

# **CLASSIFIED STAFF HANDBOOK 2019-2020**



**DELANO UNION SCHOOL DISTRICT**  

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**Working Together For A Better Education**

Delano Union School District (DUSD)  
1405 12<sup>th</sup> Avenue  
Delano, California 93215  
Phone: (661) 721- 5000  
Web: [www.duesd.org](http://www.duesd.org)

***Delano Union School District***  
**Office of Rosalina Rivera, Superintendent**

**Dear Staff Members:**

Welcome to the 2019-2020 school year! The attached handbook is a compilation of pertinent information regarding our DUSD policies, procedures, and forms. Please take an opportunity to review this material and know that my door is always open should you have any questions or concerns.

At the Delano Union School District, we are a community of caring educators who define our personal success in terms of the success of our students. I would personally like to thank you for the contributions you make to enhancing the lives of our students, parents, and the community at large as you continue to serve with excellence by giving your personal best every day.

Let's make this an extraordinary year!

**Best wishes,**



**Rosalina Rivera**  
**Superintendent**

***“One Team, One Vision”***

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# DELANO UNION SCHOOL DISTRICT

## Board of Trustees:

Dr. Efrain Rodriguez, President  
Frank Herrera Jr., Clerk  
Ramon Cardenas, Member  
Irene Martinez, 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 ..... Dr. Jason Kashwer  
Assistant Superintendent of Programs ..... April Gregerson  
Director of Business Services..... Chevelle Madrigal  
Director of Child Development Programs ..... C. Michael Bledsoe  
Director of Curriculum and Instruction ..... Kerry Wallace  
Director of Data Analysis ..... Jose Maldonado  
Director of English Language Development ..... Elva Hennessee  
Director of Food Services ..... John Chavolla  
Director of Health Services..... Linda Hinojosa  
Director of Maintenance, Operations and Transportation ..... Jack Tillman  
Director of Physical Education..... Ken Dyar  
Director of Safety and Security ..... James Hay  
Director of Special Education ..... Wendy Terrazas  
Director of Student Support Services ..... Tina Smith  
Director of Technology ..... Jahad Suboh

District Office: Monday through Thursday, 7:30 AM - 4:30 PM  
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**  
**2019 -2020 Site Administration**

<p style="text-align: center;"><b>Albany Park School</b>  235 W 20<sup>th</sup> Avenue  Delano, CA 93215  (661) 721-5020  <b>Karina Oropeza-Gonzalez – Principal</b>  <b>Michelle Gaeta – Vice Principal</b></p>		<p style="text-align: center;"><b>Morningside School</b>  2100 Summer Drive  Delano, CA 93215  (661) 721-2700  <b>Rick Chavez – Principal</b>  <b>Shirley Gibbs – Vice Principal</b></p>
<p style="text-align: center;"><b>Almond Tree Middle School</b>  200 W. 15<sup>th</sup> Avenue  Delano, CA 93215  (661) 721 – 3641  <b>Rodney Del Rio – Principal</b>  <b>May Zetina – Vice Principal</b></p>		<p style="text-align: center;"><b>Nueva Vista Language Academy</b>  120 Garces Highway  Delano, CA 93215  (661) 721-5070  <b>Joshua Herrera – Principal</b>  <b>Maria Alvizo – Vice Principal</b></p>
<p style="text-align: center;"><b>Cecil Avenue Math &amp; Science Academy</b>  1430 Cecil Avenue  Delano, CA 93215  (661) 721-5030  <b>Chris Juarez – Principal</b>  <b>Lionel Reyna – Vice Principal</b></p>		<p style="text-align: center;"><b>Pioneer School</b>  1001 Hiatt Avenue  Delano, CA 93215  (661) 474-4911  <b>Anna Wyatt – Principal</b>  <b>Claudia Marin – Vice Principal</b>  <b>Henry Valderrama II- Vice Principal</b></p>
<p style="text-align: center;"><b>Del Vista Math &amp; Science Academy</b>  710 Quincy Street  Delano, CA 93215  (661) 721-5040  <b>Ana Ruiz – Principal</b>  <b>Leticia Carreño – Vice Principal</b></p>		<p style="text-align: center;"><b>Princeton Street School</b>  1959 Princeton Street  Delano, CA 93215  (661) 721-5080  <b>Mark Ruiz – Principal</b>  <b>Jennifer Bork-Walters – Vice Principal</b></p>
<p style="text-align: center;"><b>Fremont School</b>  1318 Clinton Street  Delano, CA 93215  (661) 721-5050  <b>Teresa Cushnyr – Principal</b>  <b>Martha Barajas – Vice Principal</b></p>		<p style="text-align: center;"><b>Terrace School</b>  1999 Norwalk Avenue  Delano, CA 93215  (661) 721-5060  <b>Darrell Hennessee – Principal</b>  <b>TBD– Vice Principal</b></p>
<p style="text-align: center;"><b>Harvest School</b>  1320 Vassar Street  Delano, CA 93215  (661) 720-2725  <b>Janice Vargas– Principal</b>  <b>Ian Tablit – Vice Principal</b></p>		<p style="text-align: center;"><b>Food Services</b>  411 12<sup>th</sup> Avenue  Delano, CA 93215  (661) 721-5075  <b>John Chavolla – Director</b></p>
<p style="text-align: center;"><b>La Viña Middle School</b>  1331 Browning Road  Delano, CA 93215  (661) 721 – 3601  <b>Jennifer Townson – Principal</b>  <b>Juan Garcia – Vice Principal</b></p>		<p style="text-align: center;"><b>Maintenance, Operations, &amp; Transportation</b>  120 Ellington Street  Delano, CA 93215  (661) 721-5015  <b>Jack Tillman - Director</b></p>



# DISTRICT NORMS

## *Delano Union School District*

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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.

## **MISSION**

Our students will recognize and develop their talents, know that they are valued and will experience success through a world-class education. Our students will acquire a strong foundation for their future college and career endeavors.

## **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.

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## **DISTRICT NORMS**

**DRAFT: March 7, 2016**

**REVISED: June 11, 2018**

**ADOPTED: \_\_\_\_\_**

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



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

**DELANO UNION SCHOOL DISTRICT**  
**2019 - 2020 SCHOOL YEAR**

**STAFF CALENDAR**

JULY 2019						
S	M	T	W	TH	F	S
	1	2	3	◆	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	NP	*P	P			

AUGUST 2019						
S	M	T	W	TH	F	S
					P	3
4	5	6	7	8	9	10
11	12	13	▼	15	16	17
18	19	20	21	22	23	24
25	26	27	▼	29	30	31

SEPTEMBER 2019						
S	M	T	W	TH	F	S
1	◆	3	4	5	6	7
8	9	10	▼	12	13	14
15	16	17	▼	19	20	21
22	▲	▲	▲	▲	▲	▲
29	30					

OCTOBER 2019						
S	M	T	W	TH	F	S
		1	2	3	▲	5
6	7	8	9	10	11	12
13	14	15	▼	17	18	19
20	21	22	23	24	25	26
27	28	29	▼	31		

NOVEMBER 2019						
S	M	T	W	TH	F	S
						1
3	▲	▲	▲	▲	▲	9
10	◆	12	▼	14	15	16
17	18	19	20	21	▲	23
24	25	26	27	◆	●	30

DECEMBER 2019						
S	M	T	W	TH	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	▲	18	19	20	21
22	23	●	◆	26	27	28
29	30	●				

JANUARY 2020						
S	M	T	W	TH	F	S
			◆	2	3	4
5	6	7	8	9	10	11
12	P	14	15	16	17	18
19	◆	21	▼	23	24	25
26	▲	▲	▲	▲	▲	▲

FEBRUARY 2020						
S	M	T	W	TH	F	S
						1
2	3	4	▼	6	7	8
9	●	11	▼	13	14	15
16	◆	18	▼	20	21	22
23	24	25	26	27	28	29

MARCH 2020						
S	M	T	W	TH	F	S
1	▲	▲	▲	▲	▲	7
8	9	10	11	12	13	14
15	16	17	▼	19	20	21
22	23	24	25	26	27	28
29	30	31				

APRIL 2020						
S	M	T	W	TH	F	S
			▼	2	▲	4
5	6	7	8	9	●	11
12	●	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

MAY 2020						
S	M	T	W	TH	F	S
						1
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	▲	22	23
24	◆	26	27	28	29	30
31						

JUNE 2020						
S	M	T	W	TH	F	S
	1	2	3	4	5	6
7	8	9	▲	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

July 29 New Tchr Orient.  
\*July 30 Tchr Prep/District Breakfast  
July 31, Aug. 1 Tchr Prep/Training  
Aug. 6 First Day of School  
Oct. 7 - 11 Fall Recess  
Nov. 25 - 29 Thanksgiving Recess  
Dec 18-Jan 10 Winter Recess  
Jan. 13 Tchr Prep/Training  
April 6 - 13 Spring Recess  
June 10 Last Day of School  
Winter/Summer Academies to be announced.

**HOLIDAYS**  
July 4  
Sept. 2  
Nov. 11, 28,  
29  
Dec. 24, 25,  
31  
Jan. 1, 20  
Feb. 10, 17  
April 10, 13  
May 25

**PROGRESS REPORTING**  
Academic Progress Reports Sent: Week of Sept. 9  
1<sup>st</sup> Trimester Academic Progress Conferences: Sept. 23-27  
1<sup>st</sup> Trimester ends: Nov. 1  
Report Cards Issued & Elementary Conferences: Week of Nov 4-8  
Academic Progress Reports Sent: Week of Dec. 9  
2<sup>nd</sup> Trimester Academic Progress Conferences: Jan. 27-31  
2<sup>nd</sup> Trimester Ends: Feb. 28  
Report Cards Issued & Elementary Conferences: Week of March 2-6  
Academic Progress Reports Sent: Week of April 20-24  
3<sup>rd</sup> Trimester Ends: June 8  
Report Cards Issued: Week of June 8

- ◆ Legal Holiday (No school)
- Local Holiday (No school)
- ▲ Minimum Day (1:05 p.m.) All Middle Schools only
- ▼ Elementary Schools only
- PD - Late Start Schedule (10:00 a.m.) 8/28, 9/11, 10/16, 1/22, 2/5, 2/12, 4/1
- STPT - 8/14, 9/18, 10/30, 11/13, 2/19, 3/18
- School in session
- No Students
- NP New Teacher Prep Day (No school)
- P Prep Day (No school)

Board Approved 06/12/19

**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

Jason Kashwer, Assistant Superintendent of Human Resources

1405 - 12<sup>th</sup> Avenue, Delano, California 93215

(661) 721-5000 x00131 ~ Fax (661) 721-5014

TO: ALL STAFF  
FROM: DR. JASON KASHWER  
DATE: JULY 1, 2019

RE: 1. Reporting Absences from Work for all Work Sites and Departments  
2. Procedure to Request a Substitute

1. REPORTING AN ABSENCE USING PERSONAL NECESSITY: The employee shall notify his/her immediate supervisor of his/her intention and reason to use Personal Necessity leave at least **24 hours in advance**. *CBA Article VIII, D2*

REPORTING AN ABSENCE USING ILLNESS: The employee or designee shall notify the District of his/her intention to use sick leave **at least one hour before his/her workday is scheduled to begin**. *CBA Article VIII,A7*

Whether you need a sub or not, all absences from duty must also be reported to the Delano Union School District Substitute Employee Management System (SEMS).

2. PROCEDURE TO SUBMIT AN ABSENCE & REQUEST A SUBSTITUTE:

A. If you are going to be absent and need a substitute, it is your responsibility to call the Delano Union School District Substitute Employee Management System to request a substitute or through the web center. When you call SEMS, you will have these options:

- |   |   |         |
|---|---|---------|
| (1) Create an absence   | - | Press 1 |
| (2) To review or cancel an absence, modify special instructions | - | Press 2 |
| (3) To review your work location and job description            | - | Press 3 |
| (4) Change Pin, re-record Name                                  | - | Press 4 |
| (5) Exit and hang-up  | - | Press 9 |

B. Arrangements for substitutes are to be made through the Delano Union School District Substitute Employee Management System. Any substitute not called by the Delano Union School District Substitute Employee Management System 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 the Delano Union School District Substitute Employee Management System. **HR is not responsible for inputting your absences;** however, if you have questions regarding SEMS you may call 721-5000, extension 00162.

To best facilitate the arranging of substitutes, please call the Delano Union School District Substitute Employee Management System 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.**

## INSTRUCTIONS FOR REPORTING ABSENCE

1. 661-720-2731. This number will be answered by an automatic recording machine. Please follow the prompts and enter your Access ID and PIN Number followed by the \* key. When you call SEMS, you will have these options:
  - A. Create an Absence -Press 1
  - B. To review or cancel an absence, modify special instructions -Press 2
  - C. To review your work location and job description -Press 3
  - D. Change Pin & re-record name -Press 4
  - E. Exit & Hang-Up -Press 9
2. To report an absence using the internet, you may access the web center at

**[duesd.eschoolsolutions.com](http://duesd.eschoolsolutions.com)**

## EMPLOYEE REPORT OF ABSENCE

Employee \_\_\_\_\_ SEMS ID # \_\_\_\_\_  
 Date(s) of Absence \_\_\_\_\_ Name of Substitute(s) \_\_\_\_\_

**SEMS JOB#(s)** \_\_\_\_\_

**REASON FOR ABSENCE:**

Illness _____ Total Hours _____	Vacation _____ Total Hours _____
Personal Necessity _____ Total Hours _____	Jury Duty _____ Total Hours _____
Leave _____ Total Hours _____	Comp-Time _____ Total Hours _____
(Specify) _____	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: \_\_\_\_\_ DATE \_\_\_\_\_

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 4119.23, 4319.23**

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



# Delano Union School District

## STATEMENT ACKNOWLEDGING REQUIREMENT TO REPORT CHILD ABUSE

Employee Name \_\_\_\_\_ Date \_\_\_\_\_

California law *requires* certain people to report known or suspected child abuse or neglect. You have been identified as a person who may be a “mandated reporter.” A summary of mandated reporter categories is provided at Appendix 1. Relevant provisions of the Child Abuse and Neglect Reporting Act (CANRA) are provided in Appendix 2. The complete statute can be found online at <http://www.leginfo.ca.gov/cgi-bin/displaycode?section=pen&group=11001-12000&file=11164-11174.3>.

### WHEN REPORTING ABUSE IS REQUIRED

A mandated reporter, who in his or her professional capacity, or within the scope of his or her employment, has knowledge of or observes a person under the age of 18 years (even an enrolled or registered student) whom he or she knows or reasonably suspects has been the victim of child abuse or neglect must report the suspected incident. The reporter must contact a designated agency immediately or as soon as practically possible by telephone, and must prepare and send a written report within 36 hours of receiving the information concerning the incident. [CANRA § 11165.6]

### ABUSE THAT MUST BE REPORTED

- *Physical injury* inflicted by other than accidental means. [CANRA § 11165.6]
- *Sexual abuse* meaning sexual assault or sexual exploitation of a child. [CANRA § 11165.1]
- *Neglect* meaning the negligent treatment, lack of treatment, or the maltreatment of a child by a person responsible for the child’s welfare under circumstances indicating harm or threatened harm to the child’s health or welfare. [CANRA § 11165.3]
- *Willful harming or injuring or endangering a child* meaning a situation in which any person inflicts, or willfully causes or permits a child to suffer, unjustifiable physical pain or mental suffering, or causes or permits a child be placed in a situation in which the child or child’s health is endangered. [CANRA § 11165.3]
- *Unlawful corporal punishment or injury* willfully inflicted on a child and resulting in a traumatic condition. [CANRA § 11165.4]

### WHERE TO CALL IN AND SEND THE WRITTEN ABUSE REPORT

Reports of suspected child abuse or neglect must be made to any police department or sheriff’s department (not including a school district police or security department), county probation department (if designated by the county to receive mandated reports), or county welfare department. [CANRA § 11165.9] The written report must include the information described in CANRA § 11167(a) and may be submitted on form SS 8572, available online at [http://ag.ca.gov/childabuse/pdf/ss\\_8572.pdf](http://ag.ca.gov/childabuse/pdf/ss_8572.pdf). In addition, an internal report must be made to the Administration.

### IMMUNITY AND CONFIDENTIALITY OF REPORTER AND OF ABUSE REPORTS

Mandated reporters have immunity from criminal or civil liability for reporting as required or authorized by law. [CANRA § 11172(a)] The identity of a mandated reporter is confidential and disclosed only among agencies receiving or investigating reports, and other designated agencies. [PC § 11167(d)(1)] Reports are confidential and may be redisclosed only to specified persons and agencies. Any violation of confidentiality provided by CANRA is a misdemeanor punishable by imprisonment, fine, or both. [PC § 11167.5(a)-(b)]

### PENALTY FOR FAILURE TO REPORT ABUSE

A mandated reporter who fails to make a required report is guilty of a misdemeanor punishable by up to six months in jail, a fine of \$1000, or both. [CANRA § 11166(b)]

### COPY OF THE LAW

My employer, Delano Union School District, provided me with a copy of CANRA sections 11165.7, 11166, and 11167. [CANRA § 11166.5(a)]

### ACKNOWLEDGEMENT OF RESPONSIBILITY

I have knowledge of my responsibility to report known or suspected child abuse or neglect in compliance with CANRA § 11166.

Signature	Printed Name	Date
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# 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

### KCDHS 24-Hour Hot-Line



- 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 phone line is manned by trained social workers who will answer questions and take appropriate referrals from all callers.

### Mandated Reporters - FAX System\*



- KCDHS maintains an automated FAX system, **which is only available during regular business hours – 8:00AM to 5:00 PM.**
- To FAX the "Suspected Child Abuse Report" form at (661) 631-6568 in lieu of the **verbal** report.
- If you FAX your report, include a phone number where you can be reached should KCDHS emergency personnel need to make a follow-up call.

### Written Reports – Suspected Child Abuse Report (SCAR)



- Mandated Reporters must follow-up all verbal/voice-mail/FAX reports with a written report within 36 hours.
- The "Suspected Child Abuse Report" form is available for this purpose.
- The original SCAR should be sent to the agency receiving the report – either Child Welfare Services or Law Enforcement.
- For KCDHS mail the SCAR 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.
- For Law Enforcement send the SCAR to the agency of Jurisdiction
- The SCAR document is available in PDF format at the following government website: [http://www.ag.ca.gov/childabuse/pdf/ss\\_8572.pdf](http://www.ag.ca.gov/childabuse/pdf/ss_8572.pdf)

Print

# SUSPECTED CHILD ABUSE REPORT

Reset Form

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

CASE NAME: \_\_\_\_\_

PLEASE PRINT OR TYPE

CASE NUMBER: \_\_\_\_\_

<b>A. REPORTING PARTY</b>	NAME OF MANDATED REPORTER		TITLE		MANDATED REPORTER CATEGORY		
	REPORTER'S BUSINESS/AGENCY NAME AND ADDRESS			Street	City	Zip	DID MANDATED REPORTER WITNESS THE INCIDENT? <input type="checkbox"/> YES <input type="checkbox"/> NO
	REPORTER'S TELEPHONE (DAYTIME) ( )		SIGNATURE		TODAY'S DATE		
<b>B. REPORT NOTIFICATION</b>	<input type="checkbox"/> LAW ENFORCEMENT <input type="checkbox"/> COUNTY PROBATION		AGENCY				
	<input type="checkbox"/> COUNTY WELFARE / CPS (Child Protective Services)						
	ADDRESS		Street	City	Zip	DATE/TIME OF PHONE CALL	
OFFICIAL CONTACTED - TITLE					TELEPHONE ( )		
<b>C. VICTIM</b> One report per victim	NAME (LAST, FIRST, MIDDLE)			BIRTHDATE OR APPROX. AGE	SEX	ETHNICITY	
	ADDRESS		Street	City	Zip	TELEPHONE ( )	
	PRESENT LOCATION OF VICTIM			SCHOOL	CLASS	GRADE	
	PHYSICALLY DISABLED? <input type="checkbox"/> YES <input type="checkbox"/> NO	DEVELOPMENTALLY DISABLED? <input type="checkbox"/> YES <input type="checkbox"/> NO	OTHER DISABILITY (SPECIFY)		PRIMARY LANGUAGE SPOKEN IN HOME		
	IN FOSTER CARE? <input type="checkbox"/> YES <input type="checkbox"/> NO	IF VICTIM WAS IN OUT-OF-HOME CARE AT TIME OF INCIDENT, CHECK TYPE OF CARE: <input type="checkbox"/> DAY CARE <input type="checkbox"/> CHILD CARE CENTER <input type="checkbox"/> FOSTER FAMILY HOME <input type="checkbox"/> FAMILY FRIEND <input type="checkbox"/> GROUP HOME OR INSTITUTION <input type="checkbox"/> RELATIVE'S HOME			TYPE OF ABUSE (CHECK ONE OR MORE) <input type="checkbox"/> PHYSICAL <input type="checkbox"/> MENTAL <input type="checkbox"/> SEXUAL <input type="checkbox"/> NEGLECT <input type="checkbox"/> OTHER (SPECIFY)		
	RELATIONSHIP TO SUSPECT			PHOTOS TAKEN? <input type="checkbox"/> YES <input type="checkbox"/> NO	DID THE INCIDENT RESULT IN THIS VICTIM'S DEATH? <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNK		
<b>D. INVOLVED PARTIES</b>	<b>VICTIMS</b>						
	<b>SIBLINGS</b>						
	1. _____		BIRTHDATE		SEX ETHNICITY		
	2. _____		BIRTHDATE		SEX ETHNICITY		
	3. _____		BIRTHDATE		SEX ETHNICITY		
	4. _____		BIRTHDATE		SEX ETHNICITY		
	<b>PARENTS/GUARDIANS</b>						
	NAME (LAST, FIRST, MIDDLE)			BIRTHDATE OR APPROX. AGE	SEX	ETHNICITY	
	ADDRESS		Street	City	Zip	HOME PHONE ( )	
	BUSINESS PHONE ( )						
<b>SUSPECT</b>							
SUSPECT'S NAME (LAST, FIRST, MIDDLE)			BIRTHDATE OR APPROX. AGE	SEX	ETHNICITY		
ADDRESS		Street	City	Zip	TELEPHONE ( )		
OTHER RELEVANT INFORMATION							
<b>E. INCIDENT INFORMATION</b>	IF NECESSARY, ATTACH EXTRA SHEET(S) OR OTHER FORM(S) AND CHECK THIS BOX <input type="checkbox"/> IF MULTIPLE VICTIMS, INDICATE NUMBER: _____						
	DATE / TIME OF INCIDENT		PLACE OF INCIDENT				
	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)						

SS 8572 (Rev. 12/02)

### DEFINITIONS AND INSTRUCTIONS ON REVERSE

**DO NOT** submit a copy of this form to the Department of Justice (DOJ). The investigating agency is required under Penal Code Section 11169 to submit to DOJ a Child Abuse Investigation Report Form SS 8583 if (1) an active investigation was conducted and (2) the incident was determined not to be unfounded.  
WHITE COPY-Police or Sheriff's Department; BLUE COPY-County Welfare or Probation Department; GREEN COPY- District Attorney's Office; YELLOW COPY-Reporting Party

## **DUSD Nondiscrimination in Employment Board Policy 4030**

The Governing Board is determined to provide district employees, interns, volunteers, and job applicants a safe, positive environment where they are assured of full and equal employment access and opportunities, protection from harassment or intimidation, and freedom from any fear of reprisal or retribution for asserting their employment rights in accordance with law. This policy shall apply to all district employees and, to the extent required by law, to interns, volunteers, and job applicants.

