open enrollment period prior to retirement.

Premiums

MVROP shall pay the entire premium for the retiree's health plan and dental plan coverage from among those plans included in MVROP approved plans until age 65.

Health and dental coverage may include spouse. Any costs for this additional coverage will be paid for by the retiree. The retiree may reimburse MVROP for his/her spouse provided it is agreeable to the insurance carrier, until the retiree reaches age 65.

Employees who retire that have worked less than 100% but more than 50% and meet all other requirements, qualify to receive 50% of the amount paid for health and dental insurance.

At the age of sixty-five (65), with approval of the health insurance and dental insurance carrier, the retiree may continue coverage at the retiree's expense.

Qualified retirees participating in the retirement benefits option as defined by policy #4118.1, have the option to make changes in MVROP approved health or dental plans once each benefit year during open enrollment.

First Reading:	March 22, 2001
Second Reading:	May 24, 2001
Adopted:	May 24, 2001

RETIREMENT BENEFITS

All Mission Valley (formerly Fremont-Newark) Regional Occupational Program certificated and classified personnel who worked for the ROP prior to July 1, 1989, are eligible for ROP-paid health insurance and dental insurance to age-65 if the employee meets the following criteria:

1. The retiring person must be receiving STRS or PERS.
2. The person retiring must be age 55 or older.
3. Have worked for the ROP for at least 10 years.

The amount that the ROP will pay will be no higher than what Mission Valley ROP pays its employees for fringe benefits.

Coverage may include spouse. Any costs for this additional coverage over the amount paid to present employees will be paid for by the retiree.

Employees who retire that have worked less than 100% but more than 50% and meet all other requirements qualify to receive 50% of the amount paid for health and dental insurance.

Retirees may, with approval of the health insurance and dental insurance carrier, continue coverage at the retiree's expense.

First Reading:	September 12, 1991
Second Reading:	December 12, 1991
Adopted:	December 12, 1991

RETIREMENT

There shall be no compulsory retirement age for any employee.

Legal Reference:

Education Code	9134	No age limit on continuation of employment
Public Law	95-256	Age Discrimination in Employment Act Amendments of 1978

First Reading:	September	12,	1991
Second Reading:	December	12,	1991
Adopted:	December	12,	1991

CIVIL AND LEGAL RIGHTS

The personal life of an employee is not an appropriate concern for the attention of the Council except as it may directly prevent the employee from properly performing his/her assigned functions during the workday.

Employees shall be entitled to full rights of citizenship, and religious or political activities or the lack thereof shall not be grounds for any discipline or discrimination with respect to the professional employment of such employee, providing said activities do not violate any local, state, or federal laws.

Nondiscrimination

The conditions of employment in the ROP, including wages, hours, terms, and benefits, shall be supplied without regard to age, ancestry, color, creed, national origin, marital status, physical or mental disability, pregnancy, race, religion, sex or sexual orientation or any other consideration made unlawful by federal, state or local laws. Thereby the Council seeks to extend the advantages of public education with full equality of educational opportunity to all students and personnel.

All employees are expected to carry out their responsibilities in a manner that is free from unlawful discrimination. Employees who permit or engage in discrimination or harassment may be subject to disciplinary action up to and including dismissal.

Complaints

No employee, as participant in a complaint procedure shall suffer reprisals in any way or suffer any professional disadvantage by reason of participation in the processing of any complaint.

Discipline

The Council considers unlawful harassment to be a major offense, which can result in discipline or dismissal of the offending employee.

No employee will be disciplined, reprimanded, reduced in rank or compensation, or deprived of any professional advantage without just cause as determined by the ROP.

Discriminatory Harassment

The Council is committed to ensuring a work environment, which is free of the unlawful harassment of all employees. An employee or applicant who feels that he/she has been discriminated against because of his/her race, sex, disability or other protected status should report such incidents to his/her supervisor, the Superintendent, or Council without fear of reprisal. Any supervisor receiving a harassment complaint shall notify the Superintendent who shall ensure that the complaint is properly investigated.

CIVIL AND LEGAL RIGHTS (continued)

Non-discrimination in Employment/Discriminatory Harassment

Unlawful harassment based on a person's race, sex, or other attribute listed in the ROP's non-discrimination policy includes, but is not limited to, the following:

1. Slurs, epithets, threats, or verbal abuse.
2. Derogatory or degrading comments, descriptions, drawings, pictures or gestures.
3. Unwelcome jokes, stories or teasing.
4. Any other verbal, visual, or physical conduct which adversely affects the individual's employment opportunities or has the purpose or effect of unreasonable interfering with his/her work performance or creating an intimidating, hostile, or offensive working environment.

Harassment may arise not only as a result of the offender's intention, but also as a result of the offended person's perception of the offensive conduct and the way in which it affects him/her.

Legal Reference:

California Constitution, Article I, Section 8

Education Code

Sections 200-262.4 Section
7050-7057 Section 44040

Prohibition of unlawful discrimination
Political activities to school officers and employees
Unlawful to discriminate because of appearance
before certain boards or commissions

Government Code

Sections 12920-12921
Sections 12940 et seq.

Fair Employment and Housing Act
Discrimination Prohibited; unlawful practices
generally

United States Code, Title 42
Section 2000e
Section 2000h-2

Title VII of the Civil Rights Act of 1964 as amended
Title IX, 1972 Education Act Amendment

Title 5, California Code of Regulations

Section 30-31

Affirmative Action

First Reading: February 24, 2000

Second Reading: March 23, 2000

Adopted: March 23, 2000

COMPLAINT PROCEDURE CONCERNING DISCRIMINATION IN EMPLOYMENT

The following procedures shall be followed when an employee has a complaint alleging that a specific action, policy, procedure or practice discriminates against him/her on any basis specified in the ROP's non-discrimination policies.

1. The complaint must be initiated within 30 days after a complainant knew, or should have known, of the alleged discrimination.
2. All parties involved in allegations of discrimination shall be notified when a complaint is filed, when a complaint meeting or hearing is scheduled, and when a decision or ruling is made. The complainant also shall be notified of his/her right to appeal the decision to the next level.
3. When a complaint is brought against the individual responsible for the complaint process at any level, the complainant may address the complaint directly to the next appropriate level.
4. Meetings related to a complaint shall be held at times the ROP determines as least likely to interfere with school schedules and operations.
5. For the protection of the complainant and the ROP, complaint proceedings shall be kept confidential insofar as appropriate.
6. All documents, communications, and records dealing with the complaint shall be placed in an ROP file.
7. No retaliation shall be taken in any form for the filing of a complaint, the reporting of instances of discrimination, or for participation in the complaint procedures. Such participation shall not in any way affect the status or work assignments of the complainant.
8. Time limits specified in these procedures may be revised only by written mutual agreement of all parties involved. If the ROP fails to respond within a specified or adjusted time limit, a complainant may proceed to the next level. If a complainant fails to take the complaint to the next step within the prescribed time, the complaint shall be considered settled at the preceding step.

COMPLAINT PROCEDURE CONCERNING DISCRIMINATION IN EMPLOYMENT

(continued)

Level I

The complainant shall first meet informally with his or her supervisor, or the administrator or manager designated by the Superintendent.

If the complainant's concerns are not clear or cannot be resolved through informal discussion, the principal or other administrator or manager shall prepare, within ten working days, a written summary of his/her meeting(s) with the complainant. A copy of this report shall be given to the Superintendent.

Level II

If a complaint cannot be satisfactorily resolved at Level I, the complainant may submit a formal written complaint to the ROP Superintendent within ten-days of his/her attempt to resolve the complaint informally. The written complaint shall include the following:

1. The complainant's signature or that of his/ her representative.
2. The complainant's name, address, and telephone number.
3. The name and address of the ROP employee who committed the alleged violation.
4. A description of the allegedly discriminatory act(s) or omission(s).
5. The discriminatory basis alleged.
6. A specific description of the time, place, nature, participants in and witnesses to the alleged violation.
7. Other pertinent information which may assist in investigating and resolving the complaint.

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

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

COMPLAINT PROCEDURE CONCERNING DISCRIMINATION IN EMPLOYMENT

(continued)

Level III

If the matter is not resolved at Level II, the complainant may file a written appeal to the Council within ten days after receiving the Level II response. The Superintendent or designee shall provide the Council with all information presented at previous levels.

The Council shall grant the hearing request for the next regular Council meeting for which it can be placed on the agenda. Any complaint against a ROP employee shall be conducted in closed session as a personnel matter. The Council shall render its decision within ten working days of the council meeting.

Other Remedies

Complainants may appeal the ROP's action to the California Department of Education. The Superintendent or designee shall ensure that complainants are informed that injunctions, restraining orders, and other civil law remedies may also be available to them. This information shall be published with the ROP's non-discrimination complaint procedures and included in any related notices.

Legal Reference:

Education Code
262.3 Appeals; civil law remedies; notice

First Reading: February 24, 2000
Second Reading: March 23, 2000
Adopted: March 23, 2000

SEXUAL HARASSMENT

Mission Valley ROP is committed to providing a work environment free of unlawful sexual harassment. The ROP's anti-harassment policy applies to all persons involved in the operation of the ROP and prohibits unlawful harassment by any employee of the ROP, including supervisors and co-workers.

For purposes of this policy, "sexual harassment" means unwelcome sexual advances, requests for sexual favors, and other verbal, visual, or physical conduct of a sexual nature, made by someone from or in the work or educational setting, under any of the following conditions:

- (a) Submission to the conduct is explicitly or implicitly made a term or a condition of an individual's employment.
- (b) Submission to, or rejection of, the conduct by the individual is used as the basis of employment decisions affecting the individual.
- (b) The harassment 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.
- (d) Submission to, or rejection of, the conduct by the individual is used as the basis for any decision affecting the individual regarding benefits and services, programs, or activities available at or through the ROP.

In determining whether one of the above criteria is met, the standard to be applied is that of the "reasonable person" of the same gender as the victim.

It is not a defense to a claim of sexual harassment that the alleged harasser did not intend to harass.

