Human Resource Services

Sacramento City Unified School District

Annual Employee Notifications

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

2025-26

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■ ANNUAL EMPLOYEE NOTIFICATIONS ■

NON-DISCRIMINATION IN EMPLOYMENT (BP/AR 4030)

The Governing Board prohibits unlawful discrimination, intimidation in, bullying against and/or harassment of district employees and job applicants on the basis of actual or perceived race, color, national origin, ethnicity, nationality, ancestry, religious creed, religion, age, marital status, pregnancy, physical or mental disability, disability, gender identity, gender expression, medical condition, veteran status, genetics, gender or sexual orientation, sex, or association with a person or a group with one or more of these actual or perceived characteristics at any district site and/or activity. The Board also prohibits retaliation against any district employee or job applicant who complains, testifies, or in any way participates in the district's complaint procedures instituted pursuant to this policy. Any district employee who engages in or permits unlawful discrimination or harassment shall be subject to disciplinary action up to and including dismissal. A district employee shall be deemed to have permitted unlawful discrimination or harassment if he/she fails to report an observed incident of discrimination and/or harassment, whether or not the victim complains. The Sacramento City Unified School District prohibits discrimination, intimidation, harassment (including sexual harassment) or bullying based on a person's actual or perceived ancestry, color, disability, race or ethnicity, religion, gender, gender expression, gender identity, immigration status, national origin, sex, sexual orientation, or association with a person or group with one or more of these actual or perceived characteristics or affiliation with Scouting America.

For questions or complaints, contact**:**

Equity Compliance Officer and Title IX Coordinator: (student related) David Van Natten; 5735 47th Avenue, Sacramento CA, 95824; 916-643-9425; david-vannatten@scusd.edu.

- OR-

HR Title IX Coordinator (employee related): Melinda Iremonger; 5735 47th Ave. Sacramento CA 95824; 916-643-7446; melinda-iremonger@scusd.edu.

For employment related concerns or complaints, contact: HR Compliance and Complaints Director: Nanci Rose; 5735 47th Avenue, Sacramento CA, 95824; 916-643-7488 or nanci-rose@scusd,edu .

Section 504 Coordinator: Cameron Olson; 5735 47th Avenue, Sacramento CA, 95824; 916-752-3230 or Cameron-Olson@scusd.edu.

Title II ADA Coordinator: Keyshun Marshall; 5735 47th Avenue, Sacramento CA, 95824; 916-643-7901 or keyshun-marshall@scusd.edu

CHILD ABUSE REPORTING REQUIREMENTS (BP/AR 5141.4)

District employees (updated by SB 848 to now include volunteers, Board Members, and employees of District-contracted service providers who have interaction with and/or supervise students), and, those identified in Section 11166 of the Penal Code, and any childcare custodian, health practitioner, fire fighter, animal control officer, or humane society officer, employee of a child protective agency or child visitation monitor, who has knowledge of or observes a child in his/her professional capacity or within the scope of his/her employment whom he/she knows or reasonably suspects has been the victim of 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 36 hours of receiving the information concerning the incident. "Child care custodian" includes teachers; an instructional aide, a teacher's aide, or a teacher's assistant employed by any public or private school, who has been trained in the duties imposed by this article, if the school district has so warranted to the State Department of Education; a classified employee of any public school who has been trained in the duties imposed by this article, if the school has so warranted to the State Department of Education; 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; administrators and employees of public or private youth centers, youth recreation programs, and youth organizations; administrators and employees of public or private organizations whose duties require direct contact and supervision of children and who have been trained in the duties imposed by this article; licensees, administrators, and employees of licensed community care or child day care facilities; head start 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; social workers, probation officers, or parole officers; employees of a school district police or security department; any person who is an administrator or a presenter of, or a counselor in, a child abuse prevention program in any public or private school; a district attorney investigator, inspector, or family support officer unless the investigator, inspector, or officer is working with an attorney appointed pursuant to Section 317 of the Welfare and Institutions Code to represent a minor; or a peace officer, as defined in Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2 of this code, who is not otherwise described in this section. "Health practitioner" includes physicians and surgeons, psychiatrists, psychologists, dentists, residents, interns, podiatrists, chiropractors, licensed nurses, dental hygienists, optometrists, or any other person who is licensed under Division 2 (commencing with Section 500) of the Business and Professions Code; marriage, family, and child counselors; emergency medical technicians I or II, paramedics, or other persons certificated pursuant to Division 2.5 (commencing with Section 1797) of the Health and Safety Code; psychological assistants registered pursuant to Section 2913 of the Business and Professions Code; marriage, family, and child counselor trainees as defined in subdivision (c) of Section 4980.03 of the Business and Professions Code; unlicensed marriage, family, and child counselor interns registered under Section 4980.44 of the Business and Professions E 5141.4(b) Code; state or county public health employees who treat minors for venereal disease or any other condition; coroners; paramedics; and religious practitioners who diagnose, examine, or treat children. "Child visitation monitor" means any person as defined in Section 11165.15.

EMPLOYEE USE OF TECHNOLOGY (BP/AR 4040 and BP/AR 6162.7, Use of Technology in Instruction)

The Sacramento City Unified School District authorizes district employees to use technology owned or otherwise provided by the district as necessary to fulfill the requirements of their position with the district. The use of district technology is a privilege permitted at the district's discretion and is subject to the conditions and restrictions set forth in applicable Board policies, administrative regulations, all laws and regulations, and this Acceptable Use Agreement. The district reserves the right to suspend access at any time, without notice, for any reason.

The district expects all employees to use technology responsibly to avoid potential problems and liability. The district may place reasonable restrictions on the sites, material, and/or information that employees may access through technological devices, computers, and network systems.

The district makes no guarantee that the functions or services provided by or through the district will be without defect. In addition, the district is not responsible for financial obligations arising from unauthorized use of any district technology, including but not limited to network systems.

Each employee who is authorized to use district technology shall sign this Acceptable Use Agreement as an indication that they have read and understand the agreement. Upon minor updates or modification to the Acceptable Use Agreement, staff will be notified of such changes. With major changes to the Acceptable Use Agreement, staff will be required to sign or acknowledge they have received the new Acceptable Use Agreement.

All district policies, standards, and regulations relating to employee use of district technology shall apply to all outside vendors, community members, and partners that access district technology and/or network systems.

Definitions

District technology includes, but is not limited to, computers, the district's computer network including but not limited to servers and wireless computer networking technology (Wi-Fi), the Internet, email, electronic files, media, and data, USB drives, wireless access points (routers), tablet computers, smartphones and smart devices, telephones, cellular telephones, wearable technology, hotspots, any wireless communication device including emergency radios, and/or future technological innovations, whether accessed on or off site or through district-owned or personally owned equipment or devices.

Employee Obligations and Responsibilities

Employees are expected to use district technology safely, responsibly, and primarily for work-related purposes. Any incidental personal use of district technology shall not interfere with district business and operations, the work and productivity of any district employee, or the safety and security of district technology. The district is not responsible for any loss or damage incurred by an employee because of their personal use of district technology.

The employee in whose name district technology is issued is responsible for its proper use at all times. Employees shall not share their assigned online services account information, passwords, or other information used for identification, access, and authorization purposes, and shall use the district's systems and technology only under the account to which they have been assigned. Employees shall not gain or seek to gain unauthorized access to the files, data, technology, or the equipment of others. Employees shall not access electronic resources by using another person's name, password, or security code, or electronic identification to send anonymous, or malicious electronic communications. Furthermore, employees shall not attempt to access any data, media, files, documents, emails, or programs in the district's system for which they do not have authorization.

Employees are prohibited from using district technology for improper purposes, including, but not limited to, use of district technology to:

1. Access, post, display, or otherwise use material that is discriminatory, defamatory, obscene, sexually explicit, harassing, intimidating, threatening, illegal, and/or disruptive.
2. Disclose or in any way cause to be disclosed confidential or sensitive district, employee, or student information without prior authorization from a supervisor.
3. Engage in personal, commercial, or other for-profit activities without permission of the Superintendent or designee.
4. Engage in unlawful use of district technology for political lobbying.
5. Infringe on copyright, license, trademark, patent, or other intellectual property rights.
6. Intentionally disrupt or harm district technology or other district operations (such as destroying district equipment or systems, or destroying electronic files or data, or intentionally installing malicious software (i.e. virus, malware, spyware, ransomware), adding or removing a computer program without permission, changing settings on shared computers).
7. Install unauthorized software.
8. Engage in or promote unethical practices or violate any law or Board policy, administrative regulation, or district practice

Privacy

Since the use of district technology is intended for use in conducting district business, no employee should have any expectation of privacy in any use of district technology.

The district reserves the right to monitor and record all use of district technology, including, but not limited to, access to the Internet or social media, communications sent or received from district technology, or other uses within the jurisdiction of the district. Such monitoring/recording may occur at any time without prior notice for any legal purposes including, but not limited to, record retention and distribution and/or investigation of improper, illegal, or prohibited activity. Employees should be aware that, in most instances, their use of district technology (such as web searches or emails) cannot be erased or deleted.

All passwords created for or used on any district technology are the sole property of the district. The creation or use of a password by an employee on district technology does not create a reasonable expectation of privacy.

Personally Owned Devices

If an employee uses a personally owned device to access district technology or conduct district business, they do so at their own risk and shall abide by all applicable Board policies,

administrative regulations, all laws, and this Acceptable Use Agreement. Any such use of a personally owned device to access district technology or to conduct district business may subject the contents of the device and any communications sent or received on the device to disclosure pursuant to a lawful subpoena, court order, or public records request.

District employees shall not use personal electronic devices or accounts to send or receive communications that relate in a substantive way to the conduct of the district's business. All communications concerning district-related business received by an employee on a personal electronic device or in a non-district account shall be forwarded promptly to a district account or server. If a district employee has any concerns that an email in the employee's personal account may not be safe for data security purposes, the employee should notify their supervisor and an appropriate technology staff member prior to forwarding the email to any district account or server.

Records

Any electronically stored information generated or received by an employee which constitutes a district or student record shall be classified, retained, and destroyed in accordance with BP/AR 3580 - District Records, BP/AR 5125 - Student Records, or other applicable policies and regulations addressing the retention of district or student records.

Reporting

If an employee becomes aware of any security problem (such as any compromise of the confidentiality of any login or account information) or misuse of district technology, they shall immediately report such information to the Superintendent or designee.

Consequences for Violation

Violations of the law, Board policy, or this Acceptable Use Agreement may result in revocation of an employee's access to district technology and/or discipline, up to and including termination.

In addition, violations of the law, Board policy or administrative regulation or this agreement may be reported to law enforcement agencies as appropriate.

Employee Acceptable Use Agreement Acknowledgment
Electronic Resources

The Sacramento City Unified School District ("district") recognizes the value of district technology, computers, and other electronic resources, as well as personal electronic devices, to improve student learning and enhance the administration and operation of its schools. To this end, the District encourages the responsible use of technology, computers, computer networks, including the Internet; and other electronic resources in support of the mission and goals of the district and its schools. Users are reminded that the district e-mail system and all user accounts are owned by the district, and all electronic messaging (email and chat) activity which utilizes the District server is monitored and logged. Every attempt is made to scan all electronic mail coming into or leaving the organization for malware and for offensive material. Additionally, every effort is made to log and monitor all web traffic for inappropriate or offensive content.

As used in this Agreement, "personal electronic devices" may include but are not limited to, cellular telephones, tablets, and portable laptop computers, or any other device with wireless capabilities.

Acceptable Use and General Rules of Usage

Use of district computers and other electronic resources or use of the wireless capability features of any personal electronic

District employees (updated by SB 848 to now include volunteers, Board Members, and employees of District-contracted service providers who have interaction with and/or supervise students device while working for the district or representing the district or during district sponsored events is intended to be used in support of, and be consistent with, all laws, board policies, board administrative regulations, and the educational standards and benchmarks of the district. Users will be provided access to the INTERNET in accordance with the district's security, filtering, and blocking measures. The measures described below are required to avoid employee access to inappropriate material that is not consistent with all laws, board policies, board administrative regulations, and the educational standards and benchmarks of the district.

1. Exhibit exemplary behavior on the district network or while using district technology, electronic equipment, and while using the wireless capability features of any personal electronic device while working for or representing the district, or during district sponsored events.

2. Network accounts are to be used only by the authorized user of the account for authorized purposes.

3. For district employees provided with email, the email is considered a primary avenue of communication and should be checked by employees frequently

4. Communications and information accessible via the district network and/or internet service are subject to monitoring and/or review at any time and should not be assumed to be private.

5. Any employee, upon learning that a compromise (a breach, unauthorized access, suspected unauthorized changes, deletions, additions, or viewing) to one or more of the district's Enterprise Data Systems (Infinite Campus, Escape, Email, Network Accounts, or any other system used by the district or school wide) has potentially occurred, shall immediately notify their supervisor who shall notify the appropriate Instructional Assistant Superintendent and the Chief Information Officer to initiate a prompt investigation.

6. From time to time, the District will make determinations on whether specific uses of the network or personal electronic devices while on district property or during district sponsored events are consistent with the acceptable use practice, policies, administrative regulations, and laws.

Unacceptable Use

1. Giving out personal or confidential information about another employee or student, including home address and phone number without authorization is strictly prohibited.
2. Any use of the district systems or technology resources for commercial, for profit, or political purposes is prohibited.
3. Regular use of the district systems or technology resources for personal business is prohibited.
4. Any use of the district systems or technology resources for political lobbying is prohibited.

5. Users shall not use non-district computers or printers on the network without written authorization from Technology Services.
6. Users shall only use accounts assigned to them and shall not attempt to log-in to accounts or systems for which they do not have authorized access.
7. Users shall not allow others to use their accounts.
8. Users shall not intentionally seek information on, obtain copies of, or modify files, data, or passwords belonging to other users, or misrepresent other users on the network.
9. No use of the district systems or technology resources shall serve to disrupt the use of the network by others. Hardware and/or software and/or electronic data shall not be destroyed, altered, or abused in any way. Modifications to system configurations should not be made without written authorization from Technology Services.
10. Users shall not plug in wireless access points unless approved and authorized by Technology Services.
11. Malicious use of the district systems or technology resources to develop or use programs that harass other users or infiltrate a computer or computing system and/or damage the software components of a computer or computing system is prohibited.
12. Hate mail, chain letters, harassment, discriminatory communications, cyber-bullying and other disruptive behaviors are prohibited on the network. In accordance with BP 0201, Human Dignity Policy, the school district will not tolerate behavior by students, staff, or visitors which insults, degrades, or stereotypes any race, gender, disability, physical characteristics, ethnic group, sexual orientation, age, national origin, or religion.
13. The unauthorized installation of any software, including shareware and freeware, for use on Sacramento City Unified School District computers is prohibited.
14. Users shall not disclose student information for any purpose other than a legitimate educational purpose, and only as permitted by law, district policies, and administrative regulations.
15. Use of the network or personal electronic devices while on district property or during District sponsored events to intentionally access or process pornographic or adult sites with sexual content or other inappropriate, discriminatory, or derogatory material, inappropriate text files (as determined by the Superintendent, system administrator or site administrator), or files dangerous to the integrity of district technology including the local area network is prohibited.
16. The Sacramento City Unified School District network may not be used for downloading entertainment software, music, videos, or other files not related to the mission and objectives of the Sacramento City Unified School District. This prohibition pertains to freeware, shareware, copyrighted commercial and non-commercial software, and all other forms of software and files not directly related to the instructional and administrative purposes of the Sacramento City Unified School District.
17. Downloading, copying, otherwise duplicating, and/or distributing copyrighted materials without the specific written permission of the copyright owner is prohibited, except when duplication and/or distribution of materials for educational purposes is permitted when such duplication and/or distribution would fall within the Fair Use Doctrine of the United States Copyright Law.
18. Use of the district systems, network or technology resources for any unlawful purpose is prohibited.
19. Use of private (personally owned) personal electronic devices is permitted while on District property or during District sponsored events in accordance with applicable state and federal law, District policies and regulations, Technology Services Department Official Procedures and Protocols and this Agreement. Any misuse or inappropriate use of private personal electronic devices while on District property or during District sponsored events, may result in the District rescinding the user's right to use the personal electronic device while on District property or other disciplinary action.
20. Users shall not download confidential student or employee information onto laptops, desktops, or other portable storage devices without authorization. Authorized loading of confidential information onto laptops or other portable storage devices should only be done utilizing secure encryption.

Consequences for Violation

Any breach of this Agreement or the terms specified above may lead to disciplinary action, up to and including dismissal. In addition, violations of the law, Board policy, or this agreement may be reported to law enforcement agencies as appropriate.

Employee Acknowledgment of User Agreement

I have read, understand, and will abide by the above Agreement, all applicable Sacramento City Unified School District Board Policies and Regulations, Technology Services Department Official Procedures and Protocols, and applicable state and federal laws, when using technology, computer, and other electronic resources owned, leased, or operated by the district, or when using a personal electronic device while on district property or during district sponsored events and while representing the district. Should I commit any violation of this Agreement, my access privileges may be revoked, disciplinary action, up to and including termination of employment, may be taken, and/or appropriate legal action may be initiated. I understand that this Agreement will be in effect during the entire time of my employment with the district. Any subsequent changes to the Agreement will be posted online and will be communicated electronically to employees and will be part of this Agreement.

SEXUAL HARASSMENT (BP/AR 4119.11)

The Governing Board prohibits sexual harassment in the working environment of district employees or applicants by any person in any form. Employees who permit or engage in such harassment may be subject to disciplinary action up to and including dismissal. Any employee or applicant for employment who feels that he/she or another individual in the district is being sexually harassed should immediately contact his/her supervisor, principal, other district administrator, or the Superintendent or designee (*Chief Human Resources Officer or HR Director at*

(916) 643-9050) in order to obtain procedures for reporting a complaint. Complaints of harassment can be filed in accordance with AR 4031 - Complaints Concerning Discrimination in Employment. Any supervisor who receives a harassment complaint shall notify the Superintendent or designee, who shall ensure that the complaint is appropriately investigated. The district prohibits retaliatory behavior against any complainant or any participant in the complaint process. Each complaint of sexual harassment shall be promptly investigated in a way that respects the privacy of all parties concerned. Prohibited sexual harassment includes, but is not limited to, unwelcome sexual advances, requests for sexual favors, or other verbal, visual, or physical conduct of a sexual nature made by someone from or in the work or educational setting when:

1. Submission to the conduct is made either expressly or by implication in term or condition of any individual's employment.
2. Submission to or rejection of such conduct by an individual is used as the basis for an employment decision affecting the individual.
3. The conduct has the purpose or effect of unreasonably interfering with an individual's work or academic performance or of creating an intimidating, hostile, or offensive working or educational environment or of adversely affecting the student or employee's performance, evaluation, advancement, assigned duties, or any other condition of education, employment, or career development.
4. 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, honors, programs, or activities available at or through the educational institution.

Other examples of sexual harassment, whether committed by a supervisor or any other employee, are:

1. Unwelcome leering, sexual flirtations, or propositions.
2. Unwelcome sexual slurs, epithets, threats, verbal abuse, derogatory comments, or sexually degrading descriptions.
3. Graphic verbal comments about an individual's body, or overly personal conversation.
4. Sexual jokes, stories, drawings, pictures, or gestures.
5. Spreading sexual rumors.
6. Touching an individual's body or clothes in a sexual way.
7. Cornering or blocking of normal movements.
8. Displaying sexually suggestive objects in the educational or work environment.
9. Any act of retaliation against an individual who reports a violation of the district's sexual harassment policy or who participates in the investigation of a sexual harassment complaint.

Each principal and supervisor has the responsibility of maintaining an educational and work environment free of sexual harassment. This responsibility includes discussing the district's sexual harassment policy with his/her students and/or employees and assuring them that they are not required to endure sexually insulting, degrading, or exploitative treatment or any other form of sexual harassment. The District prohibits discrimination, harassment, intimidation, and bullying based on actual or perceived ancestry, age, color, disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sex, sexual orientation, or association with a person or a group with one or more of these actual or perceived characteristics.

DOMESTIC VIOLENCE, SEXUAL ASSAULT AND STALKING

The Sacramento City Unified School District is committed to creating and maintaining a safe work environment free of all forms of harassment and violence, and charges every employee with the responsibility of contributing toward that environment. You have a right to ask for help or changes in your workplace to make sure you are safe at work. Domestic violence means intentionally or recklessly causing or attempting to cause injury or harm, or placing any family member, domestic partner, or cohabitant in reasonable fear of injury. Workers who must leave their jobs to protect themselves or their children from domestic violence – "good cause" under the law – are eligible for unemployment benefits. Victims of domestic violence are protected against discharge or discrimination for taking time off to seek protection orders or other judicial relief to help secure their own or their children's safety or welfare; as well as to get medical attention or services from a domestic violence shelter, program or rape crisis center, psychological counseling, or related to domestic violence, sexual assault, or stalking. The employee must give reasonable notice, if feasible. The Sacramento City Unified School District may require certification of domestic violence: a police report, protection order, and documentation from court or from a medical professional, domestic violence advocate, or counselor. To the extent the law allows, the Sacramento City Unified School District must maintain the employee's confidentiality. (*California Labor Code §230-230.1, as amended by 2000 Cal. Stat. 487)* Additionally, you have a right to be free from retaliation and discrimination. You can file a complaint with the Labor Commissioner's Office at www.dir.ca.gov/dlse.

The Sacramento City Unified School District declares that violent conduct of any kind will not be condoned or tolerated. Discipline up to and including termination of employment will occur to any employee who threatens or abuses others on work time or using work resources. Employees convicted of a crime as a result of domestic violence may be subject to corrective or disciplinary procedures, up to and including termination, when work performance or normal operation of the workplace is affected.

UNIFORM COMPLAINT (UC) PROCEDURES (BP/AR 1312.3)

The Governing Board recognizes that the district has the primary responsibility to ensure compliance with applicable state and federal laws and regulations governing educational programs. The Board encourages early resolution of complaints whenever possible. To resolve complaints which may require a more formal process, The Board adopts the uniform system of complaint processes specified in (T5 CCR 4620) and the accompanying administrative regulation.

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

1. Accommodations for pregnant and parenting students. (Education Code 46015)
2. Adult education programs. (Education Code 8500-8538, 52334.7, 52500, 52616.18)
3. After school education and safety programs. (Education Code 4882-8484.65)
4. Agricultural career technical education. (Education Code 52460-52462)

5. Career technical and technical education and career technical and technical training programs. (Education Code 52300-52462)
6. Child care and development programs. (Education Code 8200-8488)
7. Compensatory education. (Education Code 54400)
8. Consolidated categorical aid programs. (Education Code 33315; 34 CFR 299.10-299.12)
9. Course periods without educational content. (Education Code 51228.1-51228.3)
10. Discrimination, harassment, intimidation, or bullying in district programs and activities, including in those programs or activities funded directly by or that receive or benefit from any state financial assistance, based on one, or a combination of two or more, protected characteristics, which include, but may not be limited to, a person's actual or perceived race or ethnicity; ancestry; color; ethnic group identification; nationality; national origin; immigration status; sex; sexual orientation; sex stereotypes; gender; gender identity; gender expression; religion; disability; medical condition; genetic information; pregnancy, false pregnancy, childbirth, termination of pregnancy, or related conditions or recovery; and parental, marital, and family status; any other characteristic identified in Education Code 200 or 220, Government Code 11135, or Penal Code 422.55; or based on the person's association with a person or group with one or more of these actual or perceived characteristics. (Education Code 200, 21, 210.2, 212, 212.1, 220, 221.51, 230, 260; Government Code 11135, 12926; 5 CCR 4610; 20 USC 1681-1688, 42 USC 2000d-2000d-7)

However, the UCP shall not be used to investigate and resolve employment discrimination complaints. (5 CCR 4611)

1. Educational and graduation requirements for students in foster care, students experiencing homelessness, students from military families, students formerly in a juvenile court school, students who are migratory, and newcomer students. (Education Code 48645.7, 48850, 48853, 48853.5, 48911, 48915.5, 49069.5, 51225.1, 51225.2))
2. Every Student Succeeds Act. (Education Code 12030, 52059.5, 64000; 20 USC 6301 et seq.)
3. Instructional Materials and Curriculum: Diversity. (Education Code 243) A complaint alleging such unlawful discrimination may, in addition to or in lieu of being filed with the district, be directly filed with the Superintendent of
   Public Instruction (SPI). (Education Code 243, 244) 4. Local control and accountability plan. (Education Code 52075)
5. Migrant education. (Education Code 54440-54445)
6. Physical education instructional minutes. (Education Code
   51210, 51222, 51223)
7. Student fees. (Education Code 49010-49013)
8. Reasonable accommodations to a lactating student. (Education Code 222)
9. Regional occupational centers and programs. (Education Code 52300-52334.7)
10. School plans for student achievement as required for the consolidated application for specified federal and/or state categorical funding (Education Code 64001).
11. School site councils as required for the consolidated application for specified federal and/or state categorical funding. (Education Code 65000)
12. State preschool programs. (Education Code 8200-8488, 33315)
13. State preschool health and safety issues in license-exempt programs. (Education Code 8212)
14. School or athletic team names, mascots, or nicknames pursuant to. (Education Code 221.3)
15. Any complaint alleging retaliation against a complainant or other participant in the complaint process or anyone who has acted to uncover or report a violation subject to this policy. (5 CCR 4621)
16. Any other state or federal educational program the SPI or designee deems appropriate. (5 CCR 4631)

The Board recognizes that alternative dispute resolution (ADR) can, depending on the nature of the allegations, offer a process to reach a resolution to the complaint that is acceptable to all parties. ADR such as mediation may be offered to resolve complaints that involve more than one student and no adult. However, mediation shall not be offered or used to resolve any complaint involving sexual assault or where there is a reasonable risk that a party to the mediation would feel compelled to participate. The Superintendent or designee shall ensure that the use of ADR is consistent with state and federal laws and regulations The district shall protect all complainants from retaliation. In investigating complaints, the confidentiality of the parties involved shall be protected as required by law. For any complaint alleging retaliation or unlawful discrimination, harassment, intimidation, or bullying, the Superintendent or designee shall keep the identity of the complainant, and/or the subject of the complaint if different from the complainant, confidential when appropriate and as long as the integrity of the complaint process is maintained. When an allegation that is not subject to the UCP is included in a UCP complaint, the district shall refer the non-UCP allegation to the appropriate staff or agency and shall investigate and, if appropriate, resolve the UCP-related allegation(s) through the district's UCP. The Superintendent or designee shall provide training to district staff to ensure awareness and knowledge of current law and related requirements, including the steps and timelines specified in this policy and the accompanying administrative regulation. The Superintendent or designee shall maintain records of all UCP complaints and the investigations of those complaints in accordance with applicable law and district policy.

Non-UCP Complaints

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

1. Any complaint alleging child abuse or neglect shall be referred to the County Department of Social Services Protective Services Division or the appropriate law enforcement agency. (5 CCR 4611)

2. Any complaint alleging health and safety violations by a child development program shall, for licensed facilities, be referred to the Department of Social Services. (5 CCR 4611)

3. Any complaint alleging that a student, while in an education program or activity in which the district exercises substantial control over the context and respondent, was subjected to sexual harassment as defined in 34 CFR 106.30. Such a complaint shall be addressed through the federal Title IX complaint

procedures adopted pursuant to 34 CFR 106.44- 106.45, as specified in Administrative Regulation 5145.71 - Title IX Sexual Harassment Complaint Procedures.

4. Any complaint alleging employment discrimination or harassment shall be investigated and resolved by the district in accordance with the procedures specified in Administrative Regulation 4030 - Nondiscrimination in Employment, including the right to file the complaint with the California Civil Rights Department.
5. Any complaint alleging a violation of a state or federal law or regulation related to special education, a settlement agreement related to the provision of a free appropriate public education (FAPE), failure or refusal to implement a due process hearing order to which the district is subject, or a physical safety concern that interferes with the district's provision of FAPE shall be submitted to the California Department of Education (CDE) in accordance with Administrative Regulation 6159.1 - Procedural Safeguards and Complaints for Special Education (5 CCR 3200- 3205)
6. Any complaint alleging noncompliance of the district's food service program with laws regarding meal counting and claiming, reimbursable meals, eligibility of children or adults, or use of cafeteria funds and allowable expenses shall be filed with or referred to CDE in accordance with Board Policy 3555 - Nutrition Program Compliance. (5 CCR 15580- 15584)
7. Any allegation of discrimination based on race, color, national origin, sex, age, or disability in the district's food service program shall be filed with or referred to the U.S. Department of Agriculture in accordance with Board Policy 3555 - Nutrition Program Compliance. (5 CCR 15582)
8. Any complaint related to sufficiency of textbooks or instructional materials, emergency or urgent facilities conditions that pose a threat to the health or safety of students or staff, or teacher vacancies and misassignment shall be investigated and resolved in accordance with Administrative Regulation 1312.4 – Williams Uniform Complaint Procedures. (Education Code 35186)

The UCP shall also be used to resolve complaints of noncompliance with requirements related to reasonable accommodations for lactating students or pupils (see Board Policy 5146), educational rights of foster youth and homeless students, assignment of students to courses without educational content for more than one week per semester or to courses they have previously completed and physical education instructional minutes in elementary schools. The Board encourages the early, informal resolution of complaints at the site level whenever possible. Upon receipt of a written complaint from an individual, public agency or organization, uniform complaint procedures shall be initiated. The Superintendent or designee shall distribute full information about these procedures. The Board acknowledges and respects every individual's right to privacy. Discrimination complaints shall be investigated in a manner that protects the confidentiality of the parties and the facts. This includes keeping the identity of the complainant confidential except to the extent necessary to carry out the investigation or proceedings, as determined by the Superintendent or designee on a case-by-case basis. The Board prohibits retaliation in any form for participation in complaint procedures, including but not limited to the filing of a complaint or the reporting of instances of discrimination. Such participation shall not in any way affect the status, grades or work assignments of the complainant. The Board recognizes that a neutral mediator can often suggest a compromise that is agreeable to all parties in a dispute. In accordance with uniform complaint procedures, whenever all parties to a complaint agree to try resolving their problem through mediation, the Superintendent or designee shall initiate mediation. The Superintendent or designee shall ensure that mediation results are consistent with state and federal laws and regulations.