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 the employee's actual or perceived race, religious creed, color, national origin, ancestry, age, marital status, pregnancy, physical or mental disability, medical condition, genetic information, military and veteran status, gender, gender identity, gender expression, sex, or sexual orientation or his/her association with a person or group with one or more of these actual or perceived characteristics.

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. Discrimination in hiring, compensation, terms, conditions, and other privileges of employment
2. Taking of an adverse employment action, such as termination or the denial of employment, promotion, job assignment, or training
3. Unwelcome conduct, whether verbal, physical, or visual, that is 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 individual's work performance or creating an intimidating, hostile, or offensive work environment
4. Actions and practices identified as unlawful or discriminatory pursuant to Government Code 12940 or 2 CCR 11006-11086, such as:
  - a. Sex discrimination based on an employee's pregnancy, childbirth, breastfeeding, or any related medical condition or on an employee's gender, gender expression, or gender identity, including transgender status
  - b. Religious creed discrimination based on an employee's religious belief or observance, including his/her 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.
  - c. Disability discrimination based on a district requirement for a medical or psychological examination of a job applicant, or 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
  - d. Disability discrimination based on the district's 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, to determine effective reasonable accommodations for the employee, when he/she has requested reasonable accommodation for a known physical or mental disability or medical condition

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, 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)

Complaints concerning employment discrimination, harassment, or retaliation shall immediately be investigated in accordance with procedures specified in the accompanying administrative regulation.

Any supervisory or management employee who observes or has knowledge of an incident of prohibited discrimination or harassment shall report the incident to the Superintendent or designated district coordinator as soon as practical after the incident. All other employees are encouraged to report such incidents to their supervisor immediately. The district shall protect any employee who reports such incidents from retaliation.

## **DUSD Nondiscrimination in Employment BP 4030 (Continued)**

The Superintendent or designee shall use all appropriate means to reinforce the district's nondiscrimination policy. He/she shall provide training and information to employees about how to recognize harassment, discrimination, or other related 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.

In addition, the Superintendent or designee shall post, in a conspicuous place on district premises, the California Department of Fair Employment and Housing publication on workplace discrimination and harassment issued pursuant to 2 CCR 11013.

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.

Adopted by Board of Trustees  
April 10, 2017

## **DUSD Nondiscrimination in Employment Administrative Regulation 4030**

All allegations of discrimination in employment, including those involving an intern, volunteer, or job applicant, shall be investigated and resolved in accordance with procedures specified in this administrative regulation.

The district designates the position identified below as its coordinator for nondiscrimination in employment (coordinator) to coordinate 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:

Superintendent  
Delano Union School District  
1405 12<sup>th</sup> Avenue  
Delano, CA 93215  
661-721-5000  
[rivera@duesd.org](mailto:rivera@duesd.org)

### **Measures to Prevent Discrimination**

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

1. Publicize the district's nondiscrimination policy and regulation, including the complaint procedures and the coordinator's contact information, by: (5 CCR 4960; 34 CFR 100.6, 106.9)
  - a. Including them in each announcement, bulletin, or application form that is used in employee recruitment
  - b. Posting them in all district schools and offices, including staff lounges and other prominent locations
  - c. Posting them on the district's web site and providing easy access to them through district-supported social media, when available
2. Disseminate the district's nondiscrimination policy to all employees by one or more of the following methods: (2 CCR 11023)
  - a. Printing and providing a copy of the policy to all employees, with an acknowledgment form for each employee to sign and return
  - b. Sending the policy via email with an acknowledgment return form

## **DUSD Nondiscrimination in Employment AR 4030 (Continued)**

- c. Posting the policy on the district intranet with a tracking system ensuring all employees have read and acknowledged receipt of the policies
- d. Discussing the policy with employees upon hire and/or during a new hire orientation session
- e. Any other way that ensures employees receive and understand the policy

3. Provide to employees a handbook that contains information that clearly describes the district's nondiscrimination policy, procedures for filing a complaint, and resources available to anyone who feels that he/she has been the victim of any discriminatory or harassing behavior

4. Provide training to employees, volunteers, and interns 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

Training for supervisors shall include the requirement to report any complaint of misconduct to a designated representative, such as the coordinator, human resources manager, or Superintendent or designee as a topic in the sexual harassment prevention training required pursuant to 2 CCR 11024 (2 CCR 11023)

5. 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

6. 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

Any complaint alleging unlawful discrimination or harassment shall be addressed in accordance with the following procedures:

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

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

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

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

2. 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 written complaint has been filed or whether the written 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. He/she shall also inform the parties that the investigation will be kept confidential to the extent possible, but that some information may be revealed as necessary to conduct an effective investigation.

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

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

## **DUSD Nondiscrimination in Employment AR 4030 (Continued)**

When necessary to carry out his/her 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 also shall determine whether interim measures, such as scheduling changes, transfers, or leaves, need to be taken before the investigation is completed to ensure that further incidents are prevented. The coordinator shall ensure that such interim measures do not constitute retaliation.

3. **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 his/her findings. This timeline may be extended 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 also shall 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 complainant, the person accused, and the Superintendent or designee.

4. **Appeal to the Governing Board:** The complainant or the person accused may appeal any findings to the Board within 10 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. Upon receiving an appeal, the Board shall schedule a hearing as soon as practicable. Any complaint against a district employee shall be addressed in closed session in accordance with law. The Board shall render its decision within 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 the California Department of Fair Employment and Housing (DFEH) or the Equal Employment Opportunity Commission (EEOC). The time limits for filing such complaints are as follows:

1. To file a valid complaint with DFEH, within one year of the alleged discriminatory act(s), unless an exception exists pursuant to Government Code 12960
2. To file a valid complaint directly with EEOC, within 180 days of the alleged discriminatory act(s) (42 USC 2000e-5)
3. To file a valid complaint with EEOC after first filing a complaint with DFEH, within 300 days of the alleged discriminatory act(s) or within 30 days after the termination of proceedings by DFEH, whichever is earlier (42 USC 2000e-5)

Adopted by Board of Trustees

April 10, 2017

## **DUSD Nondiscrimination in District Programs and Activities Board Policy 0410**

The Governing Board is committed to providing equal opportunity for all individuals in education. District programs, activities, and practices shall be free from unlawful discrimination, including discrimination against an individual or group based on race, color, ancestry, nationality, national origin, ethnic group identification, age, religion, marital, pregnancy, or parental status, physical or mental disability, sex, sexual orientation, gender, gender identity or expression, or genetic information; 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.

(cf. 1240 - Volunteer Assistance)  
(cf. 4030 - Nondiscrimination in Employment)  
(cf. 4032 - Reasonable Accommodation)  
(cf. 4033 - Lactation Accommodation)  
(cf. 4119.11/4219.11/4319.11 - Sexual Harassment)  
(cf. 4161.8/4261.8/4361.8 - Family Care and Medical Leave)  
(cf. 5131.2 - Bullying)  
(cf. 5145.3 - Nondiscrimination/Harassment)  
(cf. 5145.7 - Sexual Harassment)  
(cf. 5146 - Married/Pregnant/Parenting Students)  
(cf. 6145 - Extracurricular and Cocurricular Activities)  
(cf. 6145.2 - Athletic Competition)  
cf. 6164.4 - Identification and Evaluation of Individuals for Special Education)  
(cf. 6164.6 - Identification and Education Under Section 504)  
(cf. 6178 - Career Technical Education)  
(cf. 6200 - Adult Education)

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

Annually, the Superintendent or designee shall 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. He/she shall take prompt, reasonable actions to remove any identified barrier. The Superintendent or designee shall report his/her findings and recommendations to the Board after each review.

(cf. 1330 - Use of Facilities)

All allegations of unlawful discrimination in district programs and activities shall be investigated and resolved in accordance with the procedures specified in AR 1312.3 - Uniform Complaint Procedures.

(cf. 1312.3 - Uniform Complaint Procedures)

Pursuant to 34 CFR 104.8 and 34 CFR 106.9, 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 each announcement, bulletin, catalog, handbook, application form, or other materials distributed to these groups and, as applicable, to the public. As appropriate, such notification shall be posted in district schools and offices, including staff lounges, student government meeting rooms, and other prominent locations and shall be posted on the district's web site and, when available, district-supported social media.

(cf. 1113 - District and School Web Sites)  
(cf. 1114 - District-Sponsored Social Media)  
(cf. 4112.9/4212.9/4312.9 - Employee Notifications)  
(cf. 5145.6 - Parental Notifications)



## **DUSD Nondiscrimination in District Programs and Activities BP 0410 (Continued)**

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

### **Access for Individuals with Disabilities**

District programs and facilities, viewed in their entirety, shall be in compliance with the Americans with Disabilities Act (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.

(cf. 6163.2 - Animals at School)

(cf. 7110 - Facilities Master Plan)

(cf. 7111 - Evaluating Existing Buildings)

The Superintendent or designee shall ensure that the district provides appropriate auxiliary aids and services when necessary to afford individuals with disabilities equal opportunity to participate in or enjoy the benefits of a service, program, or activity. These aids and services may include, but are not limited to, qualified interpreters or readers, assistive listening devices, assistive technologies or other modifications to increase accessibility to district and school web sites, note takers, written materials, taped text, and Braille or large print materials. Individuals with disabilities shall notify the Superintendent or principal if they have a disability that requires special assistance or services. Reasonable notification should be given prior to a school-sponsored function, program, or meeting.

(cf. 6020 - Parent Involvement)

(cf. 9320 - Meetings and Notices)

(cf. 9322 - Agenda/Meeting Materials)

The individual identified in AR 1312.3 - Uniform Complaint Procedures as the employee responsible for coordinating the district's response to complaints and for complying with state and federal civil rights laws is hereby designated as the district's ADA coordinator. He/she 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.

Superintendent

1405 12th Ave.

Delano, CA 93215

# Delano Union School District



## Uniform Complaint Procedures (UCP) Annual Notice 2019-2020

**For students, employees, parents/guardians, school and district advisory committee members, private school officials, and other interested parties**

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 the Uniform Complaint Procedures (UCP) process.

The Delano Union School District has the primary responsibility for compliance with federal and state laws and regulations. We have established Uniform Complaint Procedures (UCP) to address allegations of unlawful discrimination, harassment, intimidation or against any protected group, and all programs and activities that are subject to the UCP in:

Adult Education	Economic Impact Aid
After School Education and Safety	Education of Pupils in Foster Care, Pupils who are Homeless, and former Juvenile Court Pupils now enrolled in a school district
Agricultural Vocational Education	English Learner Programs
American Indian Education Centers and Early Childhood Education Program Assessments	Every Student Succeeds Act / No Child Left Behind (Titles I–VII)
Bilingual Education	Local Control and Accountability Plans (LCAP)
California Peer Assistance and Review Programs for Teachers	Migrant Education
Career Technical and Technical Education; Career Technical; Technical Training	Physical Education Instructional Minutes (for grades one through six)
Career Technical Education	Pupil Fees
Child Care and Development	Reasonable Accommodations to a Lactating Pupil
Child Nutrition	Regional Occupational Centers and Programs
Compensatory Education	School Safety Plans
Consolidated Categorical Aid	Special Education
Course Periods without Educational Content (for grades nine through twelve)	State Preschool
	Tobacco-Use Prevention Education

A pupil fee includes, but is not limited to, all of the following:

- 1) A fee charged to a pupil as a condition for registering for school or classes, or as a condition for participation in a class or an extracurricular activity, regardless of whether the class or activity is elective or compulsory, or is for credit.
- 2) A security deposit, or other payment, that a pupil is required to make to obtain a lock, locker, book, class apparatus, musical instrument, clothes, or other materials or equipment.
- 3) A purchase that a pupil is required to make to obtain materials, supplies, equipment, or clothes associated with an educational activity.

## **DUSD Uniform Complaint Procedures Annual Notice (Continued)**

A pupil fees complaint may be filed with the principal of a school or our superintendent or his or her designee. A pupil fees and/or an LCAP complaint may be filed anonymously, however, the complainant must provide evidence or information leading to evidence to support the complaint.

A pupil enrolled in a school in our district shall not be required to pay a pupil fee for participation in an educational activity.

A pupil fee complaint shall be filed no later than one year from the date the alleged violation occurred.

We shall post a standardized notice of the educational rights of foster care, pupils who are homeless, and former juvenile court pupils now enrolled in a school district as specified in Education Code Sections 48853, 48853.5, 49069.5, 51225.1, and 51225.2. This notice shall include complaint process information as applicable.

The staff member, position, or unit responsible to receive UCP complaints in our agency is:

Rosalina Rivera, Superintendent

District Office  
1405 12<sup>th</sup> Avenue  
Delano, CA 93215  
(661) 721-5000, ext. 00102

Complaints alleging discrimination, harassment, intimidation, or bullying, must be filed within six (6) months from the date the alleged discrimination, harassment, intimidation, or bullying, occurred or the date the complainant first obtained knowledge of the facts of the alleged discrimination, harassment, intimidation, or bullying, unless the time for filing is extended by the superintendent or his or her designee.

Complaints will be investigated and a written Decision or report will be sent to the complainant within sixty (60) days from the receipt of the complaint. This sixty (60) day time period may be extended by written agreement of the complainant. The Compliance Officer or designee responsible for investigating the complaint shall conduct and complete the investigation in accordance with sections 4680-4687 and in accordance with local procedures adopted under section 4621.

The complainant has a right to appeal our Decision of complaints regarding specific programs and activities subject to the UCP, pupil fees and the LCAP to the California Department of Education (CDE) by filing a written appeal within 15 days of receiving our Decision. The appeal must be accompanied by a copy of the originally-filed complaint and a copy of our Decision.

Civil law remedies may be available under state or federal discrimination, harassment, intimidation, or bullying laws, if applicable. In appropriate cases, an appeal may be filed pursuant to Education Code Section 262.3. A complainant may pursue available civil law remedies outside of the district's complaint procedures. Complainants may seek assistance from mediation centers or public/private interest attorneys. Civil law remedies that may be imposed by a court include, but are not limited to, injunctions, restraining orders, or other remedies or orders that may be available under state or federal discrimination, harassment, intimidation or bullying laws, if applicable.

For assistance you may contact:

Greater Bakersfield Legal Assistance  
615 California Avenue  
Bakersfield, CA 93304

Copies of the Delano Union School District's Uniform Complaint Policy and complaint procedures are available free of charge.

# DUSD Uniform Complaint Procedures Board Policy 1312.3

## Community Relations

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

## Complaints Subject to UCP

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

1. Any complaint alleging district violation of applicable state or federal laws or regulations governing any program subject to the UCP which is offered by the district, including adult education programs; After School Education and Safety programs; agricultural career technical education; American Indian education centers and early childhood education program assessments; bilingual education; California Peer Assistance and Review programs for teachers; state career technical and technical education, career technical, and technical training programs; federal career technical education; child care and development programs; child nutrition programs; compensatory education; consolidated categorical aid programs; Economic Impact Aid; the federal Every Student Succeeds Act; migrant education; Regional Occupational Centers and Programs; school safety plans; special education programs; California State Preschool Programs; Tobacco-Use Prevention Education programs; and any other district-implemented state categorical program that is not funded through the local control funding formula pursuant to Education Code 64000

(cf. 3553 - Free and Reduced Price Meals)  
(cf. 3555 - Nutrition Program Compliance)  
(cf. 5131.62 - Tobacco)  
(cf. 5148 - Child Care and Development)  
(cf. 5148.2 - Before/After School Programs)  
(cf. 5148.3 - Preschool/Early Childhood Education)  
(cf. 6159 - Individualized Education Program)  
(cf. 6171 - Title I Programs)  
(cf. 6174 - Education for English Learners)  
(cf. 6175 - Migrant Education Program)  
(cf. 6178 - Career Technical Education)  
(cf. 6178.1 - Work-Based Learning)  
(cf. 6178.2 - Regional Occupational Center/Program)  
(cf. 6200 - Adult Education)

2. Any complaint, by a student, employee, or other person participating in a district program or activity, alleging the occurrence of unlawful discrimination (such as discriminatory 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 the person's actual or perceived characteristics of race or ethnicity, color, ancestry, nationality, national origin, immigration status, ethnic group identification, age, religion, marital status, pregnancy, parental status, physical or mental disability, sex, sexual orientation, gender, gender identity, gender expression, or genetic information, or any other characteristic identified in Education Code 200 or 220, Government Code 11135, or Penal Code 422.55, or based on the person's association with a person or group with one or more of these actual or perceived characteristics (5 CCR 4610)

(cf. 0410 - Nondiscrimination in District Programs and Activities)  
(cf. 5145.3 - Nondiscrimination/Harassment)  
(cf. 5145.7 - Sexual Harassment)

3. Any complaint alleging district noncompliance with the requirement to provide reasonable accommodation to a lactating student on school campus to express breast milk, breastfeed an infant child, or address other breastfeeding-related needs of the student (Education Code 222)  
(cf. 5146 - Married/Pregnant/Parenting Students)

## **DUSD Uniform Complaint Procedures Board Policy 1312.3**

4. Any complaint alleging district noncompliance with requirements to provide a pregnant or parenting student the accommodations specified in Education Code 46015, including those related to the provision of parental leave, right of return to the school of previous enrollment or to an alternative education program, if desired, and possible enrollment in school for a fifth year of instruction to enable the student to complete state and Board-imposed graduation requirements (Education Code 46015)

5. Any complaint alleging district noncompliance with the prohibition against requiring students to pay fees, deposits, or other charges for participation in educational activities (5 CCR 4610)

(cf. 3260 - Fees and Charges)

(cf. 3320 - Claims and Actions Against the District)

6. Any complaint alleging district noncompliance with applicable requirements of Education Code 52060-52077 related to the implementation of the local control and accountability plan, including the development of a local control funding formula budget overview for parents/guardians (Education Code 52075)

(cf. 0460 - Local Control and Accountability Plan)

(cf. 3100 - Budget)

7. Any complaint alleging noncompliance with requirements related to the development of a school plan for student achievement or the establishment of a school site council, as required for the consolidated application for specified federal and/or state categorical funding (Education Code 64000-64001, 65000-65001)

(cf. 0420 - School Plans/Site Councils)

8. Any complaint, by or on behalf of a student who is a foster youth as defined in Education Code 51225.2, alleging district noncompliance with any requirement applicable to the student regarding placement decisions; the responsibilities of the district's educational liaison to the student; the award of credit for coursework satisfactorily completed in another school, district, or country; school or records transfer; or the grant of an exemption from Board-imposed graduation requirements (Education Code 48853, 48853.5, 49069.5, 51225.1, 51225.2)

9. Any complaint, by or on behalf of a student who transfers into the district after the second year of high school and is a homeless child or youth as defined in 42 USC 11434a, a former juvenile court school student currently enrolled in the district, a child of a military family as defined in Education Code 49701, or a migrant student as defined in Education Code 54441, or by or on behalf of an immigrant student participating in a newcomer program as defined in Education Code 51225.2 in the third or fourth year of high school, alleging district noncompliance with any requirement applicable to the student regarding the grant of an exemption from Board-imposed graduation requirements (Education Code 51225.1)

(cf. 6173 - Education for Homeless Children)

(cf. 6173.2 - Education of Children of Military Families)

(cf. 6173.3 - Education for Juvenile Court School Students)

10. Any complaint, by or on behalf of a student who is a homeless child or youth as defined in 42 USC 11434a, a former juvenile court school student, a child of a military family as defined in Education Code 49701, a migrant child as defined in Education Code 54441, or a newly arrived immigrant student who is participating in a newcomer program as defined in Education Code 51225.2, alleging district noncompliance with requirements for the award of credit for coursework satisfactorily completed in another school, district, or country (Education Code 51225.2)

11. Any complaint alleging district noncompliance with the requirements of Education Code 51228.1 and 51228.2 that prohibit the assignment of a student in grades 9-12 to a course without educational content for more than one week in any semester or to a course the student has previously satisfactorily completed, without meeting specified conditions (Education Code 51228.3)

(cf. 6152 - Class Assignment)

12. Any complaint alleging district noncompliance with the physical education instructional minutes

## **DUSD Uniform Complaint Procedures BP 1312.3 (Continued)**

requirement for students in elementary school (Education Code 51210, 51223)

(cf. 6142.7 - Physical Education and Activity)

13. 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

14. Any other complaint as specified in a district policy

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

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

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

(cf. 5125 - Student Records)

(cf. 9011 - Disclosure of Confidential/Privileged Information)

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.