EXAMPLES OF SEXUAL HARASSMENT

Sexual harassment includes, but is not limited to:

- Verbal: Sexually demeaning comments, sexually explicit statements, questions, slurs, jokes, anecdotes or epithets; expressing sexual interest after being informed that the interest is unwelcome, making reprisals, or threats of reprisal following a negative response to advances or a sexual harassment complaint.
- Written: Suggestive or obscene letters, notes or invitations.
- Physical: Sexual assault, touching, impeding, or blocking movement.
- Visual: Leering, gestures, display of sexually suggestive objects or pictures, cartoons, or posters.

SEXUAL HARASSMENT (continued)

A single incident of sufficient severity may constitute sexual harassment. In determining whether a specific act or pattern of behavior violates this policy, the circumstances surrounding the conduct shall be considered together with the above definition of sexual harassment. Such determination shall be made from the perspective of a "reasonable person" of the same sex as the victim.

In determining whether alleged conduct constitutes sexual harassment, the totality of the circumstances, the nature of the harassment, and the context in which the alleged incidents occurred will be investigated. The Superintendent has the responsibility of investigating and resolving complaints of sexual harassment. Confidentiality shall be maintained to the extent consistent with Council's obligation to investigate charges.

An employee who files a complaint alleging unlawful sexual harassment with the Council may appeal an action taken by the board to the California Department of Education pursuant to Education Code section 262.3. An employee who files a complaint alleging unlawful sexual harassment may also have civil remedies including injunctions, restraining orders, and/or other remedies or orders.

Any employee or applicant for employment who feels that he/she is being unlawfully harassed should immediately contact his/her supervisor or the Superintendent or designee in order to obtain procedures for reporting a complaint. Such complaints can be filed in accordance with Administrative Regulation 4119.2.

Any supervisor who receives a harassment complaint shall notify the Superintendent or designee, who shall ensure that the complaint is appropriately investigated. Discrimination complaint procedures prohibit retaliatory behavior against any complainant or any participant in the complaint process.

Employees may also seek redress from the United States Equal Employment Opportunity Commission and the California Department of Fair Employment and Housing. Both of those agencies investigate and prosecute complaints of prohibited harassment in employment. Employees who believe they have been harassed unlawfully or who believe they have been retaliated against for resisting or complaining about such harassment, may file a complaint with the appropriate agency. The nearest office is listed in the telephone book.

Legal Reference:

Education Code
212.5 Sexual Harassment

First Reading: February 24, 2000
Second Reading: March 23, 2000
Adopted: March 23, 2000

COMPLAINT PROCEDURE CONCERNING SEXUAL HARASSMENT

COMPLAINTS AND RESOLUTIONS, EMPLOYEES

- Step 1. Employees who feel aggrieved because of conduct that may constitute sexual harassment should directly inform the person engaging in such conduct that such conduct is offensive and must stop.
- Step 2. If the offensive behavior does not stop or if the complainant does not feel comfortable exercising Step One, the complainant shall report the incident to an ROP administrator or to their immediate supervisor.
- Step 3. If the complaint is not resolved at Step Two above, it shall be stated in writing by the complainant within ten (10) days of the decision rendered at Step Two, and submitted to the Superintendent.
- Step 4. The Superintendent shall hear the complaint and shall render a decision in writing within a reasonable time. The Complainant shall be afforded a full and fair opportunity to present evidence relevant to the facts and to the issues raised by the complainant.

PLEASE NOTE: The procedure does not preempt the employee's right to remedy through other lawful means.

NOTIFICATIONS REGARDING SEXUAL HARASSMENT

A copy of the ROP's policy on sexual harassment shall:

- 1. Be displayed in a prominent location at the ROP.
- 2. Be provided to each faculty member, all members of the administrative staff, support staff, and all students.
- 3. Appear in any ROP publication that sets forth the schools comprehensive rules, regulations, procedures, and standards of conduct.

COMPLAINT PROCEDURE CONCERNING SEXUAL HARASSMENT (continued)

All employees shall receive a copy of ROP information sheets that contain, at a minimum, components on:

1. The illegality of sexual harassment.
2. The definition of sexual harassment under applicable state and federal law.
3. A description of sexual harassment, with examples.
4. The ROP's complaint process available to the employee.
5. The legal remedies and complaint process available through the Fair Employment and Housing Department and Commission.
6. Directions on how to contact this Fair Employment and Housing Department and Commission. (Gov. Code, § 12950)

The Superintendent or designee shall ensure that complainants are informed that injunctions, restraining orders, and other civil law remedies may also be available to them. (Ed. Code, § 262.3.) This information shall be published with the ROP's non-discrimination complaint procedures and included in any related notices.

Legal Reference:

Government Code Sections 12900-12996

Equal Employment Commission Guidelines

Education Code Sections 200, 212.5, 230

Title VII of the Civil Rights Act of 1964

Title IX of the 1972 Education Amendments, section 106.8

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Second Reading: March 23, 2000

Adopted: March 23, 2000

REASONABLE ACCOMODATION

Requests for reasonable accommodation may first be considered informally by the site administrator. If an accommodation cannot be made at the site because it would impose undue hardship or because of a lack of funds, the site administrator shall ask that the request be submitted in writing to the Superintendent. The site administrator shall provide the employee or applicant with any assistance he/she may need in order to submit this request.

Upon receiving a request to reasonably accommodate the physical or mental disability of a ROP employee or qualified job applicant, the Program Administrator, shall:

1. Determine the essential functions of the job.
2. Consult with the employee or applicant to determine his/her precise limitations and how they may be mitigated.
3. With the employee or applicant's help, review the request for accommodation, identify potential means for providing accommodation, and assess their effectiveness; and
4. If possible, develop a plan for the accommodation that would satisfy the employee or applicant's concerns without imposing undue hardship on the ROP.

The determination of whether an individual poses a significant risk of substantial harm to others shall be made on a case-by-case basis and shall be based on objective, factual evidence, taking into consideration the duration of the risks, the nature and severity of the potential harm, the likelihood that the potential harm will occur, and the imminence of potential harm. (Code of Fed. Regs., Title 29, § 1630.2.)

The Superintendent may confer with the Program Administrator, the appropriate persons of expertise in medical issues, and/or other ROP staff before making a final decision.

The Program Administrator shall notify the employee or applicant of the results of his/ her determination.

Appeal Process

If the employee or applicant is not satisfied with the decision of the Program Administrator, he/she may appeal in writing to the Superintendent or designee. This appeal shall be made within ten (10) days of receiving the decision and shall include:

1. A clear concise statement of the reasons for the appeal.
2. A statement of the specific remedy sought.

REASONABLE ACCOMMODATION (continued)

The Superintendent or designee shall consult with the Program Administrator and review the appeal, together with any available supporting documents. The Superintendent or designee shall give the employee or applicant his/her decision within 15 working days of receiving the appeal.

Any further appeal for reasonable accommodation shall be considered a complaint concerning discrimination in employment and may be taken to the Council in accordance with the ROP's procedure for such complaints.

Legal Reference:

California Civil Code
Section 51 Unruh Civil Rights Act

Government Code
Section 12940 Discrimination Prohibited; unlawful practices generally

United States Code, Title 42
Section 12101 et seq. Americans with Disabilities Act

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Second Reading: March 23, 2000
Adopted: March 23, 2000

UNIVERSAL PRECAUTIONS

Universal precautions shall be observed throughout the MVROP to protect employees, students, and any other persons in the school environment from contact with potentially infectious blood or other body fluids.

Universal precautions are appropriate for preventing the spread of all infectious diseases and shall be used regardless of whether blood borne pathogens are known to be present.

Legal Reference:

Health and Safety Code

199.81 Providing information to school districts on AIDS, AIDS-related conditions and Hepatitis B
Information to employees of school district Code of Regulations

Title 8, §5193 California Blood borne Pathogens Standard Code

Code of Federal Regulations

Title 29 §1910.1030 OSHA Blood borne Pathogens Standards

Management Resources CD Advisory 1016.89

Guidelines for informing school employees about preventing the spread of infectious diseases, including Hepatitis B and AIDS/HIV infections and policies for dealing with HIV-infected persons in school settings

First Reading: May 25, 2000
Second Reading: June 22, 2000
Adopted: June 22, 2000

UNIVERSAL PRECAUTIONS

"Universal Precautions" is an approach to infection control according to which all human blood and certain human body fluids are treated as if known to be infectious for HIV, UBA, and other blood borne pathogens. (Title 8, § 5193.)

Human immunodeficiency virus (HIV) and hepatitis B virus (FIB) can be found in blood, semen, vaginal secretions, and breast milk. Other body fluids such as feces, urine, vomit, nasal secretions, sputum, and saliva may contain infectious germs that cause other diseases. It is not always possible to know when blood or body fluids are infectious; therefore, all body fluids shall be handled as if infectious. All students and staff shall routinely observe the following universal precautions for the prevention of infectious disease:

1. Wear disposable waterproof gloves whenever you expect to come into direct hand contact with blood, other body fluids, or contaminated items or surfaces. This applies to incidents including, but not limited to, caring for nosebleeds or cuts, cleaning up spills or handling clothes soiled by blood or body fluids. Do not reuse gloves. After each use, remove the gloves without touching them outside and dispose of them in a lined waste container. Gowns or smocks also should be worn if you anticipate soiling of clothes by body fluids or secretions.
2. Wash your hands and any other contacted skin surfaces thoroughly for 15 to 30 seconds with dispensable soap and warm running water, rinse under running water, and thoroughly dry with disposable paper towels:
 - a. immediately after any accidental contact with blood, body fluids, drainage from wounds, or with soiled garments, objects or surfaces.
 - b. immediately after removing gloves, gowns or smocks.
 - c. before eating, drinking or feeding.
 - d. before handling food, cleaning utensils or kitchen equipment.
 - e. before and after using the toilet or diapering.

When running water is not available, use antiseptic hand cleanser and clean towels or antiseptic towelettes, and use soap and running water as soon as feasible.

