CLASSIFIED STAFF HANDBOOK 2026-2027



Delano Union School District (DUSD)
1405 12th Avenue
Delano, CA 93215
Phone: (661) 721- 5000
Web: www.duesd.org

Delano Union School District
Office of Rosalina Rivera, Superintendent
1405 12th Avenue – Delano, CA 93215
(661) 721-5000, x00102 – Fax (661) 721-5096

Dear DUSD Family:

Welcome to the 2026-2027 school year! The attached handbook is a compilation of pertinent informatiom regarding our Delano Union School District policies, procedures, and forms. Please take the opportunity to review this material and know that my door is always open should you have any questions or concerns.

Your service days are valued and are important to the success of our students. Let us continue to Promise 180 by making each and every school day count by giving our personal best every day.

Best wishes,



Rosalina Rivera
Superintendent

DUSD - "Together As One"

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DELANO UNION SCHOOL DISTRICT

Board of Trustees

Irene Martinez, President
Dr. Efrain Rodriguez, Clerk
Frank Herrera Jr., Member
Ignacio Ayon, Member
Suzanne Villaruz, Member

District Staff

Superintendent	Rosalina C. Rivera
Assistant Superintendent of Business Services	Sandra Rivera
Assistant Superintendent of Educational Services	Rosa Montes
Assistant Superintendent of Human Resources	Joseph Hunter
Assistant Superintendent of Instructional Programs	April Gregerson
Director of After School Programs	Karina Oropeza-Gonzalez
Director of Business Services	Chevelle Madrigal
Director of Child Development Programs	Edith Cazares
Director of Curriculum and Instruction	Kerry Wallace
Director of Data Analysis	Jose Maldonado
Director of Food Services	John Chavolla
Director of Health and Safety	Linda Hinojosa
Director of Maintenance, Operations and Transportation	Carlos Graciliano
Director of Special Education	Claudia Marin
Director of Student Support Services	Tina Smith
Director of Technology	Jahad Suboh

District Office: Monday through Friday, 7:30 AM - 4:00 PM

Central Kitchen: Monday through Friday, 5:45 AM - 2:15 PM

Maintenance/Operations/Transportation: Monday through Friday, 7:00 AM - 4:00 PM

Delano Union School District

2026-2027 Site Administration

Albany Park School **235 W 20th Avenue** **Delano, CA 93215** **(661) 721-5020** **Janice Vargas – Principal** **Jesus Valencia – Vice Principal**		**Morningside School** **2100 Summer Drive** **Delano, CA 93215** **(661) 721-2700** **Shirley Gibbs – Principal** **Kevin Cruz – Vice Principal**
Almond Tree Middle School **200 W. 15th Avenue** **Delano, CA 93215** **(661) 721 – 3641** **Rodney Del Rio – Principal** **Ian Tablit – Vice Principal**		**Nueva Vista Language Academy** **120 Garces Highway** **Delano, CA 93215** **(661) 721-5070** **Casey Rivas – Principal** **Martin Rios – Vice Principal**
Cecil Avenue Math & Science Academy **1430 Cecil Avenue** **Delano, CA 93215** **(661) 721-5030** **Lionel Reyna – Principal** **Justin Ingram – Vice Principal**		**Pioneer School** **1001 Hiett Avenue** **Delano, CA 93215** **(661) 474-4911** **Anna Singh – Principal** **Leticia Carreño – Vice Principal** **Iris Silva - Vice Principal**
Del Vista Math & Science Academy **710 Quincy Street** **Delano, CA 93215** **(661) 721-5040** **Markos Lara – Principal** **Esther Barreto – Vice Principal** **Andrea Gonzalez – Vice Principal**		**Princeton Street School** **1959 Princeton Street** **Delano, CA 93215** **(661) 721-5080** **Mark Ruiz – Principal** **Asucena Gutierrez – Vice Principal**
Fremont School **1318 Clinton Street** **Delano, CA 93215** **(661) 721-5050** **Martha Barajas – Principal** **Nancy Avina– Vice Principal**		**Terrace School** **1999 Norwalk Avenue** **Delano, CA 93215** **(661) 721-5060** **May Zetina – Principal** **Vanessa Ventura– Vice Principal**
Harvest School **1320 Vassar Street** **Delano, CA 93215** **(661) 720-2725** **Karen Mayberry-Weirather – Principal** **Jennifer Bork-Walters – Vice Principal**		**Food Services** **411 12th Avenue** **Delano, CA 93215** **(661) 721-5075** **John Chavolla – Director**
La Viña Middle School **1331 Browning Road** **Delano, CA 93215** **(661) 721 – 3601** **Jennifer Townson – Principal** **Rene Mendivil – Vice Principal**		**Maintenance, Operations & Transportation** **120 Ellington Street** **Delano, CA 93215** **(661) 721-5015** **Carlos Graciliano - Director**

DISTRICT NORMS

Delano Union School District

The DISTRICT NORMS outlines the guiding principles and expected behaviors for all DUSD employees.

As members of our District team of education professionals, all District employees have a responsibility to perform all assigned duties in a manner that is consistent with these norms, modeling high standards in order to provide a positive example for all other District employees.

I. We will provide equal opportunity.

We are committed to equal opportunity for all individuals in education. We will ensure that District programs, activities, and practices are 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.

II. We will treat all persons with fairness, dignity, and respect.

We will treat each other and those we serve with fairness, dignity, respect at all times. We will handle any disagreements in a professional manner, and we will not personalize our disagreements. If at any time we have any concerns regarding the job performance of any District employee, we will notify our supervisor and request a meeting to express our concerns in a confidential (i.e., behind closed doors) setting.

III. We will comply with District policies.

We will strictly comply with all established District policies. We will maintain the

confidentiality of all District records. We will not give access to District facilities or equipment without advance supervisory authorization.

IV. We will be excellent role models.

We will provide an orderly, caring, and nurturing educational and social environment in which all students can feel safe and take pride in their school and their achievements. We will create a school environment characterized by positive interpersonal relationships among students and between students and staff. We will demonstrate positive, professional attitudes and respect toward each student and other staff members.

V. We will maintain a safe and secure working environment.

We will take responsibility for maintaining a safe and secure working environment. We will perform our duties in a manner that contributes to the security of all students and all employees; we will be on the lookout for any potential safety/security issue, and we will report any safety/security-related concerns immediately and directly to the administrator or supervisor responsible for security in that specific location.

VI. We will base our actions and decisions on the District's core values.

We will perform our duties consistent with the District's Vision and Goals.

VISION

We are a learning community of educators that holds integrity and excellence as our core values. We are serving families that have entrusted their children to us. We will be deserving of that trust. We will be excellent role models; we will be highly skilled practitioners; and we will be dedicated and proactive in meeting the personal and academic needs of our students and their families. We embrace our responsibility to serve the community and we define our personal success in terms of the success of our students.

GOALS

We will provide an environment of academic excellence that will develop creative and critical thinkers.

We will engage each of our students as unique individuals in order to prepare them for college and career readiness.

We will commit to provide a supportive learning environment that models a strong, positive work ethic, sparks an attitude of inquiry and enthusiasm for learning, and enables our students to become productive and responsible citizens.

We will educate all students in a safe and nurturing family environment, where they will learn to be active citizens of a culturally diverse society.

We will honor students, parents, and community members by providing exemplary customer service.

We will perform our duties consistent with the District's Core Values: Dedication to Excellence; Transparency; Trust; and Unity.

VII. We will eliminate any conflicts of interest.

We will not use our District position for personal or private gain, or for the gain of any private organization that we may belong to. We will not use District resources for private non-district purposes or for purposes other than for which they were intended. We will not hold financial interests that conflict with the performance of our duties to the district. We will not engage in outside employment or activities that conflict with our official district duties. We will not accept rewards - gifts, services, travel, entertainment, jobs for immediate family members, or other special considerations - that may give the appearance that the benefit could improperly influence District decisions.

VIII. We will hold each other accountable.

We will promptly disclose to our supervisor any evidence or information that is related to alleged employee misconduct. We will not use our positions to intimidate, threaten, or retaliate against any person who reports alleged misconduct.

DISTRICT NORMS
DRAFT: March 7, 2016
REVISED: February 27, 2017
ADOPTED: June 12, 2017

District employees who fail to comply with the DISTRICT NORMS may be subject to administrative discipline and/or legal action.

183 Work Days - Returning Staff (teachers)
184 Work Days - New Staff (teachers)

DELANO UNION SCHOOL DISTRICT
2026-2027 SCHOOL YEAR

STAFF CALENDAR

JULY 2026						
S	M	T	W	TH	F	S
			1	2	♦	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	NP	P	P	24	25
26	▲	▲	29	30	31	

AUGUST 2026						
S	M	T	W	TH	F	S
						1
2	3	4	5	6	7	8
9	10	11	▼	13	14	15
16	17	18	19	20	21	22
23	24	25	▼	27	28	29
30	31					

SEPTEMBER 2026						
S	M	T	W	TH	F	S
		1	▼	3	4	5
6	♦	8	9	10	11	12
13	14	15	▼	17	18	19
20	21	22	23	24	25	26
27	28	29	▼			

OCTOBER 2026						
S	M	T	W	TH	F	S
				1	2	3
4	▲	▲	▲	▲	▼	10
11	12	13	14	15	16	17
18	19	20	▼	▲	23	24
25	26	27	▼	29	30	31

NOVEMBER 2026						
S	M	T	W	TH	F	S
1	2	3	4	5	6	7
8	9	10	♦	12	13	14
15	16	17	▼	19	▲	21
22	23	24	25	♦	●	28
29	30					

DECEMBER 2026						
S	M	T	W	TH	F	S
		1	2	3	4	5
6	7	8	9	10	▲	12
13	14	15	16	17	18	19
20	21	22	23	●	♦	26
27	28	29	30	●		

JANUARY 2027						
S	M	T	W	TH	F	S
					♦	2
3	4	5	6	7	8	9
10	P	P	13	14	15	16
17	♦	19	20	21	22	23
24	25	26	▼	28	29	30
31						

FEBRUARY 2027						
S	M	T	W	TH	F	S
	1	2	3	4	5	6
7	♦	9	▼	11	12	13
14	♦	16	17	18	19	20
21	22	23	▼	25	26	27
28						

MARCH 2027						
S	M	T	W	TH	F	S
	1	2	3	4	5	6
7	8	9	▼	11	12	13
14	15	16	17	18	▲	20
21	22	23	24	25	●	27
28	●	30	▼			

APRIL 2027						
S	M	T	W	TH	F	S
				1	2	3
4	5	6	▼	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

MAY 2027						
S	M	T	W	TH	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	▲	21	22
23	24	25	26	27	28	29
30	♦					

JUNE 2027						
S	M	T	W	TH	F	S
		1	2	▲	4	5
6	7	8	9	10	11	12
13	14	15	16	17	♦	19
20	21	22	23	24	25	26
27	28	29	30			

July 21	New Tchr Orient.
July 22-23	Tchr Prep/Training
July 27	First Day of School
Oct. 12-16	Fall Recess
Nov. 23-27	Thanksgiving Recess
Dec. 14-Jan. 12	Winter Recess
Jan. 11-12	Tchr Prep/Training
March 22-29	Spring Recess
June 3	Last Day of School

HOLIDAYS

July 3
Sept. 7
Nov. 11, 26, 27
Dec. 24,25, 31
Jan. 1, 18
Feb. 8, 15
March 26, 29
May 31
June 18

PROGRESS REPORTING

1st Quarter Ends: Sep. 25, 2026
2nd Quarter Ends/1st Semester Ends: Jan. 15, 2026
3rd Quarter Ends: April 2, 2026
4th Quarter Ends: June 2, 2026

ACADEMIES:

Fall Academy: Oct. 12-16, 2026
Winter Academy: Dec. 14-18, 2026
Jan. 4-8, 2027
Summer Academy: June 7-28, 2027

♦ Legal Holiday (No school)
● Local Holiday (No school)
▲ Minimum Day (1:05 p.m.)
All Schools
▼ Late Start Schedule (10:00 a.m.)
STPT – 8/12, 9/2, 9/30, 10/28
1/27, 2/10, 3/31
PD -- 8/26, 9/16, 10/21, 11/18
2/24, 3/10, 4/7
School in session
Academies (Fall, Winter, & Summer)
No Students
NP New Teacher Prep Day (No school)
P Prep Day (No school)

Board Approved: 3/9/26

**ALL STAFF ARE EXPECTED TO REPORT TO WORK ON ALL REGULAR PREP DAYS.
ALL ABSENCES ARE TO BE REPORTED TO THE DISTRICT SEMS SYSTEM.**

I. Absence Reporting

Delano Union School District

Office of Rosalina C. Rivera, Superintendent
Department of Human Resources
Joseph Hunter, Assistant Superintendent of Human Resources
1405 - 12th Avenue, Delano, California 93215
(661) 721-5000 x00131 ~ Fax (661) 721-5014

TO: All Staff
FROM: Department of Human Resources
DATE: July 1, 2026
RE: 1. Reporting Absences from Work for all Work Sites and Departments
2. Procedure to Request a Substitute

1. REPORTING ABSENCE FROM WORK:

If you are going to be absent from work for any reason, whether it be personal necessity, vacation, sick leave, or District business to attend a workshop, conference, etc., it is your responsibility to report your absence before your work period begins. Whether you need a sub or not, all absences from duty must be reported to the Frontline Absence Management.

2. PROCEDURE TO REQUEST A SUBSTITUTE:

A. If you are going to be absent and need a substitute, it is your responsibility to call Frontline Absence Management to request a substitute or through the application or website. When you call Frontline Absence Management, you will have these options:

(1)	**Create an absence**	**-**	**Press 1**
(2)	**To review or cancel an upcoming absence**	**-**	**Press 3**
(3)	**To review or cancel a specific absence**	**-**	**Press 4**
(4)	**Review or Change Personal Information**	**-**	**Press 5**

B. Arrangements for substitutes are to be made through Frontline Absence Management. Any substitute not called by Frontline Absence Management will be sent home and not paid if he/she reports for work.

C. The Receptionist in the Human Resources office is in charge of managing Frontline Absence Management. HR is not responsible for inputting your absences; however, if you have questions regarding Frontline, you may call 721-5000, extension 00162.

To best facilitate the arranging of substitutes, please call Frontline Absence Management as soon as you know you will need a substitute. Please make every effort to call no later than 6:00 A.M. if you are calling for a substitute for that same day.

The number to report your absence or to make arrangements for the substitute is:

1-800-942-3767. This number will be answered by an automatic recording machine. Please follow the prompts and speak clearly. To report an absence using the Frontline Education application, you must download the application in the Apple App Store or the Google Play Store.

INSTRUCTIONS FOR REPORTING AN ABSENCE ON
FRONTLINE ABSENCE MANAGEMENT

Please call **1-800-942-3767**. This number will be answered by an automatic recording machine. Please follow the prompts and enter your **10-digit phone number** followed by the * key. After, you will enter in your **PIN** follow by the * key. When you call Frontline Absence Management, you will have these options:

A. Create an Absence	-Press 1
B. To review or cancel an upcoming absence	-Press 3
C. To review or cancel a specific absence	-Press 4
D. Review or Change Personal Info	-Press 5

To report an absence, you can download the Frontline Education application in the Apple App Store or the Google Play Store.



EMPLOYEE REPORT OF ABSENCE

Employee _____ SEMS ID # _____

Date(s) of Absence _____ Name of Substitute(s)_____

****

SEMS JOB#(s)_____

REASON FOR ABSENCE:

Illness _____ Total Hours
Personal Necessity _____ Total Hours
Leave _____ Total Hours
(Specify) _____

Vacation _____ Total Hours
Jury Duty _____ Total Hours
Comp-Time _____ Total Hours
Industrial Accident _____ Total Hours

Bereavement _____ Total Hours Name of Deceased: _____
Relationship (Specify): _____
Funeral Location _____

School Business (Conference/Training/Field-Trip) _____ Total Hours
Name of Conference/Training/Field-Trip:_____ Location: _____

****

Employee Signature _____ Date _____

****

Supervisor Signature _____ Date _____

Revised 11/16 3-Part **Green – Payroll** **Yellow – Department/Site** **Pink - Employee**

DELANO UNION SCHOOL DISTRICT
Human Resources Department

REQUEST TO CHANGE / REPORT AN ABSENCE

If you have reported an absence in SEMS and would like to make a change to the date/ time, or if you did not report an absence, please complete this form.

EMPLOYEE NAME: _____

SITE : _____

DATE OF ABSENCE:_____

SEMS JOB # _____(if applicable)

DID NOT REPORT ABSENCE
REASON FOR ABSENCE _____

INFORMATION TO BE REVISED

DATE:_____

START TIME:_____A.M.

END TIME:_____P.M.

Supervisor's Signature : _____ Date : _____

09-08-11
White : Human Resources Canary : Employee Pink : Supervisor HR Dept.

II.

Human Relations

DELANO UNION SCHOOL DISTRICT
CONFIDENTIALITY STATEMENT

Health and Safety Code Section 199.42

Personally identifying information confidentiality; disclosure; discovery; compelled production; civil penalty; employment or insurance use

(a) Public health records relating to acquired immune deficiency syndrome (AIDS), containing personally identifying information, which were developed or acquired by state or local public health agencies shall be confidential and shall not be disclosed, except as otherwise provided by law for public health purposes or pursuant to a written authorization by the person who is the subject of the record or by his or her guardian or conservator.

(b) State or local public health agencies may disclose personally identifying information in public health records, as described in subdivision (a), to other local, state, or federal public health agencies or to corroborating medical researchers, when the confidential information is necessary to carry out the duties of the agency or researcher in the investigation, control, or surveillance of disease, as determined by the state or local public health agency.

(c) Any disclosure authorized by subdivision (a) or (b) shall include only the information necessary for the purpose of that disclosure and shall be made only on agreement that the information will keep confidential and will not be further disclosed without written authorization, as described in subdivision (a).

(d) No confidential public health record, as described in subdivision (a), shall be disclosed, discoverable, or compelled to be produced in any civil, criminal, administrative, or other proceeding.

(e) Any person who willfully or maliciously discloses the content of any confidential public health record, as described in subdivision (a), to any third party, except pursuant to a written authorization, as described in subdivision (a), or as otherwise authorized by law, shall be subject to a civil penalty in an amount not less than one thousand dollars ($1,000) and not more than five thousand dollars ($5,000) plus court costs, as determined by the court, which penalty and costs shall be paid to the person whose record was disclosed.

(f) In the event that a public health record, as described in subdivision (a), is disclosed, the information shall not be used to determine employability, or insurability of any person.

(Added by Stats. 1987, C.56, § 105)

DUSD Unauthorized Release of Confidential/Privileged Information
BP. 4219.23

The Governing Board recognizes the importance of keeping confidential information confidential. Staff shall maintain the confidentiality of information acquired in the course of their employment. Confidential/privileged information shall be released only to the extent authorized by law.

Disclosure of Closed Session Information

An employee shall not disclose confidential information acquired by being present during a closed session to a person not entitled to receive such information, unless the Board authorizes disclosure of that information. (Government Code 54963)

Confidential information means a communication made in a closed session that is specifically related to the basis for the Board to meet lawfully in closed session. (Government Code 54963)

An employee who willfully discloses confidential information acquired during a closed session may be subject to disciplinary action if he/she has received training or notice as to the requirements of this policy. (Government Code 54963)

The Superintendent or designee shall provide all employees who attend closed sessions a copy of this policy. New employees who may attend closed sessions shall also receive a copy of this policy.

The district shall not take disciplinary action against any employee for disclosing confidential information acquired in a closed session, nor shall the disclosure be considered a violation of the law or Board policy, when the employee is: (Government Code 54963)

1. Making a confidential inquiry or complaint to a district attorney or grand jury concerning a perceived violation of law, including disclosing facts necessary to establish the illegality or potential illegality of a Board action that has been the subject of deliberation during a closed session

2. Expressing an opinion concerning the propriety or legality of Board action in closed session, including disclosure of the nature and extent of the illegal or potentially illegal action

3. Disclosing information that is not confidential

Other Disclosures

An employee who willfully releases confidential/privileged information about the district, students or staff shall be subject to disciplinary action.

No employee shall disclose confidential information acquired in the course of his/her official duties. Confidential information includes information that is not a public record subject to disclosure under the Public Records Act, information that by law may not be disclosed, or information that may have a material financial effect on the employee.

Any action by an employee which inadvertently or carelessly results in release of confidential/privileged information shall be recorded, and the record shall be placed in the employee's personnel file. Depending on the circumstances, the Superintendent or designee may deny the employee further access to any privileged information and shall take any steps necessary to prevent any further unauthorized release of such information.

Adopted by Board of Trustees
April 10, 2017
Delano, CA

MAKING THE REPORT:
Kern County Mandated Reporting Procedures



Imminent Danger: 9 -1- 1



- In any case in which you believe the child is in imminent danger or immediate risk of injury or harm of any kind, call 9-1-1 so law enforcement may immediately intervene and assess the situation.
- In many of these situations, law enforcement will request Child Welfare Services to respond to the scene to assist them or follow up later to assess the child's safety and the family's circumstances.
- **Reporting directly to law enforcement satisfies your legal reporting obligations as a mandated reporter**

For all other circumstances, you can call:

- **Law Enforcement – Call the agency with jurisdiction**
- **Kern County Department of Human Services**

KCDHS 24-Hour HotLine – Make a VERBAL report!

DO NOT FAX – Call first – It's the law!



- The Kern County Department of Human Services (KCDHS) maintains a 24-hour a day, 7 days a week, phone line for the community to report child abuse or neglect.
- **The phone number is (661) 631-6011.**
- The KCDHS 24-hour CPS hotline is manned by trained social workers who will answer questions and take appropriate referrals from all callers.

THEN Follow-Up (Mail/Fax) with the Written Report Suspected Child Abuse Report (SCAR)



- Mandated Reporters must follow-up all verbal reports with a written report within 36 hours.

The SCAR document is available in PDF format at the following government website: https://oag.ca.gov/sites/all/files/agweb/pdfs/childabuse/ss_8572.pdf

- The SCAR is available in Spanish, Chinese, Russian, Korean, Vietnamese, and Armenian via the link: https://oag.ca.gov/childabuse/forms
- The original SCAR should be sent to the agency receiving the verbal report – either Child Protective Services or Law Enforcement.
- **For KCDHS** mail, fax, or email the SCAR
  - Mail to: KCDHS – CPS (SCAR Enclosed), PO Box 511, Bakersfield, California 93302, or bring the form to our department located at 100 East California Avenue, Bakersfield, California.
  - Email to: KernCPSHotLine@kerndhs.com
  - FAX (661) 631-6568: Please include a phone number where you can be reached should KCDHS emergency personnel need to make a follow-up call.
- **For Law Enforcement** send the SCAR to the agency of Jurisdiction

How to Complete a SCAR

In the name of efficiency, we would like to provide you with a few helpful reporting hints:

- The **VERBAL** report of suspected child must be made immediately, or as soon as possible, by **PHONE. Please DO NOT fax in lieu of a verbal report.** The hotline personnel need to speak directly to the mandated reporter to acquire all the important information needed to assess the circumstances. The "hard copy" or *Suspected Child Abuse Report* (SCAR) may then be mailed, emailed, or faxed within 36 hours. When mailing, indicate "**SCAR Enclosed**" on the outside of the envelope.

- In the ***REPORTING PARTY*** section, include your name and any other mandated reporters who were present and observed the abuse or overheard the disclosure. Please indicate your occupation, organization's name, work physical and mailing address, and work telephone number. Please include the city and zip code.

- In the ***REPORT NOTIFICATION*** section, check the agency that received your report and enter the agency's mailing address (Kern CPS: KCDHS, PO Box 511, Bakersfield, CA 93302). Also enter the date and time of your phone call, the person's name who received your report, and the agency's phone number (Kern CPS: 661 631-6011).

- In the ***VICTIM*** section, put the child victim's name. Please indicate spoken language! If siblings are also victims, just indicate that in the sibling section (Under Involved Parties) or explain the situation when you give the narrative description. Additional Suspected Child Abuse Reports are not needed for each sibling.

- In the ***INVOLVED PARTIES*** section, indicate sibling/parent/suspect information. Enter in the mother's name, even if she doesn't live in the home or is deceased. Put in the father's name and indicate if he is a biological father, stepfather or mother's boyfriend. Include the city and zip code. Please indicate spoken language or other important information under "Other Relevant Information."

- In the ***INCIDENT INFORMATION*** section, please write clearly or, if you choose, you may just write "see attached" and provide the information on typed/printed attachments. Use plain language. Explain medical terms used. Do not use uncommon abbreviations. Use as many additional sheets of paper as needed.

- **And remember, Child Protective Services has jurisdiction to protect children from adults or caretakers <u>that live in the child's home</u>, not from adults that live outside of the child's home,** such as teachers, doctors, neighbors, etc. Abuse that is caused by these "out-of-home" perpetrators will not be investigated by CPS but will be referred to law enforcement.

- **Cross Reporting**: Reporting directly to law enforcement satisfies your legal reporting obligation as a mandated reporter.

<u>Remember:</u>

1. **CALL THE KCDHS HOTLINE AT (661) 631-6011**
2. **SEND SCAR TO: KCDHS – CPS (SCAR Enclosed), P.O. BOX 511, BAKERSFIELD, CA 93302; FAX to (661) 631-6568; or email to KernCPSHotLine@kerndhs.com**

Example of Suspected Child Abuse Report

Print

SUSPECTED CHILD ABUSE REPORT

Reset Form

To Be Completed by **Mandated Child Abuse Reporters**
Pursuant to Penal Code Section 11166

PLEASE PRINT OR TYPE

CASE NAME: _____

CASE NUMBER: _____

A. REPORTING PARTY

NAME OF MANDATED REPORTER	TITLE	MANDATED REPORTER CATEGORY
Mary Mandated	Teacher	Teacher

REPORTER'S BUSINESS/AGENCY NAME AND ADDRESS (Street, City, Zip)	DID MANDATED REPORTER WITNESS THE INCIDENT?
Sundown Elementary School 321 Main Street, Bakersfield, Ca 93303	☐ YES ☒ NO

REPORTER'S TELEPHONE (DAYTIME)	SIGNATURE	TODAY'S DATE
(661) 555-5555		August 19, 2009

B. REPORT NOTIFICATION

☐ LAW ENFORCEMENT ☐ COUNTY PROBATION ☒ COUNTY WELFARE / CPS (Child Protective Services)

AGENCY: Kern County Child Protective Services

ADDRESS (Street, City, Zip)	DATE/TIME OF PHONE CALL
PO Box 511, Bakersfield, Ca 93302	8/19/09 1:09 AM

OFFICIAL CONTACTED - TITLE	TELEPHONE
Susie Social Worker, CPS Hotline Worker	(661) 631-6011

C. VICTIM (One report per victim)

NAME (LAST, FIRST, MIDDLE)	BIRTHDATE OR APPROX. AGE	SEX	ETHNICITY
Doe, Sarah	02-02-2002	F	W

ADDRESS (Street, City, Zip)	TELEPHONE
222 Backpack Lane, Bakersfield, Ca 93302	(661) 444-4444

PRESENT LOCATION OF VICTIM	SCHOOL	CLASS	GRADE
321 Main Street, Bakersfield	Sundown Elem.	Ms. Mandated	4

PHYSICALLY DISABLED?	DEVELOPMENTALLY DISABLED?	OTHER DISABILITY (SPECIFY)	PRIMARY LANGUAGE SPOKEN IN HOME
☐ YES ☒ NO	☐ YES ☒ NO	None	English

IN FOSTER CARE?	IF VICTIM WAS IN OUT-OF-HOME CARE AT TIME OF INCIDENT, CHECK TYPE OF CARE:	TYPE OF ABUSE (CHECK ONE OR MORE)
☐ YES ☒ NO	☐ DAY CARE ☐ CHILD CARE CENTER ☐ FOSTER FAMILY HOME ☐ FAMILY FRIEND ☐ GROUP HOME OR INSTITUTION ☐ RELATIVE'S HOME	☐ PHYSICAL ☐ MENTAL ☐ SEXUAL ☒ NEGLECT ☐ OTHER (SPECIFY)

RELATIONSHIP TO SUSPECT	PHOTOS TAKEN?	DID THE INCIDENT RESULT IN THIS VICTIM'S DEATH?
Daughter	☐ YES ☒ NO	☐ YES ☒ NO ☐ UNK

D. INVOLVED PARTIES

VICTIM'S SIBLINGS

NAME	BIRTHDATE	SEX	ETHNICITY
1. Doe, Johnny	03-03-2000	M	W
2.			
3.			
4.			

VICTIM'S PARENTS/GUARDIANS

NAME (LAST, FIRST, MIDDLE)	BIRTHDATE OR APPROX. AGE	SEX	ETHNICITY
Doe, Janna	35	F	W

ADDRESS (Street, City, Zip)	HOME PHONE	BUSINESS PHONE
222 Street, Bakersfield, Ca 93303	(661) 777-7777	( ) unknown

NAME (LAST, FIRST, MIDDLE)	BIRTHDATE OR APPROX. AGE	SEX	ETHNICITY
Doe, John	40	M	W

ADDRESS (Street, City, Zip)	HOME PHONE	BUSINESS PHONE
222 Street, Bakersfield, Ca 93303	(661) 777-7777	( ) unknown

SUSPECT

SUSPECT'S NAME (LAST, FIRST, MIDDLE)	BIRTHDATE OR APPROX. AGE	SEX	ETHNICITY
Doe, John	40	M	W

ADDRESS (Street, City, Zip)	TELEPHONE
222 Street, Bakersfield, Ca 93303	(661) 777-7777

OTHER RELEVANT INFORMATION
Mr. Doe has been hostile with school personnel in the past.

E. INCIDENT INFORMATION

IF NECESSARY, ATTACH EXTRA SHEET(S) OR OTHER FORM(S) AND CHECK THIS BOX ☐ *IF MULTIPLE VICTIMS, INDICATE NUMBER:* _____

DATE / TIME OF INCIDENT	PLACE OF INCIDENT
08-18-09 PM	Child's home - address above

NARRATIVE DESCRIPTION (What victim(s) said/what the mandated reporter observed/what person accompanying the victim(s) said/similar or past incidents involving the victim(s) or suspect)

Jane has a one inch purple bruise above her right eye. Jane says her father pushed her down and she fell and hit her face against her bedroom doorway. She stated, "My dad got mad because my room was messy. He pushed me down and I hit my face on the doorway. I am scared he'll beat me 'cause I told." Jane and her brother, Johnny, are often very dirty and hungry when the arrive at school. No physical injuries have been noticed in the past.

SCAR Website: https://oag.ca.gov/sites/all/files/agweb/pdfs/childabuse/ss_8572.pdf

DUSD Nondiscrimination in Employment Board Policy 4030

The Governing Board is determined to provide a safe, positive environment where all district employees are assured of full and equal employment access and opportunities, protection from harassment and intimidation, and freedom from any fear of reprisal or retribution for asserting their employment rights in accordance with law. For purposes of this policy and accompanying administrative regulation, employees include interns, volunteers, contractors, job applicants, and other persons with an employment relationship with the district.

No district employee shall be discriminated against or harassed by any coworker, supervisor, manager, or other person with whom the employee comes in contact in the course of employment, on the basis of one, or a combination of two or more, protected characteristics which include, but may not be limited to, the employee'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; religious creed; age; disability; medical condition; genetic information; pregnancy, false pregnancy, childbirth, termination of pregnancy, or related conditions or recovery; reproductive health decision-making; breastfeeding or related medical conditions; and parental, marital, and family status; or association with a person or group with one or more of these actual or perceived characteristics. (Education Code 200, 210.1, 210.2, 212, 212.1, 220, 230, 260; Government Code 11135, 12920, 12926, 12940; 20 USC 1681-1688, 29 USC 621, 42 USC 2000d-2000d-7, 2000e-2)

The district shall not inquire into any employee's immigration status nor discriminate against an employee on the basis of immigration status, unless there is clear and convincing evidence that such inquiry is necessary to comply with federal immigration law. (2 CCR 11028)

In addition, unless otherwise provided for in law, the district may not discriminate against an employee in any term or condition of employment, or otherwise penalize a person, including termination, based on the person's use of cannabis off the job and away from the workplace, or on a drug screening which finds that the person has nonpsychoactive cannabis metabolites in the person's hair, blood, urine, or other bodily fluid. However, the district retains the right to maintain drug-free schools or prohibit employees from possessing, being impaired by, or using cannabis while on the job. (Government Code 12954)

Discrimination in employment based on the characteristics listed above is prohibited in all areas of employment and in all employment-related practices, including the following:

1. Hiring, compensation, terms, conditions, and other privileges of employment

2. Taking adverse employment actions such as termination or denial of employment, promotion, job assignment, or training

3. Unwelcome conduct, whether verbal, physical, or visual, that is offensive and so severe or pervasive as to adversely affect an employee's employment opportunities or that has the purpose or effect of unreasonably interfering with the employee's work performance or creating an intimidating, hostile, or offensive work environment

DUSD Nondiscrimination in Employment Board Policy 4030 (continued)

4. Actions and practices identified as unlawful or discriminatory pursuant to Government Code 12940 or 2 CCR 11006-11086, such as:

    1. Sex discrimination based on one, or a combination of two or more protected characteristics, which include, but may not be limited to, an employee's pregnancy, childbirth, breastfeeding, or any related medical condition, or on an employee's gender, gender expression, gender identity, or sexual orientation

    2. Religious creed discrimination based on an employee's religious belief, observance, and practice, including religious dress or grooming practices, or based on the district's failure or refusal to use reasonable means to accommodate an employee's religious belief, observance, or practice which conflicts with an employment requirement

    3. Requiring medical or psychological examination of a job applicant or making an inquiry into whether a job applicant has a mental or physical disability or a medical condition or as to the severity of any such disability or condition, without the showing of a job-related need or business necessity

    4. Failure to make reasonable accommodation for the known physical or mental disability of an employee or to engage in a timely, good faith, interactive process with an employee who has requested such accommodations in order to determine the effective reasonable accommodations, if any, to be provided to the employee

    5. Requiring an employee to disclose information relating to the employee's reproductive health decision-making

    6. Including a statement in a job advertisement, posting, application, or other material that an applicant is required to have a driver's license, unless the district reasonably expects driving to be one of the job functions for the position and reasonably believes that satisfying the job function using an alternative form of transportation would not be comparable in travel time or cost to the district

The Board also prohibits retaliation against any district employee who opposes any discriminatory employment practice by the district or its employees, agents, or representatives or who complains, reports an incident, testifies, assists, or in any way participates in the district's complaint process pursuant to this policy. No employee who requests an accommodation for any protected characteristic listed in this policy shall be subjected to any punishment or sanction, regardless of whether the request was granted. (Government Code 12940; 2 CCR 11028)

No employee shall, in exchange for a raise or bonus or as a condition of employment or continued employment, be required to sign a release of the employee's claim or right to file a claim against the district or a nondisparagement agreement or other document that has the purpose or effect of preventing the employee from disclosing information about harassment, discrimination, or other unlawful acts in the workplace, including any conduct that the employee has reasonable cause to believe is unlawful. (Government Code 12964.5)

DUSD Nondiscrimination in Employment Board Policy 4030 (continued)

Any supervisory or management employee who observes or has knowledge of an incident of prohibited discrimination or harassment, including harassment of an employee by a nonemployee, shall report the incident to the Superintendent or designated district coordinator within one workday. All other employees shall report such incidents to their supervisor or designated district coordinator within one workday.

The Superintendent or designee shall use all appropriate means to reinforce the district's nondiscrimination policy, including providing training and information to employees about how to recognize harassment, discrimination, or other prohibited conduct, how to respond appropriately, and components of the district's policies and regulations regarding discrimination. The Superintendent or designee shall regularly review the district's employment practices and, as necessary, shall take action to ensure district compliance with the nondiscrimination laws.

Any district employee who engages in prohibited discrimination, harassment, or retaliation or who aids, abets, incites, compels, or coerces another to engage or attempt to engage in such behavior in violation of this policy shall be subject to disciplinary action, up to and including dismissal.

Complaints concerning employment discrimination, harassment, or retaliation shall immediately be investigated in accordance with procedures specified in the accompanying administrative regulation. However, complaints alleging sexual harassment under Title IX shall be investigated and resolved in accordance with the procedures specified in Administrative Regulation 4119.12/4219.12/4319.12 - Title IX Sexual Harassment Complaint Procedures.

The district shall maintain and preserve all applications, personnel, membership, or employment referral records and files for at least four years after the records are initially created or received or, for an applicant or a terminated employee, for four years after the date the employment action was taken. However, when the district is notified that a complaint has been filed with the California Civil Rights Department, records related to the employee involved shall be maintained and preserved until the later of the first date after the time for filing a civil action has expired or the first date after the complaint has been fully and finally disposed of and all administrative proceedings, civil actions, appeals, or related proceedings have been terminated. (Government Code 12946)

DUSD Nondiscrimination in Employment Admin. Regulation 4030

All complaints alleging discrimination in employment, as defined in the accompanying Board policy, shall be investigated and resolved in accordance with procedures specified in this administrative regulation. However, complaints alleging sexual harassment under Title IX shall be investigated and resolved in accordance with the procedures specified in Administrative Regulation 4119.12/4219.12/4319.12 - Title IX Sexual Harassment Complaint Procedures.

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

Joseph Hunter
Assistant Superintendent of Human Resources
1405 12th Ave.
Delano, CA 93215
661-721-5000

Measures to Prevent Discrimination

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

1. Display in a prominent and accessible location at every work site where the district has employees, and post electronically in a conspicuous location on computers for employee use, up-to-date California Civil Rights Department (CRD) posters on the prohibition of workplace discrimination and harassment, the rights of transgender employees, and the rights and obligations of employees who are pregnant, have a related medical condition, or are recovering from childbirth (Government Code 12950; 2 CCR 11013, 11023, 11049)

2. Publicize the district's nondiscrimination policy and regulation, including the complaint procedures and the coordinator's contact information, by: (Education Code 234.1; 5 CCR 4960; 34 CFR 100.6, 106.8)

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

    b. Posting them in all district schools and offices, including staff lounges and other prominent locations

    c. Posting them on the district's website and providing easy access to them through district-supported social media, when available

3. Disseminate the district's nondiscrimination policy and administrative regulation to all employees by one or more of the following methods: (2 CCR 11023)

a. Printing and providing a copy to all employees, with an acknowledgment form for each employee to sign and return

b. Sending a copy via email with an acknowledgment return form

c. Posting a copy on the district intranet with a tracking system ensuring all employees have read and acknowledged receipt of the policies

d. Discussing the policy and regulation with employees upon hire and/or during a new hire orientation session

e. Any other way that ensures employees receive and understand the policy

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

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

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

6. Periodically review the district's recruitment, hiring, and promotion processes and regularly monitor the terms, conditions, and privileges of employment to ensure district compliance with law and Board Policy 4111 - Recruitment and Selection

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

Complaint Procedure

Any complaint alleging unlawful discrimination or harassment covered by this administrative regulation and accompanying Board policy shall be addressed in accordance with the following procedures:

1. Notice and Receipt of Complaint: A complainant may inform a direct supervisor, another supervisor, the coordinator, the Superintendent or, if available, a complaint hotline or an ombudsman

2. The complainant's direct supervisor may be bypassed in filing a complaint when the supervisor is

the subject of the complaint.

The complainant may first attempt to resolve the situation informally with the complainant's supervisor before filing a complaint.

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

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

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

   The coordinator shall meet with the complainant to describe the district's complaint procedure and discuss the actions being sought by the complainant in response to the allegation. The coordinator shall inform the complainant that the investigation of the allegations will be fair, timely, and thorough and will be conducted in a manner that provides all parties due process and reaches reasonable conclusions based on the evidence collected. The coordinator shall also inform the parties that the investigation will be kept confidential to the extent possible, but that some information may be disclosed as necessary to conduct an effective investigation.

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

   The coordinator shall track and document the progress of the investigation to ensure reasonable progress and shall inform the parties as necessary.

   When necessary to carry out the investigation or to protect employee safety, the coordinator may discuss the complaint with the Superintendent or designee, district legal counsel, or the district's risk manager.

   The coordinator shall also determine whether interim measures, such as scheduling changes, transfers, or leaves, need to be taken before the investigation is completed in order to prevent further incidents. The coordinator shall ensure that such interim measures do not constitute retaliation.
4. Written Report on Findings and Remedial/Corrective Action: No more than 20 business days after receiving the complaint, the coordinator shall conclude the investigation and prepare a

written report of the findings

This timeline may be extended by the coordinator for good cause. If an extension is needed, the coordinator shall notify the parties and explain the reasons for the extension.

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

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

5. Appeal to the Governing Board: The complainant or any of the person(s) accused may appeal any findings to the Board within 10 business days of receiving the written report of the coordinator's findings

   The Superintendent or designee shall provide the Board with all information presented during the investigation and the Board shall schedule a hearing as soon as practicable. Any complaint against a district employee shall be addressed in closed session in accordance with law. The Board shall render its decision within 10 business days.

Other Remedies

In addition to filing a discrimination or harassment complaint with the district, a person may file a complaint with either CRD or the Equal Employment Opportunity Commission (EEOC). The time limits for filing such complaints are as follows:

1. For filing a complaint with CRD alleging a violation of Government Code 12940-12952, within three years of the alleged discriminatory act(s), unless an exception exists pursuant to Government Code 12960 (Government Code 12960)

2. For filing a complaint with EEOC, within 180 days of the alleged discriminatory act(s) (42 USC 2000e-5)

3. For filing a complaint with EEOC after first filing a complaint with CRD, within 300 days of the alleged discriminatory act(s) or within 30 days after the termination of proceedings by CRD, whichever is earlier (42 USC 2000e-5)
4. An employee may also file a complaint with the Wage and Hour Division of the U.S. Department of Labor for an alleged violation of the PUMP Act and/or EEOC for failure to provide reasonable accommodations pursuant to the Pregnant Workers Fairness Act. (29 USC 218c, 218d, 42 USC 2000gg-2)

5. Additionally, an employee may file a complaint with the Labor Commissioner at the California Department of Industrial Relations for any alleged violation of Labor Code 1030-1034.

DUSD Nondiscrimination in District Programs and Activities Board Policy 0410

The Governing Board is committed to providing equal opportunity for all individuals in district programs and activities.

This policy shall apply to all acts related to a school activity or school attendance and to all acts of the Board and the Superintendent in enacting policies and procedures that govern the district. (Education Code 234.1)

District programs, activities, and practices shall be free from unlawful discrimination against an individual or group based on one, or a combination of two or more, protected characteristics, which include, but may not be limited to, race or ethnicity; ancestry; color; ethnic group identification; nationality; national origin; immigration status; sex; sexual orientation; sex stereotypes; gender; gender identity; gender expression; religion; religious creed; age; disability; medical condition; genetic information; pregnancy, false pregnancy, childbirth, termination of pregnancy, or related conditions or recovery; reproductive health decision-making; breastfeeding or related medical conditions; parental, marital, and family status; and veteran or military status; a 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. (Education Code 200, 210.1, 210.2, 212, 212.1, 220, 221.51, 230, 260; Government Code 11135, 12920, 12926, 12940; 20 USC 1681-1688, 29 USC 621, 42 USC 2000d-2000d-7, 2000e-2)

All individuals shall be treated equitably in the receipt of district and school services. Personally identifiable information collected in the implementation of any district program, including, but not limited to, student and family information for the free and reduced-price lunch program, transportation, or any other educational program, shall be used only for the purposes of the program, except when the Superintendent or designee authorizes its use for another purpose in accordance with law. Resources and data collected by the district shall not be used, directly or by others, to compile a list, registry, or database of individuals based on any of the categories identified above.

District programs and activities shall be free of any discriminatory use, selection, or rejection of textbooks, instructional materials, library books, or similar educational resources.

The use of any textbook, instructional material, supplemental instructional material, or other curriculum for classroom instruction, or any book or other resource in a school library shall not be rejected or prohibited by the Board or district on the basis that it includes a study of the role and contributions of any individual or group consistent with the requirements of Education Code 51204.5 and 60040, unless such study would violate Education Code 51501 or 60044. (Education Code 243)

Additionally, the use of any textbook, instructional material, supplemental instructional material, or other curriculum for classroom instruction, or any book or other resource in a school library shall not be adopted by the Board or district if the use would subject a student to unlawful discrimination as specified in Education Code 220. (Education Code 244)

District programs and activities shall be free of any racially derogatory or discriminatory school or athletic team names, mascots, or nicknames.

Derogatory Native American terms, including Apaches, Big Reds, Braves, Chiefs, Chieftains, Chippewa, Comanches, Indians, Redskins, Savages, Squaw, and Tribe, shall not be used for any school or athletic team name, mascot, or nickname, unless permitted in accordance with Education Code 221.3.

DUSD Nondiscrimination in District Programs and Activities Board Policy 0410 (Continued)

The Superintendent or designee shall annually review district programs and activities to ensure the removal of any derogatory or discriminatory name, image, practice, or other barrier that may unlawfully prevent an individual or group in any of the protected categories stated above from accessing district programs and activities. The Superintendent or designee shall take prompt, reasonable actions to remove any identified barrier. The Superintendent or designee shall report the findings and recommendations to the Board after each review.

All complaints alleging unlawful discrimination in district programs and activities shall be investigated and resolved in accordance with Board Policy and Administrative Regulation 1312.3 - Uniform Complaint Procedures, for students, and Administrative Regulation 4030 - Nondiscrimination in Employment, for employees.

Pursuant to 34 CFR 104.8 and 106.8, the Superintendent or designee shall notify students, parents/guardians, employees, employee organizations, applicants for admission and employment, and sources of referral for applicants about the district's policy on nondiscrimination and related complaint procedures. Such notification shall be included in the annual parental notification distributed in accordance with Board Policy/Exhibit(1) 5145.6 - Parent/Guardian Notifications and, as applicable, in announcements, bulletins, catalogs, handbooks, application forms, or other materials distributed by the district. The notification shall also be posted on the district's website and social media and in district schools and offices, including staff lounges, student government meeting rooms, and other prominent locations as appropriate.

The Superintendent or designee shall notify parents/guardians regarding their children's right to a free public education regardless of immigration status or religious beliefs and their rights related to immigration enforcement. (Education Code 234.7)

The district's nondiscrimination policy and related informational materials shall be published in a format that parents/guardians can understand. Additionally, 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. (Education Code 48985; 20 USC 6312)

Access for Individuals with Disabilities

District programs and facilities, viewed in their entirety, shall be in compliance with the Americans with Disabilities Act (ADA) and any implementing standards and/or regulations. When structural changes to existing district facilities are needed to provide individuals with disabilities access to programs, services, activities, or facilities, the Superintendent or designee shall develop a transition plan that sets forth the steps for completing the changes.

DUSD Nondiscrimination in District Programs and Activities Board Policy 0410 (Continued)

The Superintendent or designee shall ensure that the district's web and mobile applications comply with technical standards prescribed by law, and as necessary, shall provide appropriate auxiliary aids and services to afford individuals with disabilities equal opportunity to participate in or enjoy the benefits of district services, programs, or activities. These aids and services may include, but are not limited to, qualified interpreters or readers, assistive listening devices, assistive technologies or other modifications to increase accessibility to district and school websites, notetakers, written materials, taped text, and Braille or large-print materials. Individuals with disabilities shall notify the Superintendent or designee if they have a disability that requires special assistance or services. Reasonable notification should be given prior to a school-sponsored function, program, or meeting.

The individual identified in Administrative Regulation 1312.3 - Uniform Complaint Procedures as the employee responsible for coordinating the district's response to complaints and for complying with state federal civil rights laws is hereby designated as the district's ADA coordinator. The compliance officer shall receive and address requests for accommodation submitted by individuals with disabilities, and shall investigate and resolve complaints regarding their access to district programs, services, activities, or facilities.

Joseph Hunter
Assistant Superintendent of Human Resources
1405 12th Ave.
Delano, CA 93215
661-721-5000

Delano Union School District

Uniform Complaint Procedures (UCP) Annual Notice 2024-2025

The Delano Union School District annually notifies our students, employees, parents or guardians of students, the district advisory committee, school advisory committees, appropriate private school officials, and other interested parties of our Uniform Complaint Procedures (UCP) process.

The UCP Annual Notice is available on our website.

We are 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 all programs and activities that are subject to the UCP.

Programs and Activities Subject to the UCP

- Accommodations for Pregnant and Parenting Pupils
- Adult Education
- After School Education and Safety
- Agricultural Career Technical Education
- Career Technical and Technical Education and Career Technical and Technical Training Programs
- Child Care and Development Programs
- Compensatory Education
- Consolidated Categorical Aid Programs
- Course Periods without Educational Content
- Discrimination, harassment, intimidation, or bullying against any protected group as identified under sections 200 and 220 and Section 11135 of the Government Code. Including any actual or perceived characteristic, as set forth in Section 422.55 of the Penal Code, or on the basis of a person's association with a person or group with one or more of these actual or perceived characteristics, in any program or activity conducted by an educational institution, as defined in Section 210.3, that is funded directly by, or that receives or benefits from, any state financial assistance.
- Educational and graduation requirements for pupils in foster care, pupils who are homeless, pupils from military families, pupils formerly in Juvenile Court now enrolled in a school district, pupils who are migratory, and pupils participating in a newcomer program.
- Every Student Succeeds Act
- Local Control and Accountability Plans (LCAP)
- Migrant Education
- Physical Education Instructional Minutes

- Pupil Fees
- Reasonable Accommodations to a Lactating Pupil
- Regional Occupational Centers and Programs
- School Plans for Student Achievement
- School Site Councils
- State Preschool
- State Preschool Health and Safety Issues in LEAs Exempt from Licensing

And any other state or federal educational program the State Superintendent of Public Instruction (SSPI) of the California Department of Education (CDE) or designee deems appropriate.

Filing a UCP Complaint

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 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.

For complaints relating to Local Control and Accountability Plans (LCAP), the date of the alleged violation is the date when the reviewing authority approves the LCAP or annual update that was adopted by our agency.

A pupil enrolled in any of our public schools shall not be required to pay a pupil fee for participation in an educational activity that constitutes an integral fundamental part of the district's education program, including curricular and extra-curricular activities.

A pupil fee complaint may be filed with the principal of a school or our superintendent or their designee.

A pupil fee or LCAP complaint may be filed anonymously, that is, without an identifying signature, if the complainant provides evidence or information leading to evidence to support an allegation of noncompliance.

Responsibilities of the Delano Union School District

We shall post a standardized notice, in addition to this notice, with educational and graduation requirements for pupils in foster care, pupils experiencing homelessness, pupils from military families, pupils formerly in Juvenile Court now enrolled in a school district, pupils who are migratory, and pupils participating in a newcomer program as specified in Education Code 48645.7, 48853, 48853.5, 49069.5, 51225.1, 51225.2, and the complaint process.

Complaints will be investigated in accordance with the district's UCP and a written decision will be sent to the complainant within 60 days from the receipt of the complaint, unless this time period is extended by written agreement of the complainant.

We advise complainants of the opportunity to appeal an Investigation Report of complaints regarding programs within the scope of the UCP to the Department of Education (CDE) by filing

a written appeal, including a copy of the original complaint, and the district's decision, within 30 calendar day of receiving the district's decision.

We advise complainants of 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.

Complainants will be protected from retaliation.

Copies of our UCP procedures shall be available free of charge.

For UCP Complaints Regarding State Preschool Health and Safety Issues Pursuant to Section 1596.7925 of the California *Health and Safety Code* (HSC)

In order to identify appropriate subjects of state preschool health and safety issues pursuant to Section 1596.7925 of the California *Health and Safety Code* (HSC) a notice shall be posted in each California state preschool program classroom in each school in our agency.

The notice is in addition to this UCP annual notice and addresses parents, guardians, pupils, and teachers of (1) the health and safety requirements under Title 5 of the California *Code of Regulations* (5CCR) that apply to California state preschool programs pursuant to *HSC* Section 1596.7925, and (2) the location at which to obtain a form to file a complaint.