Responsibility for UC Procedures

Except as The Board may otherwise specifically provide in other district policies, these general uniform complaint procedures (UCP) shall be used to investigate and resolve only the complaints specified in BP 1312.3. The Compliance Officers listed below will receive and investigate complaints and ensure district compliance with the law. The Human Resources Compliance Officer will also assist complainants in understanding that they may pursue other remedies including actions before civil court or other public agencies. (T5 CCR 4621, 4622) Procedures shall be available free of charge. (T5 CCR 4622)

HR Compliance Officer: Nanci Rose, 5735 - 47th Avenue Sacramento, CA 95824; (916) 643-7488 or nanci-rose@scusd.edu

Title IX Coordinator for Personnel: Melinda Iremonger, 5735 - 47th Avenue Sacramento, CA 95824; (916) 643-7446 Complaints@scusd.edu

Title IX Coordinator for Students: David Van Natten; 5735 - 47th Avenue Sacramento, CA 95824 (916) 643-7420 or david-vannatten@scusd.edu; https://www.scusd.edu/title-ix-students

Coordinator, 504 Supports: Cameron Olson; 5735 - 47th Avenue Sacramento, CA 95824; (916) 643-7912 or cameron-olson@scusd.edu; https://www.scusd.edu/section-504-accommodations

The compliance officer who receives a complaint may assign another compliance officer to investigate and resolve the complaint. The compliance officer shall promptly notify the complainant if another compliance officer is designated to investigate the complaint. In no instance shall a compliance officer be assigned to a complaint in which the compliance officer has a bias or conflict of interest that would prohibit the fair investigation or resolution of the complaint. Any complaint against a compliance officer or one that raises a concern about the compliance officer's ability to investigate the complaint fairly and without bias shall be filed with the Superintendent or designee who shall determine how the complaint will be investigated. The Superintendent or designee shall ensure that employees assigned to investigate and resolve complaints receive training and are knowledgeable about the laws and programs at issue in the complaints to which they are assigned. Training provided to such designated employees shall cover current state and federal laws and regulations governing the program; applicable processes for investigating and resolving complaints, including those alleging unlawful discrimination, harassment, intimidation, or bullying; applicable standards for reaching decisions on complaints; and appropriate corrective measures. Assigned employees may have access to legal counsel as determined by the Superintendent or designee. The compliance officer or, if necessary, any appropriate administrator shall determine whether interim measures are necessary during

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

Notifications

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

The Superintendent or designee shall annually provide written notification of the district's UCP to students, employees, parents/guardians of district students, district advisory committee members, school advisory committee members, appropriate private school officials or representatives, and other interested parties. (5 CCR 4622)

The notice shall include:

A statement that the district is primarily responsible for compliance with federal and state laws and regulations, including those related to prohibition of unlawful discrimination, harassment, intimidation, or bullying against any protected group, and a list of all programs and activities that are subject to UCP as identified in the accompanying Board policy,

The title of the position responsible for processing complaints, the identity of the person(s) currently occupying that position if known, and a statement that such persons will be knowledgeable about the laws and programs that they are assigned to investigate,

A statement that a UCP complaint, except a complaint alleging unlawful discrimination, harassment, intimidation, or bullying, must be filed no later than one year from the date the alleged violation occurred,

A statement that a UCP complaint alleging unlawful discrimination, harassment, intimidation, or bullying must be filed no later than six months from the date of the alleged conduct or the date the complainant first obtained knowledge of the facts of the alleged conduct,

A statement that a student enrolled in a public school shall not be required to pay a fee for participation in an educational activity that constitutes an integral fundamental part of the district's educational program, including curricular and extracurricular activities,

A statement that a complaint regarding student fees or the local control and accountability plan (LCAP) may be filed anonymously if the complainant provides evidence or information leading to evidence to support the complaint,

A statement that the district will post a standardized notice of the educational and graduation requirements of foster youth, students experiencing homelessness, children of military families, former juvenile court school students now enrolled in the district, students who are migratory, and newcomer students as specified in Education Code 48645.7, 48853, 48853.5, 49069.5, 51225.1, and 51225.2, and the complaint process,

A statement that complaints will be investigated in accordance with the district's UCP, and a written decision will be sent to the complainant 60 calendar days from the date of receipt of the complaint unless the time period is extended by written agreement of the complainant.

A statement that, for programs within the scope of the UCP as specified in the accompanying Board policy, the complainant has a right to appeal the district's investigation report to the California Department of Education (CDE) by filing a written appeal, including a copy of the original complaint and the district's decision, within 30 calendar days of receiving the district's decision.

A statement advising the complainant of any civil law remedies, including, but not limited to, injunctions, restraining orders, or other remedies or orders that may be available under state or federal laws prohibiting discrimination, harassment, intimidation, or bullying, if applicable,

A statement that copies of the district's UCP are available free of charge.

The annual notification, complete contact information of the compliance officer(s), and information related to Title IX as required pursuant to Education Code 221.61 and 34 CFR 106.8 shall be posted on the district and district school websites, published in handbooks, catalogs, announcements, bulletins, and application forms, and may be provided through district supported social media, if available.

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

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

Filing of Complaints

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

A complaint alleging district violation of applicable state or federal law or regulations governing the programs specified in the accompanying Board policy may be filed by any individual, public agency, or organization. (5 CCR 4600)

Any complaint alleging noncompliance with law regarding the prohibition against requiring students to pay student fees, deposits, and charges or any requirement related to the LCAP may be filed anonymously if the complaint provides evidence, or information leading to evidence, to support an allegation of noncompliance. (Education Code 49013, 52075)

A complaint about a violation of the prohibition against the charging of unlawful student fees may be filed with the principal of the school or with the Superintendent or designee. (Education Code 49013

A UCP complaint, except for a UCP complaint alleging unlawful discrimination, harassment, intimidation, or bullying, shall be filed no later than one year from the date the alleged violation occurred. (5 CCR 4630)

A complaint alleging unlawful discrimination, harassment, intimidation, or bullying, may be filed only by a person who

alleges having personally suffered unlawful discrimination, a person who believes that an individual or any specific class of individuals has been subjected to unlawful discrimination, or a duly authorized representative who alleges that an individual student has been subjected to discrimination, harassment, intimidation, or bullying. (5 CCR 4630)

The time for filing may be extended for up to 90 days by the Superintendent or designee for good cause upon written request by the complainant setting forth the reasons for the extension. (5 CCR 4630)

When a complaint alleging unlawful discrimination or bullying is filed anonymously, the compliance officer shall pursue an investigation or other response as appropriate, depending on the specificity and reliability of the information provided and the seriousness of the allegation.

When the complainant or alleged victim of unlawful discrimination or bullying requests confidentiality, the compliance officer shall inform the complainant or victim that the request may limit the district's ability to investigate the conduct or take other necessary action.

When honoring a request for confidentiality, the district will nevertheless take all reasonable steps to investigate and respond to the complaint consistent with the request.

Informal Resolution

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

Before initiating the informal resolution of a complaint alleging retaliation, unlawful discrimination, harassment, intimidation, or bullying the investigator shall ensure that all parties agree to permit the designee access to all relevant confidential information. The investigator shall also notify all parties of the right to end the informal process at any time.
If the informal resolution process does not resolve the problem within the parameters of the law, the investigator shall proceed with an investigation of the complaint.

The use of informal resolution shall not extend the district's timelines for investigating and resolving the complaint unless the complainant agrees in writing to such an extension of time. (5 CCR 4631) If informal resolution is successful, the complainant shall complete and submit the Withdrawal of Complaint form and the matter will be considered resolved, and the district shall take only the actions agreed upon through informal resolution. If informal resolution is unsuccessful, the district shall then continue with subsequent steps specified in this administrative regulation.

Investigation of Complaints

Within 10 business days after the investigator receives the complaint, the investigator shall begin an investigation.

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

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

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

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

The investigator shall apply a "preponderance of the evidence" standard in determining the veracity of the factual allegations in a complaint. This standard is met if the allegation is more likely to be true than not.

Timeline for Notice of Findings and Closure

Unless extended by written agreement with the complainant, the investigator shall prepare and send to the complainant a written report within 60 calendar days of the district's receipt of the complaint. (5 CCR 4631)

Notice of Findings and Closure

The investigator shall issue investigatory findings in writing ("Notice of Findings and Closure") to the complainant and respondent within sixty (60) calendar days from the date of the receipt of the complaint unless the complainant agrees to an extension of time in writing. If an extension is granted by the complainant, the investigator shall inform the Complaints Department.

This "Notice of Findings and Closure" aligns with the requirements set forth in Title 5, California Code of Regulations, section 4631 and includes the elements mandated by this section as noted below.

1. Findings of fact based on the evidence gathered;

2. Conclusion(s) for each allegation's final determination, including rationale used to reach the determination, that indicates District compliance or non-compliance with relevant law;

3. Corrective action(s) whenever the District finds merit in the complaint, including, when required by law, a remedy to all affected pupils and parents/guardians. With respect to a pupil fees complaint, corrective actions shall include a remedy that comports with Education Code section 49013(d) and section 4600(t);

4. Notice of the complainant's right to appeal the investigatory findings to the CDE, except when the district has used the UCP to address a complaint not specified in 5 CCR 4610;

5. Procedures to be followed for initiating an appeal to the CDE; and

6. As appropriate, follow-up procedures to prevent recurrence or retaliation and for reporting any subsequent problems.

In consultation with district legal counsel, information about the relevant part of an investigation findings letter may be communicated to a victim who is not the complainant and to other parties who may be involved in implementing the investigation report or are affected by the complaint, so long as the privacy of the parties is protected.

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

For complaints alleging unlawful discrimination, harassment, or related retaliation, based on state law, the Investigation Findings Letter shall also include a notice to the complainant that:

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

Corrective Actions

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

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

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

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

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

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

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

When a complaint is found to have merit, an appropriate remedy shall be provided to the complainant or other affected person. If a complaint alleging noncompliance with the laws regarding student fees, deposits, and other charges, physical education instructional minutes, courses without educational content, or any requirement related to the LCAP is found to have merit, the district shall provide a remedy to all affected students and parents/guardians subject to procedures established by regulation of the State Board of Education. (Education Code 49013, 51223, 52075) For complaints alleging noncompliance with the laws regarding student fees, the district, by engaging in reasonable efforts, shall attempt in good faith to identify and fully reimburse all affected students and parents/guardians who paid the unlawful student fees within one year prior to the filing of the complaint. (Education Code 49013; 5 CCR 4600)

Appeals to the California Department of Education

Any complainant who is dissatisfied with the district's investigation report on a complaint regarding any specified

federal or state educational program subject to the UCP may file an appeal in writing with the CDE within 30 calendar days of receiving the district's investigation report. (5 CCR 4632) The appeal shall be sent to CDE with a copy of the original locally filed complaint and a copy of the district's investigation report for that complaint. The complainant shall specify and explain the basis for the appeal, including at least one of the following: (5 CCR 4632)

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

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

1. A copy of the original complaint;
2. A copy of the district's Notice of Findings and Closure;
3. A copy of the investigation report including, but not limited to, all notes, interviews, and documents submitted by the parties and gathered by the investigator;
4. A copy of the district's uniform complaint procedures; and
5. Other relevant information requested by CDE,

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

Health and Safety Complaints in License-Exempt Preschool Programs

Any complaint regarding health or safety issues in a license-exempt California State Preschool Program (CSPP) shall be addressed through the procedures described in 5 CCR 4690-4694. In order to identify appropriate subjects of CSPP health and safety issues pursuant to Health and Safety Code 1596.7925, a notice shall be posted in each license-exempt CSPP classroom in the district notifying parents/guardians, students, and teachers of the health and safety requirements of Title 5 regulations that apply to CSPP programs pursuant to Health and Safety Code 1596.7925 and the location at which to obtain a form to file any complaint alleging noncompliance with those requirements. For this purpose, the Superintendent or designee may download and post a notice available from the CDE website. (Education Code 8212; 5 CCR 4691) The district's annual UCP notification distributed pursuant to 5 CCR 4622 shall clearly indicate which of its CSPP programs are operating as exempt from licensing and which CSPP programs are operating pursuant to requirements under Title 22 of the Code of Regulations. (5 CCR 4691) Any complaint regarding specified health or safety issues in a license-exempt CSPP program shall be filed with the preschool program administrator or designee and may be filed anonymously. The complaint form shall specify the location for filing the complaint, contain a space to indicate whether the complainant desires a response to the complaint, and allow a complainant to add as much text as desired to explain the complaint. (Education Code 8212; 5 CCR 4690) If it is determined that the complaint is beyond the authority of the preschool program administrator, the matter shall be forwarded to the Superintendent or designee in a timely manner, not to exceed 10 working days, for resolution. The preschool administrator or the Superintendent or designee shall make all reasonable efforts to investigate any complaint within their authority. (Education Code 8212; 5 CCR 4692) Investigation of a complaint regarding health or safety issues in a license-exempt CSPP program shall begin within 10 days of receipt of the complaint. (Education Code 8212; 5 CCR 4692) The preschool administrator or designee shall remedy a valid complaint within a reasonable time period not to exceed 30 working days from the date the complaint was received. If the complainant has indicated on the complaint form a desire to receive a response to the complaint, the preschool administrator or Superintendent's designee shall, within 45 working days of the initial filing of the complaint, report the resolution of the complaint to the complainant and CDE's assigned field consultant. If the preschool administrator makes this report, the information shall be reported at the same time to the Superintendent or designee. (Education Code 8212; 5 CCR 4692) If a complaint regarding health or safety issues in a license-exempt CSPP program involves an LEP student or parent/guardian, then the district's response, if requested by the complainant, and the investigation report shall be written in English and the primary language in which the complaint was filed. If a complainant is not satisfied with the resolution of a complaint, the complainant has the right to describe the complaint to the Board at a regularly scheduled hearing and, within 30 days of the date of the written report, may file a written appeal of the district's decision to the Superintendent of Public Instruction in accordance with 5 CCR 4632. (Education Code 8212; 5 CCR 4693, 4694) All complaints and responses are public records. (5 CCR 4690) On a quarterly basis, the Superintendent or designee shall report summarized data on the nature and resolution of all CSPP health and safety complaints, including the number of complaints by general subject area with the number of resolved and unresolved complaints, to the Board at a regularly scheduled Board meeting and to the County Superintendent. (5 CCR 4693)

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

COMPLAINTS CONCERNING DISCRIMINATION IN EMPLOYMENT (AR 4031)

The Governing Board designates the Chief Human Resources Officer, as Coordinator(s) for Nondiscrimination 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 district's nondiscrimination 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 subject to the collective bargaining agreement and least likely to interfere with school schedules and operations.
5. For the protection of the complainant and the district, complaint proceedings shall be kept confidential insofar as appropriate.
6. All documents, communications, and records dealing with the complaint shall be placed in a district complaint file, which is a separate file from the district's personnel 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. A reasonable period of time to conduct an investigation will depend upon the quantity of witnesses and complexity of the investigation. If the district fails to respond within a specified or adjusted time limit, a complainant may proceed to the next level. If a complainant fails to take the complaint to the next step within the prescribed time, the complaint shall be considered settled at the preceding step.

Level I: The complainant shall first meet informally with the principal of the school or department where the allegedly discriminatory act occurred. A complaint regarding discrimination away from a school site should be discussed informally with an administrator selected by the Superintendent. If the complainant's concerns are not clear or cannot be resolved through informal discussion, the principal or other administrator shall prepare, within 10 working days, a written summary of his/her meeting(s) with the complainant. This report shall be available if requested by the nondiscrimination coordinator.

Level II: If a complaint cannot be satisfactorily resolved at Level I, the complainant may submit a formal written complaint to the district nondiscrimination coordinator within 10 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 district staff member 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 nondiscrimination coordinator shall assign a staff member to assist the complainant with this writing if such help is needed. The coordinator shall respond to the complainant in writing within a reasonable period of time. The coordinator shall conduct any investigation necessary to respond to the complaint, including discussion with the complainant, person(s) involved, appropriate staff members and students, and review of the Level I report and all other relevant documents.

Level III: If the complaint cannot be resolved at Level II, the complainant may present the complaint to the Superintendent or designee within 10 days. The Superintendent or designee shall review the Level II investigation file, including the written complaint and all responses from district staff, and may conduct a further investigation if he/she finds it necessary to do so. The Superintendent or designee shall respond to the complainant in writing within a reasonable period of time.

Level IV: If the matter is not resolved at Level III, the complainant may file a written appeal to the Board within 10 working days after receiving the Level III response. The Superintendent or designee shall provide the Board with all information presented at previous levels. The Board shall grant the hearing request for the next regular Board meeting for which it can be placed on the agenda. Any complaint against a district employee shall be conducted in closed session as a personnel matter. The Board shall render its decision within a reasonable period of time. The Board may appoint a hearing panel to review the complaint and previous decisions and make recommendations to the Board. The panel shall hear the appeal and render its decision within 10 working days.

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

ANIMALS ON DISTRICT PROPERTY

It has come to our attention that there is a need to clarify regulations regarding animals. With the exception of the following three items, no animals are allowed at school sites or administrative facilities: (1) seeing-eye dogs and service dogs, (2) Board Policy 6163.2, "*animals may be brought to school only for educational purposes, subject to rules and precautions specified in administrative regulations related to health, safety and sanitation*," and (3) dogs used for law enforcement purposes.

TOBACCO-FREE SCHOOLS (BP/AR 3513.3)

The Governing Board recognizes the health hazards associated with tobacco products, including the breathing of second-hand smoke, and desires to provide a healthy environment for students and staff. Employees are encouraged to serve as models for good health practices that are consistent with the district's instructional programs. In accordance with state and federal law, smoking is prohibited in all district facilities and vehicles. The Board further prohibits the use of tobacco products at all times on district grounds. This prohibition applies to all employees, students, and visitors at any activity or athletic event on property owned, leased, or rented by or from the district. The Superintendent or designee shall inform students, parents/guardians, employees, and the public about this policy and related procedures. Signs prohibiting the use of tobacco shall be prominently displayed at all entrances to school property. The Superintendent or designee shall maintain a list of

clinics and other resources which may assist individuals who wish to stop using tobacco products.

Employee Notifications

The Superintendent or designee shall notify employees of the district's tobacco-free schools policy. The notification shall also inform them of:

1. Their need to abide by district policy as a condition of employment.
2. The dangers of tobacco use in the workplace, including its threat to the health and safety of employees, students, and the public.
3. Available resources which may help employees stop using tobacco.
4. Possible disciplinary actions in accordance with Board policy, state law, and applicable collective bargaining agreements.

Enforcement Procedures for Visitors

A visitor who smokes on district property shall be informed of the district's tobacco-free schools policy and asked to refrain from smoking. If the person fails to comply with this request, the following actions may ensue:

1. The matter may be referred to the Superintendent or designee responsible for the area or the event.
2. The Superintendent or designee may direct the person to leave school property.
3. If necessary, the Superintendent or designee may request local law enforcement assistance in removing the person from school premises.
4. If the person repeatedly violates the tobacco-free schools policy, the Superintendent or designee may prohibit him/her from entering district property for a specified period of time.

ENVIRONMENTAL SAFETY (BP/AR 3514)

The Governing Board believes that students and employees have the right to learn and work in a safe, clean, and healthy environment. The district has an obligation to locate and reduce or eliminate potential risks to health and the environment, to use environmental resources in a responsible way, and to educate students and staff about environmental issues. The Superintendent or designee shall establish regulations to guard against environmental hazards. Students and staff are encouraged to report any unsafe conditions they may observe.

Air Quality

The Board recognizes that clean air contributes to a favorable learning environment for students, productivity for staff, and the health of all school occupants. Adequate ventilation, appropriate housekeeping and maintenance procedures, and the removal of pollution sources are all necessary to achieve good indoor air quality. The Superintendent or designee shall ensure that staff implements measures that will maintain good air quality in classrooms and offices. Air quality shall be considered in the setting and architectural design of new or remodeled facilities and in the selection of building materials and furnishings.

The Superintendent or designee shall ensure that the following measures are taken in order to reduce indoor air contaminants:

1. Heating, ventilating, and air conditioning systems shall be operated, inspected, and maintained in accordance with law. School buildings shall be inspected annually to ensure they have adequate ventilation systems, properly maintained so as to preclude the buildup of mold, mildew, and air contaminants. Filters shall be changed frequently.
2. Low-emission cleaning products shall be used whenever possible, and custodial duties that require polluting products shall be performed after classes are dismissed for weekends or vacations.
3. Only District approved cleaning products shall be used at District facilities.
4. Paints, adhesives, and solvents shall be used and stored in well-ventilated areas; these items shall be purchased in small quantities to avoid storage exposure.
5. Exterior wall and foundation cracks and openings shall be sealed to control exposure to rodents.
6. Water-damaged ceiling tiles, carpet, and other building materials shall be removed.

Pest Management

Sanitary measures shall be enforced and buildings regularly cleaned and repaired in order to prevent infestations, minimize the use of pesticides, and eliminate routine spraying. The Superintendent or designee shall ensure that the district follows integrated pest management procedures so as to use the most appropriate and least toxic method of control.

In determining when to control pests and whether to use mechanical, physical, chemical, cultural, or biological means, the district shall follow the principles of integrated pest management. Procedures shall include the following:

1. The choice of using a pesticide will be based on a review of all other available options and a determination that these options are not acceptable or not feasible. The full range of alternatives, including no action, will be considered.
2. Selected non-chemical pest management methods will be used whenever possible to provide the desired control. Cost or staffing considerations alone will not be adequate justification for use of chemical control agents.
3. The pest and the site of infestation shall be carefully identified. Strategies for managing the pest will be influenced by the pest species, and whether that species poses a threat to people, property, or the environment.
4. When it is determined that a pesticide must be used, the least hazardous material will be chosen and applied in accordance with law.
5. Staff, students, and parents/guardians shall receive information about the district's integrated pest management policy and procedures and notification of any upcoming pesticide treatments. Notice of upcoming pesticide treatments shall also be posted in areas designated by the Superintendent or designee. (Reference: Education Code 48980.3, 17612)
6. Records of pesticide use shall be maintained at a designated district office.
7. Pesticide purchases shall be limited to amounts authorized by the Superintendent or designee for use during the year. Pesticides shall be stored in a secure site not accessible to students or unauthorized staff; they shall be stored and disposed of in accordance with EPA-registered label directions and state regulations.
8. Persons applying pesticides shall follow label precautions and shall be trained in the principles and practices of integrated pest management.

Lead Exposure Reduction

The Board recognizes that exposure to lead is especially damaging to young children, and that hazardous levels of lead may sometimes be present in paint, soil, or drinking water. In order to minimize any harmful exposure, the district shall follow guidelines recommended by the Department of Health Services and specified in administrative regulations. In accordance with law, the Superintendent or designee shall inform school staff and parents/guardians of the results of any lead survey conducted by the Department of Health Services.

The following steps shall be taken to minimize potential exposure to lead:

1. Lead exposure hazards shall be evaluated before any renovation or remodeling is begun, and children shall not be allowed in or near buildings in which these activities may create lead dust. Contractors and workers shall comply with state and federal standards related to the handling and disposal of lead debris and the clean-up and containment dust within the construction area.
2. School drinking water fountains shall be monitored for the amount of lead in the water, and corrective action shall be taken when necessary.
3. The district shall provide parents/guardians and students with information about the prevention of lead poisoning, and may refer parents/guardians to their children's health care providers or local health department for blood lead testing of children six months through six years of age.
4. Remedial action to abate existing lead hazards shall be taken only by personnel qualified in accordance with law.

Asbestos Testing and Abatement

Maintenance staff shall be trained in the location, identification, proper cleaning, and ongoing maintenance of asbestos-containing materials and in the removal and decontamination of small amounts of such materials when needed to repair pipes or perform similar duties. Any more extensive asbestos abatement work shall be done by state-certified asbestos abatement contractors in compliance with state and federal standards. The district's complete, updated management plan for material containing asbestos in school buildings shall be available for inspection in district and school offices during normal business hours. Parent, teacher, and employee organizations shall annually be informed of the availability of this plan. (40 CFR 763.93)

Other Environmental Safety Precautions

Principals or their designees shall enforce school rules designed to:

1. Prevent the accumulation of flammable, noxious, or otherwise dangerous materials unless adequate safeguards are provided.
2. Keep all school facilities free of debris.
3. Keep walkways at all times open to pedestrian traffic and clear of obstructions.

HAZARDOUS SUBSTANCES (BP/AR 3514.1)

The Governing Board recognizes that potentially hazardous substances are used in the daily operations of our schools. The Superintendent or designee shall ensure these substances are inventoried, used, stored, and regularly disposed of in a safe and legal manner. Insofar as possible, the Superintendent or designee shall minimize the quantities of hazardous substances stored on school property and shall substitute less dangerous materials for hazardous substances.

HAZARDOUS SUBSTANCES DISPOSAL / HAZARD COMMUNICATION PROGRAM

The disposal of chemicals may be accomplished in accordance with removal and disposal systems established by the County Office of Education or by permission of the County Superintendent of Schools.

The Superintendent or designee shall develop, implement, and monitor a written hazard communication program in accordance with state law. As part of this program, he/she shall ensure that employees are fully informed about the properties and potential hazards of substances to which they may be exposed, and that Safety Data Sheets are readily accessible to them. Teachers shall instruct students about the importance of proper handling, storage, disposal, and protection when using any potentially hazardous substance.

Hazard Communication Program

The written hazard communication program shall be available upon request to all employees and their designated representatives. The following materials are exempted from the hazard communication program and this district regulation: hazardous wastes; tobacco products; wood and wood products; manufactured articles; food, drugs, and cosmetics intended for personal consumption by employees while in the workplace; and substances used in compliance with regulations issued by the Department of Pesticide Regulation pursuant to Food and Agriculture Code 12981.

1. Container Labeling: Except for consumer products, pesticides, alcoholic beverages, and food, drug, and additive products which are already labeled in compliance with federal law, no container of hazardous substance shall be accepted by schools or the district without the 16 required elements:

   Whenever hazardous substances are transferred from their original containers to other containers, the secondary containers shall likewise be labeled with the identity and hazard warning statement.
2. Safety Data Sheets: Upon receiving a hazardous substance or mixture, the Superintendent or designee shall ensure that the manufacturer has also furnished a Safety Data Sheet (SDS) as required by law. If the SDS is missing or obviously incomplete, the Superintendent or designee shall request a new SDS from the manufacturer and shall notify the California Occupational Safety and Health Division (Cal/OSHA) if a complete SDS is not received. The Superintendent or designee shall maintain copies of the SDS for all hazardous substances, and ensure that they are kept up-to-date and available to all affected employees during working hours. He/she shall review each incoming SDS for new and significant health or safety information and shall disseminate this information to affected employees.
3. Employee Information and Training: Employees shall receive in-service training on hazardous substances in their work area at the time of their initial assignment and whenever a new hazard is introduced into their work area. This training shall include but is not limited to (8 CCR 5194):

   a. An overview of the requirements of California's Hazard Communication Regulation (Code of

Regulations, Title 8, Section 5194), including employee rights described therein.

b. The location, availability, and content of the district's written hazard communication program.

c. Information as to any operations in the employees' work area where hazardous substances are present.

d. The physical and health effects of the hazardous substances in the work area.

e. Techniques and methods of observation that may determine the presence or release of hazardous substances in the work area.

f. Methods by which employees can lessen or prevent exposure to these hazardous substances, such as appropriate work practices, use of personal protective equipment, and engineering controls.

g. Steps the district has taken to lessen or prevent exposure to these substances.

h. Instruction on how to read labels and review the SDS for appropriate information.

i. Emergency and first aid procedures to follow if exposed to the hazardous substance(s).

4. List of Hazardous Substances: For specific information about the hazardous substances known to be present in the district and schools, employees may consult the SDS.

5. Hazardous Non-Routine Tasks: When employees are required to perform hazardous non-routine tasks, they shall first receive information about the specific hazards to which they may be exposed during this activity and the protective/safety measures which must be used. They shall also receive information about emergency procedures and the measures the district has taken to lessen the hazards, including ventilation, respirators, and the presence of another employee.

6. Hazardous Substances in Unlabeled Pipes: Before starting to work on unlabeled pipes, employees shall contact their supervisors for information as to the hazardous substance(s) contained in the pipes, the potential hazards, and safety precautions which must be taken.

7. Informing Contractors: To ensure that outside contractors and their employees work safely in district buildings and schools, the Superintendent or designee shall inform these contractors of hazardous substances which are present on the site and precautions that employees may take to lessen the possibility of exposure. It shall be the contractor's responsibility to disseminate this information to his/her employees and subcontractors.

EXPOSURE CONTROL PLAN FOR BLOOD-BORNE PATHOGENS (BP/AR 4119.42)

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 blood-borne viruses, including human immunodeficiency virus (HIV) and hepatitis B virus (HBV). The Governing Board shall determine which employees have occupational exposure to blood-borne pathogens and other potentially infectious materials. In accordance with the district's Exposure Control Plan, employees having occupational exposure shall be offered the hepatitis B vaccination. The Superintendent or designee may exempt designated first-aid providers from pre-exposure hepatitis B vaccination under the conditions specified by state regulations. Any employee not identified as having occupational exposure in the district's exposure determination may petition to be included in the district's employee in-service and hepatitis B vaccination program. Any such petition should be submitted to the Superintendent or designee who shall 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.

Definitions

Occupational Exposure means "reasonably anticipated skin, eye, mucous membrane, or parenteral contact with blood or other potentially infectious materials that may result from the

performance of an employee's duties." Exposure Incident means "a specific eye, mouth, other mucous membrane, 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."

Exposure Control Plan

The district's Exposure Control Plan shall contain at least the following components:

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

2. A description of the schedule and method for implementing exposure control requirements, including but not be limited to:

   a. Universal precautions.

   b. Engineering and work practice controls.

   c. Personal protective equipment.

   d. Housekeeping schedules.

   e. Hepatitis B vaccination.

   f. Post-exposure evaluation and follow-up.

   g. Informing employees about biohazards, including:

      (1) Labels and signs.

      (2) Training.

   h. Maintenance of training and medical records.