3. Clean surfaces and equipment contaminated with blood with soap and water and disinfect them promptly with a fresh solution of bleach (ten parts water to one part bleach) or other disinfectant. While cleaning, wear disposable gloves and use disposable towels whenever possible. Rinse mops or other non-disposable items in the disinfectant.

UNIVERSAL PRECAUTIONS

4. Properly dispose of contaminated materials and label them as biohazards.
 - a. Place blood, body fluids, gloves, bloody dressings, and other absorbent materials into appropriately labeled plastic bags or lined waste containers.
 - b. Place needles, syringes, and other sharp disposable objects in leak- proof, puncture-proof containers.
 - c. Bag soiled towels and other laundry. Pre-soak with disinfectant and launder with soap and water.
 - d. Dispose of urine, vomit, or feces in the sanitary sewer system.
5. Do not care for others' injuries if you have any bleeding or oozing wounds or skin conditions
6. Use a mouthpiece, resuscitation bag or other ventilation device when readily available in place of mouth-to-mouth resuscitation.
7. Immediately report any exposure incident or first-aid incident in accordance with the MVROP's Exposure Control Plan or other procedures.

First Reading:	May 25, 2000
Second Reading:	June 22, 2000
Adopted:	June 22, 2000

EXPOSURE CONTROL PLAN FOR BLOOD BORNE PATHOGENS

The Superintendent or designee shall meet state and federal standards for dealing with blood borne pathogens and other potentially infectious materials in the workplace. The Superintendent or designee shall establish a written Exposure Control Plan designed to protect employees from possible infection due to contact with bloodborne viruses, including human immunodeficiency virus (HIV) and hepatitis B virus (HBV).

The Council shall determine which employees have occupational exposure to blood borne pathogens and other potentially infectious materials. In accordance with the MVROP's Exposure Control Plan, employees having occupational exposure shall be offered the hepatitis B vaccination.

The Superintendent or designee may exempt designated first-aid providers from pre-exposure hepatitis B vaccination under the conditions specified by state regulations.

Any employee not identified as having occupational exposure in the MVROP's exposure determination may petition to be included in the MVROP's employee inservice and hepatitis B vaccination program. Any such petition should be submitted to the Superintendent or designee who shall evaluate the request and notify the petitioners of his/her decision. The Superintendent or designee may deny a request when there is no reasonable anticipation of contact with infectious material.

Legal Reference: Code of Regulations

Title 8 §3204 Access to employee exposure and medical records
§5193 California blood borne pathogens standard

Code of Fed. Regs., Title 29, §1910.1030 OSHA blood borne pathogens standards
Management Resources CDE Advisory 1016.89 Guidelines for informing school employees about preventing the spread of infectious diseases, including Hepatitis B and AIDS/HIV infections and policies for dealing with HIV-infected persons in school settings

First Reading: May 25, 2000
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BLOODBORNE PATHOGENS EXPOSURE CONTROL PLAN

In accordance with the CAL/OSHA Bloodborne Pathogens standard, Title 8 CCR-Section 5193, and in order to provide a safe work place for employees, the Mission Valley Regional Occupational Program has established a written exposure control plan designed to protect employees from possible infection due to contact with bloodborne viruses, including human immunodeficiency virus (HIV) and hepatitis B virus (HBV).

The Superintendent or designee shall determine which employees have occupational exposure to blood borne pathogens and other potentially infectious materials. Employees having occupational exposure shall be offered the hepatitis vaccination. If the employee chooses not to have the vaccination, he/she must sign a declination form.

Any employee not identified as having occupational exposure may petition to be included in the MVROP's employee in-service and hepatitis B vaccination program. Any such petition should be submitted to the Superintendent or designee who shall evaluate the request and notify the petitioner of his/her decision. The Superintendent or designee may deny a request when there is no reasonable anticipation of contact with infectious material.

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." (Title 8, Section 5193 (b).)

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

Parenteral contact means "piercing mucous membranes or the skin barrier through such events as needle sticks, human bites, cuts, and abrasions" (Title 8, Section 5193 (b)).

DETERMINATION OF OCCUPATIONAL EXPOSURE

Determination will be made as to which employees have occupational exposure to blood or other potentially infectious materials. MVROP has determined that custodians, health instructors and those working with small children are in this category.

UNIVERSAL PRECAUTIONS

Universal precautions will be observed in order to prevent contact with blood or other potentially infectious materials. All blood or other potentially infectious material will be considered infectious regardless of the perceived status of the source individual.

ENGINEERING AND WORK PRACTICE CONTROLS:

- a. Sharps containers at the Laiolo Road site. Contaminated sharps are to be placed immediately, or as soon as possible, into appropriate sharps containers.
- b. Gloves readily available to all employees.
- c. Hazardous waste pick-up as necessary.
- d. Handwashing facilities will be available to the employees who happen to incur exposure to blood or other potentially infectious materials. Antiseptic hand cleaners such as towelettes will be provided when soap and water are not readily available
- e. After removal of personal protective gloves, employees shall wash hands and any other potentially contaminated skin area immediately or as soon as feasible with soap and water.
- f. If employees incur exposure to their skin or mucous membranes, those areas shall be washed or flushed with water as appropriate as soon as feasible following contact.

WORK AREA RESTRICTIONS

In work areas where blood or other potentially infectious materials are present, employees are not to eat, drink, apply cosmetics or lip balm, or handle contact lenses.

CONTAMINATED EQUIPMENT

Equipment, which has become contaminated with blood or other potentially infectious materials, shall be examined prior to servicing or shipping and shall be decontaminated as necessary.

PERSONAL PROTECTIVE EQUIPMENT

Personal protective equipment will be provided without cost to employees.

Gloves shall be worn where it is reasonable anticipated that employees will have hand contact with blood, other potentially infectious materials, non-intact skin, and mucous membranes.

Gloves will be used for the following procedure:

- a. Cleaning up blood/emesis
- b. Cleaning open wounds
- c. Performing first aid
- d. Performing lab tests such as urinalysis
- e. Any blood drawing

Disposable gloves are not to be washed or decontaminated for re-use and are to be replaced as soon as feasible if they are torn, punctured, or when their ability to function as a barrier is compromised. Utility gloves may be decontaminated for re-use provided that the integrity of the glove is not compromised. Utility gloves will be discarded if they are cracked, peeling, torn, punctured, or exhibit other signs of deterioration, or when their ability to function as a barrier is compromised.

FACILITIES WILL BE CLEANED AND DECONTAMINATED as follows:

- a. All facilities that have the possibility of body fluid spills, seepage, and/or any other ways of contamination must be cleaned on a regularly scheduled basis. These facilities must be maintained in a sanitary condition to control the possibility of a harmful exposure.
- b. Restrooms must be cleaned and mopped with a disinfectant daily.
- c. Trash receptacles will have liners in them at all times.
- d. Employees are not to reach into trash receptacles to empty them.
- e. All trash removed from the facility shall be placed in containers and placed into dumpsters.

LAUNDRY PROCEDURES

Laundry contaminated with blood or other potentially infectious materials will be handled as little as possible. Such laundry will be placed in appropriately marked bags at the location where it was used.

All employees who handle contaminated laundry will utilize personal protective equipment to prevent contact with blood or other potentially infectious materials.

POST-EXPOSURE EVALUATION AND FOLLOW-UP

When the employee incurs an exposure incident, it must be reported on the Alameda County Schools Insurance Group (ACSIG) Employee's Claim For Worker's Compensation Benefits form. The supervisor must complete Employer's Report (form 5020). Both forms must be sent to the personnel technician for processing.

All employees who incur an exposure incident will be offered post-exposure evaluation and follow-up within 24 hours in accordance with the CAL/OSHA standard.

This follow-up will include:

- a. Documentation of the route of exposure and the circumstances related to the incident.
- b. If possible, the identification of the source individual and, if possible, the status of the source individual.
- c. The employee will be offered the option of having his/her blood collected for testing of the employee's HIV/HBV serological status.
- d. The employee will be offered post-exposure prophylaxis in accordance with the current recommendations of the U.S. Public Health Service. These recommendations are currently as follows:
 1. Begin the Hepatitis B vaccine series. If the employee has already had the series, give Hepatitis B booster.
 2. Hepatitis B or booster must be given within 24 hours of exposure. It will be given at no cost to the employee.
 3. If the employee chooses not to be vaccinated, he/she must sign a declination form.

TRAINING

Mandatory training is based on standards set by California OSHA. All new hires must sign up and attend the training on the date closest to the hire date. The personnel technician will provide you with a list of training dates. Training is conducted by Fremont Unified School District.

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Adopted: June 22, 2000

RE-USE OR ADAPTATION OF MATERIALS

Materials created by MVROP employees during work hours or for which they were paid salary or wages, or created with the use of MVROP equipment or materials, are the property of the ROP and may be re-used or adapted by any unit of the ROP for ROP purposes unless there is good cause to limit such re-use or adaptation. Whenever feasible, ROP employees should be given appropriate recognition for their creative efforts.

The use, re-use or adaptation of materials created by vendors, volunteers, employees outside of work hours, or other third parties may be restricted by law or contract. Any ROP employee seeking to re-use or adapt such materials shall first obtain the authorization of the responsible administrator or the unit by, in or for which the material was created.

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STAFF DEVELOPMENT

Staff development is viewed by the Council as a continuous, systematic effort to improve the ROP through staff involvement in organized program planning, implementation, and evaluation efforts and activities to upgrade the knowledge and ability of the total ROP staff.

Certificated

In our rapidly changing society, teachers must constantly review curricular content, teaching methods and materials, educational philosophy and goals, social change, and other topics related to education and training. The Council recognizes that it shares with its certificated staff responsibility for the upgrading and updating of teacher performance and attitudes. The Council supports the principle of continuing training of teachers and the improvement of instruction.

Staff development activities should respond directly to the educational needs of students, including: (a) currency of occupational training, (b) methodological areas such as motivation, teaching techniques and classroom management, and (c) affective areas of interpersonal relations of students and staff, student growth and development, and staff communication, problem solving, and decision—making.