Contact Information

Complaints within the scope of the UCP are to be filed with the person responsible for processing complaints as indicated below:

Rosalina Rivera, Superintendent
District Office
1405 12th Avenue
Delano, CA 93215
(661) 721-5000, ext. 00102
jhunter@duesd.org

The above contact is knowledgeable about the laws and programs that they are assigned to investigate in the Delano Union School District.

DUSD Uniform Complaint Procedures Board Policy 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 the early resolution of complaints whenever possible. To resolve complaints which may require a more formal process, the Board adopts the uniform system of complaint processes specified in 5 CCR 4600-4670.

Complaints Subject to UCP

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

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 8482-8484.65)

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, 210.1, 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)

DUSD Uniform Complaint Procedures Board Policy 1312.3 (continued)

11. 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)

12. Every Student Succeeds Act (Education Code 12030, 52059.5, 64000; 20 USC 6301 et seq.)

13. 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)

14. Local control and accountability plan (Education Code 52075)

15. Migrant education (Education Code 54440-54445)

16. Physical education instructional minutes (Education Code 51210, 51222, 51223)

17. Student fees (Education Code 49010-49013)

18. Reasonable accommodations to a lactating student (Education Code 222)

19. Regional occupational centers and programs (Education Code 52300-52334.7)

20. School plans for student achievement as required for the consolidated application for specified federal and/or state categorical funding (Education Code 64001)

21. School site councils as required for the consolidated application for specified federal and/or state categorical funding (Education Code 65000)

22. State preschool programs (Education Code 8200-8488, 33315)

23. State preschool health and safety issues in license-exempt programs (Education Code 8212

24. School or athletic team names, mascots, or nicknames pursuant to Education Code 221.3

25. 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

26. Any other state or federal educational program the SPI or designee deems appropriate

DUSD Uniform Complaint Procedures Board Policy 1312.3 (continued)

The Board recognizes that alternative dispute resolution (ADR) can, depending on the nature of the allegations, offer a process for resolving a complaint in a manner that is acceptable to all parties. An ADR process such as mediation may be offered to resolve complaints that involve more than one student and no adult. However, mediation shall not be offered or used to resolve any complaint involving sexual assault or where there is a reasonable risk that a party to the mediation would feel compelled to participate. The Superintendent or designee shall ensure that the use of ADR is consistent with state and federal laws and regulations.

The 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, the Superintendent or designee shall keep the identity of the complainant, and/or the subject of the complaint if different from the complainant, confidential when appropriate and as long as the integrity of the complaint process is maintained.

When an allegation that is not subject to UCP is included in a UCP complaint, the 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 requirements related to UCP, including the steps and timelines specified in this policy and the accompanying administrative regulation.

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

Non-UCP Complaints

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

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

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

3. Any complaint alleging that a student, while in an education program or activity, 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 as specified in Administrative Regulation 5145.71 - Title IX Sexual Harassment Complaint Procedures.

DUSD Uniform Complaint Procedures Board Policy 1312.3 (continued)

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 complaint alleging 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 misassignments shall be investigated and resolved in accordance with Administrative Regulation 1312.4 - Williams Uniform Complaint Procedures (Education Code 35186)

DUSD Uniform Complaint Procedures Administrative Regulation 1312.3

Except as may otherwise be specifically provided in other district policies, these uniform complaint procedures (UCP) shall be used to investigate and resolve only the complaints specified in the accompanying Board policy.

Compliance Officers

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

Superintendent or Designee
1405 12th Ave.
Delano, CA 93215
661-721-5000

CSBA NOTE: The following paragraph is for use by districts that have designated more than one compliance officer.

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

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

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

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

DUSD Uniform Complaint Procedures Administrative Regulation 1312.3 (Continued)

Notifications

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

In addition, the Superintendent or designee shall annually provide written notification of the 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, but need not be limited to, all of the following:

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 "Complaints Subject to UCP" in the accompanying Board policy

2. The title of the position responsible for processing complaints, the identity of the person(s) currently occupying that position if known, and a statement that such person(s) 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 within 60 days from the receipt of the complaint, unless this time period is extended by written agreement of the complainant

9. A statement that, for programs within the scope of the UCP as specified in the accompanying Board policy, the complainant has a right to appeal the 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 district and school websites, published in handbooks or catalogs, 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 UCP policy, regulation, forms, and notices shall be translated into that language, in accordance with Education Code 234.1 and 48985. In all other instances, the 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 also 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 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 any specific class of individuals has been subjected to unlawful discrimination, or a duly authorized representative who alleges that an individual student has been subjected to discrimination, harassment, intimidation, or bullying (5 CCR 4630)

5. A complaint alleging unlawful discrimination, harassment, intimidation, or bullying shall be initiated no later than six months from the date that the alleged unlawful discrimination occurred, or six months from the date that the complainant first obtained knowledge of the facts of the alleged unlawful discrimination (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, harassment, intimidation, or bullying is filed anonymously, the compliance officer shall pursue an investigation or other response as appropriate, depending on the specificity and reliability of the information provided and the seriousness of the allegation

7. When a complainant of unlawful discrimination, harassment, intimidation, or bullying or the alleged victim, when not the complainant, requests confidentiality, the compliance officer shall inform the complainant or victim that the request may limit the district's ability to investigate the conduct or take other necessary action

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

DUSD Uniform Complaint Procedures Administrative Regulation 1312.3 (Continued)

Mediation

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

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

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

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

Investigation of Complaint

The compliance officer shall begin an investigation into the complaint within 10 business days of receiving the complaint.

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

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

DUSD Uniform Complaint Procedures Administrative Regulation 1312.3 (Continued)

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

A complainant's refusal to provide the 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. 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)

Timeline for Investigation Report

Unless extended by written agreement with the complainant, the investigation report shall be sent to the complainant within 60 calendar days of the district's receipt of the complaint.

Within 30 calendar days of receiving the complaint, the compliance officer shall prepare and send to the complainant a written report, as described in the section "Investigation Report" below. If the complainant is dissatisfied with the compliance officer's decision, the complainant may, within five business days, file the complaint in writing with the Board.

If the Board decides not to hear the complaint, the compliance officer's decision shall be final.

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

Investigation Report

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

1. The findings of fact based on the evidence gathered

2. A conclusion providing a clear determination for each allegation as to whether the district is in compliance with the relevant law

3. Corrective action(s) whenever the district finds merit in the complaint, including, when required by law, a remedy to all affected students and parents/guardians and, for a student fees complaint, a remedy that complies with Education Code 49013 and 5 CCR 4600

4. Notice of the complainant's right to appeal the district's investigation report to 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 CDE

The investigation report may also include 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 report may be communicated to a victim who is not the complainant and to other parties who may be involved in implementing the investigation report or are affected by the complaint.

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, intimidation, or bullying based on state law, the investigation report shall also include a notice to the complainant that:

1. The complainant may pursue available civil law remedies outside of the district's complaint procedures, including, but not limited to, injunctions, restraining orders or other remedies or orders, 60 calendar days after the filing of an appeal with CDE (Education Code 262.3)

2. The 60-day moratorium does not apply to complaints seeking injunctive relief in state courts or to discrimination complaints based on federal law (Education Code 262.3)

3. Complaints alleging discrimination based on race, color, national origin, sex, gender, disability, or age may also be filed with the U.S. Department of Education's 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 practices or procedures; or school climate surveys.

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

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

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

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

When an employee is found to have committed retaliation or unlawful discrimination, harassment, intimidation, or bullying, the 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.

However, if a complaint alleging noncompliance with the law 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, 51222, 51223, 51228.3, 52075)

For complaints alleging noncompliance with the law 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 UCP may file an appeal in writing with 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 investigation report lacks material findings of fact necessary to reach a conclusion of law

3. The material findings of fact in the district's investigation report are not supported by substantial evidence

4. The legal conclusion in the district's investigation report 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 district's investigation report has been appealed, the Superintendent or designee shall forward the following documents to CDE within 10 days of the date of notification: (5 CCR 4633)

1. A copy of the original complaint

2. A copy of the district's investigation report

3. A copy of the investigation file including, but not limited to, all notes, interviews, and documents submitted by the parties and gathered by the investigator

4. A report of any action taken to resolve the complaint

5. A copy of the district's UCP

6. Other relevant information requested by CDE

If notified by CDE that the district's investigation report 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 investigation report that addresses the allegation(s) that were not addressed in the original investigation report. The amended report shall also inform the appellant of the right to separately appeal the amended report with respect to the allegation(s) that were not addressed in the original report. (5 CCR 4632)

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 CDE's 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)

DUSD Uniform Complaint Procedures Administrative Regulation 1312.3 (Continued)

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)

Delano Union School District

Uniform Complaint Procedures
Complaint Form

In accordance with the Delano Union School District's Board Policy 1312.3, the District follows the uniform complaint procedures when addressing complaints alleging failure to comply with applicable state and federal laws and regulations including, but no limited to, allegations about discrimination, harassment, intimidation, bullying, and noncompliance with laws relating to pupil fees. A copy of the District's Uniform Complaint Procedures is available free of charge.

I. Contact Information

Name: _____

Address: _____

City: _____ Zip: _____

Home Phone: _____ Work or Cell Phone: _____

II. Complainant

You are filing this complaint on behalf of _____

☐ Parent/Guardian ☐ Pupil ☐ Witness to the Incident ☐ Other

III. School Information

School Name: _____

Principal's Name: _____

Teacher's Name: _____

IV. Basis of Complaint

Please check the following box(es), based on the type(s) of discrimination, harassment, intimidation, and bullying you experienced:

☐ Age
☐ Ancestry
☐ Color
☐ Ethnic Group Identification
☐ Gender Expression
☐ Gender Identity
☐ Gender
☐ Genetic Information
☐ Marital Status
☐ Medical Condition
☐ Mental Disability
☐ Nationality
☐ National Origin
☐ Physical Disability
☐ Race or Ethnicity
☐ Religion
☐ Sex
☐ Sexual Harassment (Title IX)
☐ Sexual Orientation
☐ Association with any of these actual or perceived characteristics

Violation of federal or state law or regulations governing the following:

- ☐ Accommodations for Pregnant and Parenting Pupils
- ☐ Adult Education
- ☐ After School Education and Safety
- ☐ Consolidated Categorical Aid Programs
- ☐ Career Technical and Technical Education and Career Technical and Technical Training Programs
- ☐ Child Care and Development Programs
- ☐ Child Nutrition Programs
- ☐ Compensatory Education
- ☐ Course Periods without Educational Content
- ☐ Educational and graduation requirements for pupils in foster care, pupils who are homeless, pupils from military families, pupils formerly in Juvenile Court now enrolled in a school district, pupils who are migratory, and pupils participating in a newcomer program.
- ☐ Every Student Succeeds Act
- ☐ Local Control Accountability Plan (LCAP)
- ☐ Local Control Funding Formula
- ☐ Migrant Education
- ☐ Physical Education Instructional Minutes
- ☐ Pupil Fees
- ☐ Reasonable Accommodations to a Lactating Pupil
- ☐ Regional Occupational Centers and Programs
- ☐ School Plans for Student Achievement
- ☐ School Site Councils
- ☐ State Preschool
- ☐ Special Education Programs
- ☐ State Preschool Health and Safety Issues in LEAs Exempt from Licensing

V. Details of Complaint

Please answer the following questions to the best of your ability. Attach additional sheets of paper if you need more space.

Please **describe** the type of incident(s) you experienced that led to this complaint, in as much detail as possible, including all dates and times when the incident(s) occurred or when the allege acts first came to your attention and location(s) where the incident(s) occurred:

_____

_____

_____

_____

_____

List the **individuals** involved in the incident(s) complaint of:

_____

_____

_____

List any **witnesses** to the incident(s):

_____

_____

_____

What steps, if any, have you taken to resolve this issue before filing a complaint?

_____

_____

_____

_____

_____ _____

Signature of person filing complaint **Date**

Office Use Only:

Received by: _____ Date Filed: _____

(Name and Title)

9/11/24

DUSD Sex Discrimination and Sex Based Harassment Board Policy 4219.11

The following policy shall apply to all district employees, interns, volunteers, contractors, job applicants, and other persons with an employment relationship with the district.

The Governing Board is committed to providing a safe work environment that is free of discrimination, harassment, and intimidation. The Board prohibits sex discrimination, including sex-based harassment, as defined in the accompanying administrative regulation, in district programs and activities by and against district employees.

Additionally, the Board prohibits retaliatory behavior or action against any person who complains or testifies about conduct that reasonably may constitute sex discrimination, including sex-based harassment, reports such conduct, or otherwise participates or refuses to participate in the complaint process established for the purpose of this policy. (Education Code 220.1; 34 CFR 106.71)

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

1. Providing training to employees in accordance with law and administrative regulation

2. Publicizing and disseminating the district's sex discrimination and sex-based harassment policy to employees and others to whom the policy may apply

3. Publicizing, in accordance with 34 CFR 106.8 and as specified in Administrative Regulation 4030 - Nondiscrimination in Employment, a Title IX notice of nondiscrimination to employees, applicants for employment, and bargaining units

4. Ensuring prompt, thorough, fair, and equitable investigation of complaints through the appropriate state and/or federal procedures

5. Taking timely and appropriate corrective/remedial action(s), which may require interim separation of the complainant and the alleged harasser and subsequent monitoring of developments

The Superintendent or designee shall periodically evaluate the effectiveness of the district's strategies to prevent and address sex discrimination and sex-based harassment. Such evaluation may involve conducting regular anonymous employee surveys to assess whether sex discrimination and/or sex-based harassment is occurring or is perceived to be tolerated, partnering with researchers or other agencies with the needed expertise to evaluate the district's prevention strategies, and using any other effective tool for receiving feedback on systems and/or processes. As necessary, changes shall be made to harassment policy(ies), complaint procedures, or training, as appropriate and in accordance with law.

Reports and Complaints

Any district employee who has experienced sex discrimination or sex-based harassment in the district's education program or activity may file a complaint with the district's Title IX Coordinator. (34 CFR 106.2, 106.44)

Any employee with knowledge of conduct that reasonably may constitute sex discrimination or sex-based harassment by or against another district employee, a student, or a third party in a district education program or activity shall notify the Title IX Coordinator within one workday. An employee may be subject to discipline for failure to timely report such conduct. (34 CFR 106.44)

Once notified, the Title IX Coordinator shall ensure the complaint or allegation is addressed through administrative Regulation 4119.12/4219.12/4319.12 - Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures.

The Title IX Coordinator shall offer and coordinate supportive measures to be provided to the complainant and, if the district has begun grievance procedures or offered an informal resolution process to the respondent, offer and coordinate supportive measures to be provided to the respondent as deemed appropriate under the circumstances. (34 CFR 106.44)

Upon investigation of a sex discrimination or sex-based harassment complaint, any district employee found to have engaged or participated in sex discrimination or sex-based harassment or to have aided, abetted, incited, compelled, or coerced another to commit sex discrimination or sex-based harassment in violation of this policy shall be subject to disciplinary action, up to and including dismissal, in accordance with law and the applicable collective bargaining agreement.

DUSD Sex Discrimination and Sex-Based Harassment Administrative Regulation 4219.11

The district does not discriminate on the basis of sex in any of its programs or activities and complies with Title IX of the Education Amendments of 1972 and its implementing regulations. Sex discrimination, including sex-based harassment, is prohibited in district education programs and activities.

The following administrative regulation shall apply to all allegations of sex discrimination and sex-based harassment by and against district employees, interns, volunteers, and job applicants, but shall not be used to resolve any complaint by a student.

Definitions

Sex discrimination includes treating an employee differently based on the employee's sex, which includes differential treatment based on sex stereotypes; sex characteristics; sexual orientation; gender; gender identity; gender expression; pregnancy, childbirth, termination of pregnancy, or lactation, including related medical conditions and recovery; parental, family, or marital status; or association with a person or group with one or more of these actual or perceived characteristics.

Sex discrimination, including sex-based harassment, intimidation, or bullying, may result from physical, verbal, nonverbal, or written conduct and occurs when prohibited conduct is so severe, persistent, or pervasive that it creates an intimidating, threatening, hostile, or offensive work environment; has the effect of substantially or unreasonably interfering with an employee's term or condition of employment; or otherwise adversely affects an employee's employment opportunities.

Sex-based harassment is a form of sex discrimination and means sexual harassment and other harassment on the basis of sex, sex stereotypes, sex characteristics, or other bases specified above. Conduct will constitute sex-based harassment when it takes the form of: (34 CFR 106.2, 106.11)

1. Quid pro quo harassment: A district employee, agent, or other individual authorized by the district to provide an aid, benefit, or service in the district's education program or activity conditioning the provision of district aid, benefit, or service on a student's participation in unwelcome sexual conduct

2. Hostile environment harassment: Unwelcome sex-based conduct that, based on the totality of the circumstances, is subjectively and objectively offensive and is so severe or pervasive that it limits or denies a person's ability to participate in or benefit from the district's education program or activity

   Any prohibited conduct that occurs off campus or outside of school-related or school-sponsored programs or activities will be regarded as sex-based harassment in violation of district policy if it has a continuing effect on a student's ability to participate in or benefit from district educational programs or activities.

3. Sexual assault, dating violence, domestic violence, or stalking, as defined in 34 CFR 106.2
4. Sexual harassment includes, but is not limited to, unwelcome sexual advances, unwanted requests for sexual favors, or other unwanted verbal, visual, or physical conduct of a sexual nature, regardless of whether the conduct is motivated by sexual desire. Conduct is considered to be sexual harassment when made against another person of the same or opposite sex in the work or educational setting under any of the following conditions: (Education Code 212.5; Government Code 12940; 2 CCR 11034)
5. Submission to the conduct is made explicitly or implicitly a term or condition of the individual's employment

6. Submission to or rejection of the conduct is used as the basis for an employment decision affecting the individual

7. The conduct has the purpose or effect of having a negative impact upon the individual's work performance or of creating an intimidating, hostile, or offensive work environment

8. Submission to or rejection of the conduct is used as the basis for any decision affecting the individual regarding benefits, services, honors, programs, or activities available at or through the district

Examples of Sex Discrimination and Sex-Based Harassment

Examples of actions that might constitute sex-based harassment under state and/or federal law in accordance with the definitions above, in the work or educational setting, whether committed by a supervisor, a co-worker, or a non-employee, include, but are not limited to:

1. Unwelcome verbal conduct such as sex-based flirtations or propositions; graphic comments about an individual's body; overly personal conversations or pressure for sex-based activity; sex-based jokes or stories; unwelcome sex-based slurs, epithets, threats, innuendoes; derogatory comments; sex-based degrading descriptions; or the spreading of sex-based rumors

2. Unwelcome visual conduct such as drawings, pictures, graffiti, or gestures; sexually explicit emails or messaging; or displaying sexually suggestive objects

3. Unwelcome physical conduct such as massaging, grabbing, fondling, stroking, or brushing the body; touching an individual's body or clothes in a sexual way; or cornering, blocking, leaning over, or impeding normal movements

Title IX Coordinator/Compliance Officer

The district designates the following individual(s) as the responsible employee(s) to coordinate its efforts to comply with Title IX in accordance with Administrative Regulation 4119.12/4219.12/4319.12 - Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures, and oversee the district's response to discrimination complaints processed under Administrative Regulation 4030 - Nondiscrimination in Employment. The Title IX Coordinator(s) may be contacted at:

Superintendent or Designee
1405 12th Avenue
Delano, CA 93215
661-721-5000 x00101

Training

The Superintendent or designee shall ensure that all employees receive training regarding sex discrimination and sex-based harassment in accordance with state and federal law.

Every two years, the Superintendent or designee shall ensure that supervisory employees receive at least two hours, and nonsupervisory employees receive at least one hour, of classroom or other effective interactive training and education regarding sexual harassment as specified in Government Code 12950.1. All newly

hired employees and employees promoted to a supervisory position shall receive training within six months of their assumption of the new position. (Government Code 12950.1)

A supervisory employee is any employee having the authority, in the interest of the district, to hire, transfer, suspend, lay off, promote, discharge, assign, reward, or discipline other employees, or the responsibility to direct them, adjust their grievances, or effectively recommend such action, when the exercise of the authority is not of a merely routine or clerical nature, but requires the use of independent judgment. (Government Code 12926)

Such training may be completed by employees individually or as part of a group presentation, may be completed in shorter segments as long as the applicable hourly requirement is met, and may be provided in conjunction with other training provided to the employees. The training shall be presented by trainers or educators with knowledge and expertise in the prevention of harassment, discrimination, and retaliation. (Government Code 12950.1)

The district's sexual harassment training and education program shall include, but is not limited to, the following: (Government Code 12950.1; 2 CCR 11024)

1. Information and practical guidance regarding federal and state laws concerning the prohibition, prevention, and correction of sexual harassment

2. The types of conduct that constitute sexual harassment

3. Remedies available for victims in civil actions, and potential employer/individual exposure/liability

4. Strategies to prevent harassment in the workplace

5. Supervisors' obligation to report sexual harassment, discrimination, and retaliation of which they become aware

6. Practical examples which illustrate sexual harassment, discrimination, and retaliation using training modalities such as role plays, case studies, and group discussions, based on factual scenarios taken from case law, news and media accounts, and hypotheticals based on workplace situations and other sources

7. The limited confidentiality of the complaint process

8. Resources for victims of unlawful harassment, such as to whom they should report any alleged harassment

9. Steps necessary to take appropriate remedial measures to correct harassing behavior, which includes the district's obligation to conduct an effective workplace investigation of a harassment complaint

10. What to do if the supervisor is personally accused of harassment

11. The essential elements of the district's anti-harassment policy, and how to use the policy if a harassment complaint is filed

    Employees shall receive a copy of the district's sexual harassment policy and administrative

12. regulations, which they shall read and acknowledge that they have received.

13. Information, including practical examples, of harassment based on gender identity, gender expression, and sexual orientation

14. Prevention of abusive conduct, including a review of the definition and elements of abusive conduct pursuant to Government Code 12950.1, the negative effects that abusive conduct has on the victim and other in the workplace, the detrimental consequences of this conduct on employee productivity and morale, and that a single act does not constitute abusive conduct unless the act is severe or egregious

Additionally, the Superintendent or designee shall ensure that all employees receive annual training related to their duties under Title IX in accordance with 34 CFR 106.8, and that a newly hired employee receive training promptly upon hire or change of position that alters the employee's duties under Title IX. (34 CFR 106.8)

The district's Title IX sex discrimination and sex-based harassment training shall include: (34 CFR 106.8)

1. The district's obligation to address sex-based discrimination, including sex-based harassment, in its education program or activity

2. The scope of conduct that constitutes sex discrimination under Title IX, including the definition of sex-based harassment

3. The notification and information requirements specified in 34 CFR 106.40 and 106.44

The district's Title IX sex-based harassment training and education program shall also include additional training required of supervisors; investigators, decisionmakers, and other persons who are responsible for implementing the district's grievance procedures or have the authority to modify or terminate supportive measures; facilitators of an informal resolution process; and Title IX Coordinators and designees as required by 34 CFR 106.31. (34 CFR 106.8)

The Superintendent or designee shall retain for at least two years the records of any training provided to supervisory employees. Such records shall include the names of trained employees, date of the training, type of training, and name of the training provider. (2 CCR 11024)

Additionally, the Superintendent or designee shall retain for at least seven years the materials used to provide training as specified in 34 CFR 106.8, related to Title IX training and to make these materials available, upon request, to members of the public. (34 CFR 106.8)

Notifications

To prevent unlawful sex discrimination and sex-based harassment, including retaliation, in district programs and activities, the Superintendent or designee shall provide notifications and implement measures to prevent discrimination and harassment as specified in Administrative Regulation 4030 - Nondiscrimination in Employment.

In addition to the measures to prevent discrimination as specified in Administrative Regulation 4030 –

DUSD Sex Discrimination and Sex-Based Harassment Administrative Regulation 4219.11(continued)

Nondiscrimination in Employment, the Superintendent or designee shall ensure that a copy of the Board policy and this administrative regulation:

1. Be displayed in a prominent location in the main administrative building, district office, or other area of the school where notices of district rules, regulations, procedures, and standards of conduct are posted (Education Code 231.5)

2. Be provided to every district employee at the beginning of the first quarter or semester of the school year or whenever a new employee is hired (Education Code 231.5)

3. Appear in any school or district publication that sets forth the school's or district's comprehensive rules, regulations, procedures, and standards of conduct (Education Code 231.5)

All employees shall receive a copy of an information sheet prepared by the California Civil Rights Department (CRD) or the district that contains, at a minimum, components on: (Government Code 12950)

1. The illegality of sex-based harassment

2. The definition of sex-based harassment under applicable state and federal law

3. A description of sex-based harassment, with examples

4. The district's complaint process available to the employee

5. The legal remedies and complaint process available through CRD and the Equal Employment Opportunity Commission (EEOC)

6. Directions on how to contact CRD and the EEOC

7. The protection against retaliation provided by 2 CCR 11021 for opposing harassment prohibited by law or for filing a complaint with or otherwise participating in an investigation, proceeding, or hearing conducted by CRD and the EEOC

Additionally, the district shall post, in a prominent and accessible location, the CRD poster on discrimination in employment and the illegality of sex-based harassment, and the CRD poster regarding transgender rights. (Government Code 12950)

Complaint Procedures

All complaints and allegations of sex discrimination and sex-based harassment by and against employees shall be investigated and resolved as specified in 34 CFR 106.44 and 106.45 and Administrative Regulation 4119.12/4219.12/4319.12 - Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures.

If sex discrimination or sex-based harassment is found following an investigation, the Title IX Coordinator, or designee in consultation with the Title IX Coordinator, shall take prompt action to stop the sex discrimination or sex-based harassment, prevent recurrence, and address any continuing effects.



THE FACTS

Sexual harassment is a form of discrimination based on sex/gender (including pregnancy, childbirth, or related medical conditions), gender identity, gender expression, or sexual orientation. Individuals of any gender can be the target of sexual harassment. Unlawful sexual harassment does not have to be motivated by sexual desire. Sexual harassment may involve harassment by a person of the same gender, regardless of either person's sexual orientation or gender identity.

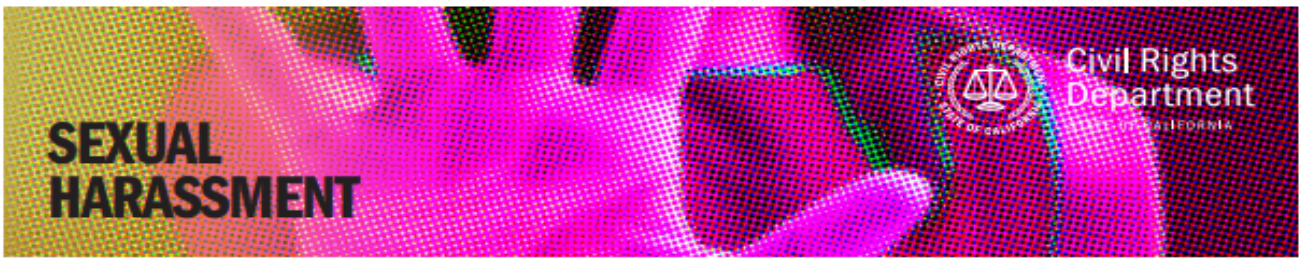
THERE ARE TWO TYPES OF SEXUAL HARASSMENT

1. *"Quid pro quo"* (Latin for "this for that") sexual harassment is when someone conditions a job, promotion, or other work benefit on your submission to sexual advances or other conduct based on sex.
2. *"Hostile work environment"* sexual harassment occurs when unwelcome comments or conduct based on sex unreasonably interferes with your work performance or creates an intimidating, hostile, or offensive work environment. You may experience sexual harassment even if the offensive conduct was not aimed directly at you.

The harassment must be severe or pervasive to be unlawful. A single act of harassment may be sufficiently severe to be unlawful.

BEHAVIORS THAT MAY BE SEXUAL HARASSMENT

1. Unwanted sexual advances
2. Offering employment benefits in exchange for sexual favors
3. Leering; gestures; or displaying sexually suggestive objects, pictures, cartoons, or posters
4. Derogatory comments, epithets, slurs, or jokes
5. Graphic comments, sexually degrading words, or suggestive or obscene messages or invitations
6. Physical touching or assault, as well as impeding or blocking movements



Actual or threatened retaliation for rejecting advances or complaining about harassment is also unlawful.

Employees or job applicants who believe that they have been sexually harassed or retaliated against may file a complaint of discrimination with CRD within three years of the last act of harassment or retaliation. CRD serves as a neutral fact-finder and attempts to help the parties voluntarily resolve disputes.

If CRD finds sufficient evidence to establish that discrimination occurred and settlement efforts fail, the Department may file a civil complaint in state or federal court to address the causes of the discrimination and on behalf of the complaining party. CRD may seek court orders changing the employer's policies and practices, punitive damages, and attorney's fees and costs if it prevails in litigation. Employees can also pursue the matter through a private lawsuit in civil court after a complaint has been filed with CRD and a Right-to-Sue Notice has been issued.

EMPLOYER RESPONSIBILITY & LIABILITY

All employers, regardless of the number of employees, are covered by the harassment provisions of California law. Employers are liable for harassment by their supervisor or agents. Employees accused of harassment, including both supervisory and non-supervisory personnel, may be held personally liable for harassment or for aiding and abetting harassment. The law requires employers to take reasonable steps to prevent harassment. If an employer fails to take such steps, that employer can be held liable for the harassment. In addition, an employer may be liable for the harassment by a non-employee (for example, a client or customer) of an employee, applicant, or person providing services for the employer. An employer will only be liable for this form of harassment if it knew or should have known of the harassment, and failed to take immediate and appropriate corrective action.

Employers have an affirmative duty to take reasonable steps to prevent and promptly correct discriminatory and harassing conduct, and to create a workplace free of harassment.

A program to eliminate sexual harassment from the workplace is not only required by law, but it is the most practical way for an employer to avoid or limit liability if harassment occurs.

ALL EMPLOYERS MUST TAKE THE FOLLOWING ACTIONS TO PREVENT HARASSMENT AND CORRECT IT WHEN IT OCCURS:

1. Distribute copies of this document or an alternative writing that complies with Government Code 12950. This document may be duplicated in any quantity.
2. Post a copy of the CRD employment poster "California Law Prohibits Workplace Discrimination and Harassment."
3. Develop a harassment, discrimination, and retaliation prevention policy in accordance with 2 CCR 11023.

The policy must:

- Be in writing.
- List all protected groups under the FEHA.
- Indicate that the law prohibits coworkers and third parties, as well as supervisors and managers with whom the employee comes into contact, from engaging in prohibited harassment.
- Create a complaint process that ensures confidentiality to the extent possible; a timely response; an impartial and timely investigation by qualified personnel; documentation and tracking for reasonable progress; appropriate options for remedial actions and resolutions; and timely closures.
- Provide a complaint mechanism that does not require an employee to complain directly to their immediate supervisor.
- That complaint mechanism must include, but is not limited to including: provisions for direct communication, either orally or in writing, with a designated company representative; and / or a complaint hotline; and/ or access to an ombudsperson; and/ or identification of CRD and the United States Equal Employment Opportunity Commission as additional avenues for employees to lodge complaints.
- Instruct supervisors to report any complaints of misconduct to a designated company representative, such as a human resources manager, so that the company can try to resolve the claim internally. Employers with 50 or more employees are required to include this as a topic in mandated sexual harassment prevention training (see 2 CCR 11024).
- Indicate that when the employer receives allegations of misconduct, it will conduct a fair, timely, and thorough investigation that provides all parties appropriate due process and reaches reasonable conclusions based on the evidence collected.
- Make clear that employees shall not be retaliated against as a result of making a complaint or participating in an investigation.

4. Distribute its harassment, discrimination, and retaliation prevention policy by doing one or more of the following:
   - Printing the policy and providing a copy to employees with an acknowledgment form for employees to sign and return.
   - Sending the policy via email with an acknowledgment return form.
   - Posting the current version of the policy on a company intranet with a tracking system to ensure all employees have read and acknowledged receipt of the policy.
   - Discussing policies upon hire and/or during a new hire orientation.
   - Using any other method that ensures employees received and understand the policy.
5. If the employer's workforce at any facility or establishment contains ten percent or more of persons who speak a language other than English as their spoken language, that employer shall translate the harassment, discrimination, and retaliation policy into every language spoken by at least ten percent of the workforce.
6. In addition, employers who do business in California and employ 5 or more part-time or full-time employees must provide at least one hour of training regarding the prevention of sexual harassment, including harassment based on gender identity, gender expression, and sexual orientation, to each non-supervisory employee; and two hours of such training to each supervisory employee. All employees must be trained by January 1, 2023. New supervisory employees must be trained within six months of assuming their supervisory position, and new non-supervisory employees must be trained within six months of hire. Employees must be retrained once every two years. Please see Gov. Code 12950.1 and 2 CCR 11024 for further information.

CIVIL REMEDIES

1. Damages for emotional distress from each employer or person in violation of the law
2. Hiring or reinstatement
3. Back pay or promotion
4. Changes in the policies or practices of the employer

To schedule an appointment, contact the Communication Center below.

If you have a disability that requires a reasonable accommodation, the CRD can assist you by scribing your intake by phone or, for individuals who are Deaf or Hard of Hearing or have speech disabilities, through the California Relay Service (711), or you can contact us below.

TO FILE A COMPLAINT

Civil Rights Department
calcivilrights.ca.gov/complaintprocess
Toll Free: 800.884.1684 / TTY: 800.700.2320
California Relay Service (711)

Have a disability that requires a reasonable accommodation?
CRD can assist you with your complaint.

For translations of this guidance, visit: www.calcivilrights.ca.gov/posters/required

CRD-SEPONG/ January 2023

III.
Employee And Student Health And Safety

DELANO UNION SCHOOL DISTRICT

TOBACCO-FREE WORKPLACE POLICY

RETAIN FOR YOUR RECORDS

The Delano Union School District prohibits the use of products containing tobacco and/or nicotine, including, but not limited to, smokeless tobacco, snuff, chew, clove cigarettes, and electronic nicotine delivery systems, such as electronic cigarettes, any time, in charter school or school district-owned or leased buildings, on school or district property, and in school or district vehicles. However, this section does not prohibit the use or possession of prescription products, or other cessation aids such as nicotine patches or nicotine gum. Student use or possession of such products must conform to laws governing student use and possession of medications on school property. Other vapor emitting electronic devices, such as electronic hookah, with or without nicotine content, that mimic the use of tobacco products, are also prohibited.

Use of tobacco and/or nicotine products and vapor emitting electronic devices is prohibited in all facilities owned and/or operated by the Kern County Superintendent of Schools Office, including indoors, outdoors and in all Delano Union School Offices, vehicles, whether located on or off the premises. Included in this prohibition is tobacco use in privately owned vehicles located on Delano Union School District owned and/or operated property. This policy applies to employees, students and the general public.



Rosalina, C. Rivera, Superintendent
Delano Union School District

DUSD Drug and Alcohol Free Workplace Board Policy/Exhibit 4020

The Governing Board believes that the maintenance of a drug- and alcohol-free workplace is essential to staff and student safety and to help ensure a productive and safe work and learning environment.
An employee shall not unlawfully manufacture, distribute, dispense, possess, or use any controlled substance in the workplace. (Government Code 8355; 41 USC 8103)

Employees are prohibited from being under the influence of controlled substances or alcohol while on duty. For purposes of this policy, on duty means while an employee is on duty during both instructional and noninstructional time in the classroom or workplace, at extracurricular or cocurricular activities, or while transporting students or otherwise supervising them. Under the influence means that the employee's capabilities are adversely or negatively affected, impaired, or diminished to an extent that impacts the employee's ability to safely and effectively perform his/her job.

The Superintendent or designee shall notify employees of the district's prohibition against drug use and the actions that will be taken for violation of such prohibition. (Government Code 8355; 41 USC 8103)

An employee shall abide by the terms of this policy and shall notify the district, within five days, of his/her conviction for violation in the workplace of any criminal drug statute. (Government Code 8355; 41 USC 8103)

The Superintendent or designee shall notify the appropriate federal granting or contracting agency within 10 days after receiving notification, from an employee or otherwise, of any conviction for a violation occurring in the workplace. (41 USC 8103)

In accordance with law and the district's collective bargaining agreements, the Superintendent or designee shall take appropriate disciplinary action, up to and including termination, against an employee for violating the terms of this policy and/or shall require the employee to satisfactorily participate in and complete a drug assistance or rehabilitation program approved by a federal, state, or local public health or law enforcement agency or other appropriate agency.

Drug-Free Awareness Program

The Superintendent or designee shall establish a drug-free awareness program to inform employees about: (Government Code 8355; 41 USC 8103)

1. The dangers of drug abuse in the workplace
2. The district's policy of maintaining a drug-free workplace
3. Available drug counseling, rehabilitation, and employee assistance programs
4. The penalties that may be imposed on employees for drug abuse violations occurring in the workplace

Adopted by Board of Trustees
April 10, 2017
Delano, CA

DUSD Work Related Injuries Board Policy 4257.1

The Governing Board desires to provide its employees with insurance and workers' compensation benefits in accordance with law. The Superintendent or designee shall develop an efficient claim handling process in order to reduce costs and facilitate employee recovery.

An employee shall report any work-related injury or illness to his/her supervisor as soon as practicable. Upon learning of an injury, a supervisor shall promptly report the incident to the Superintendent or designee and the insurance carrier as appropriate.

The Superintendent or designee shall ensure that every new employee is notified of his/her right to receive workers' compensation if injured at work and that injured employees are given notice of rights in accordance with law.

The Superintendent or designee shall ensure that notifications regarding workers' compensation are posted in accordance with law.

DUSD Work Related Injuries Administrative Regulation 4257.1

In order to provide medical benefits, temporary or permanent disability benefits, wage replacement, retraining or skill enhancement, and/or death benefits in the event that an employee becomes injured or ill in the course of employment, the district shall provide all employees with insurance and workers' compensation benefits in accordance with law. The Superintendent or designee shall develop an efficient claims handling process that reduces costs and facilitates employee recovery.

The Superintendent or designee shall notify every new employee, at the time of hire or by the end of the first pay period, of the employee's right to receive workers' compensation benefits if injured at work. (Labor Code 3551; 8 CCR 15596)

In addition, a notice regarding workers' compensation benefits shall be posted in a conspicuous location frequented by employees, where the notice may be easily read during the workday. (Labor Code 3550)

In the event that an employee is injured or becomes ill in the course of employment, the employee shall report the work-related injury or illness to the Superintendent or designee as soon as practicable. The employee and appropriate district staff shall also promptly document the date and time of any incident, a description of the incident, and any persons present.

Within one working day of receiving notice or knowledge of any injury to an employee in the course of employment, the Superintendent or designee shall provide a claim form and notice of potential eligibility for workers' compensation benefits to the employee or, in the case of the employee's death, to the employee's dependents. The claim form and notice shall be provided personally or by first class mail. (Labor Code 5401)

The Superintendent or designee shall ensure that all employee notices described above are in the form prescribed by the Department of Industrial Relations (DIR), Division of Workers Compensation.

The Superintendent or designee shall additionally ensure that any employee who is a victim of a crime that occurred at the place of employment is given written notice personally or by first class mail within one working day of the crime, or when the district reasonably should have known of the crime, that the employee is eligible for workers' compensation benefits for injuries, including psychiatric injuries, that may have resulted from the crime. (Labor Code 3553)

Upon learning of a work-related injury or illness, or injury or illness alleged to have arisen out of and in thecourse of employment, the Superintendent or designee shall report the incident to the district's insurance carrier or DIR, as applicable, within five days after obtaining knowledge of the injury or illness. If a subsequent death arises as a result of the reported injury or illness, an amended report indicating the death shall be filed within five days after being notified of or learning about the death. (Labor Code 6409.1)

In addition, in every case involving death or serious injury or illness, the Superintendent or designee shall immediately make a report to the Division of Occupational Safety and Health (Cal/OSHA) by telephone or through an online mechanism made available by Cal/OSHA. (Labor Code 6409.1)

For the purpose of this report, serious injury or illness means any injury or illness occurring in a place of employment or in connection with any employment that requires inpatient hospitalization for other than medical observation or diagnostic testing, or in which an employee suffers an amputation, the loss of an eye, or any serious degree of permanent disfigurement. (Labor Code 6302

DUSD Employee Safety Board Policy 4257

The Governing Board is committed to maximizing employee safety and believes that workplace safety is the responsibility of every employee. Working conditions and equipment shall comply with standards prescribed by federal, state, and local laws and regulations.

No employee shall be required or permitted to be in any place of employment which is unsafe or unhealthful. (Labor Code 6402)

The Superintendent or designee shall promote safety and correct any unsafe work practices through education and enforcement.

All employees are expected to use safe work practices and, to the extent possible, correct any unsafe conditions that may occur. If an employee is unable to correct an unsafe condition, the employee shall immediately report the problem to the Superintendent or designee.

The Superintendent or designee shall establish and implement a written injury and illness prevention program that includes a workplace violence prevention plan and that provides employees with access to such program in accordance with law. (Labor Code 6401.7; 8 CCR 3203)

The Superintendent or designee shall make first aid materials readily available at district workplaces and shall make effective provisions to prepare for prompt medical treatment in the event of an employee's serious injury or illness. (8 CCR 3400)

No employee shall be discharged or discriminated against for exercising any right regarding employee safety or health specified in Labor Code 6310, including:

1. Making a report or complaint
2. Instituting proceedings or causing proceedings to be instituted
3. Testifying with regard to employee safety or health
4. Participating in any occupational health and safety committee established pursuant to Labor Code 6401.7
5. Requesting access to injury or illness reports and records
6. Exercising any other right protected by the Occupational Safety and Health Act

DUSD Employee Safety Administrative Regulation 4257

The Superintendent or designee shall provide safety devices and implement safeguards, methods, and processes that are reasonably necessary for the safety and health of employees in the workplace. (Labor Code 6401)

If the Department of Industrial Relations Division of Occupational Safety and Health (Cal/OSHA) prohibits entry into any district workplace or performance of a district operation or process based on a determination that the workplace exposes employees to the risk of an imminent hazard, including a machine, device, apparatus, or equipment that is in a dangerous condition or is dangerously placed, the Superintendent or designee shall post a notice of the hazard provided by Cal/OSHA in a conspicuous place at the work site.
This notice shall not be removed except by an authorized representative of Cal/OSHA and only when the workplace, operation, or process is made safe, and the required safeguards, safety appliances, or devices are provided. (Labor Code 6325)

Injury and Illness Prevention Program

The district's injury and illness prevention program shall cover all district employees and all other workers whom the district controls or directs and directly supervises on the job to the extent that the workers are exposed to hazards specific to their worksite and job assignment. The obligation of contractors or other employers who control or direct and supervise their own employees on the job shall not be affected by the district's injury and illness prevention program. (Labor Code 6401.7)

The district's injury and illness prevention program shall include: (Labor Code 6401.7; 8 CCR 3203)

1. The name/position of the person(s) with authority and responsibility for implementing the program
2. A system for ensuring that employees comply with safe and healthful work practices, which may include, but are not limited to:
    a. Recognition of employees who follow safe and healthful work practices
    b. Training and retraining programs
    c. Disciplinary actions

3. A system for communicating with employees in a form readily understandable by all employees on matters related to occupational health and safety, including provisions designed to encourage employees to report hazards at the worksite without fear of reprisal. The communications system may include, but is not limited to:

    a. Meetings
    b. Training programs
    c. Posting
    d. Written communications
    e. A system of anonymous notification by employees about hazards
    f. A labor/management safety and health committee

4. Procedures for identifying and evaluating workplace hazards, including scheduled periodic inspections to identify unsafe conditions and work practices. Such inspections shall be made:

    a. Whenever new substances, processes, procedures, or equipment that represents a new occupational safety or health hazard is introduced into the workplace
    b. Whenever the district is made aware of a new or previously unrecognized hazard

DUSD Employee Safety Administrative Regulation 4257 (continued)

5. A procedure for investigating occupational injury or illness

6. Methods and/or procedures for correcting unsafe or unhealthful conditions, work practices, and work procedures in a timely manner, based on the severity of the hazard, when the hazard is observed or discovered

When an imminent hazard exists that cannot be immediately abated without endangering employee(s) and/or property, these procedures shall call for the removal of all exposed staff from the area except those necessary to correct the hazardous condition. Employees needed to correct the condition shall be provided with the necessary safeguards.

7. Provision of training and instruction as follows:

    a. To all new employees
    b. To all employees given new job assignments for which training has not previously been received
    c. Whenever new substances, processes, procedures, or equipment are introduced into the workplace and represent a new hazard
    d. Whenever the district is made aware of a new or previously unrecognized hazard
    e. To supervisors, to familiarize them with the safety and health hazards to which employees under their immediate direction and control may be exposed

8. A written workplace violence prevention plan developed and implemented in accordance with Labor Code 6401.9 (Labor Code 6401.7)

The plan, which shall be easily accessible to all employees at all times, shall be in effect at all times and in all work areas, and be specific to the hazards and corrective measures for each work area and operation. (Labor Code 6401.9)

The Superintendent or designee shall provide training to all employees when the plan is first established and annually thereafter in accordance with Labor Code 6401.9. Training materials shall be appropriate in content and vocabulary to employees' educational level, literacy, and
language. (Labor Code 6401.9)

The Superintendent or designee shall provide employees, or their representative designated pursuant to 8 CCR 3203, with either of the following: (8 CCR 3203)

1. Access to the district's injury and illness prevention program in a reasonable time, place, and manner, but in no event later than five business days after the request for access is received from an employee or a designated representative of the employee.

When an employee or designated representative requests a copy of the district's injury and illness prevention program, the Superintendent or designee shall provide the requester a printed copy unless the employee or designated representative agrees to receive an electronic copy.

The Superintendent or designee shall provide one printed copy free of charge. If the employee or designated representative requests additional copies within one year of the previous request and the district's injury and illness prevention program has not been updated with new information since the prior copy was provided, the district may charge reasonable reproduction costs pursuant to 8 CCR 3204 for the additional copies.

2. Unobstructed access to the district's injury and illness prevention program through the district's server or website that allows an employee to review, print, and email the current version of the district's injury and illness prevention program.

The Superintendent or designee shall communicate the right and procedure to access the district's injury and illness prevention program to all employees. (8 CCR 3203)

Labor/Management Safety and Health Committee

The district's labor/management safety and health committee shall: (8 CCR 3203)

1. Meet regularly, but not less than quarterly.
2. Prepare and make available to affected employees written records of the safety and health issues discussed at committee meetings and maintained for review by Cal/OSHA upon request. These records shall be maintained for at least one year.
3. Review results of the periodic, scheduled worksite inspections.
4. Review investigations of occupational accidents and causes of incidents resulting in occupational injury or illness or exposure to hazardous substances. As appropriate, the committee may submit suggestions to the Superintendent or designee regarding the prevention of future incidents.
5. Review investigations of alleged hazardous conditions brought to the attention of any committee member. When determined necessary by the committee, it may conduct its own inspection and investigation to assist in remedial solutions.
6. Submit recommendations to assist in the evaluation of employee safety suggestions.
7. Upon request of Cal/OSHA, verify abatement action taken by the district to abate citations issued by Cal/OSHA.

Hearing Protection

Whenever employee noise exposure equals or exceeds the standards specified by law, the Superintendent or designee shall implement a hearing conservation program in accordance with state and federal regulations, including, when required, monitoring of sound levels, audiogram evaluation and audiometric testing of affected employees, the provision of hearing protectors, and employee training. (8 CCR 5095-5100; 29 CFR 1910.95)

Eye Safety Devices

Employees shall wear eye safety devices whenever they are engaged in or observing an activity involving hazards or hazardous substances likely to cause eye injury. (Education Code 32030-32034)

First Aid and Medical Services

The Superintendent or designee shall ensure the ready availability of medical personnel for advice and consultation on matters of industrial health or injury. Whenever a district facility or district grounds are not in close proximity to an infirmary, clinic, or hospital where all injured employees may be treated, the Superintendent or designee shall ensure that at least one employee is adequately trained to provide first aid. (8 CCR 3400)

The Superintendent or designee shall make adequate first aid materials readily available for employees at every worksite. Such materials shall be approved by a consulting physician and shall be kept in a sanitary and usable condition. The Superintendent or designee shall frequently inspect all first aid materials and replenish them as necessary. (8 CCR 3400)

The Superintendent or designee shall ensure that suitable facilities for quick drenching or flushing of the eyes and body are provided within the work area for immediate emergency use when the eyes or body or any person may be exposed to injurious corrosive materials. (8 CCR 3400)

To avoid unnecessary delay in medical treatment in the event of an employee's serious injury or illness, the Superintendent or designee shall use one or more of the following: (8 CCR 3400)

1. A communication system for contacting a physician or emergency medical service, such as access to 911 or equivalent telephone system. The communication system or the employees using the system shall have the ability to direct emergency services to the location of the injured or ill employee.
2. Readily accessible and available on-site treatment facilities suitable for treatment of reasonably anticipated injury and illness
3. Proper equipment for prompt medical transport when transportation of injured or ill employees is necessary and appropriate

Protection from Communicable Diseases and Infections

The Superintendent or designee shall develop an exposure control plan for bloodborne pathogens that is consistent with the district's injury and illness prevention program. The plan shall include a determination of which job classifications have occupational exposure to blood or other potentially infectious materials; precautions to be implemented, including universal precautions, engineering and work practice controls, and personal protective equipment; availability of the hepatitis B vaccination; provision of information and training to employees; and follow-up actions to be taken if exposure occurs. The district shall ensure that a copy of the exposure control plan is accessible to employees in accordance with law. (8 CCR 5193; 29 CFR 1910.1030)

Strategies to prevent and mitigate the outbreak or spread of infectious diseases shall be followed for diseases that are communicated through airborne transmission, skin-to-skin contact, foodborne transmission, or other casual or noncasual means. Such strategies shall include, but are not limited to, communication and training about the disease(s); campus closures and alternative means of instruction when necessary; preventative measures, such as social distancing, personal protective equipment, temperature checks, and/or any other health screening allowed by law; and cleaning and sanitization of district facilities and equipment.

The Superintendent or designee shall immediately report to the local health officer the presence or suspected presence of any communicable disease. (17 CCR 2508)

DUSD Emergency Response Plan- Outdoor Air Quality

OBJECTIVES

A. Continually monitor the ozone or fine particulate matter (PM 2.5) concentrations as measured by the Real-Time Air Advisory Network (RAAN) and reported by the Valley Air District;

B. To implement procedures designed to lessen and prevent unhealthful consequences from polluted air conditions;

C. To respond to outdoor physical activity recommendations developed by the Valley Air District in consultation with health researchers at U.S. EPA, UCSF, CSU-Fresno, UC Berkeley, and the Fresno/Madera Medical Society, as presented in the Real-Time Outdoor Activity Risk (ROAR) guidelines

It is the responsibility of District and school site staff to implement the Outdoor Air Quality Safety procedures by:

A. Consulting with the Superintendent or designee, or the Health Services Director who oversees this work area.

B. Monitoring the changes in air pollution during the course of each day using RAAN.

C. Enforcing the physical activity restrictions placed on each child and employee in accordance with ROAR guidelines.

D. Working cooperatively with the Valley Air District to ensure policies and procedures are updated and reflective of emerging federal and state air quality standards.

DEFINITIONS

Good. When the air quality reported by RAAN reaches Level 1, air quality is considered "Good" and no action is needed.

Moderate. When the air quality reported by RAAN reaches Level 2, air quality is considered "Moderate". Ensure that sensitive individuals (i.e. for those who have a history of asthma, heart disease, or other respiratory ailments) are medically managing their conditions in accordance with their physicians' recommendations.

Unhealthy for Sensitive Groups. When the air quality reported by RAAN reaches Level 3, air quality is considered "Unhealthy for Sensitive Groups". Special consideration must be given to outdoor physical activity for sensitive individuals. Ensure they are medically managing their conditions.