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

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.

(cf. 3580 - District Records)

### **Non-UCP Complaints**

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

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

(cf. 5141.4 - Child Abuse Prevention and Reporting)

2. Any complaint alleging health and safety violations by a child development program shall, for licensed facilities, be referred to Department of Social Services and shall, for licensing-exempt facilities, be referred to the appropriate Child Development regional administrator.

3. Any complaint alleging fraud shall be referred to the Legal, Audits and Compliance Branch of the California Department of Education.

## **DUSD Uniform Complaint Procedures BP 1312.3 (Continued)**

Any complaint alleging employment discrimination or harassment shall be investigated and resolved by the district in accordance with the procedures specified in AR 4030 - Nondiscrimination in Employment, including the right to file the complaint with the California Department of Fair Employment and Housing.

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, teacher vacancies and misassignments, or health and safety violations in any license-exempt California State Preschool Program shall be investigated and resolved in accordance with the procedures in AR 1312.4 - Williams Uniform Complaint Procedures. (Education Code 8235.5, 35186)

(cf. 1312.4 - Williams Uniform Complaint Procedures)

### Legal Reference:

#### EDUCATION CODE

200-262.4 Prohibition of discrimination  
8200-8498 Child care and development programs  
8500-8538 Adult basic education  
18100-18203 School libraries  
32280-32289 School safety plan, uniform complaint procedures  
33380-33384 California Indian Education Centers  
35186 Williams uniform complaint procedures  
44500-44508 California Peer Assistance and Review Program for Teachers  
46015 Parental leave for students  
48853-48853.5 Foster youth  
48985 Notices in language other than English  
49010-49014 Student fees  
49060-49079 Student records, especially:  
49069.5 Records of foster youth  
49490-49590 Child nutrition programs  
49701 Interstate Compact on Educational Opportunity for Military Children  
51210 Courses of study grades 1-6  
51223 Physical education, elementary schools  
51225.1-51225.2 Foster youth, homeless children, former juvenile court school students, military-connected students, migrant students, and newly arrived immigrant students; course credits; graduation requirements  
51226-51226.1 Career technical education  
51228.1-51228.3 Course periods without educational content  
52060-52077 Local control and accountability plan, especially:  
52075 Complaint for lack of compliance with local control and accountability plan requirements  
52160-52178 Bilingual education programs  
52300-52462 Career technical education  
52500-52616.24 Adult schools  
54000-54029 Economic Impact Aid  
54400-54425 Compensatory education programs  
54440-54445 Migrant education  
54460-54529 Compensatory education programs  
56000-56865 Special education programs  
59000-59300 Special schools and centers  
64000-64001 Consolidated application process; school plan for student achievement

#### GOVERNMENT CODE

11135 Nondiscrimination in programs or activities funded by state

12900-12996 Fair Employment and Housing Act

#### HEALTH AND SAFETY CODE

1596.792 California Child Day Care Act; general provisions and definitions

1596.7925 California Child Day Care Act; health and safety regulations

104420 Tobacco-Use Prevention Education

#### PENAL CODE

422.55 Hate crime; definition

422.6 Interference with constitutional right or privilege

#### CODE OF REGULATIONS, TITLE 2

## **DUSD Uniform Complaint Procedures BP 1312.3 (Continued)**

11023 Harassment and discrimination prevention and correction  
CODE OF REGULATIONS, TITLE 5  
3080 Applicability of uniform complaint procedures to complaints regarding students with disabilities  
4600-4670 Uniform complaint procedures  
4680-4687 Williams uniform complaint procedures  
4900-4965 Nondiscrimination in elementary and secondary education programs  
UNITED STATES CODE, TITLE 20  
1221 Application of laws  
1232g Family Educational Rights and Privacy Act  
1681-1688 Title IX of the Education Amendments of 1972  
6301-6576 Title I Improving the Academic Achievement of the Disadvantaged  
6801-7014 Title III language instruction for limited English proficient and immigrant students  
UNITED STATES CODE, TITLE 29  
794 Section 504 of Rehabilitation Act of 1973  
UNITED STATES CODE, TITLE 42  
2000d-2000e-17 Title VI and Title VII Civil Rights Act of 1964, as amended  
2000h-2-2000h-6 Title IX of the Civil Rights Act of 1964  
6101-6107 Age Discrimination Act of 1975  
12101-12213 Title II equal opportunity for individuals with disabilities  
CODE OF FEDERAL REGULATIONS, TITLE 28  
35.107 Nondiscrimination on basis of disability; complaints  
CODE OF FEDERAL REGULATIONS, TITLE 34  
99.1-99.67 Family Educational Rights and Privacy Act  
100.3 Prohibition of discrimination on basis of race, color or national origin  
104.7 Designation of responsible employee for Section 504  
106.8 Designation of responsible employee for Title IX  
106.9 Notification of nondiscrimination on basis of sex  
110.25 Notification of nondiscrimination on the basis of age

### Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS  
Sample UCP Board Policies and Procedures  
U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS PUBLICATIONS  
Dear Colleague Letter, September 22, 2017  
Dear Colleague Letter: Title IX Coordinators, April 2015  
Dear Colleague Letter: Responding to Bullying of Students with Disabilities, October 2014  
Dear Colleague Letter: Harassment and Bullying, October 2010  
Revised Sexual Harassment Guidance: Harassment of Students by School Employees, Other Students, or Third Parties, January 2001  
U.S. DEPARTMENT OF JUSTICE PUBLICATIONS  
Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons, 2002  
WEB SITES  
CSBA: <http://www.csba.org>  
California Department of Education: <http://www.cde.ca.gov>

U.S. Department of Education, Office for Civil Rights: <http://www.ed.gov/ocr>  
U.S. Department of Justice: <http://www.justice.gov>

(5/18) 4/19

Adopted: April 1, 2019

Delano Union School District  
Delano, California



# **DUSD Uniform Complaint Procedures Administrative Regulation 1312.3**

## **Community Relations**

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

- (cf. 1312.1 - Complaints Concerning District Employees)
- (cf. 1312.2 - Complaints Concerning Instructional Materials)
- (cf. 1312.4 - Williams Uniform Complaint Procedures)
- (cf. 4030 - Nondiscrimination in Employment)

## **Compliance Officers**

The district designates the individual(s), position(s), or unit(s) identified below as responsible for coordinating the district's response to complaints and for complying with state and federal civil rights laws. The individual(s), position(s), or unit(s) also serve as the compliance officer(s) specified in AR 5143.3 Nondiscrimination/Harassment responsible for handling complaints regarding unlawful discrimination (such as discriminatory harassment, intimidation, or bullying). The compliance officer(s) shall receive and coordinate the investigation of complaints and shall ensure district compliance with law.

- (cf. 5145.3 - Nondiscrimination/Harassment)
- (cf. 5145.7 - Sexual Harassment)

District Superintendent  
1405 12<sup>th</sup> Avenue  
Delano, CA 93215  
(661) 721-5000

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 applicable, 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 (such as discriminatory 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.

- (cf. 4331 - Staff Development)
- (cf. 9124 - Attorney)

The compliance officer or, if necessary, any appropriate administrator shall determine whether interim measures are necessary during and pending the result of an investigation. 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.

## **Notifications**

The district's UCP policy and administrative regulation shall be posted in all district schools and offices, including

## **DUSD Uniform Complaint Procedures AR 1312.3 (Continued)**

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)

(cf. 0420 - School Plans/Site Councils)  
(cf. 1220 - Citizen Advisory Committees)  
(cf. 4112.9/4212.9/4312.9 - Employee Notifications)  
(cf. 5145.6 - Parental Notifications)

The notice shall include:

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 all programs and activities that are subject to UCP as identified in the section "Complaints Subject to UCP" in the accompanying Board policy

2. 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

(cf. 0460 - Local Control and Accountability Plan)  
(cf. 3260 - Fees and Charges)

3. 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

4. A statement that a complaint regarding student fees must be filed no later than one year from the date the alleged violation occurred

5. A statement that the district will post a standardized notice of the educational rights of foster youth, homeless students, former juvenile court school students now enrolled in the district, children of military families, migrant students, and immigrant students enrolled in a newcomer program, as specified in Education Code 48853, 48853.5, 49069.5, 51225.1, and 51225.2, and the complaint process

(cf. 6173 - Education for Homeless Children)  
(cf. 6173.1 - Education for Foster Youth)  
(cf. 6173.2 - Education of Children of Military Families)  
(cf. 6173.3 - Education for Juvenile Court School Students)  
(cf. 6175 - Migrant Education Program)

6. Identification of the responsible staff member(s), position(s), or unit(s) designated to receive complaints

7. 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

8. A statement that the complainant has a right to appeal the district's decision to CDE by filing a written appeal, including a copy of the original complaint and the district's decision, within 15 days of receiving the district's decision

9. 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 antidiscrimination laws, if applicable

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

## **DUSD Uniform Complaint Procedures AR 1312.3 (Continued)**

The annual notification, complete contact information of the compliance officer(s), and information related to Title IX as required pursuant to Education Code 221.61 shall be posted on the district web site and may be provided through district-supported social media, if available.

(cf. 1113 - District and School Web Sites)

(cf. 1114 - District-Sponsored Social Media)

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

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

### **Filing of Complaints**

The complaint shall be presented to the compliance officer who shall maintain a log of complaints received, providing each with a code number and a date stamp.

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 (item #1 of the section "Complaints Subject to UCP") may be filed by any individual, public agency, or organization. (5 CCR 4630)
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. 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. However, any such complaint shall be filed no later than one year from the date the alleged violation occurred. (Education Code 49013, 52075; 5 CCR 4630)
3. A complaint alleging unlawful discrimination (such as discriminatory harassment, intimidation, or bullying) may be filed only by persons who allege that they have personally suffered unlawful discrimination or who believe that an individual or any specific class of individuals has been subjected to unlawful discrimination. The complaint shall be initiated no later than six months from the date that the alleged unlawful discrimination occurred, or six months from the date that the complainant first obtained knowledge of the facts of the alleged unlawful discrimination. The time for filing may be extended for up to 90 days by the Superintendent or designee for good cause upon written request by the complainant setting forth the reasons for the extension. (5 CCR 4630)
4. When a complaint alleging unlawful discrimination (such as discriminatory 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.

### **Mediation**

Within three business days after receiving the complaint, the compliance officer may informally discuss with all the parties the possibility of using mediation. 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.

## **DUSD Uniform Complaint Procedures AR 1312.3 (Continued)**

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

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

The use of mediation shall not extend the 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**

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

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

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

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

A complainant's refusal to provide the district's investigator with documents or other evidence related to the allegations in the complaint, failure or refusal to cooperate in the investigation, or engagement in any other obstruction of the investigation may result in the dismissal of the complaint because of a lack of evidence to support the allegation. Similarly, a respondent'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 engagement in 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)

In accordance with law, the district shall provide the investigator with access to records and other information related to the allegation in the complaint and shall not in any way obstruct the investigation. Failure or refusal of the district to cooperate in 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 Final Decision**

Unless extended by written agreement with the complainant, the compliance officer shall prepare and send to the complainant a written report, as described in the section "Final Written Decision" below, within 60 calendar days of the district's receipt of the complaint. (5 CCR 4631)

For any complaint alleging unlawful discrimination (such as discriminatory harassment, intimidation, and bullying), the respondent shall be informed of any extension of the timeline agreed to by the complainant. The

## **DUSD Uniform Complaint Procedures AR 1312.3 (Continued)**

respondent also shall be sent the district's final written decision at the same time it is provided to the complainant.

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

(cf. 9321 - Closed Session Purposes and Agendas) (cf. 9321.1 - Closed Session Actions and Reports)

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)

For any complaint alleging unlawful discrimination (such as discriminatory harassment, intimidation, and bullying), the respondent shall be informed of any extension of the timeline agreed to by the complainant, shall be sent the district's final written decision, and, in the same manner as the complainant, may file a complaint with the Board if dissatisfied with the decision.

### **Final Written Decision**

For all complaints, the district's final written decision shall include: (5 CCR 4631)

1. The findings of fact based on the evidence gathered. In reaching a factual determination, the following factors may be taken into account:

- a. Statements made by any witnesses
- b. The relative credibility of the individuals involved
- c. How the complaining individual reacted to the incident
- d. Any documentary or other evidence relating to the alleged conduct
- e. Past instances of similar conduct by any alleged offenders
- f. Past false allegations made by the complainant

2. The conclusion(s) of law

3. Disposition of the complaint

4. Rationale for such disposition

For complaints of retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the disposition of the complaint shall include a determination for each allegation as to whether retaliation or unlawful discrimination has occurred.

The determination of whether a hostile environment exists may involve consideration of the following:

- a. The manner in which the misconduct affected one or more students' education
- b. The type, frequency, and duration of the misconduct
- c. The relationship between the alleged victim(s) and offender(s)
- d. The number of persons engaged in the conduct and at whom the conduct was directed
- e. The size of the school, location of the incidents, and context in which they occurred
- f. Other incidents at the school involving different individuals

5. Corrective action(s), including any actions that have been taken or will be taken to address the allegations in the complaint and including, with respect to a student fees complaint, a remedy that comports with Education Code 49013 and 5 CCR 4600

## **DUSD Uniform Complaint Procedures AR 1312.3 (Continued)**

For complaints of unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), the decision may, as required by law, include:

- a. The corrective actions imposed on the respondent
  - b. Individual remedies offered or provided to the complainant or another person who was the subject of the complaint, but this information should not be shared with the respondent.
  - c. Systemic measures the school has taken to eliminate a hostile environment and prevent recurrence
6. Notice of the complainant's and respondent's right to appeal the district's decision to CDE within 15 calendar days, and procedures to be followed for initiating such an appeal

The decision 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 a decision may be communicated to a victim who is not the complainant and to other parties who may be involved in implementing the decision or are affected by the complaint, as long as the privacy of the parties is protected. In a complaint alleging unlawful discrimination (such as discriminatory harassment, intimidation, and bullying), notice of the district's decision to the alleged victim shall include information about any sanction to be imposed upon the respondent that relates directly to the alleged victim.

If the complaint involves a limited-English-proficient student or parent/guardian and the student involved is enrolled in a school at which 15 percent or more of the students speak a single primary language other than English, then the decision shall also be translated into that language pursuant to Education Code 48985. In all other instances, the district shall ensure meaningful access to all relevant information for parents/guardians with limited English proficiency.

For complaints alleging unlawful discrimination based on state law (such as discriminatory harassment, intimidation, and bullying), the decision shall also include a notice to the complainant that:

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

### **Corrective Actions**

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

(cf. 5137 - Positive School Climate)

For complaints involving retaliation or unlawful discrimination (such as discriminatory 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

(cf. 6164.2 - Guidance/Counseling Services)

2. Academic support

## **DUSD Uniform Complaint Procedures AR 1312.3 (Continued)**

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 involving retaliation or unlawful discrimination (such as discriminatory harassment, intimidation, or bullying), appropriate corrective actions that focus on a student offender may 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  
(cf. 6164.5 - Student Success Teams)
6. Denial of participation in extracurricular or cocurricular activities or other privileges as permitted by law  
(cf. 6145 - Extracurricular and Cocurricular Activities)
7. Disciplinary action, such as suspension or expulsion, as permitted by law  
(cf. 5144 - Discipline)  
(cf. 5144.1 - Suspension and Expulsion/Due Process)

When an employee is found to have committed retaliation or unlawful discrimination (such as discriminatory 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.

(cf. 4118 - Dismissal/Suspension/Disciplinary Action)

(cf. 4218 - Dismissal/Suspension/Disciplinary Action)

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 (such as discriminatory 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 laws regarding student fees, deposits, and other charges, physical education instructional minutes for students in elementary schools, or any requirement related to the LCAP is found to have merit, the district shall provide a remedy to all affected students and parents/guardians subject to procedures established by regulation of the State Board of Education. (Education Code 49013, 51223, 52075)

For complaints alleging noncompliance with the laws regarding student fees, the district shall attempt in good faith, by engaging in reasonable efforts, 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)

## **DUSD Uniform Complaint Procedures AR 1312.3 (Continued)**

### **Appeals to the California Department of Education**

Any complainant who is dissatisfied with the district's final written decision on a complaint regarding any specified federal or state educational program subject to UCP may file an appeal in writing with CDE within 15 calendar days of receiving the district's decision. (5 CCR 4632)

The complainant shall specify the basis for the appeal of the decision and how the facts of the district's decision are incorrect and/or the law has been misapplied. The appeal shall be sent to CDE with a copy of the original locally filed complaint and a copy of the district's decision in that complaint. (5 CCR 4632)

When a respondent in any complaint alleging unlawful discrimination (such as discriminatory harassment, intimidation, and bullying) is dissatisfied with the district's final written decision, the respondent, in the same manner as the complainant, may file an appeal with CDE.

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

1. A copy of the original complaint
2. A copy of the written decision
3. A summary of the nature and extent of the investigation conducted by the district, if not covered by the decision
4. 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
5. A report of any action taken to resolve the complaint
6. A copy of the district's UCP
7. Other relevant information requested by CDE

(5/18) 4/19

Adopted: April 1, 2019

Delano Union School District  
Delano, California



# 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 not 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:

- |  |  |
|--|--|
| <input type="checkbox"/> Age                         | <input type="checkbox"/> Nationality   |
| <input type="checkbox"/> Ancestry                    | <input type="checkbox"/> National Origin   |
| <input type="checkbox"/> Color                       | <input type="checkbox"/> Race or Ethnicity   |
| <input type="checkbox"/> Disability                  | <input type="checkbox"/> Religion  |
| <input type="checkbox"/> Ethnic Group Identification | <input type="checkbox"/> Sex   |
| <input type="checkbox"/> Gender Expression           | <input type="checkbox"/> Sexual Harassment (Title IX)                                      |
| <input type="checkbox"/> Gender Identity             | <input type="checkbox"/> Sexual Orientation  |
| <input type="checkbox"/> Gender                      | <input type="checkbox"/> Association with any of these actual or perceived characteristics |

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

- Adult Education
- Consolidated Categorical Aid Programs
- Migrant Education
- Career Technical and Technical Education and Career Technical and Technical Training Programs
- Child Care and Development Programs
- Child Nutrition Programs
- Special Education Programs
- Pupil Fees
- Local Control Funding Formula
- Local Control Accountability Plan

**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 alleged acts first came to your attention and location(s) where the incident(s) occurred:

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

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

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

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\_\_\_\_\_  
**Signature of person filing complaint**

\_\_\_\_\_  
**Date**

Office Use Only:

Received by: \_\_\_\_\_  
(Name and Title)

Date Filed: \_\_\_\_\_

## **DUSD Sexual Harassment Board Policy 4219.11 4119.11, 4319.11**

The Governing Board is committed to providing a safe work environment that is free of harassment and intimidation. The Board prohibits sexual harassment against district employees and retaliatory behavior or action against any person who complains, testifies, or otherwise participates in the complaint process established for the purpose of this policy.

Sexual harassment includes, but is not limited to, harassment that is based on the gender, gender identity, gender expression, or sexual orientation of the victim.

This policy shall apply to all district employees and to other persons on district property or with some employment relationship with the district, such as interns, volunteers, contractors, and job applicants.

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

(cf. 4030 - Nondiscrimination in Employment)

Any district employee who engages or participates in sexual harassment or who aids, abets, incites, compels, or coerces another to commit sexual harassment in violation of this policy is subject to disciplinary action, up to and including dismissal.