The Superintendent is encouraged to provide the staff with developmental opportunities in areas such as the following:

1. Visits to other classrooms and other ROP's.
2. Conferences involving other personnel from the districts served, county, state, region, or nation.
3. Membership in committees drawing personnel from various sources.
4. Training classes and workshops offered by the ROP, county, or other appropriate agency.
5. Further training in institutions of higher learning, including credit courses conducted in the ROP region or nearby, instead of the college campus, whenever possible.
6. Professional conferences.

Classified

The Council directs the Superintendent to provide classified staff members with opportunities to improve their job skills so they can

perform their duties more efficiently and/or prepare themselves for more responsible, higher-paying positions within the ROP.

Such opportunities include, but are not limited to, the following:

1. Visits to other ROP's
2. Conferences involving other classified personnel from other ROP's, the county, state, region, or nation, either in the employee's job classification or in a higher classification.
3. Training classes and workshops offered by the ROP, county, or other appropriate agency.

Legal Reference:	Education Code
44032	Payment of expenses; advance of funds; direction of travel by governing board
44570-44578	In service training personnel, secondary education
44670-44680.9	School personnel staff development and resource centers
45380-45387	Retraining and study leave (classified)

First Reading:	September 12, 1991
Second Reading:	December 12, 1991
Adopted:	December 12, 1991

ATTENDANCE AT CONFERENCES SPONSORED BY PROFESSIONAL ASSOCIATIONS

Attendance by Mission Valley ROP personnel at conferences sponsored by professional associations may be granted in specific instances where the program and activities are deemed to be of value to the ROP. The Superintendent may also approve attendance at specified conferences with the full cost, including substitutes, borne by the sponsoring association when the activities are related primarily to association affairs.

The Superintendent may recommend attendance with partial or full reimbursement when participation will be of significant value to the assigned duties of the employee and to the interests of the ROP.

All requests for attendance must be approved by the supervising administrator or Superintendent in advance. Requests must be submitted in sufficient time for proper evaluation to occur and must be accompanied by:

1. A copy of the proposed agenda or program.
2. A statement of anticipated benefits to be gained from the conference as related to the assigned duties of the individual and to the interests of the ROP.
3. In the event that partial or full reimbursement is requested, a Travel Advance Request stating anticipated expenses of the conference (if any) which the ROP will be asked to reimburse, must be submitted in accordance with regulations relating to Travel Advance Requests.

First Reading:	September 12, 1991
Second Reading:	December 12, 1991
Adopted:	December 12, 1991

MISSION VALLEY REGIONAL OCCUPATIONAL PROGRAM/CENTER
 Certificated Personnel
 Salary Advancement Guidelines

A contracted certificated instructor may advance on the salary schedule by receiving college units after their hire date. All units received/completed prior to hire will count only for original placement on the salary schedule. **All courses taken for unit advancement must be preapproved by the program manager.**

Units for salary advancement may be acquired in the following ways:

1. Official proof of completion in a course, within one year of completion, from an accredited college, university **or MVROP**. The course must be in an area related to the teachers credential or instructional area, or to advance to a college or university degree (A.A./A.S., B.A./B.S., M.A./M.S.). The course may not be paid for by the ROP. **Courses taken at MVROP will be awarded one unit per 16 hours of attendance.**
2. Participation on an officially approved Mission Valley ROP committee. Every 8 hours will equal .5 units of credit (or every 16 hours equals one unit of credit) with a maximum of 2 units per year count towards salary advancement. A form requesting unit credit for committee participation must be submitted within the year of participation and approved by the director of Educational Services. Only the hours for which the instructor was not paid may count for advancement. Regularly required job responsibilities, such as Advisory Committees, will not count for advancement. Some officially approved ROP committees are:
 - Teacher Evaluation Committee
 - Student-of-the-Year Awards Committee
 - Budget Liaison Committee
 - Safety Committee

For salary advancement to be effective 7/1 (only for 7/1 to 6/30 contracted instructors) verification of units must be received by 6/30.

For salary advancement to be effective 9/1, official verification must be received by 8/30. While the effective date of the salary increase may be 9/1, salary may not be paid until the 11/30 paycheck (but will still be retroactive to 9/1).

3. Courses required for the Designated Subjects Teaching Credential for which units are not awarded Example: CPR. The course may not be paid for by the ROP and must be taken on unpaid time. To receive credit in this area, complete the form "Request for Units from Committee Participation". Proof of completion must be attached to that form.

Regulation established: November 5, 1992

Revised: December 5, 1996

MISSION VALLEY REGIONAL OCCUPATIONAL PROGRAM/CENTER
 Certificated Personnel
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Teacher Evaluation Committee
 Student-of-the-Year Awards Committee Budget Liaison
 Committee
 Safety Committee

For salary advancement to be effective 7/1 (only for 7/1 to 6/30 contracted, pre-paid instructors) verification of units must be received by 6/30.

For salary advancement to be effective 9/1, official verification must be received by 9/30. While the effective date of the salary increase may be 9/1, salary may not be paid until the 11/30 paycheck (but will still be retroactive to 9/1).

3. Courses required for the Designated Subjects Teaching Credential for which units are not awarded. Example: CPR. The course may not be paid for by the ROP and must be taken on unpaid time. To receive credit in this area, complete the form "Request for Units from Committee Participation". Proof of completion must be attached to that form.

Regulation established: November 5, 1992

COMPLAINTS

The Council recognizes that provisions for dealing with complaints are an essential part of good personnel administration.

The Council expects the Superintendent to establish procedures for dealing promptly and equitably with complaints which may be resolved quickly without resorting to more formal complaint procedures.

Specific procedures shall be established for individuals to appeal their problems to the Council if redress is not obtained through established channels.

Legal Reference:
3543

Government Code
Public school employees' rights

First Reading:	September	12,	1991
Second Reading:	December	12,	1991
Adopted:	December	12,	1991

COMPLAINT PROCEDURE

Section 1. Definitions

A "complainant" shall mean any employee filing a complaint.

A "complaint" is defined as a written statement, signed by the complainant, that alleges a violation, misinterpretation, or inequitable application of Council policies, administrative rules, regulations or procedures, or existing laws.

"Employer" shall mean the ROP Governing Council.

"Days" shall mean working days.

In addition to the definitions above, it is recognized that there may be occasions when an employee complaint may be directed against another person who becomes a "party in interest" or an individual may be required to take action, and thereupon would have an interest in the complaint. Therefore, a "party in interest" shall be defined as the complainant, or any person who might be required to take action, or against whom action might be taken in order to resolve the problem.

Section 2. Procedures and Steps

- Step 1. The complainant shall deliver the complaint to the Superintendent.
- Step 2. The Superintendent or his/her designee shall have ten (10) days to give a written decision after receipt of the complaint.
- Step 3. If the complaint is not settled in Step 2, the complainant shall move to Step 3 by written notice to the Superintendent within ten (10) days of receiving the decision in Step 2. The Superintendent shall have ten (10) days to give a written decision after receipt of the complainant's notice.
- Step 4. If the complaint is not settled in Step 3, the complainant may within ten (10) days move to Step 4 by providing the Superintendent with a request in writing for a presentation to the Council regarding the complaint at its regularly scheduled Council meeting. The presentation will be made in Closed or Open Session, as determined by the complainant.

The Council will render a decision in the matter no later than the next regularly scheduled Council meeting. The Council's decision will be reached in a manner to be determined by the Council and will be deemed the final administrative remedy.

- Step 5. All levels of the Complaint Procedure as outlined above must be followed unless all parties in interest agree to waive their rights to normal complaint processing. Any deviations from the procedure will not be permitted.

Section 3. No Reprisals

No reprisals shall be taken against any employee for processing a complaint or participating in any way in the complaint procedure.

Section 4. Released Time

Except for the level of Council review, complaints will ordinarily be processed during the regular work day, and reasonable release time shall be provided for all participants in the investigating and processing of complaints, including the complainant, parties in interest, and witnesses, without loss of pay.

First Reading:	September 12, 1991
Second Reading:	December 12, 1991
Adopted:	December 12, 1991

A. Definition of Disciplinary Action

Disciplinary action is defined as follows:

1. Dismissal - Removal from the employment of the MVROP
2. Suspension - Temporary removal from service for a specified period of time with or without pay.
3. Involuntary Demotion - Placement in a lower classification without the employee's written consent.
4. Involuntary Reassignment - A change of assignment that may involve an assignment to a location not of the employee's choice.

B. Causes for Disciplinary Action

Classified employees shall be subject to disciplinary action for cause only. The following are examples of performance or behavior that may result in disciplinary action. This list is representative and does not exhaust all possible situations where disciplinary action may be required.

1. Unauthorized absence
2. Commitment or conviction of any criminal act, whether a misdemeanor or felony. As used herein conviction means "a plea or verdict of guilty or finding of guilt by a court in a trial without a jury or a plea."
3. Unsatisfactory or negligent job performance.
4. Suspension, revocation or expiration of any license which is required for the employee's performance of job duties.
5. Insubordination, including actions involving a resistance to, or defiance of, or refusing to carry out a superior's lawful orders.
6. Fighting, coercing, interfering with or threatening bodily injury to other employees, supervisors, suppliers, customers, citizens or students.
7. The use of abusive or threatening language toward fellow employees, supervisors, suppliers, customers, citizens or students.
8. Use, possession, sale or being under the influence of alcohol or illegal drugs during assigned working hours or while on MVROP property, or reporting to work under the influence of alcohol or illegal drugs.
9. Physical and/or mental inability to perform assigned duties.
10. Neglectful or willful damage to public property or waste of public supplies or equipment.
11. Unsafe operation of any motor vehicle or machinery on MVROP property or while in the MVROP's service.
12. Stealing, sabotage, willful damage, abuse, or destruction of MVROP property, tools, or equipment or the property or equipment of a supplier, customer, or another employee or failure to report any of the above.
13. Dishonesty, including but not limited to any deliberate falsifications or misrepresentation, misleading, or incorrect information in connections with the

preparation of MVROP records such as employment applications, time sheets or payroll records.