Unhealthy. When the air quality reported by RAAN reaches Level 4, air quality is considered "Unhealthy". Outdoor activities should be moved indoors if possible. All students and adults should be cautious and curtail or modify outdoor activities in accordance with ROAR guidelines, and avoid any prolonged exertion. Sensitive students and adults should participate only in indoor activities.

Very Unhealthy. When the air quality reported by RAAN reaches Level 5, air quality is considered "Very Unhealthy". All outdoor activities should be moved indoors, and outdoor athletic classes, practices, and sporting events must be rescheduled or relocated.

PROCEDURES FOR LEVEL 3 (UNHEALTHY FOR SENSITIVE GROUPS)

1. Physical Education and Recess

Sensitive individuals (i.e. students with asthma, respiratory or heart/lung conditions) should remain inside or avoid vigorous outdoor activities.

2. Athletic Practice and Training

Reduce vigorous exercise to 30 minutes per hour of practice time with increased rest breaks and substitutions. Ensure that sensitive individuals are medically managing their condition.

DUSD Emergency Response Plan- Outdoor Air Quality (Continued)

3. Scheduled Athletic Events

Increase rest breaks and substitutions. Ensure that sensitive individuals are medically managing their condition.

PROCEDURES FOR LEVEL 4 (UNHEALTHY)

1. Physical Education and Recess

Exercise indoors or limit vigorous outdoor activities to a maximum of 15 minutes. Sensitive individuals should remain indoors.

2. Athletic Practice and Training

Exercise indoors or reduce vigorous exercise to 30 minutes of practice time with increased rest breaks and substitutions. Sensitive individuals should remain indoors.

3. Scheduled Athletic Events

Increase rest breaks and substitutions. Ensure that sensitive individuals are medically managing their condition.

PROCEDURES FOR LEVEL 5 (VERY UNHEALTHY)

1. Physical Education and Recess

No outdoor activity. All activities should be moved indoors.

2. Athletic Practice and Training

No outdoor activity. All activities should be moved indoors.

3. Scheduled Athletic Events

Event must be rescheduled or relocated.

EXTRAORDINARY EPISODES

1. In the event of an exceptional air pollution event beyond Level 5, the Valley Air District may issue an "Air Alert", "Health Cautionary Statement", "Health Advisory", or "National Weather Service Air Quality Alert" to local media indicating the level of emergency.

2. The Superintendent or designee, or the Health Services Director shall be responsible for notifying schools of such extraordinary circumstances. Transmission of the notification to schools may be accomplished through the same procedures approved by the Superintendent's office for response to disasters of all types.

3. Students and staff should remain indoors, cease all but minimally necessary physical activity, and await emergency response directions.

DUSD Emergency Response Plan- Drinking Water Quality

If/when a Boil Water Advisory is issued, schools and childcare facilities should follow the instructions and guidelines of their state and local public health authorities.

MANAGEMENT ISSUES

The Director of Student Health Services shall be responsible for ongoing management of water-related issues and activities during the boil water advisory and to ensure compliance with health and safety protocols.
Note: Make sure boiled water has cooled to room temperature before using it.

IMMEDIATELY SECURE A SUPPLY OF DRINKABLE WATER

Use bottled water. Bottled water is the best option for drinking if it is available.

Boil water if bottled water is not available: Fill a pot with tap water; Heat the water until bubbles come quickly from the bottom of the pot to the top; Keep heating the water for one more minute; Turn off the heat source and let the water cool; Pour water into a clean, sanitized container with a cover for storage.

Shut off drinking water fountains.

Post signs at drinking fountains, in the kitchen, and bathrooms to advise people not to drink the water.

Use bottled, boiled, or disinfected water for brushing teeth, and for washing wounds or other medical procedures.

Discontinue using tap water for indoor and outdoor play and all recreational activities.

FOOD PREPARATION

Discard all ice or drinks made with tap water.

Discard ready-to-eat food that was prepared with potentially unsafe water prior to the issue of the advisory (e.g., coffee, juice, gelatins, and popsicles). Consult with your local public health department if you are unsure of which foods to discard.

Limit menu to items that require no or little water to prepare.

Use bottled, boiled, or disinfected water for food and beverage preparation activities, washing of fruits and vegetables, and mixing beverages.

Use disposable plates, cups, and utensils, if possible.

HYGIENE AND CLEANING

Note: Washing hands with soap and water is the best way to reduce the number of germs on them in most situations. If soap and water are not available, use an alcohol-based hand sanitizer that contains at least 60% alcohol. Alcohol- based hand sanitizers can quickly reduce the number of germs on hands in some situations, but sanitizers do not eliminate all types of germs. Hand sanitizers are not as effective when hands are visibly dirty or greasy.

Use bottled water, boiled water, or water that has been disinfected with bleach to clean washable toys and surfaces. Household dishwashers generally are safe to use if the water reaches a final rinse temperature of at least 150°F or if the dishwasher has a sanitizing cycle.
Launder items in a washing machine using a hot water rinse cycle. Dry in a dryer for a minimum of 30 minutes.

MANAGING GASTROINTESTINAL ILLNESS (DIARRHEA OR VOMITING)

Staff or children showing signs of gastrointestinal illness (diarrhea or vomiting) should immediately seek medical attention.

Staff or children with diarrhea or vomiting should not return to work or come to school until they have been symptom-free (i.e. having no diarrhea or vomiting) for at least 24 hours.

DUSD Emergency Response Plan- Severe Weather

The following is adapted from the San Diego County Office of Education Comprehensive Safe School Plan Template, July 2016)

Severe weather can be accompanied by high winds, downed trees, and swollen creeks. An emergency response is required when this type of weather poses any risk to the staff and students. Assure that each student's method of returning home is safe and reliable.

Severe Storm

Principal/site administrator actions: Monitor weather forecasts and weather-related communications to determine onset of storm conditions that may affect school operations. Report to site by 6 a.m. to check for power outages, flooding, etc. Determine whether school will be closed or remain open. Notify superintendent of school status. Assign staff to activate staff and parent phone trees. Post school status on school website. Notify utility companies of any break or suspected break in utility lines. Take appropriate action to safeguard school property. Upon passage of the storm, return to normal routine.

Windstorm

Principal/site administrator actions: Monitor weather forecasts to determine onset of storm conditions that may affect school operations. Notify utility companies of any break or suspected break in utility lines. Keep staff and students in sheltered areas of the building until winds have subsided and it is safe to return to the classroom. Take appropriate action to safeguard school property. Upon passage of the storm, return to normal routine.

Staff actions: Evacuate any classrooms bearing full force of wind. Evacuate to lower floor of school building near inside walls. Initiate TAKE COVER with students in the shielded areas within the building. Stay away from windows. Take attendance. Report any missing students to principal/site administrator. Close all blinds and curtains. Avoid auditoriums, gymnasiums and other structures with large roof spans. Remain with students near an inside wall or on lower floors of the building. Make arrangements for special needs, snacks and quiet recreational activities.

DUSD Emergency Response Plan- Utilities Failure

Electrical/Light Failure:

1. Contact M.O.T. department and school site administration.
2. Provide assistance to students, staff and others in the failure area.
3. Do not use candles or other type of open flame for lighting.
4. If in an unlit area, proceed cautiously to an area that has emergency lighting or implement building evacuation procedures.
5. Do not leave the school site unless told to do so by authorized officials.

Gas Leak:

1. Call 911.
2. Contact M.O.T. department and school site administration.
3. Do not turn on lights or any electrical equipment.
4. Determine where the odor of gas is emanating from (a particular room or area, inside or outside the building).
5. Implement building evacuation procedures.
6. Do not leave the school site unless told to do so by authorized officials.

Telephone System Failure

1. Contact Technology department.
2. Utilize alternative means of communication.

Ventilation

1. If smoke or burning smells come from the ventilation system, implement building evacuation procedures.
2. Contact M.O.T. department and school site administration.
3. Do not leave the school site unless told to do so by authorized officials.

Water Leak/Plumbing Failure/Flooding

1. Contact M.O.T. department and school site administration.
2. Do not turn on lights or any electrical equipment.
3. If the source of the water is known, and if safe to do so, turn the local water source off (i.e., unclog the drain or turn off the water).
4. If possible, and if safe to do so, cover or move objects that could be damaged by water. Take only essential steps to avoid or reduce immediate water damage.
5. Implement building evacuation procedures.
6. Do not leave the school site unless told to do so by authorized officials.

Water Supply Failure

1. Contact M.O.T. department and school site administration.
2. Do not consume tap water until told it is safe to do so by authorized officials.
3. Do not leave the school site unless told to do so by authorized officials.

DUSD Emergency Response Plan- Flooding

(The following is adapted from "Sample School Emergency Operations Plan," Federal Emergency Management Agency, March 2011)

DESCRIPTION

Flooding is a natural feature of the climate, topography, and hydrology of Delano and its surrounding areas. Some floods develop slowly during an extended period of rain or in a warming trend following heavy snow. Flash floods can occur quickly, without any visible sign of rain. Catastrophic floods are associated with burst dams and levees, hurricanes, storm surges, tsunamis, and earthquakes.

CORE FUNCTIONS

The City of Delano, the National Weather Service, and other Federal cooperative agencies have an extensive river and weather monitoring system and provide flood watch and warning information to the school community via radio, television, internet, and telephone. In the event of a flood, the Incident Commander, or principal, will activate the Emergency Operations Plan and implement the Incident Command System.

The school P.A. system acts as a warning system to notify staff and students in case of imminent or confirmed flooding, including that due to dam failure. If there is a loss of power, a compressed air horn or megaphone and two-way radios will serve as backup alerting/communication devices.

OPERATIONAL FUNCTIONS/PROCEDURES THAT MAY BE ACTIVATED

Operational functions or procedures that may be activated in the event of a flood include the following: evacuation; reverse evacuation; relocation; parent-student reunification; special needs population; continuity of operations; recovery and psychological healing; mass care.

ACTIVATING THE EMERGENCY OPERATIONS PLAN

Incident Commander Actions: Issue stand-by instructions. Determine if evacuation is required. Notify local law enforcement of intent to evacuate, the location of the safe evacuation site; and the route to be taken to that site. Delegate a search team to ensure that all students have been evacuated.
Activate communications plan. Determine if additional procedures should be activated. Issue directed transportation instruction if students will be evacuated to a safer local by means of buses and cars. Do not allow staff and students to return to the building until proper authorities have determined that it is safe to do so. Communicate with bus drivers. Determine whether school will be closed or remain open. Document all actions taken.
Incident Management Team and Section Chiefs Actions: Monitor radio and internet for flood information and report and developments to the Incident Commander. Review procedures with staff as needed. Disseminate information about the incident and follow up actions as to where the school has relocated and parent-student reunification procedures. Implement the internal and external communications plan. Notify relocation centers and determine an alternative relocation center, if needed, if primary and secondary centers would also be flooded. Implement additional procedures as instructed by the Incident Commander. Take appropriate action to safeguard school property. Document all actions taken.

Staff Actions: Execute evacuation procedures when instructed by the Incident Management Team and/or Section Chiefs. Take the class roster and emergency to-go kits. Take attendance before leaving the campus. Remain with students throughout the evacuation process. Upon arrival at the safe site, take attendance. Report any missing or injured students to the Incident Commander. Do not return to the school building until it has been inspected and determined safe by proper authorities. Document all actions taken.

Bus Driver Actions: If evacuation is by bus, do not drive through flooded streets and/or roads. Do not attempt to cross bridges, overpasses, or tunnels that may be damaged by flooding. If the driver is caught in an unavoidable situation, seek higher ground immediately. If the bus stalls and water is rising, abandon the bus and seek higher ground before the situation worsens. Use two-way radios to communicate with the Incident Commander, Incident Management Team, and Section Chiefs. Document all actions taken.

DUSD Emergency Response Plan- Earthquake

(This section is based on Administrative Regulation 3516.3: Earthquake Emergency Procedure System)

EARTHQUAKE WHILE INDOORS AT SCHOOL

When an earthquake occurs, the following actions shall be taken inside buildings and classrooms:

1. Staff shall have students perform the drop procedure. Students should stay in the drop position until the emergency is over or until further instructions are given.
2. In laboratories, burners should be extinguished, if possible, before taking cover.
3. As soon as possible, staff shall move students away from windows, shelves, and heavy objects or furniture that may fall.
4. After the earthquake, the principal or designee shall determine whether planned evacuation routes and assembly locations are safe and shall communicate with teachers and other staff.
5. When directed by the principal or designee to evacuate, or if classrooms or other facilities present dangerous hazards that require immediate evacuation, staff shall account for all students under their supervision and shall evacuate the building in an orderly manner.

EARTHQUAKE WHILE OUTDOORS ON SCHOOL GROUNDS

When an earthquake occurs, the following actions shall be taken by staff or other persons in authority who are outdoors on school grounds:

1. Staff shall direct students to walk away from buildings, trees, overhead power lines, power poles, or exposed wires.
2. Staff shall have students perform the drop procedure.
3. Staff shall have students stay in the open until the earthquake is over or until further directions are given.

EARTHQUAKE WHILE ON SCHOOL BUS

If students are on the school bus when an earthquake occurs, the bus driver shall take proper precautions to ensure student safety, which may include pulling over to the side of the road or driving to a location away from outside hazards, if possible. Following the earthquake, the driver shall contact the Superintendent or designee for instructions before proceeding on the route or, if such contact is not possible, drive to an evacuation or assembly location.

SUBSEQUENT EMERGENCY PROCEDURES

After an earthquake episode has subsided, the following actions shall be taken:

1. Staff shall extinguish small fires if safe.
2. Staff shall provide first aid to any injured students, take roll, and report missing students to the principal or designee.
3. Staff and students shall refrain from lighting any stoves or burners or operating any electrical switches until the area is declared safe.
4. All buildings shall be inspected for water and gas leaks, electrical breakages, and large cracks or earth slippage affecting buildings.
5. The principal or designee shall post staff at safe distances from all building entrances and instruct staff and students to remain outside the buildings until they are declared safe.
6. The principal or designee shall request assistance as needed from the county or city civil defense office, fire and police departments, city and county building inspectors, and utility companies and shall confer with them regarding the advisability of closing the school.
7. The principal or designee shall contact the Superintendent or designee and request further instructions after assessing the earthquake damage.
8. The Superintendent or designee shall provide updates to parents/guardians of district students and members of the community about the incident, any safety issues, and follow-up directions.

DUSD Emergency Response Plan- Fire

(This section is based on Administrative Regulation 3516.1: Fire Drills and Fires)

FIRE DRILLS

The principal shall cause the fire alarm signal to be sounded at least once every month. (Education Code 32001)

The principal shall also hold fire drills at least once a month at the elementary level, four times every school year at the intermediate level, and not less than twice every school year at the secondary level. (Education Code 32001)

1. The principal shall notify staff as to the schedule for fire drills.

2. Whenever a fire drill is held, all students, teachers and other employees shall be directed to leave the building. (5 CCR 550)

3. Teachers shall ascertain that no student remains in the building.

4. Teachers shall be prepared to select alternate exits and shall direct their classes to these exits whenever the designated escape route is blocked.

5. The principal or designee shall keep a record of each fire drill conducted and file a copy of this record with the office of the Superintendent or designee.

FIRES

When a fire is discovered in any part of the school, the following actions shall be taken:

1. The principal or designee shall sound fire signals, unless the school and/or building is equipped with an automatic fire detection and alarm system. (Education Code 32001)

2. The principal or designee shall call 911.

3. All persons shall be directed to leave the building and shall proceed outside to designated assembly areas.

4. Staff shall give students clear direction and supervision and help maintain a calm and orderly response.

5. In outside assembly areas, teachers shall take roll, report missing students, and provide assistance to any injured students.

6. In outside assembly areas, the principal, designee and/or each department head shall account for their staff, report missing staff, and provide assistance to any injured staff.

7. If the fire is extensive, students shall be taken to an alternate location for protective custody until parents/guardians can pick them up or until they can be safely transported to their homes.

DUSD Emergency Response Plan- Wildfire

In the event of a wildfire in the vicinity of District facilities and/or school sites, the District will initiate shelter in place and/or evacuation procedures, as recommended by or ordered by fire prevention officials or law enforcement, followed by reunification procedures.

(The following is adapted from, "Wildfire Smoke," Centers for Disease Control and Prevention web site)

Wildfire smoke can harm you in multiple ways. Smoke can hurt your eyes, irritate your respiratory system, and worsen chronic heart and lung diseases. This fact sheet tells you how you can protect your health and be safe if you are exposed to wildfire smoke.

What is Wildfire Smoke and Can it Make Me Sick?

Wildfire smoke is a mix of gases and fine particles from burning vegetation, building materials, and other materials. Wildfire smoke can make anyone sick. Even someone who is healthy can get sick if there is enough smoke in the air. Breathing in smoke can have immediate health effects, including: coughing; trouble breathing normally; stinging eyes; a scratchy throat; runny nose; irritated sinuses; wheezing and shortness of breath; chest pain; headaches; an asthma attack; tiredness; fast heartbeat.

Older adults, pregnant women, children, and people with preexisting respiratory and heart conditions may be more likely to get sick if they breathe in wildfire smoke.

Eight Tips for Protecting Yourself from Breathing Wildfire Smoke

If possible, limit your exposure to smoke. Here are eight tips to help you protect your health:

Pay attention to local air quality reports and the US Air Quality Index . When a wildfire occurs in your area, watch for news or health warnings about smoke. Pay attention to public health messages and take extra safety measures such as avoiding spending time outdoors.

Pay attention to visibility guides if they are available. Although not every community measures the amount of particles in the air, some communities in the western United States have guidelines to help people estimate air quality based on how far they can see.

If you are told to stay indoors, stay indoors and keep your indoor air as clean as possible. Keep windows and doors closed unless it is very hot outside. Run an air conditioner if you have one, but keep the fresh-air intake closed and the filter clean to prevent outdoor smoke from getting inside. Seek shelter elsewhere if you do not have an air conditioner and it is too warm to stay inside with the windows closed.

Use an air filter. Use a freestanding indoor air filter with particle removal to help protect people with heart disease, asthma or other respiratory conditions and the elderly and children from the effects of wildfire smoke. Follow the manufacturer's instructions on filter replacement and where to place the device.

Do not add to indoor pollution. When smoke levels are high, do not use anything that burns, such as candles and fireplaces. Do not vacuum, because vacuuming stirs up particles already inside your home. Do not smoke tobacco or other products, because smoking puts even more pollution into the air.

Follow your doctor's advice about medicines and about your respiratory management plan if you have asthma or another lung disease or cardiovascular disease. Call your doctor if your symptoms worsen.

Do not rely on dust masks for protection. Paper "comfort" or "dust" masks commonly found at hardware stores trap large particles, such as sawdust. These masks will not protect your lungs from smoke. An "N95" mask, properly worn, will offer some protection. If you decide to keep a mask on hand,

See the Respirator Fact Sheet provided by CDC's National Institute for Occupational Safety and Health.

Avoid smoke exposure during outdoor recreation. Wildfires and prescribed burns—fires that are set on purpose to manage land—can create smoky conditions. Before you travel to a park or forest, check to see if any wildfires are happening or if any prescribed burns are planned.

DUSD Emergency Response Plan- Chemical Exposure

(The following is adapted from, "Chemical Hygiene Plan Template," Department of Public Health and Environment, State of Colorado, March 1, 2016)

CHEMICAL SPILLS

Chemical spills can pose a significant risk to human health and the environment. All employees must be trained on how to respond to chemical spills in order to minimize risk. In general, chemical spills can be placed into one of two categories: non-emergency chemical spills, or emergency chemical spills.

NON-EMERGENCY CHEMICAL SPILL PROCEDURES

Non-emergency chemical spills are generally defined as less than one liter, do not involve a highly toxic or reactive material, do not present a significant fire or environmental hazard, and are not in a public area such as a hallway. These spills can be cleaned up by proper trained employees using PPE (e.g., safety glasses/goggles, lab coat, gloves) and a designated spill kit. In general, when a non-emergency spill occurs the area around the spill should be isolated, everyone in the area should be made aware of the spill, and the spilled material should be absorbed and collected using either pads or some other absorbent material such as oil dry or kitty litter. Decontamination of the spill area should be conducted using an appropriate solvent (soap and water is often the most effective).

EMERGENCY CHEMICAL SPILL PROCEDURES

Emergency Chemical Spills are generally defined as greater than one liter, involve a highly toxic or reactive compound, present an immediate fire or environmental hazard, or require additional PPE (e.g., respirator) and specialized training to properly clean up.

The following procedures should be followed in the event of a major emergency chemical spill:

1. Cease all activities and immediately evacuate the affected area (make sure that all personnel and students in the area are aware of the spill and also evacuate.

2. If chemical exposure has occurred to the skin or eyes, the affected personnel should be taken to the nearest safety shower and eyewash station.

3. Call 911, if the situation is, or could become an emergency (e.g., chemical exposure has occurred, a fire or explosion has occurred).

4. The fire alarm should be pulled, which will initiate building evacuations, if any of the following occurs: A fire and/or explosion has occurred (or there is a threat of fire and/or explosion); The large spill (which is either highly toxic or presents an immediate fire or environmental hazard) is in a public area such as a hallway; Toxic vapors are leaving the area where the spill has occurred, such as seeping into the hallway or neighboring rooms; You are unsure of the hazards and feel that the spill could be harmful to building occupants.

5. Ensure that no one else is allowed to enter the area until the spill has been properly cleaned up.

DUSD Emergency Response Plan- Biological Exposure

(The following is adapted from the San Diego County Office of Education Comprehensive Safe School Plan Template, July 2016)

A biological incident involves the discharge of a biological substance in a solid, liquid or gaseous state. Such incidents may include the release of radioactive materials. A biological agent can be introduced through:

- Contaminated letter or package
- Building ventilation system
- Small explosive device to help it become airborne
- Contaminated item such as a backpack, book bag, or other parcel left unattended the food supply
- Aerosol release (for example, with a crop duster or spray equipment)
- Defense against biological release (e.g. anthrax, smallpox, plague, ricin etc.) is difficult because usually appear after some time has lapsed. Indicators that may suggest the release of a biological or chemical substance include multiple victims suffering from: watery eyes, choking or breathing difficulty, twitching or the loss of coordination. Another indicator is the presence of distressed animals or dead birds. Determine which scenario applies and implement the appropriate response procedures.

OUTSIDE THE BUILDING

Staff actions: Notify principal. Move students away from immediate vicinity of danger (if outside, implement Take Cover). Segregate individuals who have been topically contaminated by a liquid from unaffected individuals. Send affected individuals to a designated area medical attention. Follow standard student assembly, accounting and reporting procedures.

Principal/site administrator actions: Initiate shelter in place. Shut off HVAC units. Move to central location where windows and doors can be sealed with duct tape. Call 911. Provide location and nature of the emergency and school actions taken. Notify District Superintendent of the situation. Turn on a battery-powered commercial radio and listen for instructions. Complete the Biological and Chemical Release Response Checklist . Remain inside the building until the Department of Health or Fire Department determines it is safe to leave. Arrange for psychological counseling for students and staff.

INSIDE THE BUILDING

Staff actions: Notify principal or site administrator. Segregate individuals who have been topically contaminated by a liquid from unaffected individuals. Implement evacuation or off-site evacuation, as appropriate. Send affected individuals to a designated area for medical attention. Follow standard student assembly, accounting and reporting procedures. Prepare a list of those who are in the affected area to provide to emergency response personnel.

Principal/site administrator actions: Initiate evacuation of building or off-site evacuation to move students away from immediate vicinity of danger. Move up-wind from the potential danger. Call 911. Provide exact location and nature of emergency. Designate security team to isolate and restrict access to potentially contaminated areas. Wait for instructions from emergency responders (Health or Fire Department). Notify District Superintendent of the situation. Arrange for immediate psychological counseling for students and staff. Complete the Biological and Chemical Release Response Checklist.

Wait to return to the building until it has been declared safe by local HazMat or appropriate agency.

THOSE WHO HAVE DIRECT CONTACT WITH BIOLOGICAL AGENT:

- Wash affected areas with soap and water.
- Immediately remove and contain contaminated clothing
- Do not use bleach on potentially exposed skins.
- Remain in safe, but separate area, isolated from those who are unaffected, until emergency response personnel arrive.

DUSD Emergency Response Plan- Biological Exposure

(The following is adapted from the San Diego County Office of Education Comprehensive Safe School Plan Template, July 2016)

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THOSE WHO HAVE DIRECT CONTACT WITH BIOLOGICAL AGENT:

- Wash affected areas with soap and water.
- Immediately remove and contain contaminated clothing
- Do not use bleach on potentially exposed skins.
- Remain in safe, but separate area, isolated from those who are unaffected, until emergency response personnel arrive.

DUSD Emergency Response Plan-Attack or Disturbance

In the event of an emergency involving an attack or disturbance (for example, an active shooter), Delano Union School District will implement Code Red procedures, as per the Standard Emergency Response Protocols, combined with shelter in place and/or evacuation procedures as applicable to the specific circumstances.

(The following is excerpted from "Best Practice Considerations for Schools in Active Shooter and Other Armed Assailant Drills," National Association of School Psychologists and National Association of School Resource Officers, April 2017.)

Active shooter situations are unpredictable and evolve quickly. Typically, the immediate deployment of law enforcement is required to stop the shooting and mitigate harm to victims.

Because active shooter situations are often over within 10 to 15 minutes, before law enforcement arrives on the scene, individuals must prepare both mentally and physically to deal with an active shooter situation.

GOOD PRACTICES FOR COPING WITH AN ACTIVE SHOOTER SITUATION

- Be aware of your environment and any possible dangers.
- Take note of the two nearest exits in any facility you visit.
- If you are in an office or a classroom, stay there and secure the door.
- If you are in a hallway, get into a room and secure the door.
- As a last resort, attempt to take the shooter down. When the shooter is at close range and you cannot flee, your chance of survival is much greater if you try to incapacitate him/her.
- Call 911 when it is safe to do so.

HOW TO RESPOND WHEN AN ACTIVE SHOOTER IS IN YOUR VICINITY

Quickly determine the most reasonable way to protect your own life and the lives of students and coworkers. Remember that students and visitors will follow the lead of employees and managers during an active shooter situation.

1. Evacuate ('Run")

If there is an escape path, attempt to evacuate the premises. Be sure to: have an escape route and plan in mind; evacuate regardless of whether others agree to follow; leave your belongings behind; help others escape, if possible; prevent individuals from entering an area where the active shooter may be; keep your hands visible; follow the instructions of any police officers; do not attempt to move wounded people; call 911 when you are safe.

2. Hide out ("Hide")

If evacuation is not possible, find a place to hide where the active shooter is less likely to find you. Your hiding place should: be out of the active shooter's view; provide protection if shots are fired in your direction (i.e., an office with a closed and locked door); not trap you or restrict your options for movement.

To prevent an active shooter from entering your hiding place: lock the door; blockade the door with heavy furniture. If the active shooter is nearby: lock the door; silence your cell phone; turn off any source of noise (i.e., radios, television); hide behind large items (i.e., cabinets, desks); remain quiet.

If evacuation and hiding out are not possible: remain calm; dial 911, if possible, to alert police to the active shooter's location; if you cannot speak, leave the line open and allow the dispatcher to listen.

3. Take action against the active shooter ("Fight")

As a last resort, and only when your life is in imminent danger, attempt to disrupt and/or incapacitate the active shooter by: acting as aggressively as possible against him/her; throwing items and improvising weapons; yelling; committing to your actions.

DUSD Emergency Response Plan-Attack or Disturbance (Continued)

HOW TO RESPOND WHEN LAW ENFORCEMENT ARRIVES

Law enforcement's purpose is to stop the active shooter as soon as possible. Officers will proceed directly to the area in which the last shows were heard. Officers usually arrive in teams of four; officers may wear regular patrol uniforms or external bulletproof vests, Kevlar helmets, and other tactical equipment. Officers may be armed with rifles, shotguns, handguns. Officers may use pepper spray or tear gas to control the situation. Officers may shout commands, and may push individuals to the ground for their safety.

How to react when law enforcement arrives: remain calm, and follow officers' instructions; put down any items in your hands; immediately raise hands and spread fingers; keep hands visible at all times; avoid making quick movements toward officers such as holding on to them for safety; avoid pointing, screaming, and/or yelling; do not stop to ask officers for help or direction when evacuating, just proceed in the direction from which officers are entering the premises.

Information to provide to law enforcement or 911 operator: location of the active shooter; number of shooters, if more than one; physical description of shooter(s); number and type of weapons held by the shooter(s); number of potential victims at the location.

The first officers to arrive on the scene will not stop to help injured persons. Expect rescue teams comprised of additional officers and emergency medical personnel to follow the initial officers. These rescue teams will treat and remove any injured persons. They may also call upon able-bodied individuals to assist in removing the wounded from the premises.

Once you have reached a safe location or an assembly point, you will likely be held in that area by law enforcement until the situation is under control, and all witnesses have been identified and questioned. Do not leave until law enforcement authorities have instructed you to do so.

ADDITIONAL WAYS TO PREPARE FOR AND PREVENT AN ACTIVE SHOOTER SITUATION

Preparedness: ensure that your facility has at least two evacuation routes; post evacuation routes in conspicuous locations throughout your facility; include law enforcement and first responders during training exercises; encourage law enforcement, emergency responders, SWAT teams, K-9 teams, and bomb squads to train for an active shooter scenario at your location.

Prevention: foster a respectful workplace; be aware of indications of workplace violence and take remedial actions accordingly.

Assisting individuals with special needs and disabilities: ensure that emergency plans, evacuation instructions, and any other relevant information address individuals with special needs and/or disabilities; your building should be handicap-accessible, in compliance with ADA requirements.

MANAGING THE CONSEQUENCES OF AN ACTIVE SHOOTER SITUATION

After the active shooter has been incapacitated and is no longer a threat, human resources and/or management should engage in post-event assessments and activities, including: an accounting of all individuals at a designated assembly point to determine who, if anyone, is missing and potentially injured; determining a method for notifying families of individuals affected by the active shooter, including notification of any casualties; assessing the psychological state of individuals at the scene, and referring them to health care specialists accordingly; identifying and filling any critical personnel or operational gaps left in the organization as a result of the active shooter.

DUSD Emergency Response Plan- Bomb Threats

(This section is based on Administrative Regulation 3516.2: Bomb Threats)

To maintain a safe and secure environment for district students and staff, the Superintendent or designee shall ensure that the district's emergency and disaster preparedness plan and/or each school's comprehensive safety plan includes procedures for dealing with bomb threats. He/she also shall provide training regarding the procedures to site administrators, safety personnel, and staff members who customarily handle mail, telephone calls, or email.

RECEIVING THREATS

Any staff member receiving a telephoned bomb threat shall try to keep the caller on the line in order to gather information about the location and timing of the bomb and the person(s) responsible. To the extent possible, the staff member should also take note of the caller's gender, age, any distinctive features of voice or speech, and any background noises such as music, traffic, machinery, or voices.

If the bomb threat is received through the mail system or in writing, the staff member who receives it should handle the letter, note, or package as minimally as possible. If the threat is received through electronic means, such as email or text messaging, the staff member should not delete the message.

RESPONSE PROCEDURES

The following procedure shall be followed when a bomb threat is received:

1. Any employee who receives a bomb threat shall immediately call 911 and also report the threat to the Superintendent or designee. If the threat is in writing, the employee shall place the message in an envelope and take note of where and by whom it was found.
2. Any student or employee who sees a suspicious package shall promptly notify the Superintendent or designee.
3. The Superintendent or designee shall immediately use fire drill signals and initiate standard evacuation procedures as specified in the emergency plan.
4. The Superintendent or designee shall turn off any two-way radio equipment which is located in a threatened building.

Law enforcement and/or fire department staff shall conduct the bomb search. No school staff shall search for or handle any explosive or incendiary device. No one shall reenter the threatened building(s) until the Superintendent or designee declares that reentry is safe based on law enforcement and/or fire department clearance. To the extent possible, the Superintendent or designee shall maintain communications with staff, parents/guardians, the Governing Board, other governmental agencies, and the media during the period of the incident. Following the incident, the Superintendent or designee shall provide crisis counseling for students and/or staff as needed. Any employee or student found to have made a bomb threat shall be subject to disciplinary procedures and/or criminal prosecution.

SUSPICIOUS ITEMS

(This section is based on guidance provided by the Department of Homeland Security)

A suspicious item is any item (e.g., bag, package, vehicle, etc.) that is reasonably believed to contain explosives, an improvised explosive device (IED), or other hazardous material that requires a bomb technician and/or specialized equipment to further evaluate it. Examples that could indicate a bomb include unexplainable wires or electronics, other visible bomb-like components, and unusual sounds, vapors, mists, or odors. Generally speaking, anything that is Hidden, Obviously suspicious, and not Typical (HOT) should be deemed suspicious. In addition, potential indicators for a bomb are threats, placement, and proximity of the item to people and valuable assets.

Not all items are suspicious. An unattended item is an item (e.g., bag, package, vehicle, etc.) of unknown origin and content where there are no obvious signs of being suspicious. Facility search, lock down, or evacuation is not necessary unless the item is deemed to be suspicious.

You may encounter a suspicious item unexpectedly or while conducting a search. If it appears to be a suspicious item, follow these procedures:

DUSD Emergency Response Plan- Bomb Threats (continued)

1. Remain calm.
2. Do not touch, tamper with, or move the package, bag, or item.
3. Notify authorities immediately. A) Notify your facility supervisor, such as a manager, operator, or administrator, or follow your facility's standing operating procedure. B) Call 9-1-1 or your local law enforcement if no facility supervisor is available. C) Explain why it is suspicious.
4. Follow instructions. Facility supervisors and/or law enforcement will assess the situation and provide guidance regarding shelter-in-place or evacuation.
5. If no guidance is provided and you feel you are in immediate danger, calmly evacuate the area. Distance and protective cover are the best ways to reduce injury from a bomb.
6. Be aware. There could be other threats or suspicious items.

Every situation is unique and should be handled in the context of the facility or environment in which it occurs. Facility supervisors and law enforcement will be in the best position to determine if a real risk is posted and how to respond.

BOMB DETONATION

(This section is based on guidance provided by the Department of Homeland Security)

1. Get under a sturdy table or desk if things are falling around you. When they stop falling, leave quickly, watching for obviously weakened floors and stairways.
2. Do not use elevators.
3. Stay low if there is smoke. Do not stop to retrieve personal possessions or make phone calls.
4. Check for fire and other hazards.
5. Once you are out, do not stand in front of windows, glass doors or other potentially hazardous areas.
6. If you are trapped in debris, use a flashlight, whistle or tap on pipes to signal your location to rescuers.
7. Shout only as a last resort to avoid inhaling dangerous dust.
8. Cover your nose and mouth with anything you have on hand.

Community Wide Standard Response

This is not a drill, we are having a:_____

Level 1- Modified Lockdown ******Level 3- Full Lockdown***

	**Medical Emergency**	Location:	Code Blue Team Meet! AED
	**Police activity in the area**	Location:	Lock all doors. Listen for instructions.
	**Kidnapping**	Location:	Locks, Lights, Out of Sight!
	**Violent Intruder**	Location:	Locks, Lights, Out of Sight!
	**Weapons on Campus**	Location:	Locks, Lights, Out of Sight!
	**Intruder Inside**	Location:	Locks, Lights, Out of Sight!
	**Intruder Outside**	Location:	Secure the Perimeter and hold
	**Bomb**	Location:	Evacuate to assigned area
	**Hazmat**	Location:	Shelter for Hazmat! Seal
	**Fire Inside**	Location:	Evacuate to the assigned area
	**Fire Outside**	Location:	Shelter in Place and Seal
	**Earthquake**	Drop and cover! Evacuate to:	Drop, Cover and Hold! Listen for further instructions
	**Animal Outside**	Location: Type:	Secure the Perimeter

Revised 12/3/24

Violent Intruder Procedures

RUN

- Know your surroundings, and have escape route with a plan in mind.
- Run immediately, and leave your belongings behind.
- Evacuate regardless of whether or not others agree to follow.
- Help others escape, if possible.
- Do not attempt to move injured people.
- Prevent others from entering the area where the Active Aggressor may be
- Keep your hands visible.
- Call 911 when you are safe.

HIDE

- If you cannot escape, hide in an area out of the Active Aggressor's view.
- Lock the door or block the entry to your hiding place.
- Silence your cell phone, including the vibrate mode, and remain quiet.
- Take cover behind furniture or fixture away from doors or windows.

FIGHT

- Fight as a last resort and only when your life is in imminent danger.
- Use items around you as weapons to fight.
- Attempt to incapacitate the Active Aggressor.
- Commit to your actions - your life depends on it!

INFORMATION TO PROVIDE TO 911

- Location of the Active Aggressor
- Number of Active Aggressor's
- Physical description of the Active Aggressor
- Number/type of weapons
- Number of potential victims at the location

WHEN POLICE ARRIVE

- Remain calm, and follow all instructions.
- Put down any items in your hands.
- Raise hands, and spread fingers keeping hands visible at all times.
- Avoid any quick movements, pointing, screaming, or yelling.
- Do not ask for help or direction.

PLEASE NOTE: The first officers to arrive on scene will not stop to help injured persons. Rescue teams will follow the initial officers to treat and remove the injured. Once you have reached a safe location, you will likely be held in that area by law enforcement until the situation is under control and all witnesses have been identified and questioned. Do not leave the area until law enforcement authorities instruct you to do so.

DELANO UNION SCHOOL DISTRICT
Working Together For A Brighter Future

INJURY AND ILLNESS PREVENTION PROGRAM FOR DELANO UNION SCHOOL DISTRICT

Every California school district must establish, implement and maintain a written Injury and Illness Prevention (IIP) Program and a copy must be maintained at each workplace or at a central worksite if the employer has non-fixed worksites. The requirements for establishing, implementing and maintaining an effective written injury and illness prevention program are contained in Title 8 of the California Code of Regulations, Section 3203 (T8 CCR 3203) and consist of the following elements:

- Responsibility
- Compliance
- Communication
- Hazard Assessment
- Accident/Exposure Investigation
- Hazard Correction
- Training and Instruction
- Employee access to the IIP Program
- Recordkeeping

This Ich has been prepared for use by employers in industries that have been determined by Cal/OSHA to be non-high hazard. The Delano Union School District is not required to use this program. However, any employer in an industry which has been determined by Cal/OSHA as being non-high hazard who adopts, posts, and implements this model program in good faith is not subject to assessment of a civil penalty for a first violation of T8 CCR 3203.

Proper use of this IIPP requires the IIP Program administrator of the Delano Union School District to carefully review the requirements for each of the IIP Program elements found in this model program. The recordkeeping section requires that the IIP Program administrator select and implement the category appropriate for your establishment. Sample forms for hazard assessment and correction, accident/exposure investigation, and worker training and instruction are provided with this model program.

This IIPP must be maintained and updated <u>ANNUALLY</u> by DELANO UNION SCHOOL DISTRICT in order to be effective.

Read the Injury and Illness Prevention Program standard online:
www.dir.ca.gov/title8/3203.html

Revised June 2025

INJURY AND ILLNESS PREVENTION PROGRAM (IIPP) for Delano Union School District

RESPONSIBILITY

The Injury and Illness Prevention Program (IIP Program) administrator, the Delano Union School District Director of Safety and Security, has the authority and responsibility for implementing the provisions of this program for the Delano Union School District**.**

All managers and supervisors are responsible for implementing and maintaining the IIP Program in their work areas and for answering worker questions about the IIP Program.

COMPLIANCE

All workers, including managers and supervisors, are responsible for complying with safe and healthful work practices. Our system of ensuring that all workers comply with these practices include one or more of the following checked practices:

- ☐ Informing workers of the provisions of our IIP Program.
- ☐ Evaluating the safety performance of all workers.
- ☐ Recognizing employees who perform safe and healthful work practices.
- ☐ Providing training to workers whose safety performance is deficient.
- ☐ Disciplining workers for failure to comply with safe and healthful work practices.

COMMUNICATION

All managers and supervisors are responsible for communicating with all workers about occupational safety and health in a form readily understandable by all workers. Our communication system encourages all workers to inform their managers and supervisors about workplace hazards without fear of reprisal.

Our communication system includes one or more of the following checked items:

- ☐ New worker orientation including a discussion of safety and health policies and procedures.
- ☐ Review of our IIP Program.
- ☐ Workplace safety and health training programs.
- ☐ Regularly scheduled safety meetings.
- ☐ Posted or distributed safety information.
- ☐ A system for workers to anonymously inform management on the District website regarding workplace hazards.

HAZARD ASSESSMENT

Periodic inspections to identify and evaluate workplace hazards shall be performed by a competent observer in the following areas of our workplace:

Competent Observer	Area
Director of Safety and Security	District Office buildings, other District areas as assigned
Director of M.O.T.	Maintenance Yard, District Warehouse, and other MOT-related facilities, other District areas as assigned
Director of Food Services	Food Services Dept and Kitchen Areas
School Site Principal	Assigned School Site
Director of Child Development	District Preschools
Director of Health Services	Community Connections Building
Director of Extended Learning Opportunity Program (ELOP)	Turning Point

Periodic inspections are performed according to the following schedule:

1. Once per semester (2 times per year).
2. When we initially establish our IIP Program.
3. When new substances, processes, procedures, or equipment that present potential new hazards are introduced into our workplace.
4. When new, previously unidentified hazards are recognized.
5. When occupational injuries and illnesses occur.
6. Whenever workplace conditions warrant an inspection.

ACCIDENT/EXPOSURE INVESTIGATIONS

Procedures for investigating workplace accidents and hazardous substance exposures include:

1. Visiting the accident scene as soon as possible.
2. Interviewing injured workers and witnesses.
3. Examining the workplace for factors associated with the accident/exposure.
4. Determining the cause of the accident/exposure.
5. Taking corrective action to prevent the accident/exposure from reoccurring.
6. Recording the findings and corrective actions taken.

HAZARD CORRECTION

Unsafe or unhealthy work conditions, practices or procedures shall be corrected in a timely manner based on the severity of the hazards. Hazards shall be corrected according to the following procedures:

1. When observed or discovered.
2. When an imminent hazard exists that cannot be immediately abated without endangering employee(s) and/or property, we will remove all exposed workers from the area except those necessary to correct the existing condition. Workers necessary to correct the hazardous condition shall be provided with the necessary protection.

TRAINING AND INSTRUCTION

All workers, including managers and supervisors, shall have training and instruction on general and job-specific safety and health practices. Training and instruction is provided as follows:

1. When the IIP Program is first established.
2. To all new workers, except for construction workers who are provided training through a construction industry occupational safety and health program approved by Cal/OSHA.
3. To all workers given new job assignments for which training has not previously been provided.
4. Whenever new substances, processes, procedures, or equipment are introduced to the workplace and present a new hazard.
5. Whenever we are made aware of a new or previously unrecognized hazard.
6. To supervisors to familiarize them with the safety and health hazards to which workers under their immediate direction and control may be exposed.
7. To all workers with respect to hazards specific to each employee's job assignment.

General workplace safety and health practices include, but are not limited to, the following:

1. Implementation and maintenance of the IIP Program.
2. Emergency action and fire prevention plan.
3. Provisions for medical services and first aid, including emergency procedures.
4. Prevention of musculoskeletal disorders, including proper lifting techniques.
5. Proper housekeeping, such as keeping stairways and aisles clear, work areas neat and orderly, and promptly cleaning up spills.
6. Prohibiting horseplay, scuffling, or other acts that tend to adversely influence safety.
7. Proper storage to prevent stacking goods in an unstable manner and storing goods against doors, exits, fire extinguishing equipment and electrical panels.
8. Proper reporting of hazards and accidents to supervisors.
9. Hazard communication, including worker awareness of potential chemical hazards, and proper labeling of containers.
10. Proper storage and handling of toxic and hazardous substances, including prohibiting eating or storing food and beverages in areas where they can become contaminated.

EMPLOYEE ACCESS TO THE IIPP

Our employees – or their designated representatives - have the right to examine and receive a copy of our IIPP. This will be accomplished by providing unobstructed access on the Delano Union School District website, which allows an employee to review, print, and email the current version of the Program. Unobstructed access means that the employee, as part of their regular work duties, predictably and routinely uses the electronic means to communicate with management or coworkers.

Site administrators shall update employees at the beginning of each school year as to the location of the IIPP, as well as the location of the District hazard-reporting form, on the District's website.

An employee must provide written authorization in order to make someone their "designated representative." A recognized or certified collective bargaining agent will be treated automatically as a designated representative for the purpose of access to the company IIPP. The written authorization must include the following information:

- The name and signature of the employee authorizing the designated representative.
- The date of the request.
- The name of the designated representative.
- The date upon which the written authorization will expire (if less than 1 year).

RECORDKEEPING

□ **Category 1**. Our school district has twenty or more workers; has a workers' compensation modification rate of greater than 1.1 and is not on a designated low hazard industry list; or, is on a designated high hazard industry list. We have taken the following steps to implement and maintain our IIP Program:

1. Records of hazard assessment inspections, including the person(s) or persons conducting the inspection, the unsafe conditions and work practices that have been identified and the action taken to correct the identified unsafe conditions and work practices, are recorded on a hazard assessment and correction form.
2. Documentation of safety and health training for each worker, including the worker's name or other identifier, training dates, type(s) of training, and training providers are recorded on a worker training and instruction form. We also include the records relating to worker training provided by a construction industry occupational safety and health program approved by Cal/OSHA.

Inspection records and training documentation will be maintained according to the following checked schedule:

□ For one year, except for training records of workers who have worked for less than one year which are provided to the worker upon termination of employment.

□ Since we have less than ten workers, including managers and supervisors, we only maintain inspection records until the hazard is corrected and only maintain a log of instructions to workers with respect to worker job assignments when they are first hired or assigned new duties.

□ **Category 2.** Our school district has fewer than twenty workers and is not on a designated high hazard industry list. We are also on a designated low hazard industry list or have a workers' compensation experience modification rate of 1.1 or less, and have taken the following steps to implement and maintain our IIP Program:

1. Records of hazard assessment inspections.

2. Documentation of safety and health training for each worker.

Inspection records and training documentation will be maintained according to the following checked schedule:

□ For one year, except for training records of workers who have worked for less than one year, which are provided to the worker upon termination of employment.

□ Since we have less than ten workers, including managers and supervisors, we maintain inspection records only until the hazard is corrected and only maintain a log of instructions to workers with respect to worker job assignments when they're first hired or assigned new duties.

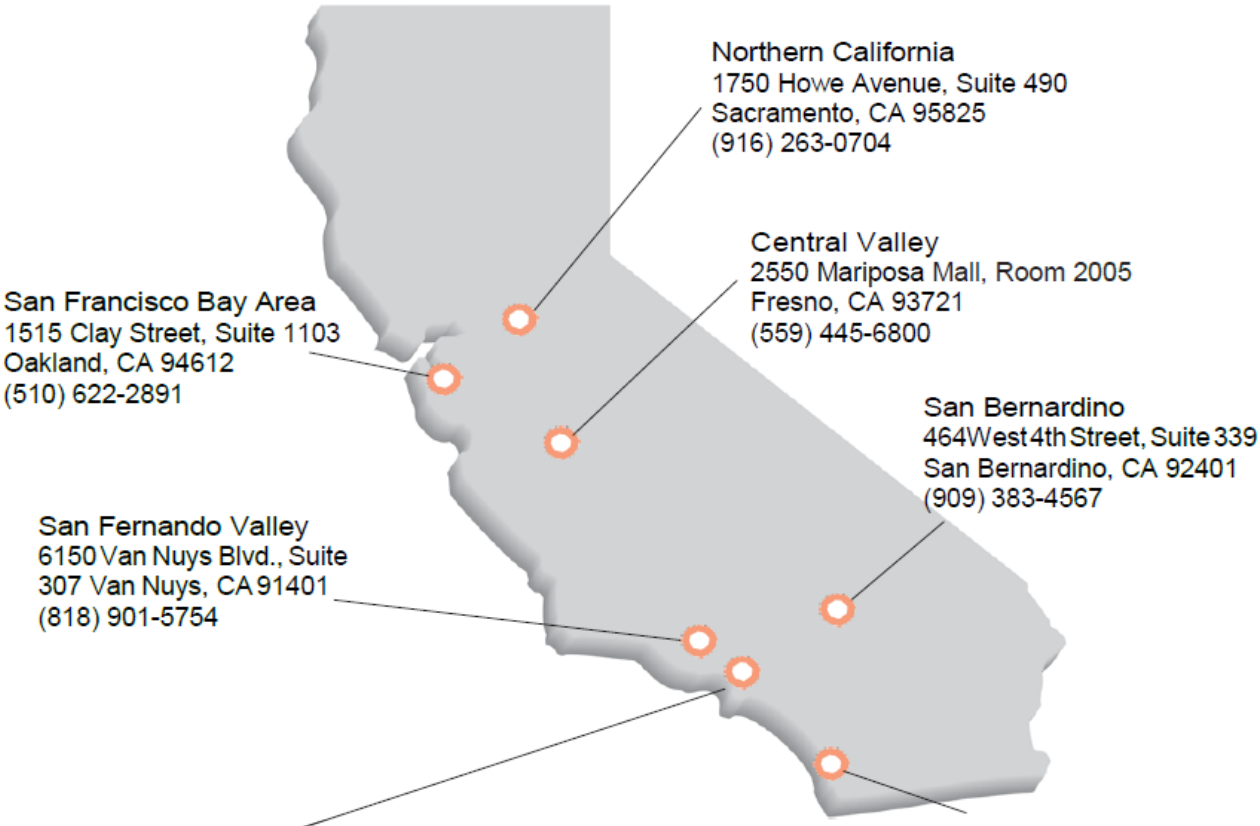
X **Category 3.** We are a local governmental entity (any county, city, or district, and any public or quasi-public corporation or public agency therein) and we are not required to keep written records of the steps taken to implement and maintain our IIP Program.

California Department of Industrial Relations

Cal/OSHA Consultation Service

• Toll-free Number: **1-800-963-9424** • Internet: **www.dir.ca.gov**

On-site Assistance Program Area Offices



Northern California
1750 Howe Avenue, Suite 490
Sacramento, CA 95825
(916) 263-0704

Central Valley
2550 Mariposa Mall, Room 2005
Fresno, CA 93721
(559) 445-6800

San Francisco Bay Area
1515 Clay Street, Suite 1103
Oakland, CA 94612
(510) 622-2891

San Bernardino
464West 4th Street, Suite 339
San Bernardino, CA 92401
(909) 383-4567

San Fernando Valley
6150 Van Nuys Blvd., Suite
307 Van Nuys, CA 91401
(818) 901-5754

LA/Orange County
1 Centerpointe Dr., Suite 150
La Palma, CA 90623
(714) 562-5525

San Diego/ Imperial
7575 Metropolitan Dr., Suite 204
San Diego, CA 92108
(619) 767-2060

Voluntary Protection Program Oakland, CA 94612 (510) 622-1081

6 Revised June 2025

Form A: School Site Safety Coordinators

The following school-site safety coordinators are responsible for maintaining our district's Injury and Illness Prevention Program and communicating with employees about our IIPP at their sites:

Albany Park School **School Site**	Jesus Valencia **Name of Coordinator**
Almond Tree Middle School **School Site**	Ian Tablit **Name of Coordinator**
Cecil Avenue Math & Science Academy **School Site**	Justin Ingram **Name of Coordinator**
Del Vista Math & Science Academy **School Site**	Esther Barreto Andrea Gonzalez **Name of Coordinator**
Fremont School **School Site**	Nancy Avina **Name of Coordinator**
Harvest School **School Site**	Jennifer Bork-Walters **Name of Coordinator**
La Viña Middle School **School Site**	Rene Mendivil **Name of Coordinator**
Morningside School **School Site**	Kevin Cruz **Name of Coordinator**
Nueva Vista Language Academy **School Site**	Martin Rios **Name of Coordinator**
Pioneer School **School Site**	Leticia Carreno/Iris Silva **Name of Coordinator**
Princeton Street School **School Site**	Asucena Gutierrez **Name of Coordinator**
Terrace School **School Site**	Vanessa Ventura **Name of Coordinator**

DUSD Injury/ Illness Program Home Visit Guide

Delano Union School District staff members are often expected to do home visits as part of their work with students and families. Home visits can be an effective way to connect with students and parents who may be alienated from their school, or be struggling with issues that are preventing them from attending.