(cf. 4117.7/4317.7 - Employment Status Reports)

(cf. 4118 - Dismissal/Suspension/Disciplinary Action)

(cf. 4218 - Dismissal/Suspension/Disciplinary Action)

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

1. Providing training to employees in accordance with law and administrative regulation
2. Publicizing and disseminating the district's sexual harassment policy to employees and others to whom the policy may apply

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

3. Ensuring prompt, thorough, and fair investigation of complaints
4. Taking timely and appropriate corrective/remedial action(s), which may require interim separation of the complainant and the alleged harasser and subsequent monitoring of developments

The Superintendent or designee shall periodically evaluate the effectiveness of the district's strategies to prevent and address harassment. Such evaluation may involve conducting regular anonymous employee surveys to assess whether harassment is occurring or is perceived to be tolerated, partnering with researchers or other agencies with the needed expertise to evaluate the 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 the harassment policy, complaint procedures, or training.

### **Sexual Harassment Reports and Complaints**

Any district employee who feels that he/she has been sexually harassed in the performance of his/her district responsibilities or who has knowledge of any incident of sexual harassment by or against another employee shall immediately report the incident to his/her direct supervisor, another supervisor, the district's coordinator for nondiscrimination, the Superintendent, or, if available, a complaint hotline or an ombudsman. A supervisor or administrator who receives a harassment complaint shall promptly notify the coordinator.

Complaints of sexual harassment shall be filed and investigated in accordance with the complaint procedure specified in AR 4030 - Nondiscrimination in Employment. An employee may bypass his/her supervisor in filing a complaint where the supervisor is the subject of the complaint.

All complaints and allegations of sexual harassment shall be kept confidential to the extent necessary to carry out the investigation or to take other subsequent necessary actions. (2 CCR 11023)

# **DUSD Sexual Harassment BP 4219.11 4119.11, 4319.11 (Continued)**

## EDUCATION CODE

200-262.4 Prohibition of discrimination on the basis of sex

## GOVERNMENT CODE

12900-12996 Fair Employment and Housing Act, especially:

12940 Prohibited discrimination

12950 Sexual harassment; distribution of information

12950.1 Sexual harassment training

## LABOR CODE

1101 Political activities of employees

1102.1 Discrimination: sexual orientation

## CODE OF REGULATIONS, TITLE 2

11009 Employment discrimination

11021 Retaliation

11023 Harassment and discrimination prevention and correction

11024 Sexual harassment training and education

11034 Terms, conditions, and privileges of employment

## CODE OF REGULATIONS, TITLE 5

4900-4965 Nondiscrimination in elementary and secondary education programs receiving state financial assistance

## UNITED STATES CODE, TITLE 20

1681-1688 Title IX prohibition against discrimination

## UNITED STATES CODE, TITLE 42

2000e-2000e-17 Title VII, Civil Rights Act of 1964, as amended

## CODE OF FEDERAL REGULATIONS, TITLE 34

106.1-106.9 Nondiscrimination on the basis of sex in education programs or activities

106.51-106.61 Nondiscrimination on the basis of sex in employment in education program or activities

## COURT DECISIONS

Department of Health Services v. Superior Court of California, (2003) 31 Cal.4th 1026

Faragher v. City of Boca Raton, (1998) 118 S.Ct. 2275

Burlington Industries v. Ellreth, (1998) 118 S.Ct. 2257

Gebser v. Lago Vista Independent School District, (1998) 118 S.Ct. 1989

Oncale v. Sundowner Offshore Serv. Inc., (1998) 118 S.Ct. 998

Meritor Savings Bank, FSB v. Vinson et al., (1986) 447 U.S. 57

Delano Union School District -Policy adopted: May 7, 2018

## **DUSD Sexual Harassment Policy Administrative Regulation 4219.11**

This administrative regulation shall apply to all allegations of sexual harassment involving employees, interns, volunteers, and job applicants, but shall not be used to resolve any complaint by or against a student.

### **Definitions**

Prohibited 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 made against another person of the same or opposite sex in the work or educational setting when:

(Education Code [212.5](#); Government Code [12940](#); 2 CCR 11034)

1. Submission to the conduct is made explicitly or implicitly a term or condition of the individual's employment.
2. Submission to or rejection of the conduct is used as the basis for an employment decision affecting the individual.
3. 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.

Prohibited sexual harassment also includes conduct which, regardless of whether or not it is motivated by sexual desire, is so severe or pervasive as to unreasonably interfere with the victim's work performance or create an intimidating, hostile, or offensive work environment.

Examples of actions that might constitute sexual harassment in the work or educational setting, whether committed by a supervisor, a co-worker, or a non-employee, include, but are not limited to:

1. Unwelcome verbal conduct such as sexual flirtations or propositions; graphic comments about an individual's body; overly personal conversations or pressure for sexual activity; sexual jokes or stories; unwelcome sexual slurs, epithets, threats, innuendoes, derogatory comments, sexually degrading descriptions, or the spreading of sexual rumors
2. Unwelcome visual conduct such as drawings, pictures, graffiti, or gestures; sexually explicit emails; displaying sexually suggestive objects
3. Unwelcome physical conduct such as massaging, grabbing, fondling, stroking, or brushing the body; touching an individual's body or clothes in a sexual way; cornering, blocking, leaning over, or impeding normal movements

### **Training**

The Superintendent or designee shall ensure that all employees receive training regarding the district's sexual harassment policies when hired and periodically thereafter. The training shall include the procedures for reporting and/or filing complaints involving an employee, employees' duty to use the district's complaint procedures, and employee obligations when a sexual harassment report involving a student is made to the employee.

(cf. [1312.3](#) - Uniform Complaint Procedures)

(cf. [4030](#) - Nondiscrimination in Employment)

(cf. [5145.7](#) - Sexual Harassment)

Every two years, the Superintendent or designee shall ensure that supervisory employees receive at least two hours of classroom or other effective interactive training and education regarding sexual harassment. All such newly hired or promoted employees 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](#))

## **DUSD Sexual Harassment Policy AR 4219.11 (Continued)**

(cf. [4300](#) - Administrative and Supervisory Personnel)

The district's sexual harassment training and education program for supervisory employees shall be aimed at assisting them in preventing and effectively responding to incidents of sexual harassment, as well as implementing mechanisms to promptly address and correct wrongful behavior. The training 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 on the prohibition, prevention, and correction of sexual harassment, the remedies available to sexual harassment victims in civil actions, and potential district and/or individual exposure or liability
2. The types of conduct that constitute sexual harassment and 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
3. A supervisor's obligation to report sexual harassment, discrimination, and retaliation of which he/she becomes aware and what to do if the supervisor himself/herself is personally accused of harassment
4. Strategies for preventing harassment, discrimination, and retaliation and appropriate steps to ensure that remedial measures are taken to correct harassing behavior, including an effective process for investigation of a complaint
5. The essential elements of the district's anti-harassment policy, including the limited confidentiality of the complaint process and resources for victims of unlawful sexual harassment, such as to whom they should report any alleged sexual harassment, and how to use the policy if a harassment complaint is filed
6. A copy of the district's sexual harassment policy and administrative regulation, which each participant shall acknowledge in writing that he/she has received
7. The definition and prevention of abusive conduct that addresses the use of derogatory remarks, insults, or epithets, other verbal or physical conduct that a reasonable person would find threatening, intimidating, or humiliating, and the gratuitous sabotage or undermining of a person's work performance

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

### **Notifications**

A copy of the Board policy and this administrative regulation shall: (Education Code [231.5](#))

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

(cf. [4112.9/4212.9/4312.9](#) - Employee Notifications)

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

## **DUSD Sexual Harassment Policy AR 4219.11 (Continued)**

All employees shall receive either a copy of information sheets prepared by the California Department of Fair Employment and Housing (DFEH) or a copy of district information sheets that contain, at a minimum, components on: (Government Code [12950](#))

1. The illegality of sexual harassment
2. The definition of sexual harassment under applicable state and federal law
3. A description of sexual harassment, with examples
4. The district's complaint process available to the employee
5. The legal remedies and complaint process available through DFEH and the Equal Employment Opportunity Commission (EEOC)
6. Directions on how to contact DFEH and the EEOC
7. The protection against retaliation provided by 2 CCR [11021](#) for opposing harassment prohibited by law or for filing a complaint with or otherwise participating in an investigation, proceeding, or hearing conducted by DFEH and the EEOC

In addition, the district shall post, in a prominent and accessible location, DFEH's poster on discrimination in employment and the illegality of sexual harassment. (Government Code [12950](#))

Regulation DELANO UNION SCHOOL DISTRICT  
approved: March 13, 2017 Delano, California



The definition of sexual harassment includes many forms of offensive behavior.



- such as a lead, supervisor, manager or agent;
- the employer had no knowledge of the harassment;
- there was a program to prevent harassment; and
- once aware of any harassment, the employer took immediate and appropriate corrective action to stop the harassment.

### Filing a Complaint

Employees or job applicants who believe that they have been sexually harassed may file a complaint of discrimination with DFEH within **one year** of the harassment.

DFEH serves as a neutral fact-finder and attempts to help the parties voluntarily resolve disputes.

If DFEH finds sufficient evidence to establish that discrimination occurred and settlement efforts fail, the Department may file a civil complaint in state or federal court on behalf of the complaining party. The DFEH may seek punitive damages is entitled to attorney's fees and costs if it prevails in litigation.

Remedies include:

- Fines or damages for emotional distress from each employer or person found to have violated the law
- Hiring or reinstatement
- Back pay or promotion
- Changes in the policies or practices of the involved employer

Employees can also pursue the matter through a private lawsuit in civil court after a complaint has been filed with DFEH and a Right-to-Sue Notice has been issued.

For more information, see publication DFEH-159 "Guide for Complainants and Respondents."

For more information, contact DFEH toll free at **(800) 884-1684** TTY number at **(800) 700-2320** or visit our Web site at [www.dfeh.ca.gov](http://www.dfeh.ca.gov)

*In accordance with the California Government Code and ADA requirements, this publication can be made available in Braille, large print, computer disk, or tape cassette as a disability-related reasonable accommodation for an individual with a disability. To discuss how to receive a copy of this publication in an alternative format, please contact DFEH at the numbers above.*



**State of California**  
Department of Fair Employment & Housing

DFEH-185 (11/14)

## Sexual Harassment

### The Facts About Sexual Harassment

The *Fair Employment and Housing Act* (FEHA) defines sexual harassment as harassment based on sex or of a sexual nature; gender harassment; and harassment based on pregnancy, childbirth, or related medical conditions. The definition of sexual harassment includes many forms of offensive behavior, including harassment of a person of the same gender as the harasser. The following is a partial list of types of sexual harassment:

- Unwanted sexual advances
- Offering employment benefits in exchange for sexual favors
- Actual or threatened retaliation
- Leering; making sexual gestures; or displaying sexually suggestive objects, pictures, cartoons, or posters
- Making or using derogatory comments, epithets, slurs, or jokes
- Sexual comments including graphic comments about an individual's body; sexually degrading words used to describe an individual; or suggestive or obscene letters, notes, or invitations
- Physical touching or assault, as well as impeding or blocking movements
- Sexual desire is not necessary





The mission of the Department of Fair Employment and Housing is to protect the people of California from unlawful discrimination in employment, housing and public accommodations, and from the perpetration of acts of hate violence.

### Employers' Obligations

All employers must take the following actions against harassment:

- Take all reasonable steps to prevent discrimination and harassment from occurring. If harassment does occur, take effective action to stop any further harassment and to correct any effects of the harassment.
- Develop and implement a sexual harassment prevention policy with a procedure for employees to make complaints and for the employer to investigate complaints. Policies should include provisions to:
  - Fully inform the complainant of his/herrights and any obligations to secure those rights.
  - Fully and effectively investigate. The investigation must be thorough, objective, and complete. Anyone with information regarding the matter should be interviewed. A determination must be made and the results communicated to the complainant, to the alleged harasser and, as appropriate, to all others directly concerned.
  - Take prompt and effective corrective action if the harassment allegations are proven. The employer must take appropriate action to stop the harassment and ensure it will not continue. The employer must also communicate to the com-

plainant that action has been taken to stop the harassment from recurring. Finally, appropriate steps must be taken to remedy the complainant's damages, if any.

- Post the Department of Fair Employment and Housing (DFEH) employment poster (DFEH - 162) in the workplace (available through the DFEH publications line [916] 478-7201 or Web site).
- Distribute an information sheet on sexual harassment to all employees. An employer may either distribute this pamphlet (DFEH 185) or develop an equivalent document that meets the requirements of Government Code section 12950(b). This pamphlet may be duplicated in any quantity. **However, this pamphlet is not to be used in place of a sexual harassment prevention policy, which all employers are required to have.**

- All employees should be made aware of the seriousness of violations of the sexual harassment policy and must be cautioned against using peer pressure to discourage harassment victims from complaining.
- Employers who do business in California and employ 50 or more part-time or full-time employees *must* provide at least two hours of sexual harassment training every two years to each supervisory employee and to all new supervisory employees within six months of their assumption of a supervisory position.

- A program to eliminate sexual harassment from the workplace is not only required by law, but is the most practical way for an employer to avoid or limit liability if harassment should occur despite preventive efforts.

### Employer Liability

All employers, regardless of the number of employees, are covered by the harassment section of the FEHA. Employers are generally liable for harassment by their supervisors or agents. Harassers, including both supervisory and non-supervisory personnel, may be held personally liable for harassing an employee or coworker or for aiding and abetting harassment. Additionally, the law requires employers to take "all reasonable steps to prevent harassment from occurring." If an employer has failed to take such preventive measures, that employer can be held liable for the harassment. A victim may be entitled to damages, even though no employment opportunity has been denied and there is no actual loss of pay or benefits.

In addition, if an employer knows or should have known that a **non-employee** (e.g. client or customer) has sexually harassed an employee, applicant, or person providing services for the employer and fails to take immediate and appropriate corrective action, the employer may be held liable for the actions of the non-employee.

An employer might avoid liability if

- the harasser is not in a position of authority,

**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.



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Rosalina, C. Rivera, Superintendent  
Delano Union School District

## **DUSD Drug and Alcohol Free Workplace Board Policy 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 non-instructional time in the classroom or workplace, at extracurricular or co-curricular 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 Drug and Alcohol Free Workplace Exhibit 4020

## Drug And Alcohol-Free Workplace Notice To Employees

YOU ARE HEREBY NOTIFIED that it is a violation of Board policy for any employee at a school district workplace to unlawfully manufacture, distribute, dispense, possess, use or be under the influence of any alcoholic beverage, drug or controlled substance as defined in the Controlled Substances Act and Code of Federal Regulations.

"School district workplace" is defined as any place where school district work is performed, including a school building or other school premises; any school-owned or school-approved vehicle used to transport students to and from school or school activities; any off-school sites when accommodating a school-sponsored or school-approved activity or function, such as a field trip or athletic event, where students are under district jurisdiction; or during any period of time when an employee is supervising students on behalf of the district or otherwise engaged in district business.

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

Pursuant to the federal Omnibus Transportation Employee Testing Act of 1991, school bus drivers shall be subject to a drug and alcohol testing program that fulfills the requirements of the Code of Federal Regulations, Title 49, Part 382.

(cf. [4112.42/4212.42/4312.42](#) - Drug and Alcohol Testing for School Bus Drivers)

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

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

Pursuant to Education Code [44425](#), whenever the holder of any credential issued by the State Board of Education or the Commission for Teacher Preparation and Licensing has been convicted of a controlled substance offense as defined in Education Code [44011](#), the commission shall forthwith suspend the credential.

When the conviction becomes final or when imposition of sentence is suspended, the commission shall revoke the credential. (Education Code [44425](#))

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

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

Exhibit DELANO UNION SCHOOL DISTRICT  
version: August 6, 2002 Delano, California

## **DUSD Work Related Injuries Board Policy 4157.1**

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 claims handling process in order to reduce costs and facilitate employee recovery.

(cf. 3320 - Claims and Actions Against the District)  
(cf. 4032 - Reasonable Accommodation)  
(cf. 4113.4/4213.4/4313.4 - Temporary Modified/Light-Duty Assignment)  
(cf. 4154/4254/4354 - Health and Welfare Benefits)  
(cf. 4157/4257/4357 - Employee Safety)  
(cf. 4157.2/4257.2/4357.2 - Ergonomics)  
(cf. 4161.11/4261.11/4361.11 - Industrial Accident/Illness Leave)

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.

Legal Reference:

### **EDUCATION CODE**

44984 Industrial accident and illness leaves, certificated employees  
45192 Industrial accident and illness leaves, classified employees

### **LABOR CODE**

3200-4855 Workers' compensation, especially:  
3550-3553 Employee notice  
3600-3605 Conditions of liability  
3760 Report of injury to insurer  
4600 Provision of medical and hospital treatment by employer  
4906 Disclosures and statements  
5400-5413 Notice of injury or death  
6409.1 Reports

### **CODE OF REGULATIONS, TITLE 8**

15596 Notice of employee rights

### **DELANO UNION SCHOOL DISTRICT**

Policy adopted: April 10, 2017

Delano, California

## **DUSD Work Related Injuries Administrative Regulation 4157.1**

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.

(cf. 3320 - Claims and Actions Against the District)

(cf. 4032 - Reasonable Accommodation)

(cf. 4113.4/4213.4/4313.4 - Temporary Modified/Light-Duty Assignment)

(cf. 4154/4254/4354 - Health and Welfare Benefits)

(cf. 4157/4257/4357 - Employee Safety)

(cf. 4157.2/4257.2/4357.2 - Ergonomics)

(cf. 4161.11/4261.11/4361.11 - Industrial Accident/Illness Leave)

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

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

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

In the event that an employee is injured or becomes ill in the course of employment, he/she shall report the work-related injury or illness to the Superintendent or designee as soon as practicable.

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 his/her dependents. The claim form and notice shall be provided personally or by first class mail. (Labor Code 5401)

The Superintendent or designee shall additionally ensure that any employee who is a victim of a crime that occurred at the place of employment is given written notice personally or by first class mail within one working day of the crime, or when the 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)

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

Upon learning of a work-related injury or illness, or injury or illness alleged to have arisen out of and in the course of employment, the Superintendent or designee shall report the incident to the district's insurance carrier 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 must be filed with the insurance carrier 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 by telephone or email to the Division of Occupational Safety and Health. (Labor Code 6409.1)

Legal Reference:

### EDUCATION CODE

44984 Industrial accident and illness leaves, certificated employees

45192 Industrial accident and illness leaves, classified employees

## **DUSD Work Related Injuries AR 4157.1 (Continued)**

### LABOR CODE

3200-4855 Workers' compensation, especially:  
3550-3553 Employee notice  
3600-3605 Conditions of liability  
3760 Report of injury to insurer  
4600 Provision of medical and hospital treatment by employer  
4906 Disclosures and statements  
5400-5413 Notice of injury or death  
6409.1 Reports

### CODE OF REGULATIONS, TITLE 8

15596 Notice of employee rights

### DELANO UNION SCHOOL DISTRICT

Regulation approved: April 10, 2017  
Delano, California



## **DUSD Employee Safety Board Policy 4157**

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

(cf. 0450 - Comprehensive Safety Plan)

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

The Board expects all employees to use safe work practices and, to the extent possible, correct any unsafe conditions which may occur. If an employee is unable to correct an unsafe condition, he/she shall immediately report the problem to the Superintendent or designee.

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

(cf. 4118 - Dismissal/Suspension/Disciplinary Action)

(cf. 4218 - Dismissal/Suspension/Disciplinary Action)

The Superintendent or designee shall establish and implement a written injury and illness prevention program in accordance with law. (Labor Code 6401.7)

(cf. 3514 - Environmental Safety)

(cf. 3514.1 - Hazardous Substances)

(cf. 3516 - Emergencies and Disaster Preparedness Plan)

(cf. 4119.41/4219.41/4319.41 - Employees with Infectious Disease)

(cf. 4119.42/4219.42/4319.42 - Exposure Control Plan for Bloodborne Pathogens)

(cf. 4119.43/4219.43/4319.43 - Universal Precautions)

(cf. 4157.2/4257.2/4357.2 - Ergonomics)

(cf. 4158/4258/4358 - Employee Security)

The Superintendent or designee shall ensure the ready availability of first aid materials at district workplaces and shall make effective provisions, in advance, 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 making complaints, instituting proceedings, or testifying with regard to employee safety or health or for participating in any occupational health and safety committee established pursuant to Labor Code 6401.7. (Labor Code 6310)

Legal Reference:

### **EDUCATION CODE**

32030-32034 Eye safety

32225-32226 Communications devices in classrooms

32280-32289 School safety plans

44984 Required rules for industrial accident and illness leave of absence

The Superintendent or designee shall provide and implement safety devices, safeguards, methods, and processes that are reasonably adequate to render the employment and place of employment safe and healthful. (Labor Code 6401)

(cf. 4157.1/4257.1/4357.1 - Work-Related Injuries)

(cf. 4157.2/4257.2/4357.2 - Ergonomics)

(cf. 4161.11/4261.11/4361.11 - Industrial Accident/Illness Leave)

### **Injury and Illness Prevention Program**

The district's injury and illness prevention program shall cover all district employees and all other workers

## **DUSD Employee Safety BP 4157 (Continued)**

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 not be limited to:
  - a. Recognition of employees who follow safe and healthful work practices  
(cf. 4156.2/4256.2/4356.2 - Awards and Recognition)
  - b. Training and retraining programs
  - c. Disciplinary actions  
(cf. 4218 - Dismissal/Suspension/Disciplinary Action)  
(cf. 4118 - Suspension/Disciplinary Action)
3. A system for communicating with employees, in a form readily understandable by all employees, on matters related to occupational health and safety, including provisions designed to encourage employees to report hazards at the worksite without fear of reprisal. The communications system may include, but not be limited to:
  - a. Meetings
  - b. Training programs
  - c. Posting
  - d. Written communications
  - e. A system of anonymous notification by employees about hazards
  - f. A labor/management safety and health committee
4. Procedures for identifying and evaluating workplace hazards, including scheduled periodic inspections to identify unsafe conditions and work practices. Such inspections shall be made:
  - a. Whenever new substances, processes, procedures, or equipment that represents a new occupational safety or health hazard is introduced into the workplace
  - b. Whenever the district is made aware of a new or previously unrecognized hazard  
(cf. 3514 - Environmental Safety)  
(cf. 3514.1 - Hazardous Substances)
5. A procedure for investigating occupational injury or illness.
6. Methods and/or procedures for correcting unsafe or unhealthful conditions, work practices, and work procedures in a timely manner, based on the severity of the hazard, when the hazard is observed or discovered.