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

The Exposure Control Plan shall be reviewed and updated at least annually and whenever necessary to:

1. Reflect new or modified tasks and procedures affecting occupational exposure.

2. Reflect new or revised employee positions with occupational exposure.

3. Review the exposure incidents which occurred since the previous update.

The district's Exposure Control Plan shall be accessible to employees in accordance with law. It also shall be made available to the Chief or Director of the National Institute for Occupational Safety and Health, U.S. Department of Health and Human Services, or his/her designee, upon request for examination and copying.

The district's Exposure Determination shall be made without regard to the use of personal protective equipment and shall include:

1. All job classifications in which all employees have occupational exposure to blood-borne pathogens.
2. Job classifications in which some employees have occupational exposure.
3. All tasks and procedures or groups of closely related tasks and procedures in which occupational exposure occurs and which are performed by employees listed in item #2 above.

Vaccination Requirements:

Hepatitis B vaccinations

Hepatitis B vaccinations shall be provided at no cost to those employees determined to have occupational exposure to blood and other potentially infectious materials. Employees who decline to accept the vaccination shall sign the hepatitis B declination statement as required by law. The district may exempt "designated first-aid providers" from the pre-exposure hepatitis B vaccine if:

1. Rendering first aid is not the primary job responsibility of the employee and is not performed on a regular basis.
2. The district's Exposure Control Plan provides that:
   a. Employees report all first-aid incidents involving the presence of blood or other potentially infectious materials before the end of the work shift during which the incident occurred.
   b. Designated first-aid providers participate in the blood-borne pathogens training program.
   c. The full hepatitis B vaccination series shall be made available to unvaccinated first-aid providers no later than 24 hours after they render assistance in any situation involving the presence of blood or other potentially infectious material regardless of whether an exposure incident occurred.
3. The district implements a procedure to ensure the above requirements are met.

Senate Bill #792-Child Development Immunization and Vaccinations

"This bill commencing September 1, 2016, would prohibit a person from being employed or volunteering at a day care center or a family day care home if he or she has not been immunized against influenza, pertussis, and measles." To verify that our employee has met these requirements, employees must provide the employer with one of the following and/or complete form PSL-F273 to expedite verification:

- A yellow immunization card signed/dated by a licensed physician indicating the date the employee received the immunization and when it will expire.
- Formal medical verification that is signed and dated by a licensed physician that waives immunization due to health issues.
- Formal medical verification that is signed and dated by a licensed physician that certifies that the employee has evidence of current immunity to measles, pertussis, and/or influenza.

Note: Per this new law, personal belief exemptions will be granted without medical verification for influenza only.

Protective Equipment

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

Information and Training

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

First-Aid Incidents

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

Exposure Incidents: Post-evaluation and Follow-up

All exposure incidents must be reported as soon as possible to the Superintendent or designee. Following a report of an exposure incident, the district shall provide the exposed employee with a confidential medical evaluation and follow-up, as required by law. The district shall maintain the confidentiality of the affected employee and the exposure source during all phases of the post-exposure evaluation.

Records

Medical and training records shall be kept in accordance with law. Medical records shall be maintained for the duration of employment plus 30 years. Training records shall be maintained for three years from the date of training. An employee's records shall be made available to that employee and to the National Institute for Occupational Safety and Health in accordance with law. Medical records for each employee with occupational exposure will be kept confidential as appropriate and transferred or made available in accordance with law.

Nondiscrimination in District Programs and Activities (BP 0410)

The Governing Board is committed to equal opportunity for all individuals in education. District programs and activities shall be free from discrimination based on race, color, ancestry, national origin, ethnic group identification, age, religion, marital or parental status, physical or mental disability, sex, sexual orientation, gender, gender identity or expression, or genetic information; the perception of one or more of such characteristics; or association with a person or group with one or more of these actual or perceived characteristics.

Annually, the Superintendent or designee shall review district programs and activities to ensure the removal of any barrier that may unlawfully prevent an individual or group in any of the protected categories stated above from accessing district programs and activities, including the use of facilities. He/she shall take prompt, reasonable actions to remove any identified

barrier. The Superintendent or designee shall report their findings and recommendations to the Board after each review.

Pursuant to 34 CFR 104.8 and 34 CFR 106.9, the Superintendent or designee shall notify students, parents/guardians, employee organizations and sources of referral and applicants for admission and employment, about the district's policy on nondiscrimination and related complaint procedures. Such notification shall be included in each announcement, bulletin, catalog, handbook or application form, or other materials distributed to these groups. (34 CFR 104.8, 106.9)

An individual filing a complaint of discrimination shall not be subjected to acts of retaliation for the purpose of interfering with any right secured by federal or state law. This includes acts of intimidation, threats, coercion, or discrimination.

The district's nondiscrimination policy and related informational materials shall be published in a format that parents/guardians can understand. In addition, when 15 percent or more of a school's students speak a single primary language other than English, those materials shall be translated into that other language.

Access for Individuals with Disabilities

District programs and facilities, viewed in their entirety, shall be in compliance with the Americans with Disabilities Act and any implementing standards and/or regulations.

The Superintendent or designee shall ensure that the district provides appropriate auxiliary aids and services when necessary to afford individuals with disabilities equal opportunity to participate in or enjoy the benefits of a service, program, or activity. These aids and services may include, but are not limited to, qualified interpreters or readers, assistive listening devices, note-takers, written materials, taped text, and Braille or large print materials.

Individuals with disabilities shall notify the Superintendent or principal if they have a disability that requires special assistance or services. Reasonable notification should be given prior to the school-sponsored function, program, or meeting.

EMPLOYEES WITH INFECTIOUS DISEASE (BP 4119.41)

The Governing Board encourages each employee to inform the district as soon as possible if he/she contracts an infectious disease which creates a physical or mental disability. The Board will reasonably accommodate the needs of such individuals. The Board may reassign or grant disability leave to an employee who is unable to perform his/her job responsibilities because of illness or because the employee's illness significantly endangers his/her health or safety or the health or safety of others. No employee will be discriminated against because of his/her disability. Legal protections established for disabled persons extend to individuals significantly impaired by infectious diseases. When informed that an employee has a disabling infectious disease, the Superintendent or designee may request that the employee sign a release form to provide confidential medical information and records. In determining a reasonable accommodation of the employee's condition, the Superintendent or designee may consult with public health officials or physicians with expertise in the diagnosis and treatment of infectious disease. The Superintendent or designee may also communicate with the employee's physician regarding the employee's ability to perform the essential requirements of the job with reasonable accommodation and without posing significant health or safety risks to the employee or others. The Superintendent or designee shall prepare a confidential report which includes his/her recommendation and the medical information upon which it is based. These recommendations shall take into consideration:

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

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

Confidentiality

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

DRUG AND ALCOHOL-FREE WORKPLACE (BP 4020)

The Governing Board believes that the maintenance of drug and alcohol-free workplaces is essential to school and district operations. No employee shall unlawfully manufacture, distribute, dispense, possess, use, or be under the influence of any alcoholic beverage, drug, or controlled substance as defined in the Controlled Substances Act and Code of Federal Regulations before, during, or after school hours at school or in any other district workplace. The Superintendent or designee shall:

1. Publish and give to each employee a notification of the above prohibitions. The notification shall specify the actions that will be taken against employees who violate these prohibitions. The notification shall also state that as a condition of employment, the employee will abide by the terms of this policy and notify the employer, within five days, of any criminal drug or alcohol statute conviction which he/she receives for a violation occurring in the workplace. For the purpose of this policy, "conviction" shall mean a finding of guilt, including a plea of nolo contendere, or imposition of sentence, or both, by any judicial body charged to determine violations of federal or state criminal drug or alcohol statutes.
2. Establish a drug and alcohol-free awareness program to inform employees about:
   a. The dangers of drug and alcohol abuse in the workplace.
   b. The district policy of maintaining drug and alcohol-free workplaces.
   c. Any available drug and alcohol counseling, rehabilitation, and employee assistance programs.
   d. The penalties that may be imposed on employees for drug and alcohol abuse violations.
3. Notify the appropriate federal granting or contracting agencies within 10 days after receiving notification, from an employee or otherwise, of any conviction for a violation occurring in the workplace.
4. Initiate disciplinary action within 30 days after receiving notice of a conviction for a violation in the workplace from

an employee or otherwise. Such action shall be consistent with state and federal law, the appropriate employment contract, the applicable collective bargaining agreement, and district policy and practices.

5. Make a good faith effort to continue maintaining a drug and alcohol-free workplace through implementation of Board policy. In taking disciplinary action, the Board shall require termination when termination is required by law. When termination is not required by law, the Board shall either take disciplinary action, up to and including termination, or shall require the employee to satisfactorily participate in and complete a drug assistance or rehabilitation program approved by a federal, state, or local health, law enforcement, or other appropriate agency. The Board's decision shall be made in accordance with relevant state and federal laws, employment contracts, collective bargaining agreements, and district policies and practices.

DRUG AND ALCOHOL-FREE WORKPLACE NOTICE TO EMPLOYEES

YOU ARE HEREBY NOTIFIED that it is a violation of Board policy for any employee at a school district workplace to unlawfully manufacture, distribute, dispense, possess, use, or be under the influence of any alcoholic beverage, drug, or controlled substance as defined in the Controlled Substances Act and Code of Federal Regulations. “School district workplace" is defined as any place where school district work is performed, including a school building or other school premises; any school-owned or school-approved vehicle used to transport students to and from school or school activities; any off-school sites when accommodating a school-sponsored or school-approved activity or function, such as a field trip or athletic event, where students are under district jurisdiction; or during any period of time when an employee is supervising students on behalf of the district or otherwise engaged in district business.

As a condition of your continued employment with the district, you will comply with the district's policy on Drug and Alcohol-Free Workplace and will, any time you are convicted of any criminal drug or alcohol statute violation occurring in the workplace, notify your supervisor of this conviction no later than five days after such conviction.

Pursuant to the federal Omnibus Transportation Employee Testing Act (OTETA) of 1991, school bus drivers and other employees defined in the OTETA as being in safety sensitive positions shall be subject to a drug and alcohol-testing program that fulfills the requirements of the Code of Federal Regulations, Title 49, Part 382.

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

Pursuant to Education Code 45123, the district may employ for classified service a person who has been convicted of a controlled substance offense only if it determines, from evidence presented, that the person has been rehabilitated for at least five years. The Board shall determine the type and manner of presentation of the evidence, and the Board's determination as to whether or not the person has been rehabilitated is final.

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

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

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

Pursuant to Education Code 45304, the district must immediately place on compulsory leave of absence any classified employee charged with involvement in the sale, use, or exchange to minors of certain controlled substances.

Pursuant to Education Code 45304, the district may immediately place on compulsory leave of absence any classified employee charged with certain controlled substance offenses.

Drug and alcohol counseling, rehabilitation, and/or employee assistance programs are available locally. If you need a referral, please contact the Chief Human Resources Officer.

SOLICITING AND SELLING (BP 4135)

Employees shall not solicit district staff, students, or their families with the intent to sell general merchandise, books, equipment, or services. Staff shall not distribute promotional, political, controversial, or other non-instructional materials unless approved by the Superintendent or designee. Staff members shall not use their status as district employees to secure information such as names, addresses, and telephone numbers for use in profit-making ventures. Educational tours may be promoted on school premises only if the district sponsors them. Employees engaged in planning, organizing, or leading tours as a private business shall make it clear that they do not represent the school or district. All activities related to such tours must be carried on outside of school hours and off school premises. Any classroom activity requiring students to bring money to school for any purpose must have the principal's approval. Staff participation in "flower funds," "sickness and bereavement funds," "anniversary funds," and the like shall be a matter of individual discretion.

TUTORING (BP 4137)

The Governing Board expects teachers and other members of the instructional staff to make every effort to resolve students' learning problems at school before recommending that parents/guardians engage a tutor or other professional help. By maintaining a competent, dedicated staff and adequate instructional resources, the Board seeks to minimize the need for individual tutoring. To preclude conflicts of interest, teachers may not accept any kind of remuneration for tutoring a student enrolled in any of their classes. Teachers who tutor other students must perform this service outside of school facilities and make their own arrangements with parents/guardians for the fees to be charged. The Board encourages teachers to tutor only in subjects or grade levels for which they are certificated.

OVERTIME OR COMPENSATORY TIME OFF FOR NON-EXEMPT EMPLOYEES UNDER THE FAIR LABOR STANDARDS ACT (FLSA)

Employees should refer to their union contracts for specific language that has been negotiated in regard to overtime and compensatory time off. For employees who are non-exempt

under the FLSA, prior written approval from the evaluating supervisor is required prior to working overtime either for pay or compensatory time off. The FLSA designation for each position is shown on the position description and in the Terms of Employment signed by new or promoted employees. Overtime worked MUST be reported on time sheets along with the supervisor's approval so that comprehensive records of compensatory time off, or overtime for pay, can be appropriately maintained by the District.

EXEMPT EMPLOYEES UNDER THE FAIR LABOR STANDARDS ACT (FLSA)

Exempt employees are NOT entitled to overtime or compensatory time off. They are considered to be bona fide executives, administrators, or professionals such as teachers, principals, managers, some confidential and supervisory positions, and others. The FLSA designation for each position is shown on the position description and in the Terms of Employment signed by new or promoted employees.

FAMILY AND MEDICAL LEAVE ACT

Basic Leave Entitlement: FMLA requires covered employers to provide up to 12 weeks of unpaid, job-protected leave to eligible employees for the following reasons: for incapacity due to pregnancy, prenatal medical care or child birth; to care for the employee's child after birth, or placement for adoption or foster care; to care for the employee's spouse, son or daughter, or parent, who has a serious health condition; or for a serious health condition that makes the employee unable to perform the employee's job.

Military and Family Leave Entitlements: The National Defense Authorization Act extends coverage for exigency leave to the family of all active-duty service members who are deployed in a foreign country. Employees with a family member who is either in a regular component of the Armed Forces or a reserve component of the Armed Forces will be entitled to leave "because of any qualifying exigency arising out of the fact that the spouse, or a son, daughter, or parent of the employee is on covered active duty (or has been notified of an impending call or order to covered active duty)" in a foreign country; may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.

The act, also extends coverage of "service member caregiver leave" to include caring for a veteran who is undergoing medical treatment, recuperation, or therapy, for a serious injury or illness and who was a member of the Armed Forces (including a member of the National Guard or Reserves) at any time during the period of five years preceding the date on which the veteran undergoes that medical treatment, recuperation, or therapy.

The caregiver would be able to take up to 26 weeks of leave to care for a veteran for up to five years after he or she leaves military service if the veteran suffered a qualifying injury or illness in the line of active duty (or had an existing injury or illness aggravated in the line of active duty). The injury or illness could manifest itself before or after the member became a veteran.

Benefits and Protections: During FMLA leave, the employer must maintain the employee's health coverage under any "group health plan" on the same terms as if the employee had continued to work. Upon return from FMLA leave, most employees must be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms.

Use of FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of an employee's leave.

Eligibility Requirements: Employees are eligible if they have worked for a covered employer for at least one year, for 1,250 hours over the previous 12 months, and if at least 50 employees are employed by the employer within 75 miles.

Definition of Serious Health Condition: A serious health condition is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job, or prevents the qualified family member from participating in school or other daily activities.

Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than three consecutive calendar days combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

Use of Leave: An employee does not need to use this leave entitlement in one block. Leave can be taken intermittently or on a reduced leave schedule when medically necessary. Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt the employer's operations. Leave due to qualifying exigencies may also be taken on an intermittent basis.

Substitution of Paid Leave for Unpaid Leave: Employees may choose or employers may require use of accrued paid leave while taking FMLA leave. In order to use paid leave for FMLA leave, employees must comply with the employer's normal paid leave policies.

Employee Responsibilities: Employees must provide 30 days advance notice of the need to take FMLA leave when the need is foreseeable. When 30 days notice is not possible, the employee must provide notice as soon as practicable and generally must comply with an employer's normal call-in procedures.

Employees must provide sufficient information for the employer to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include that the employee is unable to perform job functions, the family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military family leave. Employees also must inform the employer if the requested leave is for a reason for which FMLA leave was previously taken or certified. Employees also may be required to provide a certification and periodic recertification supporting the need for leave.

Employer Responsibilities: Covered employers must inform employees requesting leave whether they are eligible under FMLA. If they are, the notice must specify any additional information required as well as the employees' rights and responsibilities. If they are not eligible, the employer must provide a reason for the ineligibility.

Covered employers must inform employees if leave will be designated as FMLA-protected and the amount of leave counted against the employee's leave entitlement. If the employer determines that the leave is not FMLA-protected, the employer must notify the employee.

Unlawful Acts by Employers: FMLA makes it unlawful for any employer to:

- Interfere with, restrain, or deny the exercise of any right provided under FMLA;
- Discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relating to FMLA.

Enforcement: An employee may file a complaint with the U.S. Department of Labor or may bring a private lawsuit against an employer.

FMLA does not affect any Federal or State law prohibiting discrimination, or supersede any State or local law or collective bargaining agreement which provides greater family or medical leave rights.

AMERICANS WITH DISABILITIES ACT (ADA) OF 1990

The ADA prohibits discrimination against any qualified individual with a disability because of that disability. The purpose of the ADA is to provide a clear and comprehensive mandate for the elimination of discrimination against individuals with disabilities. The Sacramento City Unified School District provides equal access and opportunity to all persons, including qualified individuals with a disability. Applicants and employees are provided opportunities for employment in all positions, with or without reasonable accommodation. For further information on the ADA, contact the Office of Risk & Disability Management at 643-9421.

VIETNAM-ERA ADJUSTMENT ACT OF 1974

School districts with $10,000 or more in federal funds must take affirmative action to hire disabled veterans of all wars and ALL veterans of the Vietnam War. A disabled veteran is one with 30% or more disability rating from the Veteran's Administration, or one who was discharged from active duty for service-connected disability. The Sacramento City Unified School District gives additional points in the screening, interview, and selection process for disabled veterans of the Vietnam War.

OMNIBUS TRANSPORTATION EMPLOYEES ACT (OTEA) OF 1991

This act mandates alcohol and drug testing for all employees in safety sensitive positions. It applies to every employee who drives a commercial motor vehicle requiring a commercial driver's license such as bus drivers, grounds keepers, and maintenance drivers. Employees who drive vehicles that transport 16 or more passengers, weigh 26,001 pounds, or carry hazardous materials are subject to drug and alcohol testing. Drug and alcohol tests include post-offer/pre-employment, post-accident resulting in a moving violation, reasonable suspicion, return to duty and follow-up, and random testing of 25% of identified employees each year.

EMPLOYEE ASSISTANCE PROGRAM

Most employees and eligible dependents are entitled to receive support through Optum, administered by Schools Insurance Authority. Eligible employees are entitled to receive seven sessions per benefit year. The spouse of an eligible employee is entitled to receive seven sessions, and the children of eligible employees are entitled in the aggregate to receive seven sessions per benefit year from July 1 through June 30. Services provided include clinical counseling and life management services, which include pre-retirement counseling, child care consultation, elder care consultation, Federal taxpayer consultation and representation service, organizing life's affairs, and other services. All services are confidential. Employees may access these benefits 24 hours a day by visiting Optum EAP using the company access code SIA.

CODE OF ETHICS (BP 4119.21, BP 4219.21, BP 4319.21)

The Governing Board expects district employees to maintain the highest ethical standards, to follow district policies and regulations, and to abide by state and national laws. Employee conduct should enhance the integrity of the district and the goals of the educational program. The Board encourages district employees to accept as guiding principles the codes of ethics published by professional associations to which they may belong.

Certificated Employees (E 4119.21)

General Provisions

80331 (a) These rules are binding upon every person holding a credential or any license to perform educational services under the jurisdiction of the Commission on Teacher Credentialing, and the consequences of any willful breach may be revocation or suspension of the credential, or license, or private admonition of the holder.

(b) Nothing in these rules is intended to limit or supersede any provision of law relating to the duties and obligations of certificated persons or to the consequences of the violation of such duties and obligations. The prohibition of certain conduct in these rules is not to be interpreted as approval of conduct not specifically cited.

(c) These rules may be cited and referred to as "Rules of Conduct for Professional Educators."

(d) The Commission shall complete a study of the effect of these rules and present its findings to the Governor, the Legislature, and the State Board of Education no later than September 1, 1989.

(e) As used in these rules:

(1) "Certificated person" means any person who holds a certificate, permit, credential, or other license authoring the performance of teaching or education-related service in grades K through 12 in California public schools.

(2) "Professional employment" means the performance for compensation of teaching or other education-related employment in a position for which certification requirements are set by law.

(3) "Confidential information" means information made confidential by Section 35301 of the Education Code, or information which was provided to the certificated person solely for the purpose of facilitating his/her performance of professional services for or on behalf of the person or employer providing such information.

80332 (a) A certificated person shall not write or sign any letter or memorandum which intentionally omits significant facts, or which states as facts matters which the writer does not know of his/her own knowledge to be true relating to the professional

qualifications or personal fitness to perform certificated services of any person whom the writer knows will use the letter or memorandum to obtain professional employment; nor shall he/she agree to provide a positive letter of recommendation which misrepresents facts as a condition of resignation or for withdrawing action against the employing agency.

Professional Candor and Honesty in Letters or Memoranda of Employment Recommendation

(b) This rule has no application to statements identified in the letter or memorandum as personal opinions of the writer, but does apply to unqualified statements as fact that which the writer does not know to be true, or to statements as fact that which the writer knows to be untrue.

Withdrawal from Professional Employment

80333 (a) A certificated person shall not abandon professional employment without good cause.

(b) "Good cause" includes, but is not necessarily limited to, circumstances not caused by or under the voluntary control of the certificated person.

Unauthorized Private Gain or Advantage

80334 A certificated person shall not:

(a) Use for his/her own private gain or advantage or to prejudice the rights or benefits of another person any confidential information relating to students or fellow professionals.

(b) Use for his/her own private gain or advantage the time, facilities, equipment, or supplies which are the property of his/her employer without the express or clearly implied permission of his/her employer.

(c) Accept any compensation or benefit or thing of value other than his/her regular compensation for the performance of any service which he/she is required to render in the course and scope of his/her certificated employment. This rule shall not restrict performance of any overtime or supplemental services at the request of the school employer; nor shall it apply to or restrict the acceptance of gifts or tokens of minimal value offered and accepted openly from students, parents, or other persons in recognition or appreciation of service.

80335 A certificated person shall not, after July 1,1989:

(a) Knowingly, accept an assignment to perform professional services if he or she does not possess a credential authorizing the service to be performed; unless he or she has first exhausted any existing local remedies to correct the situation, has then notified the County Superintendent of Schools in writing of the incorrect assignment, and the County Superintendent of Schools has made a determination, within 45 days of receipt of the notification, that the assignment was caused by extraordinary circumstances which make correction impossible, pursuant to the procedures referred to in Education Code Section 44258.9 (g) (2) and (3).

Performance of Unauthorized Professional Services

(b) Knowingly and willfully assign or require a subordinate certificated person to perform any professional service which the subordinate is not authorized to perform by his or her credential or which is not approved by appropriate governing board authorization, unless he or she has made reasonable attempts to correct the situation but has been unsuccessful, and has notified the County Superintendent of Schools of those attempts, and the County Superintendent of Schools has determined, within 45 days of being notified of the assignment, that the assignment was caused by extraordinary circumstances which make correction impossible.

(c) Neither (a) nor (b) shall be applicable in a situation where extraordinary circumstances make the correction of the misassignment impossible.

(d) There shall be no adverse action taken against a certificated person under this rule for actions attributable to circumstances beyond his or her control.

Performance with Impaired Faculties

80336 (a) A certificated person shall not:

(1) Perform or attempt to perform any duties or services authorized by his or her credential during any period in which he or she knows or is in possession of facts showing that his or her mental or intellectual faculties are substantially impaired for any reason, including but not limited to use of alcohol or any controlled substance.

(2) Assign or require or permit a subordinate certificated person to perform any duties authorized by his or her credential during any period in which the superior certificated person knows of his or her own knowledge, or is in possession of facts showing that the subordinate certificated person's mental or intellectual faculties are substantially impaired for any reason, including but not limited to use of alcohol or any controlled substance.

(b) For the purpose of this rule, substantial impairment means a visible inability to perform the usual and customary duties of the position in a manner that does not represent a danger to pupils, employees, or school property. It does not include or mean inability attributable to lack of, or inadequate, professional preparation or education.

Harassment and Retaliation Prohibited

80337 No certificated person shall directly or indirectly use or threaten to use any official authority or influence in any manner whatsoever which tends to discourage, restrain, interfere with, coerce, or discriminate against any subordinate or any certificated person who in good faith reports, discloses, divulges, or otherwise brings to the attention of the Governing Board of a school district, the Commission on Teacher

Credentialing, or any other public agency authorized to take remedial action, any facts or information relative to actual or suspected violation of any law regulating the duties of persons serving in the public school system, including but not limited to these rules of professional conduct.

Discrimination Prohibited

80338 A certificated person shall not, without good cause, in the course and score of his of her certificated employment and solely because of race, color, creed, gender, national origin, handicapping condition, or sexual orientation, refuse or fail to perform certificated services for any person.

Classified Employees (E 4219.21)

School employees who are in daily contact with many phases of educational work should be persons whose conduct is beyond reproach and who sincerely believe in the advancement of education and the betterment of working conditions.

As a school employee I will:

1. Be proud of my vocation in order that I may use my best endeavors to elevate the standards of my position so that I may merit a reputation for high quality of service -- to the end that others may emulate my example.
2. Be a person of integrity, clean speech, desirable personal habits, and physical fitness.
3. Be just in my criticism and be generous in my praise; to improve and not destroy.
4. At all times be courteous in my relations with students, parents, teachers, and others.
5. Be a resourceful person who readily adapts himself to different kinds of work and changed conditions, and finds better ways to do things.
6. Conduct myself in a spirit of friendly helpfulness to my fellow employees to the end that I will consider no personal success legitimate or ethical which is secured by taking unfair advantage of another.
7. Associate myself with employees of other districts for the purpose of discussing school problems and cooperating in the improvement of public school conditions.
8. Always uphold my obligations as a citizen to my nation, my state, my school district, and my community, and give them unswerving loyalty.

Management, Supervisory, and Confidential Employees (E 4319.21)

1. A management, supervisor, or confidential school employee's behavior must conform to an ethical code. The code must be idealistic and at the same time practical, so that it can apply reasonably to all. The professional acknowledges that the schools belong to the public they serve for the purpose of providing educational opportunities to all and provides professional leadership in the school and community. This responsibility requires standards of exemplary professional conduct. It must be recognized that the professional's actions will be viewed and appraised by the community, associates, and students. To these ends, the professional subscribes to the following statements of standards. The management, supervisory, confidential school employee:

1. Makes the well-being of students the fundamental element in all decision-making and actions.
2. Fulfills professional responsibilities with honesty and integrity.
3. Supports the principle of due process and equal treatment under the law.
4. Obeys local, state, and national laws and does not knowingly join or support organizations that advocate, directly or indirectly, the overthrow of the government.
5. Implements the Governing Board of Education's policies and administrative rules and regulations.
6. Pursues appropriate measures to correct those laws, policies, and regulations that are not consistent with sound educational goals.
7. Avoids using positions for personal gain through political, social, religious, economic, or other influence.
8. Accepts academic degrees or professional certification used in relationship with professional responsibilities only from duly accredited institutions.
9. Maintains the standards and seeks to improve the effectiveness of the profession through research and continuing professional development.
10. Honors all contracts until fulfillment or release.
11. Seeks to involve the public and keep them honestly informed.
12. Recommends the employment, development, promotion, and retention of the best possible personnel to assure a quality educational program.
13. Affirms duty of loyalty to carry out the goals, objectives, programs, and policies of the Board and the district.

Maintaining Appropriate Adult-Student Interactions (BP 4119.24)

The intent of this Board Policy is directed at **all employees** of the District. The Governing Board desires to provide a positive school environment that protects the safety and well-being of district students. The Board expects all adults with whom students may interact at school or in school-related activities, including employees, independent contractors, and volunteers, to maintain the highest professional and ethical standards in their interactions with students both within and outside the educational setting. Such adults shall not engage in unlawful or inappropriate interactions with students and shall avoid boundary-blurring behaviors that undermine trust in the adult-student relationship and lead to the appearance of impropriety. (See Board Policy attached for further information)

GIFTS TO PERSONNEL (BP 5133)

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

The Governing Board recognizes that a certificated employee shall not accept any compensation or benefit or thing of value for the performance of any service which he/she is required to render in the course of his/her certificated employment.

This shall not apply to or restrict the acceptance of gifts or tokens of minimal value offered and accepted openly from students, parents/guardians or other persons in recognition or appreciation of service.

VERIFICATION OF EMPLOYMENT: THE WORK NUMBER

The Work Number® is an automated service that provides instant employment and income verification. This fast, secure service is used when applying for a mortgage or loan, for reference checking, leasing an apartment, or any other instance where proof of employment or income is needed. You benefit from having control of the process – authorizing others access to your information. The Work Number can be used anytime, anywhere, and is available 24 hours a day, 7 days a week.

Provide Proof of Employment

Give the person seeking your proof of employment, the verifier, the following information:

1. The Work Number Access Options:
   - **www.theworknumber.com**
   - **1-800-367-5690**
2. SCUSD Employer Code: 11367
3. Your Social Security Number

Sacramento City Unified School District

The Work Number Client Service Center
(Monday through Friday, 7:00 a.m. – 8:00 p.m.)
1-800-996-7566 (Voice) 1-800-424-0253 (TTY – Deaf)

Provide Proof of Employment & Income

1. Visit www.theworknumber.com/employees or call 1-800-367-2884
2. **Enter: SCUSD Employer Code: 11367**
   a. Your Social Security Number
   b. Your PIN # (the last four digits of your social security number)
3. Select to obtain a Salary Key – Write down the Salary Key
4. Give the person seeking proof of your employment & income:
5. The Work Number Access Options: www.theworknumber.com
   - SCUSD Employer Code: 11367 1-800-367-5690
   - Your Social Security Number
   - Your Salary Key

The Work Number Client Service Center
(Monday through Friday, 7:00 a.m. – 8:00 p.m.)
1-800-996-7566 (Voice) 1-800-424-0253 (TTY – Deaf)

DRESS AND GROOMING (BP 4119.22)

The Governing Board believes that since teachers serve as role models, they should maintain professional standards of dress and grooming. Just as overall attitude and instructional competency contribute to a productive learning environment, so do appropriate dress and grooming.