Home visiting is an essential intervention to gather information regarding a student's whereabouts, identify and address barriers to attendance and/or achievement, and to connect with students and/or parents/guardians. Home visits give staff an opportunity to express concern and offer support to students and families.

When conducting home visits and other off-site business, DUSD staff shall follow all sign-in and sign-out procedures and are expected to return to the school site prior to the end of work hours, except in an emergency. If staff plans to begin their work day with home visits, staff should notify their supervisor(s) in advance, along with the proposed time the staff will arrive at the school. This protocol is for safety and liability purposes. All staff shall retain copies of their itineraries for their records and for review by their supervisor.

Preparation

- Notify the appropriate administrative or clerical staff of intended home visits and the time you expect to return to your work location.
- Gather and organize student attendance records and any other relevant school records.
- Wear a District or school ID badge; clothing with school/district logo may also be appropriate.
- Identify in advance the locations of the home visit(s) and determine the safest routes to/from the residence(s).
- If there is any reason to believe that there are safety risks associated with a home visit, contact a school resource officer and arrange for the SRO to be present during the home visit.
- Use Buddy system and go in pairs when possible.

Safety Tips

- Conduct home visits during daylight hours.
- Stay alert and trust your instincts; if you observe any illegal activity, or if you perceive any threat or danger, return to your vehicle immediately and contact law enforcement.
- Dress appropriately, and wear safe and comfortable shoes.
- Leave personal belongings at school or locked inside your vehicle.
- Carry cell phone, keys, and driver's license.
- Carry a clip board or notebook for writing purposes.
- Survey the neighborhood and be aware of your surroundings.
- Ask family to secure pets upon arrival (if required).

Do Not

- Attempt to perform any tasks that are associated with law enforcement; if you observe any illegal activity, or if you perceive any threat or danger, return to your vehicle immediately, leave and contact law enforcement when it is safe to do so.
- Enter the home/apartment unless invited to do so by parent/guardian.
- Meet with a student alone and behind closed doors.
- Enter a gated yard if there is evidence of a dog. Do rattle the fence before entering.
- Bring non-DUSD staff or other unauthorized persons with you.

Arrival

- Introduce yourself and your affiliation with the school and/or the District.
- Provide the family with your business card/contact information.

DUSD Injury/ Illness Program Home Visit Guide (Continued)

During Visit

- Indicate the purpose of the visit.
- Reassure the parent/guardian that you are there to help and are committed to the students' well-being and success.
- Elicit feedback from the parent/guardian regarding barriers to attendance, school success, etc.
- Listen carefully; let the parent/guardian/student tell their story.
- Identify student/family strengths.
- Review attendance, academic, and other pertinent information.
- Establish goals and next steps.
- Provide information and answer questions to the best of your ability (you may need to get back to the family on some inquiries.
- Share school and community resources as appropriate.
- Maintain a professional demeanor throughout the visit.
- If a parent/guardian becomes angry or argumentative, remain calm; if the parent/guardian directs any abusive language toward you, conclude the home visit immediately and return to your vehicle and leave. Report the incident to your supervisor or law enforcement if necessary.

Concluding the Visit

- Verify the parent/guardian's name and best telephone numbers to reach the family.
- Discuss next steps and follow up.
- Thank family for their time.

If No One is Home

- Leave a business card on the door or in the mailbox.

Wrong/Unknown Address

- If the home or apartment is vacant, inquire with neighbor or apartment manager if they have a forwarding address, telephone, or if the family continues to pick up their mail.
- If the family no longer lives there, ask the current resident how long they have lived there and if they know the family's whereabouts.
- If the address is not easily visible, inquire with neighbor or apartment manager where the family resides.

After the Visit

- Document visit in Aeries (Intervention screen).
- Follow through on referrals, action items, commitments to family, etc.
- Complete additional follow up items and documentation.
- Update front office staff with any new phone numbers or addresses

DUSD Integrated Pest Management

RETAIN FOR YOUR RECORDS

Structural and landscape pests can pose significant problems to people and the environment. Toxic pest control chemicals can also pose significant problems to people and the environment. It is, therefore, the policy of the Delano Union School District to incorporate Integrated Pest Management (IPM) procedures for the control of structural and landscape pests. Pest problems will be managed by using IPM methods that reduce risk, are effective, and are economically feasible. Pesticides that pose the least possible hazard and are effective in a manner that minimizes risks to people, property, and the environment will be carefully evaluated before use and will only be used after careful monitoring indicates they are needed according to pre-established guidelines and treatment thresholds.

Integrated Pest Management means a pest management strategy that focuses on long-term prevention or suppression of pest problems through a combination of techniques such as monitoring for pest presence and establishing treatment threshold levels, using nonchemical practices to make the habitat less conducive to pest development, improving sanitation, and employing mechanical and physical controls. This program is administered by the Director of Maintenance, Operations and Transportation (M.O.T.).

DUSD Lactation Accommodation Board Policy 4033

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

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

Lactation accommodations shall be granted unless limited circumstances exist as specified in law. (Labor Code 1031, 1032; 29 USC 218d, 42 USC 2000gg-1)

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

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

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

Break Time and Location Requirements

The district shall provide a reasonable amount of break time to accommodate an employee each time the employee has a need to express breast milk for an infant child. (Labor Code 1030; 42 USC 2000gg-1; 34 CFR 106.57)

To the extent possible, any break time granted for lactation accommodation shall run concurrently with the break time already provided to the employee. Any additional break time used by a non-exempt employee for this purpose shall be unpaid. (Labor Code 1030; 29 USC 218d)

The employee shall be provided a lactation space which may be used by the employee for expressing breast milk or breastfeeding as needed. The lactation space shall be a private room or location, other than a bathroom, which may be the employee's work area or another location that is in close proximity to the employee's work area, and shall meet the following requirements: (Labor Code 1031; 29 USC 218d; 34 CFR 106.57)

1. Is shielded from view and free from intrusion while the employee is expressing breast milk
2. Is safe, clean, and free of hazardous materials, as defined in Labor Code 6382
3. Contains a place to sit and a surface to place a breast pump and personal items
4. Has access to electricity or alternative devices, including, but not limited to, extension cords or charging stations, needed to operate an electric or battery-powered breast pump.

DUSD Lactation Accommodation Board Policy 4033 (Continued)

5. Has access to a sink with running water and a refrigerator or, if a refrigerator cannot be provided, another cooling device suitable for storing breast milk in close proximity to the employee's workspace

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

Dispute Resolution

Complaints alleging sex discrimination under Title IX shall be investigated and resolved in accordance with the procedures specified in 34 CFR 106.44 and 106.45 and Administrative Regulation 4119.12/4219.12/4319.12 - Title IX Sex Discrimination and Sex-Based Harassment Complaint Procedures.

Additionally, an employee may file a complaint with the Wage and Hour Division of the U.S. Department of Labor for an alleged violation of the Providing Urgent Maternal Protections for Nursing Mothers Act and/or the Equal Employment Opportunity Commission for failure to provide reasonable accommodations pursuant to the Pregnant Workers Fairness Act. (29 USC 218c, 218d, 42 USC 2000gg-2).

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

DUSD Code of Safe Practices

1. Allowed on the job while in that condition.
2. Horseplay, scuffling, throwing things, running in aisles and stairways, distracting employees at work, and other acts which tend to have an adverse influence on the safety or well-being of the employees are prohibited.
3. Work will be planned and supervised to prevent injuries while handling materials and working with equipment.
4. No one shall knowingly be permitted or required to work while their ability or alertness is so impaired by fatigue, illness, or other causes that might unnecessarily expose employees to injury.
5. Employees will ensure that all guards and other protective devices are in their proper places and adjusted, and will report deficiencies promptly to their supervisor.
6. Crowding or pushing when boarding or leaving any vehicle or other conveyance is prohibited.
7. Workers will not handle or tamper with electrical equipment, machinery, or air or water lines in a manner not within the scope of their duties.
8. All injuries must be reported promptly to the supervisor so that arrangements can be made for medical or first aid treatment as required.
9. When lifting heavy objects, use the large muscles of the leg instead of the smaller muscles of the back.
10. Inappropriate footwear or shoes with thin or badly worn soles will not be worn.
11. Materials, tools, or other objects will not be thrown from buildings or structures until proper precautions are taken to protect others from the falling objects.
12. Employees will cleanse thoroughly after handling hazardous substances and follow special instructions from authorized sources.
13. Work will be so arranged that employees are able to face ladder and use both hands while climbing.
14. Gasoline will not be used for cleaning purposes.
15. Any damage to scaffolds, false work, or other supporting structures will be immediately reported to the supervisor and repaired before use.
16. All employees will be familiar with emergency evacuation procedures.
17. All spilled oil, grease, water and other liquids must be wiped up immediately.
18. Any defective tool or equipment must be immediately reported to your supervisor.

Fire Emergency

1. All fires must be reported immediately. Fire emergency number will be called and location of fire given.
2. All employees must know the location of fire extinguishers and appropriate emergency equipment.
3. Tampering with fire extinguishers is forbidden.
4. Fire extinguishers, sprinklers, fire exits or risers will not be blocked any time.
5. Smoking or open flame is prohibited in areas where flammable materials are used or stored.
6. All employees will comply with “No Smoking” policy except in designated areas.

Medical Emergency

1. All medical emergencies will be reported immediately. Medical emergency number must be called and location of emergency given.
2. Person who is reporting emergency must stay on telephone line until released by answering party, or until conditions require evacuation.

Site Asbestos Statement

Employees should not take any action that could cause an asbestos release. This office complies with all regulations and safety procedures per HERA. For a comprehensive list of site status, please contact the Maintenance, Operations, and Transportation Department

Superintendent - **Rosalina C. Rivera**
Director of M.O.T – **Carlos Graciliano**

Policy 4219.41: Employees With Infectious Disease

Status: ADOPTED

Original Adopted Date: 04/10/2017 | **Last Reviewed Date:** 04/10/2017

The Governing Board desires to promote the health of district students and staff in order to reduce absenteeism and enhance employee and student performance. The Superintendent or designee shall develop strategies to prevent the outbreak or spread of infectious diseases at district schools.

An infectious disease is one that is caused by a microorganism and is potentially transmittable to another individual, whether through airborne transmission, bloodborne transmission, skin-to-skin contact, foodborne transmission, or other casual or noncasual means. A communicable infectious disease, such as influenza or chicken pox, is contagious and can be readily transmitted by infectious bacteria or viral organisms.

In accordance with law, job applicants shall be required to provide evidence that they are free of tuberculosis or any other communicable infectious disease prior to beginning employment.

To prevent the outbreak or spread of infectious diseases, the Superintendent or designee may provide infection prevention supplies and information to employees, including information about recommended vaccinations. Employees also shall observe universal precautions to avoid contact with potentially infectious blood or other bodily fluids.

Plans for addressing a communicable infectious disease outbreak, including, but not limited to, plans for addressing employee shortages during such an outbreak, shall be included in the district's emergency preparedness plan.

The Superintendent or designee shall immediately report to the local health officer the presence or suspected presence of any communicable infectious disease. In addition, a school nurse or other health care provider who knows of or is in attendance on a case or suspected case of any of the diseases or conditions listed in 17 CCR 2500 shall make a report to the local health officer. If no health care provider is in attendance, any individual having knowledge of a person who is suspected to be suffering from one of the specified diseases or conditions may make a report to the local health officer. (17 CCR 2500, 2508)

Nondiscrimination/Reasonable Accommodation

The district shall not discriminate against any employee or job applicant who has an infectious disease that meets the federal or state definition of a disability under the Americans with Disabilities Act, California Fair Employment and Housing Act, or Section 504 of the Federal Rehabilitation Act. (Government Code 12900-12996; 29 USC 794; 42 USC 12101-12213)

Upon request, any qualified person with a disability shall be provided reasonable accommodation to perform the essential duties of his/her position in accordance with the criteria and processes described in AR 4032 - Reasonable Accommodation.

DUSD Blood Borne Pathogens Training Program

There is a clear national problem related to occupational safety and health for employees exposed to blood borne pathogens. Concerns about AIDS can make a needle stick or other blood exposure alarming. Yet AIDS is not the only blood borne disease you need to worry about, In fact, you are more likely to be infected from an exposure by the hepatitis B virus (HBV), which is just as deadly.

The Occupational Safety and Health Administration (OSHA) issued a standard that, if followed, is designed to protect you. The standard details ways to substantially reduce your risk of contracting a blood borne disease due to an exposure. The standard applies to those employees who, it is reasonable anticipated, could be exposed to blood borne pathogens as a result of performing their job duties.

DISEASES IN THE BLOOD

Diseases in the blood that you might be exposed to include: Non A non B hepatitis; Hepatitis B, C, and D; human immunodeficiency virus (HIV); syphilis and malaria. The two (2) most significant are hepatitis B (HBV) and human immunodeficiency virus (HIV).

Hepatitis

Hepatitis means inflammation of the liver. The hepatitis B virus is the greatest blood borne hazard faced at work. Approximately 8,700 healthcare workers are infected each year resulting in more than 200 deaths. If you become infected with HBV:

- You may have flu-like symptoms. They may be mild or severe.
- You may not have any indication that you are infected.
- Your blood, saliva, and other body fluids may be infectious.
- You may spread the virus to sexual partners, family members, and even unborn infants.

HBV may severely damage the liver, leading to cirrhosis and death.

Human Immunodeficiency Virus

The human immunodeficiency virus (HIV) attacks the body's immune system, causing the disease known as AIDS or Acquired Immune Deficiency Syndrome. Currently, there is no vaccine to prevent infection. A person infected with HIV:

- May carry the virus without developing symptoms for years.
- Will eventually develop AIDS.
- May suffer from flu-like symptoms, fever, diarrhea, and fatigue.
- May develop AIDS-related illnesses including neurological problems, cancer, and other opportunistic infections.

HIV is transmitted primarily through sexual contact, but may also be transmitted through blood and some body fluids. HIV is not transmitted by touching, feeding, or working around people who carry the disease.

HBV, HIV, and other pathogens may be present in:

Body fluids such as:

- Blood
- Saliva
- Semen
- Vaginal Secretions
- Body fluids visibly contaminated with blood

HOW DISEASES CAN BE SPREAD IN THE WORK PLACE

Blood borne pathogens may enter your body and infect you through a variety of means including:

- An accidental injury by a sharp object contaminated with infectious material. Sharps include:

- Needles
- Razor Blades
- Broken Glass
- Knives
- Scissors
- Dental braces

Anything that can pierce, puncture, or cut your skin.

- Open cuts, nicks, and skin abrasions, even dermatitis and acne, as well as the mucous membranes of your mouth, eyes, or nose.
- Indirect transmission, such as touching a contaminated object or surface and transferring the infectious material to your mouth, eyes, nose, or open skin.

Contaminated environmental surfaces are a major mode of hepatitis B spread in certain settings. HBV can survive on environmental surfaces dried at room temperatures for at least one week. Surfaces and objects can be heavily contaminated by substances without visible signs.

HOW TO MINIMIZE YOUR RISK

The risks of blood borne diseases in the work place are quite serious. You can learn effective ways of minimizing them. A good place to start is with the Delano Union School District's Exposure Control Plan. A copy is available in each school office and at the District Office. It covers:

- Identification of employees covered by the standard.
- Specific measures that must be taken to minimize your risk of exposure.
- Discussion of five (5) major ways to reduce your risks or exposure to blood borne pathogens on the job:

1. Engineering Controls
2. Work Practice Controls
3. Personal Protective Equipment
4. Housekeeping
5. Hepatitis B Vaccine

ENGINEERING CONTROLS

There are physical and mechanical systems provided to eliminate hazards at their source. Some examples are:

- Sharps containers at the site of use.
- Personal protective equipment at the site of use (i.e., gloves, barrier packs)

The effectiveness of engineering controls depends on your appropriate use of them!

WORK PRACTICE CONTROLS

There are specific procedures you must follow on the job to reduce your exposure to blood borne pathogens or infectious materials.

Body Substance Isolation

Body Substance Isolation is based on the assumption that all body substances are potentially infectious. You cannot tell by looking if a person has HIB, HBV, or other infections that can infect you.

DUSD Blood Borne Pathogens Training Program (Continued)

Body Substance Isolation requires you to treat all body substances as if they are known to be infected with HIV, HBV, or other blood borne pathogens.

Hand Washing

If infectious material gets on your hands, the sooner you wash it off, the less chance you have of becoming infected.

- Hand washing keeps you from transferring contamination from your hands to other areas of your body or other surfaces you may contact.
- Every time you remove your gloves, you must wash your hands with non-abrasive soap and running water as soon as you possibly can.
- If skin or mucous membranes come in direct contact with blood, wash or flush with water as soon as possible.
- If antiseptic hand cleanser towelettes are available, use them as a temporary measure only. You must still wash your hands with soap and running water as soon as you can.

Personal Hygiene

Additional self-protection control should be followed to protect you:

- Do not eat, drink, apply cosmetics or lip balms or handle contact lenses where you may be exposed to blood or other potentially infectious materials.
- Avoid petroleum-based lubricants that may eat through latex gloves. Applying hand cream is OK if you thoroughly wash your hands first.
- Do not keep food or drinks in refrigerators, freezers, cabinets, or on shelves, countertops, or bench tops where blood or other potentially infectious materials may be present.

Needle sticks

To avoid needle sticks:

- Do not bend, hand-recap, shear, or break contaminated needles or other sharps. As a general rule, do not recap needles by hand. Recap or remove contaminated needles from disposable syringes only when medically necessary. To recap needles, use a mechanical devise or a one-handed technique.
- Place contaminated sharps in an approved container immediately after use.
- Report any sharp containers that are mounted too high or are not easily accessible.

PERSONAL PROTECTIVE EQUIPMENT

Equipment that protects you from contact with potentially infectious materials may include gloves, masks, gowns, aprons, lab coats, face shields, protective eyewear, mouthpieces, resuscitation bags, or other ventilation devices.

Under normal work conditions, protective equipment must not allow potentially infectious materials to contact your work clothes, street clothes, undergarments, skin, or mucous membranes. The type of protective equipment

appropriate for a given task depends on the degree of exposure you anticipate.

Wear gown, gloves, and eye protection when splash, spray, splatter, or droplets of body substance may be reasonably expected (available on Blood Borne Pathogen Emergency Kit).

Wear gown and gloves when clothing or skin may be reasonably exposed to body substance (available in Blood Borne Pathogens Emergency Kit).

Wear gloves, foot covers, mask and eye protection when large amounts of blood may be encountered (available in Blood Borne Pathogens Emergency Kit).

Use resuscitation devices. Avoid unprotected mouth-to-mouth resuscitation.

Gloves

Gloves act as a barrier between your hands and body substances. Latex gloves are used for first aid emergencies.

- Gloves must be worn when contact with blood, potentially infectious materials, mucous membranes, or non-intact skin is anticipated.
- Cuts should be covered before gloving.
- Replace gloves as soon as possible if contaminated, torn, punctured or contaminated in any way. *Never wash or reuse gloves.*

Remove gloves in the following manner to prevent contamination of hands:

- Peel one glove off from wrist and hold it in the gloved hand.
- Peel the second glove off from the inside, tucking the first glove inside the second.
- Dispose of gloves in waste container before leaving the area.
- Wash your hands thoroughly after removing gloves.

HOUSEKEEPING

- Good housekeeping protects everyone, and it is everyone's responsibility.
- Equipment and work surfaces are cleaned daily.
- Place infectious waste in red bags marked with the BIOHAZARD label.
- Handle all soiled materials as potentially infectious.

Biohazard

Bags or containers bearing the BIOHAZARD label tell you when the containers hold blood or other potentially infectious materials. Warning labels are also used to designate contaminated equipment.

DUSD Blood Borne Pathogens Training Program (Continued)

HBV VACCINATION

- The hepatitis B vaccine is available to all employees of the Delano Union School District who have been determined to be at risk for exposure to blood/body fluids. There is no cost to the employee.
- The vaccine is a yeast derivative and not made from human serum. It is given over six (6) months in a series of three (3) injections.
- The complete series of vaccines is 85%-97% effective in protecting you from getting the disease or becoming a carrier. It is effective for nine (9) years or longer.

You SHOULD NOT be vaccinated if:

- You have had the vaccine in the past.
- Your antibody test has revealed that you are immune.
- You are advised by your personal physician not to get the vaccine for medical reasons.

If you have any questions or comments regarding this information, please contact the Coordinator of Health Services:

Marvin Perez, RN, at 721-7036, Community Connection Center.

DUSD Bloodborne Pathogens Exposure Plan

POLICY

The Delano Union School District is committed to providing a safe and healthful work environment for our entire staff. In pursuit of this goal, the following Exposure Control Plan ("ECP") is provided to eliminate or minimize occupational exposure to bloodborne pathogens in accordance with OSHA standard 29 CFR 1910.1030, "Occupational Exposure to Bloodborne Pathogens." The ECP is a key document to assist our district in implementing and ensuring compliance with the standard, thereby protecting our employees. This ECP includes

- Determination of employee exposure
- Implementation of various methods of exposure control, including: Universal precautions, Engineering and work practice controls, Personal protective equipment, Housekeeping
- Hepatitis B vaccination
- Post-exposure evaluation and follow-up
- Communication of hazards to employees and training
- Recordkeeping
- Procedures for evaluating circumstances surrounding exposure incidents
- Implementation methods for these elements of the standard are discussed in the subsequent pages of this ECP.

PROGRAM ADMINISTRATION

- The Director of Health Services, in partnership with the District Employee Safety Committee, is responsible for implementation of the ECP. The District Employee Safety Committee will maintain, review, and update the ECP at least annually, and whenever necessary to include new or modified tasks and procedures.

Director of Health Services
Delano Union School District
1842 Norwalk Street
Delano, CA 93215
661-721-5000

- Those employees who are determined to have occupational exposure to blood or other potentially infectious materials (OPIM) must comply with the procedures and work practices outlined in this ECP.

- The Director of Health Services will provide and maintain all necessary personal protective equipment (PPE), engineering controls (e.g., sharps containers), labels, and red bags as required by the standard. They will ensure that adequate supplies of the aforementioned equipment are available in the appropriate sizes.

- The Director of Health Services will be responsible for ensuring that all medical actions required by the standard are performed and that appropriate employee health and OSHA records are maintained.

DUSD Employee Exposure Determination

- The Director of Health Services will be responsible for training, documentation of training, and making the written ECP available to employees, OSHA, and NIOSH representatives.

The following is a list of job classifications in which some employees may have occupational exposure. Included is a list of tasks and procedures, or groups of closely related tasks and procedures, in which occupational exposure may occur for these individuals:

After School Activity and Academic Instructor

After School Site Manager

After School Athletic Coaches: first aid trained provider

Campus Supervisor

Custodian

Health Care and Living Skill Aide: first aid trained provider

Instructional Aide

School Nurse: first aid trained, provides insulin injections, immunizations

Yard Noon Duty Aide

Child Care Teachers, Supervisors and Child Care Aides

Providers in the SH setting

DUSD Methods of Implementation and Control

Universal Precautions

All employees will utilize universal precautions.

Exposure Control Plan

Employees covered by the bloodborne pathogens standard receive an explanation of this ECP in their annual employee handbook and or during their initial training session. It will also be reviewed at the beginning of each academic school year. If requested, the district will provide an employee with a copy of the ECP free of charge and within 15 days of the request.

The District Employee Safety Committee is responsible for reviewing and updating the ECP annually, or more frequently if necessary, to reflect any new or modified tasks and procedures that affect occupational exposure and to reflect new or revised employee positions with occupational exposure.

DUSD Engineering Controls and Work Practices

Engineering controls and work practice controls will be used to prevent or minimize exposure to bloodborne pathogens. The specific engineering controls and work practice controls used are listed below:

- Hand washing
- Locked Wall Mounted Sharps containers
- Single use Vanishing Needles for immunization clinics

DUSD Engineering Controls and Work Practices (continued)

Sharps disposal containers are inspected and maintained or replaced by the Health Services Department annually or whenever necessary to prevent overfilling. This facility identifies the need for changes in engineering controls and work practices through (examples: Review of OSHA records, employee interviews, committee activities, etc.). We evaluate new procedures and new products regularly.

Both district staff and administration officials are involved in this process through representation on the District Employee Safety Committee.

The Director of Health Services is responsible for ensuring that these recommendations are implemented.

Personal Protective Equipment (PPE)

PPE is provided to our employees at no cost to them. Training in the use of the appropriate PPE for specific tasks or procedures is provided by the Director of Health Services. The types of PPE available to employees are as follows:

- Latex free gloves

PPE is located in each office and may be obtained through MOT, special education and Health Services. Employees may obtain PPE from their direct supervisor who is responsible for ensuring that PPE is available. All employees using PPE must observe the following precautions:

- Wash hands immediately or as soon as feasible after removing gloves or other PPE.
- Remove PPE after it becomes contaminated and before leaving the work area.
- Used PPE may be disposed of in a lined waste basket
- Wear appropriate gloves when it is reasonably anticipated that there may be hand contact with blood or OPIM, and when handling or touching contaminated items or surfaces; replace gloves if torn, punctured or contaminated, or if their ability to function as a barrier is compromised.
- Utility gloves may be decontaminated for reuse if their integrity is not compromised; discard utility gloves if they show signs of cracking, peeling, tearing, puncturing, or deterioration.
- Never wash or decontaminate disposable gloves for reuse.
- Remove immediately or as soon as feasible any garment contaminated by blood or OPIM, in such a way as to avoid contact with the outer surface.

The procedure for handling used PPE is as follows:

Housekeeping

Regulated waste is placed in containers which are closable, constructed to contain all contents and prevent leakage, appropriately labeled or color-coded (see the following section “Labels”), and closed prior to removal to prevent spillage or protrusion of contents during handling.

The procedure for handling sharps disposal containers is: Sharps containers must be replaced when reaching the fill line on the label, approximately ¾ full. Do NOT overfill containers. Before sharps containers are removed or replaced, they must be closed to prevent spilling the contents. Call Health Services for disposal and replacement of the container.

The procedure for handling other regulated waste is:

Personal Protective Equipment (PPE) (continued)

Contaminated sharps are discarded immediately or as soon as possible in containers that are closable, puncture-resistant, leak proof on sides and bottoms, and appropriately labeled or color coded. Sharps disposal containers are available on each campus in the nurses office.
Surfaces are cleaned and decontaminated as soon as feasible after visible contamination. Broken glassware that may be contaminated is only picked up using mechanical means, such as a brush and dustpan.

Laundry

The following contaminated articles will be laundered:

- Fabric curtains in school nurse stations.
- Dry dust mops and wet mops.
- Other articles that may become contaminated in specific situations.

Laundering will be performed by an outside vendor (external laundering facility).

DUSD HEPATITIS B VACCINATION

The Director of Health Services will provide training to employees on hepatitis B vaccinations, addressing safety, benefits, efficacy, methods of administration, and availability. The hepatitis B vaccination series is available at no cost after initial employee training and within 10 days of initial assignment to all employees identified in the exposure determination section of this plan. Vaccination is encouraged unless:

1) documentation exists that the employee has previously received the series,
2) antibody testing reveals that the employee is immune, or
3) Medical evaluation shows that vaccination is contraindicated.

However, if an employee declines the vaccination, the employee must sign a declination form (see "HEPATITIS B VACCINE DECLINATION" form in appendix A). Employees who decline may request and obtain the vaccination at a later date at no cost. Documentation of refusal of the vaccination is kept at the office of the Director of Health Services.

Vaccination will be provided by the public health department.

Following the medical evaluation, a copy of the health care professional's written opinion will be obtained and provided to the employee within 15 days of the completion of the evaluation. DUSD BBP ECP 6/11/18
It will be limited to whether the employee requires the hepatitis vaccine and whether the vaccine was administered.

POST-EXPOSURE EVALUATION AND FOLLOW-UP

Should an exposure incident occur, contact the Director of Health Services at 661-721-7036.

An immediately available confidential medical evaluation and follow-up will be conducted by district contracted workers compensation doctor who will follow centers for disease control and prevention guidelines (CDC) (Following initial first aid (clean the wound, flush eyes or other mucous membrane, etc.), the following activities will be performed:

- Document the routes of exposure and how the exposure occurred.

APPENDIX A

HEPATITIS B VACCINE DECLINATION (MANDATORY)

I understand that due to my occupational exposure to blood or other potentially infectious materials I may be at risk of acquiring hepatitis B virus (HBV) infection. I have been given the opportunity to be vaccinated with hepatitis B vaccine, at no charge to myself. However, I decline hepatitis B vaccination at this time. I understand that by declining this vaccine, I continue to be at risk of acquiring hepatitis B, a serious disease. If in the future I continue to have occupational exposure to blood or other potentially infectious materials and I want to be vaccinated with hepatitis B vaccine, I can receive the vaccination series at no charge to me.

Employee's name (please print)_____

Employee's signature_____ Date:_____

APPENDIX B
Labeling Requirements

Item	No Label Required	Biohazard Label	Red container
Sharps containers (disposable and/or reusable)		X	X
Refrigerator/freezer holding blood or other potentially infectious material		X	
Contaminated equipment needing service (e.g., dialysis equipment, suction apparatus)		X plus a label specifying where the contamination exists	
Specimens and regulated waste shipped from the primary facility to another facility for service or disposal		X	

* No label needed if universal precautions are in use and specific use of container or item is known to all employees.

DUSD Universal Precautions Board Policy 4219.43

In order to protect all employees from contact with potentially infectious blood or other body fluids, the Board of Trustees requires that universal precautions be observed throughout the district. Universal precautions are appropriate for preventing the spread of all infectious diseases and shall be used regardless of whether bloodborne pathogens are known to be present.

The Superintendent or designee shall distribute to employees information provided by the California Department of Education (CDE) regarding acquired immune deficiency syndrome (AIDS), AIDS-related conditions, and hepatitis B. This information shall include, but not be limited to, any appropriate methods employees may use to prevent exposure to AIDS and hepatitis B, including information concerning the availability of a vaccine to prevent contraction of hepatitis B, and that the cost of this vaccination may be covered by the health plan of the employees. Information shall be distributed annually, or more frequently if there is new information supplied by CDE. (Health and Safety Code 120875, 120880)

Information regarding universal precautions may be included in employee handbooks.

Employees shall immediately report any exposure incident or first aid incident in accordance with the district's exposure control plan for bloodborne pathogens or other safety procedures.

DUSD Universal Precautions Administrative Regulation 4219.43 (Continued)

Definitions

Universal precautions are an approach to infection control. All human blood and certain human body fluids, including, but not limited to semen, vaginal secretions, and any body fluid that is visibly contaminated with blood, are treated as if known to be infectious for human immunodeficiency virus (HIV), hepatitis B virus (HBV), hepatitis C virus (HCV), and other bloodborne pathogens. (8 CCR 5193; 29 CFR 1910.1030)

Occupational exposure means reasonably anticipated contact with blood or other potentially infectious materials that may result from the performance of an employee's duties. (8 CCR 5193; 29 CFR 1910.1030)

A *sharp* is any object that can be reasonably anticipated to penetrate the skin or any other part of the body and to result in an exposure incident. (8 CCR 5193)

Infection Control Practices

For the prevention of infectious disease, the district shall:

1. Effectively maintain the worksite in a clean and sanitary condition, and implement an appropriate written schedule for cleaning and decontamination of the worksite

2. When necessary for employees with occupational exposure to bloodborne pathogens, provide appropriate personal protective equipment, such as gloves, masks, and outer garments, at no cost to the employee (8 CCR 5193)

3. Provide handwashing facilities which are readily accessible to employees, or, if not feasible, provide an appropriate antiseptic hand cleanser in conjunction with clean cloth or paper towels, or antiseptic towelettes

Any employee who has contact with blood or other body fluid, regardless of whether bloodborne pathogens are known to be present, shall:

1. Use personal protective equipment as appropriate.

2. Wash hands and other skin surfaces thoroughly with soap and running water:
    a. Immediately or as soon as feasible following contact with blood or other potentially infectious materials

    b. Immediately after removing gloves or other personal protective equipment

3. When handwashing facilities are not available, use antiseptic hand cleanser in conjunction with clean cloth or paper towels, or antiseptic towelettes. In such instances, hands shall be washed with soap and running water as soon as feasible.

4. Refrain from eating, drinking, smoking, applying cosmetics or lip balm, or handling contact lenses in work areas with a reasonable likelihood of occupational exposure to bloodborne pathogens.

DUSD Universal Precautions Administrative Regulation 4219.43 (continued)

5. Clean and decontaminate all equipment and environmental and work surfaces after contact with blood or other potentially infectious material, no later than the end of the shift or more frequently as required by state regulations.

6. Rather than using the hands directly, use mechanical means such as a brush and dust pan, tongs, or forceps to clean up broken glassware which may be contaminated.

7. Use effective techniques designed to minimize the risk of a sharps injury in all procedures involving the use of sharps.

8. Handle, store, treat, and dispose of regulated waste in accordance with Health and Safety Code 117600-118360 and other applicable state and federal regulations.

a. Immediately or as soon as possible after use, contaminated sharps shall be placed in containers meeting the requirements of 8 CCR 5193.

b. Specimens of blood or other potentially infectious material shall be placed in a container which prevents leakage during collection, handling, processing, storage, transport, or shipping.

DUSD Employee Security Board Policy 4258

The Governing Board desires to provide a safe and orderly work environment for all employees. As part of the district's comprehensive safety plan, the Superintendent or designee shall develop strategies for protecting employees from potentially dangerous persons and situations and for providing necessary assistance and support when emergency situations occur.

Any person who threatens the safety of others at any district facility may be removed by the Superintendent or designee in accordance with Administrative Regulation 3515.2 - Disruptions.

Any employee against whom harassment, violence, or any threat of violence has been directed in the workplace shall notify the Superintendent or designee immediately. As appropriate, the Superintendent or designee shall initiate legal and security measures to protect the employee and others in the workplace. Such measures may include seeking a temporary restraining order (TRO) on behalf of the employee pursuant to Code of Civil Procedure 527.8 and/or a gun violence restraining order pursuant to Penal Code 18150 and 18170.

Additionally, a collective bargaining representative may seek a TRO on behalf of a district employee against whom harassment, violence, or credible threat of violence has been directed in the workplace, if the collective bargaining representative serves that employee in employment or labor matters at the employee's workplace. (Code of Civil Procedure 527.8)

Upon request by an employee who is a victim of domestic violence, sexual assault, or stalking, the Superintendent or designee shall provide reasonable accommodations in accordance with Government Code 12945.8 and the accompanying administrative regulation to protect the employee's safety while at work.

The Superintendent or designee may pursue legal action on behalf of an employee against a student or the student's parent/guardian to recover damages for injury to the employee's person or property caused by the student's willful misconduct that occurred on district property, at a school or district activity, or in retaliation for lawful acts of the employee in the performance of the employee's duties. (Education Code 48904, 48905)

The Superintendent or designee shall provide staff development in crisis prevention and intervention techniques, which may include training in classroom management, effective communication techniques, procedures for responding to an active shooter situation, and crisis resolution.

In accordance with law, the Superintendent or designee shall inform teachers, administrators, and/or counselors of crimes and offenses committed by students who may pose a danger in the classroom. (Education Code 48201, 49079; Welfare and Institutions Code 827)

The Superintendent or designee may make available at appropriate locations, including, but not limited to, district and school offices, gyms, and classrooms, communication devices that would enable two-way communication with law enforcement and others when emergencies occur.

Use of Pepper Spray

Employees shall not carry or possess pepper spray on school property or at school activities, except when authorized by the Superintendent or designee for self-defense purposes. When allowed, an employee may only possess pepper spray in accordance with Board policy, administrative regulation, and Penal Code 22810. Any employee authorized to carry or possess pepper spray on school property who is negligent or careless in the possession or handling of pepper spray is acting outside of the scope of employment and shall be subject to appropriate disciplinary measures.

DUSD Employee Security Board Policy 4258 (continued)

Reporting of Injurious Objects

Employees shall take immediate action upon being made aware that any person is in possession of a weapon or unauthorized injurious object on district property or at a district related or school-sponsored activity. Employees shall exercise their best judgment as to the potential danger involved and do one of the following:

1. Confiscate the object and deliver it to the principal immediately

2. Immediately notify the principal or supervisor, who shall take appropriate action

3. Immediately call 911 and the principal or supervisor

When informing the principal about the possession or seizure of a weapon or dangerous device, an employee shall report the name(s) of persons involved, witnesses, location, and the circumstances of any seizure.

DUSD Campus Security Board Policy 3515

The Governing Board is committed to providing a school environment that promotes the safety of students, staff, and visitors to school grounds. The Board also recognizes the importance of protecting district property, facilities, and equipment from vandalism and theft.

The Superintendent or designee shall develop campus security procedures, which may be included in the district's comprehensive safety plan and/or site-level safety plans. Such procedures shall be regularly reviewed to reflect changed circumstances and to assess their effectiveness in achieving safe school objectives.

Additionally, the Superintendent or designee shall regularly review current guidance regarding cybersecurity and digital media awareness and incorporate recommended practices into the district's processes and procedures related to the protection of the district's network infrastructure, and the monitoring and response to suspicious and/or threatening digital media content.

Reporting Threats

Any certificated or classified employee, or other school official, whose duties bring the employee or other school official in contact on a regular basis with students in any of grades 6-12, as part of a middle of high school, who are alerted to or observe any threat or perceived threat of a homicidal act, as defined, shall immediately report the threat or perceived threat to law enforcement in accordance with Education Code 49393. (Education Code 49390, 49393)

Threat or perceived threat means any writing or action of a student that creates a reasonable suspicion that the student is preparing to commit a homicidal act related to school or a school activity. This may include possession, use, or depictions of firearms, ammunition, shootings, or targets in association with infliction of physical harm, destruction, or death in a social media post, journal, class note, or other media associated with the student. It may also include a warning by a parent, student, or other individual.

Additionally, anyone who receives or learns of a health or safety threat related to school or a school activity is encouraged to report the threat to a school or district administrator.

Surveillance Systems

In consultation with the district's school site council, safety planning committee, other relevant stakeholders, and staff, the Superintendent or designee shall identify appropriate locations for the placement of surveillance cameras. Cameras shall not be placed in areas where students, staff, or community members have a reasonable expectation of privacy. Any audio capability on the district's surveillance equipment shall be disabled so that sounds are not recorded.

Prior to the operation of the surveillance system, the Superintendent or designee shall ensure that signs are posted at conspicuous and targeted locations around school buildings and grounds. These signs shall state that the facility uses video surveillance equipment for security purposes and that the equipment may or may not be actively monitored at any time. The Superintendent or designee shall also provide prior written notice to students and parents/guardians about the district's surveillance system, including the locations where surveillance may occur and that the recordings may be used in disciplinary proceedings and/or referred to local law enforcement, as appropriate.

To the extent that any images from the district's surveillance system create a student or personnel record, the Superintendent or designee shall ensure that the images are accessed, retained, and disclosed in accordance with law, Board policy, administrative regulation, and any applicable collective bargaining agreements.

DUSD Campus Security Administrative Regulation 3515

The Superintendent or designee shall develop a campus security plan which contributes to a positive school climate, fosters social and emotional learning and student well-being, and includes strategies to:

1. Secure the campus perimeter and school facilities in order to prevent criminal activity

   These strategies include a risk management analysis of each campus' security system, lighting system, and fencing. Procedures to ensure unobstructed views and eliminate blind spots caused by doorways and landscaping shall also be considered. In addition, parking lot design may be studied, including methods to discourage through traffic.

2. Secure buildings and interior spaces from outsiders and discourage trespassing

   These strategies may include installing locks, requiring visitor registration, providing staff and student identification tags, and patrolling places used for congregating and loitering.

3. Secure the district's network infrastructure and web applications from cyberattacks

   These strategies may include performing an independent security assessment of the district's network infrastructure and selected web applications.

4. Discourage vandalism and graffiti

   These strategies may include plans to immediately cover graffiti and implement campus beautification.

5. Control access to keys and other school inventory

6. Detect and intervene with school crime

   These strategies may include creating a school watch program, increasing adult presence and supervision, establishing an anonymous crime reporting system, monitoring suspicious and/or threatening digital media content, analyzing school crime incidents, and collaborating with local law enforcement agencies, including providing for law enforcement presence.

   Additionally, all staff shall be made aware of their responsibilities regarding the immediate reporting of potential homicidal acts to law enforcement, and receive training in the assessment and reporting of such threats.

All staff shall receive training in building and grounds security procedures and emergency response.

Locks

All state-funded new construction and modernization projects shall include locks that allow doors to classrooms and any room with an occupancy of five or more persons to be locked from the inside. Student restrooms and doors that lock from the outside at all times are not required to have locks that can be locked from the inside. (Education Code 17075.50, 17583; 24 CCR 1010.2, 1010.2.8.2)

Keys

The principal or designee shall be responsible for all keys used in a school. Keys shall be issued only to authorized employees who regularly need a key in order to carry out job responsibilities.

The principal or designee shall create a key control system with a record of each key assigned and room(s) or building(s) which the key opens.

Keys shall never be loaned to students, parents/guardians, or volunteers, nor shall the master key ever be loaned.

Any person issued a key shall be responsible for its safekeeping. The duplication of school keys is prohibited. If a key is lost, the person responsible shall immediately report the loss to the principal or designee and shall pay for are placement key.

DUSD Employee Security Administrative Regulation 4258

An employee may use reasonable and necessary force for self-defense or defense of another person, to quell a disturbance threatening physical injury to others or damage to property, or to obtain possession of weapons or other dangerous objects within the control of a student. (Education Code 44807, 49001)

An employee shall promptly report to the principal or other immediate supervisor any attack, assault, or physical threat made against the employee by a student or by any other individual in relation to the performance of the employee's duties, and any action the employee took in response.

Additionally, the employee and the principal or other immediate supervisor shall promptly report to local law enforcement authorities an attack, assault, or physical threat made against the employee by a student. Reports of an attack, assault, or physical threat shall be forwarded immediately to the Superintendent or designee. (Education Code 44014)

Notice Regarding Student Offenses

When a student commits certain offenses that may endanger staff or others, the following procedures shall be implemented to notify staff members as appropriate:

1. Acts That Are Grounds for Suspension or Expulsion

    a. The superintendent or designee shall inform the teacher(s) of each student who, during the previous three years, has engaged in or is reasonably suspected to have engaged in any act, except the possession or use of tobacco products, that would constitute a ground for suspension or expulsion as specified in Administrative Regulation 5411.1- Suspension and Expulsion/Due Process (Education Code 49079)

        This information shall be based upon district records maintained in the ordinary course of business or records received from a law enforcement agency. (Education Code 49079)

    b. Upon receiving a transfer student's record regarding acts committed by the student that resulted in suspension or expulsion, the Superintendent or designee shall inform the student's teacher(s) that the student was suspended from school or expelled from the former district and of the act that resulted in suspension or expulsion (Education Code 48201)

    c. Information received by teacher(s) shall be received in confidence for the limited purpose for which it was provided and shall not be further disseminated by the teacher (Education Code 48201, 49079)

2. Offenses Reported to the District by a Court

    a. When informed by a court that a minor student has been found by the court to have committed any felony or any misdemeanor involving curfew, gambling, alcohol, drugs, tobacco, products, carrying of weapons, a sex offense listed in Penal Code 290 , assault or battery, larceny, vandalism, or graffiti, the Superintendent or designee shall expeditiously notify the school principal or designee (Welfare and Institutions Code 827)

    b. The principal or designee shall expeditiously disseminate this information to any counselor who directly supervises or reports on the student's behavior or progress and to any teacher or administrator directly supervising or reporting on the student's behavior or progress whom the

c. principal or designee thinks may need the information in order to work with the student appropriately, to avoid being needlessly vulnerable, or to protect others form vulnerability (Welfare and Institutions Code 827)

d. Any court-initiated information that a teacher, counselor or administrator receives shall be kept confidential and used only to rehabilitate to the student and protect other students and staff. (Welfare and Institutions Code 827)

   The information shall be further disseminated only when communication with the student, parent/guardian, law enforcement staff, and probation officer is necessary to rehabilitate the student or to protect students and staff . (Welfare and Institutions Code 827)

e. When a student is removed from school as a result of an offense, the Superintendent shall hold the courts information in a separate confidential file until the student is returned to the district (Welfare and Institutions Code 827)

   If the student is returned to a different district, the Superintendent shall transmit the information provided by the student's parole or probation officer to the superintendent of the new district of attendance (Welfare and Institutions Code 827)

f. Any confidential file of court-initiated information should be kept until the student becomes 18, graduates from high school, or is released from juvenile court jurisdiction, whichever occurs first and shall then be destroyed (Welfare and Institutions Code 827)

In order to maintain confidentiality when providing information about student offenses to a counselor or teacher, the principal or designee shall send the staff member a written notification that a student has committed an offense that requires review of a student's file in the school office. This notice shall not name or otherwise identify the student. The staff member shall initial the notification and shall also initial the student's file when reviewing it in the school office.

Accommodations for Victims of Domestic Violence, Sexual Assault, Stalking, or Other Qualifying Acts of Violence

When requested by an employee who is a victim of domestic violence, sexual assault, stalking, or other qualifying acts of violence , the district shall provide the employee reasonable accommodations which may include the implementation of safety measures, including, but not limited to: (Government Code 12945.8)

1. A transfer, reassignment, or modified schedule.

2. A changed work telephone or work station, including the permission to carry a telephone at work.

3. An installed lock

4. Assistance in documenting domestic violence, sexual assault, stalking, or other qualifying act of violence that occurs in the workplace

5. Referral to a victim assistance organization

6. Another safety procedure or adjustment to a job structure, workplace facility, or work requirement in response to domestic violence, sexual assault, stalking, or other qualifying act of violence.

The Superintendent or designee shall engage in a timely, good faith, and interactive process with the employee to determine effective reasonable accommodations that do not pose an undue hardship on the district. In determining whether an accommodation is reasonable, the Superintendent or designee shall consider any exigent circumstance or danger facing the employee on their family member.
(Government Code 12945.8)

Upon the request of the Superintendent or designee, an employee requesting a reasonable accommodation shall provide a written statement, signed by the employee or an individual acting on the employee's behalf, certifying that the accommodation is for an authorized purpose. The superintendent or designee may also request that the employee provide certification of the employee's status as a victim of domestic violence, sexual assault, stalking or other qualifying act of violence. Such certification may include: (Government Code 12945.8)

1. A police report indicating that the employee , or a family member of the employee, was a victim
2. A court order protecting or separating the employee, or family member of the employee from the perpetrator of the crime or abuse, or other evidence from the court or prosecuting attorney that the employee has appeared in court
3. Documentation from a licensed medical professional or health care provider, domestic violence or sexual assault counselor, victim advocate, or counselor that the employee, or family member of the employee, was undergoing treatment or receiving services for physical or mental injuries or abuse resulting in victimization from the crime or abuse
4. Any other form of documentation that reasonably verifies that the crime or abuse occurred, including, but not limited to, a written statement signed by the employee or by an individual acting on the employee's behalf.

Any verbal or written statement, police or court record, or other documentation identifying an employee, or a family member of the employee, as a victim shall be confidential and shall not be disclosed by the district except as required or state law or as necessary to protect the employee's safety in the workplace. The employee shall be notified before any authorized disclosure. (Government Code 12945.8)

Every six months after the date of the certification, the Superintendent or designee may request recertification of the employee's status as a victim of domestic violence, sexual assault, stalking, other specified offense, or ongoing circumstances related to the crime or abuse. The employee shall notify the Superintendent of designee if, due to changing circumstances, the employee needs a new accommodation or no longer needs an accommodation. If a new accommodation is needed, the Superintendent or designee shall follow the procedures described above when making the initial determination regarding effective reasonable accommodations. (Government Code 12945.8)

The district shall not discharge or retaliate against an employee status of victim of crime or abuse or for requesting a reasonable accommodation, regardless of whether the request was granted. (Government Code 12945.8)

Use of Pepper Spray

The Superintendent or designee shall notify employees of the district's policy prohibiting the possession of pepper spray on school property or at school-related activities without prior approval of the Superintendent or designee. Employee wishing to carry pepper spray shall submit to the Superintendent or designee a written request setting forth the need to carry or possess pepper spray and for how long the need is anticipated to last. The Superintendent or designed shall notify the employee in writing as to the whether the request was approved or denied.

DUSD Employee Security Administrative Regulation 4258 (continued)

When approving an employee's request, the Superintendent or designee shall inform the employee of the following conditions:

1. The pepper spray shall be used only in self-defense pursuant to Penal Code 22810

2. An employee who uses pepper spray other than in self-defense shall be subject to disciplinary action by the district and, in accordance with the law, a fine and/or imprisonment

3. The pepper spray must be stored in a secure place and not be accessible to the students or other individuals

   Negligent storage or use of the pepper spray may be subject to employee disciplinary action

DUSD Disruptions Board Policy 3515.2

The Governing Board is committed to providing a safe and orderly environment for students, staff, and others on district property or while engaged in school activities.

The Superintendent or designee shall remove any individual who, by his/her presence or action, disrupts or threatens to disrupt normal operations at a school campus or any other district facility, threatens the health or safety of anyone on district property, or causes or threatens to cause damage to district property or to any property on school grounds.

(cf. 1250 - Visitors/Outsiders)
(cf. 3515 - Campus Security)
(cf. 4118 - Dismissal/Suspension/Disciplinary Action)
(cf. 4158/4258/4358 - Employee Security)
(cf. 4218 - Dismissal/Suspension/Disciplinary Action)
(cf. 5131.4 - Student Disturbances)

The Superintendent or designee shall establish a plan describing staff responsibilities and actions to be taken when an individual is causing or threatening to cause a disruption. The plan shall address, as appropriate, visitor registration procedures; campus security measures; evacuation procedures; lock-down procedures; possible responses to an active shooter situation; communications within the school and with parents/guardians, law enforcement, and the media in the event of an emergency; and crisis counseling or other assistance for students and staff after a disruption. In developing such a plan, the Superintendent or designee shall consult with law enforcement to create guidelines for law enforcement support and intervention when necessary.

(cf. 0450 - Comprehensive Safety Plan)
(cf. 3515.3 - District Police/Security Department)
(cf. 3515.7 - Firearms on School Grounds)
(cf. 3516 - Emergencies and Disaster Preparedness Plan)

The Superintendent or designee shall provide training to school staff on how to identify and respond to actions or situations that may constitute a disruption.

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

Any employee who believes that a disruption may occur shall immediately contact the principal. The principal or designee shall notify law enforcement in accordance with Education Code 48902 and 20 USC 7151 and in other situations, as appropriate.