14. Violation of any lawful regulation of the MVROP or reasonable order of a supervisor.
15. Inability to work with others to the detriment of the MVROP.
16. Abandonment of position.
17. Discourteous, offensive or abusive treatment of the public, other employees or pupils.
18. Failure to maintain licenses or certificates required for the position by law, MVROP policy or job description.
19. Misappropriation of MVROP funds or property.
20. Unauthorized use, possession, conveyance, or storage of any firearms, explosives, or other dangerous weapons.
21. Sleeping during assigned work hours.
22. Causing damage to or loss of MVROP property or the property of others through willfulness or carelessness.
23. Failure to observe working hour schedule, starting time, quitting time, rest and meal periods.
24. Misuses or abuse of leaves of absence, including, but not limited to, pattern and/or frequency of usage, or where it is reasonable to conclude that absences are not due to the reason(s) for which such leave is authorized.
25. Smoking on MVROP property.
26. Being charged with the commission of a sex or narcotics offense as proscribed by the provisions of the Education Code and the Health and Safety Code.

D. Disciplinary Procedures

1. Immediate Suspension

When circumstances exist in which an employee's presence could cause a real and present danger to the welfare or safety of the MVROP, the public, students or employees, the MVROP may immediately suspend that employee with or without pay. Such immediate suspension may be ordered by the Superintendent or his/her designee. Within two (2) working days of any such suspension, the MVROP shall schedule the "informal meeting" described in this policy.

1. Informal Meeting

An employee against whom disciplinary action may be taken shall be invited to meet with the Superintendent or his/her designee prior to written notification of official charges. The purpose of the meeting is to orally inform the employee of the reasons for disciplinary action and the action to be taken and to give the employee an opportunity to respond. The employee shall be told the nature of the meeting prior to the meeting.

1. Written Notice

An employee against whom disciplinary action is taken shall be informed of the following in writing, either in person or by certified/registered mail to his/her last known address:

Statement of Charges - A statement of the specific charges against the employee shall be written in ordinary and concise language and shall include the cause and the specific acts and omissions on which the disciplinary action is based. No charge, however, shall be made for acts or omissions which occurred prior to the employee's becoming permanent nor more than two (2) years prior to the filing of this statement of charges, unless such facts were concealed or not disclosed by such employee when it could be reasonably assumed that the employee should have disclosed the facts to the MVROP.

Right to Hearing - The employee may request a hearing in writing, either by mail or personal delivery, within five (5) calendar days after service of the statement of charges. A card or letter shall be provided to the employee, the signing of which shall constitute a demand for a hearing and denial of all charges. In the absence of a request for a hearing within five (5) calendar days, the disciplinary action shall be effective on the date set forth in the written notice.

Access to Material - The employee may, upon request, have copies of the material upon which the charges are based.

Representation - The employee has a right to have a representative of the employee's own choice at all stages of this procedure.

E. Formal Hearing

1. A formal hearing shall be held within a reasonable period of time after the filing of a request for a hearing.
2. If the employee does not request a hearing within five (5) days following receipt of the charge, or post office notice of attempt to deliver charges by certificated/registered mail, disciplinary action may be taken without a hearing.
3. The employee may be represented at the hearing by a representative of his or her choice.
4. Technical rules of evidence shall not apply at the hearing.
5. For a suspension of five (5) days or less or for an involuntary reassignment, the hearing shall be delegated to the Superintendent or his/her designee.
6. A suspension of six (6) days or more, demotion, or dismissal shall be conducted by the Governing Council.
7. A hearing before the Governing Council shall be in closed session unless the employee makes a written request for a public hearing at least five (5) days prior to the hearing. The Governing Council may deliberate in the absence of the employee and the administration.
8. The employee shall have the right to personally appear and testify, to call witnesses and to cross-examine witnesses called by the administration.

9. The Governing Council shall prepare written findings of fact and determination of issues within seven (7) calendar days after the hearing is completed.
10. A copy of the written decision will be mailed to the employee and the employee's representative by certified/registered mail within ten (10) calendar days of the conclusion of the hearing.

First Reading: 2/13/97
Second Reading: 2/18/97
Adopted: 2/18/97

PAYMENT FOR DAMAGED PROPERTY

The Governing Council shall consider reimbursing certificated and classified personnel for loss, damage, or destruction of personal property, excluding automobiles, while on official duty when such loss results from force or violence unlawfully perpetrated upon the employee while on official duty. Losses shall be reported to a law enforcement agency. Reimbursement shall be limited to the amount not covered by personal insurance.

First Reading:	May 25, 2000
Second Reading:	June 22, 2000
Adopted:	June 22, 2000

LEAVES/VACATIONS

Personnel of the ROP may wish or be required to be absent for several reasons:

1. Those caused by personal sickness or injury, pregnancy, jury duty, military service, or emergencies beyond their control.
2. Those governed by compassion or conviction such as family illness, bereavement, religious observances, and other personal reasons.
3. Those stemming from occupational status such as attendance at meetings, conventions, inservice courses and seminars, and other patterns of additional study.
4. Those provided by scheduled vacations.

The Council recognizes that absences for such reasons are justifiable and will provide for employee absences as authorized by law, and as permitted by the Council in the following policies and regulations.

Long-Term Leaves

Employees may be granted long-term leaves of absence as permitted by law and specific ROP policies or regulations. The Council reserves the right to specify the conditions under which long-term leaves may be granted.

At the expiration of a long-term leave, a certificated employee may be reinstated in a vacant position that his or her credential authorizes him/her to teach. A classified employee, upon resumption of service after a long-term leave, may be restored to a vacant position within the class to which he/she was assigned.

Other

The Superintendent may recommend to the ROP Governing Council that other leaves of absence be granted to employees when considered to be in the best interest of the ROP and the welfare of the employee. Such leaves of absence must have prior administrative approval. The leaves are all without pay.

Legal Reference: Next Page

Legal Reference: Education Code

44036 Leaves of absence for judicial and official appearances
44037 Unlawful to encourage exemption from jury duty
44940 Sex offenses and narcotic offenses; compulsory
leave of absence
44962-44986 Leaves of absence
45190-45307 Leave of absence, vacation - classified

Government Code

3543.2 Scope of Representation

First Reading: Second	September	12,	1991
Reading: Adopted:	December	12,	1991
	December	12,	1991

Family and Medical Leave Act

Per ROP Board Policy 4160 (1) employees may be granted long-term leaves of absence as permitted by law and ROP Policies or regulations.

Effective August 5, 1993, the Federal Family and Medical Leave Act (FMLA) requires all employers with 50 or more employees to give workers up to 12 week of unpaid leave for family care and/or medical purposes. Employees are eligible for FMLA leave after 12 months of employment and if they have worked at least 1,250 hours during the preceding 12 month period.

The FMLA allows employees to take up to 12 weeks of leave in a twelve month period. A twelve month period is measured forward from the date any employee's first FMLA leave begins. Thus if your Family Medical Leave begins January 13, 1998, you would be eligible for another FMLA January 13, 1999

Regulation established: January 5, 1998

PERSONAL ILLNESS AND INJURY

1. Full Time Contracted Employees:

- a. Ten (10) days of sick leave at full pay shall be available to each full-time contracted certificated employee of the ROP for person illness or injury at any time during the school year. However, an employee beginning service for the ROP after the start of a fiscal year or of a school year, as the case may be, shall be eligible only for the number of days of sick leave computed at the rate of one day of sick leave for each month of service. This leave may be accumulated without limit.
- b. Two (2) days at full pay may be available to each full-time contracted certificated employee for family illness each year. This leave may not be accumulated and may be used to care for the illness of a spouse, mother, father, or child.
- c. For those employees beginning service after the start of the school year, major fractional parts of a month which constitute 50% or more of the school days shall be regarded as a full month.
- d. The ROP shall provide each teacher each year with a written statement of 1) accrued sick leave total and, 2) sick leave entitlement for the school year.
- e. In the case of three (3) consecutive days of absence, the ROP may require a doctor's verification of illness or injury.

2. Part-time Contracted Employees:

Part-time contracted employees shall accrue sick leave as time served is proportional to the time served -by a full-time employee.

3. Extended Illness:

A regular contracted employee who is absent from duty because of illness or injury shall receive for a period of not to exceed 100 days beyond his or her accumulated sick leave, the difference, if any, between his/her regular salary and the rate paid to a substitute whether or not a substitute is employed.

See attached for legal references

Legal Reference: Education Code

44964	Power to grant leave of absence in case of illness, accident, or quarantine
	Granting leaves of absence for pregnancy and childbirth
44965	Salary deduction during absence from duties
44977	Provisions for sick leave of certificated employees
44978	Leave for compelling personal importance
44978.5	Transfer of accumulated sick leave
44879	Transfer of accumulated leave for injury or illness
44980	Leave of absence for personal necessity
44981	Exception to sick leave when district adopts specific rule
44983	

First Reading:	September	12,	1991
Second Reading:	December	12,	1991
Adopted:	December	12,	1991

PERSONAL ILLNESS AND INJURY

Any injury, no matter how trivial, to an employee while on duty must be reported at once to the immediate supervisor who will submit within twenty—four (24) hours a written report to the Business Office. Such injuries or accidents are covered by State Compensation Insurance Fund.

When a certificated employee is absent from his/her duties because of an industrial accident or illness, the following rules shall apply:

1. Allowable leave for any single accident or illness shall be sixty (60) days for each accident or illness during which the ROP classes are in session, or when the employee would otherwise have been performing work for the ROP in any one school year.
2. Allowable leave shall not accumulate from year to year.
3. Industrial accident or illness leave shall start on the first day of absence.
4. An employee on allowable leave for industrial accident or illness shall be paid such portion of the salary due for any month in which the accident occurs as, when added to the temporary disability indemnity under Division 4 or 4.5 of the Labor Code, will result in a payment to the employee or not more than his/her full salary.
5. Industrial accident or illness leave shall be reduced by one day for each day of authorized absence, regardless of a temporary disability indemnity award.
6. When an industrial accident or illness leave overlaps into the next fiscal year, the employee is entitled to only the amount of unused leave due the employee for the same illness or injury. On expiration of allowable leave for an industrial accident or illness leave, the employee may use personal illness and injury leave as provided by Education Codes 44977, 44978, and 44983. If the employee continues to receive temporary disability indemnity, he may elect to take as much of the accumulated sick leave which, when added to his/her temporary disability indemnity, will result in a payment to the employee of not more than the employee's full salary.