When an imminent hazard exists which cannot be immediately abated without endangering employee(s) and/or property, these procedures shall call for the removal of all exposed staff from the area except those necessary to correct the hazardous condition. Employees needed to correct the condition shall be provided necessary safeguards.
7. Provision of training and instruction as follows:
  - a. To all new employees

## **DUSD Employee Safety BP 4157 (Continued)**

- b. To all employees given new job assignments for which training has not previously been received
- c. Whenever new substances, processes, procedures, or equipment is introduced into the workplace and represents a new hazard
- d. Whenever the 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

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

### **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 the California Department of Industrial Relations' Division of Occupational Safety and Health (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 in 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, audiometric testing of affected employees, the provision of hearing protectors, and employee training. (8 CCR 5095-5100; 29 CFR 1910.95)

### **Eye Safety Devices**

Eye safety devices shall be worn by employees whenever they are engaged in or observing an activity involving hazards or hazardous substances likely to cause injury to the eyes. (Education Code 32030-32034)

### **First Aid and Medical Services**

The Superintendent or designee shall ensure the ready availability of medical personnel for advice and consultation on matters of industrial health or injury. Whenever a workplace is 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

## **DUSD Employee Safety BP 4157 (Continued)**

necessary. (8 CCR 3400)

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

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

(cf. 5141.6 - School Health Services)

3. Proper equipment for prompt medical transport when transportation of injured or ill employees is necessary and appropriate.

DELANO UNION SCHOOL DISTRICT

Regulation approved: April 10, 2017

Delano, California

## **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

## **DUSD Emergency Response Plan- Outdoor Air Quality (Continued)**

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.

#### 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.

## **DUSD Emergency Response Plan- Utilities Failure (Continued)**

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.



## **DUSD Emergency Response Plan- Flooding (Continued)**

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.

## **DUSD Emergency Response Plan- Earthquake (Continued)**

### **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.

## **DUSD Emergency Response Plan- Fire (Continued)**

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.

## **DUSD Emergency Response Plan- Wildfire (Continued)**

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-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 shots 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**

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.


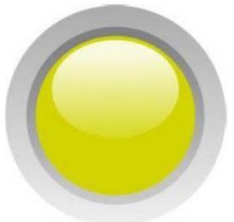




Every situation is unique and should be handled in the context of the facility or environment in which it occurs. Facility supervisors and law enforcement will be in the best position to determine if a real risk is posted and how to respond.

### **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.

# Standard Emergency Response Protocol

	<i>Administration</i>	<i>Teacher</i>	<i>Student</i>	<i>Visitors Allowed</i>
 <p><b>Code Green</b></p>	<ul style="list-style-type: none"> <li>*Business as usual</li> </ul>	<ul style="list-style-type: none"> <li>*Secure the perimeter only</li> <li>*Business as usual</li> </ul>	<ul style="list-style-type: none"> <li>*Business as usual</li> </ul>	<ul style="list-style-type: none"> <li>Authorized visitors allowed, District Staff, Parents w/ visitor pass</li> </ul>
 <p><b>Code Yellow</b></p>	<ul style="list-style-type: none"> <li>*Call code via intercom or email</li> <li>*Notify DO</li> </ul>	<ul style="list-style-type: none"> <li>*Secure the perimeter only</li> <li>*Increase situational awareness</li> <li>*Bring students into building</li> <li>*Take roll</li> <li>*Business as usual</li> </ul>	<ul style="list-style-type: none"> <li>*"Rainy Day Schedule"</li> <li>*Business as usual in the classroom</li> <li>*May exit classroom with teacher permission</li> <li>* Use alternate location for arrival/exit of kinder</li> </ul>	<ul style="list-style-type: none"> <li>*Admin Discretion</li> </ul>
 <p><b>Code Blue</b></p>	<ul style="list-style-type: none"> <li>*<b>Medical Emergency</b></li> <li>*Unresponsive Individual</li> <li>*Page Code Blue Overhead</li> <li>*Give Location</li> <li>*Bring AED</li> </ul>	<ul style="list-style-type: none"> <li>*Assess for breathing &amp; Responsiveness</li> <li>*Call 9-1-1/Front Office</li> <li>* If Not breathing Start CPR</li> <li>*Clear students as needed</li> <li>*Apply AED follow Prompts -unresponsive &amp; -Not breathing</li> </ul>	<ul style="list-style-type: none"> <li>*Follow Teachers direction</li> <li>*No personal cell phone use</li> </ul>	<ul style="list-style-type: none"> <li>*Only Authorized Visitors Allowed</li> <li>*Fire/Amb</li> <li>*Police</li> </ul>
 <p><b>Code Red</b></p>	<ul style="list-style-type: none"> <li>*<b>LOCK DOWN</b></li> <li>Multi-Agency Response</li> <li>*DPD</li> <li>*Fire Dept.</li> <li>*Notify DO</li> <li>*Send Parent notification</li> </ul>	<ul style="list-style-type: none"> <li>*Lock classroom door- do not open door for anyone</li> <li>*Turn off lights/ maintain silence</li> <li>*Move away from sight</li> <li>*Take roll</li> <li>*Wait for "All Clear"</li> </ul>	<ul style="list-style-type: none"> <li>*Report to alternative site/ building if your class is locked</li> <li>*Move away from sight</li> <li>*Maintain silence</li> <li>*May not use cell phones</li> <li>*Use bucket as commode</li> </ul>	<ul style="list-style-type: none"> <li>*No Visitors Allowed</li> </ul>
 <p><b>Evacuate</b></p>	<ul style="list-style-type: none"> <li>*Evacuate building using fire routes</li> <li>*Notify DO</li> </ul>	<ul style="list-style-type: none"> <li>*Lead evacuation to location</li> <li>*Take roll</li> <li>*Notify Admin of missing, extra or injured students</li> </ul>	<ul style="list-style-type: none"> <li>*Leave your stuff behind</li> <li>*Form a line</li> <li>*Hand in hand</li> <li>*No Talking</li> </ul>	<ul style="list-style-type: none"> <li>*No Visitors Allowed</li> </ul>
 <p><b>Shelter</b></p>	<ul style="list-style-type: none"> <li>*Call Shelter in place</li> <li>*Maintain Communication</li> <li>*Notify DO</li> </ul>	<ul style="list-style-type: none"> <li>Return to classroom</li> <li>*Take Roll-</li> <li>*Report missing</li> <li>*Close doors &amp; windows</li> <li>*Don't allow students to leave classroom</li> <li>*Seal windows/doors if instructed</li> </ul>	<ul style="list-style-type: none"> <li>Shelter Type</li> <li>For hazmat:</li> <li>*Report to classroom</li> <li>*Drop, cover &amp; hold</li> <li>* In silence</li> <li>*Seal</li> </ul>	<ul style="list-style-type: none"> <li>*No Visitors Allowed</li> </ul>

## STANDARD EMERGENCY RESPONSE PROTOCOL

	<b>CUSTODIAL</b>	<b>DELIVERY GROUNDS MAINTENANCE TECHNOLOGY</b>	<b>TRANSPORT</b>	<b>FOOD SERVICES</b>
<b>CODE GREEN</b>	Secure the perimeter.	Grounds: Secure the perimeter. Others: Business as usual.	Business as usual.	Business as usual
<b>CODE YELLOW</b>	Increase situational awareness. Assist students to safety. Secure the perimeter.	Increase situational awareness. Grounds: Secure the perimeter. Move work location away from perimeter.	Increase situational awareness. Secure or relocate drop off/pick up zone.	Increase situational awareness. Assist any students held in cafeteria.
<b>CODE BLUE</b>	Unresponsive individual: page Code Blue via radio or phone and give location.	Unresponsive individual: page Code Blue via radio or phone and give location.	Unresponsive individual: page Code Blue via radio or phone and give location.	Unresponsive individual: page Code Blue via radio or phone and give location.
<b>CODE RED</b>	Run, Hide, Fight. Assist students to safety. If in safe room: lock door, do not open door for anyone, turn off lights, remain silent. Wait for "All Clear".	Run, Hide, Fight. Assist students to safety. Move away from source of alert. Wait for "All Clear".	Run, Hide, Fight. Assist students to safety. Move away from source of alert. Wait for "All Clear".	Run, Hide, Fight. Assist students to safety. If in safe room: lock door, do not open door for anyone, turn off lights, remain silent. Wait for "All Clear".
<b>EVACUATE</b>	Evacuate buildings using fire routes. Assist students to safety.	Assist students to safety. Assist with bus loading and unloading.	Transport students and staff as instructed.	Assist students to safety. Assist with food services at evacuation destination.
<b>SHELTER</b>	Assist students to safety. Close doors and windows. Seal windows/doors as instructed.	Assist students to safety. Close doors and windows. Seal windows/doors as instructed.	Transport students and staff as instructed.	Assist students to safety. Close doors and windows. Seal windows/doors as instructed If evacuation is ordered: assist with food services at evacuation destination.

**DELANO UNION SCHOOL DISTRICT  
STANDARD EMERGENCY RESPONSE PROTOCOLS - DISTRICT OFFICE**

<b>PROTOCOL</b>	<b>SITUATION</b>	<b>GOAL</b>	<b>ACTIONS</b>
<b>CODE GREEN</b>	Potential external security risk. Situation unknown or uncertain.	Raise security level while continuing with normal operations.	Heightened Situational Awareness
<b>CODE YELLOW</b>	Identified external security risk. Potential to impact District Office.	Raise security level and adjust operations consistent with security needs.	Page Code Yellow via phone Secure the perimeter. Minimize perimeter exposure and movement between buildings.
<b>CODE BLUE</b>	Unresponsive individual. Potential or actual medical emergency.	Provide medical assistance until emergency medical services arrives. Clear area and allow for privacy.	<u>Call 911</u> . Page Code Blue via phone and give location. Code Blue Team responds to location. Deploy AED.
<b>CODE RED ("Lock Down")</b>	Immediate security danger/risk. Intruder(s) or hostile person(s) at District Office, presenting threat of violence or engaged in threatening activities.	Cease normal operations and take immediate action to contain and/or minimize exposure to danger/risk.	<u>Call 911</u> . Page Code Red via phone if possible. Run, Hide, Fight. Safe room: lock door, turn off lights, and remain silent. Wait for "All Clear".
<b>EVACUATE</b>	Unsafe conditions and/or emergency response activities require District Office staff to move to exterior of buildings and/or to another location. (Active shooter, Earthquake, Explosion, Fire)	Cease normal operations and take immediate action to move to exterior of buildings. If necessary, relocate District Office to another location and establish continuity of operations.	Evacuate buildings using fire routes. If directed to evacuate to another location, assist with bus loading and unloading. (Take personal belongings: purse, car keys, cell phone)
<b>SHELTER</b>	Immediate safety hazard caused by natural disaster, environmental conditions, or biological/chemical events.	Cease normal operations and take immediate action to minimize exposure.	Close doors and windows. Seal windows/doors as instructed. If directed to evacuate to another location, assist with bus loading and unloading.



**Delano Union School District**

**INJURY AND ILLNESS PREVENTION PROGRAM**

**I. ASSIGNMENT OF RESPONSIBILITY**

*(Title 8 California Code of Regulations §3203(a)(1))*

A. Injury and Illness Prevention Program (IIPP) administrator:

James Hay  
Director, Student Support Services  
Delano Union School District  
1405 12<sup>th</sup> Avenue  
Delano, CA 93215

B. The responsibilities of the IIPP Administrator(s) include:

Preparing and updating our district's IIPP.

Implementing the provisions in our IIPP.

Making sure each site has a copy of our IIPP.

Making sure hazards, injuries and accidents in each site are routinely investigated.

Taking action to mitigate identified hazards.

Establishing a district wide Safety Committee and designating a chairperson.

Establishing procedures for employee reporting of workplace hazards, accidents, injuries and general safety concerns.

C. Each school in our district has been assigned a safety coordinator. School-site safety coordinators are responsible for implementing and maintaining this IIPP at their

school sites and for answering employee questions about the district's IIPP. Each school-site safety coordinator has a copy of this IIPP. A list of all the district's school-site safety coordinators who will implement and maintain the IIPP at their school sites is attached as Form A.

D. The responsibilities of our school-site safety coordinators include:

Conducting routine safety inspections.

Participating on the District Employee Safety Committee.

Participating in the mitigation of identified hazards.

Communicating with employees about safety.

E. The responsibilities of all school employees include:

Reporting unsafe conditions, work practices or accidents to their supervisors or the school site safety coordinator immediately.

Following safe work practices.

Using appropriate personal protective equipment as instructed by their supervisors.

This IIPP applies to all schools in our district.

In addition to the IIPP, schools in our district have school-specific safety plans.

## II. HAZARD ASSESSMENT / INSPECTION

*(Title 8 CCR §3203(a)(4))*

A. Periodic inspections to identify and evaluate hazards in our schools sites will be performed by one or more of the following checked individuals:

School-site safety coordinators at their school sites.

Our district's IIPP Administrator(s).

SISC Risk Management.

B. Periodic inspections are always performed according to the following schedule:

When we initially established our IIPP.

Whenever new substances, processes, procedures or equipment which present potential new hazards are introduced into our workplace.

Whenever new, previously unidentified hazards are recognized.

Whenever occupational injuries and illnesses occur.

Whenever workplace conditions warrant an inspection.

When we hire and/or reassign permanent or intermittent employees to processes, operations, or tasks for which a hazard evaluation has not been previously conducted.

### **III. ACCIDENT/EXPOSURE INVESTIGATIONS**

*(Title 8 CCR §3203(a)(5))*

- A. Investigations of workplace accidents, hazardous substance exposures and near accidents will be conducted by:

Jason Kashwer, Assistant Superintendent, Human Resources  
James Hay, Director of Student Support Services  
Jack Tillman, Director, Maintenance and Operations

- B. Our procedures for investigating workplace accidents and hazardous substance exposures include:

Visiting the scene as soon as possible.

Interviewing injured employees and witnesses.

Determining the cause of the accident/exposure.

Examining the workplace and the incident for underlying causes associated with the accident/exposure.

Taking corrective action to prevent the accident/exposure from reoccurring.

Recording the findings and actions taken.

#### **IV. HAZARD CORRECTION**

*(Title 8 CCR §3203(a)(6))*

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

When observed or discovered; and

When an imminent hazard exists which cannot be immediately abated without endangering employee(s) and/or property, we will remove all exposed employees from the area except those necessary to correct the existing condition. Employees who are required to correct the hazardous condition will be provided with the necessary protection and training.

- B. We have a plan/policy (attached) for addressing the following hazards we have identified in our schools:

Chemicals covered under Cal/OSHA's Hazard Communication standard, including pesticides, cleaning products, lab chemicals, etc. (BP/AR 3514.1: Hazardous Substances).

Lead paint (BP/AR 3514: Environmental Safety).

Asbestos (BP/AR 3514: Environmental Safety).

Ergonomic hazards (AR 4157.2, 4257.2, 4357.2: Ergonomics).

Infectious diseases, including bloodborne and aerosol transmissible diseases (BP/AR 4119.42, 4219.42, 4319.42: Exposure Control Plan for Bloodborne Pathogens; BP/AR 4119.43, 4219.43, 4319.43: Universal Precautions).

Violence (BP 4158, 4258, 4358: Employee Security).

Indoor air quality (BP 3514: Environmental Safety).

#### **V. COMMUNICATION WITH EMPLOYEES ABOUT SAFETY**

*(Title 8 CCR §3203(a)(3))*

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



B. Our communication system includes all of the following items:

New employee orientation including a discussion of safety and health policies and procedures, with follow-through by supervisors to ensure effectiveness.

Worksite-specific health and safety training.

Regularly scheduled safety meetings. Our safety meetings (“District Employee Safety Committee”) are held on the following schedule: July 1 through June 30 on a quarterly basis.

Effective communication of safety and health concerns between employees and supervisors, including language translation where appropriate.

Posted or distributed safety information.

A system for employees to anonymously inform administration about workplace hazards. This system involves: an employee may submit an anonymous tip or concern in written form, placing the resulting document into a sealed envelope, and directing the envelope to the school district’s lead Injury and Illness Prevention Program (IIPP) administrator, through district mail or regular mail. Our safety meetings are held more frequently as deemed necessary by the creation of hazards or occurrence of injuries and illnesses.

Other methods we use to ensure communication with and involvement of employees include: staff meetings, email communications, and safety-related bulletins.

C. Our district elects to use a labor/management health and safety committee (“District Employee Safety Committee”) to meet all the requirements of Title 8 CCR §3203(c)(1)–(7), thereby complying with the communication requirements of Title 8 CCR §3203(a)(3).

**VI. TRAINING AND INSTRUCTION**

*(Title 8 CCR §3203(a)(7))*

A. All employees, including supervisors, will have training and instruction on general and job-specific safety and health practices. Training and instruction is provided according the following schedule:

When our IIPP was first established.

To all new employees.

To all employees given new job assignments for which training has not previously provided.

Whenever new substances, processes, procedures, or equipment are introduced to the school district and represent a new hazard.

Whenever anyone is made aware of a new or previously unrecognized hazard.

To supervisors to familiarize them with the safety and health hazards to which employees under their immediate direction and control may be exposed.

To all employees about the hazards specific to each employee's job assignment.

B. This training will include (but is not limited to):

An explanation of our IIPP, emergency action plan, fire prevention plan, measures for reporting any unsafe conditions, work practices, injuries and any additional instructions that are needed.

The availability of toilet, hand-washing, and drinking water facilities.

Provisions for medical services and first aid, including emergency procedures.

Proper housekeeping, such as keeping stairways and aisles clear, keeping work areas neat and orderly, and promptly cleaning up spills.

Prohibiting horseplay, scuffling, or other acts that adversely influence safety.

Proper storage to prevent: stacking goods in an unstable manner; storing materials and goods against doors, exits, for extinguishing equipment and electrical panels.

C. Where applicable, our training may also include:

The prevention of musculoskeletal injuries, including proper lifting techniques.

The use of appropriate clothing, including gloves, footwear, and personal protective equipment.

Information about chemical hazards to which employees could be exposed and other hazard communication program information.

Proper food and beverage storage to prevent them from becoming contaminated.

- D. In addition, we provide specific instructions to all employees regarding hazards unique to their job assignment, to the extent that such information was not already covered in other trainings.

## **VII. EMPLOYEE COMPLIANCE WITH SAFETY PROCEDURES**

*(Title 8 CCR §3203(a)(2))*

- A. Management is responsible for ensuring that all safety and health policies and procedures are clearly communicated and understood by all employees. Supervisors and lead personnel are expected to enforce the rules fairly and uniformly.
- B. All district employees, including supervisors, are responsible for complying with safe and healthful work practices. Our system of ensuring that all employees comply with these practices includes all of the following checked practices:

Informing employees of the provisions of our IIPP.

Evaluating the safety performance of all employees.

Providing training to employees whose safety performance is deficient.

Recognizing employees who perform safe and healthful work practices. This recognition is accomplished by: ongoing recognition of specific departments, programs, and school sites for positive safety records, including the number of days/hours that specific departments, programs, and school sites have been injury-free.

Disciplining employees for failure to comply with safe and healthful work practices. Employee discipline is the responsibility of the Assistant Superintendent for Human Resources, consistent with legal and contractual requirements.

## **VIII. RECORDKEEPING AND DOCUMENTATION**

*(Title 8 CCR 3203(b))*

- A. Although school districts are not required to keep records or documentation of the elements of an IIPP, except the written program itself, our school district maintains the following records to help us more efficiently and effectively implement our IIPP:

Records of scheduled and periodic inspections (to identify unsafe conditions and work practices, including the names of the person(s) conducting the inspection,

the unsafe conditions and the work practices that have been identified, as well as the action(s) taken to correct the identified unsafe conditions and work practices. These records are maintained for at least one (1) year.

Documentation of our safety and health training.

Periodic reports provided by SISC Risk Management, detailing the history and patterns relating to employee injuries. These reports are reviewed by the District Employee Safety Committee.

- B. The master copy of this IIPP can be found at: Office of the Superintendent.
- C. Other copies of the IIPP can be found at: Office of Student Support Services.