DUSD Disruptions Administrative Regulation 3515.2

The principal or designee may direct any person, except a student, school employee, or other person required by his/her employment to be on school grounds, to leave school grounds or school activity if:

1. The principal or designee has reasonable basis for concluding that the person is committing or has entered the campus with the purpose of committing an act which is likely to interfere with the peaceful conduct, discipline, good order, or administration of the school or a school activity, or with the intent of inflicting damage to any person or property. (Education Code 44810, 44811; Penal Code 626.7)

2. The person fights or challenges another person to a fight, willfully disturbs another person by loud and unreasonable noise, or uses offensive language which could provoke a violent reaction. (Penal Code 415.5)

3. The person, without lawful business for being present, loiters around a school or reenters a school within 72 hours after he/she was asked to leave. (Penal Code 653b)

4. The person is required to register as a sex offender pursuant to Penal Code 290 and does not have a lawful purpose and written permission from the principal or designee to be on school grounds. (Penal Code 626.81)

(cf. 1250 - Visitors/Outsiders)
(cf. 3515.5 - Sex Offender Notification)

5. The person is a specified drug offender, as defined in Penal Code 626.85, and does not have written permission from the principal or designee to be on school grounds. However, such specified drug offender may be on school grounds during any school activity if he/she is a student or the parent/guardian of a student attending the school. (Penal Code 626.85)

6. The person willfully or knowingly creates a disruption with the intent to threaten the immediate physical safety of students, staff, or others while attending, arriving at, or leaving school. (Penal Code 626.8)

7. The person has otherwise established a continued pattern of unauthorized entry on school grounds. (Penal Code 626.8)

(cf. 1240 - Volunteer Assistance)
(cf. 3515.3 - District Police/Security Department)
(cf. 4158/4258/4358 - Employee Security)
(cf. 6145.2 - Athletic Competition)

The principal or designee shall allow a parent/guardian who was previously directed to leave school grounds to reenter for the purpose of retrieving his/her child for disciplinary reasons, medical attention, or family emergencies, or with the principal or designee's prior written permission. (Penal Code 626.7, 626.85)

When directing any person to leave school premises, the principal or designee shall inform the person that he/she may be guilty of a crime if he/she: (Education Code 32211; Penal Code 626.7, 626.8, 636.85)

1. Fails to leave or remains after being directed to leave

2. Returns to the campus without following the school's posted registration requirements

3. Returns within seven days after being directed to leave

(cf. 0450 - Comprehensive Safety Plan)

Whenever an individual is causing or threatening to cause a disruption at any district facility other than a school campus, the Superintendent or designee may direct that individual to leave the facility consistent with this regulation and the accompanying Board policy.

Appeal Procedure

Any person who is asked to leave a school building or grounds may appeal to the Superintendent or designee. This appeal shall be made no later than the second school day after the person has departed from the school building or grounds. After reviewing the matter with the principal or designee and the person making the appeal,

the Superintendent or designee shall render his/her decision within 24 hours after the appeal is made, and this decision shall be binding. (Education Code 32211)

The decision of the Superintendent or designee may be appealed to the Governing Board. Such an appeal shall be made no later than the second school day after the Superintendent or designee has rendered his/her decision. The Board shall consider and decide the appeal at its next scheduled regular or adjourned regular public meeting. The Board's decision shall be final. (Education Code 32211)

In any circumstance where a person has been directed to leave a school building or ground where the Superintendent's or Board's office is situated, he/she may nevertheless enter the school building or ground solely for the purpose of making the appeal. (Education Code 32211)

DELANO UNION SCHOOL DISTRICT
Regulation approved: April 10, 2017
Delano, California

DUSD Comprehensive Safety Plan Board Policy 0450

The Governing Board recognizes that students and staff have the right to a safe and secure campus where they are free from physical and psychological harm. The Board is fully committed to maximizing school safety and to creating a positive learning environment that includes strategies for violence prevention and high expectations for student conduct, responsible behavior, and respect for others.

The school site council at each district school shall develop a comprehensive school safety plan relevant to the needs and resources of that particular school. New school campuses shall develop a comprehensive safety plan within one year of initiating operations. (Education Code 32281, 32286)

The comprehensive school safety plan shall take into account the school's staffing, available resources, and building design, as well as other factors unique to the site.

The comprehensive safety plan(s) shall be reviewed and updated by March 1 of each year and forwarded to the Board for approval. (Education Code 32286, 32288)

The Board shall review the comprehensive safety plan(s) in order to ensure compliance with state law, Board policy, and administrative regulation and shall approve the plan(s) at a regularly scheduled meeting.

By October 15 of each year, the Superintendent or designee shall notify the California Department of Education (CDE) of any schools that have not complied with the requirements of Education Code 32281. (Education Code 32288)

Tactical Response Plan

Notwithstanding the process described above, any portion of a comprehensive safety plan that addresses tactical responses to criminal incidents that may result in death or serious bodily injury at the school site, including steps to safeguard students and staff, secure affected school premises, and apprehend criminal perpetrator(s), shall be developed by the Superintendent or designee in accordance with Education Code 32281. In developing such strategies, the Superintendent or designee shall consult with law enforcement officials and with representative(s) of employee bargaining unit(s), if they choose to participate.

When reviewing the tactical response plan, the Board may meet in closed session to confer with law enforcement officials and approve the tactical response plan, provided that any vote to approve the tactical response plan is announced in open session following the closed session. (Education Code 32281)

Safety Plan(s) Access and Reporting

The Superintendent or designee shall ensure that an updated file of all safety-related plans and materials is readily available for inspection by the public. (Education Code 32282)

However, those portions of the comprehensive safety plan that include tactical responses to criminal incidents need not be publicly disclosed.

The Superintendent or designee shall share the comprehensive safety plans and any updates to the plans with local law enforcement, the local fire department, and other first responder entities. (Education Code 32281)

The Superintendent or designee shall also provide data to CDE pertaining to lockdown or multi-option response drills conducted at district schools in accordance with Education Code 32289.5. (Education Code 32289.5)

DUSD Comprehensive Safety Plan Administrative Regulation 0450

The school site council shall consult with local law enforcement, the local fire department, and other first responders in the writing and development of the comprehensive school safety plan. When practical, the school site council shall also consult with other school site councils and safety planning committees. (Education Code 32281, 32282)

The school site council may delegate the responsibility for developing a comprehensive safety plan to a school safety planning committee composed of the following members: (Education Code 32281)

1. The principal or designee
2. One teacher who is a representative of the recognized certificated employee organization
3. One parent/guardian whose child attends the school
4. One classified employee who is a representative of the recognized classified employee organization
5. Other members, if desired

Before adopting the comprehensive safety plan, the school site council or school safety planning committee shall hold a public meeting at the school in order to allow members of the public the opportunity to express an opinion about the plan. (Education Code 32288)

The school site council or safety planning committee shall notify, in writing, the following persons and entities of the public meeting, if available: (Education Code 32288)

1. The local mayor
2. A representative of the local school employee organization
3. A representative of each parent/guardian organization at the school, including the parent teacher association and parent teacher clubs
4. A representative of each teacher organization at the school
5. A representative of the school's student body government
6. All persons who have indicated that they want to be notified

In addition, the school site council or safety planning committee may notify, in writing, the following entities of the public meeting: (Education Code 32288)

1. Representatives of local religious organizations
2. Local civic leaders
3. Local business organizations

After the first evaluation or review is conducted, and after each annual evaluation or review, a school employee, a student's parent/guardian or educational rights holder, or a student may bring concerns about an individual student's ability to access disaster safety procedures described in the comprehensive school safety plan to the principal. (Education Code 32282)

If the principal determines there is merit to a concern, the principal shall direct the school site council or school safety planning committee, to make appropriate modifications to the comprehensive school safety plan during the evaluation of the comprehensive safety plan. The principal may direct the school site council or the school safety planning committee to make such modifications before the evaluation, as appropriate.

DUSD Comprehensive Safety Plan Administrative Regulation 0450 (Continued)

Content of the Comprehensive Safety Plan

Each comprehensive safety plan shall include an assessment of the current status of any crime committed on campus and at school-related functions. (Education Code 32282)

The assessment may include, but not be limited to, reports of crime, suspension and expulsion rates, and surveys of students, parents/guardians, and staff regarding their perceptions of school safety.

The plan shall identify appropriate strategies and programs that will provide or maintain a high level of school safety and address the school's procedures for complying with existing laws related to school safety, including all of the following: (Education Code 32282)

1. Child abuse reporting procedures consistent with Penal Code 11164-11174.3
2. Routine and emergency disaster procedures including, but not limited to:
    a. Adaptations for students with disabilities in accordance with the Americans with Disabilities Act, the federal Individuals with Disabilities Education Act, and Section 504 of the federal Rehabilitation Act of 1973
    b. An earthquake emergency procedure system in accordance with Education Code 32282
    c. A procedure to allow public agencies, including the American Red Cross, to use school buildings, grounds, and equipment for mass care and welfare shelters during disasters or other emergencies affecting the public health and welfare
3. Policies pursuant to Education Code 48915(d) for students who commit an act listed in Education Code 48915(c) and other school-designated serious acts that would lead to suspension, expulsion, or mandatory expulsion recommendations
4. Procedures to notify teachers of dangerous students pursuant to Education Code 49079
5. A policy consistent with the prohibition against discrimination, harassment, intimidation, and bullying pursuant to Education Code 200-262.4
6. If the school has adopted a dress code prohibiting students from wearing "gang-related apparel" pursuant to Education Code 35183, the provisions of that dress code and the definition of "gang-related apparel"
7. Procedures for safe ingress and egress of students, parents/guardians, and employees to and from school
8. A safe and orderly school environment conducive to learning
9. The rules and procedures on school discipline adopted pursuant to Education Code 35291 and 35291.5
10. Procedures for conducting tactical responses to criminal incidents, including procedures related to individuals with guns on campus and at school-related functions
11. Procedures to assess and respond to reports of any dangerous, violent, or unlawful activity that is being conducted or threatened to be conducted at the school, at an activity sponsored by the school, or on a school bus serving the school.
12. For schools that serve students in any of grades 7-12, a protocol in the event a student is suffering or is reasonably believed to be suffering from an opioid overdose

DUSD Comprehensive Safety Plan Administrative Regulation 0450 (Continued)

Among the strategies for providing a safe environment, the comprehensive safety plan may also include:

1. Development of a positive school climate that promotes respect for diversity, personal and social responsibility, effective interpersonal and communication skills, self-esteem, anger management, and conflict resolution

2. Disciplinary policies and procedures that contain prevention strategies, such as strategies to prevent bullying, hazing, and cyberbullying, as well as behavioral expectations and consequences for violations

3. Strategies aimed at preventing potential incidents involving crime and violence on school campuses, including vandalism, drug and alcohol abuse, gang membership and violence, hate crimes, bullying, including bullying committed personally or by means of an electronic act, teen relationship violence, and discrimination and harassment, including sexual harassment

4. Curriculum that emphasizes prevention and alternatives to violence, such as multicultural education and literacy, character/values education, social and emotional learning, media analysis skills, conflict resolution, community service learning, and education related to the prevention of dating violence

5. Parent/guardian involvement strategies, including strategies to help ensure parent/guardian support and reinforcement of the school's rules and increase the number of adults on campus

6. Provision of safety materials and emergency communications in language(s) understandable to parents/guardians

7. Annual notification to parents/guardians related to the safe storage of firearms

8. Prevention and intervention strategies related to the sale or use of drugs and alcohol which shall reflect expectations for drug-free schools and support for recovering students

9. Collaborative relationships among the city, county, community agencies, local law enforcement, the judicial system, and the schools that lead to the development of a set of common goals and community strategies for violence prevention instruction

10. District policy prohibiting the possession of firearms and ammunition on school grounds

11. Measures to prevent or minimize the influence of gangs on campus

12. Procedures for receiving verification from law enforcement when a violent crime has occurred on school grounds and for promptly notifying parents/guardians and employees of that crime

13. Procedures for the early identification and threat assessment of, and appropriate response to, suspicious and/or threatening digital media content

14. Assessment of the school's physical environment, including a risk management analysis and development of ground security measures such as procedures for closing campuses to outsiders, installing surveillance systems, securing the campus perimeter, protecting buildings against vandalism, and providing for a law enforcement presence on campus

15. Independent security assessment of the school's network infrastructure and selected web applications to identify vulnerabilities and provide recommendations to improve cybersecurity

16. Guidelines for the roles and responsibilities of mental health professionals, athletic coaches, community intervention professionals, school counselors, school resource officers, and police officers on school campuses. Guidelines may include, but are not limited to, the following:

    a. Strategies to create and maintain a positive school climate, promote school safety, and increase student achievement

b. Strategies to prioritize mental health and intervention services, restorative and transformative justice programs, and positive behavior interventions and support

c. Protocols to address the mental health care of students who have witnessed a violent act at any time, including, but not limited to, while on school grounds, while coming or going from school, during a lunch period whether on or off campus, or during or while going to or coming from a school-sponsored activity

17. Strategies for suicide prevention and intervention

18. District policy and/or plan related to pandemics

19. Procedures to implement when a person interferes with or disrupts a school activity, remains on campus after having been asked to leave, or creates a disruption with the intent to threaten the immediate physical safety of students or staff

20. Crisis prevention and intervention strategies, which may include the following:

a. Identification of possible crises that may occur, determination of necessary tasks that need to be addressed, and development of procedures relative to each crisis, including the involvement of law enforcement and other public safety agencies as appropriate

b. Threat assessment strategies to determine the credibility and seriousness of a threat and provide appropriate interventions for the potential offender(s)

c. Assignment of staff members responsible for each identified task and procedure

d. Development of an evacuation plan based on an assessment of buildings and grounds and opportunities for students and staff to practice the evacuation plan

e. Coordination of communication to schools, Governing Board members, parents/guardians, and the media

f. Communication with parents/guardians of reunification plans and the necessity of cooperating with first responders

g. Development of a method for the reporting of violent incidents

h. Development of follow-up procedures that may be required after a crisis has occurred, such as counseling

21. Training on assessment and reporting of potential threats, violence prevention, and intervention techniques. Such training shall include preparation to implement the elements of the comprehensive safety plan

22. Environmental safety strategies, including, but not limited to, procedures for preventing and mitigating exposure to toxic pesticides, lead, asbestos, vehicle emissions, and other hazardous substances and contaminants

23. Continuity of operations procedures to ensure that the district's essential functions are not disrupted during an emergency, to the extent possible

DUSD Oath or Affirmation Administrative Regulation 4212.3

All district employees are declared by law to be disaster service workers and thus shall take the oath or affirmation required for disaster service workers before beginning employment with the district. In the event of natural, manmade or war-caused emergencies which result in conditions of disaster or extreme peril to life, property and resources, all district employees are subject to disaster service activities as assigned to them by their supervisors or by law. (Government Code 3100-3102)

(cf. 3516 - Emergencies and Disaster Preparedness Plan)
(cf. 9224 - Oath or Affirmation)

Legally employed noncitizens shall be exempt from taking this oath. (Government Code 3101)

At the advice of legal counsel, the Superintendent or designee may exempt an employee from taking the oath if he/she raises a valid religious objection.

The Superintendent, deputy or assistant superintendent, principal or other person authorized in Education Code 60 shall administer the oath or affirmation when a district employee is hired.

In the case of intermittent, temporary, emergency or successive employments, the Superintendent or designee may determine that the oath shall be effective for all successive periods of employment which begin within one calendar year from the date that the oath was subscribed. (Government Code 3102)

(cf. 4121 - Temporary/Substitute Personnel)

The Superintendent or designee shall file the executed oath or affirmation within 30 days of the date on which it is taken and subscribed. An employee's oath or affirmation may be destroyed five years after the termination of employment. (Government Code 3105)

Reimbursement of Expenses for Disaster Service Workers

Whenever an employee seeks compensation or reimbursement of expenses as a disaster service worker, the Superintendent or designee shall ascertain and certify that the employee has taken the oath or affirmation. (Government Code 3107)

DELANO UNION SCHOOL DISTRICT
Regulation approved: April 10, 2017
Delano, California

For more information, please visit the following websites:

California Emergency Services Act
http://www.leginfo.ca.gov/cgi-bin/displaycode?section=gov&group=08001-09000&file=8550-8551

California Government Code 3100-3109
http://www.leginfo.ca.gov/cgl-bin/displaycode?section=gov&group=03001-04000&file=3100-3109

The California Constitution Oath or Affirmation
http://www.leginfo.ca.gov/.const/.article_20

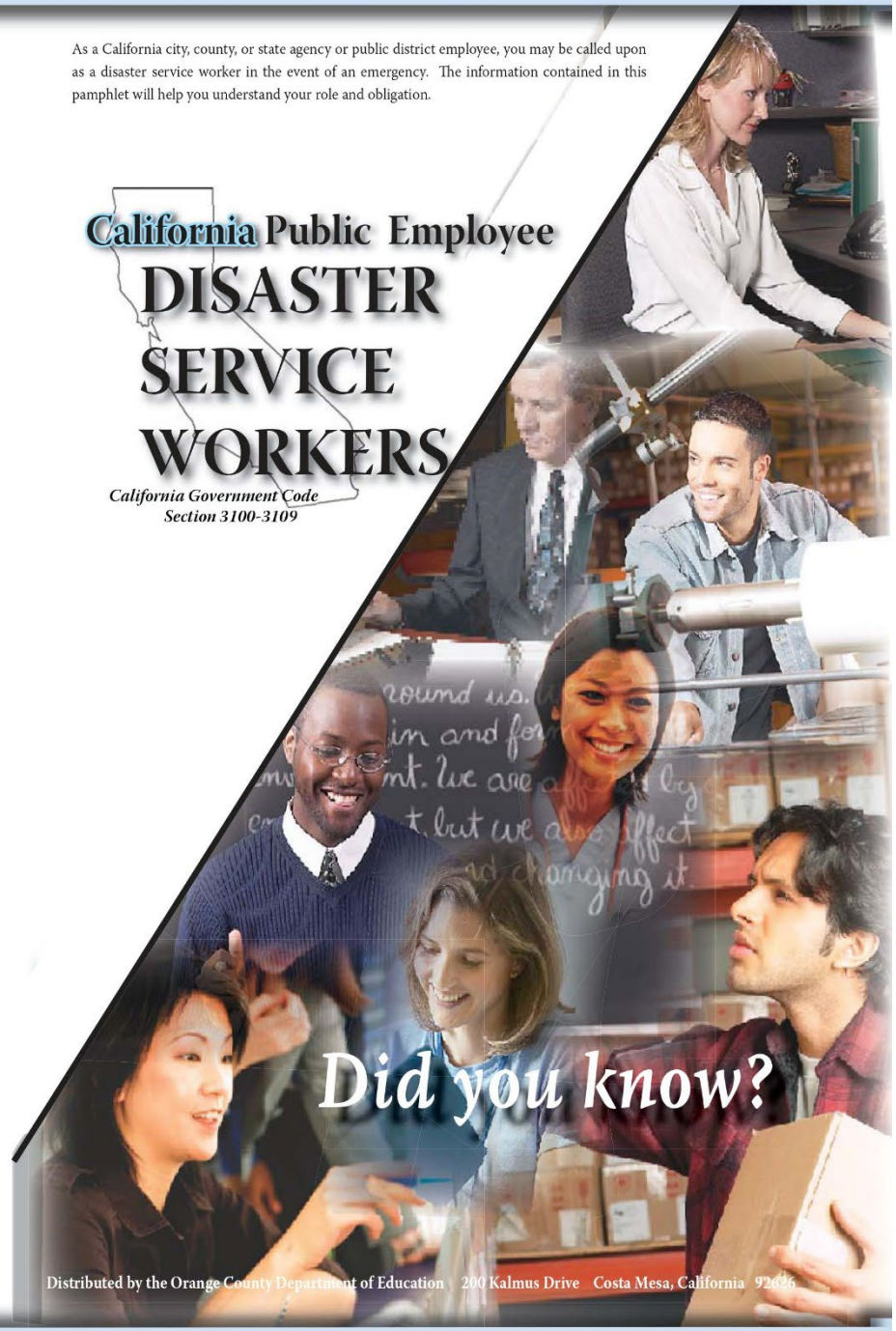
Governors Office of Emergency Services
http://www.oes.ca.gov/Operational/OESHome.nsf/PDF/Laws&RegsCalCodePDFs/$file/Ch2.3_%20DSW.pdf

WILLIAM M. HABERMEHL
County Superintendent of Schools

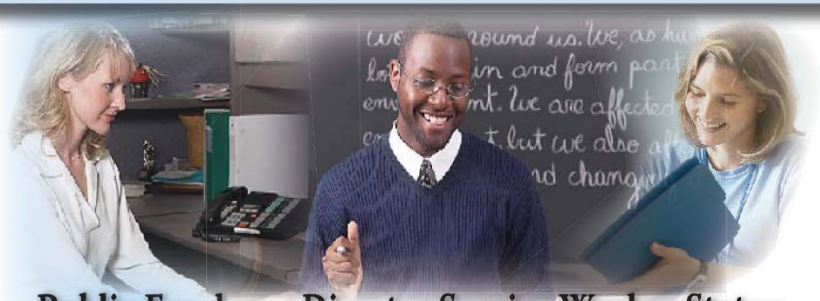
As a California city, county, or state agency or public district employee, you may be called upon as a disaster service worker in the event of an emergency. The information contained in this pamphlet will help you understand your role and obligation.

California Public Employee DISASTER SERVICE WORKERS

California Government Code Section 3100-3109



Distributed by the Orange County Department of Education 200 Kalmus Drive Costa Mesa, California 92626



Public Employee Disaster Service Worker Status

California Government Code
Section 3100-3109

It is hereby declared that the protection of the health and safety and preservation of the lives and property of the people of the state from the effects of natural, man-made, or war-caused emergencies which result in conditions of disaster or extreme peril to life, property, and resources is of paramount state importance...in protection of its citizens and resources, all public employees are hereby declared to be disaster service workers...

All disaster service workers shall, before they enter upon the duties of their employment, take and subscribe to the oath or affirmation...

What does disaster service mean?

Disaster service means all activities authorized by and carried out pursuant to the California Emergency Services Act*.

Who is included in the disaster service worker status?

All public employees are included in the disaster service worker status which are all persons employed by any county, city, state agency or public district.

What are the scope of duties of employee disaster service workers?

Any public employees performing duties as a disaster service worker shall be considered to be acting within the scope of disaster service duties while assisting any unit of the organization or performing any act contributing to the protection of life or property or mitigating the affects of an emergency.

*California Emergency Services Act

http://www.leginfo.ca.gov/cgi-bin/displaycode?section=gov&group=08001-09000&file=8550-8551

How are public employees assigned disaster service activities?

Public employees are assigned disaster service activities by their superiors or by law to assist the agency in carrying out its responsibilities during times of disaster.

What is the oath or affirmation referred to in the government code?

Before entering upon the duties of employment, all public employees take and subscribe to the oath or affirmation set forth in the California Constitution that declares them to be disaster service workers in time of need.

When do public employees take the oath or affirmation?

Most public employees sign the oath or affirmation during the hiring process and it is kept with the employer.

Do public employees acting as disaster service workers get paid?

Public employees acting as disaster service workers get paid only if they have taken and subscribed to the oath or affirmation.

Can disaster service workers be sued for actions taken while performing duties?

Public employee disaster service workers for non-profit organizations and government cannot be held liable for their actions during a disaster while acting within the scope of their responsibilities.

What if public employees are injured while acting as disaster service workers?

Claims sustained by public employees while performing disaster services shall be filed as worker compensation claims under the same authorities and guidelines as with all employees within their agency.



For further information, please visit the websites listed on the back.

DUSD PROFESSIONAL STANDARDS Board Policy 4219.21

The Governing Board desires to provide a safe and positive school environment that promotes the learning, engagement, safety, and well-being of district students. The 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; encourages student learning, engagement, and success; and contributes to a safe and 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 the employee's professional responsibilities and to contribute to the learning and achievement of district students.

Inappropriate Conduct

The Board prohibits inappropriate conduct between employees, adult volunteers, and district contractors and among and between adults employed, volunteering, or under contract with the district. (Education Code 32100)

Inappropriate employee conduct includes, but is not limited to:

1. Engaging in any conduct that endangers or threatens to endanger 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

15. Other conduct prohibited in Board Policy 4119.24/4219.24/4319.24 - Maintaining Appropriate Adult-Student Interactions

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 Administrative Regulation 5141.4 - Child Abuse Prevention and Reporting.

Any reports of employee misconduct shall be promptly investigated by the Superintendent or designee. 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 websites. (Education Code 44050)

DUSD MAINTAINING APPROPRIATE ADULT-STUDENT INTERATIONS
Board Policy 4219.24

For purposes of this policy employees include interns, volunteers, contractors, and other persons with an employment relationship with the district.

The Governing Board desires to provide a safe and positive school environment that promotes the learning, engagement, safety, and well-being of district students. The Board expects all adults with whom students may interact at school or in school-related activities, to maintain the highest professional and ethical standards in their interactions with students both within and outside the educational setting, in accordance with this policy and Board Policy 4119.21/4219.21/4319.21 - Professional Standards. Such adults shall not engage in threatening, unsafe, 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.

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.

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 websites. (Education Code 44050)

Inappropriate Conduct

Employees shall remain vigilant of their position of authority and not abuse it when relating with students.

The Board prohibits inappropriate conduct between employees and students. (Education Code 32100)

Inappropriate employee conduct includes, but is not limited to:

1. Initiating inappropriate physical contact

2. 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

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

4. Being alone with a student outside of the view of others

5. Visiting a student's home or inviting a student to visit the employee's home without parent/guardian consent

6. Maintaining personal contact with a student during or outside the school day that has no legitimate educational purpose, by phone, letter, text message, social media internet platforms, electronic communications, or other means of communication, without including the student's parent/guardian
7. In accordance with Board Policy/Administrative Regulation 4040 - Employee Use of Technology, employees shall use district equipment or technological resources, when available, when communicating electronically with students. 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.

DUSD MAINTAINING APPROPRIATE ADULT-STUDENT INTERATIONS
Board Policy 4219.24 (Continued)

8. 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

9. 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

10. Singling out a particular student for personal attention and friendship, including giving gifts and/or nicknames to individual students

11. Addressing a student in an overly familiar manner, such as by using a term of endearment

12. Socializing or spending time with students outside of school-sponsored events, except as participants in community activities

13. Sending or accompanying students on personal errands unrelated to any legitimate educational purpose

14. Transporting a student in a personal vehicle without prior authorization

15. Encouraging students to confide personal or family problems and/or relationships

16. Disclosing personal, family, or other private matters to students or sharing personal secrets with students

17. Engaging in any conduct that endangers or threatens to endanger students, including, but not limited to, physical violence or threats of violence

18. Engaging in harassing or discriminatory behavior towards students, or failing or refusing to intervene when an act of discrimination, harassment, intimidation, or bullying against a student is observed

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

20. Using profane, obscene, or abusive language against students

Violations of Policy

Any employee who observes or has knowledge of another employee'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 Board prohibits retaliation against anyone who reports a violation of this policy. 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. Additionally, the Superintendent or designee may also notify law enforcement as appropriate.

DUSD Dress and Grooming Board Policy 4219.22

The Board of Trustees believes that appropriate dress and grooming by district employees contribute to a productive learning environment and model positive behavior. During school hours and at school activities, employees shall maintain professional standards of dress and grooming that demonstrate their high regard for education, present an image consistent with their job responsibilities and assignment, and do not endanger the health or safety of employees or students. All employees shall be held to the same standards unless their assignment provides for modified dress as approved by their supervisor.

The district shall allow employees to appear and dress in a manner consistent with their gender identity or gender expression. (Government Code 12949)

The district shall not discriminate against employees based on hair texture and protective hairstyles, including, but not limited to, braids, locks, and twists. (Government Code 12926)

The district shall not dismiss an employee, discriminate against an employee in compensation or in terms, conditions, or privileges of employment, or refuse to hire a job applicant on the basis of religious dress or grooming practices. (Government Code 12926, 12940)

This policy shall be presented to employees upon employment, through the employee handbook or other appropriate means, and may be periodically reviewed with all employees as necessary.

DUSD Dismissal Suspension Disciplinary Action Board Policy 4218

The Governing Board expects all employees to perform their jobs satisfactorily, to exhibit professional and appropriate conduct, and serve as positive role models both at school and in the community. A classified employee may be disciplined for unprofessional conduct or unsatisfactory performance in accordance with law or any applicable collective bargaining agreement, Board policy, or administrative regulation.

Disciplinary actions shall be based on the particular facts and circumstances involved and the severity of the employee's conduct or performance.

The Superintendent or designee shall ensure that disciplinary actions are taken in a consistent, nondiscriminatory manner. In addition, an employee shall not be suspended, disciplined, reassigned, transferred, dismissed, or otherwise retaliated against solely for engaging in protected activities, or for acting to protect a student engaged in exercising any free speech or press right authorized by, or for refusing to infringe upon a student's conduct protected pursuant to, Education Code 48907 or 48950.

Disciplinary actions may include, but are not limited to, verbal and written warnings, involuntary reassignment, demotion, suspension or leave without pay, reduction of wages, or dismissal.

A probationary classified employee may be dismissed without cause anytime before the probationary period expires.

Permanent classified employees shall be subject to disciplinary action only for cause as specified in the accompanying administrative regulation. (Education Code 45113)

Procedures for Serious Disciplinary Proceedings

The Superintendent or designee shall develop disciplinary procedures for use when dismissal, suspension, demotion, involuntary reassignment, or other serious disciplinary action is contemplated against an employee. The procedures for such discipline shall include an opportunity for an employee for whom any such disciplinary action is recommended to meet with, or respond in writing to, a designated district official ("Skelly officer") who will determine whether the recommended discipline should proceed further or be modified or withdrawn.

After meeting with the employee or considering the employee's written response, if the Skelly officer determines that the recommended discipline should proceed, the Superintendent or designee shall send the employee a notice of the recommended disciplinary action, a statement of charges, and the results of the Skelly review process. The notice shall include a statement advising the employee of the right to request a Board hearing on the matter. (Education Code 45113, 45116)

If the employee fails to request a hearing within the time specified in the notice, the employee is deemed to have waived the right to do so, and the Board may order the recommended disciplinary action into effect immediately.

If a timely request is submitted, a hearing shall be conducted by the Board or by a third-party hearing officer, in accordance with law. (Education Code 45113, 45312)

A classified employee who timely requests a hearing may only be suspended, demoted, or dismissed pending the outcome of the hearing in accordance with Education Code 45113 and as specified in the accompanying administrative regulation.

The hearing shall be held at the earliest convenient date, taking into consideration the established schedule of the Board and the availability of legal counsel and witnesses. The employee shall be notified of the time and place of the hearing.

DUSD Dismissal Suspension Disciplinary Action Board Policy 4218 (Continued)

The hearing shall be held in closed session unless the employee requests that the matter be heard in an open session meeting. (Government Code 54957)

The employee shall be entitled to appear personally, produce evidence, and be represented by legal counsel.

The Board may use the services of its legal counsel in ruling upon procedural questions, objections to evidence, and issues of law. The Board may review and consider the records of any prior personnel action proceedings against the employee in which disciplinary action was ultimately sustained, and any records contained in the employee's personnel files and introduced into evidence at the hearing. The Board shall not be bound by rules of evidence used in California courts. Informality in any such hearing shall not invalidate any order or decision made by the Board.

At any time before a matter is submitted to the Board for decision, the Superintendent or designee may, with the consent of the Board, serve on the employee and file with the Board an amended or supplemental recommendation of disciplinary action. If the amended or supplemental recommendation includes new causes or allegations, the employee shall be afforded a reasonable opportunity to prepare a defense. Any new causes or allegations shall be deemed controverted and any objections to the amended or supplemental causes or allegations may be made orally at the hearing and shall be noted on the record.

Following the hearing or, if the employee has not requested a hearing, after reviewing the Superintendent or designee's recommendation for disciplinary action, the Board shall affirm, modify, or reject the recommended disciplinary action. The decision of the Board shall be in writing and shall contain findings of fact and the disciplinary action approved, if any. The decision of the Board shall be final.

Within 10 working days of the Board's final decision, a copy of the decision shall be delivered to the employee and/or designated representative personally or by registered mail.

Except for an allegation of egregious misconduct in which a minor is involved, the Board may delegate the authority to determine whether sufficient cause exists for disciplinary action to an impartial third-party hearing officer. When a matter is heard by a third-party hearing officer, the Board shall review the determination and adopt or reject the recommended decision. (Education Code 45113)

When any matter involves an allegation of egregious misconduct as defined in Education Code 44932 and involves a witness who is a minor, the matter shall be referred to an administrative law judge to determine whether sufficient cause exists for disciplinary action against the employee. In such cases, the ruling of the administrative law judge shall be binding on the district and the employee. (Education Code 45113)

Compulsory Leave of Absence

Upon being informed that a classified employee has been charged with a mandatory leave of absence offense, the Superintendent or designee shall immediately place the employee on a compulsory leave of absence. (Education Code 44940, 44940.5, 45304)

DUSD Code of Ethics

Classified Employees

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; therefore, the California School Employees' Association proposes this Code of Ethics as a standard for its members.

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.

9. Always bear in mind that the purpose of CSEA is to promote the efficiency and raise the standards of all school employees and that I shall be equally obligated to assist all my fellow workers.

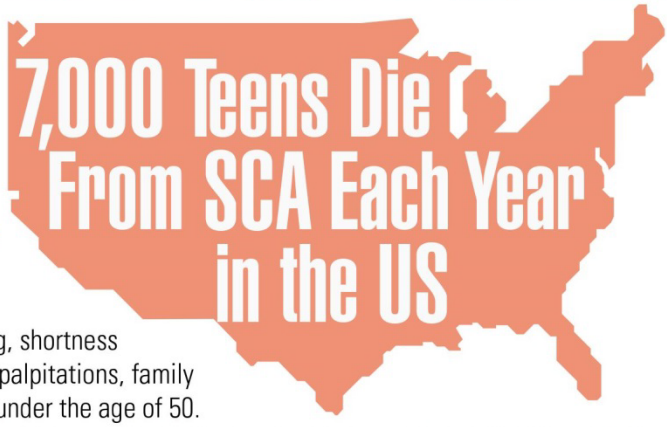
SOURCE: CALIFORNIA SCHOOL EMPLOYEES' ASSOCIATION
Exhibit DELANO UNION SCHOOL DISTRICT
version: April 10, 2017 Delano, California

SCREEN YOUR TEEN & SAVE A LIFE

The EP Save A Life Foundation is committed to preventing SCA in young people through awareness, education and action. Saving lives is paramount to our mission and prevention is our goal.

What Is Sudden Cardiac Arrest?

Sudden Cardiac Arrest (SCA) is not a heart attack. It's an abnormality in the heart's electrical system that abruptly stops the heartbeat. It's caused by an undetected congenital or genetic heart condition.





First Symptom May Be Death

Possible Warning Signs: Unexplained fainting, shortness of breath,lightheadedness, chest pain, heart palpitations, family history of SCA or unexplained sudden death under the age of 50.

1 in 100 Youth At Risk

SCA is the #2 killer of youth under 25. These youth could've been saved with a simple EKG, but EKGs are not a part of a well-child or pre-sports exam.



1 Athlete Dies Every 3 Days

SCA is 60% more likely to occur during exercise or sports activity, so athletes are at greater risk. SCA is also the leading cause of death on school campuses.



Time Critical

If not properly treated within minutes, SCA is fatal in 92% of cases.



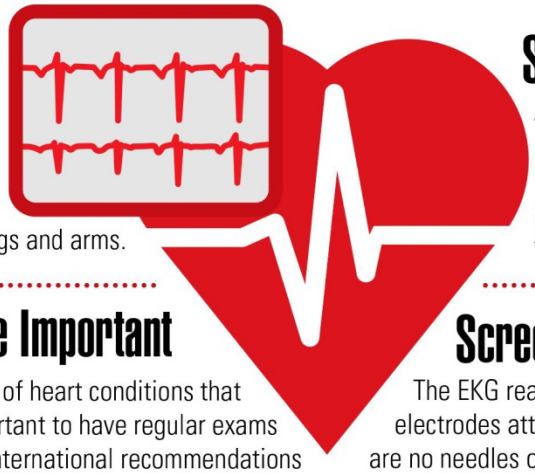
An Automated External Defibrillator Can Save Lives



An automated external defibrillator (AED) used within the first five minutes is the only way to restore normal heart activity to an SCA victim. The average arrival time for EMTs is six to 12 minutes. We need more AEDs and training so anyone can react quickly.

What Is An EKG?

An EKG measures your heart rate and electrical activity through electrodes attached via small patches with a mild adhesive to the chest, legs and arms.



Screening Results

Always follow up with your family doctor and add this baseline EKG to your child's medical chart. If the EKG is abnormal, be sure to see your doctor within two weeks for follow-up testing and treatment.

Regular Exams Are Important

An EKG can only detect 60% of heart conditions that put teens at risk, so it's important to have regular exams with your family physician. International recommendations are to repeat the EKG every other year through age 25.

Screenings Are Painless

The EKG reads your heartbeat from electrodes attached to your body. There are no needles or x-ray exposure. It takes just a few minutes and is completely painless.



ERIC PAREDES SAVE A LIFE FOUNDATION

EPSaveALife.org

SEIZURES

Refer to person's **Emergency Action/Care Plan,** if available, follow instructions from person's guardian or physician.

A person with a history of seizures should be known to appropriate staff.
An emergency care plan should be developed containing a description of the onset, type, duration and after effects of that person's seizures. If there is a history of diabetes, check blood sugar, see "Diabetes" (pg. 37).

- During or immediately after a seizure, place on the floor (preferably a mat) for observation and safety
- **DO NOT** RESTRAIN MOVEMENTS
- Move surrounding objects to avoid injury
- Protect head and neck using a jacket or padding like a folded towel/cloth
- **DO NOT PLACE ANYTHING BETWEEN THE TEETH** or give anything by mouth

Note:
Observe details of the seizure for parent or legal guardian, emergency personnel, or physician.
- Duration, movement of eyes, mouth, arms & legs
- Loss of urine/bowel control
- Loss of consciousness or change in behavior

- Is seizure lasting longer than **5 minutes?**
- Is person having multiple seizures following one another at short intervals?
- Is person having any breathing difficulties after the seizure?

NO

- After seizure, keep airway clear by placing person on his/her left side and support the head in a neutral position with a towel roll
- Seizures are often followed by sleepiness and confusion. This may last from 15 minutes to an hour or more

YES



CALL EMS 9-1-1

Contact responsible school nurse or administrator & parent or legal guardian.

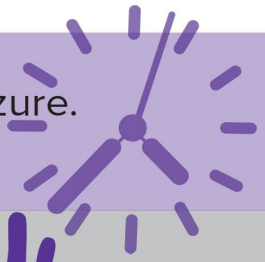
After the sleeping period, the person should return to normal and be encouraged to participate in all normal class activities.

Signs & Symptoms of Seizure
- Episodes of staring and nonresponsive
- Staring with twitching of the arm and/or leg muscles
- Generalized jerking movement of arms and/or legs with unconsciousness
- Sudden unusual behavior for that person (e.g., strange sounds, belligerence, running)
- If trained personnel and medication available, administer Diastat.

SeizureFirstAid

What to do in the event of a seizure

1. **STAY** with the person and start timing the seizure. Remain ***calm*** and check for medical ID.

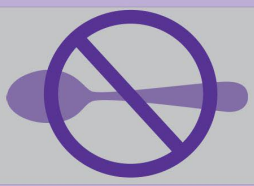


2. Keep the person **SAFE.** Move or guide away from ***harmful objects***.



3. Turn the person onto their **SIDE** if they are not awake and aware. ***Don't block airway***, put something small and soft under the head, loosen tight clothes around neck.

4. Do **NOT** put ***anything*** in their mouth. Don't give water, pills or food until the person is awake.



5. Do **NOT** ***restrain.***



6. **STAY** with them until they are awake and alert after the seizure. ***Most seizures end in a few minutes.***



Call 911:

- ▲ Seizure lasts longer than 5 minutes
- ▲ Repeated seizures
- ▲ Difficulty breathing
- ▲ Seizure occurs in water
- ▲ Person is injured, pregnant, or sick
- ▲ Person does not return to their usual state
- ▲ First time seizure

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EFA440/PAB0918

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EPILEPSY FOUNDATION

Delano Union School District
Health Services
1842 Norwalk Street, Delano, California 93215
(661) 721-7036

Student Referral for Health Services

(Send completed form to Health Services)

Date: _____

Student Name: _____Date of Birth: _____ Teacher: _____ Room: _____

Parent Name: _____School: _____Grade: _____

Address:_____Daytime Phone: _____ Home Language: _____

Lives with (Relationship): _____

Service requested: (Circle all that apply.)
Vision screening (date of last screening) _____ Hearing screening (date of last screening) _____

Other (Please give details of concern): _____

_____

Reason for Referral (circle all that apply):

SAT Teacher Referral Annual Evaluation Parent Request

Student Request IEP Team Request

Other_____

Comments:

_____

_____

_____

Signature of Person Making Referral _____ Date: _____

RESPONSE

_____

_____

_____

_____

_____

_____

_____

Signature _____ Date: _____

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IV. Employment Matters

DUSD HEALTH EXAMINATIONS Board Policy 4212.4

New Employees

The Superintendent or designee shall ensure that new district employees comply with all the health examination requirements of California law.

In addition, the Superintendent or designee may require applicants for employment in classified positions to undergo a preemployment physical examination to show that they are physically able to perform the duties of specific jobs. (Education Code 45122)

Continuing Employees

Continuing employees shall undergo periodic tuberculosis tests once every four years in accordance with law. (Education Code 49406)

The Board of Trustees is concerned about the prevalence of tuberculosis in our community and may require continuing employees to undergo tuberculosis tests when warranted upon the recommendation of the local health officer.

Employees may be required to pass a physical and/or psychological examination any time such an examination appears necessary to preserve the health and welfare of district students and employees or to furnish medical proof of physical or mental ability to perform satisfactorily the assigned duties of an individual's position. (Education Code 44839, 45122)

DUSD Drug and Alcohol Testing for School Bus Drivers Board Policy 4212.42

The Governing Board desires to ensure that district-provided transportation is safe for students, staff, and the public. To that end, the Superintendent or designee shall establish a drug and alcohol testing program designed to prevent the operation of buses or the performance of other safety-sensitive functions by a driver who is under the influence of drugs or alcohol, including a driver of a school bus, student activity bus, or other school transportation vehicle or any other employee who holds a commercial driver's license which is necessary to perform duties related to district employment.

A driver shall not report for duty or remain on duty when the driver has used any drug listed in 21 CFR 1308.11. A driver is also prohibited from reporting for duty or remaining on duty when the driver has used any drug listed in 21 CFR 1308.12-1308.15, unless the driver is using the drug under the direction of a physician who has advised the driver that the substance will not adversely affect the driver's ability to safely operate a bus. (49 CFR 382.213)

In addition, a driver shall not consume alcohol while on duty and/or performing safety-sensitive functions, or for four hours prior to on-duty time. (49 CFR 382.205, 382.207)

Drivers shall submit to drug and alcohol testing as required under federal law and specified in the accompanying administrative regulation. The district's testing program for drivers shall include pre-employment drug testing and reasonable suspicion, random, post-accident, return-to-duty, and follow-up drug and alcohol testing of drivers. (49 USC 31306; 49 CFR 382.301-382.311)

The Board shall contract for testing services upon verifying that the personnel are appropriately qualified and/or certified and that testing procedures conform to federal regulations.

Except as otherwise provided by law, the Superintendent or designee shall not release individual test results or medical information about a driver to a third party without the driver's specific written consent. (49 CFR 40.321)

Consequences Based on Test Results

No driver shall be temporarily removed from the performance of safety-sensitive functions based only on a laboratory report of a confirmed positive test for a drug or drug metabolite before the certified medical review officer has completed verification of the test results, unless the district has obtained a waiver from the Federal Motor Carrier Safety Administration. (49 CFR 40.3, 40.21, 382.107, 382.119)

Any driver for whom the district receives a verified positive drug test result or who is found to have a blood alcohol concentration of 0.04 or higher shall be immediately removed from performing safety-sensitive functions in accordance with 49 CFR 40.23 and 382.211. An alcohol concentration between 0.02 and 0.04 requires temporary removal of the bus driver for a 24-hour period following the test. Any driver who refuses to take a required drug or alcohol test shall not be permitted to perform or continue to perform safety-sensitive functions. (49 CFR 40.23, 382.211)

Not later than five days after receiving notification of the test result or refusal to comply, the Superintendent or designee shall report any refusal, failure to comply, or positive test result to the California Department of Motor Vehicles (DMV) using a form approved by the DMV. (Vehicle Code 13376)

A driver who has violated federal drug and alcohol regulations may be subject to disciplinary action up to and including dismissal in accordance with law, administrative regulations, and the district's collective bargaining agreement.

DUSD Drug and Alcohol Testing for School Bus Drivers Board Policy 4212.42 (Continued)

Any driver provided with an opportunity to return to a safety-sensitive duty following a violation shall be evaluated by a qualified substance abuse professional and complete the evaluation recommendations before returning to such duty. (49 CFR 40.289)

If the substance abuse professional recommends that further and ongoing services are needed to assist the driver to maintain sobriety or abstinence from drug use, the Superintendent or designee shall require the driver to participate in the recommended services as part of a return-to-duty agreement and shall monitor the driver's compliance. Any drop from a rehabilitation or return-to-duty program or a subsequent positive test result shall be reported to the Board Policy Manual Delano Union School District DMV. (Vehicle Code 13376; 49 CFR 40.285, 40.287, 40.303, 382.605)

Voluntary Self-Identification

Whenever a driver admits to alcohol or drug misuse under the district's voluntary self-identification program, the Superintendent or designee shall ensure all of the following: (49 CFR 382.121)

1. No adverse action shall be taken against the driver by the district.

2. The driver shall be allowed sufficient opportunity to seek evaluation, education, or treatment to establish control over the drug or alcohol problem.

3. The driver shall be permitted to participate in safety-sensitive functions only after:
    a. Successfully completing an education or treatment program, as determined by a drug and alcohol abuse evaluation expert, such as an employee assistance professional, substance abuse professional, or qualified drug and alcohol counselor

    b. Undergoing a return-to-duty test with a result indicating an alcohol concentration of less than 0.02 and/or a verified negative result for drug use

A driver who admits to alcohol or drug misuse shall not be subject to federal requirements related to referral, evaluation, and treatment, provided that the driver does not self-identify in order to avoid drug or alcohol testing, makes the admission prior to performing a safety-sensitive function, and does not perform a safety-sensitive function until the driver has been evaluated and has successfully completed education or treatment requirements in accordance with program guidelines. (49 CFR 382.121)

DUSD Drug and Alcohol Testing For School Bus Drivers Administrative Regulation 4212.42

Definitions

For purposes of drug testing required by the U.S. Department of Transportation (DOT), drugs include marijuana, cocaine, amphetamines, phencyclidine (PCP), and opioids. (49 CFR 40.3, 40.85, 382.107)

Alcohol concentration (or content) means the alcohol in a volume of breath expressed in terms of grams of alcohol per 210 liters of breath as indicated by an evidential breath test. (49 CFR 40.3, 382.107)

Safety-sensitive function means all time from the time the driver begins to work or is required to be in readiness to work until the time the driver is relieved from work and all responsibility for performing work. Safety-sensitive functions include, but are not limited to, all time driving or otherwise in the bus or other school transportation vehicle; waiting at a district facility to be dispatched; inspecting, servicing, or conditioning the vehicle or vehicle equipment; loading or unloading the vehicle; supervising or assisting in the loading or unloading of the vehicle; and repairing, obtaining assistance, or remaining in attendance upon a disabled vehicle. (49 CFR 382.107)

Designated Employer Representative

The Superintendent or designee shall identify a designated employer representative who is authorized to take immediate action to remove drivers from safety-sensitive functions and to make required decisions in the testing and evaluation processes. The designated employer representative shall also be responsible for receiving test results and other communications. The name and telephone number of the designated employer representative shall be provided to the testing contractor to contact about any problems or issues that may arise during the testing process. (49 CFR 40.35, 40.215)

Pre-employment Testing

When hiring a new driver, the Superintendent or designee shall, with the driver's written consent, conduct a pre-employment query using the Commercial Driver's License Drug and Alcohol Clearinghouse to obtain information about whether the driver has committed a violation of federal drug or alcohol regulations. (49 CFR 382.701)

The Superintendent or designee shall also, with the driver's consent, request the driver's past drug and alcohol testing record, as specified in 49 CFR 40.25 and 382.413, from any employer who has employed the driver at any time during the previous three years. To the extent practicable, the Superintendent or designee shall obtain and review such information before the driver first performs safety-sensitive functions. In addition, the Superintendent or designee shall ask the driver if there was a positive test, or a refusal to test, on any pre-employment drug or alcohol test that was administered during the past two years in the course of applying for another safety-sensitive transportation position that was not obtained. (49 CFR 40.25, 382.413)

The driver shall not be permitted to perform safety-sensitive functions if the driver refuses to provide consent to obtain the information from previous employers or from the Clearinghouse; the information from previous employers is not received within 30 days of the date on which the driver first performed safety-sensitive functions for the district; or the driver, the Clearinghouse, or a previous employer reports a violation of a drug or alcohol regulation without subsequent completion of the return-to-duty process. (49 CFR 40.25, 382.413, 382.701, 382.703)

A driver whom the district intends to hire or use shall undergo testing for drugs and receive a verified negative test result prior to the first time the driver performs safety-sensitive functions for the district. This testing requirement may be waived if all of the following conditions exist: (49 CFR 382.301)

1. The driver has participated in a qualified drug testing program within the previous 30 days.

DUSD Drug and Alcohol Testing For School Bus Drivers AR 4212.42 (Continued)

2. While participating in the program, the driver either was tested within the past six months from the date of application or participated in a random drug testing program for the previous 12 months from the date of application.

3. No prior employer of the driver of whom the district has knowledge has records of the driver's violation of Board Policy Manual Delano Union School District federal drug testing regulations within the previous six months.

The Superintendent or designee shall contact the testing program(s) in which the driver has participated and obtain information about the program and the driver's participation as specified in 49 CFR 382.301.

In addition, the Superintendent or designee shall require the driver to undergo pre-employment alcohol testing in accordance with the procedures in 49 CFR 40.1-40.605 and to receive a test result indicating an alcohol concentration of less than 0.04. (49 CFR 382.301)

Post-Accident Testing

As soon as practicable following an accident involving a school bus or student activity bus, the Superintendent or designee shall ensure that the driver involved is tested for alcohol and/or drugs under either of the following conditions: (49 CFR 382.303)

1. The accident involved loss of human life.

2. The driver receives a citation for a moving traffic violation within eight hours of the accident and the accident involved bodily injury to a person who required immediate medical treatment away from the scene of the accident and/or disabling damage to one or more vehicles requiring towing.

The Superintendent or designee shall attempt to administer a required alcohol test up to eight hours following the accident and/or a drug test up to 32 hours following the accident. The results of an alcohol or drug test conducted by federal, state, or local officials having independent authority for the test shall be considered to meet this requirement. If the alcohol test is not administered within two hours following the accident, or the test for drugs is not administered within 32 hours following the accident, the Superintendent or designee shall make a record stating the reasons the test was not promptly administered. (49 CFR 382.303)

No driver required to take a post-accident alcohol test pursuant to 49 CFR 382.303 shall use alcohol for eight hours following the accident or until the driver undergoes a post-accident alcohol test, whichever occurs first. (49 CFR 382.209)

Random Testing

The Superintendent or designee shall ensure that random, unannounced drug and alcohol tests of bus drivers are conducted on testing dates reasonably spread throughout the year.

Such tests shall be unannounced and conducted during, immediately before, or immediately after the performance of safety-sensitive functions. (49 CFR 382.305)

The Superintendent or designee shall ensure that the percentage of district drivers randomly tested for drugs and alcohol meets or exceeds the minimum annual percentage rates specified in 49 CFR 382.305 or subsequently published in the Federal Register.

Each driver selected for random testing shall have an equal chance of being tested each time selections are made. (49 CFR 382.305)

Each driver who is selected for testing shall proceed to the test site immediately or, if performing a safety-sensitive function other than driving a bus, then as soon as possible after ceasing that function. (49 CFR 382.305)

Reasonable Suspicion Testing

A driver shall be required to submit to a drug or alcohol test whenever the Superintendent or designee has reasonable suspicion that the driver has violated the prohibitions against the use of drugs or alcohol. Such reasonable suspicion shall be based on specific, contemporaneous, articulable observations, conducted during, immediately before, or immediately after the performance of safety-sensitive functions, concerning the driver's appearance, behavior, speech, and/or body odors. Reasonable suspicion of drug use may also include indications of the chronic and withdrawal effects of drugs. (49 CFR 382.307)

The person who makes the required observations for reasonable suspicion testing for drugs or alcohol shall be trained in accordance with 49 CFR 382.603. The person who makes the determination that reasonable suspicion exists to conduct an alcohol test shall not be the same person who conducts the alcohol test. (49 CFR 382.307)

Within 24 hours of the observed behavior or before the results of the drug or alcohol test are released, whichever is earlier, a written record of the observations leading to a reasonable suspicion test shall be made and signed by the person who made the observations. (49 CFR 382.307)

An alcohol test required as a result of reasonable suspicion shall be administered within eight hours following the determination of reasonable suspicion. If the test is not administered within two hours, the Superintendent or designee shall prepare and maintain on file a record stating the reasons the test was not promptly administered. (49 CFR 382.307)

In the absence of a reasonable suspicion alcohol test, the district shall take no action against a driver based solely on the driver's behavior and appearance, except that the driver shall not be allowed to report for or remain on safety- sensitive functions until an alcohol test is administered and the results show a concentration less than 0.02 or 24 hours have elapsed following the determination of reasonable suspicion. (49 CFR 382.307)

Return-to-Duty Testing

Note: Pursuant to 49 CFR 40.305, the district may return a driver to safety-sensitive functions after the driver completes required education and treatment services as described in the accompanying Board policy and a return to-duty drug or alcohol test. Such personnel decisions may be subject to collective bargaining or other legal requirements.