During any paid leave of absence, the employee may endorse to the ROP the temporary disability indemnity checks received on account of his/her industrial accident or illness. In those cases, the ROP will issue appropriate salary warrants for payment of the employee's salary, and shall deduct normal retirement, other authorized contributions, and the temporary disability indemnity, if any, actually paid to and retained by the employee for periods covered by such salary warrants.

Any employee receiving benefits under this leave shall, during periods of injury or illness, remain within the State of California unless the Governing Council authorizes travel outside the state.

Legal Reference: Education Code
 44984 Required rules for industrial
 accident and illness leave of absence.

First Reading: September 12, 1991
Second Reading: December 12, 1991
Adopted: December 12, 1991

HOW SICK / PERSONAL LEAVE IS EARNED

POSITION	FULL-TIME BASIS	DAYS / SICK LEAVE EARNED
Instructor	6 or 7 hrs/day (prep included) 10 mos/year	10 days per year
Classified Staff	40 hrs/wk 12 mos/year	12 days per year
Technology Specialist Technology Aide	7 hrs/day 192 days/10 mos	10 days per year
Manager under PERS Retirement system	40 hrs/wk 12 mos/year	18 days per year
Manager under STRS Retirement system*	40 hrs/wk 12 mos/year	12 days per year

*Effective July 1, 2005

First Reading: September 12, 1991
 Second Reading: December 12, 1991
 Adopted: December 12, 1991
 Revised: June 15, 2005
 Board Approved: June 15, 2005

HOW SICK/PERSONAL LEAVE IS EARNED

<u>Position</u>	<u>Full-Time Basis</u>	<u>Hours Sick Leave Earned</u>
Instructor	6 hrs/wk (prep included) 10/mo/year	10 days per year
Central Office/ Classified Staff	40 hrs/wk 12/mo/year	12 days
Guidance Technician	40 hrs/wk	96 hrs/year
Administrator	40 hrs/wk less than 12/mo year	132 hours
Administrator	40 hrs/wk 12/mo/year	144 hours

The classified number months/year of assignment is determined as follows:

<u>Assignment</u>	<u>Days per Year</u>	=	<u>Months per Year</u>
	186-206		10 months
	207-227		11 months
	228-248		12 months

First Reading: September 12, 1991
 Second Reading: December 12, 1991
 Adopted: December 12, 1991
 2nd Reading/Policy Revision/Adoption: June 15, 2005

SUMMER OR HOURLY SICK LEAVE PROVISIONS

No sick leave is earned for service through a summer or hourly session of employment.

First Reading:	September 12, 1991
Second Reading:	December 12, 1991
Adopted:	December 12, 1991

PERSONAL NECESSITY LEAVES

Bereavement

Absence without loss of salary shall be allowed any regular employee for a period not to exceed three (3) days upon the death of a member of the immediate family, which includes: the spouse, son, daughter, mother, grandmother, mother-in-law, father, grandfather, father-in-law, brother, brother-in-law, sister, sister-in-law, of the employee or any relative living in the immediate household of the employee.

An additional two (2) days per occurrence, without loss of salary, may be granted in situations where extended travel is required.

Witness and Jury

Employees may be absent from duty to serve on a jury or to appear as a subpoenaed witness in ROP-related litigation (or, at the discretion of the Superintendent, personal business) without loss of pay. Notices, summons and subpoenas for court appearances and/or depositions shall be submitted to the Personnel Office when a request for leave is made.

Any jury or witness fee received by the employee, minus the amount for necessary mileage and other expenses connected with the court appearance, shall be returned to the ROP.

Personal Use of Sick Leave

An employee may use a maximum of seven (7) days of accumulated sick leave days for personal use in any fiscal year. However, an employee who chooses to do so shall provide 24 hours minimum advance notice.

- 1 An employee may use sick leave only for the following personal reasons:
 - a. Paternity and adoption leave
 - b. Personal business, provided that it is not the beginning or end of a semester.
 - c. Religious observance.
 - d. Appearance in court as a litigant or witness under official court order.

Military leave shall be given pursuant to provisions in the Education Code and Military and Veterans Code.

- 2 The ROP may allow an employee to use sick leave for personal reasons without providing 24 hours advance notice for the following reasons:

PERSONAL NECESSITY LEAVES (continued)

- a. Extension of bereavement allowance in the death of a member of immediate family.*
 - b. Accident, involving the person or property of the employee or a member of the employee's immediate family.*
 - c. Serious or critical illness of a member of the employee's immediate family.*
3. If a personal necessity that requires not more than one period/hour exists, an employee, on approval of the administration, may arrange for another employee to cover his/her classes. Such one period/hour absence shall not be charged to personal necessity leave nor shall an employee suffer any loss of pay. If a personal necessity requires two periods/hours or more of absence, an employee shall be charged proportionately for the time absent.

*as defined in bereavement above

Legal Reference: Education Code

44036	Leaves of absence for judicial and official appearances
44037	Unlawful to encourage exemption from jury duty
44963	Power to grant leaves of absence (certificated personnel)
44964	Power to grant leave of absence in case of illness, accident or quarantine.
44965	Granting leaves of absence for pregnancy and childbirth
44978	Provisions for sick leave of certificated employees
44981	Leave of absence for personal necessity
44983	Exception to sick leave when district adopts specific rule
44985	Leave of absence due to death in immediate family (certificated personnel)
44994	Leave of absence due to death in immediate family (classified personnel)
45190	Leaves of absence and vacations
45198	Effect of provisions authorizing leaves of absence (classified personnel)
45207	Personal necessity

First Reading: December 2, 1999
 Second Reading: January 20, 2000
 Adopted: January 20, 2000

VACATION

Classified

Classified non-management employees shall earn vacation credit at the prescribed rate as part of his/her compensation.

Classified management employees who work full-time shall earn twenty (20) days vacation each work year.

Vacations are to be arranged as to provide for maximum efficiency of the operations at all times, and are to be taken during the year earned or during the subsequent twelve (12) months.

Upon separation, employees may be paid for vacation earned but not used the prior year and vacation earned but not used during the current year.

Certificated Non-Teaching

Twelve-month certificated non-teaching employees who work full time are entitled to twenty (20) days of vacation during each annual contract period.

Vacations are to be arranged so as to provide for maximum efficiency of the operations at all time and are to be taken during the year earned or during the subsequent twelve (12) months.

Upon separation, employees may be paid for vacation earned but not used the prior year and vacation earned but not used during the current year.

Legal Reference: Education Code 45197

First Reading: December 20, 2001

Second Reading: January 24, 2002

Adoption: January 24, 2002

CLASSIFIED EMPLOYEES VACATION BENEFITS

Vacation is earned at the rate of one working day per each full month of services as a new regular employee during the first two years of employment. Employees who work less than full time shall receive prorated vacation benefits. The vacation schedule is shown below:

<u>Years of Service</u>	<u>Number of Vacation Days</u>
1-4	13
5-8	18
12+	23

First Reading:	September 12, 1991
Second Reading:	December 12, 1991
Adopted:	December 12, 1991

PERSONAL NECESSITY LEAVES

Bereavement

Absence without loss of salary shall be allowed any regular employee for a period not to exceed three (3) days upon the death of a member of the immediate family, which includes: the spouse, son, daughter, mother, grandmother, mother—in-law, father, grandfather, father—in-law, brother, brother—in-law, sister, sister—in-law, of the employee of any relative living in the immediate household of the employee.

An additional two (2) days per occurrence, without loss of salary, may be granted in situations where extended travel is required.

Witness and Jury

Personnel may be absent from duty to serve on a jury or to appear as a subpoenaed court witness (private business at the discretion of the Superintendent) without loss of pay. It shall be the responsibility of each person, selected to serve, to notify the personnel department immediately.

Any amount paid for services on a jury or as a witness becomes due and payable to the ROP, except an employee may retain any fee paid as a travel allowance.

Personal Use of Sick Leave

An employee may use accumulated sick leave days for personal use purposes. Use of accumulated sick leave under this policy shall be limited to six (6) days in any fiscal year.

1. Reasons to be considered for emergency (requiring no prior notification) leave are limited to:
 - a. Extension of bereavement allowance in the death of a member of *immediate family.
 - b. Accident, involving the person or property of the employee or a member of the employees *immediate family.
 - c. Serious or critical illness of a member of the *immediate family.

2. Reasons to be considered for personal use (requiring a minimum of 24 hours advanced notice) are limited to:

- a. Paternity and Adoption Leave
- b. Personal business provided that it is not the beginning or end of a semester.
- c. Religious observance.
- d. Appearance in court as a litigant or witness under official court order.
- e. Military leave shall be given pursuant to provisions in the Education Code and Military and Veterans' Code.

3. If a personal necessity that requires not more than one period/hour exists, an employee, on approval of the administration, may arrange for another employee to cover his/her classes. Such one period/hour absence shall not be charged to personal necessity leave nor shall an employee suffer any loss of pay. If a personal necessity requires two periods/hours or more of absence, an employee shall be charged proportionately for the time absent.

*as defined in bereavement above

Legal Reference: Education Code

44036	Leaves of absence for judicial and official appearances
44037	Unlawful to encourage exemption from jury duty
44879	Transfer of accumulated sick leave
44963	Power to grant leaves of absence (certificated personnel)
44964	Power to grant leave of absence in case of illness, accident or quarantine.
44965	Granting leaves of absence for pregnancy and childbirth
44977	Salary deduction during absence from duties
44978	Provisions for sick leave of certificated employees
44978.5	Leave for compelling personal importance
44980	Transfer of accumulated leave for injury or illness
44981	Leave of absence for personal necessity
44983	Exception to sick leave when district adopts specific rule
44985	Leave of absence due to death in immediate family (certificated personnel)
44987	Leave to serve on specified boards, commissions, etc.
44994	Leave of absence due to death in immediate family (classified personnel)
45198	Effect of provisions authorizing leaves of absence (classified personnel)
45207	Personal necessity

First Reading:
 Second Reading
 Adopted:

September 12, 1991

VACATION

Classified

Classified non-management employees shall earn vacation credit at the prescribed rate as part of his/her compensation. The maximum accumulated vacation for Classified non-management employees shall be thirty-three (33) days.