**DISTRICT INJURY/ILLNESS PREVENTION POLICY**  
**ADOPTED BY DISTRICT EMPLOYEE SAFETY COMMITTEE: January 30, 2017**  
**ADOPTED BY BOARD OF TRUSTEES: April 10, 2017**

## 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	Michelle Gaeta
<b>School Site</b>	<b>Name of Coordinator</b>
Almond Tree Middle School	May Zetina
<b>School Site</b>	<b>Name of Coordinator</b>
Cecil Avenue Math & Science Academy	Lionel Reyna
<b>School Site</b>	<b>Name of Coordinator</b>
Del Vista Math & Science Academy	Leticia Carreño
<b>School Site</b>	<b>Name of Coordinator</b>
Fremont School	Martha Barajas
<b>School Site</b>	<b>Name of Coordinator</b>
Harvest School	Ian Tablit
<b>School Site</b>	<b>Name of Coordinator</b>
La Viña Middle School	Juan Garcia
<b>School Site</b>	<b>Name of Coordinator</b>
Morningside School	Shirley Gibbs
<b>School Site</b>	<b>Name of Coordinator</b>
Nueva Vista Language Academy	Maria Alvizo
<b>School Site</b>	<b>Name of Coordinator</b>
Pioneer School	Claudia Marin
<b>School Site</b>	<b>Name of Coordinator</b>
Princeton Street School	Jennifer Bork-Walters
<b>School Site</b>	<b>Name of Coordinator</b>
Terrace School	<b>TBD</b>
<b>School Site</b>	<b>Name of Coordinator</b>

## **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.

## **DUSD Injury/ Illness Program Home Visit Guide (Continued)**

- 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.

### **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.

## **DUSD Injury/ Illness Program Home Visit Guide (Continued)**

### **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

Final Draft: 4-13-18

Adopted by Board of Trustees: \_\_\_\_\_



## **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 advantages of breastfeeding for infants and mothers and desires to provide a supportive environment for any district employee to express milk for her infant child upon her return to work following the birth of the child. The Board prohibits discrimination, harassment, and/or retaliation against any district employee who chooses to express breast milk for her infant child while at work.

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

To the extent possible, such break time shall run concurrently with the break time already provided to the employee. Any additional break time used by a non-exempt employee for this purpose shall be unpaid. (Labor Code 1030; 29 USC 207)

The employee shall be provided a private location, other than a restroom, which is in close proximity to her work area and meets the requirements of Labor Code 1031 and 29 USC 207, as applicable.

Employees are encouraged to notify their supervisor or other appropriate personnel in advance of their intent to make use of the accommodations offered for employees who are nursing mothers. As needed, the supervisor shall work with the employee to address arrangements and scheduling in order to ensure that the employees' essential job duties are covered during the break time.

Lactation accommodations may be denied only in limited circumstances in accordance with law. (Labor Code 1032; 29 USC 207)

## **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 - **Jack Tillman**

## **DUSD Employees with Infectious Disease Board Policy 4219.41**

The Board of Trustees encourages each employee to inform the district as soon as possible if he/she contracts an infectious disease which creates a physical or mental disability. The Board will reasonably accommodate the needs of such individuals. The Board may reassign or grant disability leave to an employee who is unable to perform his/her job responsibilities because of illness or because the employee's illness significantly endangers his/her health or safety or the health or safety of others.

No employee will be discriminated against because of his/her disability. Legal protections established for disabled persons extend to individuals significantly impaired by infectious diseases.

When informed that an employee has a disabling infectious disease, the Superintendent or designee may request that the employee sign a release form to provide confidential medical information and records. In determining a reasonable accommodation of the employee's condition, the Superintendent or designee may consult with public health officials or physicians with expertise in the diagnosis and treatment of infectious disease. The Superintendent or designee may also communicate with the employee's physician regarding the employee's ability to perform the essential requirements of the job with reasonable accommodation and without posing significant health or safety risks to the employee or others.

The Superintendent or designee shall prepare a confidential report which includes his/her recommendation and the medical information upon which it is based. These recommendations shall take into consideration:

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

This report shall be forwarded to the Board for confidential review and action.

The job assignment of an employee with a disabling infectious disease shall be reevaluated whenever there is a change in medical knowledge or in the employee's medical regimen or health which might affect his/her assignment.

### **Confidentiality**

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

# **DUSD Employees with Infectious Disease Board Policy 4319.41**

## **Universal Precautions**

### **BP 4219.43 4119.43, 4319.43**

In order to protect employees from contact with potentially infectious blood or other body fluids, the Governing Board 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 blood borne pathogens are known to be present.

Employees shall immediately report any exposure incident or first aid incident in accordance with the district's exposure control plan or other safety procedures.

#### Legal Reference:

#### HEALTH AND SAFETY CODE

117600-118360 Handling and disposal of regulated waste

120875 Providing information to school districts on AIDS, AIDS-related conditions and Hepatitis B

120880 Information to employees of school district

#### CODE OF REGULATIONS, TITLE 8

5193 California blood borne pathogens standard

#### CODE OF FEDERAL REGULATIONS, TITLE 29

1910.1030 OSHA blood borne pathogens standards

Adopted by Board of Trustees

April 10, 2017

Delano, CA

# 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:

## **DUSD Blood Borne Pathogens Training Program (Continued)**

- 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.

*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.

## **DUSD Blood Borne Pathogens Training Program (Continued)**

- 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 device 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.

## **DUSD Blood Borne Pathogens Training Program (Continued)**

- 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.

### **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:

Linda Hinojosa, RN, at 721-7036, Community Connection Center.



# **DUSD Bloodborne Pathogens Exposure Control 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.
- 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.

## **DUSD Employee Exposure Determination**

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

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.

## **DUSD 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  $\frac{3}{4}$  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:

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 Personal Protective Equipment (PPE)**

The following laundering requirements must be met:

- Handle contaminated laundry as little as possible, with minimal agitation.
- Place wet contaminated laundry in leak-proof, labeled or color-coded containers before transport. Use bags marked with the biohazard symbol) for this purpose.
- Wear the following PPE when handling and/or sorting contaminated laundry:
  - Latex free gloves.

### **Labels**

Employees are to notify the Director of Health Services if they discover regulated waste containers, OPIM, contaminated equipment, etc., without proper labels.

See appendix B for a list of the district's labeling requirements by item.

## **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.

### **ADMINISTRATION OF POST-EXPOSURE EVALUATION AND FOLLOW-UP**

The Director of Health Services ensures that health care professional(s) responsible for employee’s hepatitis B vaccination and post-exposure evaluation and follow-up are given a copy of OSHA’s bloodborne pathogens standard.

The Director of Health Services ensures that the health care professional evaluating an employee after an exposure incident receives the following:

- A description of the employee’s job duties relevant to the exposure incident.
- Route(s) of exposure.
- Circumstances of exposure.
- Relevant employee medical records, including vaccination status.

### **PROCEDURES FOR EVALUATING THE CIRCUMSTANCES SURROUNDING AN EXPOSURE INCIDENT**

The Director of Health Services will review the circumstances of all exposure incidents to determine:

- the engineering controls in use at the time,
- the work practices followed,
- a description of the device being used (including type and brand),
- the protective equipment or clothing that was used at the time of the exposure incident (gloves, eye shields, etc.),
- the location of the incident (nurse’s office., playground, etc.),

## DUSD- Hepatitis B. Vaccination (Continued)

- the procedure being performed when the incident occurred, and
- the employee's training.

The Director of Health Services will record all percutaneous injuries from contaminated sharps in a Sharps Injury Log.

If revisions (including evaluation of safer devices, adding employees to the exposure determination list, etc.) to this ECP are necessary, the Director of Health Services, in partnership with the District Employee Safety Committee, will ensure that appropriate changes are made.

All employees who have occupational exposure to bloodborne pathogens receive initial and annual training conducted by the Director of Health Services.

After School Activity and Academic Instructor

After School Site Manager

After School Athletic Coaches

Campus Supervisor

Custodian

Health Care and Living Skill Aide

Instructional Aide

School Nurse

Yard Noon Duty Aide

Child Care Teacher, Child Care Aides: CPR/First Aid providers

Providers in the SH setting

Job descriptions for these positions contain all job-related qualifications (e.g. minimum number years of experience in this field, required degrees, etc.). Job descriptions are available from the Office of Human Resources.

All employees who have occupational exposure to bloodborne pathogens receive training on the epidemiology, symptoms, and transmission of bloodborne pathogen diseases. In addition, the training program covers, at a minimum, the following elements:

- a copy and explanation of the OSHA bloodborne pathogen standard,
- an explanation of our ECP and how to obtain a copy,
- an explanation of methods to recognize tasks and other activities,
- that may involve exposure to blood and OPIM, including what constitutes an exposure incident,
- an explanation of the use and limitations of engineering controls, work practices, and PPE,
- an explanation of the types, uses, location, removal, handling, decontamination, and disposal of PPE,
- an explanation of the basis for PPE selection,
- information on the hepatitis B vaccine, including information on its efficacy, safety, method of administration, the benefits of being vaccinated, and that the vaccine will be offered free of charge,
- information on the appropriate actions to take and persons to contact in an emergency involving blood or OPIM,
- an explanation of the procedure to follow if an exposure incident occurs, including the method of reporting the incident and the medical follow-up that will be made available,

## **DUSD- Hepatitis B. Vaccination (Continued)**

- information on the post-exposure evaluation and follow-up that the employer is required to provide for the employee following an exposure incident,
- an explanation of the signs and labels and/or color coding required by the standard and used at this facility, and
- an opportunity for interactive questions and answers with the person conducting the training session.

Training materials for this facility are available at the office of the Director of Health Services.

### **RECORDKEEPING**

#### **Training Records**

Training records are completed for each employee upon completion of training. These documents will be kept for at least 3 years at the office of Human Resources.

The training records include:

- dates of the training sessions,
- contents or a summary of the training sessions,
- names and qualifications of persons conducting the training, and
- names and job titles of all persons attending the training sessions.

Employee training records are provided upon request to the employee or the employee's authorized representative within 15 working days. Such requests should be addressed to the Office of Human Resources.

#### **Medical Records**

Medical records are maintained for each employee with occupational exposure in accordance with 29 *CFR* 1910.1020, "Access to Employee Exposure and Medical Records."

The Director of Health Services is responsible for maintenance of the required medical records. These confidential records are kept in the office of the Director for Health Services for at least the duration of employment plus 30 years.

Employee medical records are provided upon request of the employee or to anyone having written consent of the employee within 15 working days. Such requests should be sent to:

Office of Human Resources  
Delano Union School District  
1405 12th Avenue  
Delano, CA 93215  
661-721-5000

#### **OSHA Recordkeeping**

An exposure incident is evaluated to determine if the case meets OSHA's recordkeeping requirements (29 *CFR* 1904). This determination and the recording activities are done by the Director of Health Services.

#### **Sharps Injury Log**

In addition to the 1904 Recordkeeping Requirements, all percutaneous injuries from contaminated sharps are also recorded in a Sharps Injury Log. All incidences must include at least:

- the date of the injury,
- the type and brand of the device involved (syringe, needle),
- the department or work area where the incident occurred, and
- an explanation of how the incident occurred

This log is reviewed as part of the annual program evaluation and maintained for at least 5 years following the end of the calendar year covered. If a copy is requested by anyone, it must have any personal identifiers removed from the report.

## 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 BP/AR 4219.43, 4119.43, 4319.43**

In order to protect employees from contact with potentially infectious blood or other body fluids, the Governing Board 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 blood borne pathogens are known to be present.

Employees shall immediately report any exposure incident or first aid incident in accordance with the district's exposure control plan or other safety procedures.

Legal Reference:

### **HEALTH AND SAFETY CODE**

117600-118360 Handling and disposal of regulated waste

120875 Providing information to school districts on AIDS, AIDS-related conditions and Hepatitis B

120880 Information to employees of school district

### **CODE OF REGULATIONS, TITLE 8**

5193 California blood borne pathogens standard

### **CODE OF FEDERAL REGULATIONS, TITLE 29**

1910.1030 OSHA blood borne pathogens standards

Adopted by Board of Trustees

April 10, 2017

Delano, CA

### **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 blood borne pathogens. (8 CCR 5193(b))

Personal protective equipment includes specialized clothing or equipment worn or used for protection against a hazard. General work clothes such as uniforms, pants, shirts or blouses not intended to function as protection against a hazard are not considered to be personal protective equipment. (8 CCR 5193(b))

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(b))

Engineered sharps injury protection is a physical attribute built into a needle device or into a non-needle sharp which effectively reduces the risk of an exposure incident. (8 CCR 5193(b))

### **Employee Information**

The Superintendent or designee shall distribute to employees information provided by the California Department of Education 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 benefits of the employees. Information shall be distributed at least annually or more frequently if there is new information supplied by the California Department of Education. (Health and Safety Code 120875, 120880)

### **Infection Control Practices**

The Superintendent or designee shall ensure that the worksite is effectively maintained in a clean and sanitary condition, and shall implement an appropriate written schedule for cleaning and decontamination of the worksite. (8 CCR 5193(d))

## **DUSD Universal Precautions BP/AR 4219.43, 4119.43, 4319.43 (Continued)**

Where occupational exposure remains after the institution of engineering and work practice controls, the Superintendent or designee shall provide appropriate personal protective equipment at no cost to the employee. Such equipment may include gloves, gowns, masks, eye protection, and other devices that do not permit blood or other potentially infectious materials to pass through or reach the employee's clothes, skin, eyes, mouth or other mucous membranes under normal conditions of use. The Superintendent or designee shall maintain, repair, make accessible and require employees to use and properly handle protective equipment. (8 CCR 5193(d))

The Superintendent or designee shall provide hand washing facilities which are readily accessible to employees. When provision of hand washing facilities is not feasible, the Superintendent or designee shall provide an appropriate antiseptic hand cleanser in conjunction with clean cloth or paper towels, or antiseptic towelettes. (8 CCR 5193(d))

For the prevention of infectious disease, employees shall routinely: (8 CCR 5193(d))

1. Perform all procedures involving blood or other potentially infectious materials in such a manner as to minimize splashing, spraying, spattering, and generating droplets of these substances.
2. Use personal protective equipment as appropriate.
  - a. Appropriate clothing, including but not limited to, gowns, aprons, lab coats, clinic jackets or similar outer garments, shall be worn in occupational exposure situations.

If a garment becomes penetrated by blood or other potentially infectious materials, the employee shall remove the garment immediately or as soon as feasible. All personal protective equipment shall be removed prior to leaving the work area. When removed, it shall be placed in an appropriately designated area or container for storage, washing, decontamination or disposal.

- b. Gloves shall be worn when it can be reasonably anticipated that the employee may have hand contact with blood, other potentially infectious materials, mucous membranes and nonintact skin, and when handling or touching contaminated items or surfaces.

Disposable gloves shall be replaced as soon as practical when contaminated, or as soon as feasible if they are torn, punctured, or when their ability to function as a barrier is compromised. They shall not be washed or decontaminated for reuse. Utility gloves may be decontaminated for reuse if the integrity of the gloves is not compromised, but must be discarded if they are cracked, peeling, torn, punctured, or exhibit other signs of deterioration or when their ability to function as a barrier is compromised.

- c. Masks in combination with eye protection devices or face shields shall be worn whenever splashes, spray, spatter, or droplets of blood or other potentially infectious materials may be generated and eye, nose or mouth contamination can be reasonably anticipated.
3. Wash hands and other skin surfaces thoroughly with soap and running water:
  - a. Immediately or as soon as feasible following contact of hands or any other skin or mucous membranes with blood or other potentially infectious materials
  - b. Immediately after removing gloves or other personal protective equipment

When hand washing facilities are not available, the employee shall 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.
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.

## **DUSD Universal Precautions BP/AR 4219.43, 4119.43, 4319.43 (Continued)**

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 patient-handling techniques and other methods designed to minimize the risk of a sharps injury in all procedures involving the use of sharps in patient care.

(cf. 5141.21 - Administering Medication and Monitoring Health Conditions)

(cf. 5141.24 - Specialized Health Care Services)

a. Needleless systems shall be used to administer medication or fluids, withdraw body fluids after initial venous or arterial access is established, and conduct any other procedure involving the potential for an exposure incident for which a needleless system is available as an alternative to the use of needle devices. If needleless systems are not used, needles or non-needle sharps with engineered sharps injury protection shall be used.

b. Contaminated needles or other sharps shall not be broken, bent, recapped, removed from devices, or stored or processed in a manner that requires employees to reach by hand into the containers where these sharps have been placed.

c. Disposable sharps shall not be reused.

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(d)(3)(D). Containers shall be easily accessible, maintained upright throughout use where feasible, and replaced as necessary to avoid overfilling.

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.

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

## **DUSD Employee Security Board Policy 4158**

The Board of Trustees 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.

(cf. 0450 - Comprehensive Safety Plan)

(cf. 3515 - Campus Security)

(cf. 5131.4 - Student Disturbances)

Any employee against whom violence or any threat of violence has been directed in the workplace shall notify the Superintendent or designee immediately. As appropriate, the Superintendent or designee shall initiate legal and security measures to protect the employee and others in the workplace.

The Superintendent or designee may pursue legal action on behalf of an employee against a student or his/her parent/guardian to recover damages to the employee or his/her 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 his/her duties. (Education Code 48904, 48905)

(cf. 3320 - Claims and Actions Against the District)

(cf. 3515.4 - Recovery for Property Loss or Damage)

(cf. 4156.3/4256.3/4356.3 - Employee Property Reimbursement)

(cf. 5125.2 - Withholding Grades, Diploma or Transcripts)

The Superintendent or designee shall ensure that employees receive training in crisis prevention and intervention techniques in order to protect themselves and students. Staff development may include training in classroom management, effective communication techniques, procedures for responding to an active shooter situation, and crisis resolution.

The Superintendent or designee also shall inform teachers, in accordance with law, 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.

(cf. 5141 - Health Care and Emergencies)

### **Use of Pepper Spray**

Employees shall not carry or possess pepper spray on school property or at school activities, except when authorized by the Superintendent or designee for self-defense purposes. When allowed, an employee may only possess pepper spray in accordance with administrative regulations and Penal Code 22810. Any employee who is negligent or careless in the possession or handling of pepper spray shall be subject to appropriate disciplinary measures. (cf. 4118/4218 - Dismissal/Suspension/Disciplinary Action)

### **Reporting of Injurious Objects**

The Board requires employees to take immediate action upon being made aware that any person is in possession of a weapon or unauthorized injurious object on school grounds or at a school-related or school-sponsored activity. The employee shall use his/her own judgment as to the potential danger involved and shall do one of the following:

1. Confiscate the object and deliver it to the principal immediately
2. Immediately notify the principal, who shall take appropriate action
3. Immediately call 911 and the principal

When informing the principal about the possession or seizure of a weapon or dangerous device, the employee shall report the name(s) of persons involved, witnesses, location, and the circumstances of any seizure

## **DUSD Employee Security Administrative Regulation 4158**

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)

(cf. 5131.7 - Weapons and Dangerous Instruments)

(cf. 5144 - Discipline)

An employee shall promptly report to the principal or other immediate supervisor any attack, assault, or physical threat made against him/her by a student or by any other individual in relation to the employee's performance of his/her duties, and any action the employee took in response. When appropriate, the employee and the principal or other immediate supervisor shall report the incident to law enforcement.

(cf. 3515.2 - Disruptions)

Reports of attack, assault, or threat shall be forwarded immediately to the Superintendent or designee.

(cf. 3320 - Claims and Actions Against the District)

(cf. 3515.4 - Recovery for Property Loss or Damage)

(cf. 3530 - Risk Management/Insurance)

**Notice Regarding Student Offenses Committed While Under School Jurisdiction** The Superintendent or designee shall inform the teacher(s) of each student who, during the previous three school years, has engaged in or is reasonably suspected to have engaged in any act, except the possession or use of tobacco products, that would constitute a ground for suspension or expulsion as specified in AR 5144.1 - Suspension and Expulsion/Due Process. This information shall be based upon district records maintained in the ordinary course of business or records received from a law enforcement agency. (Education Code 49079)

(cf. 5125 - Student Records)

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

Upon receiving a transfer student's record regarding acts committed by the student that resulted in his/her suspension or expulsion, the Superintendent or designee shall inform the student's teacher(s) that the student was suspended from school or expelled from his/her former district and of the act that resulted in the suspension or expulsion.

(Education Code 48201)

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 49079)

**Notice Regarding Student Offenses Committed While Outside School Jurisdiction** When a minor student has been found by a court of competent jurisdiction to have illegally used, sold, or possessed a controlled substance or committed specified crimes involving serious acts of violence, the district police or security department may provide written notification to the Superintendent. (Welfare and Institutions Code 828.1)

(cf. 3515.3 - District Police/Security Department)

When informed by the court that a minor student has been found by a 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 so inform the school principal. (Welfare and Institutions Code 827)

The principal shall disseminate this information to any counselor who directly supervises or reports on the student's behavior or progress. The principal shall also inform any teacher or administrator directly supervising or reporting on the student's behavior or progress whom he/she thinks may need the information so as to work with the student appropriately, avoid being needlessly vulnerable, or protect others from vulnerability.