The Superintendent or designee may permit a driver who has violated federal drug or alcohol regulations to return to safety-sensitive functions after the driver has successfully complied with the education and treatment services prescribed by a substance abuse professional and has taken a return-to-duty drug or alcohol test. The driver shall

not resume performance of safety-sensitive functions unless the drug test shows a negative result and/or the alcohol test shows a concentration of less than 0.02. (49 CFR 40.305, 382.309)

Follow-Up Testing

Upon receiving a written follow-up testing plan from a substance abuse professional, the Superintendent or designee shall determine the actual dates for follow-up testing consistent with those recommendations and shall

ensure that such tests are unannounced and follow no discernable pattern as to their timing. No additional tests beyond those included in the plan shall be imposed by the district. (49 CFR 40.307-40.309, 382.111)

Mandatory Reporting and Annual Queries to the Drug and Alcohol Clearinghouse

The Superintendent or designee shall report to the Clearinghouse any violation of federal drug and alcohol regulations, any refusal to test, and other required information by the close of the third business day following the date on which the information was obtained. (49 CFR 382.705)

The Superintendent or designee shall conduct a query using the Clearinghouse at least once a year for all drivers to determine whether information exists in the Clearinghouse about the drivers. (49 CFR 382.701)

In lieu of a full query, the Superintendent or designee may obtain the individual driver's consent to conduct a limited query that is effective for more than one year and informs the district about whether there is information about the driver in the Clearinghouse without releasing that information to the district. If the limited query shows that information exists in the Clearinghouse about the individual driver, the Superintendent or designee shall conduct a full query within 24 hours of conducting the limited query. If a full query is not conducted within 24 hours, the driver may not perform any safety-sensitive function until the results from a full query confirm that the driver may perform such functions. (49 CFR 382.701)

A driver may not perform any safety-sensitive function if the results of a Clearinghouse query demonstrate that the driver has committed a violation of federal drug or alcohol regulations. (49 CFR 382.701)

Notifications

The Superintendent or designee shall provide each driver with materials explaining the federal regulations and the district's policy and procedure related to drug and alcohol testing and shall notify representatives of employee organizations of the availability of this information. This information shall include a detailed discussion of at least the following: (49 CFR 382.113, 382.303, 382.601)

1. The identity of the person designated by the district to answer driver questions about the materials
2. The categories of drivers who are subject to drug and alcohol testing
3. Sufficient information about the safety-sensitive functions performed by those drivers to make clear what period of the workday the driver is required to be in compliance
4. Specific information concerning prohibited driver conduct
5. The circumstances under which a driver will be tested for drugs and/or alcohol, including post-accident testing

6. The procedures that will be used to test for the presence of drugs and alcohol, protect the driver and the integrity of the testing processes, safeguard the validity of the test results, and ensure that those results are attributed to the correct driver

7. The requirement that a driver submit to drug and alcohol tests

8. An explanation of what constitutes a refusal to submit to a drug or alcohol test and the attendant consequences

9. The consequences for drivers found to have violated the prohibitions against drug or alcohol use, including the circumstances under which drivers will be removed immediately from safety-sensitive functions and the requirements for education, treatment, and return-to-duty testing

10. The consequences for drivers found to have a blood alcohol concentration between 0.02 and 0.04

11. Information concerning the effects of drug and alcohol use on an individual's health, work, and personal life; signs and symptoms of a drug or alcohol problem (the driver's or a co-worker's); and available methods of intervening when a drug or alcohol problem is suspected, including confrontation, referral to any employee assistance program, and/or referral to management

12. The requirement that personal information collected and maintained pursuant to 49 CFR 382 shall be reported to the Clearinghouse

Each driver shall sign a statement certifying receipt of a copy of the above materials. The Superintendent or designee shall maintain the original of the signed certificate and may provide a copy of the certificate to the driver. (49 CFR 382.601)

In addition, prior to administering each alcohol or drug test, the driver shall be notified that the test is required pursuant to Title 49, Part 382, of the Code of Federal Regulations. (49 CFR 382.113)

The driver shall be notified of the results of drug and alcohol tests in accordance with 49 CFR 382.411.

Records

The Superintendent or designee shall maintain records of the district's drug and alcohol testing program in accordance with 49 CFR 40.333 and 382.401. Such records shall be maintained in a secure location with controlled access and shall be disclosed only in accordance with 49 CFR 382.405.

DUSD Criminal Record Check Administrative Regulation 4212.5

The Superintendent or designee shall not hire or retain in employment, in a certificated or classified position, a person who has been convicted of a violent or serious felony as defined in Penal Code 667.5(c) or 1192.7(c), a controlled substance offense as defined in Education Code 44011, or a sex offense as defined in Education Code 44010. However, the Superintendent or designee shall not deny or terminate employment solely on the basis that the person has been: (Education Code 44830.1, 44836, 45122.1, 45123)

1. Convicted of a violent or serious felony, controlled substance offense, or sex offense, and the conviction is reversed and the person is acquitted of the offense in a new trial or the charges against the person are dismissed, unless the sex offense for which the conviction is dismissed pursuant to Penal Code 1203.4 involves a victim who was a minor

2. Convicted of a violent or serious felony and has obtained a certificate of rehabilitation or a pardon

3. Convicted of a serious felony, that is not also a violent felony, and has proven to the sentencing court that rehabilitation for purposes of school employment has been attained for at least one year

4. Convicted of a controlled substance offense and is applying for or is employed in a certificated position and has a credential issued by the Commission on Teacher Credentialing

5. Convicted of a controlled substance offense and is applying for or is employed in a classified position and has been determined by the Governing Board, from the evidence presented, to have been rehabilitated for at least five years

A certificated employee may be hired by the district without obtaining a criminal record summary if that employee is employed as a certificated employee in another California school district and became a permanent employee of another California school district as of October 1, 1997. (Education Code 44830.1, 44836)

The Superintendent or designee shall not issue a temporary certificate of clearance to a person whose application for a credential, certificate, or permit is being processed by the Commission on Teacher Credentialing if that person has been convicted of a violent or serious felony, unless the person is otherwise exempt pursuant to Education Code 44332.6 or 44830.1. (Education Code 44332.5, 44332.6)

Pre-Employment Record Check

The Superintendent or designee shall require each person to be employed by the district to submit fingerprints electronically through the Live Scan system so that a criminal record check may be conducted by the Department of Justice (DOJ). The Superintendent or designee shall provide the applicant with a Live Scan request form and a list of nearby Live Scan locations.

When a person is applying for a classified position, the Superintendent or designee shall request that the DOJ also obtain a criminal record check through the Federal Bureau of Investigation whenever the applicant meets one of the following conditions: (Education Code 45125)

1. The applicant has not resided in California for at least one year immediately preceding the application for employment.

2. The applicant has resided in California for more than one year, but less than seven years, and the DOJ has ascertained that the person was convicted of a sex offense where the victim was a minor or a drug offense where an element of the offense is either the distribution to or the use of a controlled substance by a minor.

DUSD Criminal Record Check Administrative Regulation 4212.5 (Continued)

The Superintendent or designee shall immediately notify the DOJ when an applicant who has submitted fingerprints to the DOJ is not subsequently employed by the district. (Penal Code 11105.2)

Subsequent Arrest Notification

The Superintendent or designee shall enter into a contract with the DOJ to receive notification of subsequent arrests resulting in conviction of any person whose fingerprints have been submitted to the DOJ. (Education Code 44830.1, 45125; Penal Code 11105.2)

Upon telephone or email notification by the DOJ that a current temporary employee, substitute employee, or probationary employee serving before March 15 of the employee's second probationary year has been convicted of a violent or serious felony, the Superintendent or designee shall immediately place that employee on leave without pay. (Education Code 44830.1, 45122.1)

When the district receives written electronic notification by the DOJ of the fact of conviction, the temporary employee, substitute employee, or probationary employee serving before March 15 of the employee's second probationary year shall be terminated automatically unless the employee challenges the DOJ record and the DOJ withdraws its notification in writing. Upon receipt of the written withdrawal of notification by the DOJ, the Superintendent or designee shall immediately reinstate the employee with full restoration of salary and benefits for the period of time from the suspension without pay to the reinstatement if the employee is still employed by the district. (Education Code 44830.1, 45122.1)

The Superintendent or designee shall immediately notify the DOJ whenever a person whose fingerprints are maintained by the DOJ is terminated. (Penal Code 11105.2)

Notification of Applicant/Employee

The Superintendent or designee shall expeditiously furnish a copy of any DOJ notification to the applicant or employee to whom it relates if the information is a basis for an adverse employment decision. The copy shall be delivered in person or to the last contact information provided by the applicant or employee. (Penal Code 11105, 11105.2)

Maintenance of Records

The Superintendent shall designate at least one custodian of records who shall be responsible for the security, storage, dissemination, and destruction of all Criminal Offender Record Information (CORI) furnished to the district and shall serve as the primary contact for the DOJ for any related issues. (Penal Code 11102.2)

An employee designated as custodian of records shall receive a criminal background check clearance from the DOJ prior to serving in that capacity. (Penal Code 11102.2)

The custodian of records shall sign and return to the DOJ the Employee Statement Form acknowledging an understanding of the laws prohibiting misuse of CORI. In addition, the custodian of records shall ensure that any individual with access to CORI has on file a signed Employee Statement Form.

To ensure its confidentiality, CORI shall be accessible only to the custodian of records and shall be kept in a locked file separate from other files. CORI shall be used only for the purpose for which it is requested and its contents shall not be disclosed or reproduced. (Education Code 44830.1, 45125)

Once a hiring determination is made, the applicant's CORI shall be destroyed to the extent that the identity of the individual can no longer be reasonably ascertained. (Education Code 44830.1, 45125; 11 CCR 708)

The Superintendent or designee shall immediately notify the DOJ whenever a designated custodian of records ceases to serve in that capacity. (Penal Code 11102.2)

DUSD Record Check Administrative Regulation 4212.5

Interagency Agreement

Subject to an interagency agreement with other school districts, the district shall submit and receive CORI on behalf of all participating districts. (Education Code 44830.2, 45125.01)

Upon receipt from the DOJ of a report of conviction of a serious or violent felony, the district shall communicate that fact to participating districts and shall remove the affected employee from the common list of persons eligible for employment. (Education Code 44830.2, 45125.01)

In addition, upon receipt from the DOJ of a criminal history record or report of subsequent arrest for any person on a common list of persons eligible for employment, the district shall give notice to the superintendent of any participating district, or the person designated in writing by that superintendent, that the report is available for inspection on a confidential basis by the superintendent or the authorized designee. The report shall be made available at the district office for 30 days following the receipt of the notice. (Education Code 44830.2, 45125.01)

The district shall not release a copy of that information to any participating district or any other person. In addition, the district shall retain or dispose of the information in the manner specified in law and in this administrative regulation after all participating districts have had an opportunity to inspect it in accordance with law. (Education Code 44830.2, 45125.01)

The district shall maintain a record of all persons to whom the information has been shown and shall make this record available to the DOJ. (Education Code 44830.2, 45125.01)

DUSD Personnel Files Administrative Regulation 4212.6

The Superintendent or designee shall maintain personnel files for all current employees. All personnel files are confidential and shall be available only to the employee, persons authorized by the employee and those authorized by the Superintendent or designee. Official employee files shall be maintained at the district's central office. The Superintendent or designee shall determine the types of information to be included and shall process all material to be placed in a personnel file.

The contents of all personnel files shall be kept in strict confidence by any authorized reviewer.

Files for District Police/Security Officers

Personnel files for district police or security officers shall be maintained and accessed in accordance with Board of Trustees policy and Government Code 3305-3306.

Placement of Material in Personnel Files

Any person who places written material or drafts written material for placement in an employee's file shall sign the material and signify the date of placement.

When an employee is asked to sign any material that is to be placed in his/her file, it is with the understanding that his/her signature signifies only that he/she has read the material and does not necessarily indicate agreement with its contents.

Any request by an employee to include materials in his/her personnel file must be approved by the Superintendent or designee.

A certificated employee may initiate a written reaction or response to his/her performance evaluation and that response shall become a permanent attachment to the employee's personnel file. (Education Code 44663)

Derogatory Information

Information of a derogatory nature shall not be entered into an employee's personnel file unless and until the employee is given notice and an opportunity to review and comment on that information. Such a review shall take place during normal business hours. The employee shall be released from duty for this purpose without a salary reduction. The employee may enter his/her own comments and have them attached to the derogatory statement. (Education Code 44031)

File Review by Employee

The contents of personnel records relating to the employee's performance or to any grievance concerning the employee shall be made available to the employee at reasonable intervals and at reasonable times. The Superintendent or designee shall not be required to make such records available at a time when the employee is required to render services to the district, unless the employee is required to view the file where it is stored. (Labor Code 1198.5; Education Code 44031)

The Superintendent or designee shall permit the employee to inspect the personnel records at the location where the district stores the personnel records, with no loss of compensation to the employee.

Any employee wishing to inspect his/her personnel record shall contact the Superintendent or designee.

With the exceptions noted below, all personnel records related to the employee's performance or to any grievance concerning the employee shall be made available for inspection by the employee. Non credentialed employees shall have access to any numerical scores obtained as result of written examinations. (Education Code 44031)

The Superintendent or designee shall not be required to make available to the employee: (Labor Code 1198.5, Education Code 44031)

1. Records relating to the investigation of a possible criminal offense
2. Letters of reference

DUSD Personnel Files Administrative Regulation 4212.6 (Continued)

3. Ratings, reports or records that were obtained prior to the employee's employment, prepared by identifiable examination committee members, or obtained in connection with a promotional examination

The employee may be accompanied by a representative of the employee's choice while reviewing the record.

Inspection shall take place in the presence of the Superintendent or designee. All reviews of personnel records shall be recorded, including the date and time the file was reviewed and the name and title of the person(s) present during the review.

In no instance shall any material be removed from the records. Requests for copies of material in a personnel record must be made in writing.

File Review by Management and Board

Management personnel or district legal counsel with a valid "right to know" or "need to know" may, with the Superintendent or designee's authorization, review an employee's personnel file.
Board members are not individually allowed to request and access personnel files but the Board may request pertinent information from an employee's file in cases of personnel action.

DUSD Employment Reference Board Policy 4212.61

The Superintendent or designee shall process all requests for references, letters of recommendation, or information about the reasons for separation regarding all district employees other than himself/herself. All letters of recommendation to be issued on behalf of the district for current or former employees must be approved by the Superintendent or designee.

At his/her discretion, the Superintendent or designee may refuse to give a recommendation. Any recommendation he/she gives shall provide a careful, truthful and complete account of the employee's job performance and qualifications.

DUSD Resignation Board Policy 4217.2

Any district employee who desires to resign his/her position shall submit, in writing, a letter of resignation Any district employee who desires to resign his/her position shall submit, in writing, a letter of resignation which indicates the date which the employee intends as his/her last day at work. The Governing Board encourages employees to provide advance notice that is appropriate for the position they hold.

The Board authorizes the Superintendent or designee to accept an employee's written resignation and to set its effective date. Once the Superintendent or designee has accepted and set an effective date for this resignation, the resignation may not thereafter be withdrawn by the employee.

The effective date of the resignation shall be a date not later than the close of the school year during which the resignation is received. However, an employee and the Board may agree that a resignation will be accepted at a mutually agreed upon date not later than two years beyond the close of the school year during which the resignation is received by the Board. (Education Code 44930, 45201)

DUSD Duties of Personnel Board Policy 4219.3

The Board of Trustees recognizes the importance of having adequate job descriptions for every district employee. Student safety, the district's fiscal stability, and the success of the educational program all depend on employees' fully understanding their responsibilities and duties.

The Superintendent or designee shall prepare and regularly update job descriptions for all positions. Job descriptions shall clearly specify all essential and peripheral/marginal functions and duties of the position, the degree of responsibility the position entails, the type and extent of training required, and the position of the person to whom the employee reports.

All employees shall fulfill the duties and responsibilities set forth in their job descriptions and shall comply with Board policies, administrative regulations, applicable employee agreements, and local, state and federal laws.

DELANO UNION SCHOOL DISTRICT

CLASSIFIED EVALUATION TIMELINE		
WHO	FIRST EVALUATION	SECOND EVALUATION
PROBATIONARY (2 times per year)	Must be completed by: The end of the third month and submitted to Personnel	Must be completed by: The end of the fifth month (if necessary) and submitted to Personnel
PERMANENT (every year)	EVALUATION Must be completed by: May 31st annually And submitted to Personnel	
Assistance/ Improvement Plans	Any staff receiving Unsatisfactory or Needs Improvement in any area MUST participate in an Improvement Plan and receive assistance.	

Article X – Employee Evaluation Procedure

CSEA Collective Bargaining Agreement

DELANO UNION SCHOOL DISTRICT

DUE DATE
5/31/__
(* indicates probationary)

PERFORMANCE EVALUATION REPORT
Classified Personnel

Use ink or typewriter for final markings

Distribution
Copy: Evaluator
Personnel

File

Employee Name	Reference #	Work Site

Job Title	Employee Status	For Probationary Employees Only Evaluation 1 2 or Final

MEETS STANDARDS	NEEDS IMPROVEMENT	NOT SATISFACTORY	SECTION A - FACTOR CHECK LIST Immediate supervisor must check each factor in the appropriate column. Write in N/A if not applicable to position.	MEETS STANDARDS	NEEDS IMPROVEMENT	NOT SATISFACTORY	
			1. Observance of work hours				14. Volume of acceptable work
			2. Attendance ***Days absent*** ____				15. Meeting deadlines
			3. Grooming and Dress				16. Accepts responsibility
			4. Compliance with rules				17. Accepts direction
			5. Safety practices				18. Accepts change
			6. Public contacts				19. Effectiveness under stress
			7. Pupil contacts				20. Appearance of work station
			8. Employee contacts				21. Operation & care of equipment
			9. Knowledge of work				22. Performs duties per job description
			10. Work judgments				23. Initiative
			11. Planning and organizing				24.
			12. Job skill level				25.
			13. Quality of work				26.

Use blank spaces for additional factors if needed. (Must be initialed by the employee). Items checked NEEDS IMPROVEMENT or NOT SATISFACTORY must be explained in Sections C, D and E.

Supt./ Asst. Supt. _____ **Asst. Supt.-H.R.** _____ **H.R. Data input** _____

H.R. DEPARTMENT USE ONLY

SECTION B - Record job STRENGTHS and superior performance incidents.

SECTION C - Record specific work performance DEFICIENCIES or job behavior requiring improvement or correction.

SECTION D - Record OBJECTIVES or IMPROVEMENT PROGRAMS for improved work performance, personal, or job qualifications to be undertaken during next evaluation period.

SECTION E - Record PROGRESS ACHIEVED in attaining previously set objectives for improved work performance, personal, or job qualifications.

SUMMARY EVALUATION - Check Overall Performance

___ MEETS STANDARDS ___ NEEDS IMPROVEMENT ___ NOT SATISFACTORY

EVALUATOR: I certify this report represents my best judgment.

___ I do ___ I do not recommend this employee be granted permanent status.
(For final probationary reports only.)

EVALUATOR'S SIGNATURE TITLE DATE

REVIEWED BY:

PRINCIPAL or SUPERVISOR TITLE DATE

EMPLOYEE: I certify that this report has been discussed with me. I understand that my signature does not necessarily indicate agreement.

EMPLOYEE TITLE DATE

This is a copy of the document that will be placed in your personnel file. You have five (5) work days from receipt of this document to make any signed written comments that you wish to have attached to the document before it is placed in your primary personnel file.

COMMENTS:_____

_____

_____ _____
SIGNATURE DATE

DUSD Employee Assistance Programs Board Policy 4259

The Board of Trustees recognizes that school district employees may have personal problems which can have detrimental effects upon job performance and student safety. Many personal problems are easier to resolve when they are addressed early, before they reach disabling proportions. The Board encourages employees to seek help when such problems exist and to take advantage of the resources that are available to assist them.

Employees shall have confidential access to information about community resources that address personal problems. This information shall be available, on a voluntary basis, to all employees, spouses and dependents.

Management and supervisory staff shall be knowledgeable about the district's employee assistance program. When there are indications of declining performance, attendance problems, or on-the-job behavioral problems, supervisors shall consult with the Superintendent or designee to explore the resolution of such problems.

Participation in the assistance program will not jeopardize the employee's employment or career advancement, nor will it protect the employee from disciplinary action for substandard job performance.

DUSD Probation/ Permanent Status Board Policy 4216

The Governing Board desires to employ and retain highly qualified classified personnel to support the district's educational program and operations. Newly hired classified employees shall serve a probationary period during which the Board shall determine their suitability for long-term district employment.

A probationary employee who has been employed by the district for six months or 130 days of paid service, whichever is longer, shall be classified as a permanent employee of the district. (Education Code 45113, 45301)

However, in order to receive permanent classified service status, a full-time district police officer or public safety dispatcher who operates a dispatch center certified by the Commission on Peace Officer Standards and Training shall serve in a probationary status for not less than one year from the date of appointment. (Education Code 45113, 45301)

Probationary employees shall receive written performance evaluations by their supervisor during the probationary period. These evaluations shall indicate whether the evaluator is satisfied or not satisfied with the employee's ability, performance, and compatibility with the job.

The district may, without cause, dismiss a new employee during the probationary period.

Permanent employees promoted to a higher classification shall be considered probationary in their new position until they have satisfactorily completed the probationary period.

A permanent employee who accepts a promotion and fails to complete the probationary period for that promotional position shall be employed in the classification from which the employee was promoted. (Education Code 45113, 45301)

This policy shall be made available to classified employees and the public. (Education Code 45113)

DUSD Awards and Recognition Board Policy 4256.2

The Governing Board values its instructional and no instructional staff and desires to recognize their outstanding service in order to increase employee morale and encourage creative and innovative performance.

The Board encourages recognition of all staff during days of significance designated by the Board, state law, or state resolution.

The Board authorizes awards to individual employees who: (Education Code 44015)

1. Propose procedures or ideas that result in eliminating or reducing district expenditures or improving district operations

2. Perform special acts or services in the public interest

3. By their superior accomplishments, make exceptional contributions to the efficiency, economy, or other improvement in district operations

As the district budget permits, the Superintendent or designee may recognize such employees by issuing service pins, certificates, plaques, and/or other mementos. In addition, he/she may recommend employees to the Board for recognition at a public Board meeting.

The Superintendent or designee shall establish procedures for the selection of individual employees to receive awards.

The Superintendent or designee may appoint one or more merit award committees consisting of Board members, district employees, and/or private citizens to review employee contributions and recommend awards.

Monetary awards to employees shall not exceed $200 unless expressly approved by the Board. (Education Code 44015)

Adopted by Board of Trustees
April 10, 2017
Delano, CA

DUSD Health and Welfare Benefits Board Policy 4254

The district shall provide health and welfare benefits for certificated and classified employees in bargaining units in accordance with state and federal law and subject to negotiated employee agreements.

For purposes of granting benefits pursuant to state law, a registered domestic partner and his/her child shall have the same rights, protections, and benefits as a spouse and spouse's child. (Family Code 297.5)

The Superintendent or designee shall not use or disclose any medical information the district possesses pertaining to an employee without the employee's authorization obtained in accordance with Civil Code 56.21, except for the purpose of administering and maintaining employee benefit plans and for other purposes specified in law. (Civil Code 56.20)

Continuation of Coverage

Retired certificated employees, other employees who would otherwise lose coverage due to a qualifying event specified in law and administrative regulation, and their qualified beneficiaries may continue to participate in the district's group health and welfare benefits in accordance with state and federal law.

To receive continuation coverage, covered employees and their qualified beneficiaries shall pay the premiums, dues, and other charges, including any increases in premiums, dues, and costs incurred by the district in administering this program.

Retired Certificated Employees

Any former certificated employee who retired from the district under any public retirement system and his/her spouse/domestic partner shall be permitted to enroll in the health and welfare and/or dental care benefit plan currently provided for certificated employees. The plan also shall be available to any surviving spouse/domestic partner of a former certificated employee who either retired from the district or was, at the time of death, employed by the district and a member of the State Teachers' Retirement System. (Education Code 7000)

A retired certificated employee or surviving spouse/domestic partner shall be allowed to enroll in the coverage within 30 days of losing active employee coverage. (Education Code 7000)

If a retired certificated employee or surviving spouse/domestic partner fails to enroll during the initial enrollment period, further opportunity to do so shall be denied. A person who has previously received but then voluntarily terminated coverage also shall be excluded from obtaining further coverage.

COBRA/Cal-COBRA Continuation Coverage

Covered district employees and their qualified beneficiaries shall be offered the opportunity to continue health and disability insurance coverage when they otherwise would lose coverage due to one of the following qualifying events: (Health and Safety Code 1366.21, 1366.23, 1373; Insurance Code 10128.51, 10128.53, 10277; 26 USC 4980B; 26 CFR 54.4980B-4)

1. Death of the covered employee
2. Termination or reduction in hours of the covered employee's employment, other than termination by reason of the employee's gross misconduct
3. Divorce or legal separation of the covered employee
4. Covered employee's becoming entitled to Medicare benefits
5. A dependent child ceasing to be a dependent child of the covered employee

Continuation health coverage shall be the same as provided to similarly situated individuals under the group benefit plan. (Health and Safety Code 1366.23; Insurance Code 10128.53; 26 USC 4980B)

A covered employee or qualified beneficiary shall notify the service plan administrator of a qualifying event listed in item #3 or 5 above within 60 days of the event or of the date that the beneficiary would lose coverage, whichever is later. (26 USC 4980B; 29 USC 1163, 1166)

DUSD Health and Welfare Benefits Board Policy 4254 (Continued)

Continuation coverage shall be terminated in accordance with the district's insurance plan and in accordance with 26 USC 4980B and 26 CFR 54.4980B-6.

However, a former employee who, prior to January 1, 2005, worked for the district for at least five years and who was age 60 or older on the date employment ended, or his/her qualified beneficiaries which includes dependent children or spouse/former spouse/domestic partner, may continue benefits until the earlier of any of the following events: (Health and Safety Code 1373.621; Insurance Code 10116.5)

1. The date the individual reaches age 65

2. The date the individual is covered under any other group health plan not maintained by the district, regardless of whether that coverage is less valuable

3. The date the individual becomes entitled to Medicare benefits

4. For a qualified beneficiary, five years from the date on which continuation coverage was scheduled to end for the qualified beneficiary

5. The date on which the district terminates its agreement with the health service plan and ceases to provide coverage for any active employees through that plan, in which case the former employee and/or his/her qualified beneficiary shall have a right to a conversion plan

Disability Insurance

The Superintendent or designee shall give notice of disability insurance rights and benefits to each employee leaving work due to pregnancy, non occupational illness or injury, or the need to provide care for any sick or injured family member, or the need to bond with a minor child within the first year of the child's birth or placement in connection with foster care or adoption. (Unemployment Insurance Code 2613)

(cf. 4157.1/4257.1/4357.1 - Work-Related Injuries)
(cf. 4161/4261/4361 - Leaves)
(cf. 4161.1/4361.1 - Personal Illness/Injury Leave)
(cf. 4161.8/4261.8/4361.8 - Family Care and Medical Leave)
(cf. 4261.1 - Personal Illness and Injury Leave)

When disabled by an injury resulting from a violent act sustained while performing his/her job duties, a certificated or classified employee may continue in the district health and dental care plans upon meeting criteria specified by law. The employee shall pay all employer and employee premiums and related administrative costs. (Education Code 7008)

DELANO UNION SCHOOL DISTRICT
BENEFIT PACKET

1. **TRANSFER OF SICK LEAVE** – If you were employed in another district in California, please obtain a transfer form from the Personnel Office to transfer your sick leave to our district.

2. **SICK LEAVE** – Every full-time teacher shall be entitled to ten (10) days of Personal Necessity Leave for the purpose of illness, accident or quarantine for each year of employment at the teacher's full daily rate of pay. Every full-time classified employee shall be entitled up to twelve (12) days of sick leave for each year of employment (depending on the number of work days,) on the basis of one day per each month of employment at the employee's daily rate of pay for purposes of illness or injury.

3. **DIRECT DEPOSIT OF PAYROLL** – Every employee can have a payroll deduction set up for direct deposit to savings or checking accounts. For further inquiries, contact our Payroll Technicians, Tara Kates and Janelle Miranda at (661) 721-5000, x00151 and x00134.

4. **DELANO UNION SCHOOL DISTRICT HEALTH, & DENTAL INSURANCE** – The District provides a complete district-paid benefit package to all eligible certificated and classified personnel. Upon employment with the district, you will receive health materials explaining your benefits. If you have any questions regarding coverage or eligibility, you may call Amelia Jauregui at (661) 721-5000, x00125. Questions regarding Blue Shield, you may contact Member Services at (877) 356-0666. For pharmacy eligibility questions, you may contact MagellanRX at (800) 424-0472, and Kaiser Permanente at (800) 464-4000. Login for HealthNOW accounts is at myhnas.com. ***In an emergency, the first concern is your health. Call 911 or go to an emergency room as soon as possible.***

5. **VISION SERVICE PLAN (VSP) INSURANCE** – When you or your dependents are ready to obtain vision care service, call your VSP participating doctor for an appointment. Your doctor will verify coverage and eligibility when scheduling your appointment. Should you need to locate a VSP participating doctor, call VSP Customer Service at (800) 877-7195 or visit their website at www.vsp.com.

6. **DENTAL PLAN (DELTA DENTAL) INSURANCE** – When you or your dependents are ready to obtain dental care service, call your Delta Dental participating doctor for an appointment. Your doctor will verify coverage and eligibility when scheduling your appointment. Should you need to locate a Delta Dental participating doctor, call Delta Dental Customer Service at (800) 765.6003 or visit their website at www.deltadental.com.

7. **YOUR EMPLOYEE ASSISTANCE PROGRAM** – Challenges you face in your home life or on the job can sometimes overwhelm you. United Behavioral Health Plan is a district-paid plan which offers you and your dependents 24-hour confidential access to short-term counseling services or referrals to more extended care (6 Visits EAP per problem/per year). Call anytime for help with the demands of everyday life, your EAP offers just what you need. To find out more, call (866) 248-4094 or visit www.liveandworkwell , access code: delano.

8. **LINCOLN FINANCIAL LIFE INSURANCE** – This is a district-paid plan that provides you with a $50,000 basic life amount with the option to purchase additional voluntary life coverage for yourself and/or dependents. For questions regarding your policy, please contact Lincoln Financial Group at (800) 423-2765 or visit their website at www.LincolnFinancial.com .

9. **VOLUNTARY PLANS** – Administered by AFLAC. For the 2024-2025 School Year, your Voluntary benefits will be effective October 1, 2024 – September 30, 2025. DUSD is excited to be able to bring you the following voluntary benefits at the employee's own cost: Life, Short-Term Disability, Hospital Intensive Care, Accident, Critical Illness, and Hospital Indemnity. Please contact Amelia Jauregui at (661)721-5000, x00125 with questions regarding Open Enrollment.

Delano Union School District

Office of Rosalina C. Rivera, Superintendent
Department of Human Resources
Joseph Hunter, Assistant Superintendent of Human Resources
1405 - 12th Avenue, Delano, California 93215
(661) 721-5000 x00162 ~ Fax (661) 721-5014

MEMORANDUM

TO: All Delano Union School District Staff

FROM: Joseph Hunter

DATE: July 1, 2026

RE: Medical Leave and Physician's Notes

There have been many concerns regarding medical leave and absence guideline/procedures. Listed below is information that should be followed and hopefully it will alleviate any confusion.

1. Contact the Human Resource Department (HR) as soon as possible should you anticipate any extended leave of absence due to medical issues, including inpatient, outpatient and office procedures, including office procedures.

2. All notes/ verifications from your physician (including workman's comp) must be submitted to the HR Department and not to your work site location. It is the responsibility of the employee to ensure that all required forms are submitted directly to the HR Department.

3. Once you have been released by your physician, a written release must be submitted to the HR Department before you are allowed to return back to duty. Any limitations and/or restrictions must be explained in detail including beginning and ending dates of the restrictions. All restrictions must be approved prior to your return by the HR Department. Please see the attached example.

Please note that each leave is completely different and is assessed according to the requirements and criteria. We also recognize that all leaves are very personal and I want to make it very clear that by law, all the information we receive is strictly confidential and all paperwork is kept separate from your personnel file.

Should you have any questions, please feel free to contact Ricky Pimentel at extension 00161.

DUSD Reasonable Accommodation Administrative Regulation 4032

Except when undue hardship would result to the district, the Superintendent or designee shall provide reasonable accommodation:

1. In the job application process, to any qualified job applicant with a disability

2. To enable any qualified employee with a disability to perform the essential functions of the position he/she holds or desires to hold or to enjoy equal benefits or other terms, conditions, and privileges of employment as other similarly situated employees without disabilities

No employee or job applicant who requests an accommodation for his/her physical or mental disability shall be subjected to discrimination or to any punishment or sanction, regardless of whether the request for accommodation was granted. (Government Code 12940)

The district designates the position specified in AR 4030 - Nondiscrimination in Employment as the coordinator of its efforts to comply with the Americans with Disabilities Act (ADA) and to investigate any and all related complaints.

(cf. 4030 - Nondiscrimination in Employment)

Definitions

Disability, with respect to an individual, is defined as any of the following: (Government Code 12926; 20 CFR 1630.2)

1. A physical or mental impairment that limits one or more of the major life activities
2. A record of such an impairment
3. Being regarded as having such an impairment

Limits shall be determined without regard to mitigating measures such as medications, assistive devices, prosthetics or reasonable accommodations, unless the mitigating measure itself limits a major life activity. (Government Code 12926)

Essential functions are the fundamental job duties of the position the individual with a disability holds or desires. The term does not include the marginal functions of the position. (Government Code 12926; 29 CFR 1630.2)

Reasonable accommodation means: (Government Code 12926; 29 CFR 1630.2)

1. For a qualified job applicant with a disability, modifications or adjustments to the job application process that enable him/her to be considered for the position he/she desires

2. For a qualified employee with a disability, modifications or adjustments to the work environment, or to the manner or circumstances under which the position the employee holds or desires is customarily performed, that enable him/her to perform the essential functions of that position or to enjoy equal benefits and privileges of employment as are enjoyed by the district's other similarly situated employees without disabilities

Qualified individual with a disability means a job applicant or employee with a disability who: (29 CFR 1630.15, 1630.2)

1. Satisfies the requisite skill, experience, education, and other job-related requirements of the employment position he/she holds or desires
2. Can perform the essential functions of the position with or without reasonable accommodation
3. Would not pose a significant risk of substantial harm, which cannot be eliminated or reduced by reasonable accommodation, to himself/herself or others in the job he/she holds or desires

Undue hardship is a determination based on an individualized assessment of current circumstances that shows that the provision of a specific accommodation would cause significant difficulty or expense to the district. (29 CFR 1630.2)

DUSD Reasonable Accommodation AR 4032 (Continued)

Request for Reasonable Accommodation

When requesting reasonable accommodation, an employee or his/her representative shall inform the employee's supervisor that he/she needs a change at work for a reason related to a medical condition. The supervisor shall inform the coordinator of the employee's request as soon as practicable.

When requesting reasonable accommodation for the hiring process, a job applicant shall inform the coordinator that he/she will need a reasonable accommodation during the process.

When the disability or the need for accommodation is not obvious, the coordinator may ask the employee to supply reasonable documentation about his/her disability. In requesting this documentation, the coordinator shall specify the types of information that are being sought about the employee's condition, the employee's functional limitations, and the need for reasonable accommodation. The employee may be asked to sign a limited release allowing the coordinator to submit a list of specific questions to his/her health care or vocational professional.

If the documentation submitted by the employee does not indicate the existence of a qualifying disability or explain the need for reasonable accommodation, the coordinator shall request additional documentation that specifies the missing information. If the employee does not submit such additional documentation in a timely manner, the coordinator may require him/her to submit to an examination by a health care professional selected and paid for by the district.

The district may make a medical or psychological inquiry of a job applicant or require him/her to submit to a medical or psychological examination after he/she has been given a conditional offer of employment but before the commencement of his/her job duties, provided the inquiry or examination is job-related, consistent with business necessity, and required for all incoming employees in the same job classification. (Government Code 12940)

The coordinator shall not request any job applicant's or employee's genetic information except as authorized by law. (42 USC 2000ff-1, 2000ff-5)

In accordance with law, the coordinator shall take steps to ensure the confidentiality of information related to medical conditions or history. As applicable, he/she shall notify the supervisor or manager of the qualified individual of any reasonable accommodation granted the individual and may notify first aid and safety

personnel when the disability of the qualified individual may require emergency treatment. (42 USC 12112)
(cf. 4112.6/4212.6/4312.6 - Personnel Records)

Granting Reasonable Accommodation

Upon receiving a request for reasonable accommodation from a qualified individual with a disability, the coordinator shall:

1. Determine the essential functions of the job involved

2. Engage in an informal, interactive process with the individual to review the request for accommodation, identify the precise limitations resulting from the disability, identify potential accommodations, and assess their effectiveness

3. Develop a plan for reasonable accommodation which will enable the individual to perform the essential functions of the job or gain equal access to a benefit or privilege of employment without imposing undue hardship on the district

A determination of undue hardship should be based on several factors, including: (29 CFR 1630.2)

a. The nature and net cost of the accommodation needed, taking into consideration the availability of tax credits and deductions and/or outside funding

DUSD Reasonable Accommodation AR 4032 (Continued)

b. The overall financial resources of the facility making the accommodation, the number of persons employed at this facility, and the effect on expenses and resources of the facility

c. The overall financial resources, number of employees, and the number, type, and location of facilities of the district

d. The type of operation of the district, including the composition, structure, and functions of the workforce and the geographic separateness and administrative or fiscal relationship of the facility making the accommodation to other district facilities

e. The impact of the accommodation on the operation of the facility, including the impact on the ability of other employees to perform their duties and the impact on the facility's ability to conduct business

The coordinator may confer with the site administrator, any medical advisor chosen by the district, and/or other district staff before making a final decision as to the accommodation.

Reasonable Accommodation Committee

The coordinator may appoint a committee to review or assist in the development of appropriate plans to reasonably accommodate qualified individuals who request modifications or adjustments in their work duties or environment because of known physical or mental disabilities.

Committee members shall be selected on the basis of their knowledge of the specific functions and duties required in the position, the physical work environment, available accommodations, and other relevant issues. The committee may include a district administrator, site administrator, medical advisor or rehabilitation specialist, and as necessary, a certificated and/or classified employee. Membership may change on a case-by-case basis.

At the coordinator's discretion, the employee or applicant requesting accommodation may participate in the committee's meetings. If the employee or applicant is excluded from the committee's meetings, the coordinator shall communicate with him/her so that he/she has the opportunity to interact and contribute to planning the reasonable accommodation.

Appeal Process

Any qualified individual with a disability who is not satisfied with the decision of the coordinator may appeal in writing to the Superintendent or designee. This appeal shall be made within 10 working days of receiving the decision and shall include:

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

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

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

DUSD Temporary Modified/Light Duty Assignment
Board Policy 4213.4

The Governing Board recognizes that, when employees have temporarily disabling medical conditions, temporary modified or light-duty assignments can allow the district to continue to use their valuable knowledge, skills, and abilities while minimizing time away from work. Temporary modified/light-duty assignments may also serve to facilitate the employee's transition back to his/her regular duties or full-time work.

Any employee may request a modified or light-duty assignment when he/she has a temporary medical condition which prevents the performance of the essential functions of his/her current assignment or position. The Superintendent or designee shall determine, on a case-by-case basis, whether a suitable temporary position currently exists to accommodate the physical restrictions specified by the employee's medical provider.

An employee's initial assignment to a temporary modified or light-duty position shall be for a limited duration, not to exceed 30 days. At the end of the initial assignment, the employee may request that the Superintendent or designee extend the assignment. When requesting any such extension, the employee shall submit documentation from his/her medical provider verifying that the employee is still temporarily disabled and is not medically able to return to his/her regular assignment. Temporary assignments generally shall not exceed 90 days, but may be extended at the discretion of the Superintendent or designee for an additional 90 days upon verification by the employee's medical provider that such an extension will allow the employee to return to unrestricted regular duties.

An employee who rejects a temporary modified/light-duty assignment may be subject to a loss of workers' compensation benefits in accordance with district's insurance policy.

DUSD Temporary Modified/Light Duty Assignment Administrative Regulation 4213.4

Any employee who suffers a work-related injury shall provide the district with medical verification of his/her physical condition. Unless the treating physician provides a full release from work, the employee may be considered eligible for a temporary modified or light-duty assignment. If the treating physician does not specify work restrictions, the Superintendent or designee may contact the physician to see if modified or light-duty work might be appropriate.

(cf. 4157.1/4257.1/4357.1 - Work-Related Injuries)

The Superintendent or designee shall meet with the employee and his/her supervisor to determine whether the employee can return to his/her regular job with the medical restrictions specified by the physician.

If the employee is not able to return to his/her regular job with restrictions, the Superintendent or designee shall seek a temporary modified or light-duty assignment for the employee. Employees who are given such assignments shall receive written notification of the assignment.

If no temporary modified or light-duty assignment can be found, the employee will be placed on temporary disability, sick leave, or other available leave to the extent available until an appropriate position within the medical restrictions is found, or until the medical restrictions are lifted. The Superintendent or designee shall also monitor the status of any employee for whom the physician provided a full release from work to see if the employee could return to a temporary modified or light-duty assignment at a later date.

(cf. 4161.11/4361.11 - Industrial Accident/Illness Leave)

(cf. 4261.11 - Industrial Accident/Illness Leave)

If an employee rejects a temporary modified or light-duty assignment, this refusal may provide a basis for terminating temporary disability benefits.

The Superintendent or designee shall monitor all modified and light-duty assignments and may contact the physician for assistance in determining when the employee is ready to resume his/her regular duties.

DUSD Catastrophic Leave Board Policy/Administrative Regulation 4261.9

When a catastrophic illness or injury incapacitates an employee or a member of his/her family for an extended period of time and the employee has exhausted all paid leaves of absence, other employees may donate accrued vacation and/or sick leave credits to that employee under the specific requirements of the district's catastrophic leave program.

Donations made under the catastrophic leave program shall be strictly voluntary.

DUSD Military Leave Administrative Regulation 4261.5

Military leave shall be granted in accordance with applicable state and federal law to employees performing military duties on a voluntary or involuntary basis in a uniformed service, including active duty, active duty for training, initial active duty for training, inactive duty training, full-time National Guard duty, examination to determine fitness for duty, and performance of funeral honors duty. (Education Code 44800; Military and Veterans Code 395, 395.01, 395.02, 395.05, 395.1, 395.2, 395.9; 38 USC 4301, 4303, 4316)

Any district employee who needs to be absent from the district service to fulfill military service shall provide advance written or verbal notice to the Superintendent or designee, unless the giving of such notice is precluded by military necessity or is otherwise impossible or unreasonable. (38 USC 4312; 20 CFR 1002.85, 1002.86)

Salary/Compensation

The district shall pay an employee's salary or compensation for the first 30 days of any one absence for military leave or during one fiscal year, under any of the following conditions:

1. Active Military Training or Exercises: The employee is granted a temporary military leave of absence to engage in ordered military duty for purposes of active military training, encampment, naval cruises, special exercises, or like activity as a member of the reserve corps or force of the United States Armed Forces, National Guard, or Naval Militia, provided that: (Military and Veterans Code 389, 395, 395.01)

    a. The employee has been employed by the district for at least one year immediately prior to the day the military leave begins.

    b. The ordered duty does not exceed 180 days, including time involved in going to and returning from such duty.

2. Active Military Duty: The employee is on military leave, other than a temporary military leave, to engage in active military duty as a member of the reserve corps or force of the United States Armed Forces, the National Guard, or the Naval Militia, provided that the employee has been employed by the district for at least one year immediately prior to the day the military leave begins. (Military and Veterans Code 389, 395.02)

3. War or Other Emergency: The employee, however long employed by the district, is a member of the National Guard who is engaged in military or naval duty during a state of extreme emergency as declared by the Governor, or during such time as the National Guard may be on active duty in situations described in Military and Veterans Code 146, including travel time to and from such duty. (Military and Veterans Code 395.05)

4. Inactive Duty Training: The employee is a member of the reserve corps or force of the United States Armed Forces, National Guard, or Naval Militia who is engaged in temporary inactive duty training, provided that the employee has been employed by the district for at least one year immediately prior to the day the military leave begins and the ordered duty does not exceed 180 days, including time involved in going to and returning from such duty.

In determining the length of district employment when necessary to determine eligibility for compensation for military leave, all recognized military service performed during and prior to district employment shall be included.

For classified employees, 30 days' compensation shall be one month's salary. For certificated employees, 30 days' compensation shall be one-tenth of the employee's annual salary. (Education Code 45059)

During the period of military leave, an employee may request to use any vacation or similar paid leave accrued before the commencement of the military leave in order to continue receiving compensation for the employee's employment with the district. The district shall not require the employee to use such leave. (38 USC 4316; 20 CFR 1002.153)

Benefits

An employee may elect to continue health plan coverage during the military leave. The maximum period of coverage for the employee and any dependents shall be either 24 months from the beginning of the leave or until the day after the employee fails to apply for or return to employment, whichever is less. (38 USC 4317; 20 CFR 1002.164)

An employee on military leave may be required to pay the employee cost, if any, of any funded benefit to the extent that other employees on leave are so required. (38 USC 4316)

An employee absent for 30 days or fewer shall not be required to pay more than the employee share for such coverage. An employee absent for 31 days or more may be required to pay not more than 102 percent of the full premium under the plan. (38 USC 4317; 20 CFR 1002.166)

Any employee called into active military duty as a member of the California National Guard or a United States Military Reserve organization shall receive, for up to 180 days, the difference between the amount of the employee's military pay and the amount the employee would have received from the district and all benefits that the employee would have received had the employee not been called to active military duty, unless the benefits are prohibited or limited by vendor contracts. (Education Code 44018)

Vacation and Sick Leave Accrual

An employee on temporary military leave under the conditions described in Item #1 in the section entitled "Salary/Compensation" above, shall continue to accrue the same vacation, sick leave, and holiday privileges to which the employee would otherwise be entitled if not absent. (Military and Veterans Code 395)

An employee on military leave who is serving in active duty in time of war, national emergency, or United Nations military or police operation shall not accrue sick leave or vacation leave during the period of such leave. (Military and Veterans Code 395.1)

However, an employee who is a National Guard member on active duty as described in Item #3 in the section entitled "Salary/Compensation" above, shall not suffer any loss or diminution of vacation or holiday privileges because of the employee's leave of absence. (Military and Veterans Code 395.05)

DUSD Military Leave AR 4261.5 (Continued)

Pension Plan Service Credit

Pension plan service credit and vesting shall continue during an employee's military leave as though no break in service had occurred. Payment of employer and employee contributions shall be made in accordance with law for members of the State Teachers' Retirement System or Public Employees' Retirement System. (Education Code 22850-22856; Government Code 20990-21013)

Employment Status

Absence for military leave shall not affect the classification of any employee. In the case of a probationary employee, the period of such absence shall not count as part of service required to obtain permanent status, but

shall not be construed as a break in the continuity of service for any purpose. (Education Code 44800; Military and Veterans Code 395; 20 CFR 1002.149)

Reinstatement Rights

At the conclusion of the military duty, an employee shall be promptly reinstated in the position held at the beginning of the leave, at the salary to which the employee would otherwise have been entitled, except under the conditions noted below in this section. (Education Code 44800; Military and Veterans Code 395, 395.2; 38 USC 4304, 4313; 20 CFR 1002.180-1002.181)

Any employee who performs active military duty in time of war, national emergency, or United Nations military or police operation has a right to return to the position held prior to the military service, during terminal leave prior to the employee's discharge, separation, or release from the armed forces, or within six months of the employee's release, separation, honorable discharge, or placement on inactive duty. Reinstatement rights shall not be extended to any such employee who fails to return within 12 months after the first date upon which the employee could terminate or could cause to have terminated active service. (Education Code 44800; Military and Veterans Code 395.1)

When an employee has been on military leave for reasons other than war or national emergency, the time frame for seeking reinstatement shall depend on the length of military service as follows: (38 USC 4312; 20 CFR 1002.115, 1002.118)

1. For a leave of 30 days or fewer, the employee shall report for duty no later than the beginning of the first full work day following the completion of the military service plus a period of eight hours of rest following a period for safe transportation to the employee's residence.

2. For a leave of 31-180 days, the employee shall submit a written or verbal application for reinstatement not later than 14 days after the completion of military service.

3. For a leave of more than 180 days, the employee shall submit a written or verbal application for reinstatement within 90 days after the completion of military service.

Where an employee's reporting or application for reinstatement within the periods specified in Items #1 and #2 above is impossible or unreasonable through no fault of the employee, the report or application shall be made as soon as possible after the expiration of the period. In the case of Items #2 and #3 where an application is required, the employee's application may be made orally or in writing and need not follow any particular format. (38 USC 4312; 20 CFR 1002.115, 1002.117, 1002.118)

DUSD Military Leave AR 4261.5 (Continued)

An employee who is hospitalized for, or convalescing from, an illness or injury incurred in or aggravated during the performance of military service shall report for duty or submit an application for reinstatement at the end of the period that is necessary to recover from such illness or injury, but no more than two years after the completion of military service unless circumstances beyond the employee's control make reporting within the two-year period impossible or unreasonable. (38 USC 4312; 20 CFR 1002.116)

Upon receiving an application for reinstatement, the Superintendent or designee shall reinstate the employee as soon as practicable under the circumstances of the case, but within a time period not to exceed two weeks, absent unusual circumstances. (20 CFR 1002.181)

If the employee's previous position has been abolished, the district shall reinstate the employee in a position of like seniority, status, and pay, if such position exists, or to a comparable vacant position for which the employee is qualified. (Military and Veterans Code 395, 395.1; 38 USC 4313; 20 CFR 1002.192)

An employee who fails to report or apply for reinstatement within the appropriate period does not automatically forfeit the entitlement to reinstatement but shall be subject to the district's rules and/or practices governing unexcused absences. (38 USC 4312)

The Superintendent or designee may elect not to reinstate an employee following military leave if any of the following conditions exists:

1. The district's circumstances have so changed as to make such re-employment impossible or unreasonable, such as a reduction in force that would have included the employee. (38 USC 4312; 20 CFR 1002.139)

2. The accommodation, training, or effort described in 38 USC 4313(a)(3), (a)(4), or (b)(2)(B) would impose an undue hardship on the district as defined in 20 CFR 1002.5 or 1002.198. (38 USC 4312; 20 CFR 1002.139)

3. The employee's position was for a brief, nonrecurrent period and there was no reasonable expectation that such employment will continue indefinitely or for a significant period. (38 USC 4312; 20 CFR 1002.139)

4. The employee's cumulative length of absence and length of all previous military leave while employed with the district exceeds five years, excluding those training and service obligations specified in 38 USC 4312(c). (38 USC 4312; 20 CFR 1002.99-1002.103)

5. The employee was separated from military service with a disqualifying discharge or under other than honorable conditions. (Military and Veterans Code 395.1; 20 USC 4304, 4312; 20 CFR 1002.134-1002.138)

Notices

The Superintendent or designee shall provide employees a notice of the rights, benefits, and obligations of employees granted military leave and of the district under the Uniformed Services Employment and Reemployment Rights Act (USERRA), 38 USC 4301-4334. (38 USC 4334)

This requirement may be met by posting the notice where the district customarily places notices for employees. (38 USC 4334)

DUSD Personal Leaves/Bereavement and Jury Duty Administrative Regulation 4261.2

Personal leaves granted to district employees shall be used as permitted in law, this administrative regulation, other Governing Board-approved policy or district regulation, or applicable collective bargaining agreement, or as otherwise required by law.