The Board encourages staff during school hours to wear clothing that demonstrates their high regard for education and presents an image consistent with their job responsibilities. Clothes that may be appropriate for shop instructors or gym teachers may not be appropriate for classroom teachers.

Risk-Based Authentication - Enhanced Security Enrollment

Security Enrollment is the process by which you provide the Work Number with information that will be used to verify your identity in the future. This is an innovative way to both protect your identity and to add a new layer of protection to your online account. After you complete this simple process, you'll know you're at an authentic site because you'll see your security image, which you chose during enrollment. The Work Number will know it's really you because they can validate your identity against the information you have provided to them during enrollment.

You will only have to enroll once, and continue to use the same PIN/Password you previously used. You will choose your personal security image during enrollment, and you can change it any time. The Work Number uses security questions to verify your identity on occasions when they can't verify your identity. You will choose your security questions during enrollment, and you can change them at any time.

(Rev: 1.29.26)

Human Resource Services

Uniform Complaint Procedure

Extracted From AR 1312.3 Community Relations

UNIFORM COMPLAINT (UC) PROCEDURES (BP/AR 1312.3)

The Governing Board recognizes that the district has the primary responsibility to ensure compliance with applicable state and federal laws and regulations governing educational programs. The Board encourages early resolution of complaints whenever possible. To resolve complaints which may require a more formal process, The Board adopts the uniform system of complaint processes specified in (T5 CCR 4620) and the accompanying administrative regulation.

Erin Findley Asst. Supt. Curriculum and Instruction (916) 643-9086	**Mikako Fisher-Hill** Asst. Supt. Early Learning & Care (916) 643-7800	**Becky Bryant** Asst. Supt. Special Education (916) 643-9163
Kelley Odipo Director State and Federal Programs 643-9051	**Kelly Hood** Director, Constituent Services 916-643-9000	**Christopher Ralston** Asst. Supt. Facilities Support Services (916) 395-3970, Ext. 450005

To obtain further information and forms regarding Uniform Compliant Procedures, please contact: Compliance Officer: Melinda Iremonger, Title IX Coordinator, Human Resources, Sacramento City Unified School District, 5735 47th Avenue, Sacramento, CA 95824, (916) 643-9050.

Uniform Complaints may be filed electronically by clicking on the following link:

UNIFORM COMPLAINT (UC) PROCEDURES SHALL BE AVAILABLE FREE OF CHARGE.

Contact:

Student Hearing and Placement Department (916) 643-9425 (Student Complaints)

- or -

Human Resource Services, (916) 643-9050 (All Other Complaints). (T5 CCR 4622)

(Revised: 1-29-26)

Policy 1312.3: Uniform Complaint Procedures **Status:** ADOPTED

Original Adopted Date: 11/16/1998 **| Last Revised Date:** 12/18/2025 **| Last Reviewed Date:** 12/18/2025

Policy 1312.3: Uniform Complaint Procedures

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

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

1. Accommodations for pregnant and parenting students. (Education Code 46015)
2. Adult education programs. (Education Code 8500-8538, 52334.7, 52500, 52616.18)
3. After school education and safety programs. (Education Code 4882-8484.65)
4. Agricultural career technical education. (Education Code 52460-52462)
5. Career technical and technical education and career technical and technical training programs. (Education Code 52300-52462)
6. Child care and development programs. (Education Code 8200-8488)
7. Compensatory education. (Education Code 54400)
8. Consolidated categorical aid programs. (Education Code 33315; 34 CFR 299.10-299.12)
9. Course periods without educational content. (Education Code 51228.1-51228.3)
10. Discrimination, harassment, intimidation, or bullying in district programs and activities, including in those programs or activities funded directly by or that receive or benefit from any state financial assistance, based on one, or a combination of two or more, protected characteristics, which include, but may not be limited to, a person's actual or perceived race or ethnicity; ancestry; color; ethnic group identification; nationality; national origin; immigration status; sex; sexual orientation; sex stereotypes; gender; gender identity; gender expression; religion; disability; medical condition; genetic information; pregnancy, false pregnancy, childbirth, termination of pregnancy, or related conditions or recovery; and parental, marital, and family status; any other characteristic identified in Education Code 200 or 220, Government Code 11135, or Penal Code 422.55; or based on the person's association with a person or group with one or more of these actual or perceived characteristics. (Education Code 200, 21, 210.2, 212, 212.1, 220, 221.51, 230, 260; Government Code 11135, 12926; 5 CCR 4610; 20 USC 1681-1688, 42 USC 2000d-2000d-7)

However, the UCP shall not be used to investigate and resolve employment discrimination complaints. (5 CCR 4611)

1. Educational and graduation requirements for students in foster care, students experiencing homelessness, students from military families, students formerly in a juvenile court school, students who are migratory, and newcomer students. (Education Code 48645.7, 48850, 48853, 48853.5, 48911, 48915.5, 49069.5, 51225.1, 51225.2))
2. Every Student Succeeds Act. (Education Code 12030, 52059.5, 64000; 20 USC 6301 et seq.)
3. Instructional Materials and Curriculum: Diversity. (Education Code 243) A complaint alleging such unlawful discrimination may, in addition to or in lieu of being filed with the district, be directly filed with the Superintendent of Public Instruction (SPI). (Education Code 243, 244)
4. Local control and accountability plan. (Education Code 52075)
5. Migrant education. (Education Code 54440-54445)
6. Physical education instructional minutes. (Education Code 51210, 51222, 51223)
7. Student fees. (Education Code 49010-49013)
8. Reasonable accommodations to a lactating student. (Education Code 222)
9. Regional occupational centers and programs. (Education Code 52300-52334.7)
10. School plans for student achievement as required for the consolidated application for specified federal

and/or state categorical funding. (Education Code 64001)
11. School site councils as required for the consolidated application for specified federal and/or state categorical funding. (Education Code 65000)
12. State preschool programs. (Education Code 8200-8488, 33315)
13. State preschool health and safety issues in license-exempt programs. (Education Code 8212)
14. School or athletic team names, mascots, or nicknames pursuant to. (Education Code 221.3)
15. Any complaint alleging retaliation against a complainant or other participant in the complaint process or anyone who has acted to uncover or report a violation subject to this policy. (5 CCR 4621)
16. Any other state or federal educational program the SPI or designee deems appropriate. (5 CCR 4631)

The Board recognizes that alternative dispute resolution (ADR) can, depending on the nature of the allegations, offer a process to reach a resolution to the complaint that is acceptable to all parties. ADR such as mediation may be offered to resolve complaints that involve more than one student and no adult. However, mediation shall not be offered or used to resolve any complaint involving sexual assault or where there is a reasonable risk that a party to the mediation would feel compelled to participate. The Superintendent or designee shall ensure that the use of ADR is consistent with state and federal laws and regulations.
The district shall protect all complainants from retaliation. In investigating complaints, the confidentiality of the parties involved shall be protected as required by law. For any complaint alleging retaliation or unlawful discrimination, harassment, intimidation, or bullying, the Superintendent or designee shall keep the identity of the complainant, and/or the subject of the complaint if different from the complainant, confidential when appropriate and as long as the integrity of the complaint process is maintained.
When an allegation that is not subject to the UCP is included in a UCP complaint, the district shall refer the non-UCP allegation to the appropriate staff or agency and shall investigate and, if appropriate, resolve the UCP-related allegation(s) through the district's UCP.
The Superintendent or designee shall provide training to district staff to ensure awareness and knowledge of current law and related requirements, including the steps and timelines specified in this policy and the accompanying administrative regulation.
The Superintendent or designee shall maintain records of all UCP complaints and the investigations of those complaints in accordance with applicable law and district policy.

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

1. Any complaint alleging child abuse or neglect shall be referred to the County Department of Social Services Protective Services Division or the appropriate law enforcement agency. (5 CCR 4611)

2. Any complaint alleging health and safety violations by a child development program shall, for licensed facilities, be referred to the Department of Social Services. (5 CCR 4611)

3. Any complaint alleging that a student, while in an education program or activity in which the district exercises substantial control over the context and respondent, was subjected to sexual harassment as defined in 34 CFR 106.30. Such a complaint shall be addressed through the federal Title IX complaint procedures adopted pursuant to 34 CFR 106.44- 106.45, as specified in Administrative Regulation 5145.71 - Title IX Sexual Harassment Complaint Procedures.

4. Any complaint alleging employment discrimination or harassment shall be investigated and resolved by the district in accordance with the procedures specified in Administrative Regulation 4030 - Nondiscrimination in Employment, including the right to file the complaint with the California Civil Rights Department.

5. Any complaint alleging a violation of a state or federal law or regulation related to special education, a settlement agreement related to the provision of a free appropriate public education (FAPE), failure or refusal to implement a due process hearing order to which the district is subject, or a physical safety concern that interferes with the district's provision of FAPE shall be submitted to the California Department of Education (CDE) in accordance with Administrative Regulation 6159.1 - Procedural Safeguards and Complaints for Special Education.

(5 CCR 3200- 3205)

6. Any complaint alleging noncompliance of the district's food service program with laws regarding meal counting and claiming, reimbursable meals, eligibility of children or adults, or use of cafeteria funds and allowable expenses shall be filed with or referred to CDE in accordance with Board Policy 3555 - Nutrition Program Compliance. (5 CCR 15580-15584)

7. Any allegation of discrimination based on race, color, national origin, sex, age, or disability in the district's food service program shall be filed with or referred to the U.S. Department of Agriculture in accordance with Board Policy 3555 - Nutrition Program Compliance. (5 CCR 15582)

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

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

State	Description
2 CCR 11023	Harassment and discrimination prevention and correction
5 CCR 15580-15584	Child nutrition programs complaint procedures
5 CCR 3200-3205	Special education compliance complaints
5 CCR 4600-4670	Uniform complaint procedures
5 CCR 4600-4687	Uniform complaint procedures and Williams complaints
5 CCR 4690-4694	Complaints regarding health and safety issues in license-exempt preschool programs
5 CCR 4900-4965	Nondiscrimination in elementary and secondary educational programs receiving state or federal financial assistance
Ed. Code 18100-18203	School libraries
Ed. Code 200-262.4	Prohibition of discrimination
Ed. Code 32280-32289.5	School safety plans
Ed. Code 33315	Uniform complaint procedures
Ed. Code 35186	Williams uniform complaint procedures
Ed. Code 46015	Parental leave for students
Ed. Code 48645.7	Juvenile court schools
Ed. Code 48853-48853.5	Foster youth
Ed. Code 48900.5	Suspension; other means of correction
Ed. Code 48985	Notices to parents in language other than English
Ed. Code 49010-49013	Student fees
Ed. Code 49060-49079	Student records
Ed. Code 49069.5	Records of foster youth
Ed. Code 49490-49590	Child nutrition programs
Ed. Code 49701	Provisions of the Interstate Compact on Educational Opportunities for Military Children
Ed. Code 51204.5	Social sciences instruction; contributions of specified groups
Ed. Code 51210	Course of study for grades 1-6
Ed. Code 51222	Physical education
Ed. Code 51223	Physical education; elementary schools
Ed. Code 51225.1-51225.25	Foster youth, homeless children, former juvenile court school students, newcomer students; course credits; graduation requirements
Ed. Code 51226-51226.1	Career technical education
Ed. Code 51228.1-51228.3	Course periods without educational content
Ed. Code 51501	Nondiscriminatory subject matter
Ed. Code 52059.5	Statewide system of support
Ed. Code 52060-52077	Local control and accountability plan
Ed. Code 52075	Complaint for lack of compliance with local control and accountability plan requirements

Regulation 1312.3: Uniform Complaint Procedures

Status: ADOPTED

Original Adopted Date: 11/16/1998 | **Last Revised Date:** 12/18/2025 | **Last Reviewed Date:** 12/18/2025

Regulation 1312.3: Uniform Complaint Procedures

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

Compliance Officers

The Board designates the individual(s), position(s), or unit(s) identified below as responsible for receiving, coordinating, and investigating complaints for complying with state and federal civil rights laws. The individual(s), position(s), or unit(s) also serve as the compliance officer(s) specified in AR 5145.3 - Nondiscrimination/Harassment as the responsible employee to handle complaints regarding unlawful discrimination, harassment, intimidation, or bullying and in AR 5145.7 for handling complaints regarding sexual harassment.

HR Compliance Officer
Nanci Rose
5735 - 47th Avenue
Sacramento, CA 95824
(916) 643-9050
Complaints@scusd.edu

Title IX Coordinator for Personnel
Melinda Iremonger
5735 - 47th Avenue
Sacramento, CA 95824
(916) 643-7446
Complaints@scusd.edu

Title IX Coordinator for Students
David Van Natten
5735 - 47th Avenue
Sacramento, CA 95824
(916) 643-7420
https://www.scusd.edu/title-ix-students

Coordinator, 504 Supports
Cameron Olson
5735 - 47th Avenue
Sacramento, CA 95824
(916) 643-7912
https://www.scusd.edu/section-504-accommodations

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

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

The Superintendent or designee shall ensure that employees assigned to investigate and resolve complaints receive training and are knowledgeable about the laws and programs at issue in the complaints to which they are assigned. Training provided to such designated employees shall cover current state and federal laws and regulations governing the program; applicable processes for investigating and resolving complaints, including those alleging unlawful discrimination, harassment, intimidation, or bullying; applicable standards for reaching decisions on complaints; and appropriate corrective measures. Assigned employees may have access to legal counsel as determined by the Superintendent or designee.

The compliance officer or, if necessary, any appropriate administrator shall determine whether interim measures are necessary during and while the result is pending. If interim measures are determined to be necessary, the compliance officer or the administrator shall consult with the Superintendent, the Superintendent's designee, or, if appropriate, the site principal to implement, one or more of the interim measures. The interim measures may remain in place until the compliance officer

determines that they are no longer necessary or until the district issues its final written decision, whichever occurs first.

Notifications

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

The Superintendent or designee shall annually provide written notification of the district's UCP to students, employees, parents/guardians of district students, district advisory committee members, school advisory committee members, appropriate private school officials or representatives, and other interested parties. (5 CCR 4622)

The notice shall include:

A statement that the district is primarily responsible for compliance with federal and state laws and regulations, including those related to prohibition of unlawful discrimination, harassment, intimidation, or bullying against any protected group, and a list of all programs and activities that are subject to UCP as identified in the accompanying Board policy.

1. A statement that the district is primarily responsible for compliance with federal and state laws and regulations, including those related to prohibition of unlawful discrimination, harassment, intimidation, or bullying against any protected group, and a list of all programs and activities that are subject to UCP as identified in the accompanying Board policy.
2. The title of the position responsible for processing complaints, the identity of the person(s) currently occupying that position if known, and a statement that such persons will be knowledgeable about the laws and programs that they are assigned to investigate.
3. A statement that a UCP complaint, except a complaint alleging unlawful discrimination, harassment, intimidation, or bullying, must be filed no later than one year from the date the alleged violation occurred.
4. A statement that a UCP complaint alleging unlawful discrimination, harassment, intimidation, or bullying must be filed no later than six months from the date of the alleged conduct or the date the complainant first obtained knowledge of the facts of the alleged conduct.
5. A statement that a student enrolled in a public school shall not be required to pay a fee for participation in an educational activity that constitutes an integral fundamental part of the district's educational program, including curricular and extracurricular activities,
6. A statement that a complaint regarding student fees or the local control and accountability plan (LCAP) may be filed anonymously if the complainant provides evidence or information leading to evidence to support the complaint,
7. A statement that the district will post a standardized notice of the educational and graduation requirements of foster youth, students experiencing homelessness, children of military families, former juvenile court school students now enrolled in the district, students who are migratory, and newcomer students as specified in Education Code 48645.7, 48853, 48853.5, 49069.5, 51225.1, and 51225.2, and the complaint process.
8. A statement that complaints will be investigated in accordance with the district's UCP, and a written decision will be sent to the complainant 60 calendar days from the date of receipt of the complaint unless the time period is extended by written agreement of the complainant.
9. A statement that, for programs within the scope of the UCP as specified in the accompanying Board policy, the complainant has a right to appeal the district's investigation report to the California Department of Education (CDE) by filing a written appeal, including a copy of the original complaint and the district's decision, within 30 calendar days of receiving the district's decision.
10. A statement advising the complainant of any civil law remedies, including, but not limited to, injunctions, restraining orders, or other remedies or orders that may be available under state or federal laws prohibiting discrimination, harassment, intimidation, or bullying, if applicable,
11. A statement that copies of the district's UCP are available free of charge.

The annual notification, complete contact information of the compliance officer(s), and information related to Title IX as required pursuant to Education Code 221.61 and 34 CFR 106.8 shall be posted on the district and district school websites, published in handbooks, catalogs, announcements, bulletins, and application forms, and may be provided through district-

supported social media, if available.

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

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

Filing of Complaints

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

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

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

1. A complaint alleging district violation of applicable state or federal law or regulations governing the programs specified in the accompanying Board policy may be filed by any individual, public agency, or organization. (5 CCR 4600)

2. Any complaint alleging noncompliance with law regarding the prohibition against requiring students to pay student fees, deposits, and charges or any requirement related to the LCAP may be filed anonymously if the complaint provides evidence, or information leading to evidence, to support an allegation of noncompliance. (Education Code 49013, 52075)

   A complaint about a violation of the prohibition against the charging of unlawful student fees may be filed with the principal of the school or with the Superintendent or designee. (Education Code 49013)

3. A UCP complaint, except for a UCP complaint alleging unlawful discrimination, harassment, intimidation, or bullying, shall be filed no later than one year from the date the alleged violation occurred. (5 CCR 4630)

   For complaints related to the LCAP, the date of the alleged violation is the date when the County Superintendent of Schools approves the LCAP that was adopted by the Governing Board. (5 CCR 4630)

4. A complaint alleging unlawful discrimination, harassment, intimidation, or bullying, may be filed only by a person who alleges having personally suffered unlawful discrimination, a person who believes that an individual or any specific class of individuals has been subjected to unlawful discrimination, or a duly authorized representative who alleges that an individual student has been subjected to discrimination, harassment, intimidation, or bullying. (5 CCR 4630)

5. A complaint alleging unlawful discrimination, harassment, intimidation, or bullying shall be initiated no later than six months from the date when the alleged discrimination occurred, or six months from the date when the complainant first obtained knowledge of the facts of the alleged discrimination. (5 CCR 4630)

   The time for filing may be extended for up to 90 days by the Superintendent or designee for good cause upon written request by the complainant setting forth the reasons for the extension. (5 CCR 4630)

6. When a complaint alleging unlawful discrimination or bullying is filed anonymously, the compliance officer shall pursue an investigation or other response as appropriate, depending on the specificity and reliability of the information provided and the seriousness of the allegation.

7. When the complainant or alleged victim of unlawful discrimination or bullying requests confidentiality, the compliance officer shall inform the complainant or victim that the request may limit the district's ability to investigate the conduct or take other necessary action.

   When honoring a request for confidentiality, the district will nevertheless take all reasonable steps to investigate and respond to the complaint consistent with the request.

Informal Resolution

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

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

If the informal resolution process does not resolve the problem within the parameters of the law, the investigator shall proceed with an investigation of the complaint.

The use of informal resolution shall not extend the district's timelines for investigating and resolving the complaint unless the complainant agrees in writing to such an extension of time. (5 CCR 4631) If informal resolution is successful, the complainant shall complete and submit the Withdrawal of Complaint form and the matter will be considered resolved, and the district shall take only the actions agreed upon through informal resolution. If informal resolution is unsuccessful, the district shall then continue with subsequent steps specified in this administrative regulation.

Investigation of Complaints

Within 10 business days after the investigator receives the complaint, the investigator shall begin an investigation.

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

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

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

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

The investigator shall apply a "preponderance of the evidence" standard in determining the veracity of the factual allegations in a complaint. This standard is met if the allegation is more likely to be true than not.

Timeline for Notice of Findings and Closure

Unless extended by written agreement with the complainant, the investigator shall prepare and send to the complainant a written report within 60 calendar days of the district's receipt of the complaint. (5 CCR 4631)

Notice of Findings and Closure

The investigator shall issue investigatory findings in writing ("Notice of Findings and Closure") to the complainant and respondent within sixty (60) calendar days from the date of the receipt of the complaint unless the complainant agrees to an

extension of time in writing. If an extension is granted by the complainant, the investigator shall inform the Complaints Department.

This “Notice of Findings and Closure” aligns with the requirements set forth in Title 5, California Code of Regulations, section 4631 and includes the elements mandated by this section as noted below.

1. Findings of fact based on the evidence gathered;
2. Conclusion(s) for each allegation’s final determination, including rationale used to reach the determination, that indicates District compliance or non-compliance with relevant law;
3. Corrective action(s) whenever the District finds merit in the complaint, including, when required by law, a remedy to all affected pupils and parents/guardians. With respect to a pupil fees complaint, corrective actions shall include a remedy that comports with Education Code section 49013(d) and section 4600(t);
4. Notice of the complainant's right to appeal the investigatory findings to the CDE, except when the district has used the UCP to address a complaint not specified in 5 CCR 4610;
5. Procedures to be followed for initiating an appeal to the CDE; and
6. As appropriate, follow-up procedures to prevent recurrence or retaliation and for reporting any subsequent problems.

In consultation with district legal counsel, information about the relevant part of an investigation findings letter may be communicated to a victim who is not the complainant and to other parties who may be involved in implementing the investigation report or are affected by the complaint, so long as the privacy of the parties is protected.

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

For complaints alleging unlawful discrimination, harassment, or related retaliation, based on state law, the Investigation Findings Letter shall also include a notice to the complainant that:

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

Corrective Actions

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

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

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

victim received and described in the complaint.

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

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

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

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

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

If a complaint alleging noncompliance with the laws regarding student fees, deposits, and other charges, physical education instructional minutes, courses without educational content, or any requirement related to the LCAP is found to have merit, the district shall provide a remedy to all affected students and parents/guardians subject to procedures established by regulation of the State Board of Education. (Education Code 49013, 51223, 52075)

For complaints alleging noncompliance with the laws regarding student fees, the district, by engaging in reasonable efforts, shall attempt in good faith to identify and fully reimburse all affected students and parents/guardians who paid the unlawful student fees within one year prior to the filing of the complaint. (Education Code 49013; 5 CCR 4600)

Appeals to the California Department of Education

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

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

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

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

1. A copy of the original complaint;
2. A copy of the district's Notice of Findings and Closure;
3. A copy of the investigation report including, but not limited to, all notes, interviews, and documents submitted by the parties and gathered by the investigator;
4. A report of any action taken to resolve the complaint;
5. A copy of the district's uniform complaint procedures; and
6. Other relevant information requested by CDE,

If notified by CDE that the district's Notice of Findings and Closure failed to address allegation(s) raised by the complaint, the

district shall, within 20 days of the notification, provide CDE and the appellant with an amended Notice of Findings and Closure that addresses the allegation(s) that were not addressed in the original investigation report. The amended report shall also inform the appellant of the right to separately appeal the amended Notice of Findings and Closure with respect to the allegation(s) that were not addressed in the original report. (5 CCR 4632)

Health and Safety Complaints in License-Exempt Preschool Programs

Any complaint regarding health or safety issues in a license-exempt California State Preschool Program (CSPP) shall be addressed through the procedures described in 5 CCR 4690-4694.

In order to identify appropriate subjects of CSPP health and safety issues pursuant to Health and Safety Code 1596.7925, a notice shall be posted in each license-exempt CSPP classroom in the district notifying parents/guardians, students, and teachers of the health and safety requirements of Title 5 regulations that apply to CSPP programs pursuant to Health and Safety Code 1596.7925 and the location at which to obtain a form to file any complaint alleging noncompliance with those requirements. For this purpose, the Superintendent or designee may download and post a notice available from the CDE website. (Education Code 8212; 5 CCR 4691)

The district's annual UCP notification distributed pursuant to 5 CCR 4622 shall clearly indicate which of its CSPP programs are operating as exempt from licensing and which CSPP programs are operating pursuant to requirements under Title 22 of the Code of Regulations. (5 CCR 4691)

Any complaint regarding specified health or safety issues in a license-exempt CSPP program shall be filed with the preschool program administrator or designee and may be filed anonymously. The complaint form shall specify the location for filing the complaint, contain a space to indicate whether the complainant desires a response to the complaint, and allow a complainant to add as much text as desired to explain the complaint. (Education Code 8212; 5 CCR 4690)

If it is determined that the complaint is beyond the authority of the preschool program administrator, the matter shall be forwarded to the Superintendent or designee in a timely manner, not to exceed 10 working days, for resolution. The preschool administrator or the Superintendent or designee shall make all reasonable efforts to investigate any complaint within their authority. (Education Code 8212; 5 CCR 4692)

Investigation of a complaint regarding health or safety issues in a license-exempt CSPP program shall begin within 10 days of receipt of the complaint. (Education Code 8212; 5 CCR 4692)

The preschool administrator or designee shall remedy a valid complaint within a reasonable time period not to exceed 30 working days from the date the complaint was received. If the complainant has indicated on the complaint form a desire to receive a response to the complaint, the preschool administrator or Superintendent's designee shall, within 45 working days of the initial filing of the complaint, report the resolution of the complaint to the complainant and CDE's assigned field consultant. If the preschool administrator makes this report, the information shall be reported at the same time to the Superintendent or designee. (Education Code 8212; 5 CCR 4692)

If a complaint regarding health or safety issues in a license-exempt CSPP program involves an LEP student or parent/guardian, then the district's response, if requested by the complainant, and the investigation report shall be written in English and the primary language in which the complaint was filed.

If a complainant is not satisfied with the resolution of a complaint, the complainant has the right to describe the complaint to the Board at a regularly scheduled hearing and, within 30 days of the date of the written report, may file a written appeal of the district's decision to the Superintendent of Public Instruction in accordance with 5 CCR 4632. (Education Code 8212; 5 CCR 4693, 4694)

All complaints and responses are public records. (5 CCR 4690)

On a quarterly basis, the Superintendent or designee shall report summarized data on the nature and resolution of all CSPP health and safety complaints, including the number of complaints by general subject area with the number of resolved and unresolved complaints, to the Board at a regularly scheduled Board meeting and to the County Superintendent. (5 CCR 4693)

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

Human Resource Services

Williams Uniform Complaint Procedure

Extracted From AR 1312.4 Community Relations

Types of Williams Complaints

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

1. Instructional Materials

   a. A pupil, including an English learner, does not have standards-aligned textbooks or instructional materials or state- or district-adopted textbooks or other required instructional materials to use in class.

   b. A pupil does not have access to instructional materials to use at home or after school in order to complete required homework assignments.

   c. Textbooks or instructional materials are in poor or unusable condition, have missing pages, or are unreadable due to damage.

2. Teacher Vacancy or Misassignment

   a. A semester begins and a certificated teacher is not assigned to teach the class.

   Vacancy means a position to which a single designated certificated employee has not been assigned at the beginning of the year for an entire year or, if the position is for a one-semester course, a position to which a single designated certificated employee has not been assigned at the beginning of a semester for an entire semester. (Education Code 33126)

   b. A teacher who lacks credentials or training to teach English learners is assigned to teach a class with more than 20 percent English learner pupils in the class.

   c. A teacher is assigned to teach a class for which the teacher lacks subject matter competency.

   Misassignment means the placement of a certificated employee in a teaching or services position for which the employee does not hold a legally recognized certificate or credential or the placement of a certificated employee in a teaching or services position that the employee is not otherwise authorized by statute to hold. (Education Code 35186)

3. Facilities

   A condition poses an emergency or urgent threat to the health or safety of pupils or staff.

   Emergency or urgent threat means structures or systems that are in a condition that poses a threat to the health and safety of pupils or staff while at school, including but not limited to gas leaks; nonfunctioning heating, ventilation, fire sprinklers, or air-conditioning systems; electrical power failure; major sewer line stoppage; major pest or vermin infestation; broken windows or exterior doors or gates that will not lock and that pose a security risk; abatement of hazardous materials previously undiscovered that pose an immediate threat to pupils or staff; or structural

damage creating a hazardous or uninhabitable condition. (Education Code 17592.72 paragraph (1) of subdivision (c))

Filing a Complaint

A complaint alleging any condition(s) specified above shall be filed with the principal of the school or his or her designee, in which the complaint arises. The principal or designee shall forward a complaint about problems beyond his/her authority to the Superintendent or designee within 10 working days. (Education Code 35186)

The school shall have a complaint form available for such Williams Complaints. (Education Code 35186(a)(1), Title 5 California Code of Regulations (T5CCR) 4680):

The complainant need not use the Williams Complaint form to file a complaint.

The Williams Complaint form shall identify the place for filing the complaint.

The Williams Complaint form will include a space to indicate whether a response is requested.

The principal or designee shall make all reasonable efforts to investigate any problem within his/her authority. He/she shall remedy a valid complaint within a reasonable time period not to exceed 30 working days from the date the complaint was received. (Education Code 35186)

The Williams complaints may be filed anonymously. If the complainant has indicated on the complaint form that he/she would like a response to his/her complaint, the principal or designee shall report the resolution of the complaint to him/her within 45 working days of the initial filing of the complaint. At the same time, the principal or designee shall report the same information to the Superintendent or designee. (Education Code 35186)

Upon receipt of a written complaint from an individual, public agency or organization, Williams complaint procedures shall be initiated. The Superintendent or designee shall distribute full information about these procedures.

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

Refusal by the District to provide the investigator with access to records and/or other information related to the allegation in the complaint, or to otherwise fail to refuse or cooperate in the investigation or engage in any other obstruction of the investigation, may result in a finding based on evidence collected that a violation has occurred and may result in the imposition of a remedy in favor of the complainant. (T5CCR 4631)

The Board recognizes that a neutral mediator can often suggest a compromise that is agreeable to all parties in a dispute. In accordance with Williams complaint procedures, whenever all parties to a complaint agree to try resolving their problem through mediation, the Superintendent or designee shall initiate mediation. The Superintendent or designee shall ensure that mediation results are consistent with state and federal laws and regulations.