## **DUSD Employee Security Administrative Regulation 4158**

Any court-initiated information that a teacher, counselor, or administrator receives shall be kept confidential and used only to rehabilitate the student and protect other students and staff. The information shall be further disseminated only when communication with the student, parent/guardian, law enforcement staff, and probation officer is necessary to rehabilitate the student or to protect students and staff. (Welfare and Institutions Code 827) When a student is removed from school as a result of his/her offense, the Superintendent shall hold the court's information in a separate confidential file until the student is returned to the district. 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)

Any confidential file of court-initiated information shall be kept until the student becomes 18, graduates from high school, or is released from juvenile court jurisdiction, whichever occurs

July 9, 2018

## **DUSD Campus Security Administrative Regulation 3515**

The Superintendent or designee shall ensure that the district's campus security plan 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 from outsiders and discourage trespassing

These strategies may include requiring visitor registration, staff and student identification tags, and patrolling of places used for congregating and loitering.

(cf. 1250 - Visitors/Outsiders)

(cf. 3515.2 - Disruptions)

(cf. 5112.5 - Open/Closed Campus)

3. Discourage vandalism and graffiti

These strategies may include plans to immediately cover graffiti as well as campus beautification projects and shall also include students and the community in these projects.

(cf. 3515.4 - Recovery for Property Loss or Damage)

(cf. 5131.5 - Vandalism and Graffiti)

(cf. 5137 - Positive School Climate)

4. Control access to keys and other school inventory

5. Detect and intervene with school crime

These strategies may include the creation of a school watch program, an anonymous crime reporting system, analysis of school crime incidents, and collaboration with local law enforcement agencies, including providing for law enforcement presence.

(cf. 3515.3 - District Police/Security Department)

(cf. 5116.1 - Intradistrict Open Enrollment)

(cf. 5138 - Conflict Resolution/Peer Mediation)

(cf. 5145.9 - Hate-Motivated Behavior)

All staff shall receive training in building and grounds security procedures.

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

### **Keys**

All keys used in a school shall be the responsibility of the principal or designee. Keys shall be issued only to those employees who regularly need a key in order to carry out normal activities of their position.

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 be used only by authorized employees and shall never be loaned to students. The master key shall not be loaned.

The 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 a replacement key.

## **DUSD Campus Security Board Policy 3515**

The Governing Board is committed to providing a school environment that promotes the safety of students, employees, 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 are consistent with the goals and objectives of the district's comprehensive safety plan and site-level safety plans. Such procedures shall be regularly reviewed to reflect changed circumstances and to assess their effectiveness in achieving safe school objectives.

(cf. 0450 - Comprehensive Safety Plan)

### **Surveillance Systems**

The Board believes that reasonable use of surveillance cameras will help the district achieve its goals for campus security. In consultation with the safety planning committee and relevant 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.

(cf. 5131.1 - Bus Conduct)

(cf. 5145.12 - Search and Seizure)

Prior to the operation of the surveillance system, the Superintendent or designee shall ensure that signs are posted at conspicuous locations at affected school buildings and grounds. These signs shall inform students, staff, and visitors that surveillance may occur and shall state whether the district's system is actively monitored by school personnel. 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, explaining that the recordings may be used in disciplinary proceedings, and that matters captured by the camera may be referred to local law enforcement, as appropriate.

(cf. 5144 - Discipline)



## **DUSD Disruptions Administrative Regulation 3512.2**

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

## **DUSD Disruptions AR. 3512.2 (Continued)**

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 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 Comprehensive Safety Plan Administrative Regulation 0450**

## **Development and Review of Comprehensive School Safety Plan**

The school site council shall consult with local law enforcement in the writing and development of the comprehensive school safety plan. When practical, the school site council also shall consult with other school site councils and safety committees. (Education Code 32281, 32282)

(cf. 0420 - School Plans/Site Councils)

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
3. 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

(cf. 1220 - Citizen Advisory Committees)

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

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: (Education Code 32288)

1. The local mayor
2. A representative of the local school employee organization
3. A representative of each parent organization at the school, including the parent teacher association and parent teacher clubs

(cf. 1230 - School-Connected Organizations)

4. A representative of each teacher organization at the school

(cf. 4140/4240/4340 - Bargaining Units)

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

(cf. 1700 - Relations Between Private Industry and the Schools)

## **Content of the 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

## **DUSD Comprehensive Safety Plan AR 0450 (Continued)**

of students, parents/guardians, and staff regarding their perceptions of school safety.

(cf. 0500 - Accountability)

(cf. 0510 - School Accountability Report Card)

The plan also 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

(cf. 5141.4 - Child Abuse Prevention and Reporting)

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

(cf. 6159 - Individualized Education Program)

b. An earthquake emergency procedure system in accordance with Education Code 32282

(cf. 3516 - Emergencies and Disaster Preparedness Plan)

(cf. 3516.3 - Earthquake Emergency Procedure System)

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

(cf. 1330 - Use of School Facilities)

(cf. 3516.1 - Fire Drills and Fires)

(cf. 3516.2 - Bomb Threats)

(cf. 3516.5 - Emergency Schedules)

(cf. 3543 - Transportation Safety and Emergencies)

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 which would lead to suspension, expulsion, or mandatory expulsion recommendations

(cf. 5131.7 - Weapons and Dangerous Instruments)

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

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

4. Procedures to notify teachers of dangerous students pursuant to Education Code 49079

(cf. 4158/4258/4358 - Employee Security)

5. A policy consistent with the prohibition against discrimination, harassment, intimidation, and bullying pursuant to Education Code 200-262.4

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

(cf. 1312.3 - Uniform Complaint Procedures)

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

(cf. 5131.2 - Bullying)

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 5145.7 - Sexual Harassment)

(cf. 5145.9 - Hate-Motivated Behavior)

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"

## **DUSD Comprehensive Safety Plan AR 0450 (Continued)**

7. Procedures for safe ingress and egress of students, parents/guardians, and employees to and from school  
(cf. 5142 - Safety)

8. A safe and orderly school environment conducive to learning  
(cf. 5137 - Positive School Climate)

9. The rules and procedures on school discipline adopted pursuant to Education Code 35291 and 35291.5  
(cf. 5144 - Discipline)

Among the strategies for providing a safe environment, the school 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

(cf. 5138 - Conflict Resolution/Peer Mediation)  
(cf. 6141.2 - Recognition of Religious Beliefs and Customs)

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

(cf. 5113 - Absences and Excuses)  
(cf. 5113.1 - Chronic Absence and Truancy)  
(cf. 5131 - Conduct)

3. Curriculum that emphasizes prevention and alternatives to violence, such as multicultural education, character/values education, media analysis skills, conflict resolution, community service learning, and education related to the prevention of dating violence

(cf. 6142.3 - Civic Education)  
(cf. 6142.4 - Service Learning/Community Service Classes)  
(cf. 6142.8 - Comprehensive Health Education)

4. Parent 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

(cf. 1240 - Volunteer Assistance)  
(cf. 5020 - Parent Rights and Responsibilities)  
(cf. 6020 - Parent Involvement)

5. 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

(cf. 5131.6 - Alcohol and Other Drugs)  
(cf. 5131.61 - Drug Testing)  
(cf. 5131.62 - Tobacco)  
(cf. 5131.63 - Steroids)

6. 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

(cf. 1020 - Youth Services)

7. District policy related to possession of firearms and ammunition on school grounds

(cf. 3515.7 - Firearms on School Grounds)

8. Measures to prevent or minimize the influence of gangs on campus

9. 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

## DUSD Comprehensive Safety Plan AR 0450 (Continued)

10. 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

(cf. 1250 - Visitors/Outsiders)

(cf. 3515 - Campus Security)

(cf. 3515.3 - District Police/Security Department)

(cf. 3530 - Risk Management/Insurance)

(cf. 5112.5 - Open/Closed Campus)

(cf. 5131.5 - Vandalism and Graffiti)

11. Guidelines for the roles and responsibilities of mental health professionals, 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 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

12. Strategies for suicide prevention and intervention

(cf. 5141.52 - Suicide Prevention)

13. 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

(cf. 3515.2 - Disruptions)

14. 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

(cf. 3515.5 - Sex Offender Notification)

(cf. 5131.4 - Student Disturbances)

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

(cf. 1112 - Media Relations)

(cf. 9010 - Public Statements)

## **DUSD Comprehensive Safety Plan AR 0450 (Continued)**

- f. Development of a method for the reporting of violent incidents
- g. Development of follow-up procedures that may be required after a crisis has occurred, such as counseling

15. Staff development in violence prevention and intervention techniques, including preparation to implement the elements of the safety plan

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

16. 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

(cf. 3510 - Green School Operations)

(cf. 3513.3 - Tobacco-Free Schools)

(cf. 3514 - Environmental Safety)

(cf. 3514.1 - Hazardous Substances)

(cf. 3514.2 - Integrated Pest Management)

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.

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

(cf. 1312.3 - Uniform Complaint Procedures)

(cf. 3515 - Campus Security)

(cf. 3515.2 - Disruptions)

(cf. 3515.3 - District Police/Security Department)

(cf. 3515.7 - Firearms on School Grounds)

(cf. 5131 - Conduct)

(cf. 5131.2 - Bullying)

(cf. 5131.4 - Student Disturbances)

(cf. 5131.7 - Weapons and Dangerous Instruments)

(cf. 5136 - Gangs)

(cf. 5137 - Positive School Climate)

(cf. 5138 - Conflict Resolution/Peer Mediation)

(cf. 5144 - Discipline)

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

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

(cf. 5145.3 - Nondiscrimination/Harassment)

(cf. 5145.7 - Sexual Harassment)

(cf. 5145.9 - Hate-Motivated Behavior)

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 safety plan within one year

## **DUSD Comprehensive Safety Plan BP 0450 (Continued)**

of initiating operations. (Education Code 32281, 32286)

(cf. 0420 - School Plans/Site Councils)

(cf. 1220 - Citizen Advisory Committees)

The 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 Superintendent or designee shall oversee the development of a districtwide comprehensive safety plan that is applicable to each school site. (Education Code 32281)

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.

(cf. 0500 - Accountability)

(cf. 9320 - Meetings and Notices)

By October 15 of each year, the Superintendent or designee shall notify the California Department of Education 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 includes tactical responses to criminal incidents that may result in death or serious bodily injury at the school site, including steps to be taken to safeguard students and staff, secure the affected school premises, and apprehend the criminal perpetrator(s), shall be developed by district administrators in accordance with Education Code 32281. In developing such strategies, district administrators shall consult with law enforcement officials and with a representative of an employee bargaining unit, if he/she chooses to participate.

When reviewing the tactical response plan, the Board may meet in closed session to confer with law enforcement officials, provided that any vote to approve the tactical response plan is announced in open session following the closed session. (Education Code 32281)

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

(cf. 9011 - Disclosure of Confidential/Privileged Information)

(cf. 9321 - Closed Session Purposes and Agendas)

(cf. 9321.1 - Closed Session Actions and Reports)

### **Public Access to Safety Plan(s)**

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)

(cf. 1340 - Access to District Records)

However, those portions of the comprehensive safety plan that include tactical responses to criminal incidents shall not be publicly disclosed.



## **DUSD Oath or Affirmation Administrative Regulation 4112.3**

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

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

For more information, please visit the following websites:

California Emergency Services Act  
<http://www.leginfo.ca.gov/cgi-bin/displaycode?section=go&group=08001-09000&file=8550-8551>

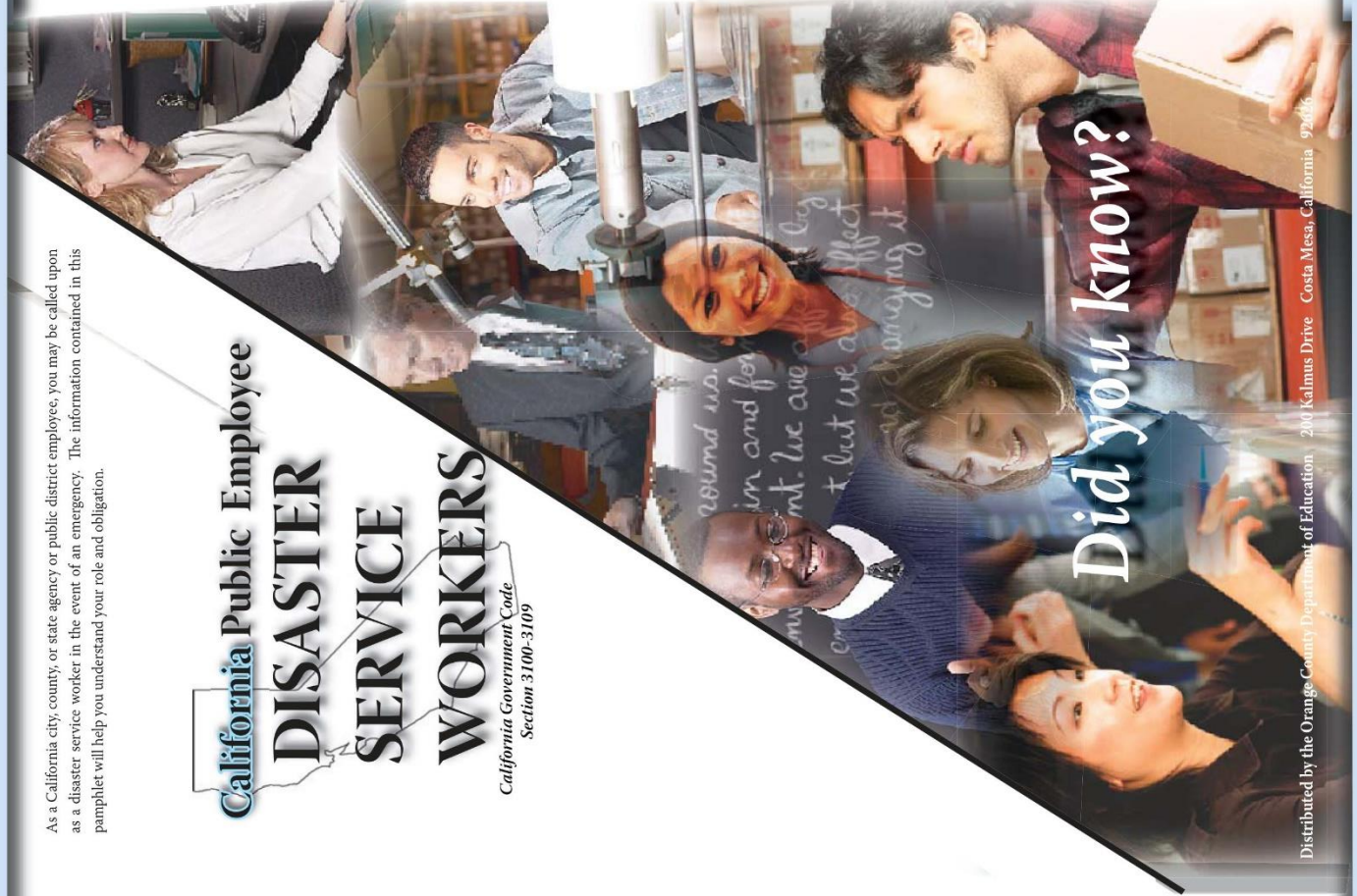
California Government Code 3100-3109  
<http://www.leginfo.ca.gov/cgi-bin/displaycode?section=go&group=03001-04000&file=3100-3109>

The California Constitution Oath or Affirmation  
[http://www.leginfo.ca.gov/const/article\\_20](http://www.leginfo.ca.gov/const/article_20)

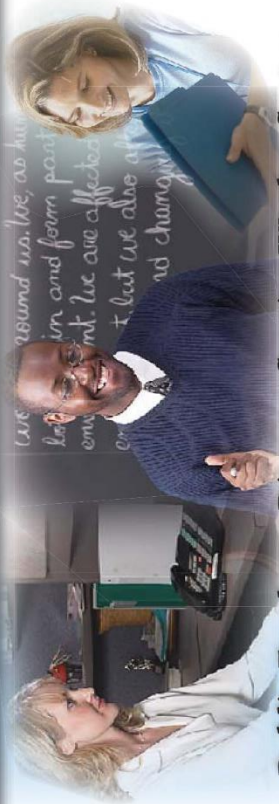
Governors Office of Emergency Services  
[http://www.oes.ca.gov/Operational/OESHome.nsf/PDF/Laws&RegsCalCodePDFs/\\$file/Ch2.3\\_%20DSW.pdf](http://www.oes.ca.gov/Operational/OESHome.nsf/PDF/Laws&RegsCalCodePDFs/$file/Ch2.3_%20DSW.pdf)



WILLIAM M. HARBENHIL  
County Superintendent of Schools



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## 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 4119.21 (Certificated); 4219.21 (Classified)**

The Governing Board expects district employees to maintain the highest ethical standards, exhibit professional behavior, follow district policies and regulations, and abide by state and federal laws. Employee conduct should enhance the integrity of the district and advance the goals of the district's educational programs. Each employee should make a commitment to acquire the knowledge and skills necessary to fulfill his/her responsibilities and should focus on his/her contribution to the learning and achievement of district students.

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.

#### **Staff Conduct with Students**

The Board expects all employees to exercise good judgment and maintain professional standards and boundaries when interacting with students both on and off school property. Inappropriate employee conduct shall include, but not be limited to, engaging in harassing or discriminatory behavior; engaging in inappropriate socialization or fraternization with a student; soliciting, encouraging, or establishing an inappropriate written, verbal, or physical relationship with a student; furnishing tobacco, alcohol, or other illegal or unauthorized substances to a student; or engaging in child abuse.

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

Any employee who is found to have engaged in inappropriate conduct with a student in violation law or this policy shall be subject to disciplinary action.

## **DUSD Professional Standards Board Policy 4119.21/4219.21**

The Governing Board expects district employees 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. Employee conduct should enhance the integrity of the district, advance the goals of the district's educational programs, and contribute to a positive school climate.

- (cf. [0200](#) - Goals for the School District)
- (cf. [4119.1/4219.1/4319.1](#) - Civil and Legal Rights)
- (cf. [5131](#) - Conduct)
- (cf. [5137](#) - 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.

- (cf. [2111](#) - Superintendent Governance Standards)
- (cf. [9005](#) - Governance Standards)

Each employee should make a commitment to acquire the knowledge and skills necessary to fulfill his/her responsibilities and should focus on his/her contribution to the learning and achievement of district students.

- (cf. [4112.2](#) - Certification)
- (cf. [4131](#) - Staff Development)
- (cf. [4231](#) - Staff Development)
- (cf. [4331](#) - Staff Development)

Inappropriate employee conduct includes, but is not limited to:

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

- (cf. [0450](#) - Comprehensive Safety Plan)
- (cf. [4158/4258/4358](#) - Employee Security)

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

- (cf. [0410](#) - Nondiscrimination in District Programs and Activities)
- (cf. [4119.11/4219.11/4319.11](#) - Sexual Harassment)
- (cf. [5131.2](#) - Bullying)
- (cf. [5145.3](#) - Nondiscrimination/Harassment)
- (cf. [5145.7](#) - Sexual Harassment)

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 or at a school-sponsored activity

- (cf. [3513.3](#) - Tobacco-Free Schools)

## **DUSD Professional Standards BP 4119.21/4219.21 (Continued)**

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

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

(cf. [3580](#) - 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)

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

(cf. [4119.25/4219.25/4319.25](#) - Political Activities of Employees)

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.

(cf. [4040](#) - Employee Use of Technology)

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

14. Wearing inappropriate attire

(cf. [4119.22/4219.22/4319.22](#) - Dress and Grooming)

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

(cf. [1312.1](#) - Complaints Concerning District Employees)

(cf. [5141.4](#) - Child Abuse Prevention and Reporting)

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

(cf. [4117.7/4317.7](#) - Employment Status Reports)

(cf. [4118](#) - Dismissal/Suspension/Disciplinary Action)

(cf. [4218](#) - Dismissal/Suspension/Disciplinary Action)

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.

Policy approved March 12, 2018 Delano, California

Delano Union School District

## **DUSD Dress and Grooming**

The Governing Board 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 not endanger the health or safety of employees or students. All employees shall be held to the same standards unless their assignment provides for modified dress as approved by their supervisor.

(cf. [4118](#) - Suspension/Disciplinary Action)

(cf. [4119.25/4219.25/4319.25](#) - Political Activities of Employees)

(cf. [4218](#) - Dismissal/Suspension/Disciplinary Actio[5132](#)Legal Reference:

### **GOVERNMENT CODE**

3543.2 Scope of representation

12949 Dress standards, consistency with gender identity

### **PUBLIC EMPLOYMENT RELATIONS BOARD DECISIONS**

Santa Ana Unified School District (1998) 22 PERC P29, 136

Inglewood Unified School District (1985) 10 PERC P17, 000

### **WEB SITES**

Public Employment Relations Board: <http://www.perb.ca.gov>

Policy adopted: April 10, 2017 Delano, California

DELANO UNION SCHOOL DISTRICT

# **DUSD Dismissal/Suspension/Disciplinary Action Administrative Regulation 4218**

## **Termination of Probationary Employment**

At any time prior to the expiration of the probationary period, the Superintendent or designee may, at his/her discretion, dismiss a probationary classified employee from district employment. A probationary employee shall not be entitled to a hearing.

## **Involuntary Suspension Without Pay, Demotion, Reduction of Pay Step in Class, or Dismissal of Permanent Classified Employees**

Permanent classified employees shall be subject to personnel action (suspension without pay, demotion, reduction of pay step in class, dismissal) only for cause. The Board's determination of the sufficiency of the cause for disciplinary action shall be conclusive.