For the purpose of any personal leave offered pursuant to state law, a registered domestic partner shall have the same rights, protections, and benefits as a spouse and any protections provided to a spouse's child shall also apply to a child of a registered domestic partner. (Family Code 297.5)

Whenever possible, employees shall request personal leaves in advance and prepare suitable instructions, including lesson plans as applicable, for a substitute employee.

Bereavement

Employees are entitled to a leave of up to five days upon the death of any member of the employee's immediate family, as defined in Education Code 44985 and 45194.

"Immediate family" means a parent, parent-in-law, grandparent, or grandchild of the employee or of the spouse of the employee, and the spouse, domestic partner, child, child-in-law, sibling, or sibling-in-law of the employee, or any relative living in the immediate household of the employee. (Education Code 44985, 45194; Government Code 12945.7)

No deduction shall be made from the employee's salary for any authorized paid bereavement leave as specified in the collective bargaining agreement or as otherwise established by this policy, nor shall such leave be deducted from any other leave to which the employee is entitled unless requested by the employee. (Education Code 44985, 45194; Government Code 12945.7)

At the employee's request, bereavement leave may be extended under personal necessity leave provisions as provided in the section "Personal Necessity" below. (Education Code 44981, 45207)

Reproductive Loss

Upon request by any employee who has experienced a reproductive loss event, defined as the day or, for a multiple-day event, the final day of a failed adoption, failed surrogacy, miscarriage, stillbirth, or an unsuccessful assisted reproduction, the district shall grant the employee up to five days of reproductive loss leave, to be taken consecutively or non-consecutively. The employee shall take the leave within three months following the event. If the employee is on another type of leave at the time of the reproductive loss event, or chooses to take another type of leave immediately following a reproductive loss event, then the reproductive loss leave shall be completed within three months of the end date of the other leave. (Government Code 12945.6)

Reproductive loss leave will be unpaid unless the employee chooses to use vacation, personal leave, accrued and available sick leave, or compensatory time off that is otherwise available to the employee. (Government Code 12945.6)

Any request or inquiry or information provided by an employee related to reproductive loss leave and/or a reproductive loss shall remain confidential, except to internal personnel or counsel as necessary or as required by law.

DUSD Personal Leaves/Bereavement and Jury Duty Administrative Regulation 4261.2 (continued)

Personal Necessity

Employees may use a maximum of seven days of accrued personal illness/injury leave (sick leave) during each school year for reasons of personal necessity. (Education Code 44981, 45207)

Acceptable reasons for the use of personal necessity leave include:

1. Death of a member of the employee's immediate family when the number of days of absence exceeds the limits set by bereavement leave provisions (Education Code 44981, 45207; Government Code 12945.7)

2. An accident involving the employee or the employee's property, or the person or property of a member of the employee's immediate family (Education Code 44981, 45207)

3. Illness, preventive care, or other need of a member of the employee's family, as defined in Labor Code 245.5 (Education Code 44981; Government Code 12945.2; Labor Code 246.5)

4. A classified employee's appearance in any court or before any administrative tribunal as a litigant, party, or witness under subpoena or other order (Education Code 45207)

5. Fire, flood, or other immediate danger to the home of the employee

6. Personal business of a serious nature which the employee cannot disregard

Leave for personal necessity may be allowed for other reasons at the discretion of the Superintendent or designee. However, personal necessity leave shall not be granted for purposes of personal convenience, for the extension of a holiday or vacation, or for matters which can be taken care of outside of working hours. The Superintendent or designee shall have final discretion as to whether a request reflects personal necessity.

Advance permission shall not be required of an employee in any case involving the death of a member of the employee's immediate family, an accident involving the employee's person or property or the person or property of a member of the employee's immediate family, or the illness, preventive care, or other need of a member of the employee's family. (Education Code 44981, 45207)

For any leave that is planned, or for which the need is foreseeable, an employee shall notify the Superintendent or designee in advance. In all other circumstances, the employee shall notify the Superintendent or designee of the need for the leave as soon as practicable.

After any absence due to personal necessity, the employee shall verify the absence by submitting a completed and signed district absence form to the employee's immediate supervisor.

DUSD Personal Leaves/Bereavement and Jury Duty Administrative Regulation 4261.2 (continued)

Leave to Perform Legal Duties

An employee may take time off work in order to: (Labor Code 230)

1. Serve on an inquest jury or trial jury
2. Comply with a subpoena or other court order to appear as a witness

Notices, summons, and subpoenas for court appearances shall be submitted to the district office when requesting leave.

A classified employee called for jury duty shall be granted leave with pay up to the amount of the difference between the employee's regular earnings and any amount received for jury fees. (Education Code 44037)

A certificated employee who is called for jury duty also shall be granted leave with pay up to the difference between the employee's regular earnings and any jury fees received. (Education Code 44036)

A certificated employee shall be granted leave with pay to appear in court as a witness other than as a litigant or to respond to an official order from another governmental jurisdiction for reasons not brought about through the connivance or misconduct of the employee. Such an employee shall receive the difference between the employee's regular earnings and any witness fees received. (Education Code 44036)

Leaves for Crime Victims for Judicial Proceedings

An employee who is a victim of a crime or an immediate family member, registered domestic partner, or child of a registered domestic partner of such victim may be absent from work in order to attend related judicial proceedings, if the crime is any of the following: (Labor Code 230.2)

1. A violent felony as defined in Penal Code 667.5(c)
2. A serious felony as defined in Penal Code 1192.7(c)
3. A felony provision of law proscribing theft or embezzlement

For these purposes, the employee may use vacation, personal leave, personal illness/injury leave, unpaid leave, or compensatory time off that is otherwise available to the employee. (Labor Code 230.2)

Prior to taking time off, an employee shall give the Superintendent or designee a copy of the notice of each scheduled proceeding that is provided by the responsible agency, unless advance notice is not feasible. When advance notice is not feasible or an unscheduled absence occurs, the employee shall, within a reasonable time after the absence, provide documentation evidencing the judicial proceeding from the court or government agency setting the hearing, the district attorney or prosecuting attorney's office, or the victim/witness office that is advocating on behalf of the victim. (Labor Code 230.2)

DUSD Personal Leaves/Bereavement and Jury Duty Administrative Regulation 4261.2 (continued)

The district shall keep confidential any records pertaining to the employee's absence from work by reason of this leave. (Labor Code 230.2)

Leaves for Victims of Crime or Abuse

An employee who is a victim of domestic violence, sexual assault, stalking, or a crime that caused physical injury or mental injury with a threat of physical injury or an employee whose immediate family member, as defined, is deceased as the direct result of a crime may use vacation, sick leave, personal leave, or compensatory time off that is otherwise available to the employee to attend to the following activities: (Labor Code 230, 230.1, 246.5)

1. Obtain or attempt to obtain any relief, including, but not limited to, a temporary restraining order, restraining order, or other injunctive relief to help ensure the health, safety, or welfare of the employee or the employee's child

2. Seek medical attention for injuries caused by crime or abuse

3. Obtain services from a domestic violence shelter, program, rape crisis center, or victim services organization or agency as a result of the crime or abuse

4. Obtain psychological counseling or mental health services related to an experience of crime or abuse

5. Participate in safety planning and take other actions to increase safety from future crime or abuse, including temporary or permanent relocation

Prior to taking time off, an employee shall give reasonable notice to the Superintendent or designee, unless advance notice is not feasible. When an unscheduled absence occurs, the employee shall provide, within a reasonable period of time, certification of the absence in the form of any of the following: (Labor Code 230, 230.1)

1. A police report indicating that the employee was a victim

2. A court order protecting or separating the employee from the perpetrator of the crime or abuse, or other evidence from the court or prosecuting attorney that the employee has appeared in court

3. Documentation from a domestic violence or sexual assault counselor as defined in Evidence Code 1037.1 or 1035.2, licensed medical professional or health care provider, victim advocate, or counselor that the employee was undergoing treatment or receiving services for physical or mental injuries or abuse resulting in victimization from the crime or abuse

4. Any other form of documentation that reasonably verifies that the crime or abuse occurred, including, but not limited to, a written statement signed by the employee or by an individual acting on the employee's behalf certifying that the absence is for a purpose authorized under Labor Code 230 or 230.1

The district shall maintain the confidentiality of such an employee to the extent authorized by law. (Labor Code 230, 230.1)

The Superintendent or designee shall inform employees of the rights provided employees pursuant to Labor Code 230 and 230.1 using a form developed by the Labor Commissioner or a substantially similar form developed by the district. Such information shall be provided to new employees upon hire and to other employees upon request. (Labor Code 230.1)

Personal Leave for Child-Related Activities

Any employee who is a parent/guardian of one or more children of an age to attend any of grades K-12 or a program offered by a licensed child care provider may use up to 40 hours of personal leave, vacation, or compensatory time off each school year in order to: (Labor Code 230.8)

1. Find, enroll, or reenroll a child in a school or with a licensed child care provider or to participate in activities of the school or child care provider, provided the employee gives reasonable advance notice of the absence. Time off for this purpose shall not exceed eight hours in any calendar month.

2. Address a school or child care emergency, provided the employee gives notice. An emergency exists when the child cannot remain in school or with a child care provider due to one of the following circumstances:

    a. A request by the school or child care provider that the child be picked up

    b. An attendance policy, excluding planned holidays, that prohibits the child from attending or requires that the child be picked up from the school or child care provider

    c. Behavioral or discipline problems

    d. Closure or unexpected unavailability of the school or child care provider, excluding planned holidays

    e. A natural disaster, including, but not limited to, fire, earthquake, or flood

For purposes of this leave, parent/guardian includes a parent, guardian, stepparent, foster parent, grandparent, or person who stands in loco parentis to a child. (Labor Code 230.8)

In lieu of using vacation, personal leave, or compensatory time off, eligible employees may take unpaid leave for this purpose.

If two or more parents/guardians of a child are employed at the same work site, this leave shall be allowed for the parent/guardian who first gives notice to the district. Simultaneous absence by another parent/guardian of the child may be granted by the Superintendent or designee. (Labor Code 230.8)

Upon request by the Superintendent or designee, the employee shall provide documentation from the school or licensed child care provider that the employee engaged in permitted child-related activities on a specific date and at a particular time. (Labor Code 230.8)

Service on Education Boards and Committees

Upon request, a certificated employee shall be granted up to 20 school days of paid leave per school year for service performed within the state on any education board, commission, committee, or group authorized by Education Code 44987.3 provided that all of the following conditions are met: (Education Code 44987.3)

1. The service is performed within the state
2. The board, commission, organization, or group informs the district in writing of the service

3. The board, commission, organization, or group agrees, prior to the service, to reimburse the district, upon the district's written request, for compensation paid to the employee's substitute and for actual related administrative costs

Employee Organization Activities

Upon request, any certificated or classified employee shall be granted a leave of absence without loss of compensation, to serve as an elected officer of a district employee organization or any statewide or national employee organization with which the employee organization is affiliated. Such leave shall be in addition to any other leave to which the employee may be entitled by other laws or a memorandum of understanding or collective bargaining agreement. (Education Code 44987, 45210)

The leave shall include, but is not limited to, absence for purposes of attending periodic, stated, special, or regular meetings of the body of the organization on which the employee serves as an officer. (Education Code 44987, 45210)

Upon request of an employee organization in the district or its state or national affiliate, a reasonable number of unelected classified employees shall be granted a leave of absence without loss of compensation for the purpose of attending important organizational activities authorized by the employee organization. The employee organization shall provide reasonable notification to the Superintendent or designee when requesting a leave of absence for employees for this purpose. (Education Code 45210)

When leave is granted for any of the above purposes, the employee organization shall reimburse the district within 10 days after receiving the district's certification of payment of compensation to the employee. (Education Code 44987, 45210)

Religious Leave

The Superintendent or designee may grant an employee up to three days of leave per year for religious purposes, provided that the leave is requested in advance and that it does not cause additional district expenditures, the neglect of assigned duties, or any other unreasonable hardship on the district.

The Superintendent or designee shall deduct the cost of hiring a substitute, when required, from the wages of the employee who takes religious leave.

No employee shall be discriminated against for using this leave or any additional days of unpaid leave granted for religious observances at the discretion of the Superintendent or designee.

Spouse on Leave from Military Deployment

An employee who works an average of 20 hours or more per week and whose spouse is a member of the United States Armed Forces, National Guard, or reserves may take up to 10 days of unpaid leave during a period that the employee's spouse is on leave from deployment during a military conflict, as defined in Military and Veterans Code 395.10. (Military and Veterans Code 395.10)

Within two business days of receiving official notice that the employee's spouse will be on leave from deployment, the employee shall provide the Superintendent or designee with notice of the intention to take the leave. The employee shall submit written documentation certifying that the employee's spouse will be on leave

from deployment during the time that the leave is requested. (Military and Veterans Code 395.10)

Leave for Emergency Duty

An employee may take time off to perform emergency duty as a volunteer firefighter, a reserve peace officer, or emergency rescue personnel. (Labor Code 230.3)

Any employee who performs duty as a volunteer firefighter, reserve peace officer, or emergency rescue personnel shall be permitted to take temporary leaves of absence, not to exceed an aggregate total of 14 days per calendar year, for the purpose of engaging in fire, law enforcement, or emergency rescue training. (Labor Code 230.4)

Civil Air Patrol Leave

An employee may take up to 10 days of unpaid leave per calendar year, beyond any leave otherwise available to the employee, to respond to an emergency operational mission of the California Civil Air Patrol, provided that the employee has been employed by the district for at least a 90-day period immediately preceding the leave. Such leaves shall not exceed three days for a single mission, unless an extension is granted by the governmental entity authorizing the mission and is approved by the Superintendent or designee. (Labor Code 1501, 1503)

The employee shall give the district as much advance notice as possible of the intended dates of the leave. The Superintendent or designee may require certification from the proper Civil Air Patrol authority to verify the eligibility of the employee for the leave and may deny the leave if the employee fails to provide the required certification. (Labor Code 1503)

DUSD Civil and Legal Rights Board Policy 4219.1

The Governing Board believes that the personal life of an employee is not an appropriate concern of the district, except as it may directly relate to the performance of the employee's duties.

District employees may engage in private, personal activities, including the exercise of their religious, political, cultural, social or other beliefs or activities, during personal time including when employees are not on duty or engaged in the supervision or instruction of students.

The district shall make no inquiry concerning the personal values, attitudes, and beliefs of district employees or their sexual orientation or political or religious affiliations, beliefs, or opinions except when authorized by law. In addition, no district employee shall be required to provide critical appraisals of other individuals with whom the employee has a familial relationship. However, the district reserves the right to access any publicly available information about any employee.

No employee shall be dismissed, suspended, disciplined, reassigned, transferred, or otherwise retaliated against solely for acting to protect a student engaged in conduct authorized under Education Code 48907 or 48950.

When necessary to protect the health, welfare, or safety of students and staff, school officials may search district property under an employee's control.

Whistleblower Protection

An employee shall have the right to disclose to a Board member, a school administrator, a member of the County Board of Education, the County Superintendent of Schools, or the Superintendent of Public Instruction any improper governmental activity by the district or a district employee that violates state or federal law, is economically wasteful, or involves gross misconduct, incompetency, or inefficiency. When the employee has reasonable cause to believe that the information discloses a violation of state or federal statute or a violation of or noncompliance with a state or federal rule or regulation, the employee has the right to disclose such information to a government or law enforcement agency or to refuse to participate in any such activity. (Education Code 44112, 44113; Labor Code 1102.5)

The Superintendent or designee shall prominently display in lettering larger than size 14 point type a list of employees' rights and responsibilities under the whistleblower laws, including the telephone number of the whistleblower hotline maintained by the office of the California Attorney General. (Labor Code 1102.7, 1102.8)

No employee shall use or attempt to use official authority status or influence to intimidate, threaten, coerce, or command, or attempt to intimidate, threaten, coerce, or command, another employee for the purpose of interfering with that employee's right to disclose improper governmental activity. (Education Code 44113)

An employee who has disclosed improper governmental activity and believes that acts or attempted acts of reprisal have subsequently occurred shall file a written complaint in accordance with the district's complaint procedures. After filing a complaint with the district, the employee may also file a copy of the complaint with local law enforcement and/or seek civil law remedies against the supervisor or administrator who retaliated or attempted to retaliate against the employee, in accordance with Education Code 44114.

Protection Against Liability

No employee shall be liable for harm caused by the employee's act or omission when acting within the scope of employment or district responsibilities, the employee's act or omission is in conformity with federal, state, and

DUSD Civil and Legal Rights Board Policy 4219.1 (Continued)

local laws, district policy, or administrative regulation, and the employee's act or omission is in furtherance of an effort to Board Policy Manual Delano Union School District control, discipline, expel, or suspend a student or to maintain order or control in the classroom or school. (20 USC 7946)

The protection against liability shall not apply when: (20 USC 7946)

1. The employee acted with willful or criminal misconduct, gross negligence, recklessness, or a conscious, flagrant indifference to rights or safety of the individual harmed.
2. The employee caused harm by operating a motor vehicle or other vehicle requiring license or insurance.
3. The employee was not properly licensed, if required, by state law for such activities.
4. The employee was found by a court to have violated a federal or state civil rights law.
5. The employee was under the influence of alcohol or any drug at the time of the misconduct.
6. The misconduct constituted a crime of violence pursuant to 18 USC 16 or an act of terrorism for which the employee has been convicted in a court.
7. The misconduct involved a sexual offense for which the employee has been convicted in a court.
8. The misconduct occurred during background investigations, or other actions, involved in the employee's hiring

DUSD California School Employees Association, Chapter 175 Collective Bargaining Agreement Article VIII Leaves of Absence

Salary Deductions During Sick Leave

Effective July 1, 2012, pursuant to Education Code 45196, each school year, each unit member shall be credited with 100 working days of leave for illness or injury, inclusive of days to which he/she is entitled under Education Code 45191, which shall be paid at fifty percent (50%) of the unit member's salary. Such additional leave shall be used after entitlement to full-paid sick leave has been exhausted, and shall run concurrently with full-paid sick leave from the first day of absence for illness or injury, but shall be exclusive of any other paid leave, holidays, vacation, or compensatory time to which the employee may be entitled.

DUSD Political Activities of Employees Board Policy 4219.25

The Governing Board recognizes the importance of political activity, voting, and civic engagement, and respects the right of district employees to engage in political discussions and activities as individuals on their own time and at their own expense. When engaging in such activities, employees shall make it clear that they are acting on their own behalf and not as representatives of the district.

District employees, as members of the community, may use school facilities for meetings, including political activities, as permitted under the Civic Center Act and district policy.

Employees shall refrain from prohibited political activities identified in law, Board policy, and administrative regulations. Employees who engage in these activities shall be subject to disciplinary action and/or criminal penalties.

DUSD Political Activities of Employees Administrative Regulation 4219.25

No employee shall be prohibited from soliciting or receiving political funds or contributions to promote the support or defeat of a ballot measure during nonworking time, including before and after school, the lunch period, or other scheduled work intermittency during the school day. (Education Code 7056)

District employees shall not:

1. Use district funds, services, supplies, equipment, work hours, or other public resources to urge the support or defeat of any ballot measure or candidate, including any candidate for election to the Governing Board (Education Code 7054, 7056; Government Code 8314)

2. Use the district's seal in any campaign literature or mass mailing with the intent to deceive voters, including, but not limited to, the use of a reproduction or facsimile of the seal in a manner that creates a misleading, erroneous, or false impression that the document is authorized by the Board, a Board member, or the district (Elections Code 18304)

3. During working hours, solicit or receive any political funds or contributions to promote the passage or defeat of a ballot measure that would affect the rate of pay, hours of work, retirement, civil service or other working conditions (Education Code 7056)

4. During working hours, solicit or receive any political funds or contributions to promote the passage or defeat of other types of ballot measures

5. Use district equipment for the preparation or reproduction of political campaign materials

6. Post or distribute political campaign materials in classrooms, through distance learning platforms, or on district property

7. Disseminate political campaign materials through the district's mail service, e-mail, or staff mailboxes

8. Use students to write, address, or distribute political campaign materials

9. Present viewpoints on particular candidates or ballot measures in the classroom without giving equal time to the presentation of all perspectives

10. Wear buttons, hats, or other articles of clothing that express political opinions on ballot measures or candidates during instructional time

Political Activities of Employee Organizations

Employee organizations shall not use district funds, services, supplies, or equipment, such as staff mailboxes or the district mail system, to urge the support or defeat of any ballot measure or candidate, including any candidate for election to the Board. (Education Code 7054)

No employee organization or its officers, agents, or representatives shall be prohibited from soliciting or receiving political funds or contributions to promote the passage or defeat of a ballot measure during nonworking time, including before and after school, the lunch period, or other scheduled work intermittency during the school day. (Education Code 7056)

DUSD Personal Illness/Injury Leave Administrative Regulation 4261.1

Classified employees employed five days a week are entitled to 12 days' leave of absence with full pay for personal illness or injury (sick leave) per fiscal year. Employees who work less than a full fiscal year or fewer than five days a week (part-time employees) shall be granted sick leave in proportion to the time they work. However, part-time employees who are entitled to less than 24 hours of paid sick leave per fiscal year due to the amount of time worked shall be granted sick leave pursuant to Labor Code 246, if they are eligible. (Education Code 45191; Labor Code 245-249)

Use of Sick Leave

A classified employee may use sick leave for absences due to:

1. Accident or illness, whether or not the absence arises out of or in the course of employment, or by quarantine which results from contact in the course of employment with other persons having a contagious disease (Education Code 45199)

2. Pregnancy, miscarriage, childbirth, and related recovery (Education Code 45193)

3. Personal necessity (Education Code 45207)

4. Medical and dental appointments, in increments of not less than one hour

5. Industrial accident or illness when leave granted specifically for that purpose has been exhausted (Education Code 45192)

6. Need of an employee to bond with a child within one year of the child's birth, adoption, or foster care placement (parental leave) (Education Code 45196.1; Government Code 12945.2; 29 USC 2612; 29 CFR 825.112)

7. Need of the employee or the employee's family member, including a designated person, as defined in Labor Code 245.5, for the diagnosis, care, or treatment of an existing health condition or for preventive care (Government Code 12945.2; Labor Code 233, 246.5)

8. Need of the employee to seek or obtain any relief or medical attention specified in Labor Code 230(c) and 230.1(a) for the health, safety, or welfare of the employee or the employee's child, when the employee has been a victim of domestic violence, sexual assault, or stalking (Labor Code 233, 246.5)

For the purposes specified in Items #7-8, an employee may use, in any calendar year, the amount of sick leave that would be accrued during six months at the employee's then current rate of entitlement. (Labor Code 233)

An employee may take leave for personal illness or injury at any time during the year, even if credit for such leave has not yet been accrued. However, a new full-time classified employee shall not be entitled to more than six days of sick leave, or the proportionate amount to which the employee may be entitled, until the first day of the month after the employee has completed six months of active service with the district. (Education Code 45191)

Unused days of sick leave shall be accumulated from year to year without limitation. (Education Code 45191)

An employee shall reimburse the district for any unearned sick leave used as of the date of termination.

The district shall not require newly employed classified employees to waive leave accumulated in a previous district. However, if the employee's previous employment was terminated for cause, the transfer of the accumulated leave shall be made only if approved by the Governing Board. (Education Code 45202)

The Superintendent or designee shall notify any classified employee whose employment with the district is

DUSD Personal Illness/Injury Leave Administrative Regulation 4261.1 (Continued)

terminated after at least one calendar year for reasons other than for cause that, if the employee accepts employment in another district, county office of education, or community college district within one year of the termination of employment, the employee may request that the district transfer any accumulated sick leave to the new employer. (Education Code 45202)

Additional Leave for Disabled Military Veterans

In addition to any other entitlement for sick leave with pay, a classified employee who is a former active duty member of the U.S. Armed Forces or a former or current member of the California National Guard or a federal reserve component shall be entitled to sick leave with pay of up to 12 days for the purpose of undergoing medical treatment, including mental health treatment, for a military service-connected disability rated at 30 percent or higher by the U.S. Department of Veterans Affairs. An eligible employee who works less than five days per week shall be entitled to such leave in proportion to the time worked. (Education Code 45191.5)

The amount of leave shall be credited to the employee either on the date the employee receives confirmation of the submission of the disability application to the U.S. Department of Veterans Affairs or on the first day the employee begins or returns to employment after active duty, whichever is later. When the employee receives the disability rating decision, the employee shall report that information to the Superintendent or designee. If the disability rating decision makes the employee eligible for the leave, the time used before the decision shall be counted toward the 12-day maximum leave. If the disability rating decision makes the employee ineligible for the leave, the district may change the sick leave time used before the disability rating decision to an alternative leave balance. (Education Code 45191.5)

The Superintendent or designee may require verification, in accordance with the section "Verification Requirements" below, that the employee used the leave to obtain treatment of a military service-connected disability.

Leave for military-service connected disability shall be available for 12 months following the first date that the leave was credited. Leave not used during the 12-month period shall not be carried over and shall be forfeited. (Education Code 45191.5)

Notification of Absence

An employee shall notify the Superintendent or the designated manager or supervisor of the need to be absent as soon as such need is known so that the services of a substitute may be secured as necessary. This notification shall include an estimate of the expected duration of absence. If the absence becomes longer than estimated, the employee shall so notify the district. If the duration of absence becomes shorter than estimated, the employee shall notify the district not later than three o'clock in the afternoon of the day preceding the day on which the employee intends to return to work. If the employee fails to notify the district and the failure results in a substitute being secured, the cost of the substitute shall be deducted from the employee's pay.

Continued Absence After Available Sick Leave Is Exhausted/Differential Pay

Each year, each regular classified employee shall be credited with no fewer than 100 working days of paid leave for personal illness or injury, including current year and accumulated days of leave. When the current year and accumulated days at full pay are exhausted, the remainder of the 100 days shall be compensated at least 50 percent of the employee's regular salary. Any of the 100 days of leave not used during the year in which they are credited shall be forfeited and shall not accumulate from year to year. This paid leave shall be exclusive of any other paid leave, holidays, vacation, or compensatory time to which the employee may be entitled. (Education Code 45196)

Parental Leave

During each school year, a classified employee may use all available sick leave, including accumulated sick leave, for the purpose of parental leave for a period of up to 12 work weeks. The 12-week period shall be reduced by any period of sick leave, including accumulated sick leave, taken during a period of such parental leave. (Education Code 45196.1)

DUSD Personal Illness/Injury Leave Administrative Regulation 4261.1 (Continued)

Eligibility for such leave shall not require 1,250 hours of service with the district during the previous 12 months. (Education Code 45196.1)

An employee who has exhausted all available sick leave, including accumulated sick leave, and continues to be absent on account of parental leave shall receive differential pay of at least 50 percent of the employee's regular salary for the remainder of the 12 work weeks. (Education Code 45196.1)

Parental leave taken pursuant to Education Code 45196.1 shall run concurrently with the parental leave taken pursuant to Government Code 12945.2 or 12945.6, and the aggregate amount of parental leave shall not exceed 12 work weeks in a 12-month period. (Education Code 45196.1; Government Code 12945.2, 12945.6)

Extension of Leave

A permanent employee who is absent because of a personal illness or injury and who has exhausted all available sick leave, vacation, compensatory overtime, and any other paid leave shall be so notified, in writing, and offered an opportunity to request additional leave. The Board may grant the employee additional leave, paid or unpaid, for a period not to exceed six months and may renew this leave for two additional six-month periods or for lesser periods. The total additional leave granted shall not exceed 18 months. (Education Code 45195)

If the employee is still unable to return to work after all available paid and unpaid leaves have been exhausted, the employee shall be placed on a reemployment list for a period of 39 months. If during this time the employee becomes medically able, the employee shall be offered reemployment in the first vacancy in the classification of the employee's previous assignment. During the 39 months, the employee's reemployment shall take preference over all other applicants except those laid off for lack of work or lack of funds, in which case the employee shall be ranked according to seniority. (Education Code 45195)

Verification Requirements

After any absence due to illness or injury, the employee shall submit a completed and signed district absence form to the employee's immediate supervisor.

The Superintendent or designee may require verification whenever an employee's absence record shows chronic absenteeism or a pattern of absences immediately before or after weekends and/or holidays or whenever available evidence clearly indicates that an absence is not related to illness or injury.

In addition, the Superintendent or designee may require an employee to visit a physician selected by the district, at district expense, in order to receive a report on the medical condition of the employee. The report shall include a statement as to the employee's need for additional leave of absence and a prognosis as to when the employee will be able to return to work. If the report concludes that the employee's condition does not warrant continued absence, the Superintendent or designee may, after giving notice to the employee, deny the request for additional leave.

Any district request for additional verification by an employee's physician or a district-selected physician shall be in writing and shall specify that the report to be submitted to the district should not contain the employee's genetic information. Any genetic information received by the district on behalf of an employee shall be treated as a confidential medical record, maintained in a file separate from the employee's personnel file, and shall not be disclosed except in accordance with 29 CFR 1635.9.

Before returning to work, an employee who has been absent for surgery, hospitalization, or extended medical treatment may be asked to submit a letter from a physician stating that the employee is able to return to work and stipulating any necessary restrictions or limitations.

Short-Term and Substitute Employees

Except for a retired annuitant who is not reinstated to the retirement system, short-term or substitute employees who work for 30 or more days within a year of their employment shall be credited with 24 hours or three days of

paid sick leave for that year. Unused sick leave shall not carry over to the following year of employment. (Labor Code 246)

Short-term or substitute employees may begin to use accrued paid sick days on the 90th day of their employment, after which they may use the sick days as they are accrued. (Labor Code 246)

A short-term or substitute employee may use accrued sick leave for absences due to: (Labor Code 246.5)

1. The employee's own need or the need of a family member, as defined in Labor Code 245.5, for the diagnosis, care, or treatment of an existing health condition or for preventive care

2. Need of the employee to obtain or seek any relief or medical attention specified in Labor Code 230(c) and 230.1(a) for the health, safety, or welfare of the employee, or the employee's child, when the employee has been a victim of domestic violence, sexual assault, or stalking

Healthy Workplaces, Healthy Families Act Requirements

No employee, including a short-term or substitute employee, shall be denied the right to use accrued sick days and the district shall not in any manner discriminate or retaliate against an employee for using or attempting to use sick leave, filing a complaint with the Labor Commissioner, or alleging district violation of Labor Code 245-249.

To ensure the district's compliance with Labor Code 245-249, the Superintendent or designee shall:

1. At a conspicuous location in each workplace, display a poster on paid sick leave that includes the following information:

    a. That an employee is entitled to accrue, request, and use paid sick days

    b. The number of sick days provided by Labor Code 245-249

    c. The terms of use of paid sick days

    d. That discrimination or retaliation against an employee for requesting and/or using sick leave is prohibited by law and that an employee has the right to file a complaint with the Labor Commissioner if the district discriminates or retaliates against the employee

2. Provide at least 24 hours or three days of paid sick leave to each eligible employee to use per year and allow eligible employees to use accrued sick leave upon reasonable request

3. Provide eligible employees written notice, on their pay stub or other document issued with their pay check, of the amount of paid sick leave they have available

4. Keep a record documenting the hours worked and paid sick days accrued and used by each eligible employee for three years

DELANO UNION SCHOOL DISTRICT

DELANO UNION SCHOOL DISTRICT
Working Together For A Brighter Future

Rosalina C. Rivera, Superintendent
1405 12th Avenue, Delano, CA 93215
(661) 721-5000, Extension #00162

- ❑ Certificated
- ❑ Classified
- ❑ Payroll

NAME/ADDRESS/PHONE CHANGE REQUEST & REQUEST FOR RECORDS

Date: _____ Work Site: _____

USE IN CASE OF:

☐ Name Change ☐ Address Change ☐ Phone Number Change

☐ Records Request

Reason for Change: _____

Verified Documents:

☐ Driver's License ☐ Marriage License ☐ Social Security Card

☐ Court Document ☐ Other _____

Name: _____ Ref.#: _____

Address: _____ Phone #: _____

NEW Name : _____

NEW Address / Phone: _____

Information requested - please specify type of information needed:

_____

_____

_____

(Please allow 5 – 10 full working days for reply)

Employee Signature: _____

****

DISTRICT OFFICE USE ONLY

Reply: _____

_____

Information processed & completed by: _____ Date: _____

PLEASE ROUTE:

- ❑ Certificated Personnel _____
- ❑ Classified Personnel _____
- ❑ HR/SEMS _____
- ❑ Business Office / Benefits _____
- ❑ Payroll _____
- ❑ Technology _____

DELANO UNION SCHOOL DISTRICT

REQUEST FOR TRANSFER / REASSIGNMENT

CLASSIFIED EMPLOYEE

Directions: 1) Please supply all information requested.
2) Submit your request to the District Personnel Office.

Name: _____

Address: _____ Telephone: _____

I would like to be considered for a transfer to (site): _____

Classification/Position: _____

Present Work Site: _____ Present Position: _____

Reason for request: _____

_____

Skills you could bring: _____

Employee Signature: _____ Date: _____

Immediate Supervisor's Approval: _____ _____
(Signature) (Date)

* *

DISTRICT OFFICE USE ONLY

Received at District Office by: _____ _____
(Signature) (Date)

Hire Date: _____ Seniority # _____

Test Scores: _____

Approved Denied

_____ _____ ☐ ☐
(Assist. Supt.of Human Resources' Signature) (Date)

Approved Denied

_____ _____ ☐ ☐
(Superintendent's Signature) (Date)

06/13

DELANO UNION SCHOOL DISTRICT
Working Together For A Brighter Future

Rosalina C. Rivera, Superintendent
A Linda Hinojosa RN, BSN, PHN – Director of Health Services
Sanjuana Esparza RN, BSN, PHN- Coordinator of Health Services
1842 Norwalk St. – Delano, CA 93215
Tel.(661)721-7036 Fax (661)721-7038

Adult Tuberculosis (TB) Risk Assessment Questionnaire

(To satisfy California Education Code Section 49406 and Health and Safety Code Sections 121525-121555)
To be administered by a licensed health care provider (physician, physician assistant, nurse, nurse practitioner)

Name: _____ Date of Risk Assessment: _____

Date of Birth: _____ History of positive TB test or TB disease Yes ☐ No ☐

Employee Signature: _____ Phone Number: _____

If yes, a symptom review and chest x-ray (if none performed in previous 6 months) should be performed at initial here.

If there is a "Yes" response to any of the questions #1-5 below, then a tuberculin skin test (TST) or Interferon Gamma Release Assay (IGRA) should be performed. A positive test should be followed by a chest x-ray, and if normal, treatment for TB infection considered.

Risk Factors	
1. One or more signs and symptoms of TB (prolonged cough, coughing up blood, fever, night sweats, weight loss, and excessive fatigue). Note: A chest x-ray and/or sputum examination may be necessary to rule out infectious TB.[1]	Yes ☐ No ☐
2. Close contact with someone with infectious TB disease	Yes ☐ No ☐
3. Foreign-born person (any country other than the United States, Canada, Australia, New Zealand, or a country in Western or Northern Europe).	Yes ☐ No ☐
4. Traveler to high TB-prevalence country for more than 1 month (any country other than the United States, Canada, Australia, New Zealand, or a country in Western or Northern Europe).	Yes ☐ No ☐
5. Current or former resident or employee of correctional facility, long-term facility, hospital, or homeless shelter	Yes ☐ No ☐

Once a person has a documented positive test for TB infection that has been followed by an x-ray that was deemed free of infectious TB, the TB risk assessment is no longer required.

CERTIFICATE OF COMPLETION

To be signed by the licensed health care provider completing the risk assessment and or/examination.

The above named patient has submitted to a tuberculosis risk assessment. The patient does not have risk factors, or if tuberculosis risk factors were identified, the patient has been examined and determined to be free of infectious tuberculosis.

Health Care Provider
Name (Please Print): _____ Title _____

Signature _____

Office Address 1405 12th Avenue
Telephone (661) 721-5000 Fax (661) 721-5014

Adapted from a form developed by Minnesota Department of Health TB Prevention and Control Program and Centers for Disease Control and Prevention. Centers of Disease Control and Prevention (CDC). Latent Tuberculosis Infection: A Guide for Primary Health Care Providers. 2013.
(http://www.cdc.gov/tb/publications/LTBI/default.htm California Tuberculosis Controllers Association January 2015

V.
Technology

INTRODUCTION TO DUESD TECHNOLOGY DEPARTMENT

Network Privileges

All employees who sign the Acceptable Use Policy (AUP) have a network login and password. Access is available from workstations based upon whether the employee works in the classroom or as administrative support. As the AUP indicates, the email account is restricted to business use. Internet access is filtered by legal requirements. Certain attachments are also restricted to protect the network from viruses and other malicious software.

Data Storage

All data is stored on network drives which are backed up daily; no data is stored on the local C: drive. If necessary, a technician may re-image a workstation which would destroy any data stored locally. Each user has a P: drive to hold private work data. This drive is not accessible by other users. There is also an S: drive for shared data. Folders in the shared drive are available for access by increasingly more District users as they move from Site to District. Depending upon where the file is saved, it becomes available across the network to anyone else who belongs to the group. Only group members have access to the named folder.

Security

Internet and email filtering is in place, as well as antivirus software; however, no filter is perfect. It is expected that employees use discretion in accessing the Internet to prevent access to inappropriate web sites. In order to pass data from home to school and back, there are several ways to proceed. Flash drives, CDRs, and Google Docs/Drive are acceptable, as are most email attachments. Most graphic attachments are prohibited.

Software Availability

District-standard productivity software is available on the network. All software must be installed by Technology staff due to such issues as strict observance of copyright restrictions and minimizing software conflicts.

Admonition

Please refrain from passing around spam emails to other employees via the District's email system or placing any personal files such as family event pictures and videos, personal music files, etc., on the network. These items use up storage and bandwidth that are needed for daily operations. In addition, please remove old or unused files in your P: and Shared drive locations. The District reserves the right to remove any files it deems unnecessary at its discretion.

DELANO UNION ELEMENTARY SCHOOL DISTRICT
ELECTRONIC ON-LINE SERVICES
RULES OF INTERNET ETIQUETTE "NETIQUETTE"

- Be Polite. Never send, or encourage others to send, abusive messages.
- Use Appropriate Language. Remember that you are a representative of not only yourself but also your school on a publicly accessible system. You may be alone with your computer, but what you say and do can be viewed globally! Never swear, use vulgarities, or any other inappropriate language. Illegal activities of any kind are strictly forbidden.
- Privacy. Remember that revealing your own phone number and address can result in unwanted intrusions of your privacy and should be viewed in the same light as a public listing in a telephone directory. Users shall have no expectation of privacy and understand that the District has the right to monitor and examine all system activities to ensure proper use of the system.
- Electronic Mail. Electronic mail (E-Mail) is not guaranteed to be private. Messages relating to or in support of illegal or unethical activities must be reported to the District.

Recommended Practices

- Use accurate and descriptive titles for your articles and subject lines for your e-mail. Tell people what it is about before they read it.
- Get the most appropriate audience for your message, not the widest. Avoid posting and bulk mailing of large messages.
- Remember that if you post to multiple groups, specify all groups in a single message.
- Be brief. Fewer people will bother to read a long message.
- Minimize spelling errors and make sure your message is easy to understand and read.
- Forgive the spelling and grammatical errors of others.
- Remember that humor and satire are very often misinterpreted.
- Post only to groups you know.
- Cite references for any facts you present.
- Keep signatures brief.
- Remember that all network users are human beings. Don't "attack" correspondents; persuade them with facts.

05013R4/97WHITE-D

DUSD Media Relations Board Policy 1112

The Governing Board respects the public's right to information and recognizes that the media significantly influence the community's understanding of school programs. In order to develop and maintain positive media relations, the Board and the Superintendent desire to reasonably accommodate media requests for information and to provide accurate, reliable and timely information.

Media representatives are welcome at all Board meetings and shall receive meeting agendas upon request in accordance with Board policy.

(cf. 9322 - Agenda/Meeting Materials)

Media representatives, like all other visitors, shall register immediately upon entering any school building or grounds when school is in session.

(cf. 1250 - Visitors/Outsiders)
(cf. 3515.2 - Disruptions)

Staff may provide the media with student directory information, including, but not limited to, the name of a student, school of attendance, grade level, honors, and activities, unless the student's parent/guardian has submitted a written request that such information not be disclosed. The district shall not release information that is private or confidential as required by law, Board policy or administrative regulation. No other access to student records or personally identifiable student information may be provided without written parent/guardian permission.

(cf. 1340 - Access to District Records)
(cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information)
(cf. 5125 - Student Records)
(cf. 5125.1 - Release of Directory Information)
(cf. 9010 - Public Statements)
(cf. 9321.1 - Closed Session Actions and Reports)

Interviewing and Photographing Students

The district shall not impose restraints on students' right to speak freely with media representatives at those times which do not disrupt a student's educational program. However, interviews of students may not create substantial disorder or impinge on the rights of others. Therefore, in order to minimize possible disruption, media representatives who wish to interview students at school are strongly encouraged to make prior arrangements with the principal. At their discretion, parents/guardians may instruct their children not to communicate with media representatives.

In order to protect the privacy and safety of students, a media representative who wishes to photograph students on school grounds should first make arrangements with the principal or designee.

When interviewing or photographing a special education student, he/she shall not be identified as a special education student without prior, written parent/guardian permission.

Media Communications Plan

In order to help develop strong relations with the media, the Superintendent or designee shall develop a proactive media communications plan. This plan may include, but not be limited to, information related to district programs and needs, student awards, school accomplishments and events of special interest.

(cf. 0510 - School Accountability Report Card)
(cf. 1100 - Communication with the Public)(cf. 1160 - Political Processes)

DUSD Media Relations BP 1112 (Continued)

The plan shall specify the district's and/or site's primary media contact to whom all media inquiries shall be routed. Spokespersons designated to speak to the media on behalf of the district include the Board president, Superintendent and public information officer. Other Board members and staff may be asked by the Superintendent or designee to speak to the media on a case-by-case basis, depending on their expertise on an issue.

The Superintendent or designee shall provide training on effective media relations to all designated spokespersons.

(cf. 9240 - Board Development)

Crisis Communications Plan

During a disturbance or crisis situation, the first priority of school staff is to assure the safety of students and staff. However, the Board recognizes the need to provide timely and accurate information to parents/guardians and the community during a crisis. The Board also recognizes that the media have an important role to play in relaying this information to the public. In order to help ensure that the media and district work together effectively, the Superintendent or designee shall develop a crisis communications plan to identify communication strategies to be taken in the event of a crisis.

(cf. 0450 - Comprehensive Safety Plan)
(cf. 3516 - Emergencies and Disaster Preparedness Plan)

The crisis communications plan may include but not be limited to identification of a media center location, development of both internal and external notification systems, and strategies for press conference logistics.

The Superintendent or designee shall include local law enforcement and media representatives in the crisis planning process.

DUSD District and School Websites BP 1113

To enhance communication with students, parents/guardians, staff, and community members, the Governing Board encourages the Superintendent or designee to develop and maintain district and school websites. The use of district and school websites shall support the district's vision and goals and shall be coordinated with other district communications strategies.

Design Standards

The Superintendent or designee shall establish design standards for district and school websites in order to maintain a consistent identity, professional appearance, and ease of use.

District design standards shall require an evaluation of products, features, and content accessible to students on district and school websites to prevent access to harmful or potentially harmful material.

The district's design standards shall address the accessibility of district and school websites to individuals with disabilities, including compatibility with commonly used assistive technologies.

Website Content

The Superintendent or designee shall develop content guidelines for district and school websites and assign staff to review and approve content prior to posting.

Board policy pertaining to advertising in district and school publications, as specified in Board Policy 1325 - Advertising and Promotion, shall also apply to advertising on district and school websites.

Privacy Rights

The Superintendent or designee shall ensure that the privacy rights of students, parents/guardians, staff, Board members, and other individuals are protected on district and school websites.

Telephone numbers and home and email addresses of students and/or their parents/guardians shall not be published on district or school websites.

Photographs of individual students shall not be published on district or school websites accompanied by the student's name or other personally identifiable information without the prior written consent of the student's parent/guardian.

If students' names are not included, photographs of individual students or groups of students, such as at a school event, may be published on school or district websites.

Employees' home addresses, personal telephone numbers, and personal email addresses shall not be posted on district or school websites.

The home address or telephone number of any elected or appointed official including, but not limited to, a Board member or public safety official, shall not be posted on district or school websites without the prior written permission of that individual. (Government Code 3307.5, 7928.205, 7920.535)

No public safety official shall be required to consent to the posting on the Internet of the public safety official's photograph or identity as a public safety officer for any purpose if that officer reasonably believes that the disclosure may result in a threat, harassment, intimidation, or harm to the officer or the officer's family. (Government Code 3307.5)

DUSD District and School Websites Administrative Regulation 1113

Design Standards

The Superintendent or designee shall develop design standards for district and school websites that include, but are not limited to, guidelines to ensure the clear organization of the material, readability of the font type and size, and simplicity of the navigation structure linking the content on the website. Such standards shall take into consideration the ease of use on a wide range of devices.

In accordance with the requirements of the Americans with Disabilities Act and Section 504 of the federal Rehabilitation Act of 1973, district and school websites shall contain features that ensure accessibility for individuals with disabilities, which may include, but are not limited to, captions for videos and multimedia presentations, text alternatives to images, provision of sufficient time to use the content, avoidance of flashing images, adequate contrast in visual presentations, and/or other features that meet applicable standards for website accessibility. The Superintendent or designee shall regularly review district and school websites and modify them as needed to ensure legal compliance with accessibility standards.

Website Content

As applicable, district and school websites shall provide current information regarding the district's mission and goals, district/school programs and operations, district/school news, agendas and minutes of Governing Board meetings, School Accountability Report Cards, school calendars, links to educational resources.

With approval of the principal, individual teachers may create web pages linked to the district or school website to provide information pertaining to class assignments, expectations, and activities.

Student work may be published on district or school websites provided that both the student and the student's parent/guardian provide written permission or the work is part of an existing publication such as a school newspaper.

Any copyrighted material to be posted on a district or school website shall be submitted to the Superintendent or designee together with the permission of the copyright owner to reprint the material. Any copyrighted material submitted without the copyright owner's permission shall only be posted on a district or school website if the Superintendent or designee determines that the material is in the public domain or that the intended use meets the criteria for fair use or another exception pursuant to 17 USC 107-122. When any copyrighted material is posted, the website shall include a notice crediting the copyright owner and, as necessary, shall note that permission to reprint the material was granted.

Whenever a district or school website includes links to external websites, it shall include a disclaimer that the district is not responsible for the content of external websites.

Roles and Responsibilities

Any employee assigned as a district or school webmaster shall be responsible for the uploading of material to the website(s) upon approval of the Superintendent or designee. The employee shall review district and school websites to ensure consistency with district standards, regularly check links for accuracy and appropriateness, keep the web server free of outdated or unused files, and provide technical assistance as needed.

The Superintendent or designee may assign additional staff members to conduct editorial reviews of all materials submitted for publication on district or school websites and to make corrections as needed in spelling, grammar, or accuracy of content.

DUSD District and School Websites Administrative Regulation 1113

The Superintendent or designee shall provide staff development opportunities related to district content guidelines, design standards, and accessibility laws and standards to district communications and technology staff, district and school webmasters, and/or other appropriate staff.

Security

Pursuant to Education Code 35266, districts that experience a cyberattack which impacts more than 500 students or personnel are required to report such cyberattack to the California Cybersecurity Integration Center.

The Superintendent or designee shall establish security procedures for the district's computer network to prevent unauthorized access and changes to district and school websites. To the extent possible, the host computer(s) shall be in a lockable room with restricted access.

DUSD District-Sponsored Social Media Board Policy 1114

The Governing Board recognizes the value of social media to share district information with families and the community and promote community involvement and collaboration in district decisions. The purpose of any official district social media account shall be to further the district's vision and mission, to support student learning and staff professional development, and to enhance communication and engagement with students, families, staff, and community members. The Superintendent or designee shall ensure that the content posted by the district on an official district social media account is accessible to individuals with disabilities.

The Superintendent or designee shall develop content guidelines and protocols for official district social media accounts to ensure public access, appropriate and responsible use, and compliance with law, board policy, and administrative regulation.

Guidelines for Content

Official district social media accounts shall be used only for their stated purposes and in a manner consistent with this policy and administrative regulation. This policy is not intended to create an open public forum or otherwise guarantee an individual's right to free speech on any of the official district social media accounts even if one or more features on the account that permit interaction with and between members of the public are enabled.

The Superintendent or designee shall ensure that the limited purpose of official district social media accounts is clearly communicated to users. Each account shall contain a statement specifying the purposes of the account, that the account shall only be used for such purposes, and any other user expectations or conditions as specified in the accompanying administrative regulation.

Official district social media accounts may not contain content that is obscene, libelous, or so incites students as to create a clear and present danger of the commission of unlawful acts on school premises, violation of school rules, or substantial disruption of the school's orderly operation.

Staff or students who post prohibited content or otherwise engage with an official district social media account in a manner that violates board policies and administrative regulations shall be subject to discipline in accordance with such applicable policies and regulations.

Users of official district social media accounts, and anyone who posts, replies, or otherwise leaves a digital footprint on an official district social media account, should be aware of the public nature and accessibility of social media and that such information posted or left on an official district social media account may be considered a public record subject to disclosure under the Public Records Act.

Privacy

To the extent practicable, the Superintendent or designee shall ensure that the privacy rights of students, parents/guardians, staff, Board members, and other individuals are protected on official district social media accounts.

As it pertains to the posting of student photographs and the privacy of telephone numbers, home addresses, and email addresses, official district social media accounts shall operate in accordance with Board Policy 1113 - District and School Websites.

Social media and other online platforms shall not be used by district employees to transmit confidential information about students, employees, or district operations.

DUSD District- Sponsored Social Media Administrative Regulation 1114

Definitions

Social media means any online platform for collaboration, interaction, or active participation, or that allows users to post content, including, but not limited to, social networking sites such as Instagram, TikTok, Facebook, X/Twitter, SnapChat, YouTube, and LinkedIn.

An official district social media account is an account on a social media platform authorized by the Superintendent or designee.

An account that contains content related to the district or comments about district operations but that has not been created based on authorization or direction from the Superintendent or designee, such as an account created by a parent-teacher organization, booster club, or other school-connected organization or a student's or employee's personal account, is not an official district social media account.

School-level employees such as teachers and coaches shall obtain authorization from the school principal before creating an official social media account.

Guidelines for Content

Each official district social media account shall contain content that is useful and appropriate for all audiences.

District employees or agents in charge of posting or adding information to an official district social media account shall ensure that copyright laws are not violated in the use of material on official district social media accounts.

The Superintendent or designee shall ensure that official district social media accounts are regularly monitored. Staff members responsible for monitoring content may remove posts or even suspend users from interacting with the account only based on viewpoint-neutral considerations, such as lack of relation to the account's purpose or violation of board policies or administrative regulations.