Classified management employees who work full-time shall earn twenty (20) days vacation each work year.

The maximum accumulated vacation for Classified management shall be thirty-five (35) days.

Vacations are to be arranged as to provide for maximum efficiency of the operations at all times, and are to be taken during the year earned or during the subsequent twelve (12) months.

Classified employees may carry over a maximum of 15 days of vacation to the subsequent year.

Upon separation, employees may be paid for vacation earned but not used the prior year and vacation earned but not used during the current year.

Certificated Non-Teaching

Twelve-month certificated non-teaching employees who work full time are entitled to twenty (20) days of vacation during each annual contract period.

The maximum accumulated vacation for Certificated non-teaching employees shall be thirty-five (35) days.

Vacations are to be arranged so as to provide for maximum efficiency of the operations at all time and are to be taken during the year earned or during the subsequent twelve (12) months.

Certificated non-teaching employees may carry over a maximum of 15 days of vacation to the subsequent year.

Upon separation, employees may be paid for vacation earned but not used the prior year and vacation earned but not used during the current year.

Legal Reference: Education Code 45197

First Reading: December 20, 2001

Second Reading: January 24, 2002

Adoption: January 24, 2002

1st Reading/Policy Revision: November 28, 2007

2nd Reading/Policy Revision/Adoption: December 19, 2007

ADMINISTRATIVE COMPETENCE IN EVALUATION

It is the intent of the Council to certify that personnel assigned to evaluate teachers have demonstrated competency in instructional methodologies and evaluation of instruction. The Superintendent shall determine a program leading to evaluation certification and shall recommend to the Council qualified evaluators of instruction. The Council shall approve criteria developed by the Superintendent and certify the competence of personnel recommended by the Superintendent as having met the criteria. Performance standards established as a result of this policy shall be communicated to all affected individuals.

This policy shall be reviewed bi-annually by the Governing Council.

Legal Reference:	Education Code
33039	State guidelines for teacher evaluation procedures
35160.5	Requirement of district policies for competency of personnel assigned to evaluate
35171	Availability of rules and regulations for evaluation of performance
44660-44665	Evaluation and assessment of performance of certificated employees

Government Code

3543.2	Scope of representation (re-evaluation procedures)
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First Reading:	September 12, 1991
Second Reading:	December 12, 1991
Adopted:	December 12, 1991

OVERTIME PAY/COMPENSATORY TIME OFF FOR CLASSIFIED EMPLOYEES

It is the policy of the ROP to provide enough classified personnel to handle the average work load within the ROP. It is accepted that there will be the necessity to complete extra work during various peak load periods or in cases of unpredicted emergencies. It is the intent that extra work performed at such times would be compensated for the compensatory time off rather than overtime pay.

Legal Reference:	Education Code
45127	Workweek
45128	Overtime
45129	Compensatory time off
45130	Exclusion from overtime provisions
45132	Four—consecutive—day workweek

First Reading:	September 12, 1991
Second Reading:	December 12, 1991
Adopted:	December 12, 1991

ADMINISTRATIVE COMPETENCE IN EVALUATION

Criteria for certification of qualified evaluators will include but not be limited to:

1. Possession of a valid administrative or supervision credential.
2. Demonstrated understanding of adopted curriculum priorities, policies, and practices; including development, implementation and evaluation.
3. Demonstrated understanding of adopted standards on student progress.
4. Demonstrated competence in instructional methodologies.
5. Understanding of adopted policies and procedures for personnel supervision, performance evaluation, and staff development.
6. Demonstrated skills in supervision of instruction.
7. Demonstrated skills in techniques of evaluation of instruction.

PROCEDURES LEADING TO EVALUATION CERTIFICATION

The Superintendent shall:

1. Identify individual evaluators.
2. Determine that the following qualifications for certification have been met.
 - a. Possession of a valid administrative or supervision credential.
 - b. Existence of appropriate adopted policies and procedures.
 - c. Competencies in instructional methodologies.
 - d. Competencies for supervision of instruction.
 - e. Techniques and procedures for evaluation and instruction.
3. Assess individual evaluator's demonstration of competencies.
4. Develop a professional improvement program for/with each evaluator.
5. Implement professional improvement programs.

6. Develop and implement system for monitoring each evaluator's skills and progress.
7. Recommend to the Council those administrators who in his/her opinion qualify for evaluation certification.

First Reading:	September	12,	1991
Second Reading:	December	12,	1991
Adopted:	December	12,	1991

GUIDELINE

OATH OR AFFIRMATION

All employees shall comply with the legal requirements to subscribe to an oath or affirmation to support the institutions and policies of the United States and the State of California.

Legal Reference:

Education Code

60

Person authorized to administer and certify oaths

44334

Oath of Affirmation

44354

Administration of Oath

EXHIBIT

OATH OR AFFIRMATION

"I solemnly swear (or affirm) that I will support the Constitution of the United States of America, the Constitution of the State of California, and the laws of the United States of America and the State of California."

First Reading: September 12, 1991

Second Reading: December 12, 1991

Adopted: December 12, 1991

EXAMINATION FOR TUBERCULOSIS

New Employees

No person shall be employed initially unless he/she has submitted to a tuberculosis examination with the past thirty (30) days to determine whether he/she is free from active tuberculosis.

Persons transferring from another district shall fulfill the requirements of this policy by either: a) producing a certificate showing that the employee was examined within the last four (4) years and found free of active tuberculosis, b) having the last employing district verify that a current certificate is on file, or c) undergoing the tuberculosis examination.

All Employees

The council requires, at the employee's expense, that a negative report of x-ray examination or patch test for tuberculosis as a condition of employment, each report to be valid for a period of four (4) years.

First Reading:	September	12,	1991
Second Reading:	December	12,	1991
Adopted:	December	12,	1991

GUIDELINE

CERTIFICATION

Responsibility for Renewal

All certificated personnel are personally responsible for renewing their credentials and for keeping them valid.

No Pay for Invalid Credential

A teacher whose credential is not valid cannot be paid for the time service is rendered under such conditions.

Responsibility for Registration

Each credential actively used by the teacher must be registered with the Office of the County Superintendent of Schools. This is the teacher's responsibility.

Certification and Registration Required

No warrant will be drawn in favor of any person requiring certification until he/she is properly credentialed and registered with the county.

Proficiency in Reading, Writing, and Mathematics

New employees holding a vocational designated subjects credential shall be required to take a proficiency test based on criteria established by the ROP Council for these credentials or provide proof of proficiency in CBEST or a like test. A certificated person who has been employed by another school district in a position requiring certification within thirty-nine (39) months prior to employment in this ROP shall not be required to take the proficiency test.

First Reading:	September 12, 1991
Second Reading:	December 12, 1991
Adopted:	December 12, 1991

MISSION VALLEY ROP/C
CERTIFICATED EVALUATION FORM

INSTRUCTOR _____ DATE: _____

FROM: _____ TO: _____

INSTRUCTIONAL TECHNIQUES AND STRATEGIES USED BY THE TEACHER	0	VG	S	NI
(1) Demonstrates knowledge of teaching techniques and strategies.				
(2) Uses a variety of instructional techniques (methods of presentation).				
(3) Utilizes appropriate student evaluation system.				
(4) Recognizes student achievement.				
(5) Generates student motivation and positive student involvement.				
TEACHERS ADHERENCE TO CURRICULAR OBJECTIVES				
(6) Develops and updates curriculum.				
(7) Curriculum competencies meet industry required outcomes.				
(9) Demonstrates knowledge of subject matter, course content,				
(10) Utilizes certificates of achievement/competencies.				
ESTABLISHES AND MAINTAINS A SUITABLE LEARNING ENVIRONMENT				
(11) Maintains an appropriate learning.				
(12) Establishes and maintains standards of student behavior.				
(13) Has professional and positive working relationships with colleagues, staff, and students.				
(14) Adheres to safety standards.				
(15) Manages and organizes classroom environment.				
ROP REQUIRED DUTIES AND RESPONSIBILITIES				
(16) Keeps appropriate records, complete records, plans and processes budgets, and meets required deadlines.				
(17) Develops and utilizes advisory committee.				
(18) Utilizes notification of failure/improvement.				
(19) Keeps current on new developments in subject matter field. Explain.				
RATINGS				
(20) Classroom Observation Ratings				

EVALUATION OF WORKPLACE LEARNING: COMMUNITY CLASSROOM(COOP/JOB SHADOWING/FIELD TRIPS TO EMPLOYERS, ETC.	0	VG	S	NI
(21) Uses valid training sites that adhere to stated curricular objectives.				
(22) Relates workplace learning to classroom instruction/curriculum.				
(23) Develops and maintains positive working relationships with training site people.				
(24) Maintains required records (training plans, visitation logs, training agreements, student attendance, performance evaluations, etc.).				
ADDITIONAL CONTRIBUTIONS (25) Other (state specifically): i.e., development of promotional materials, active participation in 2+2, participation in ROP committees, etc.				

0-Outstanding/NG-Very Good/S-Satisfactory/NI-Needs Improvement

INSTRUCTOR'S GOALS AND OBJECTIVES FOR NEXT SCHOOL YEAR;20__- 20__

GOALS MET THIS YEAR? 20__

TO BE COMPLETED BY ADMINISTRATION:

COMMENTS/COMMENDATIONS/RECOMMENDATIONS:

 Evaluatee's signature _____ Date _____ Evaluator's Signature _____ Date _____

The evaluatee's signature does not indicate endorsement of this report, but is recognition that discussion has taken place.