If a complainant is not satisfied with the resolution of the complaint, he/she may describe the complaint to the Governing Board at a regularly scheduled hearing. (Education Code 35186)

For complaints concerning a facility condition that poses an emergency or urgent threat to the health or safety of pupils or staff as described in item #3 above, a complainant who is not satisfied with the resolution proffered by the principal or Superintendent or designee may file an appeal to the State Superintendent of Public Instruction within 15 days of receiving the report. (T5CCR 4687)

Reports

The Superintendent or designee shall report summarized data on the nature and resolution of all complaints to the Board and the County Superintendent of Schools on a quarterly basis. The report shall include the number of complaints by general subject area with the number of resolved and unresolved complaints. These summaries shall be publicly reported on a quarterly basis at a regularly scheduled Board meeting. (Education Code 35186, T5CCR 4686)

If a response is requested, the response shall be made to the mailing address of the complainant indicated on the complaint. (Education Code 35186(a)(1), T5CCR 4680)

If Section 48985 if the Education Code is applicable, the response, if requested, and report shall be written in English and the primary language in which the complaint was filed. (Education Code 5186(a)(1))

Complaints and written responses shall be public records. (Education Code 35186)

The complainant shall comply with the appeal requirements of Title 5 California Code of Regulations 4632 and 4687.

Forms and Notices

The Superintendent or designee shall ensure that the district's complaint form contains a space to indicate whether the complainant desires a response to his/her complaint and specifies the location for filing a complaint. A complainant may add as much text to explain the complaint as he/she wishes. (Education Code 35186)

The Superintendent or designee shall ensure that a notice is posted in each classroom in each school containing the components specified in Education Code 35186.

Program Administrators

Yvonne Wright, Chief Academic Officer (916) 643-9086	Dr. E'Leva Gibson, Assistant Supt. Child Development (916) 643-7800	Krystal Thomas, Assistant Superintendent, Special Education (916) 643-9163
Kelley Odipo, Director State and Federal Programs 643-9051	Kelly Hood Constituent Services Office 916-643-9000	Christopher Ralston, Assistant Superintendent, Facilities Support Services (916) 395-3970, Ext. 450005

To obtain further information and forms regarding Williams Uniform Compliant Procedures, please contact: Compliance Officer: Melinda Iremonger, Title IX Coordinator, Human Resources, Sacramento City Unified School District, 5735 47th Avenue, Sacramento, CA 95824, (916) 643-9050. The form (PSL-F089) may be downloaded from the district web page, www.scusd.edu, Human Resources, Uniform Complaint Procedures (left-hand side).

UNIFORM COMPLAINT (UC) PROCEDURES SHALL BE AVAILABLE FREE OF CHARGE:

Contact Student Hearing and Placement Department (916) 643-9425 (Student Complaints)
OR
Human Resource Services, (916) 643-9050 (All Other Complaints). (T5 CCR 4622)

Sacramento City Unified School District

All Schools
HUMAN RESOURCE SERVICES
P.O. Box 246870 ● Sacramento, CA 95824-6870
(916) 643-9050 ● FAX (916) 399-2016
Lisa Allen, *Interim Superintendent*
Cancy McArn, *Chief Human Resources Officer*

Williams Complaints Classroom Notice
Community Relations E 1312.4
Notice to Parents/Guardians, Pupils, Teachers: Complaint Rights

Parents/Guardians, Pupils, and Teachers:

Education Code 35186 requires that the following notice be posted in each classroom:

1. There should be sufficient textbooks and instructional materials. For there to be sufficient textbooks and instructional materials, each pupil, including English learners, must have a textbook, or instructional materials, or both, to use in class and to take home to complete required homework assignments.
2. School facilities must be clean, safe, and maintained in good repair. Good repair means that the facility is maintained in a manner that assures that it is clean, safe, and functional as determined by the Office of Public School Construction.
3. There should be no teacher vacancies or mis-assignments. There should be a teacher assigned to each class and not a series of substitutes or other temporary teachers. The teacher should have the proper credential to teach the class, including the certification required to teach English learners if present.

   Teacher vacancy means a position to which a single designated certificated employee has not been assigned at the beginning of the year for an entire year or, if the position is for a one-semester course, a position to which a single designated certificated employee has not been assigned at the beginning of a semester for an entire semester.

   Misassignment means the placement of a certificated employee in a teaching or services position for which the employee does not hold a legally recognized certificate or credential or the placement of a certificated employee in a teaching or services position that the employee is not otherwise authorized by statute to hold.
4. If you do not think these requirements are being met, a Uniform Complaint form (PSL-F089 Complaint Form) may be obtained at the school office, district office, or download from the Sacramento City Unified School District website at https://www.scusd.edu/connect/complaints-concerns/uniform-complaint You may also download a copy of the California Department of Education complaint form from the following web site: http://www.cde.ca.gov/re/cp/uc

If you have additional questions, please contact the following Administrators:

- Erin Findley, Assistant Superintendent, Curriculum and Instruction at (916) 643-9120
- Instructional Assistant Superintendents:

  Tuan Duong at (916) 643-9263,
  Jerad Hyden at (916) 643-9136,
  Enrique Flores at (916) 643-2340
  Aprille Shafto at (916) 643-2367, or

- Mary Hardin Young, Deputy Superintendent at (916) 643-9162

HUMAN RESOURCE SERVICES
P.O. Box 246870 ● Sacramento, CA 95824-6870
(916) 643-9050 ● HR@scusd.edu

2025-26 NO. HR-16

SUBJECT: **Procedure for Reports of Suspected Child Abuse**

TO: All SCUSD Employees

DATE: January 29, 2026

DEPARTMENT: Human Resource Services

PREPARED BY: Melinda Iremonger, Title IX Coord.

REVIEWED BY: Nanci Rose, HR Compliance Director

APPROVED BY: Cancy McArn, CHRO & LN

As a reminder, all SCUSD personnel are mandated reporters.

As we begin the new calendar year, SCUSD Human Resources would like to remind everyone of their legal requirement to report suspected child abuse and neglect.

SCUSD personnel play a key role in detecting and helping children who are being, or have been, abused. Children and adolescents spend the majority of their day in school; school employees have more access to them than other professionals do. This regular contact allows you to observe changes in appearance and behavior that others may not notice.

It is imperative that you know how to respond, that you understand your rights and responsibilities as a mandated reporter, and that you are familiar with the District's policies and reporting procedures.

Here are some helpful reminders and essential information for you as we work together to support and protect our students.

As a mandated reporter, you must only have ***reasonable suspicion*** that a child has been mistreated; no evidence or proof is required prior to making a report. The case will be further investigated by law enforcement and/or child welfare services.

What Must be Reported?

Suspicion of any of the following acts involving anyone under the age of 18:

- Physical Abuse
- Sexual Abuse
- Emotional Abuse
- Neglect

How Do I Report?

1. **By phone:** Immediately, or as soon as possible, make a telephone report to child welfare services and/or to a Police or Sheriff's department.

a. **Child Welfare Services phone #** (916) 875-5437
b. **Sacramento City Police Department** phone # (916) 808-5471
c. **Sacramento County Sheriff's Department** phone # (916) 874-5115

2. **In writing:** Within 36 hours, a written report must be sent, faxed, or submitted electronically. The written report should be completed on state form 8572, which can be downloaded at BCIA 8572, Suspected Child Abuse Report (ca.gov)

OTHER USEFUL INFORMATION:

Safeguards for Mandated Reporters:

- The Child Abuse and Neglect Reporting Act (CANRA) states that the name of the mandated reporter is strictly confidential, although it is provided to investigative parties working on the case.

- Under state law, mandated reporters cannot be held liable in civil or criminal court when reporting as required; however, under federal law, mandated reporters only have immunity for reports made in good faith.

Failure to Report:

- Failure to report concerns of child abuse or neglect is considered a misdemeanor and is punishable in California by six months in jail and/or up to a $1,000 fine.

- For the complete law and a list of mandated reporters, refer to California Penal Codes 11164-11174.3.

NOTE:
If the incident has occurred on campus, including but not limited to sexually explicit photograph sharing and any complaints related to sexual assault, sexual harassment, or discrimination. Please immediately notify the Title IX Coordinator, David Van Natten.

Please feel free to reach out for clarity.

Melinda Iremonger, 916-643-7446 (desk),
916-598-8054 cell (call or text),
Melinda-iremonger@scusd.edu

Sacramento City Unified School District

HUMAN RESOURCE SERVICES

P.O. Box 246870 • Sacramento, CA 95824-6870
(916) 643-9050 • FAX (916) 399-2016

Cancy McArn, *Chief Human Resources Officer and Lead Negotiator*

DATE: July 1, 2025

TO: All SCUSD Employees **2025-26 NO. HR-4**

APPROVED: _____
CHRO and Lead Negotiator

PREPARED BY: Melinda Iremonger
Title IX Coordinator

DEPARTMENT: Human Resource Services

REVIEWED BY: Nanci Rose, HR Director

SUBJECT: **Required Action - Title IX Sexual Harassment**

The following is an annual notice from the Sacramento City Unified School District regarding Title IX and its requirements regarding sexual harassment.

Definition of Sexual Harassment (34 C.F.R. § 106.30(a))

The three-part definition for sexual harassment under Title IX is as follows:

Conduct on the basis of sex that satisfies one or more of the following:

1. *An employee of the recipient conditioning the provision of an aid, benefit, or service of the recipient on an individual's participation in unwelcome sexual conduct;*

2. *Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the recipient's education program or activity; or*

3. *"Sexual assault" as defined in 20 U.S.C. 1092(f)(6)(A)(v), "dating violence" as defined in 34 U.S.C. 12291(a)(10), "domestic violence" as defined in 34 U.S.C. 12291(a)(8), or "stalking" as defined in 34 U.S.C. 12291(a)(30).*

Obligations of District Staff When Witness to Sexual Harassment

When a District employee observes conduct occurring in the District's education/school program or a District school-related activity which ***could meet*** any one aspect of the three-part definition for sexual harassment under Title IX, or otherwise learns of such conduct (e.g., through a report or complaint), ***this puts the District on actual notice*** of alleged sexual harassment.

Pursuant to **Administrative Regulations 5145.71 and 4119.12-** Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures - when a school employee is on actual notice of alleged sexual harassment as described above, they must notify the Title IX Coordinator or Site Designee. Such reporting must occur within one (1) business day, or whenever reasonably practical.

Results of Reporting Sexual Harassment to the District's Title IX Coordinator

Upon the reporting of sexual harassment to the District Title IX Coordinator, the District Title IX Coordinator will promptly contact the parent/guardian of the student alleged to have been harassed (or the student if 18 or older) to

discuss the availability of supportive measures, consider the parent/guardian's (or the student's if 18 or older) wishes with respect to such measures, inform the parent/guardian (or student if 18 or older) of the availability of supportive measures with or without the filing of a formal complaint, and explain the process to file a formal complaint of sexual harassment under Title IX. These proactive measures in response to complaints of sexual harassment ensure that the District is legally compliant by not acting deliberately indifferent when responding to actual knowledge of alleged sexual harassment.

Recordkeeping Requirements under Title IX

For purposes of complaints of sexual harassment under Title IX, the District is required to maintain the following records for seven years (34 C.F.R. § 106.45(b)(10)):

- Each sexual harassment investigation including any determination regarding responsibility;
- Any audio or audiovisual recording or transcript required under paragraph 34 C.F.R. § 106.45(b)(6)(i);
- Any disciplinary sanctions imposed on the respondent, and any remedies provided to the complainant designed to restore or preserve equal access to the recipient's education program or activity;
- Any appeal and the result of the appeal;
- Any informal resolution and the result of that resolution;
- All materials used to train Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process; and
- For each response to complaints of sexual harassment under 34 C.F.R. § 106.44, records of any actions, including any supportive measures, taken in response to a report or formal complaint of sexual harassment.

District Title IX Coordinator Contacts

Melinda Iremonger, MSW
Title IX Coordinator, (Personnel-Involved)
5735 47th Ave. Sacramento, CA 95824
Phone: (916) 643-7446
Email: Melinda-Iremonger@scusd.edu

David Van Natten
Title IX Coordinator (Student-on-Student)
5735 47th Ave. Sacramento, CA 95824
Phone: (916) 643-7420
Email: David-VanNatten@scusd.edu

Sacramento City Unified School District

BULLETIN

SUBJECT:	**FIREWORKS**		**2025-26 NO. BS-5**
TO:	All School Sites and Departments		
DATE:	July 1, 2025		
PREPARED BY:	Martine Kruger. Risk Management Specialist	**DEPARTMENT:**	Risk Management/ Employee Benefits
REVIEWED BY:	Keyshun Marshall, Director II, Risk Management/Employee Benefits	**APPROVED:**	Janea Marking, Chief Business and Operations Officer

Please read the information below regarding Sacramento City Unified School District has prohibited firework activity on District grounds:

Firework sales remain excluded from our insurance coverage provided through Schools Insurance Authority. Therefore, any firework activity including sales, booths and stands are prohibited on District property.

An incorporated booster, athletic club or other group registered as a 501(c)(3) non-profit is a separate legal entity and may elect to continue firework sales activity on non-District owned or operated property as provided by their insurance coverage and operating procedures. These non-profit groups are not eligible for district insurance coverage.

For questions or concerns please contact Risk Management at (916) 643-9421.

Sacramento City Unified School District

BULLETIN

SUBJECT:	**HEALTHY SCHOOLS ACT - INTEGRATED PESTICIDE MANAGEMENT TRAINING REQUIREMENTS**		**2025-26 NO. BS-2**
TO:	All School Sites and Departments		
DATE:	July 1, 2025		
PREPARED BY:	Martine Kruger, Risk Management Specialist	**DEPARTMENT:**	Risk Management/ Employee Benefits
REVIEWED BY:	Keyshun Marshall, Director II, Risk Management/Employee Benefits	**APPROVED:**	Janea Marking, Chief Business and Operations Officer

The California Healthy Schools Act defines the requirements for the use of pesticides at school sites and child care centers. Effective July 1, 2016, all district employees are required to have training before applying pesticides. Therefore, the District must comply with the mandated training and provide for the safety of the students, families, and staff we serve. The requirements apply to all school and child care staff, pest management professionals, and the Department of Pesticide Regulation.

The Healthy Schools Act also encourages schools and child care centers to adopt effective, low- risk pest management practices. The District's practices are included in the Integrated Pest Management or IPM.

What is a Pesticide? Pesticides refer not only to insecticides, but include other kinds of chemicals. Under state and federal law, a pesticide is any substance intended to control, destroy, repel, or attract a pest. Some common pesticides include disinfectants, repellents, insecticides, herbicides, and plant growth regulators.

The mandated training is provided online through the District's training portal, Public School Works. Public School Works is accessible online at http://www.publicschoolworks.com/.

Sacramento City Unified School District

BULLETIN

SUBJECT:	**STUDENT ACCIDENT INSURANCE**		**2025-26 NO. BS-6**
TO:	All School Sites and Departments		
DATE:	July 1, 2025		
PREPARED BY:	Martine Kruger, Risk Management Specialist	**DEPARTMENT:**	Risk Management/ Employee Benefits
REVIEWED BY:	Keyshun Marshall, Director II, Risk Management/Employee Benefits	**APPROVED:**	Janea Marking, Chief Business and Operations Officer

For information and applications regarding Student Accident Insurance, please visit the Risk Management Department webpage at: https://www.scusd.edu/post/student-insurance or visit the Student Insurance application webpage directly at: https://studentinsuranceusa.com/insurance/k-12-student-accident-insurance-plan-enrollment/ In order to enroll, click "Enroll Now" and follow the prompts.

For more information or help with enrollment in the Student Insurance program, please contact Student Insurance at 1(800) 367-5830.

Sacramento City Unified School District

BULLETIN

SUBJECT:	**FIELD TRIP FORMS AND REGULATIONS**		**2025-26 NO. BS-4**
TO:	All School Sites and Departments		
DATE:	July 1, 2025		
PREPARED BY:	Martine Kruger, Risk Management Specialist	**DEPARTMENT:**	Risk Management/ Employee Benefits
REVIEWED BY:	Keyshun Marshall, Director II, Risk Management/Employee Benefits	**APPROVED:**	Janea Marking, Chief Business and Operations Officer

For all field trips, school sites and departments must use the Field Trip Forms on the intranet, these are the most current. Be aware of timelines and approvals needed prior to submitting the completed packet to your Area Assistant Superintendent. The Field Trip Information Form (RSK-F106F) provides an overview of the process and required forms. Please follow the important guidelines below.

Important Guidelines:

- Local trips that are within 50 miles (that do not involve water or unusual activities) only require approval from the site principal. The Travel Request form for staff is not required for these local trips.
- Volunteer drivers must have Release of Driver Record Information Form (EPN), TB test, and be fingerprinted.
- Please keep copies of all field trips on file at the site for at least two years.
- Trips requiring Board approval must be submitted **6 weeks** in advance of the departure date or the trip will be considered automatically rejected by the Area Assistant Superintendent and it will not be presented to the Board.
- Trips involving unusual activities or high risk activities must be submitted to the Area Assistant Superintendent and Risk & Disability Management **6 weeks** prior to the trip. This allows the District's Risk Management team time to review the trip's details and draft any necessary waivers.

For school bus use and approved charter bus lines, contact the Transportation Office at (916) 395-5720 x470014. Please call the Risk Management at (916) 643-9421 if you have any questions.

Sacramento City Unified School District

BULLETIN

SUBJECT: **VEHICLE SAFETY PROGRAM EMPLOYEE PULL NOTICE** **2025-26 NO. BS-1**

TO: All School Sites and Departments

DATE: July 1, 2025

PREPARED BY: Martine Kruger, Risk Management Specialist **DEPARTMENT:** Risk Management/ Employee Benefits

REVIEWED BY: Keyshun Marshall, Director II, Risk Management/Employee Benefits **APPROVED:** Janea Marking, Chief Business and Operations Officer

For Your Information:

The Sacramento City Unified School District has established a driver's safety program known as "EPN" Employee Pull Notice for all employees and volunteers that drive on behalf of the District as follows:

1. Employees that drive district vehicles
2. Employees that use their own vehicles to transport students
3. Volunteers that drive district vehicles
4. Volunteers that use their own vehicles to transport students

"EPN" Employee Pull Notice allows the District to monitor driver license records of employees and volunteers who are required to drive on behalf of the District. This program is designed to ensure the safety of staff, students, and the community. The driver release form, along with a clear copy of your drivers' license is due annually.

If you have questions or concerns regarding this program, please feel free to contact Risk Management at RiskM@scusd.edu or call (916) 643-9421.

Sacramento City Unified School District

BULLETIN

SUBJECT: **Injury and Illness Claims Reporting Procedures, Structured Transitional Work Program, Injury Reporting** **2025-26 NO. BS-3**

TO: All School Sites and Departments

DATE: July 1, 2025

PREPARED BY: Amber Peña, Manager II, Risk Management/Employee Benefits

DEPARTMENT: Risk Management/ Employee Benefits

REVIEWED BY: Keyshun Marshall, Director II, Risk Management/Employee Benefits

APPROVED:

Janea Marking, Chief Business and Operations Officer

Claims Reporting Procedure:

1. All work-related injuries/illness must be reported directly to the supervisor, site administrator or designee as soon as possible. Contact the **Schools Insurance Authority Injury Reporting Line as soon as possible at (916) 643-9299** to report an injury/illness and to obtain further information and instructions from an Early Intervention Nurse (EIN). All claims are to be reported to this number **ONLY.** Employees working after hours and/or weekends should report their injury/illness to their supervisor, site administrator or designee, and the reporting line as soon as possible and/or the following business day. If the after-hours injury/illness requires immediate medical treatment, call **911** or go to the nearest hospital immediately.

2. If medical treatment is necessary, an EIN (916) 643-9299 will provide instructions and information on scheduling a doctor's appointment.

3. For questions related to existing workers' compensation claims, contact **Schools Insurance Authority at their main number (916) 364-1281, Employee Benefits at (916) 643-9432 or email benefits@scusd.edu .**

Emergencies: If the injury/illness is life threatening, **call 911** or report to the nearest hospital. For all work-related injuries/illnesses, please contact the district's workers' compensation reporting line for Schools Insurance Authority at (916) 643-9299 or immediately after you've obtained emergency care.

Payroll Related Questions: Contact Employee Benefits at (916) 643-9432 for all work and non-work injury/illness.

Temporary Transitional Work Program: To assist injured employees in their recovery for both work and non-work related injuries/illnesses, the District provides temporary transitional work in the form of modified or alternate work whenever possible. After reporting to the supervisor, if the injured worker has a work restriction or is temporarily disabled from work, **IMMEDIATELY** contact the Return-to-Work Coordinator with SIA at (916) 364-1281 for work related injuries/illnesses and Employee Benefits at (916) 643-9432 for non-work related injuries/illnesses for approval to return to work.

Temporary Transitional Work Program Alternate Site: The temporary duty work assignment timesheets are available for both work and non-work related injuries/illnesses. The timesheet must be completed, signed by the site administrator/supervisor and the employee. Once complete send to the permanent site, fax 916-399-2071 or email benefits@scusd.edu.

Permanent Restrictions: The District will comply with all federal, state and local laws and regulations requiring the accommodation of disabled employees. Contact Employee Benefits at (916) 643-9432 if you have a permanent disability that will affect your performance at work.

Doctor Appointment/Physical Therapy Appointments: Appointments are to be scheduled before or after work whenever possible to prevent sick leave dock or wage loss. Your sick time will be used when attending follow-up appointments and physical therapy as well. ***Please note: For work-related injuries/illnesses, workers' compensation will not pick up benefits for lost time or wages due to medical or therapy appointments.***

Doctor's Statement/Medical Appointment: The injured worker must provide the original medical slip to their supervisor immediately following his/her medical appointment. The supervisor will immediately forward the original doctor's statement to Employee Benefits, in order to prevent payroll interruptions or holds. Non-work related medical documents can be emailed to leaves@scusd.edu, or fax to a secured fax number at (916) 399-2071.

Reporting Absences: Non-work related injuries should be reported as "sick."

Reporting Work Related Absences: Report workers' compensation absences, doctor's appointments and therapy as "SLIA" (sick leave industrial accident) in the Escape absence batch. If reporting is through Frontline, please use "sick" and use Industrial accident for the reason. Upon the date of injury/illness the first 3 days (must be consecutive) are reimbursed if sick leave industrial accident (SLIA) is used. Upon an accepted claim the first 60 days are reimbursed as time is reported on the monthly absence report.

Please contact Employee Benefits at (916) 643-9432 if you have any questions or concerns.

INJURY/ILLNESS PHONE DIRECTORY

Schools Insurance Authority Workers' Compensation
P.O. Box 276710
Sacramento, CA 95827-6710
916-364-1281 (Phone)
916-364-2421 (Fax)

NEW INJURY/ILLNESS REPORTING:	
Reporting Line	916-643-9299
RETURN TO WORK QUESTIONS:	
Return to Work Unit	916-364-1281
EXISTING CLAIM QUESTIONS:	916-364-1281
PAYROLL and DISABILITY RELATED QUESTIONS:	916-643-9432

Employee Benefits
Non-Industrial Injuries/Illnesses
SCUSD - BOX 840
916-643-9432 (Phone)
916-399-2071 (Fax)

Please call 916-643-9432 to inquire about the following:

- NEW INJURY/ILLNESS REPORTING
- RETURN TO WORK QUESTIONS
- PAYROLL and DISABILITY RELATED QUESTIONS
- EMAIL ALL MEDICAL DOCUMENTS to Leaves@scusd.edu

Volunteer Administration of Epinephrine (Epi-Pen)

Pursuant to Education Code Section 49414, school districts, including the Sacramento City Unified School District ("District"), are required to provide emergency epinephrine auto-injectors ("Epi-Pens") to school nurses and trained personnel at all school sites. This Volunteer Agreement Form outlines the training and requirements for volunteers to administer emergency Epi-Pens to a person if the person is suffering, or reasonably believed to be suffering, from an anaphylactic reaction.

The training provided shall be consistent with the most recent Voluntary Guidelines for Managing Food Allergies in Schools and Early Care and Education Programs published by the federal Centers for Disease Control and Prevention and the most recent guidelines for medication administration issued by the California Department of Education. Training shall include techniques for recognizing symptoms of anaphylaxis, standards and procedures for the storage, restocking, and emergency use of Epi-Pens, emergency follow-up procedures, including calling the emergency 911, recommendations on the necessity of instruction and certification in cardiopulmonary resuscitation, instruction on how to determine whether to use an adult Epi-Pen or a junior Epi-Pen, which shall include consideration of a pupil's grade level or age as a guideline of equivalency for the appropriate pupil weight determination, written materials covering the information required under the law.

Any employee who volunteers may rescind their offer to administer an emergency epinephrine (EpiPen) with no retaliation against any individual for rescinding the individual's offer to volunteer, including after receiving training.

In accordance with California Education Code § 49414, each employee who volunteers to provide emergency epinephrine (EpiPen) will be provided defense and indemnification by the District for any and all civil liability, in accordance with, but not limited to, that provided in Division 3.6 (commencing with Section 810) of Title 1 of the Government Code. This information shall be reduced to writing, provided to the volunteer, and retained in the volunteer's personnel file. Further, a person trained and who administers emergency epinephrine (EpiPen) in compliance with this article, in good faith and not for compensation, to a pupil exhibiting symptoms of anaphylaxis shall not be subject to professional review, be liable in a civil action, or be subject to criminal prosecution for the person's acts or omissions in administering the emergency medication.

TO VOLUNTEER PLEASE COMPLETE THE FOLLOWING FORM AND RETURN THE FORM TO YOUR SCHOOL NURSE OR HEALTHSERVICES@SCUSD.EDU

Name: _____

School: _____ **Position/Title** _____

_____ I volunteer to administer emergency epinephrine (EpiPen) to person exhibiting symptoms of anaphylaxis.

_____ I understand that I will be trained by a licensed healthcare professional.

_____ I understand that I may rescind this offer at any time in the event that I no longer wish to volunteer for this procedure.

_____ I acknowledge receipt of the defense and indemnification statement on the back side of this form.

Signature_____**Date** _____

School Nurse, distribute copies: ____ **healthservices@scusd.edu** ____ **HR@scusd.edu**

Rev. 1/2026 ____ **volunteer** ____ **copy in the medication binder**

Volunteer Administration of Epinephrine (Epi-Pen)

Employee Defense and Indemnification Notification

California law provides specific legal obligations for an employer to defend and indemnify you in litigation against you, and these obligations are set forth in separate statutes in California's Government Code.

The obligation to provide a defense for you if you are sued as a result of volunteer related incidents is set forth in Government Code section 995, which provides in part:

Except as otherwise provided is Sections 995.2 and 995.4, upon request of an employee or former employee, a public entity shall provide for the defense of any civil action or proceeding brought against him or her, in his or her official or individual capacity or both, on account of an act or omission in the scope of his employment as an employee of the public entity.

The obligation to indemnify you against a civil judgment or award is set forth in Government Code section 825(a), which provides in part:

Except as otherwise provided in this section, if an employee or former employee of a public entity requests the public entity to defend him or her against any claim or action against him or her for an injury arising out of an act or omission occurring within the scope of his or her employment as an employee of the public entity and the request is made in writing not less than 10 days before the day of trial, and the employee or former employee reasonably cooperates in good faith in the defense of the claim or action, the public entity shall pay any judgment based thereon or any compromise or settlement of the claim or action to which the public entity has agreed.

A signature on the reverse side of this form acknowledges receipt of this notification.

Volunteer Administration of Naloxone (Narcan) Medication

Pursuant to Education Code Section 49414.3, school districts, including the Sacramento City Unified School District ("District"), may make naloxone hydrochloride (Narcan) available to school nurses or trained personnel who have volunteered pursuant to subdivision (d), and school nurses or trained personnel may use naloxone or another opioid antagonist to provide emergency medical aid to persons suffering, or reasonably believed to be suffering, from an opioid overdose.

The training provided is consistent with the organizations and providers with expertise in administering naloxone in a school environment including, but not limited to, the California Society of Addiction Medicine, the American Academy of Pediatrics and the California School Nurse Organization, and the most recent guidelines for medication administration issued by the California Department of Education. Training shall include techniques for recognizing symptoms of an opioid overdose, standards and procedures for the storage, restocking, and emergency use of naloxone or another opioid antagonist, basic emergency follow-up procedures, including to call the emergency 911, recommendations on the necessity of instruction and certification in cardiopulmonary resuscitation, written materials covering the information required under this subdivision.

Any employee who volunteers may rescind their offer to administer an emergency anti-seizure medication with no retaliation against any individual for rescinding the individual's offer to volunteer, including after receiving training.

In accordance with California Education Code § 49414.3, each employee who volunteers to provide emergency naloxone (Narcan) will be provided defense and indemnification by the District for any and all civil liability, in accordance with, but not limited to, that provided in Division 3.6 (commencing with Section 810) of Title 1 of the Government Code. This information shall be reduced to writing, provided to the volunteer, and retained in the volunteer's personnel file. Further, a person trained and who administers emergency naloxone in compliance with this article, in good faith and not for compensation, to a person exhibiting symptoms of opioid overdose, shall not be subject to professional review, be liable in a civil action, or be subject to criminal prosecution for the person's acts or omissions in administering the emergency naloxone (Narcan).

TO VOLUNTEER TO ADMINISTER NALOXONE (NARCAN), PLEASE COMPLETE THE FOLLOWING FORM AND RETURN THE FORM TO YOUR SCHOOL NURSE OR HEALTHSERVICES@SCUSD.EDU

Name: _____

School: _____ **Position/Title** _____

_____ I volunteer to administer emergency naloxone (Narcan)

_____ I understand that I will be trained by a licensed healthcare professional.

_____ I understand that I may rescind this offer at any time in the event that I no longer wish to volunteer for this procedure.

_____ I acknowledge receipt of the defense and indemnification statement on the back side of this form.

Signature_____ **Date** _____

School Nurse, distribute copies: ____ **healthservices@scusd.edu** ____ **HR@scusd.edu**
____ **volunteer** ____ **copy in the medication binder**

Rev. 1/2026

Employee Defense and Indemnification Notification

California law provides specific legal obligations for an employer to defend and indemnify you in litigation against you, and these obligations are set forth in separate statutes in California's Government Code.