Each official district social media account shall, as appropriate, prominently display a link to this regulation or a statement that includes Items #1-10, below:

1. The purpose(s) of the account, such as providing information to a class, school community, athletic team, or student club; engaging with the public regarding district decisions and Governing Board meetings; and sharing information regarding employment opportunities with the district

2. Users shall use the site only for those intended purposes

3. The account is regularly monitored and any inappropriate interaction will be promptly removed, blocked, or similarly addressed. Inappropriate interactions include, but are not limited to, interactions that:

    a. Are obscene, libelous, or so incite students as to create a clear and present danger of the commission of unlawful acts on district premises, violation of district or school rules, or substantial disruption to the district or school's orderly operation

    b. Are not related to the stated purpose of the account, including, but not limited to, threats, comments of a commercial nature, political activity, and comments prohibited by board policies and administrative regulations

4. Users are expected to communicate in a respectful, courteous, and professional manner and are personally responsible for their use of the account

5. The district is not responsible for the content posted by other users or how other users interact with the account

6. The views and comments expressed by other users on the account belong to those users and do not necessarily reflect the views of the district

7. Any user's reference to a specific commercial product or service does not imply endorsement or recommendation of that product or service by the district

8. The individual(s) to contact regarding violation of district guidelines on the use of official district social media accounts

9. Violations may be reported to the appropriate social media platform, law enforcement, or other third parties, as appropriate

10. A user may be suspended from interacting with the account for one month upon three prior violations and for six months upon two prior one-month suspensions

Appropriate Use by District Employees

District employees who participate in official district social media accounts shall adhere to all applicable board policies and administrative regulations, including, but not limited to, professional standards related to interactions with students.

When appropriate, employees posting, replying, or otherwise interacting with the public outside of their professional duties or responsibilities on official district social media accounts shall identify themselves by name and district title and include a disclaimer stating that the views and opinions expressed in their post are theirs alone and do not necessarily represent those of the district or school.

All staff shall receive information about appropriate use of the official district social media accounts.

DISTRICT SOCIAL MEDIA POLICY

Delano Union School District

The Delano Union School District recognizes the common use of e-mail, text messaging, and online social media in everyday life, and support the use of such technology to facilitate District programs and to allow departments and school sites to build a more successful parent, community, student, and employee network.

The District's guidelines pertain to the use of personal email, text messaging, and online social media. The guidelines for use of District email, text messaging, and social media are contained in BP 1114 and BP 4040.

A. Definitions:

"Email" means an employee's personal email account and not any District provided email that is subject to the District's Acceptable Use Policy.

"Text," "texts," or "text messaging" refers to the use of any form of personal instant messaging technology not utilizing District-provided technology."

"Social Media" includes the various online technology tools or platforms that enable people to communicate over the internet to share information, and content. Social media can include text, audio, video, images, podcasts, and other multimedia communications. These websites not only provide information, but allow for interaction during this informational exchange through user-generated content. Some specific examples include (but are not limited to):

- Facebook
- Instagram
- Snapchat
- Twitter
- TikTok
- YouTube
- LinkedIn
- Any District social media site

"Personal Social Media" includes all social media accounts that an employee may utilize that is not associated with an official District social media platform the employee is expected to utilize in the performance of their duties (i.e, Blackboard, Class Dojo, Remind, etc.).

"Technology" includes computers, notebooks, tablets, the Internet, telephones, cellular telephones, or any wireless communication device.

"District Technology" is that which is owned or provided by the District. "Personal Technology" is non-District owned technology.

B. Official District Social Media Presence

The guidelines for official District social media are contained in Board Policy 1114.

C. Guidelines for Use of Personal Social Media

1. **Authorization**. Personal social media should not include any representation of being official District social media.

2. **Content Disclaimer**. Any approved official presence on social media site outside of official district social media shall include the following text:

   "The views expressed on this site do not reflect the views of the Delano Union School District. This site contains user-created content which is not endorsed by the District. The purpose of this site is" … (then specify the purpose).

3. **District Logo.** The use of the District logo(s) on a personal social media site must be approved by the HR Department.

4. **Guidelines for Off-Campus versus On-Campus Use of Personal Social Media, Text, Email and Internet.** Although staff members enjoy free speech rights guaranteed by the first Amendment to the United States Constitution, certain types of communication, typically by virtue of their subject- matter connection to campus or District, may relate enough to school to have ramifications for the author or subject at the District site.

   District employment related electronic communications, including use of personal technology, are governed by the District Acceptable Use Policy. Where approved by the employee's supervisor in advance, an employee may make minimal use of personal technology, texts and email, as long as that use does not violate this Policy or the Acceptable Use Policy, does not result in any additional fee or charge to the District, and does not interfere with the normal business practices of the District or the performance of the employee's duties. Personal social media shall not be used during on-duty hours and no supervisor has authority to authorize use of personal social media during on-duty hours.

5. **Work/Personal Distinction** – Staff members are strongly encouraged to maintain a clear distinction between their personal social media use and any District- related social media sites. Staff are strongly encouraged not to include employment information in personal social media profiles and/or accounts.

6. **Student Photographs.** Absent express parent permission for a specific school-related purpose, staff members may not send, share, or post pictures, text messages, e-mails or other material that personally-identifies District students in electronic or any other form of personal social media, email or texts. Staff members may not use images of students, e-mails, or other personally- identifiable student information for any reason.

7. **Professional Effectiveness**. District employees must be mindful that any Internet information is ultimately accessible to the world. To avoid jeopardizing their professional effectiveness, employees are encouraged to familiarize themselves with the privacy policies, settings, and protections on any social networking websites to which they choose to subscribe and be aware that information posted online, despite privacy protections, is easily and often reported to administrators, exposed to District students and their families, or other members of the school community.

8. **Personal Social Networking & Media Accounts.** Before employees create or join an online social network, they should ask themselves whether they would be comfortable if a "friend" decided to send the information to their students, the student's parents, or the employee's supervisor. Educators must give serious thought to the implications of joining an online social network.

9. **Responsible Online Identity Monitoring**. Employees are encouraged to monitor their "online identity" by performing search engine research on a routine basis in order to prevent their online profiles from being fraudulently compromised or simply to track information posted or searchable about them online. Often, if there is unwanted information posted about the employee online, that employee can contact the site administrator in order to request its removal.

10. **"Friending" District Students.** Except as provided below, employees are discouraged from having online interactions with students on personal social media or via personal email or texts. District employees' social networking profiles should not be linked to District students' online profiles.

11. **Contacting Students Off-Hours**. Employees are strongly encouraged to refrain from using personal social media, email or text messaging for online interaction with students without first having obtained the consent of the student's parent or guardian. District employees must never disclose confidential information possessed by the employee by virtue of his or her District employment.

12. **Ethical Standards and Professional Behavior**. The Governing Board expects District employees and associated persons to maintain the highest ethical standards, exhibit professional behavior, 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 – whether that interaction is in person or via electronic means.

    Off-campus internet usage is normally unrelated to school; however, off-campus use of personal technology/devices, including use of social media, texts and email, may violate District policy under Board Policies 4119.21, 4219.21, and 4319.21 if the conduct or speech will cause actual, material disruption of school activities or adversely impact a staff member's ability to perform his or her job duties in a satisfactory manner and/or, fails to enhance the integrity of the district, advances the goals of the district's educational programs, and/or contributes to a positive school climate.

    Because online content can be spread in mere seconds to a mass audience, the District encourages employees to ask themselves before posting any information online whether they would be comfortable having this information printed in the newspaper alongside their photo. If you would not post it in the classroom, do not post it online!

13. **Exception for Related Students.** Notwithstanding the provisions of the personal email, text messaging and social media guidelines, the District recognizes that employees may have relatives who are also students of the District. Employees may use personal email, texts, and social media, including photographs of these family members, for communication with these students, to the extent such usage does not interfere with the employee's assigned duties, and so long as such usage does not violate the Acceptable Use or other District policy. For the purpose of this policy, "relatives" include brothers, sisters, sons, daughters, grandchildren, step-children, aunts/uncles, in-laws, cousins, nieces, nephews, or persons for whom the employee serves as legal guardian.

DISTRICT SOCIAL MEDIA POLICY

Adopted: October 3, 2016
Revised: October 3, 2022

District employees who fail to comply with the DISTRICT SOCIAL MEDIA POLICY may be subject to administrative discipline and/or legal action.

DUSD Employee Use of Technology Board Policy 4040

The Governing Board recognizes that technological resources enhance employee performance by offering effective tools to assist in providing a quality instructional program; facilitating communications with parents/guardians, students, and the community; supporting district and school operations; improving access to and exchange of information; enriching curriculum; and enhancing student learning.

District technology includes, but is not limited to, computer hardware, software, or software as a service provided or paid for by the district, whether accessed on or off site or through district-owned or personally owned equipment or devices, including tablets and laptops; computer servers, wireless access points (routers), and wireless computer networking technology (wi-fi); the Internet; email; applications (apps), including artificial intelligence (AI) apps; telephones, cellular or mobile telephones, smartphones, smart devices, and wearable technology; or any wireless communication device, including radios.

Employees shall review the prohibited and permitted uses of technology as specified in Board Policy 5131.9 - Academic Honesty, be responsible for the appropriate use of technology, and use district technology primarily for purposes related to their employment consistent with board policies and administrative regulations.

An employee may use technology, including AI apps, to assist the employee in the performance of the employee's professional duties, including, but not limited to, the following specific tasks: developing syllabi, creating curriculum, reviewing student work, suggesting instructional strategies, and researching academic content or instructional techniques. Any employee using technology, including AI, shall review and be responsible for any final product or document; not share confidential student records with a third party, such as an AI app, except as permitted by law; use the technology in accordance with Board Policy 6162.6 - Use of Copyrighted Materials, and in a manner otherwise consistent with law, board policies, and administrative regulations. If an employee is unsure about the appropriate use of technology, the employee shall confer with the Superintendent or designee before using.

As determined by the Superintendent or designee, employees shall receive professional development in the appropriate use of these resources, including in the use of AI apps.

The Superintendent or designee shall establish an Acceptable Use Agreement which outlines employee obligations and responsibilities related to the use of district technology, including the use of AI apps. Upon employment and whenever significant changes are made to the district's Acceptable Use Agreement, employees shall be required to acknowledge in writing that they have read and agreed to the Acceptable Use Agreement.

Employees shall not use district technology to access, post, submit, publish, display, or otherwise engage with harmful or inappropriate matter that is threatening, obscene, disruptive, sexually explicit, or unethical or that promotes any activity prohibited by law, board policy, or administrative regulations.

Harmful matter includes matter, taken as a whole, which to the average person, applying contemporary statewide standards, appeals to the prurient interest and is matter which depicts or describes, in a patently offensive way, sexual conduct and which lacks serious literary, artistic, political, or scientific value for minors. (Penal Code 313)

The Superintendent or designee shall ensure that all district computers with Internet access have a technology protection measure that protects against access to visual depictions that are obscene, child pornography, or harmful to minors and that the operation of such measures is enforced. The Superintendent or designee may disable the technology protection measure during use by an adult to enable access for bona fide research or other lawful purpose. (20 USC 7131; 47 USC 254)

DUSD Employee Use of Technology Board Policy 4040 (Continued)

The Superintendent or designee shall regularly review current guidance regarding cybersecurity, data privacy, and digital media awareness and incorporate recommended practices into the district's processes and procedures related to the protection of the district's network infrastructure, the monitoring and response to cyberattacks, ensuring data privacy, and managing suspicious and/or threatening digital media content, in accordance with Board Policy 3580 - District Records.

The Superintendent or designee shall annually notify employees in writing that they have no reasonable expectation of privacy in the use of any district technology, as defined above, even when using their personal devices. To ensure proper use, the Superintendent or designee may monitor employee usage of district technology at any time without advance notice or consent and for any reason allowed by law.

In addition, employees shall be notified that records, including communications, maintained on any personal accounts or devices used to conduct district business are subject to disclosure at the district's request, and pursuant to a subpoena or other lawful request.

Employees shall report any security problem or misuse of district technology to the Superintendent or designee.

Inappropriate use of district technology may result in a cancellation of the employee's user privileges, disciplinary action, and/or legal action in accordance with law, board policy, and administrative regulation.

Employees may access their mobile or other communications device if there is a need to seek emergency assistance, assess the safety of a situation, or communicate with a person to confirm the person's
safety. (Labor Code 1139)

DUSD Employee Acceptable Use Agreement of Technology Exhibit 4040

Personnel

ACCEPTABLE USE AGREEMENT AND RELEASE OF DISTRICT FROM LIABILITY (EMPLOYEES)

The Delano Union School District authorizes district employees to use technology owned or otherwise provided by the district as necessary to fulfill the requirements of their position. 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, 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 in order to avoid potential problems and liability. The district may place reasonable restrictions on the sites, material, and/or information that employees may access through the system.

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 the system.

Each employee who is authorized to use district technology shall sign this Acceptable Use Agreement as an indication that he/she has read and understands the agreement.

Definitions

District technology includes, but is not limited to, computers, the district's computer network including servers and wireless computer networking technology (wi-fi), the Internet, email, USB drives, wireless access points (routers), tablet computers, smartphones and smart devices, telephones, cellular telephones, personal digital assistants, pagers, MP3 players, wearable technology, 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 as a result of his/her 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 and authorization purposes, and shall use the system only under the account to which they have been assigned. Employees shall not gain unauthorized access to the files or equipment of others, access electronic resources by using another person's name or electronic identification, or send anonymous electronic communications. Furthermore, employees shall not attempt to access any data, 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, 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, placing a virus on district computers, 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, he/she shall abide by all applicable Board policies, administrative regulations, and this Acceptable Use Agreement. Any such use of a personally owned device may subject the contents of the device and any communications sent or received on the device to disclosure pursuant to a lawful subpoena or public records request.

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, he/she 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 this agreement may be reported to law enforcement agencies as appropriate.

Employee Acknowledgment

I have received, read, understand, and agree to abide by this Acceptable Use Agreement, BP 4040 - Employee Use of Technology, and other applicable laws and district policies and regulations governing the use of district technology. I understand that there is no expectation of privacy when using district technology or when my personal electronic devices use district technology. I further understand that any violation may result in revocation of user privileges, disciplinary action, and/or appropriate legal action.

I hereby release the district and its personnel from any and all claims and damages arising from my use of district technology or from the failure of any technology protection measures employed by the district.

Name: _____ Position: _____
(Please print)

School/Work Site: _____

Signature: _____ Date: _____

DELANO UNION SCHOOL DISTRICT TECHNOLOGY PROPERTY CHECKOUT AGREEMENT

While the primary purpose of the Delano Union School District's technology equipment is for use on site during the instructional day, there are times when it is appropriate for staff or students to check out equipment to be used for educational purposes beyond the school day. **All users will be required to sign this form before technology equipment can be taken to a location other than a District facility. Technology equipment may be checked out under the provisions of the Acceptable Use Policy.**

By completing and signing this form, I/we acknowledge and agree as follows:

1. All use of the District's technology equipment will be for educational purposes. At no time will the equipment be used for personal, commercial or business use, or for political or religious reasons.
2. To abide by the provisions of the District's Acceptable Use Policy and adhere to copyright law. This includes no unlawful copying for distributing of software.
3. To use ordinary care and diligence in protecting, safeguarding, and supervising use of the equipment, all components and accessories, and returning it to the District in the same condition it was in prior to checkout, excluding normal wear and tear; and to assume liability for any damage, loss, or theft of the equipment while in my care.
4. To participate in training in the use and care of technical equipment as provided by the District.
5. It is recommended that individuals who are assigned technology equipment have homeowners, renters and/or automobile insurance coverage in case of theft or loss.
6. Any technology equipment that is lost, stolen or damaged will result in financial loss to the School District. If it is determined that the loss of a system, or damage to a system is a result of the individual's failure to comply with School District policies and procedures, or because of the individual's intentional act, the individual will be required to reimburse the School District for the cost of replacement or repair of the device.
7. Technology equipment should not be left in vehicles due to risk of theft, as well as damage that may be incurred by excessive heat or cold.
8. Technology equipment should not be left in an unsecured location.
9. In cases of obvious neglect, abuse or violations, the technology equipment will be taken from the user and reassigned.
10. Problems with the functionality of the equipment must be reported to the District. No on-site home support will be available to users. If units need to be sent out for repair, loaner units will NOT be available.
11. All technology equipment must be recorded in the Delano Union School District technology inventory. The school reserves the right to perform a physical inventory of the hardware at any time.
12. Technology equipment will receive mandatory diagnostic checks and virus software at the discretion of the Delano Union School District technology department. At such times, the equipment will be returned to the District Technology Office at 1405 12th Ave Delano CA, 93215.
13. Technology equipment should be immediately returned upon request to the district technology department. Failure to do so will result in termination of check-out agreement.
14. Users are responsible for the backup of all personal data on the technology equipment. Delano Union School District assumes no liability for the loss of data. All personal information should be saved to an external source.
15. Individuals must report lost, damaged or stolen equipment within 24 hours to the District. Stolen equipment will be reported to the appropriate law enforcement agency to insure thorough investigations, pursuit of criminal prosecution and full restitution, when possible, to the fullest extent of the law.
16. To return the technology equipment to the school:
    a. On or before the due date on this agreement.
    b. Prior to the due date if requested by the authorizing supervisor or technology coordinator.
    c. When withdrawing.

ITEM INFORMATION

(To be completed by authorizing supervisor or resource coordinator)

Equipment Description	Brand, Make and Model	Serial Number

Date Checked Out: _____ Due Date: _____

Name: _____

Parent/Guardian Name (for student use only): _____ Home

Address: _____ Home

Telephone No.: _____ Cell: _____

I/We have read and agree to comply with the Technology Equipment Check-Out Agreement. I understand that any violation of the procedures may result in not having access to equipment for use away from District facilities. I also understand that I assume accountability and responsibility for any equipment.

I agree to release, indemnify and forever discharge the Delano Union School District, its successors and assigns, its agents and employees and all other persons, firms or corporations, who are or might be liable in any way, from and against any liability or responsibility whatever of any kind and nature, arising from and by reason of use of Delano Union School District's equipment and participation in its check out.

User signature: _____

Parent/Guardian signature (for student use only): _____

Date: _____

VI. California School Employee Association

What is CSEA?

The California School Employees Association is the largest classified school employees union in the United States. CSEA represents more than 230,000 public employees in California.

CSEA was formed in 1927 by a determined group of Oakland custodians who saw the need to gain protections for themselves and other classified employees. Through this initial determination, CSEA proved to be an organization that would stand the test of time.

Statewide Organization

The state is divided into ten geographic Areas. Each Area is represented by an Area Director elected by members in that Area. The Area Directors serve on the Board of Directors, along with five additional executive members of the Board who are elected at the annual CSEA conference.

The ten geographic Areas of CSEA are further divided into 100 Regions. Each Region is represented by a Regional Representative appointed by the State President. The Regional Representatives serve the State President for one year. Regional Representatives also serve on many crucial committees at the President's request.

CSEA is democratically controlled through members in more than 750 local chapters. Chapters elect officers, bargain collectively and implement CSEA programs locally. Chapters send delegates to the annual CSEA conference where resolutions and policies are discussed and the future direction for CSEA is democratically decided.

Professional Staff

The professional staff is headed by the Executive Director at Headquarters in San Jose. Other services housed in San Jose Headquarters are: Accounting, Field Operations, Human Resources, Information Systems, Legal, Member Benefits, Office Services, Public Relations, and Research.

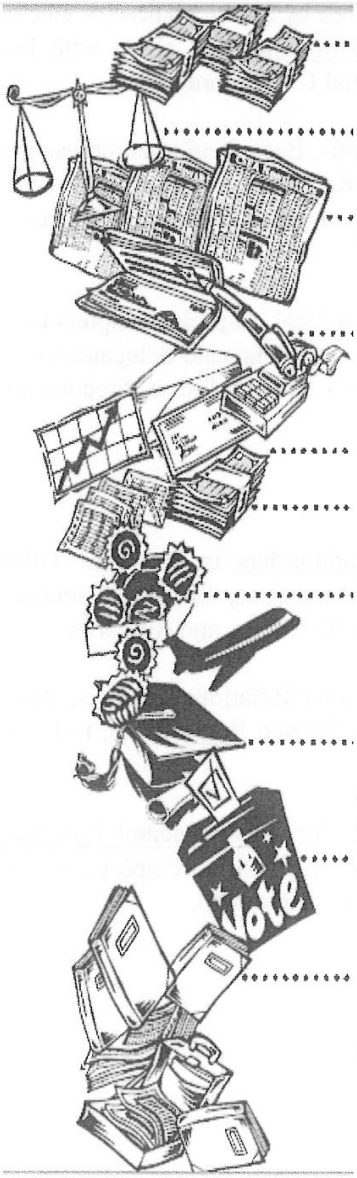
CSEA is served by Labor Relations Representatives statewide. The Labor Relations Representatives perform a range of professional services, working out of strategically located field offices, to better serve local membership.

CSEA also maintains a professional Governmental Relations staff. The Governmental Relations office is responsible for passing legislation favorable to the interests of classified employees. The Governmental Relations office is located adjacent to the state Capitol in Sacramento.

THE ADVANTAGES

of CSEA Membership

What Members Get



- Up to $10,000 Accidental Death Coverage
- Free legal advice on personal matters
- "On-line" members benefits guide, chapter newsletter and Focus Magazine
- Participation in the AFL-CIO Union Plus Programs
- Retirement planning services
- Discounts buying, including cars, computers, etc.
- Discounts on tickets including Disneyland, Knott's Berry Farm, Movies, See's Candy water parks, travel and much more!
- College scholarships and grants for members and their departments
- Voting rights on all tentative contract agreements with management
- Representation on contractual, disciplinary, DMV, unemployment and all other work-related issues

What Non-Members Get



Representation on contractual issues only

California School Employees Association

AFL-CIO

There's never been a better time to join CSEA.

AFL-CIO

ENJOY THE BENEFITS *of membership.*

When you join CSEA, you put yourself in good company. As a member, you'll benefit from CSEA's superior representation and negotiations skills, based on more than 80 year's experience in education law and school labor relations. You'll also be able to take advantage of many member-only discounts on merchandise, financial products, travel, insurance and entertainment.

If you haven't already done so, please consider completing the enclosed CSEA membership application (download one from www.csea.com or contact one of your E-board). The cost is basically the same whether you're a fee payer or member, so why not join today and enjoy the benefits of membership?

JOIN CSEA FOR *better pay & job security.*

Our union has worked hard over the years to achieve better wages. Improved benefits and job security for all employees. We've pioneered groundbreaking negotiations concepts—such as district-paid PERS, interest-based bargaining and classified career ladders—that have benefited generations of classified employees.

Now we're asking everyone to support CSEA, so we can achieve even more from classified employees.

HELP US CREATE *a better workplace.*

Every benefit we enjoy today has a history. It took CSEA's founding fathers 20 years to convince the Legislature that all classified employees deserved a pension plan. CSEA members risked their jobs to stand up for the basic rights we now take for granted, such as vacation, sick leave and overtime.

As history proves, when classified employees concentrate our power through CSEA, there's no limit to what we can achieve. And there is still more to do ... at our schools and colleges, in our communities and through legislation and political action. Won't you join us in standing up for classified respect, dignity and pride?

When everyone belongs to the union, we all benefit. Fill out and return the enclosed membership application today, and put yourself in good company with CSEA!

essential work | extraordinary workers

CSEA Classified School Employees AFL-CIO

Code of Ethics
California School Employees' Association

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; therefore, the California School Employees' Association proposes this Code of Ethics as a standard for its members.

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.

4. At all times be courteous in my relations with students, parents, teachers and others.

5. Be a resourceful person who adapts himself to change.

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 citizen to my nation, my state, my school district, and my community.

9. Always bear in mind that the purpose of CSEA is to promote high standards of all school employees and that we shall be equally obligated to assist all fellow workers.

For more information about CSEA and what full service representation can do for you, contact your chapter leaders below:

California School Employees Association

Chapter 175 Executive Board

Chapter President
Irene Abitago
(661) 474-4911

Chapter Vice President
Jose Parra
(661) 721-5000

Chapter Secretary
Jacqueline Mendoza
(661) 721-3601

Chapter Treasurer
Consuelo Corpuz
(661) 721-3601

Chapter Communications Officer
Lorena Tapia
(661) 721-3641

Chapter 175 Negotiations Team

Chapter President
Irene Abitago
(661) 474-4911

Negotiations Chairperson
Irene Abitago
(661) 474-4911

Clerical Representative
Leticia Feliscian
(661) 721-5000

Food Service Representative
Darla Palacpac
(661) 721-5075

Paraeducators Representative
Joann Singleterry
(661) 474-4911

MOT Representative
Javier Rubalcava
(661) 721-5015

Campus Supervisor/
Computer Technician Representative
Lorena Tapia
(661) 721-3641

California School Employees Association

AFL-CIO

VII. Miscellaneous

DUSD Communication with the Public Board Policy 1100

The Board of Trustees recognizes the district's responsibility to keep the public informed regarding the goals, programs, achievements, and needs of the schools and district and to be responsive to the concerns and interests of the community. The Superintendent or designee shall establish strategies for effective two-way communications between the district and the public and shall consult with the Board regarding the role of Board members as advocates for the district's students, programs, and policies.

The Superintendent or designee shall provide the Board and staff with communications protocols and procedures to assist the district in presenting a consistent, unified message on district issues. Such protocols and procedures may include, but are not limited to, identification of the spokesperson(s) authorized to speak to the media on behalf of the district, strategies for coordinating communications efforts and activities, and legal requirements pertaining to confidentiality as well as the public's right to access records.

The Superintendent or designee shall utilize a variety of methods to provide information to the public with access to information. Such methods may include, but are not limited to, district and school newsletters, web sites, social media, electronic communications, mailings, notices sent home with students, recorded telephone messages for parent/ guardian information, community forums and public events, news releases, meetings with education reporters and editorial boards, presentations at parent organization meetings, and meetings with representatives of local governments, community organizations, and businesses.

In developing communications strategies, the Superintendent or designee shall take into account the needs of all members of the public, including individuals with disabilities and those whose primary language is not English.

The Superintendent or designee may provide staff members with professional development to assist them in effectively responding to requests for information or assistance by parents/ guardians or members of the public.

The Superintendent or designee shall provide multiple avenues and opportunities for members of the public to give input on district and school issues and operations. Community members are encouraged to become involved in school activities, participate on district and school committees, provide input at Board meetings, submit suggestions to district staff, and use the district's complaint procedures as appropriate.

Mass Mailings at Public Expense

Newsletters or mass mailings regarding ballot measures, candidates, legislative activities, or any other campaign activities shall be sent and distributed in accordance with law and Board policy.

A mass mailing is prohibited if all of the following criteria are met: (Government Code 89001-89002)

1. The mailing involves sending a tangible item, such as a videotape, record, button, or written document, which is delivered by any means to recipients at their residence, place of employment or business, or post office box.

2. The item features a Board member or includes the name, office, photograph, or other reference to a Board member and is prepared or sent in cooperation, consultation, coordination, or concert with the Board member.

3. The costs of distribution, or any costs of design, production, and printing exceeding $50, are paid with district funds.

4. More than 200 substantially similar items, as defined in Government Code 89002, are sent in a single calendar month.

DUSD Communication with the Public Board Policy 1100 (Continued)

The above prohibition does not apply to the types of mass mailings specified in Government Code 89002(b), including, but not limited to: (Government Code 89002)

1. An item in which the Board member's name appears only in a roster containing the names of all Board members or in the letterhead or logotype of the stationery, forms, and envelopes of the district, a district committee, or the Board member

2. An announcement including only a single mention of the Board member's name which concerns a public meeting related to the Board member's duties or any official district event(s) for which the district is providing the use of its facilities, staff, or other financial support

3. A business card that contains only one mention of the Board member's name and no photograph of the Board member

However, any of the excepted mailings listed in items #1-3 above that meets the criteria for prohibited mass mailings shall not be sent within 60 days preceding an election in which a Board member to whom the mailing relates will appear on the ballot as a candidate. (Government Code 89003)

District and School Site Logos

The Superintendent or designee shall develop and maintain standardized graphic representations ("logos") for the district and for each school site for use in district-sponsored web sites, social media, publications, and other methods of communication with the public.

Authorization to utilize the district or school site logos may be granted by the Superintendent or designee to school-connected organizations, civic or community organizations, vendors, or others on a case by case basis in order to conduct district operations or to advance the educational mission of the district.

Use of the district and school site logos shall not be authorized for personal web sites, social media platforms, or any other personal publication; for communications associated with political campaigns or political advertising; or for public advocacy by individuals or organizations (unless associated with and authorized by the district in connection with ballot measures or other district-sponsored or district-supported initiative).

Comprehensive Communications Plan

The Superintendent or designee shall develop a written communications plan which establishes priorities for proactive community outreach to build support for district programs and issues. The plan shall identify specific communications goals aligned with the district's vision and goals for student learning. For each communications goal, the plan shall identify key messages, individuals or groups that can help the district achieve its goal, strategies tailored to each target audience, timelines, persons responsible for each activity, and budget implications.

As appropriate for each issue, target audiences may include parents/ guardians, the media, local governmental agencies, businesses, community organizations and civic groups, postsecondary institutions, health care professionals, child care providers, community leaders, state or federal legislators or agencies, and/or other segments of the public.

The plan shall incorporate strategies for effective communications during a crisis or other emergency situation that may arise.

DUSD Communication with the Public Board Policy 1100 (Continued)

The Superintendent or designee shall periodically evaluate the implementation and effectiveness of the district's communications plan and recommend to the Board whether the goals and key issues identified in the plan need to be revised to meet changing circumstances or priorities.

DUSD Publication or Creation of Materials Board Policy 4232

The Board of Trustees recognizes that district employees may create copyrightable materials at work, at home, or both at work and at home. The development of copyrightable materials during, or in part during, the work day shall be approved by the Superintendent or designee. However, the Superintendent or designee's approval or lack of approval shall not affect the district's ownership of copyrights for materials developed during work hours.

Materials written or developed by an employee during the normal school day are considered district property. (Education Code 60076, 17 USC 201)

Materials developed during both school and leisure hours are owned jointly by the employee and the district. In such cases, the Superintendent or designee shall ensure that a contractual agreement is made, clarifying the joint ownership. A partnership entity may be created to hold the copyright on behalf of both parties.

The Board may secure copyrights in the name of the district for all copyrightable works developed by the district. All royalties or revenues from these copyrights shall be used for the benefit of the district. (Education Code 35170)

The Board may market or license any noneducational mainframe electronic software developed by the district. Proceeds from this marketing or licensing shall be used exclusively for educational purposes. (Education Code 35182)

DUSD Soliciting and Selling Board Policy 4235

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 they are sponsored by the district. 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.

DUSD Employee Property Reimbursement Board Policy 4256.3

The Governing Board does not authorize payment for the reimbursement of employee personal property which may be stolen or intentionally destroyed or damaged while being used for work-related purposes.

DUSD Transportation Regulations for Students

The Delano Union School District has an excellent record of safe transportation for our bus-riding students. To safely transport your children, we have rules and regulations to assist students in understanding their responsibilities while riding the bus and while waiting at school bus stops. As concerned parents, we encourage you to discuss the rules and regulations listed below with your children. The school district wishes to thank the parents and guardians for their cooperation.

1. Upon registration of a new student, the parents or guardians of all students not previously transported in a school bus or school pupil activity bus shall be provided with written information on school bus safety. The information shall include, but not be limited to, all of the following:

    A. Red flashing crossover lights will be activated at every stop, whether a student is being escorted or not;
    B. A list or information of the school bus stops near each pupil's home;
    C. General rules of conduct at school bus stops;
    D. Escorting red light crossing instructions;
    E. School bus danger zones;
    F. Walking to and from school bus stops; and
    G. Procedures to follow when loading or unloading any student at their appropriate bus stop, school, or any other trip destination.

2. At least once in each school year, students shall receive safety instruction that includes, but is not limited to proper loading and unloading procedures, including escorting by the driver, proper passenger conduct, bus evacuation, and location of emergency equipment. Instruction shall include responsibilities of passengers seated next to an emergency exit. As part of the instruction, pupils shall evacuate the school bus through emergency exit doors.

3. Prior to departure on any school activity trip, all students riding on a school bus or school pupil activity bus shall receive safety instructions which includes, but is not limited to, location of emergency exits, and location and use of emergency equipment. Instruction may also include responsibilities of passengers seated next to an emergency exit. This information shall be documented prior to each trip departure by the bus driver.

4. Students who wish to get off at a school bus stop other than their designated stop must first get approval from the school office. The school will determine the method of communication necessary from their parent or guardian to generate a "pass" from the school office that will allow the student to get off at another stop.

5. School buses shall stop at all railroad crossings at all times. NO EXCEPTIONS.

6. School bus red flashing crossover lights.

    A. School bus red flashing crossover lights shall be activated at every bus stop where students load and unload the school bus whether students are escorted or not.

7. General rules of conduct at school bus stops

    A. Be at the bus stop 5 to 10 minutes before the posted arrival time of the bus.
    B. Wait on the sidewalk or walkway – NOT in the street.
    C. Wait until the bus arrives, stops and opens the door before approaching the bus.
    D. Keep your hands to yourself and do not push anyone.
    E. Stay at least six (12) feet away from the bus until instructed to board.
    F. Do not play games or with playground toys (balls, bats, etc.), at your bus stop

DUSD Transportation Regulations for Students (Continued)

8. Procedures to follow when loading any student at their appropriate bus stop, school, or other trip destination:
    A. Line up in single file away from the rear of the bus and off the street.
    B. Do not move toward the bus when it arrives to load students.
    C. Wait until the bus comes to a complete stop and the bus driver opens the door before you walk toward the bus to enter.
    D. Do not push or shove to get on the bus.
    E. Use the handrail going up the step when boarding the bus.
    F. Find a seat and remain seated at all times.
9. Procedures to follow when unloading any student at their appropriate bus stop, school or other trip destination.
    A. Stay seated until the driver opens the door of the bus.
    B. Allow students closest to the front of the bus to exit first.
    C. Do not push or shove to get off the bus.
    D. Use the handrail when going down the stairs to get off the bus.
    E. Do not jump to the ground. Step down.
    F. Move away from the bus.
    G. Never reach back into the bus through an open bus window.
    H. All students must be clear of the bus before the bus driver can continue on his/her route.
    I. Inform the driver if you drop an object near or under the bus. Do not try to retrieve it.
    J. Kindergarten students will not be allowed off the bus unless the parent/guardian or designated person is there to meet them.
10. Danger zones around the school bus.
    A. School buses are large vehicles. The drivers depend on their mirrors to monitor outside their buses. Danger zones exist around a bus. These are listed below:
    B. Danger areas around the bus are twelve (12) feet on either side of the bus, front rear.
    C. All students must clear this area before the bus driver can continue on the route.
    D. When you step off the bus, walk at least three (3) steps out from the door and remain at least a three-step distance from the bus. If you are close enough to touch the bus as you walk alongside, you are too close.
11. Red flashing light escorting procedures
    A. Students who must be escorted across the street after getting off the bus will be escorted by the bus driver.
    B. This procedure includes the use of red flashing crossover lights.
    C. The red flashing crossover lights are used as a signal to inform other motorists that they must stop until the lights are turned off.
    D. Students will line up at the curb and wait for the bus driver to give them a voice command to start across the street.
    E. Students will always cross in front of the bus, never behind the bus.
    F. Driver will wait until all students have reached the other side of the roadway safely before returning to the bus and turning off the red flashing crossover lights.
    G. Always listen for instructions from the driver
12. Transporting students in personal vehicles

    Any school district personnel who transports students in their personal vehicle must first have permission from the parent or guardian of that student and approval by the district superintendent or his/her designee. Proof of operational seat belts and auto insurance is mandatory.

The following list of student actions constitute violations of the established rules and regulations:

DUSD Guide to Students' Responsibilities While Riding School Buses

Transportation Safety

- Putting any part of body out of bus window
- Any movement out of seats while bus is in motion
- Unauthorized opening, closing, or tampering of any kind with bus doors and emergency exits
- Any type of damage or defacing of bus
- Bringing combustibles onto the bus
- Throwing any objects in, out of, or at the bus
- Transporting live animals, reptiles, or insects on the bus (science specimens are to be encased in safe containers of plastic or cardboard; glass containers will not be allowed on the bus)
- Eating, drinking, or chewing gum on the bus
- Using other than the student's regularly designated bus stop without proper authorization
- Tampering with radio or bus controls

Driver / Rider Safety

- Abusive body contact when loading, unloading or riding the bus
- Using profane language, obscene gestures or gang signs
- Creating excessive noise that distracts bus driver
- Failure to obey driver or disrespect to the bus driver
- Riding the bus after receiving "No Ride" penalty
- Any improper bus stop procedures, (e.g., not lining up, throwing objects, playing in streets, damaging property at bus stop)
- Giving improper identification when requested by bus driver
- Improper behavior
- Other

Transportation to and from school by school bus is a privilege and not required by law. Minimum penalties, as listed below, shall be used as guidelines for infractions of established rules.

1st Referral — Warning or possible bus-riding suspension. Telephone call or letter to parent/guardian if there is a bus-riding suspension.

2nd Referral — Warning or possible bus-riding suspension. Telephone call or letter to parent/guardian if there is a bus-riding suspension.

3rd Referral — Mandatory five (5) day bus-riding suspension letter or telephone call to parent/guardian.

4th Referral — Mandatory ten (10) day bus-riding suspension. Letter and telephone call to parent/guardian. A conference with parent/guardian will be required with transportation supervisor, bus driver, and the school principal during the ten (10) day suspension period before student can resume riding the bus.

5th Referral — Mandatory bus suspension for balance of school year. Letter and telephone call to parent/guardian.

IMMEDIATE SUSPENSION

- Severe misbehavior
- Caused or attempted to cause, or threatened to cause physical injury to a bus driver
- Student's actions have become a safety hazard

Authority of bus driver (Section 14263 California Administrative Code Title 5) states:

(a) Pupils transported in a school bus shall be under the authority of, and responsible directly to, the driver of the bus. The driver shall be held responsible for the orderly conduct of the pupils while they are on the bus or being escorted across a street, highway, or road. Continued disorderly conduct or persistent refusal to submit to the authority of the driver shall be sufficient reason for a pupil to be denied transportation. A bus driver shall not require any pupil to leave the bus in route between home and school or other destinations.

For additional information, please contact Mr. Carlos Graciliano, Director of MOT at 721-5015

Delano Union School District

BUS SCHOOL CONDUCT REPORT

SCHOOL_____ DATE_____ BUS #/RTE___/____
BUS CONDUCT REPORT #_____ BUS DRIVER (print)_____
_____(Student's Name) is being referred to the school administration for the following reason:

TRANSPORTATION SAFETY

- ☐ Putting any part of body out of bus window
- ☐ Any movement out of seats while bus is in motion
- ☐ Any type of damage or defacing of bus
- ☐ Bringing combustibles onto the bus
- ☐ Throwing any objects in, out of, or at the bus
- ☐ Eating, drinking, or chewing gum on bus
- ☐ Tampering with radio or bus controls
- ☐ Using other than the student's regularly designated bus stop
- ☐ Unauthorized opening, closing, or tampering of any kind, with the bus doors, emergency exits and windows
- ☐ Transporting live animals, reptiles or insects, on the school bus (Science specimens are to be encased in safe containers of plastic or cardboard, glass containers will not be allowed on the bus)

DRIVER/RIDER SAFETY

- ☐ Using profane language or obscene gestures
- ☐ Creating excessive noise that distracts bus driver
- ☐ Riding the bus after receiving "No Ride" penalty
- ☐ Failure to obey driver, or disrespect to the bus driver
- ☐ Abusive body contact in or when loading/unloading bus
- ☐ Giving improper identification when requested by bus driver
- ☐ Any improper bus stop procedures, (e.g., not lining up)
- ☐ OTHER IMPROPER BEHAVIOR: _____

_____

_____ _____
(SCHOOL ADMINISTRATOR'S SIGNATURE) (PARENT/GUARDIAN SIGNATURE)

_____
(BUS DRIVER'S SIGNATURE)

THIS NOTICE MUST BE SIGNED BY THE PARENT/GUARDIAN AND RETURNED TO THE SCHOOL OFFICE.

WHITE-M.O.T. YELLOW-PRINCIPAL PINK-DRIVER GOLDENROD-STUDENT

Delano Union School District

1405 – 12th Avenue – Delano, CA 93215 (661) 721-5000

APPLICATION FOR USE OF SCHOOL FACILITIES

(MUST BE RECEIVED BY M.O.T. 5 DAYS PRIOR TO DATE OF USE)

Organization: _____

Address: _____ **Phone:** _____

Facility Requested: **Site:** _____ **Building/Room:** _____

Kitchen Facilities: **Yes** ☐ **No** ☒ _____

Purpose of Activity: _____

Period of Use: **Month/Year** ____/____ **Time From:** ____:____ **Time To:** ____:____

Day(s) _____

Expected Attendance: _____ **Is the event open to the public?** **Yes** ☐ **No** ☐

Is an admission fee charged or contribution to be taken? **Yes** ☐ **No** ☐

If Yes, proceeds will be used for: _____

REQUEST FOR SET-UP AND SPECIAL EQUIPMENT

Please specify set-up instructions (i.e. tables, chairs, chorus risers): _____

_____

If a specific room set-up is needed, please attach a map

Technology Set-Up: ***Yes** ☐ **No** ☐ ***If Yes, please submit separate request to Technology Department.**

WEEKEND FACILITY USE

(Inter-District Only)

Will a custodian be needed? **Yes** ☐ **No** ☐ **If Yes, please specify: Open facility** ☒ **Close facility** ☒ **Other** ☒

If Other, please specify: _____

AGREEMENT FOR USE OF SCHOOL FACILITIES

Terms and Conditions: Subject to approval of the applications by the District, the undersigned agrees to the *Rules and Regulations Governing the Use of School Facilities* and that they be made a part of this agreement.

Name of Authorized Representative: _____ _____

(Type or Print) **Telephone**

Name of Contact Person: _____ _____

(Type or Print) **Telephone**

Supervising Administrator: _____ _____

(Type or Print) **Telephone**

Address: _____

Street **City** **State** **Zip**

Signature: _____ **Date:** _____

School Site/Department Program Code: _____

**********For School District Use Only**********

Reviewed by: _____ _____ _____

Site Administrator ***M.O.T. Director*** ***Business Office***

Submitted: **Certificate of Insurance:** **Required** ☐ **On File** ☐ **Hold Harmless Agreement** ☐

_____ **X** _____ **=** _____

Hourly Rate **Total Hours** **Total Facility Charge** **Custodian Fee:** _____

Facility Fee is Waived ☐ **YES**

The above application has been: Approved ☐ **Denied** ☐ **Date:** _____

White: M. O. T. **Yellow: Business Office**

Revised 06/2011 jlp

DELANO UNION SCHOOL DISTRICT
STUDENT ACCIDENT REPORT

Pupils Name		Age		Birthdate	

School Site _____ Grade _____ Male _____

Date of Accident _____ Time _____ Female _____

Location:
_____ Classroom
_____ Playground
_____ Restroom
_____ Corridor
_____ Way to School
_____ Way from School
_____ Cafeteria
_____ Other

Describe how the accident happened _____

Description of Injury (Be specific) _____

Was injured pupil negligent? Yes _____ No _____

Reason (check all that apply)
Not following rules _____
Unsafe use of equipment _____
Other _____

Name of Person(s) in charge of pupil of accident _____
Title of Person(s) in charge of pupil of accident _____

Name of Witnesses _____

Did the injury require professional emergency medical treatment? Yes _____ No _____
If yes, what action was taken? _____

Parent Notified? Yes _____ No _____

Name of Parent _____
Address _____
Phone _____

Date of Report _____ Prepared by _____ Principal's Signature _____

SITE ADMINISTRATIVE ACTION TAKEN:

_____ Kept in Classroom Time In _____
_____ Sent to Office Time Out _____
_____ Sent Back to Class Time Out _____
_____ Sent Home Time Out _____
_____ Released to Parent/Guardian Time Out _____

FIRST AID ADMINISTERED:

_____ Cleaned wound
_____ Applied Band-Aid
_____ Applied Ice Pack
_____ Other

Name of Person Picking Up Child _____
Comments _____

Distribution: Original – District Office
Yellow – School Site
Pink – Health Services

19005R2/2006NCR3

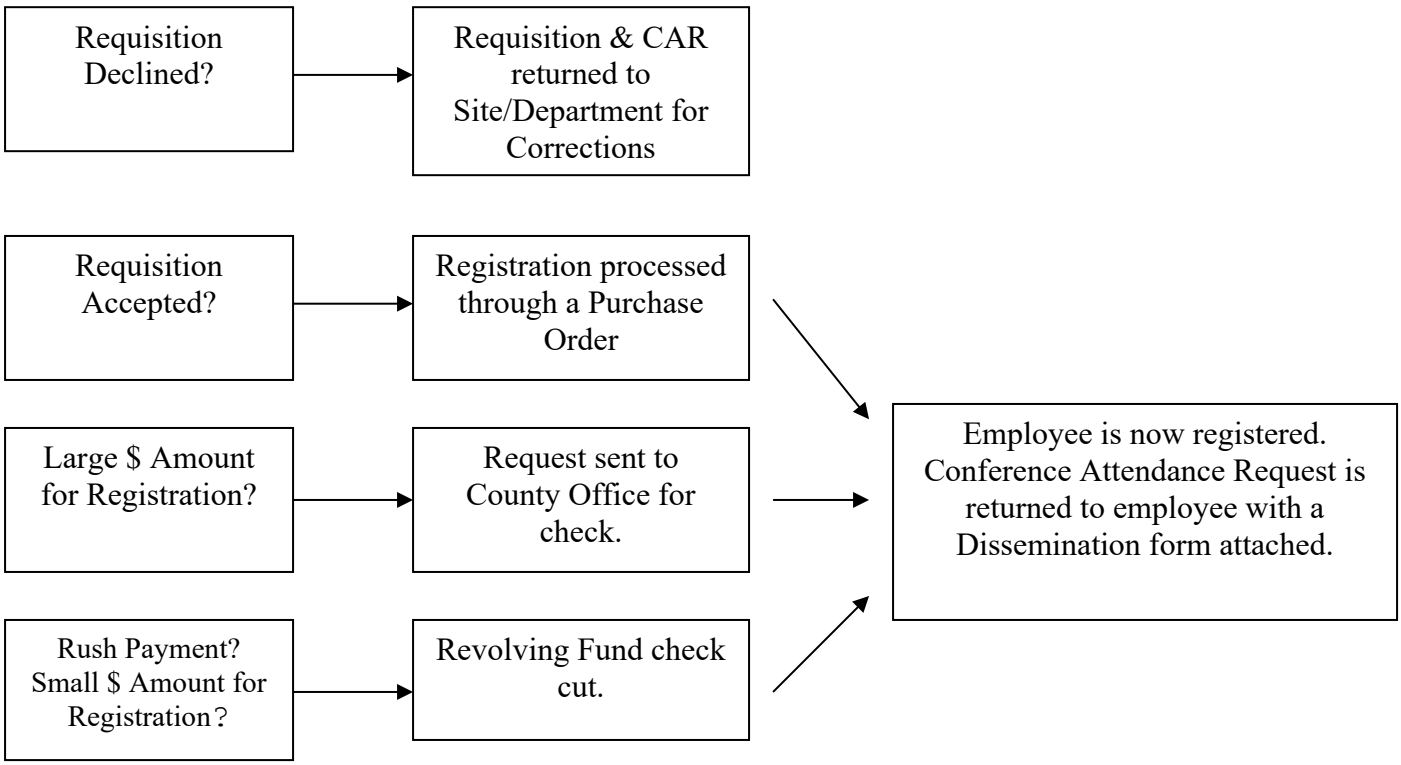
CONFERENCE ATTENDANCE REQUEST

Submit the following to the Business Office (Attn: Chevelle Madrigal), *at least three weeks in advance*.

1. Requisition
   - Please include the following in the body of the requisition:
     a. Conference Description
     b. When, where & who will be attending
     c. Cost for Attending
     d. Correct Account Classification
     e. Appropriate Signature(s)

2. Conference Attendance Request (CAR)
   - *Submit the CAR at least 3 weeks in advance of the conference*.
     a. Complete the top portion only
     b. Correct account classification
     c. Appropriate signature(s)
        - See Additional Notes
     d. Include a conference flyer, registration form, etc. (that shows: date, location, cost, and attendee)

IMPORTANT NOTE: If there is a series of workshops that are spread throughout the year, a Conference Attendance Form must be attached for each date attending.



Conference Attendance Request, Continued

3. Hotel Registration
    - A separate requisition must be filled out for hotel accommodations
        a. When, Where & Who will be attending
        b. Hotel rates, tax rate, confirmation #
        c. Correct account classification
        d. Appropriate signature(s)
        e. Attach supporting documentation from hotel

New Procedure! IMPORTANT NOTE: We do not make hotel reservations for employees. An employee may choose to reserve the room on his/her credit card, *which later will be transferred to the District American Express Card.*

4. Reimbursements
    - Upon returning from the Conference, submit CAR to the Business Office as follows:
        a. CAR Form with expenses completed and signed by attendees in appropriate areas.
        b. REQUIRED: Itemized receipt from hotel (reimbursement will not be processed without hotel information). Required to reconcile with American Express Statement.
        c. REQUIRED: Original receipts for parking, transportation, etc. (if requesting reimbursement).
        d. Workshop/Conference Dissemination of Activities (if applicable).

Additional Notes:

- Submit all requisitions and CAR's at the same time.
- All site generated requisitions and CAR's must be signed by the Principal or signed by the Vice Principal with the Principals initials.
- All administrator requisitions and CAR's must be approved by the Superintendent
- CAR's coded to a site other than the attendee must also be approved (initialed) by that site's representative.
- Return CAR's for cancelled conferences and/or unable to attends, as well.
- No Plain Paper CAR's will be accepted – Must submit CAR in NCR 4-Part Forms.
- If using Electronic version of CAR, remember they are updated annually, please use the most recent form available.

Reimbursements will not be issued until all necessary and proper paperwork has been returned.

DELANO UNION SCHOOL DISTRICT
CONFERENCE ATTENDANCE REQUEST

Name _____ Grade/Position _____ Site _____
Name of Conference _____ Date of Conference _____
Location _____ Registration Deadline _____
Today's Date _____ Date of Departure: _____ Date of Return: _____
Conference Registration Fee: $ _____ Advance Pmt. Required: _____ College Credit: _____

Check Payable To: _____
Mail Payment To: _____
Name
_____
Address
_____
City, State, and Zip Code

Charge to Acct. Code # _____

This is to certify the conference/ workshop addresses needs in _____ Component in the current school plan.
Initial of Principal / Site Resource Teacher: _____

Authorized by _____ (Superintendent/Designee) Date: _____

EXPENSES TO BE REIMBURSED (To be completed upon return from conference)

			BUSINESS OFFICE USE ONLY
Conference Registration Fees	$ _____	(attach receipt)	$
Hotel Expenses: _____ nights	$ _____ per day	(attach receipt)	$
Public Transportation Expense	$ _____	(attach receipt)	$
Private Auto (total miles driver only)	_____		$

Meals Dates	Breakfast (Max. $10)	Lunch (Max $11.50)	Dinner (Max. $24.50)	
_____	$ _____	$ _____	$ _____	$
_____	$ _____	$ _____	$ _____	$
_____	$ _____	$ _____	$ _____	$
_____	$ _____	$ _____	$ _____	$
_____	$ _____	$ _____	$ _____	$
	Other allowable expenses (receipts attached):			$
			Total Reimbursed Expenses	$

I hereby certify that the above is a correct statement of actual and necessary expenses.
Signature: _____ Date: _____

BUSINESS OFFICE USE ONLY

Conference Fee: _____	PV/PO/Rev Fund CHK # _____		$
Transportation _____	PV/PO/Rev Fund CHK # _____		$
Other Prepaid Expenses _____	PV/PO/Rev Fund CHK # _____		$
Other Prepaid Expenses _____	PV/PO/Rev Fund CHK # _____		$
Employee Reimbursement _____	Total Conference Cost		$

Approved for Payment _____ Date: _____

White - Business Office Canary - Originator Goldenrod – Instruction Pink – Human Resources

Revised 3/2007 NCR-4