Evaluation and Supervision of Classified and Certificated Management

Evaluation is a process whereby the effectiveness of the staff member is appraised in relation to job-related responsibilities and duties, predetermined **ROP** goals and objectives.

The evaluation shall recognize the worth and needs of the individual evaluated in the total working environment and shall lend direction toward improvement of individual effectiveness.

All evaluations will be in written form.

Supervision of management personnel will be conducted by the Superintendent/designees.

Both Certificated and Classified management shall be evaluated at least once every two years.

1st Reading:	11/12/98
2nd Reading:	1/21/99
Adopted:	1/21/99

Evaluation and Supervision of Classified and Certificated Management

1. When hired, all new management employees will receive a copy of the evaluation form and job description. A meeting will be held between the management employee and Superintendent/designee to review and discuss expectations and evaluation procedures.
2. New management personnel shall be evaluated within 1 year of their start date.
3. Both Certificated and Classified management shall be evaluated at least once every two years.
4. An evaluation conference will be held with the management employee and the Superintendent/designee to discuss the evaluation.
5. The management evaluation form will be Form MGTE98.

Mission Valley Regional Occupational Program

MANAGEMENT EMPLOYEE PERFORMANCE EVALUATION

Name of Employee: _____

Classification: _____
 Program/Location: _____

Evaluation Period: _____ through _____
 Mo/Yr Mo/Yr

INSTRUCTIONS:
 Give your evaluation as to how this employee has performed relative to each factor listed. Concentrate on one factor at a time and circle the appropriate rating. Use the comments and suggestions section to explain or qualify your ratings.

Rating Scale Code: 1-Superior, 2-Above Average, 3-Satisfactory, 4-Needs Improvement, 5-Not Satisfactory	COMMENTS AND SUGGESTIONS FOR IMPROVEMENT
1. PLANNING, ORGANIZATION, AND OPERATION OF DEPARTMENT A. Effectively plans, organizes & implements departmental objectives & activities. 1 2 3 4 5 B. Establishes priorities and realistic timelines. 1 2 3 4 5 C. Effectively prepares written documentation. 1 2 3 4 5 D. Reacts appropriately in a crises or under difficult circumstances. 1 2 3 4 5 E. Takes responsibility for outcome of decisions. 1 2 3 4 5 F. Effectively plans and monitors departmental budget. 1 2 3 4 5 G. Appropriately delegates tasks within job description & maximizes staff abilities & potential 1 2 3 4 5 H. Initiates needed changes. 1 2 3 4 5 I. Sets high yet attainable standards. 1 2 3 4 5 J. Utilizes innovation and skill in developing, demonstrating, and implementing new and/or improved alternatives and approaches. 1 2 3 4 5 K. Demonstrates appropriate problem solving skills. 1 2 3 4 5	
2. PROFESSIONAL DEVELOPMENT OF STAFF A. Effectively utilizes the employee performance evaluation process for staff which includes clarification of expectations, initial training, on-going coaching, and feedback. 1 2 3 4 5 B. Assists employees to identify and correct job related problems. 1 2 3 4 5 C. Ensures individual professional development of staff. 1 2 3 4 5	
3. INTERPERSONAL RELATIONSHIP/COMMUNICATION SKILLS A. Promotes positive relationships with agencies, school districts, and the community. 1 2 3 4 5 B. Exhibits the ability to listen with the intent to understand the communicator's point of view and to respond appropriately. 1 2 3 4 5 C. Treats individuals fairly & equitably. 1 2 3 4 5 D. Provides clear directions & communicates expected standards. 1 2 3 4 5 E. Effectively prepares written documentation. 1 2 3 4 5 F. Seeks additional information & asks questions if unclear about assignments or acceptable performance. 1 2 3 4 5	
4. PROFESSIONAL DEVELOPMENT OF STAFF A. Addresses issues openly and objectively. 1 2 3 4 5 B. Exhibits tact, poise and sound judgment. 1 2 3 4 5 C. Keeps current with changing issues, trends, and technology related to management responsibilities. 1 2 3 4 5 D. Effectively participates as a Management Team member. 1 2 3 4 5	
5. PERSONAL PROFESSIONAL DEVELOPMENT A. Participates in professional growth activities. 1 2 3 4 5 B. Participates in professional organizations. 1 2 3 4 5	

G. Focus ON LEARNING					
A. Leads staff in development of schoolwide achievement standards.	1	2	3	4	5
B. Empowers staff and encourages commitment, participation and shared accountability for student learning.	1	2	3	4	5
C. Utilizes comprehensive, schoolwide criteria to assess accomplishment of standards.	1	2	3	4	5

1. What are the employee's areas of greatest strength? Specify examples of outstanding performance and qualities which should be maintained and continued.

2. In what areas does the employee need to improve performance and what steps should be taken by the employee to improve performance? (Give specific examples.)

3. Additional comments:

Follow-up conference scheduled (if desired) _____
(Date)

Employee's signature _____ Date _____
(My signature indicates that I have discussed this evaluation with my supervisor and have reviewed a copy)

Evaluator's signature & title _____ Date _____

Date received for filing in the Personnel Department _____ Date _____
(Date)

DISTRIBUTION:
ORIGINAL Personnel File
COPY: Employee

MGTE98

Employee Use of Technology

User Obligations and Responsibilities

Employees are authorized to use the district's WAN, other on-line services, and work computers in accordance with employees' obligations and responsibilities specified below.

1. The employee in whose name an on-line services account is issued is responsible for its proper use at all times. Employees shall keep personal account numbers, home addresses, and telephone numbers private. They shall use the system only under their own account number.
2. Employees shall use the WAN system and work computers only for purposes related to their employment with the district. Commercial and political use of the system is strictly prohibited. Personal use of a work computer for projects outside the scope of employment is inappropriate. The district reserves the right to monitor any on-line communications and computer time for improper use.
3. Employees shall not use the system to promote unethical practices or any activity prohibited by law or district policy.
4. Employees shall not transmit material that is threatening, obscene, disruptive, or sexually explicit, or that could be construed as harassment or disparagement of others based on their race, national origin, sex orientation, age, disability, religion, or political beliefs.
5. Copyrighted material may not be placed on the system without the author's permission. Employees may download copyrighted material for their own use only and only in accordance with copyright laws.
6. Vandalism will result in the cancellation of employee privileges. Vandalism includes purposeful uploading, downloading, creating computer viruses, and or any malicious attempt to harm or destroy district equipment or materials or the data of any other use.
7. Employees should observe appropriate judgment and ethics in sending electronic mail as representatives of the district. The district reserves the right to monitor e-mail transmissions and computer use on a need-to-know basis.
8. Employees are encouraged to keep messages brief and use appropriate language.
9. Employees shall report any security problem, misuse of the network, or misuse of work computers to the Superintendent or designee.
10. This policy and administrative regulation will be reviewed to reflect the changes in practices, technology, and the law.

Regulation Established: April 1, 2003
Regulation Revised: October 17, 2007
Regulation Adopted: October 17, 2007

Employee Use of Technology

**MISSION VALLEY ROP
EMPLOYEE TECHNOLOGY USE AGREEMENT**

Internet access is coordinated through a complex association of government agencies and regional and state networks. In addition, the smooth operation of the network relies upon the proper conduct of the end users who must adhere to strict guidelines. These guidelines are provided in our district Board Policy 3590 so that you are aware of the responsibilities you are about to acquire. In general, this requires efficient, ethical, and legal utilization of the network resources. If a Mission Valley ROP employee violates any of these provisions, his/her account will be terminated and future access could possibly be denied. The signature(s) at the end of this document is (are) legally binding and indicate(s) the party (parties) who signed and has (have) read the terms and conditions carefully and understand (s) their significance.

NETWORK ETIQUETTE

You are expected to abide by the generally accepted rules of network etiquette. These include (but are not limited to) the following:

1. Be polite. Be brief. Do not be abusive in your messages to others,
2. Use appropriate language. Do not swear, use vulgarities, or any other inappropriate language. Illegal activities are strictly forbidden.
3. Do not reveal your personal address or phone numbers of students or colleagues.
4. **Note that electronic mail (e-mail) is not guaranteed to be private. People who operate the system do have access to all mail. Messages relating to or in support of illegal activities may be reported to the authorities.**
5. Do not use the network in such a way that you would disrupt the use of the network by other users.
6. All communications-and information accessible via the network should be assumed to be private property.

I have read the Internet Use Agreement. I agree to follow the rules contained in the Board Policy and Administrative Regulation. I understand if I violate the rules, my Internet access can be terminated and I may face progressive disciplinary action and/or possible legal action.

Employee's Name (please print): _____

Location: _____ Date: _____

Employees Signature: _____

MISSION VALLEY REGIONAL OCCUPATIONAL PROGRAM

Philosophy

The Mission Valley Regional Occupational Program Council recognizes the Internet as a vital educational vehicle for accessing information from millions of resources all over the world. The Council supports the opportunities offered via Internet for "electronic field trips" to distant locations and for instructors to utilize new and innovative curriculum. Mission Valley Regional Occupational Program Internet accounts will be used for the purposes of research, education, and school-related business and operations. Such broad access to computers, communications systems, and people also bring access to materials that may not be considered to be of educational value within the context of the school setting. The Council considers that the information and interaction available outweigh the possibility of users procuring material that is not consistent with the educational goals of the ROP. It is essential that guidelines be established so that instructional goals can be achieved, information that does not support classroom learning can be avoided, and students' privacy rights are protected. Users shall have no expectation of privacy in their own use of the network. Access to harmful materials as defined by Penal Code section 313 shall be prohibited.

The Council authorizes the ROP Superintendent to prepare and implement administrative regulations for use of this important resource. The Council emphasizes that careful consideration is to be given to requirements and regulations for all staff and students to limit such use to the advancement of learning within the relevant curriculum and to actively avoid any information that is inappropriate to and/or does not support classroom learning.

All users must sign an Acceptable Use Contract which incorporates this policy and relevant administrative regulations.

First Reading:	January 22, 1998
Second Reading:	February 26, 1998
Adopted:	February 26, 1998