The obligation to provide a defense for you if you are sued as a result of volunteer related incidents is set forth in Government Code section 995, which provides in part:

Except as otherwise provided is Sections 995.2 and 995.4, upon request of an employee or former employee, a public entity shall provide for the defense of any civil action or proceeding brought against him or her, in his or her official or individual capacity or both, on account of an act or omission in the scope of his employment as an employee of the public entity.

The obligation to indemnify you against a civil judgment or award is set forth in Government Code section 825(a), which provides in part:

Except as otherwise provided in this section, if an employee or former employee of a public entity requests the public entity to defend him or her against any claim or action against him or her for an injury arising out of an act or omission occurring within the scope of his or her employment as an employee of the public entity and the request is made in writing not less than 10 days before the day of trial, and the employee or former employee reasonably cooperates in good faith in the defense of the claim or action, the public entity shall pay any judgment based thereon or any compromise or settlement of the claim or action to which the public entity has agreed.

A signature on the reverse side of this form acknowledges receipt of this notification.

Volunteer Administration of Anti-Seizure Medication

Under Assembly Bill 1810 and California Education Code § 49468 et esq., The Seizure Safe Schools Act, volunteers are being sought to administer, in the absence of a school nurse, an emergency anti-seizure medication to identified pupils experiencing seizure conditions. This emergency anti-seizure medication has been prescribed by the student's physician and or surgeon and given with parental consent.

Volunteers will receive an initial training from a licensed health care professional and then a refresher training at least once annually. The training shall consist of information on various types of seizures, recognition of the signs and symptoms of seizures and the appropriate steps to be taken to respond to those symptoms: administration, or assisting with the self-administration of, an emergency anti-seizure medication, basic emergency follow-up procedures, and necessary documentation.

Any employee who volunteers may rescind their offer to administer an emergency anti-seizure medication with no retaliation against any individual for rescinding the individual's offer to volunteer, including after receiving training.

In accordance with California Education Code § 49468.5, each employee who volunteers to provide emergency seizure medication will be provided defense and indemnification by the District for any and all civil liability, in accordance with, but not limited to, that provided in Division 3.6 (commencing with Section 810) of Title 1 of the Government Code. This information shall be reduced to writing, provided to the volunteer, and retained in the volunteer's personnel file. Further, a person trained and who administers emergency anti-seizure medication or medication prescribed for seizure disorder symptoms in compliance with this article, in good faith and not for compensation, to a pupil diagnosed with seizures, a seizure disorder, or epilepsy who appears to be experiencing a seizure shall not be subject to professional review, be liable in a civil action, or be subject to criminal prosecution for the person's acts or omissions in administering the emergency anti-seizure medication.

TO VOLUNTEER TO ADMINISTER EMERGENCY ANTI-SEIZURE MEDICATION, PLEASE COMPLETE THE FOLLOWING FORM AND RETURN THE FORM TO YOUR SCHOOL NURSE OR HEALTHSERVICES@SCUSD.EDU

Name: _____

School: _____ **Position/Title** _____

____ I volunteer to administer emergency anti-seizure medication: _____
name of medication(s)

____ I understand that I will be trained by a licensed healthcare professional.

____ I understand that I may rescind this offer at any time in the event that I no longer wish to volunteer for this procedure.

____ I acknowledge receipt of the defense and indemnification statement on the back side of this form.

Signature_____**Date** _____

School Nurse, distribute copies: ____ **healthservices@scusd.edu** ____ **HR@scusd.edu**
____ **volunteer** ____ **copy in the medication binder**

Rev. 1/2026

Volunteer Administration of Anti-Seizure Medication

Employee Defense and Indemnification Notification

California law provides specific legal obligations for an employer to defend and indemnify you in litigation against you, and these obligations are set forth in separate statutes in California's Government Code.

The obligation to provide a defense for you if you are sued as a result of volunteer related incidents is set forth in Government Code section 995, which provides in part:

Except as otherwise provided is Sections 995.2 and 995.4, upon request of an employee or former employee, a public entity shall provide for the defense of any civil action or proceeding brought against him or her, in his or her official or individual capacity or both, on account of an act or omission in the scope of his employment as an employee of the public entity.

The obligation to indemnify you against a civil judgment or award is set forth in Government Code section 825(a), which provides in part:

Except as otherwise provided in this section, if an employee or former employee of a public entity requests the public entity to defend him or her against any claim or action against him or her for an injury arising out of an act or omission occurring within the scope of his or her employment as an employee of the public entity and the request is made in writing not less than 10 days before the day of trial, and the employee or former employee reasonably cooperates in good faith in the defense of the claim or action, the public entity shall pay any judgment based thereon or any compromise or settlement of the claim or action to which the public entity has agreed.

A signature on the reverse side of this form acknowledges receipt of this notification.

STUDENT SUPPORT & HEALTH SERVICES DEPARTMENT

5735 47th Avenue • Sacramento, CA 95824
(916) 643-9412 • FAX (916) 643-9471
Lisa Allen, Superintendent
Jacqueline Garner, Exec. Dir., Stud. Support & Health Services

DATE: January 29 , 2026

TO: All Employees

FROM: Noel Estacio, Director *Noel Estacio*
Health Services Department

SUBJECT: PROCEDURES TO BE USED IN SCHOOLS FOR THE PREVENTION OF INFECTIOUS DISEASES TRANSMITTED BY BODY FLUIDS: 2025-26

Resources from the California Department of Education and the Centers For Disease Control are incorporated in the following preventive guidelines. The basic principle promoted by these guidelines is to use Universal Precautions.

BACKGROUND:
The California Health and Safety Codes, Sections 120875 and 120880) mandate that schools inform their employees annually about appropriate methods for preventing the spread of infectious diseases, with specific information about AIDS/HIV and also Hepatitis B infections.

In addition, Cal-OSHA, the California Occupational Safety and Health Administration adopted the Bloodborne Pathogens Standard (8-CCR-5193). "Bloodborne Pathogens" are defined as pathogenic microorganisms, which are present in human blood and can cause disease in humans. These pathogens include but are not limited to, hepatitis B virus, hepatitis C virus and human immunodeficiency virus. The Standard requires employers to develop plans and adopt practices, which eliminate or minimize employee occupational exposure to blood and other contaminated body fluids. In compliance with the Standard, Sacramento City Unified School District has developed an Exposure Control Plan, which covers the following areas:

1. Exposure determination for employee infection control
2. Hepatitis-B vaccination
3. Control methods including:
4. Universal Precautions
5. Engineering controls
6. Work practice controls
7. Personal protective equipment
8. Post exposure evaluation and follow-up
9. Regulated waste disposal
10. Labels and bags
11. Housekeeping practices
12. Training and education of employees
13. Record-keeping

A copy of the Exposure Control Plan is available for review at every school site and program office within the school district.

UNIVERSAL PRECAUTIONS

The term UNIVERSAL PRECAUTIONS refers to a system of infection control in which the body fluids of all persons are treated as if known to be infectious. In the school setting, those precautions should include: hand washing, using disposable gloves, careful trash disposal, using disinfectants, and modifications of cardiopulmonary resuscitation (CPR)

It is critical that universal precautions be used in every instance when handling blood and body fluids because (1) there may be situations where it is not known that a person is infected; (2) persons should not wait until an identified infected student or adult is encountered before practicing infectious disease prevention techniques; and (3) for legal reasons related to confidentiality, there is no requirement that health officials notify school authorities of the results of blood tests for antibody to the HIV virus.

The term "body fluids" includes: blood, semen, vaginal secretions, drainage from scrapes and cuts, feces, urine, vomitus, respiratory secretions (such as nasal drainage) and saliva.

HAND WASHING:

1. Thorough hand washing is the single most important factor in preventing the spread of infectious diseases and should be practiced routinely by all school personnel and taught to students as routine hygienic practice.

2. All staff should wash their hands in the following circumstances:

   - Before handling food, drinking or eating
   - After toileting
   - After contact with body fluids or items soiled with body fluids
   - After touching or caring for students, especially those with nose, mouth, or other discharges

3. Scheduling time for students to wash hands before eating is suggested to encourage the practice.

4. How to wash hands: Wet hands with running water and apply soap from a dispenser. Lather well and wash vigorously for 15 to 20 seconds. Soap suspends easily removable soil and microorganisms, allowing them to be washed off. Running water is necessary to carry away dirt and debris. Rinse well under running water with water draining from wrist to fingertips. Leave water running. Dry hands well with a paper towel and then turn off the faucet with paper towel. Discard the towel.

5. Classroom instruction about proper hand washing can be integrated into health instruction at all grade levels.

FIRST AID INVOLVING BODY FLUIDS AND CPR:

1. Avoid direct skin contact with body fluids. Allow the student or staff person to clean their own body fluid spill when this can be done safely. If direct skin contact occurs, hands and other affected skin areas should be washed with soap and water immediately after contact has ended.

2. An "occupational exposure incident" is defined as: specific eye, mouth or other mucous membrane, non-intact skin or parenteral contact with BLOOD or blood-tinged body fluids resulting from the performance of an employee's duties. If an 'incident' occurs, the following steps should be taken by the affected employee:

   - Immediately wash the skin area exposed to body fluids with soap and running water. If it is the eye or mouth, flush with water.
   - Report the incident directly to your supervisor and include the names of everyone directly involved, as

soon as possible.

- The site administrator, supervisor or designee will report work-related injuries to the District Workers' Compensation Office at (916) 643-9299. The SIA Nurse will direct the employee to the appropriate medical facility to determine the need for Hepatitis B vaccination and treatment.
- Employees working after hours and/or weekends may be directed by their site administrator, supervisor or designee to call 643-9299 and leave a message. Someone will return your call the next business day. If it is an emergency, call 9-1-1 or go to the nearest hospital.

3. Disposable single-use non-latex gloves should be used when contact with body fluids is anticipated (such as bloody nose, diapering, etc.). Gloves are standard components for first aid supplies in the schools so that they are readily accessible for emergencies and regular care given in school health offices.

4. Devices that prevent backflow of fluids from the mouth of a victim being given CPR should be used by rescuers in the school setting. These devices are available through local medical supply companies.

5. Any soiled clothing should be placed in a plastic bag, sealed and placed in a second plastic bag. If soiled with blood, the second bag should be a red biohazard bag, available from the custodian. Label with the student's name. Send home with the student.

TRASH DISPOSAL:

1. All wastebaskets should be lined with disposable plastic bags. In areas where blood is present, physical care is provided or personal care occurs (e.g., health office, restrooms, locker rooms, science classrooms, etc.), disposable plastic bags should be replaced daily.

2. Waste in which contains recognizable fluid blood is considered biohazardous waste and must be double bagged with the outside bag color-coded red and with a biohazard label. Biohazard waste cannot be disposed of in the dumpster. Please note: Band-Aids, feminine hygiene products or dressings with a small amount of dried blood are NOT considered biohazardous waste and may be disposed of in plastic bags as regular trash.

3. If needles, syringes, or lancets are used in the school setting or found on the school premises, a special puncture-proof container is available from Health Services. Place intact needles and syringes in the designated puncture-proof container. Do not bend or break needles and do not recap needles. Health Services will pick up and dispose of the containers with a medical waste hauler.

USING DISINFECTANTS

1. Environmental surfaces contaminated with body fluids should be cleaned promptly with disposable towels and approved disinfectant. Disposable gloves should be worn. Disposable items should be discarded in a plastic-lined wastebasket.

2. Mop solution used to clean up body fluid spills should consist of the district-approved disinfectant. Used mops should be soaked in this solution 30 minutes and rinsed thoroughly before reusing.

3. After cleanup, remove gloves and wash hands.

4. If carpet is soiled, clean up immediately with absorbent material and disinfect with district approved disinfectant.

INFECTIOUS DISEASES

WHAT IS AIDS/HIV INFECTION?

AIDS (Acquired Immune Deficiency Syndrome) is the advanced stage of HIV (Human Immunodeficiency Virus) infection. The virus attacks the body's immune system, leaving the immune system vulnerable to life threatening opportunistic infections and malignancies. The virus also may directly attack the central nervous system. Persons infected with HIV may have no apparent symptoms for up to ten years and may appear to be in good health. More than half of the persons in the United States who have been diagnosed to have AIDS (the advanced stage of HIV infection) have died. There is no known cure for AIDS at this time.

HOW IS HIV INFECTION SPREAD?

Everyone infected with HIV, even a person without apparent symptoms, is capable of transmitting the infection. HIV infection can be transmitted by:

1. Sexual activity involving direct contact with blood, semen, or vaginal secretions of someone who is infected
2. Sharing intravenous (IV) needles and/or syringes with someone who is infected
3. Accidental needle sticks with needles containing infected blood
4. Direct contact with infected blood on broken skin or mucous membranes (eyes, nose, mouth)
5. Receiving a blood transfusion or blood products from someone who is infected (screening test advancements have reduced this risk)
6. Sharing unsterilized instruments for tattooing, ear piercing, shaving or acupuncture with someone who is infected
7. Being born to or breast fed by an infected mother

THE HIV/AIDS VIRUS CANNOT BE TRANSMITTED OR SPREAD:

through air or water	by using drinking fountains, toilets, sinks, etc.
by coughing or sneezing	through closed-mouth kissing
on surfaces such as phones or door knobs	through hugging

(There is no documentation of transmission through these sources.)

SYMPTOMS OF HIV INFECTION:

A person could be infected with HIV and not know it because it can take years to damage the immune system enough for symptoms to appear. When symptoms do appear, they often seem like many common illnesses and may include:

Fever	Swollen glands	Loss of appetite
Night sweats	Diarrhea	Weight loss

A blood test, which shows the presence of HIV antibodies, confirms HIV infection. As the HIV infected person becomes unable to fight off infections and certain illnesses, the person is diagnosed with AIDS. There is no cure for HIV or AIDS at this time.

HIV/AIDS RESOURCES:

Education: Sacramento County AIDS Program (916) 875-6022

Testing:	Anonymous Testing: Sacramento County Department of Health and Human Services (916) 874-7720
Medical Treatment:	One Community Health HIV Care and Prevention Team(916) 842-5185 https://onecommunityhealth.com/services/medical/hiv-care/
Information:	Northern California AIDS Hotline (1-800-367-2437) Monday through Friday – 9:00 a.m. to 4:00 p.m. Saturday and Sunday – Closed www.HIVServicesCa.com Operators speak: English, Spanish AIDS/HIV Night Line: 1-800-273-2437, 5:00 p.m. to 5:00 a.m. every night Also offers Spanish-language hotline at: 1-800-303-7432

WHAT IS HEPATITIS B?

Hepatitis B is an infection of the liver caused by a virus present in blood and other body fluids of infected persons. Less than 50 percent of persons who become infected show symptoms of illness. The onset of symptoms may appear 6 weeks to 6 months after becoming infected with the virus. Five to ten percent of infected adults can become chronic virus carriers. Hepatitis B carriers may or may not have chronic liver disease. Persons with chronic liver disease are at increased risk for developing liver cancer.

HOW IS HEPATIITS B SPREAD?

An infected person can transmit Hepatitis B as long as the virus remains in the blood. Transmission may occur as early as 4 weeks before any symptoms occur. A small percentage of people will carry the virus in their blood for years and are known as chronic carriers. Hepatitis B can be transmitted by:

1. Sexual activity involving direct contact with blood, semen, or vaginal secretions of someone who is infected
2. Sharing unsterile instruments used for tattooing, ear piercing, shaving or acupuncture with someone who is infected
3. Sharing intravenous (IV) needles and/or syringes with someone who is infected
4. Direct Contact of infected blood with broken skin or mucous membrane (eyes, mouth, nose)
5. Accidental needle sticks with needles containing blood from a virus carrier
6. Being born to an infected mother
7. Sharing toothbrushes of an infected person

SYMPTOMS:

Mild fever Fatigue
Loss of appetite
Skin becomes yellowish (jaundice)
Vomiting Muscle aches Joint aches
Stool turns light (clay colored)
Abdominal pain Nausea
Urine turns dark

HEPATITIS B VACCINATION:

The Cal-OSHA Bloodborne Pathogens Standard requires employers to offer the 3-injection Hepatitis B vaccination series free to those employees who are determined to be occupationally at risk for exposure to blood and other potentially infectious materials as a result of their job duties. Sacramento City Unified School district employees who are determined to be at risk are provided with specific Bloodborne Pathogen Standard training and written information about the opportunity to receive the Vaccination series.

Initial and annual re-trainings are mandatory in order to meet Cal/OSHA requirements for the following job classifications:

athletic coach
bus attendant
bus driver
campus monitor
child care worker
custodian
elementary school principal, secretary or clerk who perform first aid routinely
Health aides
physical education teacher
plant manager
plumber
police officer
preschool staff
school community liaison
school nurse
special education teacher or aide working with disabled student (of special day classes except LD and RSP)
walking attendant

Other employees not listed above may wish to discuss the need for Hepatitis B vaccine with their primary care physician. The Hepatitis B vaccination series may be covered by district health plans.

Questions regarding this memorandum may be directed to the Health Services Office at (916) 643-9412.

Sacramento City Unified School District

OFFICE OF THE SUPERINTENDENT
5735 47th Avenue • Sacramento, CA 95824
(916) 643-9000 • FAX (916) 399-2058
Lisa Allen, *Superintendent*

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Student Board Member

DATE: December 16, 2025

TO: All Employees

FROM: Elizabeth Sterba, *Director, Student Support Services*
Student Support & Health Services Department

SUBJECT: Student Suicide Prevention: 2025-26

Today's students are encountering heightened pressures, amplified by the lasting effects of the COVID-19 pandemic. This surge in stress has contributed to a rise in anxiety, depression, and emotional distress, which can sometimes lead to suicidal thoughts. As educators, we play a crucial role in safeguarding our students' mental health. By recognizing the signs of emotional distress and potential indicators of suicide, we can intervene early and help students access the support they need, *potentially saving lives.*

SCUSD Student Suicide Prevention Training Mandate

State Law AB2246, AB1767, & SCUSD Board Policy 5141.52 requires all district staff and all other adults who work with students to be trained in Suicide Prevention & Awareness.

For the 2025-26 school year, all district staff are required to complete the Mandated Suicide Prevention and Response training course found on the Public School Works website. In addition, please review and follow the 2025-26 Student Suicide Risk Assessment Procedures in Attachment 1 (6 pages).

Thank you for your work in enhancing the safety net for youth by completing these simulations. Together we can all help keep our students and community safe.

Role of ALL District Staff (including all district-contracted partners)

Any staff who are concerned that a student is showing warning signs of potential suicide risk, self-injury and/or harm to others, **must immediately contact the school administrator or designee**. **No staff shall wait to report safety concerns; they must be reported to the school administrator immediately in the moment that they are expressed.** Always take signs of harm to self and/or others including suicidal feelings, thoughts, behaviors, or plans very seriously. Potential signs may include verbal statements, written content, artistic expressions, social media postings, etc.

For IMMINENT Safety Risk (Student is Actively Attemping Suicide or Engaging in Suicidal Behavior/Self-Injury):

- During the SCHOOL DAY do the following:
  a. Call 911 if a student has immediate Plan for Suicide/Self Injury or Recent attempt of self harm or suicide

     - OR -

  b. Contact parent/caregiver to immediately transport student to a hospital or mental health treatment center If parent/caregiver can't be reached, contact law enforcement for transport support (request the "Mobile Crisis Response Team" if available).

- AFTER HOURS:
  a. Staff must provide crisis hotline numbers to the student and contact the parent/caregiver. If a safe adult cannot be reached, call Law Enforcement and request the Mobile Crisis Response Team complete a Welfare Check. Click here for Mental Health Crisis Resources [it may be helpful to print several copies of this resource and have them ready to hand to students/families].

- During EXPANDED LEARNING:
  a. After 4:00 PM, Expanded Learning Program staff will contact their assigned SCUSD Youth Development (YD) Area Specialist. The YD Area Specialist will identify the SCUSD mental health professional who will conduct the suicide risk assessment.

Procedure for IMMEDIATE Assessment (Student is or may be thinking about suicide or self-harm):

1. Keep student under constant adult supervision until the District-adopted risk assessment tool has been completed. Staff must not release a student exhibiting potential suicide risk without a safety assessment and/or consultation with a trained district employed mental health professional.
2. The school administrator or designee shall immediately contact a District-employed Risk Assessment Staff (RAS; i.e. school counselor, nurse, psychologist, social worker, or mental health specialist). Only a Risk Assessment Staff trained in the District-approved suicide risk assessment tool may complete a suicide risk assessment.
3. If no Risk Assessment Staff is available at the school site, the principal or designee will contact the Student Support & Health Services Staff (in the order listed below) to identify

someone to complete the assessment. CALL/TEXT ONLY - DO NOT EMAIL:

- Liz Sterba: 916-826-3050
- Jamie Bateman: 916-826-3615
- Chanise Hendrix: 916-826-2928

4. In the event that a parent/caregiver wants to remove the student prior to completion of an assessment, or if the parent/caregiver refuses to take the student for necessary follow-up care at an emergency room or mental health treatment center, staff must report the removal/refusal to the school administrator or designee and assess whether mandated reporting requirements require a referral to child protective services and/or law enforcement.

5. Staff will maintain confidentiality of the student as appropriate prior to, during, and after suicide risk assessment process. Information regarding student mental health shall only be shared as is necessary for the safety of the student (i.e. school administrator, district mental health professional, parent/guardian/caregiver). *Do not share with staff where it is not relevant or in the best interest of the student.*

Role of SCUSD Risk Assessment Staff (RAS)

HARM TO SELF ASSESSMENT PROTOCOL:

The RAS completes and documents all parts of a suicide risk assessment, which include the following steps:

1. Discuss confidentiality and its limits with the student, including requirement to disclose outcome of assessment and next steps with family, if safe.

2. Administer the District-approved suicide risk assessment tool.

3. Safety Plan with the student (if appropriate)
    a. If the student discloses *any* suicidal or self-harm ideation, thoughts, or behaviors/past behaviors, RAS must discuss and develop a safety plan with the student. If assessment is conducted virtually and based upon the developmental and language capacity of the student, the student will be asked to write a safety plan out in their current location and show the final document on the screen and/or send a photo of the plan after safety planning has been conducted. RAS will simultaneously fill out the Safety Plan form to document the agreed upon procedure. Safety plans should include local mental health crisis resources [it may be helpful to print several copies of this resource and have them ready to hand to students/families].

4. Contact the Parent/Caregiver (or CPS Report if unsafe to inform family)
    a. If it is safe to disclose to parent/caregiver, regardless of identified risk level, the RAS must inform the student's parent/caregiver of the outcome of the assessment and safety plan for the student. Both the student and

parent/caregiver will, at a minimum, be provided with local mental health crisis resources.

b. If it is safe to disclose to parent/caregiver and student is assessed to be at "High" risk of suicide or self-injury, the RAS must ensure the student remains supervised, or if the student is in independent study will attempt to remain in tele-contact, until an adult is present to assist with obtaining emergency mental health care for further assessment (e.g. parent/caregiver will accompany student to ER/Mental Health Urgent Care Clinic, or call 911).
   i. In the event that a parent/caregiver refuses to take the student for necessary follow-up care at an emergency room or mental health treatment center, staff must report the refusal to the school administrator or designee and determine whether mandated reporting requirements require a referral to child protective services and/or law enforcement.

c. If it is not safe to disclose to parent/caregiver no disclosure shall be made. No disclosure will be made to the parent/caregiver when there is reasonable cause to believe that the disclosure would result in a clear and present danger to the health, safety, or welfare of the student. In the case of no disclosure to parent/caregiver, the RAS should consult with another trained District Risk Assessment Staff, and must report safety/welfare concerns to child protective services and/or law enforcement. Documentation of this decision should be made on the Disposition Summary form as well as following the RAS' own department's documentation procedures.

5. Complete the Disposition Summary Form

6. Document of actions taken per assigned department's policies and procedures
   a. Send all completed paperwork to the District email address at: safety-assessment@scusd.edu (put "CONFIDENTIAL" in the subject line); or intra-district mail to SSHS / Box 708.
   - AND -
   b. Document in Infinite Campus under Counseling - General - Contact Log - in "details section write "*Assessment #4*"

7. Provide postvention/re-entry support as needed
Any student assessed as "Moderate" or "High" risk are to be provided postvention/re-entry supports, including:
   a. If the student will miss school for follow-up support, inform the site administrator and student's teacher(s) about possible absences, while maintaining student confidentiality:
      i. Encourage accommodations for the student to be excused from missed assignments, or at a minimum be allowed to make up work (make up assignments may add stress to the student);
   b. If the student has not been linked to mental health services in the community, the

District employed RAS will work with parent/caregiver to link the student.

c. Obtain a written release of information signed by parents/caregivers to coordinate care with treating providers, if possible;
d. Determine if the student's condition warrants ongoing school-based support with a referral for COST/Student Support Center, Student Study/Success Team (SST) meeting, a 504 Accommodation Plan or for Special Education Services/Individual Education Plan (IEP).

Special Circumstances

- Student Declines/Refuses to Participate in Assessment
  Should the student decline or refuse to participate in the assessment, the RAS must immediately contact parent/caregiver to: 1) alert them to the safety concern and 2) request that they take the student to Mental Health Urgent Care or their nearest Emergency Department for assessment. Document the student's refusal and following communication with parent/guardian/caregiver, on the Disposition Summary form.

- Student is In Independent Study/Not In Person
  If the RAS is not able to conduct the assessment with the student in person due to independent study, assessment is to be completed remotely (phone or video). Use contact information provided by the referring party. If none was provided, use contact information in Infinite Campus following the emergency priority listing.

- Student is Unreachable (ie: Absent from school when concern reported)
  A minimum of three attempts should be made to reach the student or parent/caregiver, or other primary contacts listed in Infinite Campus. If unsuccessful the RAS will contact Law Enforcement and request the Mobile Crisis Response Team to complete a Welfare Check at the student's home.
  - Sample introduction when calling a parent/guardian/caregiver - "*I am (state name and role) and am calling regarding a safety concern about (insert student name). May I please speak with them briefly? I will follow up with you before I end our call.*"
  - Speak privately with the student (or parent/caregiver if student is unavailable). In the event that a parent/caregiver prevents the completion of an assessment, contact Law Enforcement and request the Mobile Crisis Response Team complete a Welfare Check.

HARM TO OTHERS ASSESSMENT PROTOCOL:

Due to documented co-occurrence of suicidal ideation with harm to others ideation, a suicide risk ("Harm to Self") assessment will be completed with any student expressing or thought to be at risk of harming another person(s); the Safe Schools threat assessment for harm to others, however, will be completed by trained staff in the SCUSD Safe Schools Office once a suicide risk assessment is completed, not the RAS.

1. Complete steps one through three in the Harm to Self Assessment Protocol above. Though the student may have been sent for concern about harm to *others*, explain to them that we always ask questions about personal safety when talking about the safety of others. Ensure that you speak with the student about confidentiality and its limits prior to administering the District-approved suicide risk assessment tool.
    a. If the student assesses at high risk, follow Step 4b above, before proceeding.

2. Gather information about the concern of harm to others. Ask the student about:
    a. Who they want to harm;
    b. Why the want to harm them;
    c. How they plan to harm them; and
    d. Whether they have access and/or intention to carry out their plan

3. Call AND text Ray Lozada, SCUSD Safe Schools Office Director (916-549-6899) to request a Threat Assessment. Share relevant information about the outcome of the suicide risk assessment, and the information gathered about harm to others, so he can determine next steps.

4. Notify the site administrator that you have communicated with Safe Schools.

5. Remain with the student until a Safe Schools team member arrives, and speaks with the student.

6. Once the Safe Schools team has completed their assessment, collaborate with them on who will contact the parent/caregiver (or CPS if unsafe), as well as next steps.

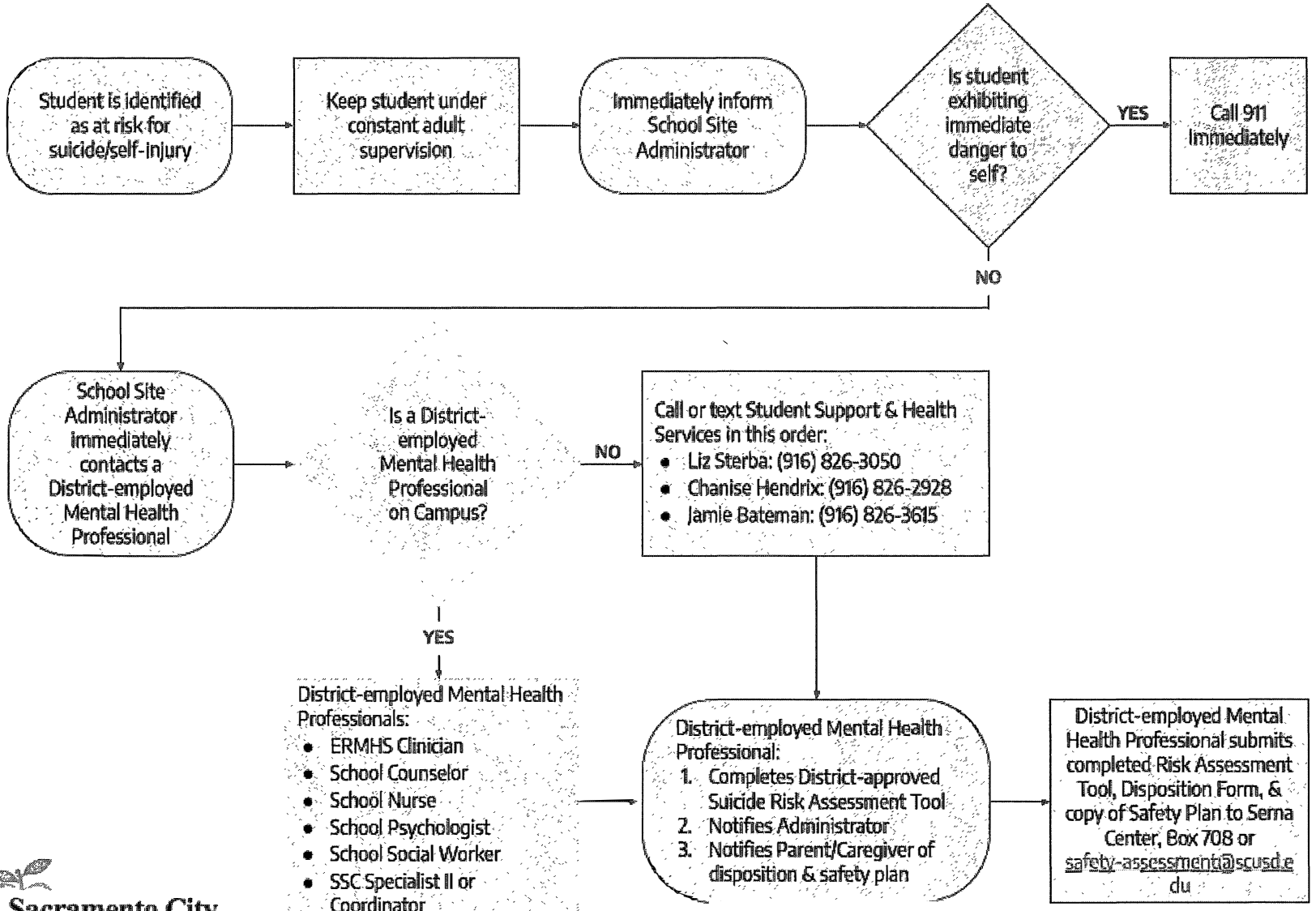
The RAS must complete a Harm to Self assessment - steps one through seven above - in **ALL** cases where a student is referred for **ANY** safety concern. Specifically for safety concerns related to Harm to Others, once steps 1-6 above are completed refer the student to SCUSD Safe Schools Office Director, Ray Lozada (916-549-6899) for a Threat Assessment. In addition the RAS will also make all reasonable attempts to ensure that the school administrator is made aware of the outreach to Safe Schools.

** A Risk Assessment Staff (RAS) is defined as any SCUSD staff member who has training in a mental health-related field and is serving in a District position related or adjacent to mental health. This includes all School Counselors, School Nurses, School Psychologists, School Social Workers, Specialist II, Mental Health or Coordinator I, Mental Health. Per District policy these staff must be trained in the SCUSD assessment process and procedures in order to be eligible to conduct assessments.*

For information contact Liz Sterba: elizabeth-sterba@scusd.edu or 916-826-3050.

Student Suicide Risk Assessment Process

Updated September 2025



Sacramento City
UNIFIED SCHOOL DISTRICT

Sacramento City Unified School District

MEMORANDUM

DATE: August 1, 2025

TO: Sacramento City Unified School District (District) Staff and Employees

FROM: Legal Services and Technology Services

RE: District Records

The purpose of this memorandum is to share various updates and remind staff and employees of their obligations concerning District records and District devices. The District recognizes the importance of securing and retaining its documents in accordance with law, Board policy, and administrative regulations. *See* Exhibit A – Board Policy 3580 (District Records); Exhibit B – Administrative Regulation 3580 (District Records).

All records, including electronic records (e.g., email and text messages), related to District business are subject to the classes defined in Administrative Regulation 3580 (District Records). *See* Exhibit B. Depending on the class categorization, a record is considered permanent, optional, or disposable, subject to varying timelines for retention. *Id.*

The District destroys electronic records following their third year of existence. As such, it is critical for employees to classify the records in accordance with Administrative Regulation 3580 (District Records) and retain any electronic records in a separate file if such documents are required to be retained for longer than three years. *See* Exhibit B.

Retaining records is critical for various reasons:

- The California Public Records Act (CPRA, Government Code sections 6250-6276.48) defines a public record as, "any writing containing information relating to the conduct of the public's business prepared, owned, used, or retained by any state or local agency regardless of physical form or characteristics." The CPRA thus applies to email and text messages and requires that District employees properly identify, manage, and store such communications in accordance with the classes defined in Administrative Regulation 3580 (District Records). *See* Exhibit B. Additionally, because the CPRA applies to electronic communications, employees' email and text messages concerning District business are subject to public disclosure. *See City of San Jose v. Superior Court*, 2. Cal.5th 608 (2017) (finding that the emails of the agents of a public entity that concern the business of the public entity even when using the individual's private email are considered public records).
- Litigation/legal holds on records may require the District to suspend its routine record retention and destruction policy and processes to preserve relevant documents.

Policy 3580: District Records

Status: ADOPTED

Original Adopted Date: 11/16/1998 | **Last Revised Date:** 09/16/2021 | **Last Reviewed Date:** 09/16/2021

The Governing Board recognizes the importance of securing and retaining district documents. The Superintendent or designee shall ensure that district records are developed, maintained, and disposed of in accordance with law, Board policy, and administrative regulation.

The Superintendent or designee shall consult with district legal counsel, site administrators, district information technology staff, personnel department staff, and others as necessary to develop a secure document management system that provides for the storage, retrieval, archiving, and destruction of district documents, including electronically stored information such as email. This document management system shall be designed to comply with state and federal laws regarding security of records, record retention and destruction, response to "litigation hold" discovery requests, and the recovery of records in the event of a disaster or emergency.

The Superintendent or designee shall ensure the confidentiality of records as required by law and shall establish regulations to safeguard data against damage, loss, or theft.

The Superintendent or designee shall ensure that employees receive information about the district's document management system, including retention and confidentiality requirements and an employee's obligations in the event of a litigation hold established on the advice of legal counsel.

If the district discovers or is notified that a breach of security of district records containing unencrypted personal information has occurred, the Superintendent or designee shall notify every individual whose personal information was, or is reasonably believed to have been, acquired by an unauthorized person. Personal information includes, but is not limited to, a social security number, driver's license or identification card number, medical information, health insurance information, or an account number in combination with an access code or password that would permit access to a financial account. (Civil Code 1798.29)

The Superintendent or designee shall provide the notice in a timely manner either in writing or electronically, unless otherwise provided in law. The notice shall include the material specified in Civil Code 1798.29, be formatted as required, and be distributed in a timely manner, consistent with the legitimate needs of law enforcement to conduct an uncompromised investigation or any measures necessary to determine the scope of the breach and restore reasonable integrity of the data system. (Civil Code 1798.29)

Safe at Home Program

District public records shall not include the actual addresses of students, parents/guardians, or employees when a substitute address is designated by the Secretary of State pursuant to the Safe at Home program. (Government Code 6206, 6207)

When a substitute address card is provided pursuant to this program, the confidential, actual address may be used only to establish district residency requirements for enrollment and for school emergency purposes.

Regulation 3580: District Records **Status:** ADOPTED

Original Adopted Date: 11/16/1998 | **Last Revised Date:** 08/31/2021 | **Last Reviewed Date:** 08/31/2021

Classification of Records

Records means all records, maps, books, papers, and documents of a school district required by law to be prepared or retained as necessary or convenient to the discharge of official duty. (5 CCR 16020)

Records do not include materials not necessary or convenient to the discharge of official duty, such as unsolicited electronic mail and advertisements.

Before January 1, the Superintendent or designee shall review the prior year's records and shall classify them as either a Class 1 (Permanent), Class 2 (Optional), or Class 3 (Disposable) record. (5 CCR 16022)

Records of continuing nature (active and useful for administrative, legal, fiscal, or other purposes over a period of years) shall not be classified until such usefulness has ceased. (5 CCR 16022)

An inventory of equipment shall be a continuing record and shall not be classified until the inventory is superseded or until the equipment is removed from district ownership. (5 CCR 16022)

A student's cumulative record is a continuing record until the student ceases to be enrolled in the district. (5 CCR 16022)

When an electronic or photographed copy of a Class 1 (Permanent) record has been made, the copy may be classified as Class 1 (Permanent) and the original classified as either Class 2 (Optional) or Class 3 (Disposable). However, no original record that is basic to any required audit may be destroyed prior to the second July 1st succeeding the completion of the audit. (Education Code 35254)

Class 1 - Permanent Records

The original of each of the following records, or one exact copy of it when the original is required by law to be filed with another agency, is a Class 1 (Permanent) record and shall be retained indefinitely unless microfilmed in accordance with 5 CCR 16022: (5 CCR 16023)

1. Annual Reports
    a. Official budget
    b. Financial reports of all funds, including cafeteria and student body funds
    c. Audit of all funds
    d. Average daily attendance, including Period 1 and Period 2 reports
    e. Other major annual reports, including:
        i. Those containing information relating to property, activities, financial condition, or transactions
        ii. Those declared by Governing Board minutes to be permanent
2. Official Actions
    a. Minutes of the Board or Board committees, including the text of rules, regulations, policies, or resolutions included by reference only
    b. The call for and the result of any elections called, conducted, or canvassed by the Board
    c. Records transmitted by another agency pertaining to its action with respect to district reorganization
3. Personnel Records

Class 1 (Permanent) records include all detailed records relating to employment; assignment; amounts and dates of service rendered; termination or dismissal of an employee in any position; sick leave record; rate of compensation, salaries, or wages paid; and deductions or withholdings made and the person or agency to whom such amounts were paid. In lieu of the detailed records, a complete proven summary payroll record for each employee containing the same data may be classified as a Class 1 (Permanent) record and the detailed records may then be classified as Class 3 (Disposable) records.

Information of a derogatory nature as defined in Education Code 44031 shall be retained as a Class 1 (Permanent) record only when the time for filing a grievance has passed or the document has been sustained by the grievance process.

4. Student Records

   The records of enrollment and scholarship for each student required by 5 CCR 432 and all records pertaining to any accident or injury involving a minor for which a claim for damages had been filed as required by law shall be classified as Class 1 (Permanent) records. These include any related policy of liability insurance, except that these records cease to be Class 1 (Permanent) records one year after the claim has been settled or the statute of limitations has expired.

5. Property Records

   Class 1 (Permanent) records include all detailed records relating to land, buildings, and equipment. In lieu of detailed records, a complete property ledger may be classified as a Class 1 (Permanent) record. The detailed records may then be classified as Class 3 (Disposable) records if the property ledger includes all fixed assets; an equipment inventory; and, for each piece of property, the date of acquisition, name of previous owner, a legal description, amount paid, and comparable data if the unit is disposed of.

   Class 2 - Optional Records

   Any records considered temporarily worth keeping, but which are not Class 1 records, may be classified as Class 2 (Optional) records and shall be retained until reclassified as Class 3 (Disposable) records. If, by agreement of the Board and Superintendent or designee, classification of the prior year records has not been made before January 1 as specified in 5 CCR 16022, all records of the prior year may be classified as Class 2 (Optional) records pending further review and classification within one year. (5 CCR 16024)

   Class 3 - Disposable Records

   All records not classified as Class 1 (Permanent) or as Class 2 (Optional) records shall be classified as Class 3 (Disposable) records. These include, but are not limited to, detailed records basic to audit, including those relating to attendance, average daily attendance, or business or financial transactions; detailed records used in preparing another report; teachers' registers if all information required by 5 CCR 432 is retained in other records or if the General Records pages are removed from the register and classified as Class 1 (Permanent) records; and periodic reports, including daily, weekly, and monthly reports, bulletins, and instructions. (5 CCR 16025)

   All Class 3 (Disposable) records shall be destroyed during the third school year after the school year in which the records originated. In addition, Class 3 (Disposable) records shall not be destroyed until after the third school year following the completion of any legally required audit or the retention period required by any agency other than the State of California, whichever is later. A continuing record shall not be destroyed until the fourth year after it has been classified as a Class 3 (Disposable) record. (5 CCR 16026, 16027)

Electronically Stored Information

All electronically stored information related to the conduct of district business, including information created, saved, sent, or received on a district employee's or Board member's personal account or device, shall be saved as an electronic file to a district-provided account or device and retained in accordance with the section "Classification of Records" above. Such information includes, but is not limited to, email, computer files, and other electronic communications related to district business. In addition, when appropriate, the information may be printed and physically filed in a way that allows it to be easily retrieved when needed.

Employees shall be required to regularly purge their email accounts and district-issued computers, cell phones, and

other communication devices of personal electronically stored information and other information unrelated to district business. The Superintendent or designee may check for appropriate use of any district-owned equipment at any time.

Any person to whom a district-owned computer, cell phone, or other electronic communication device is provided shall be notified about the district's electronic information management system and, as necessary, provided training on the effective use of the device.

Policy 4119.21: Professional Standards

Status: ADOPTED

Original Adopted Date: 05/06/2002 | **Last Revised Date:** 11/04/2021 | **Last Reviewed Date:** 11/04/2021

The Governing Board expects district employees to maintain the highest ethical standards, behave professionally, follow district policies and regulations, abide by state and federal laws, and exercise good judgment when interacting with students and other members of the school community. Employees shall engage in conduct that enhances the integrity of the district, advances the goals of the district's educational programs, and contributes to a positive school climate.

The Board encourages district employees to accept as guiding principles the professional standards and codes of ethics adopted by educational or professional associations to which they may belong.

Each employee is expected to acquire the knowledge and skills necessary to fulfill his/her responsibilities and to contribute to the learning and achievement of district students.

Inappropriate Conduct

Inappropriate employee conduct includes, but is not limited to:

1. Engaging in any conduct that endangers students, staff, or others, including, but not limited to, physical violence, threats of violence, or possession of a firearm or other weapon

2. Engaging in harassing or discriminatory behavior towards students, parents/guardians, staff, or community members, or failing or refusing to intervene when an act of discrimination, harassment, intimidation, or bullying against a student is observed

3. Physically abusing, sexually abusing, neglecting, or otherwise willfully harming or injuring a child

4. Engaging in inappropriate socialization or fraternization with a student or soliciting, encouraging, or maintaining an inappropriate written, verbal, or physical relationship with a student

5. Possessing or viewing any pornography on school grounds, or possessing or viewing child pornography or other imagery portraying children in a sexualized manner at any time

6. Using profane, obscene, or abusive language against students, parents/guardians, staff, or community members

7. Willfully disrupting district or school operations by loud or unreasonable noise or other action

8. Using tobacco, alcohol, or an illegal or unauthorized substance, or possessing or distributing any controlled substance, while in the workplace, on district property, or at a school-sponsored activity

9. Being dishonest with students, parents/guardians, staff, or members of the public, including, but not limited to, falsifying information in employment records or other school records

10. Divulging confidential information about students, district employees, or district operations to persons or entities not authorized to receive the information

11. Using district equipment or other district resources for the employee's own commercial purposes or for political activities

12. Using district equipment or communications devices for personal purposes while on duty, except in an emergency, during scheduled work breaks, or for personal necessity

    Employees shall be notified that computer files and all electronic communications, including, but not limited to, email and voice mail, are not private. To ensure proper use, the Superintendent or designee may monitor employee usage of district technological resources at any time without the employee's consent.

13. Causing damage to or engaging in theft of property belonging to students, staff, or the district

14. Wearing inappropriate attire

Reports of Misconduct

An employee who observes or has evidence of another employee's inappropriate conduct shall immediately report such conduct to the principal or Superintendent or designee. An employee who has knowledge of or suspects child abuse or neglect shall file a report pursuant to the district's child abuse reporting procedures as detailed in AR 5141.4 - Child Abuse Prevention and Reporting.

Any reports of employee misconduct shall be promptly investigated. Any employee who is found to have engaged in inappropriate conduct in violation of law or Board policy shall be subject to disciplinary action and, in the case of a certificated employee, may be subject to a report to the Commission on Teacher Credentialing. The Superintendent or designee shall notify local law enforcement as appropriate.

An employee who has knowledge of but fails to report inappropriate employee conduct may also be subject to discipline.

The district prohibits retaliation against anyone who files a complaint against an employee or reports an employee's inappropriate conduct. Any employee who retaliates against any such complainant, reporter, or other participant in the district's complaint process shall be subject to discipline.

Notifications

The section(s) of the district's employee code of conduct addressing interactions with students shall be provided to parents/guardians at the beginning of each school year and shall be posted on school and/or district web sites. (Education Code 44050)

Policy 4219.11: Sexual Harassment

Status: ADOPTED

Original Adopted Date: 05/06/2002 | **Last Reviewed Date:** 05/06/2002

The Governing Board desires to provide district employees with a working environment that is free from harassment. In order to achieve this end, the Board prohibits sexual harassment of district employees by anyone, in any manner, and shall not tolerate retaliatory action or behavior against a district employee or other person who complains, testifies or otherwise participates in the complaint process pursuant to Board policy and administrative regulations.

For the purposes of this policy, district employees shall include applicants for employment in the district.

Any district employee who permits, engages in or participates in sexual harassment of another district employee or student shall be in violation of this policy and is subject to disciplinary action, up to and including dismissal. An employee shall be deemed to have permitted sexual harassment where he/she has knowledge that a student or an employee has engaged in sexual harassment and fails to report such student or employee to the appropriate authorities, whether or not the victim makes a complaint.

A supervisor, principal or district administrator other than the Superintendent or designee who receives a harassment complaint shall promptly notify the Superintendent or designee.

Any district employee who feels that he/she has been sexually harassed or who has knowledge of any instance of sexual harassment by another employee or a student, shall immediately contact his/her supervisor, principal, Superintendent or designee, or other district administrator, to obtain procedures for reporting a complaint. However, an employee may bypass his/her supervisor in registering a complaint where the supervisor is the alleged perpetrator of the sexual harassment. Employee complaints of sexual harassment shall be filed in accordance with AR 4031 - Complaints Concerning Discrimination in Employment.

The Superintendent or designee shall take all actions necessary to ensure the prevention, investigation and correction of sexual harassment, including but not limited to:

1. Providing periodic training to all staff regarding the district's sexual harassment policy, particularly the procedures for registering complaints and employees' duty in availing themselves of the complaint procedure in order to avoid harm

2. Publicizing and disseminating the district's sexual harassment policy to staff

3. Ensuring prompt, thorough and fair investigation of complaints in a way that respects the privacy of all parties concerned, to the extent necessary

4. Taking timely and appropriate corrective/remedial actions after completion of investigation. This may require subsequent monitoring of developments.

Policy 4319.21: Professional Standards

Status: ADOPTED

Original Adopted Date: 05/06/2002 | **Last Revised Date:** 11/04/2021 | **Last Reviewed Date:** 11/04/2021

The Governing Board expects district employees to maintain the highest ethical standards, behave professionally, follow district policies and regulations, abide by state and federal laws, and exercise good judgment when interacting with students and other members of the school community. Employees shall engage in conduct that enhances the integrity of the district, advances the goals of the district's educational programs, and contributes to a positive school climate.

The Board encourages district employees to accept as guiding principles the professional standards and codes of ethics adopted by educational or professional associations to which they may belong.

Each employee is expected to acquire the knowledge and skills necessary to fulfill his/her responsibilities and to contribute to the learning and achievement of district students.

Inappropriate Conduct

Inappropriate employee conduct includes, but is not limited to:

1. Engaging in any conduct that endangers students, staff, or others, including, but not limited to, physical violence, threats of violence, or possession of a firearm or other weapon

2. Engaging in harassing or discriminatory behavior towards students, parents/guardians, staff, or community members, or failing or refusing to intervene when an act of discrimination, harassment, intimidation, or bullying against a student is observed

3. Physically abusing, sexually abusing, neglecting, or otherwise willfully harming or injuring a child

4. Engaging in inappropriate socialization or fraternization with a student or soliciting, encouraging, or maintaining an inappropriate written, verbal, or physical relationship with a student

5. Possessing or viewing any pornography on school grounds, or possessing or viewing child pornography or other imagery portraying children in a sexualized manner at any time

6. Using profane, obscene, or abusive language against students, parents/guardians, staff, or community members

7. Willfully disrupting district or school operations by loud or unreasonable noise or other action

8. Using tobacco, alcohol, or an illegal or unauthorized substance, or possessing or distributing any controlled substance, while in the workplace, on district property, or at a school-sponsored activity

9. Being dishonest with students, parents/guardians, staff, or members of the public, including, but not limited to, falsifying information in employment records or other school records

10. Divulging confidential information about students, district employees, or district operations to persons or entities not authorized to receive the information

11. Using district equipment or other district resources for the employee's own commercial purposes or for political activities

12. Using district equipment or communications devices for personal purposes while on duty, except in an emergency, during scheduled work breaks, or for personal necessity

    Employees shall be notified that computer files and all electronic communications, including, but not limited to, email and voice mail, are not private. To ensure proper use, the Superintendent or designee may monitor

employee usage of district technological resources at any time without the employee's consent.

13. Causing damage to or engaging in theft of property belonging to students, staff, or the district

14. Wearing inappropriate attire

Reports of Misconduct

An employee who observes or has evidence of another employee's inappropriate conduct shall immediately report such conduct to the principal or Superintendent or designee. An employee who has knowledge of or suspects child abuse or neglect shall file a report pursuant to the district's child abuse reporting procedures as detailed in AR 5141.4 - Child Abuse Prevention and Reporting.

Any reports of employee misconduct shall be promptly investigated. Any employee who is found to have engaged in inappropriate conduct in violation of law or Board policy shall be subject to disciplinary action and, in the case of a certificated employee, may be subject to a report to the Commission on Teacher Credentialing. The Superintendent or designee shall notify local law enforcement as appropriate.

An employee who has knowledge of but fails to report inappropriate employee conduct may also be subject to discipline.

The district prohibits retaliation against anyone who files a complaint against an employee or reports an employee's inappropriate conduct. Any employee who retaliates against any such complainant, reporter, or other participant in the district's complaint process shall be subject to discipline.

Notifications

The section(s) of the district's employee code of conduct addressing interactions with students shall be provided to parents/guardians at the beginning of each school year and shall be posted on school and/or district web sites. (Education Code 44050)

Regulation 4119.12: Title IX Sexual Harassment Complaint Procedures **Status:** ADOPTED

Original Adopted Date: 10/22/2024 | **Last Revised Date:** 06/27/2025 | **Last Reviewed Date:** 06/27/2025

Title IX Sexual Harassment Complaint Procedures

AR 4119.12
The complaint procedures described in this administrative regulation shall be used to address any complaint governed by Title IX of the Education Amendments of 1972 alleging that a student, while in an education program or activity in which a district school exercises substantial control over the context and respondent, was subjected to one or more of the following forms of sexual harassment: (34 CFR 106.30, 106.44)

1. A district employee conditioning the provision of a district aid, benefit, or service on the student's participation in unwelcome sexual conduct
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a student equal access to the district's education program or activity
3. Sexual assault, dating violence, domestic violence, or stalking as defined in 20 USC 1092 or 34 USC 12291

All other complaints alleging sexual harassment brought by or on behalf of students shall be investigated and resolved in accordance with Board Policy/Administrative Regulation 1312.3 - Uniform Complaint Procedures. The determination over which process shall be used to investigate and resolve a complaint shall be made by the district's Title IX Coordinator.
The Title IX Coordinator shall ensure that all requirements and timelines for Board Policy/Administrative Regulation 1312.3 - Uniform Complaint Procedures are concurrently met while implementing the Title IX procedure.

Basic Requirements
When implementing Title IX grievance procedures, the district shall: (34 CFR 106.45)

1. Treat complainants and respondents equitably by providing remedies to a complainant where a determination of responsibility for sexual harassment has been made against the respondent and by following a grievance process in accordance with 34 CFR 106.45 before the imposition of any disciplinary sanctions or other actions that are not supportive measures, as defined in 34 CFR 106.30, against a respondent

Remedies following a determination of responsibility for sexual harassment shall be designed to restore or preserve equal access to the district's education program or activity, and shall be provided in accordance with "Remedies," below.

2. Require an objective evaluation of all relevant evidence, including both inculpatory and exculpatory evidence, and provide that credibility determination may not be based on a person's status as complainant, respondent, or witness
3. Ensure that the Title IX Coordinator, investigator, decisionmaker, or any person that facilitates an informal resolution process, does not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent, and that such individuals receive training in accordance with 34 CFR 106.45
4. Presume that the respondent is not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process
5. Include reasonably prompt timeframes for the conclusion of the grievance process, including reasonably prompt timeframes for filing and resolving appeals, and informal resolution processes if appropriate and offered by the district

The district's procedures shall also include a process that allows for the temporary delay of the grievance procedures or the limited extension of timeframes for good cause with written notice to the complainant and the respondent of the delay or extension and the reasons for the action. Good cause may include considerations such as the absence of a party, a party's advisor, or a witness; concurrent law enforcement activity; or the need for language assistance or accommodation of disabilities.

6. Describe the range of, or list, the possible disciplinary sanctions and remedies that the district may implement following any determination of responsibility
7. State whether the standard of evidence to be used to determine responsibility is the preponderance of the evidence standard or the clear and convincing evidence standard, and apply the same standard of evidence to formal complaints against students and employees and to all formal complaints of sexual harassment
8. Include the procedures and permissible bases for the complainant and respondent to appeal
9. Describe the range of supportive measures available to complainants and respondents
10. Not require, allow, rely upon, or otherwise use questions or evidence that constitute, or seek disclosure of information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege

Additionally, the district shall not disclose the identity of any individual who has made a report or complaint of sex discrimination, including any individual who has made a report or filed a formal complaint of sexual harassment, any complainant, any individual who has been reported to be the perpetrator of sex discrimination, any respondent, and any witness, except as may be permitted by the Family Educational Rights and Privacy Act statute or regulations, as required by law, or to carry out the purposes of Title IX, including the conduct of any investigation, hearing, or judicial proceeding arising under Title IX. (34 CFR 106.30, 106.71)

Reporting Allegations/Filing a Formal Complaint

A student who is the alleged victim of sexual harassment or the student's parent/guardian may submit a report of sexual harassment to the district's Title IX Coordinator using the contact information listed in Administrative Regulation 5145.7 - Sexual Harassment, or to any other available school employee, who shall forward the report to the Title IX Coordinator within one workday of receiving the report.
Upon receiving such a report, the Title IX Coordinator shall inform the complainant of the right to file a formal complaint and the process for filing a formal complaint. (34 CFR 106.44)
A formal complaint shall include the complainant's physical or digital signature, or another indication that the complainant is the person filing the complaint, and be filed with the Title IX Coordinator in person, by mail, by email, or by any other method authorized by the district. (34 CFR 106.30)

If the district has actual knowledge of sexual harassment or allegations of sexual harassment but the alleged victim does not file a formal complaint, the Title IX Coordinator may file a formal complaint and, in situations when an imminent safety threat exists, shall file a formal complaint. In such cases, the Title IX Coordinator shall provide the alleged victim notices as required by the Title IX regulations at specific points in the complaint process.

Supportive Measures

Upon receipt of a report of Title IX sexual harassment, the Title IX Coordinator shall promptly contact the complainant to discuss the availability of supportive measures and shall consider the complainant's wishes with respect to the supportive measures implemented. Supportive measures shall be offered as appropriate, as reasonably available, and without charge to the complainant or the respondent before or after the filing of a formal complaint or even if no formal complaint has been filed. Such measures shall be non-disciplinary, nonpunitive, and designed to restore or preserve equal access to the district's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the district's educational environment or to deter sexual harassment. Supportive measures may include, but are not limited to (34 C.F.R. §§ 106.2, 106.44(g)):

- Counseling;
- Extensions of deadlines and other course-related or work-related adjustments;
- Campus escort services;
- Increased security and monitoring of certain areas of the campus;
- Restrictions on contact applied to one or more Parties;
- Leaves of absence;
- Modifications of class, work, extracurricular or any other activity, regardless of whether there is or is not a comparable alternative; and
- Training and education programs related to sex-based harassment.

The district shall maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the district's ability to provide the supportive measures. (34 CFR 106.30)
If a Party is not satisfied with the supportive measure offering, the Party is encouraged to work with the Title IX Coordinator or designee to modify an existing supportive measure or to request an additional supportive measure. A Party may also submit to the Title IX Coordinator a written challenge within two (2) business days that includes a request to modify or terminate a supportive measure. The challenge shall be reviewed by an impartial employee, who is not the Title IX Coordinator or designee, to determine whether the challenged supportive measure offering is consistent with the definition of supportive measures. (34 C.F.R. §106.44(g)(4).

Upon the conclusion of any formal investigation procedure or informal resolution process, the district may continue with the supportive measures, or modify or terminate such measures, as appropriate.

Emergency Removal from School

If a student is the respondent, the district may remove the student from the district's education program or activity on an emergency basis, provided that the district conducts an individualized safety and risk analysis, determines that removal is justified due to an immediate threat to the physical health or safety of any student or other individual arising from the allegations, and provides the student with notice and an opportunity to challenge the decision immediately following the removal. Any such removal may not constitute discipline for student record purposes or Board Policy 5144 - Discipline. Additionally, this authority to remove a student does not modify a student's rights under the Individuals with Disabilities Education Act or Section 504 of the Rehabilitation Act of 1973. (34 CFR 106.44) If a district employee is the respondent, the employee may be placed on administrative leave during the pendency of the formal complaint process. (34 CFR 106.44)

Dismissal of Complaint

The Title IX Coordinator shall dismiss a formal complaint if the alleged conduct would not constitute sexual harassment as defined in 34 CFR 106.30. Additionally, the Title IX Coordinator shall dismiss a formal complaint in which the alleged conduct did not occur in the district's education program or activity or did not occur against a person in the United States. In addition, the Title IX Coordinator may dismiss a formal complaint if the complainant notifies the district in writing that the complainant would like to withdraw the complaint or any allegations in the complaint, the respondent is no longer enrolled or employed by the district, or sufficient circumstances prevent the district from gathering evidence sufficient to reach a determination with regard to the complaint. (34 CFR 106.45)

Upon dismissal, the Title IX Coordinator shall promptly send written notice of the dismissal and the reasons for the dismissal simultaneously to the parties and shall inform them of their right to appeal the dismissal in accordance with the appeal procedures described in the section "Appeals" below. (34 CFR 106.45)

If a complaint is dismissed, the conduct may still be addressed pursuant to Board Policy/Administrative Regulation 1312.3 - Uniform Complaint Procedures, as applicable.

Informal Resolution Process

When a formal complaint of sexual harassment is filed the district may offer an informal resolution process, such as mediation, at any time prior to reaching a determination regarding responsibility. (34 CFR 106.45)

The district shall not require a party to participate in the informal resolution process or to waive the right to an investigation and adjudication of a formal complaint, including that the district shall not require such waiver as a condition of enrollment or employment or continuing enrollment or employment. (34 CFR 106.45)

As part of an informal resolution, the parties may agree upon discipline such as suspension or expulsion without the need for an investigation.
The district may facilitate an informal resolution process provided that the district: (34 CFR 106.45)

1. Provides the parties with written notice disclosing the allegations; the requirements of the informal resolution process, including the circumstances under which it precludes the parties

from resuming a formal complaint arising from the same allegations; the right to withdraw from the informal process and resume the formal complaint process at any time prior to agreeing to a resolution; and any consequences resulting from the informal resolution process, including that records will be maintained or could be shared

2. Obtains the parties' voluntary, written consent to the informal resolution process
3. Does not offer or facilitate an informal resolution process to resolve allegations that an employee sexually harassed a student.

Written Notice

If a formal complaint is filed, the Title IX Coordinator shall provide the known parties with written notice of the following: (34 CFR 106.45)

1. The district's complaint process, including any informal resolution process
2. The allegations potentially constituting sexual harassment with sufficient details known at the time, including the identity of parties involved in the incident if known, the conduct allegedly constituting sexual harassment, and the date and location of the alleged incident if known

Such notice shall be provided with sufficient time for the parties to prepare a response before any initial interview. If, during the course of the investigation, new Title IX allegations arise about the complainant or respondent that are not included in the initial notice, the Title IX Coordinator shall provide notice of the additional allegations to the parties.

3. A statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the complaint process
4. The opportunity for the parties to have an advisor of their choice who may be, but is not required to be, an attorney, and the ability to inspect and review evidence
5. The prohibition against knowingly making false statements or knowingly submitting false information during the complaint process

The above notice may also include the name of the investigator, facilitator of an informal process, and decision maker and inform the parties that, if at any time a party has concerns regarding conflict of interest or bias regarding any of these persons, the party should immediately notify the Title IX Coordinator.

Consolidation of Complaints

When the allegations of sexual harassment arise out of the same facts or circumstances, the district may consolidate formal complaints alleging sexual harassment against more than one respondent; by more than one complainant against one or more respondents; or by one party against another party. (34 CFR 106.45)

Investigation Procedures

During the investigation process, the district's designated investigator shall: (34 CFR 106.45)

1. Provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence

2. Not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence
3. Provide the parties with the same opportunities to have others present during any grievance proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice, who may be, but is not required to be, an attorney
4. Not limit the choice or presence of an advisor for either the complainant or respondent in any meeting or grievance proceeding, although the district may establish restrictions regarding the extent to which the advisor may participate in the proceedings as long as the restrictions apply equally to both parties
5. Provide, to a party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all investigative interviews or other meetings,

with sufficient time for the party to prepare to participate

6. Provide both parties an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in a formal complaint including evidence that the district does not intend to rely on in reaching a determination regarding responsibility and inculpatory and exculpatory evidence whether obtained from a party or other source so that each party can meaningfully respond to the evidence prior to conclusion of the investigation
7. Send in an electronic format or hard copy to both parties and their advisors, if any, the evidence obtained as part of the investigation that is directly related to the allegations raised in the complaint, and provide the parties at least 10 days to submit a written response for the investigator to consider prior to the completion of the investigative report
8. Create an investigative report that fairly summarizes relevant evidence and, at least 10 days prior to the determination of responsibility, send to the parties and their advisors, if any, the investigative report in an electronic format or a hard copy, for their review and written response.

Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence are offered to prove that someone other than the respondent committed the conduct alleged by the complainant or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent.

Privacy rights of all parties to the complaint shall be maintained in accordance with applicable state and federal laws.
If the complaint is against an employee, rights conferred under an applicable collective bargaining agreement shall be applied to the extent they do not conflict with the Title IX requirements.

Written Decision

The Superintendent shall designate an employee as the decisionmaker to determine responsibility for the alleged conduct, who shall not be the Title IX Coordinator, or a person involved in the investigation. (34 CFR 106.45)
After the investigative report has been sent to the parties but before reaching a determination regarding responsibility, the decisionmaker shall afford each party the opportunity to submit written, relevant questions that the party wants asked of any party or witness, provide each party with the answers, and allow for additional, limited follow-up questions from each party.

The decisionmaker shall issue, and simultaneously provide to both parties, a written decision as to the scope of the respondent's responsibility for the alleged conduct, if any. (34 CFR 106.45)

The written decision shall be issued within 60 calendar days of the receipt of the complaint.

The district may extend the timeline for good cause with written notice to the complainant and respondent of the extension and the reasons for the action. (34 CFR 106.45)

In making this determination, the decisionmaker shall use the "preponderance of the evidence" standard for all formal complaints of sexual harassment. The same standard of evidence shall be used for formal complaints against students as for complaints against employees. (34 CFR 106.45)

The written decision shall include the following: (34 CFR 106.45)

1. Identification of the allegations potentially constituting sexual harassment as defined in 34 CFR 106.30
2. A description of the procedural steps taken from receipt of the formal complaint through the written decision, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held if the district includes hearings as part of the grievance process
3. Findings of fact supporting the determination
4. Conclusions regarding the application of the district's code of conduct or policies to the facts

5. A statement of, and rationale for, the result as to each allegation, including a decision regarding responsibility, any disciplinary sanctions the district imposes on the respondent, and whether remedies designed to restore or preserve equal access to the district's educational program or activity will be provided by the district to the complainant
6. The district's procedures and permissible bases for the complainant and respondent to appeal

Appeals

Either party may appeal the written decision or dismissal of a formal complaint or any allegation in the complaint, if the party believes that a procedural irregularity affected the outcome, new evidence is available that was not reasonably available at the time the determination regarding responsibility or dismissal was made that could affect the outcome, or a conflict of interest or bias by the Title IX Coordinator, investigator(s), or decisionmaker(s) affected the outcome.
If an appeal is filed, the district shall: (34 CFR 106.45)

1. Notify the other party in writing when an appeal is filed and implement appeal procedures equally for both parties
2. Ensure that the decisionmaker(s) for the appeal is trained in accordance with 34 CFR 106.45 and is not the same decisionmaker(s) who reached the determination regarding responsibility or dismissal, the investigator(s), or the Title IX Coordinator
3. Give both parties a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome
4. Issue a written decision describing the result of the appeal and the rationale for the result
5. Provide the written decision simultaneously to both parties

An appeal shall be filed in writing within 10 calendar days of receiving the notice of the decision or dismissal, stating the grounds for the appeal and including any relevant documentation in support of the appeal. Appeals submitted after this deadline are not timely and shall not be considered.

A written decision shall be provided to the parties within 20 calendar days from the receipt of the appeal.

Either party has the right to file a complaint with the U.S. Department of Education's Office for Civil Rights within 180 days of the date of the most recently alleged misconduct.

The complainant shall be advised of any civil law remedies, including, but not limited to, injunctions, restraining orders, or other remedies or orders that may be available under state or federal antidiscrimination laws, if applicable.

Remedies

When a determination of responsibility for sexual harassment has been made against the respondent, the district shall provide remedies to the complainant as appropriate. Such remedies may include the same individualized services described above in the section "Supportive Measures," but need not be non-disciplinary or non-punitive and need not avoid burdening the respondent. (34 CFR 106.45)

Corrective/Disciplinary Actions

The district may impose disciplinary sanctions or other actions after the complaint procedure has been completed, and a determination of responsibility has been made. (34 CFR 106.44, 106.45)

For students in grades 4-12, discipline for sexual harassment may include suspension and/or expulsion in accordance with Board Policy and Administrative Regulation 5144.1 - Suspension/Expulsion and Administrative Regulation 5144.2 - Suspension and
Expulsion/Due Process (Students with Disabilities). (Education Code 48900.2, 48915)

Other actions that may be taken with a student who is determined to be responsible for sexual harassment include, but are not limited to:

1. Transfer from a class or school as permitted by law

2. Conference with parent/guardian
3. Educating the student regarding the impact of the student's conduct on others
4. Positive behavior support
5. Referral of the student to a student success team
6. Denial of participation in extracurricular or cocurricular activities or other privileges as permitted by law

When an employee is found to have committed sexual harassment or retaliation, the district shall take appropriate disciplinary action, up to and including dismissal, in accordance with applicable law and collective bargaining agreement.

Record-Keeping

The Superintendent or designee shall maintain, for a period of seven years: (34 CFR 106.45)

1. A record of all reported cases and Title IX investigations of sexual harassment, any determinations of responsibility, any audio or audiovisual recording and transcript if applicable, any disciplinary sanctions imposed, any remedies provided to the complainant, and any appeal or informal resolution and the results therefrom
2. A record of any actions, including supportive measures, taken in response to a report or formal complaint of sexual harassment, including the district's basis for its conclusion that its response was not deliberately indifferent, the measures taken that were designed to restore or preserve equal access to the education program or activity, and, if no supportive measures were provided to the complainant, the reasons that such a response was not unreasonable in light of the known circumstances
3. All materials used to train the Title IX Coordinator, investigator(s), decisionmaker(s), and any person who facilitates an informal resolution process

The district shall make such training materials publicly available on its website, or if the district does not maintain a website, available upon request by members of the public.
For complaints containing allegations of childhood sexual assault, the Superintendent or designee shall also indefinitely maintain the following: (Code of Civil Procedure 340.1)

1. A record of the allegation(s)
2. A record of the investigation procedures followed
3. A record of the written determination
4. A record of the corrective action implemented, if any
5. A record of any appeals and the outcome of the same
6. All training materials addressing the prohibition and investigation of childhood sexual assault

Additionally, the Superintendent or designee shall indefinitely maintain a record of insurance which evidences the district's coverage for acts of sexual assault.

Filing a Complaint of Sex Discrimination

Any individual may report sex discrimination, including sexual harassment, to the Title IX Coordinator or any other school employee at any time, including during non-business hours, by mail, phone, or email.
During district business hours, reports may also be made in person. Upon receiving an allegation of sexual harassment, the Title IX Coordinator shall promptly notify the parties, in writing, of the applicable district complaint procedure. The following is contact information for the district's Title IX Coordinator(s):
Melinda Iremonger
Title IX Coordinator (personnel-involved) 5735 47th Avenue
Sacramento, CA 95824
(916) 643-7446 melinda-iremonger@scusd.edu
-or-

David Van Natten
Title IX Coordinator (student-to-student) 5735 47th Avenue
Sacramento, CA 95824
(916) 643-7420 david-vannatten@scusd.edu

Complaints of sex-based harassment may only be filed by:

- A complainant;
- A parent, guardian, or other authorized legal representative with the legal right to act on behalf of a complainant; or
- Title IX Coordinator or designee.

Complaints of sex discrimination may be filed by:

- A complainant;
- A parent, guardian, or other authorized legal representative with the legal right to act on behalf of a complainant;
- Any current district student or employee;
- The district's Title IX Coordinator or designee.

If the complainant withdraws any or all the allegations in a complaint, or requests the district not process a complaint, the Title IX Coordinator or designee must determine whether to initiate a complaint of sex discrimination. (34 C.F.R. § 106.44 (f).
Where the Title IX Coordinator or designee is determining whether to initiate a complaint, the Title IX Coordinator or designee shall consider the following:

- The complainant's request not to proceed with initiation of a complaint;
- The complainant's reasonable safety concerns regarding initiation of a complaint;
- The risk that additional acts of sex discrimination, including sex-based harassment, would occur if a complaint is not initiated;
- The severity of the alleged sex discrimination or sex-based harassment, including whether the discrimination, if established, would require the removal of a respondent from campus or imposition of another disciplinary sanction to end the discrimination and prevent its recurrence;
- The age and relationship of the parties, including whether the respondent is an employee of the district;
- The scope of the alleged sex discrimination, including information suggesting a pattern; ongoing sex discrimination, including sex-based harassment; or, sex discrimination, including sex-based harassment, alleged to have impacted multiple individuals;
- The availability of evidence to assist a decisionmaker in determining whether sex discrimination, including sex-based harassment occurred; and
- Whether the district could end the alleged sex discrimination, including sex-based harassment and prevent its recurrence without initiating grievance procedures.

There is no time limit to bringing forth a Title IX complaint to the district. However, if a respondent is no longer subject to the district's jurisdiction and/or significant time has passed, the ability to investigate, respond, and/or provide remedies may be limited or impossible. The Title IX Coordinator or designee has the discretion whether to acting on a complaint of sex discrimination that is significantly impacted by the passage of time including, but not limited to, the rescission or revision of this regulation. The Title IX Coordinator or designee may document allegations for future reference, offer supportive measures and/or remedies, and/or engage in informal or formal action, as appropriate.
Knowingly asserting false and/or malicious allegations, or knowingly providing false or malicious statements, is a serious offense and may be subject to appropriate disciplinary action. Allegations or information provided in good faith but ultimately determined to be erroneous or that do not result in a determination of a policy violation, will not trigger disciplinary action.

Policy 4119.24: Maintaining Appropriate Adult-Student Interactions

Status: ADOPTED

Original Adopted Date: 11/04/2021 | **Last Reviewed Date:** 11/04/2021

The Governing Board desires to provide a positive school environment that protects the safety and well-being of district students. The Board expects all adults with whom students may interact at school or in school-related activities, including employees, independent contractors, and volunteers, to maintain the highest professional and ethical standards in their interactions with students both within and outside the educational setting. Such adults shall not engage in unlawful or inappropriate interactions with students and shall avoid boundary-blurring behaviors that undermine trust in the adult-student relationship and lead to the appearance of impropriety.

All adults with whom students may interact at school or in school-related activities are prohibited from entering into or attempting to form a romantic or sexual relationship with any student or engaging in sexual harassment of a student, including sexual advances, flirtations, requests for sexual favors, inappropriate comments about a student's body or appearance, or other verbal, visual, or physical conduct of a sexual nature.

Adults shall not intrude on a student's physical or emotional boundaries unless necessary in an emergency or to serve a legitimate purpose related to instruction, counseling, student health, or student or staff safety.

All adults with whom students may interact at school or in school-related activities who observes or has knowledge of another adult's violation of this policy shall report the information to the Superintendent or designee or appropriate agency for investigation pursuant to the applicable complaint procedures. Other adults with knowledge of any violation of this policy are encouraged to report the violation to the Superintendent or designee. The Superintendent or designee shall take necessary steps to protect anyone who reports a violation from retaliation from individuals who are within the control of the district. Immediate intervention shall be implemented when necessary to protect student safety or the integrity of the investigation.

Employees who engage in any conduct in violation of this policy, including retaliation against a person who reports the violation or participates in the complaint process, shall be subject to discipline, up to and including dismissal. Any other adult who violates this policy may be barred

from school grounds and activities in accordance with law. The Superintendent or designee may also notify law enforcement as appropriate.

In addition to being provided to district employee's, the district's applicable professional standards and/or employee code of conduct addressing interactions with students shall be provided to parents/guardians at the beginning of each school year and shall be posted on school and/or district web sites. (Education Code 44050)

Inappropriate Conduct

Employees shall remain vigilant of their position of authority and not abuse it when relating with students. Employee conduct that may undermine professional adult-student interactions or create the appearance of impropriety include, but are not limited to:

1. Initiating inappropriate physical contact

2. Being alone with a student outside of the view of others for reasons other than those related to legitimate educational purposes, such as tutoring

3. Visiting a student's home or inviting a student to visit the employee's home without parent/guardian consent outside of a district-sponsored program or activity

4. Personally contacting a student without any legitimate educational purpose, by phone, letter, electronic communications, or other means, without including the student's parent/guardian or the principal

   When communicating electronically with students, employees shall use district equipment or technological resources when available. Employees shall not communicate with students through any medium that is designed to eliminate records of the communications. The Superintendent or designee may monitor employee usage of district technology at any time without advance notice or consent.

5. Creating or participating in social networking sites for communication with students, other than those created

by the district, without the prior written approval of the principal or designee

6. Inviting or accepting requests from students, or former students who are minors, to connect on personal social networking sites (e.g., "friending" or "following" on social media), unless the site is dedicated to school business

7. Singling out a particular student for personal attention and friendship, including giving gifts and/or nicknames to individual students

8. Addressing a student in an overly familiar manner that would make a reasonable student feel uncomfortable and/or that would not be welcomed by a reasonable student

9. Socializing or spending time with students outside of school-sponsored events, without invitation from the student's parent/guardian and except as participants in community activities

10. Sending or accompanying students on personal errands unrelated to any legitimate educational purpose

11. Transporting a student in a personal vehicle without prior authorization

12. Encouraging students to confide their personal or family problems and/or relationships

13. Disclosing personal, family, or other private matters to students or sharing personal secrets with students that have no legitimate educational purposes

The aforementioned examples do not include professional adult conduct necessary in an emergency or legitimately sought to serve students' interests related to instruction, counseling, student health, or student or staff safety or professional adult conduct that a reasonable person would consider appropriate in light of students' age and personal circumstances.

Sacramento City Unified School District

HUMAN RESOURCE SERVICES

P.O. Box 246870 • Sacramento, CA
95824-6870 (916) 643-9050
• FAX (916) 399-2016

Cancy McArn, *Chief Human Resources Officer & Lead Negotiator*
Nanci Rose, *Human Resources Director II*

2025-26 NO. HR-15

SUBJECT: **SB 294 - The CA Workplace - Know Your Rights Act**

TO: **All SCUSD Employees**

DATE: **January 29, 2026**

PREPARED BY: **Nanci Rose**
HR Compliance Director

DEPARTMENT: Human Resource Services

REVIEWED BY: **Jake Hansen, Employee Relations Director**

APPROVED:
Chief Human Resources Officer & Lead Negotiator

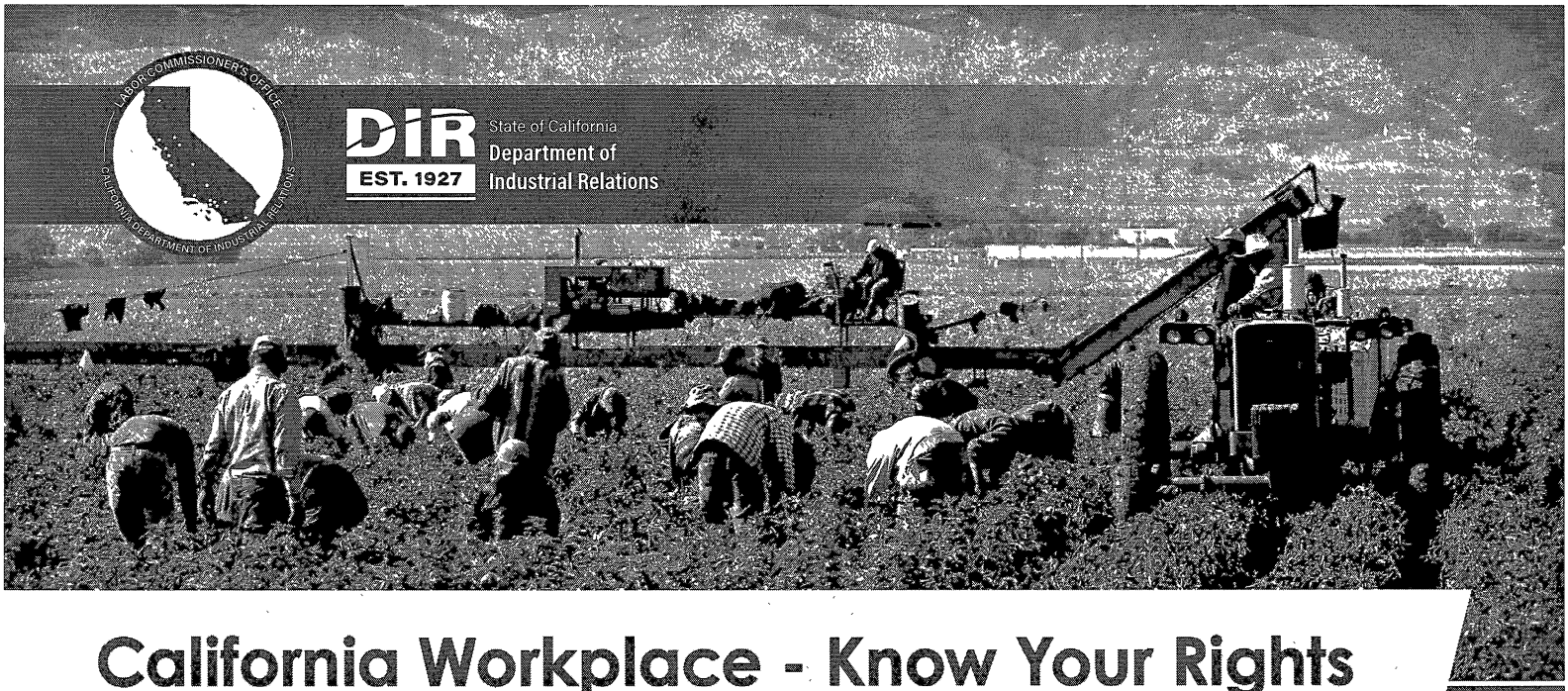
Dear SCUSD Employees:

The passage of SB 294 recently enacted Labor Code Sections 1550-1559, also known as the ***California Workplace Know Your Rights Act.*** All CA employers are now required to distribute the Notices linked along with this communication, to all employees, to ensure they are aware of their rights in the workplace.

This Notice contains seven important categories of information:

1. Information regarding Worker's Compensation rights
2. The right to notice of an I-9 inspection by immigration agencies
3. Protection against unfair immigration-related practices
4. Constitutional Rights when interacting with law enforcement in the workplace
5. Labor organizing rights
6. A description of new laws affecting workplace rights
7. A list of agencies that may enforce the underlying rights in the Notice

Please contact Nanci Rose, HR Compliance Director, by email at Nanci-Rose@scusd.edu for more information regarding this important Notice.



California Workplace - Know Your Rights

As a worker in California, you are entitled to know and exercise your workplace and constitutional rights. Labor laws, including but not limited to standards for wages, hours, and health and safety, apply to all workers in the state *regardless of immigration status.*

It is against the law for your employer to retaliate against you for exercising your rights, including:

- Filing a complaint with the Labor Commissioner, Cal/OSHA, the Civil Rights Department, or another government agency.
- Asking about your employer's compliance with federal, state, or local law.
- Talking with others about their rights or helping them exercise their rights under federal, state, or local law.



Examples of illegal retaliation include firing you, reducing your work hours, or threatening to report you or a relative to immigration authorities because you exercised your rights.

Workplace Protections Related to Immigration Status

Your right to Notice of Immigration Inspections *(Labor Code § 90.2)*

If your employer receives notice of an upcoming immigration agency's inspection of I-9 Employment Eligibility Verification forms or other employment records, your employer must post a notice informing workers and their union representative, if applicable, within 72 hours of receiving that notice.

Your protections against unfair immigration-related practices *(Labor Code §§ 1019-1019.2)*

Under California law, it is unlawful for employers to retaliate against you or threaten immigration-related action when you exercise your rights. An employer is prohibited from taking any of the following actions because you exercised your rights:

- Refusing to accept identification documents during the I-9 process (proof of ID and federal permission to work) that appear to be genuine.
- Using E-Verify in a way not required or authorized by law.
  - For example, using E-Verify to reverify employment eligibility for an employee when not legally required to do so or screening only specific workers rather than all workers in a workplace without a legitimate basis for doing so.
- Reporting or threatening to report you or your family to immigration authorities.
- Filing or threatening to file any false report to the police or a state or federal agency.



Your right to designate an emergency contact *(Labor Code § 1555)*

Your employer **must** allow you to provide them with emergency contact information and to indicate if you want the emergency contact to be notified if you are arrested or detained at work. If you are arrested or detained at work and your employer has knowledge of it, they **must** notify your designated emergency contact if you choose that option.



Your right to organize a union or engage in protected activity in the workplace

Most employees in California have the right to organize, join, or participate in union activities. Employees also have the right to jointly act with co-workers to address work-related issues and concerns to improve working conditions or for the purpose of collective bargaining. **This means you have the right to join with coworkers to request better working conditions or raise work-related concerns, including about wages, hours, health and safety, and other terms of employment.** You also have the right to not participate in union activities or protected activities. It is illegal for your employer to:

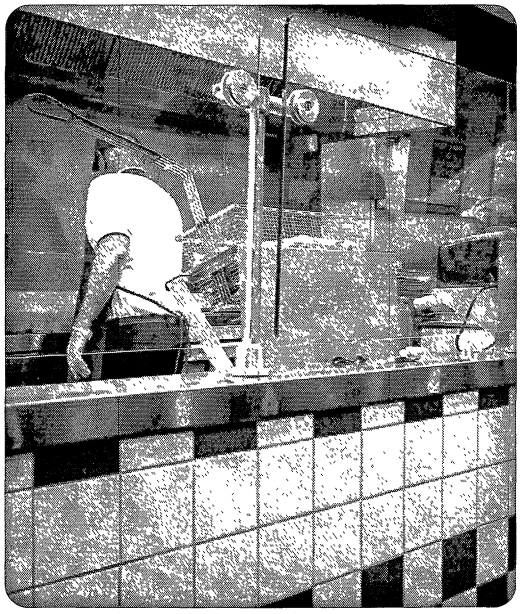
- Interfere with or discourage your union activity or protected activities.
- Threaten you, or retaliate or discriminate against you, because of your union support or protected activities.



Your rights when interacting with law enforcement, including immigration agents, in the workplace

California workers have certain rights and protections under the U.S. Constitution, ***regardless of their immigration status***, including when law enforcement (including a federal immigration agent) approaches you. In addition, under California law, state and local law enforcement cannot assist federal agencies such as ICE with immigration enforcement in most circumstances.

Your right to be free from unreasonable searches *(U.S. Constitution, 4th Amendment)*



- If law enforcement, including immigration agents, ask if they can search you or your personal belongings, unless they have a judicial warrant specifically authorizing a search of your person or your personal belongings, you have the right to say no.
- If the officer conducts the search, even if you say no – remain calm, do not physically resist, and do not run.

Law enforcement can enter *public areas* without a warrant. Public areas may include a lobby, waiting room, public dining area, or parking lot of a workplace. In most circumstances, law enforcement needs a judicial warrant, signed by a judge, to enter *non-public areas* of your workplace without consent. Non-public areas may include a breakroom, employee restroom, workspace, or any area marked as employees only. Administrative forms, such as an I-200 or I-205, are not a judicial warrant.



In California, your employer is prohibited from providing voluntary consent to an immigration enforcement agent to enter *non-public* areas of the workplace. Without a judicial warrant, your employer must refuse entry to immigration enforcement to *non-public* areas of the workplace.

More detailed information can be found in the DOJ's and LCO's joint Immigrant Worker Protection Act FAQ (https://oag.ca.gov/system/files/media/ab450-faqs.pdf).

Your right to be free from unreasonable seizures *(U.S. Constitution, 4th Amendment)*

- You are protected against unreasonable seizures, which includes detaining or arresting you.
- Law enforcement must have a reasonable suspicion of wrongdoing before they can stop and question or search you. You can ask "Am I being detained?" or "Am I free to leave?" If the officer says that you are not being detained or you are free to leave, then you can walk away calmly.
- An arrest requires probable cause and occurs when a person is taken into custody by law enforcement officers.
- Law enforcement agents do not need a judge-signed warrant to arrest someone in public.
- You have the right to speak to a lawyer if you are arrested. You may be pressured to sign documents. You do not have to sign anything without speaking to an attorney.

Your right to remain silent *(U.S. Constitution, 5th Amendment)*



- Anything you say to law enforcement officers can be used against you in court.
- You have the right to remain silent, even if you are asked about your immigration status.
- If you wish to remain silent, clearly state so, request to speak with an attorney **and then remain silent**.
- Do not provide false information, false identification, or false documents to an officer. Providing false documents is a federal offense and may carry severe immigration consequences for noncitizens.

Your right to record interactions with law enforcement in public spaces under the 1st Amendment

The public has the right to observe and record officers and government officials carrying out their duties in public. If you choose to record, you should stand a safe distance away and do not interfere with the officer's actions. Physical obstruction or verbal escalation can put your safety at risk and may lead to criminal charges.

Access to legal representation

If you are arrested, you have the right to an attorney. If you cannot afford an attorney, you can get a government-appointed attorney to represent you in a criminal case.

However, if you are arrested by U.S. Immigration and Customs Enforcement (ICE) or U.S. Customs and Border Protection (CBP), which includes Border Patrol, for civil immigration violations, you have the right to consult with a lawyer, but the government is not required to provide a lawyer for you. If you are arrested by ICE or CBP, you may invoke your right to speak with an attorney before saying or signing anything. You may also ask to speak to your consulate who may provide assistance.



Workers' Compensation

You have the right to workers' compensation benefits if you are injured or become ill because of your job. The benefits provide you with medical care for your injury/illness, partially replace the wages you lose while you are recovering, and help you return to work. For additional information, visit www.dir.ca.gov/dwc/ or call 1-800-736-7401.



Who can I contact if I believe my rights have been violated?

If you believe your rights have been violated, below is a list of government agencies where you can seek assistance:

California Department of Industrial Relations (DIR):

California Labor Commissioner's Office (LCO)

Information: (833) LCO-INFO (833-526-4636)
Immigration helpline: (855) 526-7775
www.dir.ca.gov/dlse/

California Division of Occupational Safety and Health (Cal/OSHA)

(833) 579-0927
https://www.dir.ca.gov/dosh/

California Division of Workers Compensation (DWC)

(800) 736-7401
dir.ca.gov/dwc/

Other California Agencies:

California Attorney General (AG)

(800) 952-5225
www.oag.ca.gov

California Civil Rights Department (CRD)

(800) 884-1684
calcivilrights.ca.gov/

California Agricultural Employees
Agricultural Labor Relations Board (ALRB)

(800) 449-3699
www.alrb.ca.gov

California Public Sector Employees and Transportation Network Company Drivers
Public Employment Relations Board (PERB)

(916) 322-3198
perb.ca.gov

Federal Agencies:

Private Sector Employees
National Labor Relations Board (NLRB):

(844) 762-6572
www.nlrb.gov

Federal Employees
U.S. Federal Labor Relations Authority (FLRA):

(771) 444-5801
https://www.flra.gov/

Railway and Airline Employees
National Mediation Board (NMB):

(202) 692-5000
https://nmb.gov/NMB Application/

Non-Governmental Organizations:

You may also contact a nonprofit legal or community-based organization for assistance. For a list of organizations that partner with state agencies to help workers to understand their rights, scan the QR code to the right, or visit www.dir.ca.gov/dlse/Nonprofit-Legal-and-Community-Based-Organizations-Serving-Workers.html.