### **1. Causes**

In addition to any disqualifying or actionable causes otherwise provided for by statute or by policy or regulation of this district, each of the following constitutes cause for personnel action against a permanent classified employee:

- a. Falsifying any information supplied to the school district, including, but not limited to, information supplied on application forms, employment records, or any other school district records.
- b. Incompetency.
- c. Inefficiency.
- d. Neglect of duty.
- e. Insubordination.
- f. Dishonesty.
- g. Drinking alcoholic beverages while on duty or in such close time proximity there to as to cause detrimental effect upon the employee or upon employees associated with him/her.  
(cf. [4020](#) - Drug and Alcohol-Free Workplace)
- h. Possessing or being under the influence of a controlled substance at work or away from work, or a controlled substance to a minor.
- i. Conviction of a felony, conviction of any sex offense made relevant by provisions of law, or conviction of a misdemeanor which is of such a nature as to adversely affect the employee's ability to perform the duties and responsibilities of his/her position. A plea or verdict of guilty, or a conviction following a plea of nolo contendere, is deemed to be a conviction for this purpose.
- j. Absence without leave.
- k. Conduct.
- l. Discourteous treatment of the public, students, or other employees.
- m. Improper political activity.
- n. Willful disobedience.
- o. Misuse of district property.
- p. Violation of district, Board or departmental rule, policy, or procedure.
- q. Failure to possess or keep in effect any license, certificate, or other similar requirement specified the employee's class specification or otherwise necessary for the employee to perform the duties of the position.
- r. Refusal to take and subscribe any oath or affirmation which is required by law in connection with his/her employment.



## **DUSD Dismissal/Suspension/Disciplinary Action AR 4218 (Continued)**

- s. A physical or mental disability which precludes the employee from the proper performance of his/her responsibilities as determined by competent medical authority, except as otherwise provided by a contract or by law regulating the retirement of employees.
- t. Unlawful discrimination, including harassment, on the basis of race, religious creed, color, national origin, ancestry, physical handicap, marital status, sex, or age against the public or other employees while acting in the capacity of a district employee.
- u. Unlawful retaliation against any other district officer or employee or member of the public who, in good faith, reports, discloses, divulges, or otherwise brings to the attention of any appropriate authority any information relative to an actual or suspected violation of state or federal law occurring on the job or directly related thereto.
- v. Any other failure of good behavior either during or outside of duty hours which is of such nature that it causes discredit to the district or his/her employment.

Except as defined in item "s" above, no personnel action shall be taken for any cause which arose before the employee became permanent, nor for any cause which arose more than two years before the date of the filing of the notice of cause unless this cause was concealed or not disclosed by the employee when it could be reasonably assumed that the employee would have disclosed the facts to the district.

### **2. Initiation and Notification of Charges**

The Superintendent or designee may initiate a personnel action as defined herein against a permanent classified employee.

In all cases involving a personnel action, the person initiating the action shall file a written recommendation of personnel action with the Board. A copy of the recommendation shall be served upon the employee either personally or by registered or certified mail, return receipt requested, at the employee's last known address. The recommendation shall include:

- a. A statement of the nature of the personnel action (suspension without pay, demotion, reduction of pay step in class, or dismissal).
- b. A statement of the cause or causes for the personnel action, as set forth above.
- c. A statement of the specific acts or omissions upon which the causes are based. If a violation of rule, policy, or regulation of the district is alleged, the rule, policy, or regulation violated shall be stated in the recommendation.
- d. A statement of the employee's right to appeal the recommendation and the manner and time within which the appeal must be filed.
- e. Card or paper, the signing and filing of which shall constitute a demand for hearing and a denial of all charges.

### **3. Employment Status Pending Appeal or Waiver**

Except as provided herein, any employee against whom a recommendation of personnel action has been issued shall remain on active duty status and responsible for fulfilling the duties of the position pending his/her appeal or waiver thereof.

If the Superintendent or designee determines that a permanent classified employee should be dismissed and that his/her continuing in active duty status would present an unreasonable risk of harm to students, staff, or property while proceedings are pending, the Superintendent or designee may order the employee immediately suspended from duty without pay in conjunction with the recommendation of personnel action. This suspension order shall be in writing and shall state the reasons that the suspension is deemed necessary. The suspension order shall be served upon the employee either personally or by registered or certified mail, return receipt

## **DUSD Dismissal/Suspension/Disciplinary Action AR 4218 (Continued)**

requested, immediately after issuance. Except in cases of emergency when the employee must be removed from the premises immediately, the Superintendent or designee shall give the employee written notice of the proposed recommendation of dismissal at least five calendar days before the effective date of any order of suspension issued in conjunction with a recommendation involving dismissal. This notice shall state that immediate suspension without pay is being considered, the reasons for the proposed dismissal and proposed immediate suspension without pay, materials upon which the proposed action is based, and the employee's right to respond to the Superintendent or designee orally or in writing before the final recommendation and order are issued.

### **4. Time Limit of Suspension**

Except for a suspension imposed under #3 above, any suspension invoked under these rules against any one person for one or more periods shall not aggregate more than 90 calendar days in any 12-month period; however, this time limitation shall not apply to cases in which a personnel action of dismissal is modified by the Board to a suspension.

### **5. Right to Appeal**

Within five calendar days after receiving the recommendation of personnel action described above, the employee may appeal by signing and filing the card or paper included with the recommendation. Any other written document signed and appropriately filed within the specified time limit by the employee shall constitute a sufficient notice of appeal. A notice of appeal is filed only by delivering the notice of appeal to the office of the Superintendent or designee during normal work hours of that office. A notice of appeal may be mailed to the office of the Superintendent or designee but must be received or postmarked no later than the time limit stated herein. In cases where an order of suspension without pay has been issued in conjunction with a recommendation of dismissal, any appeal of the recommendation of dismissal shall also constitute an appeal of the suspension order, and the necessity of the order shall be an issue in the appeal hearing. If the employee fails to file a notice of appeal within the time specified in these rules, he/she shall be deemed to have waived his/her right to appeal, and the Board may order the recommended personnel action into effect immediately.

### **6. Amended/Supplemental Charges**

At any time before an employee's appeal is finally submitted to the Board or to a hearing officer for decision, the complainant may, with the consent of the Board or hearing officer, serve on the employee and file with the Board an amended or supplemental recommendation of personnel action. If the amended or supplemental recommendation presents new causes or allegations, the employee shall be afforded a reasonable opportunity to prepare his/her defense. Any new causes or allegations shall be deemed controverted and any objections to the amended or supplemental causes or allegation may be made orally at the hearing and shall be noted on the record.

### **7. Hearing Procedures**

- a. The hearing shall be held at the earliest convenient date, taking into consideration the established schedule of the Board or hearing officer and the availability of counsel and witnesses. The parties shall be notified of the time and place of the hearing. The employee shall be entitled to appear personally, produce evidence, and have counsel. The employee shall be entitled to a public hearing if he/she demands it when the Board is hearing the appeal. The complainant may also be represented by counsel. The procedure entitled "Administrative Adjudication" commencing with Government Code 1150 shall not apply to any such hearing before the Board or a hearing officer. Neither the Board nor a hearing officer shall be bound by rules of evidence used in California courts. Informality in any such hearing shall not invalidate any order or decision made or approved by the hearing officer or the Board.

## **DUSD Dismissal/Suspension/Disciplinary Action AR 4218 (Continued)**

- b. All hearings shall be heard by a hearing officer (who shall be an attorney licensed in the State of California) except in those cases where the Board determines to hear the appeal itself. In any case in which the Board hears the appeal, the Board may use the services of its counsel or a hearing officer in ruling upon procedural questions, objections to evidence, and issues of law. If the appeal is heard by the Board, the Board shall affirm, modify or revoke the recommended personnel action.
- c. If the appeal is heard by a hearing officer, he/she shall prepare a proposed decision in a form that may be adopted by the Board as the decision in the case. A copy of the proposed decision shall be received and filed by the Board and furnished to each party within 10 days after the proposed decision is filed by the Board. The Board may:
  - (1) Adopt the proposed decision in its entirety
  - (2) Reduce the personnel action set forth in the proposed decision and adopt the balance of the proposed decision.
  - (3) Reject a proposed reduction in personnel action, approve the personnel action sought by the complainant or any lesser penalty, and adopt the balance of the proposed decision.
  - (4) Reject the proposed decision in its entirety.
- d. If the Board rejects the proposed decision in its entirety, each party shall be notified of such action and the Board may decide the case upon the record including the transcript, with or without the taking of additional evidence, or may refer the case to the same or another hearing officer to take additional evidence. If the case is so assigned to a hearing officer, he/she shall prepare a proposed decision, as provided in item "7c" above, upon the additional evidence and the transcript and other papers which are part of the record of the prior hearing. A copy of this proposed decision shall be furnished to each party within 10 days after the proposed decision is filed by the Board.
- e. In arriving at a decision or a proposed decision on the propriety of the proposed personnel action, the Board or the hearing officer may consider the records of any prior personnel action proceedings against the employee in which a personnel action was ultimately sustained and any records that were contained in the employee's personnel files and introduced into evidence at the hearing.

### **8. Hearing Decision**

The decision of the Board shall be in writing and shall contain findings of fact and the personnel action approved, if any. The findings may reiterate the language of the pleadings or simply refer to them.

The decision of the Board shall be certified to the Superintendent or designee who recommended the personnel action, and he/she shall enforce and follow this decision. A copy of the decision shall be delivered to the appellant or his/her designated representative personally or by registered mail. The decision of the Board shall be final.

### **9. Compulsory Dismissal**

The district shall not employ or retain in employment any person who has been convicted of any sex offense as defined in Education Code [44010](#) or any controlled substance offense as defined in Education Code [44011](#). However, the district may employ a person convicted of a controlled substance offense if the Board determines from the evidence it requires that the person has been rehabilitated for at least five years. If any such conviction is reversed and the person acquitted or charges dismissed except as otherwise provided below, the employee may be reemployed by the district, although reemployment is not a guarantee. (Education Code [45123](#))

The district reserves the right to dismiss an employee for any acts upon which the original criminal charges were based, despite the disposition by the courts. If dismissal is recommended and upheld, an employee will not be reemployed or compensated for the time he/she was suspended unless otherwise required by law. An employee shall be given notice of the possibility of not being reimbursed during mandatory suspension if he/she is ultimately dismissed for the acts upon which the original charges were based.

### **10. Extension of Compulsory Leave**

The Board may extend an employee's compulsory leave of absence by giving him/her notice, within 10 days after the entry of judgment in the proceedings, that he/she will be dismissed in 30 days unless he/she demands a hearing. Employee compensation during the period of compulsory leave shall be made in accordance with law. (Education Code [44940.5](#))

# **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.



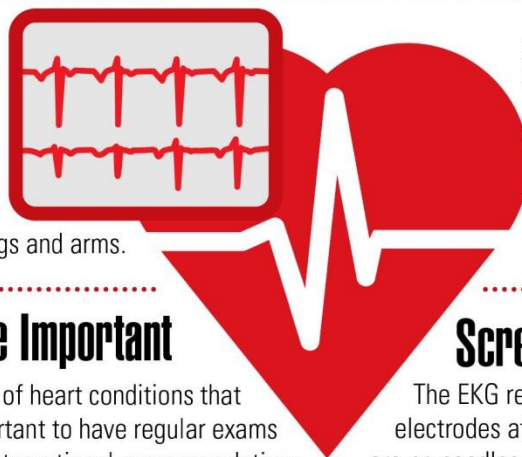
## An Automated External Defibrillator Can Save Lives



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.

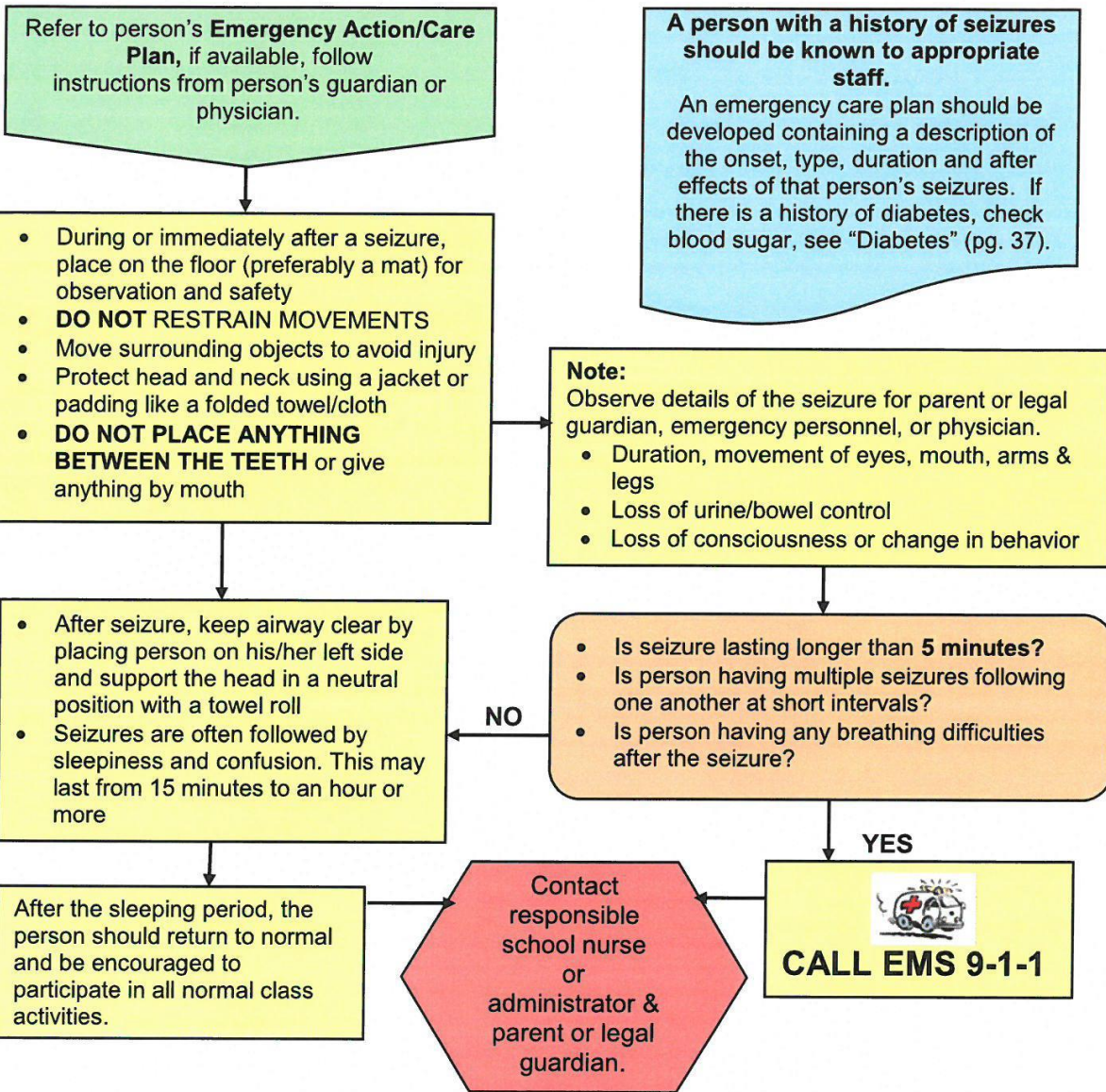
## Screenings Are Painless

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.



EPSaveALife.org

# SEIZURES



**Signs & Symptoms of Seizure**

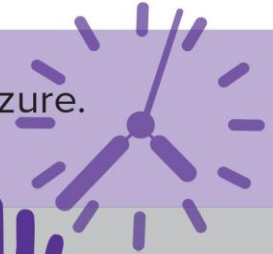
- Episodes of staring and nonresponsive
- Staring with twitching of the arm and/or leg muscles
- Generalized jerking movement of arms and/or legs with unconsciousness
- Sudden unusual behavior for that person (e.g., strange sounds, belligerence, running)
- If trained personnel and medication available, administer Diastat.

# Seizure First Aid

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

This publication is made possible with funding from the Centers for Disease Control and Prevention (CDC) under cooperative grant agreement number 1NU58DP006256-02-00. Its contents are solely the responsibility of the Epilepsy Foundation and do not necessarily represent the views of the CDC.

EFA440/PAB0918

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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: \_\_\_\_\_



**IV.**

**Employment  
Matters**

## **DUSD HEALTH EXAMINATIONS Board Policy 4212.4**

### **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/Administrative Regulation 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 he/she has used any drug listed in 21 CFR 1308.11. A driver is also prohibited from reporting for duty or remaining on duty when he/she has used any drug listed in 21 CFR 1308.12-1308.15, unless he/she is using the drug under the direction of a physician who has advised him/her that the substance will not adversely affect the driver's ability to safely operate a bus. In addition, a driver shall not consume alcohol while on duty or for four hours prior to on-duty time. (49 CFR 382.201-382.209, 382.213)

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**

Any driver who refuses to take a required drug or alcohol test, tests positive for drugs, or is found to have a blood alcohol concentration level that exceeds the levels specified in law shall be removed from performing safety-sensitive functions in accordance with 49 CFR 40.23 and 382.211.

No driver shall be temporarily removed from the performance of safety-sensitive functions based only on a laboratory report of a confirmed positive test before the certified medical review officer has completed verification of the test results, unless the district has obtained a waiver. (49 CFR 40.21, 382.107, 382.119)

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)

## **DUSD Drug and Alcohol Testing for School Drivers BP/AR 4212.42 (Continued)**

Any driver who refuses, fails to comply, or has a positive test result may be referred to an education and treatment program that meets the requirements of 49 CFR 40.281-40.313. If the substance abuse professional recommends that 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 his/her compliance. Any drop from a rehabilitation or return-to-duty program or a subsequent positive test result shall be reported to the DMV. (Vehicle Code 13376; 49 CFR 40.285, 40.287, 40.303, 382.605)

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.

### **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 his/her 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 he/she 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 he/she has been evaluated and has successfully completed education or treatment requirements in accordance with program guidelines. (49 CFR 382.121)

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

## **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 if

1. The conviction for a violent or serious felony, controlled substance offense, or sex offense 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. A person convicted of a violent or serious felony has obtained a certificate of rehabilitation or a pardon.
3. A person who has been convicted of a serious felony, that is not also a violent felony, proves to the sentencing court that he/she has been rehabilitated for purposes of school employment for at least one year.
4. A person who has been convicted of a controlled substance offense is applying for or is employed in a certificated position and has a credential issued by the Commission on Teacher Credentialing.
5. A person who has been convicted of a controlled substance offense 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.

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 his/her 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.

The Superintendent or designee shall immediately notify the DOJ when an applicant who has submitted his/her 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 his/her second probationary year has been convicted of a

## **DUSD Criminal Record Check AR 4212.5 (Continued)**

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 his/her 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 that 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.

### **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 his/her 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)

### **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)

## **DUSD Criminal Record Check AR 4212.5 (Continued)**

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)

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

## **DUSD Personnel Files Administrative Regulation 4212.5**

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.

## **DUSD Personnel Files AR 4212.5 (Continued)**

(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
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
<b>PROBATIONARY</b>  (2 times per year)	Must be completed by:  <u>The end of the fifth month</u>  and submitted to Personnel	Must be completed by:  <u>The end of the eleventh month</u>  and submitted to Personnel
<b>PERMANENT</b>  (every year)	<b>EVALUATION</b>  Must be completed by:  <u>May 31<sup>st</sup> annually</u>  And submitted to Personnel	
Assistance/ Improvement Plans	Any staff receiving Unsatisfactory or Needs Improvement in any area <b>MUST</b> participate in an Improvement Plan and receive assistance.	

Article X – Employee Evaluation Procedure

CSEA Collective Bargaining Agreement

# DELANO UNION SCHOOL DISTRICT

## PERFORMANCE EVALUATION REPORT Classified Personnel

**DUE DATE**  
**05/31/**  
(\* indicates probationary)

Use ink or typewriter for final markings

Distribution  
Copy: Evaluator  
Personnel File

Employee Name			Position Control #			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 <span style="margin-left: 20px;"><i>Days absent</i></span>			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

EFFECTIVE - 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**

Employees newly hired for regular positions in the classified service shall be considered probationary employees until they have satisfactorily completed one year of probationary service. Upon satisfactorily completing this period, they shall become permanent classified employees of the district.

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 Superintendent or designee may dismiss an employee during the initial probationary period.

Permanent employees promoted to a higher classification shall be considered probationary in their new position until they have satisfactorily completed one year of service in that position.

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 he/she was promoted. (Education Code 45113)

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 non-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/ Administrative Regulation 4254**

The Governing Board recognizes that health and welfare benefits are essential to promote employee health and productivity and are an important part of the compensation offered to employees. The district shall provide health and welfare benefits for employees in accordance with state and federal law and subject to negotiated employee agreements.

Certificated management, administrative, and supervisory employees who are not in bargaining units shall receive the same health and welfare benefits as those specified in the collective bargaining agreement for certificated employees. Classified management, administrative, and supervisory employees who are not in bargaining units shall receive the same health and welfare benefits as those specified in the collective bargaining agreement for classified employees.

For purposes of granting benefits, 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, 300)

The district shall offer full-time employees who work an average of 30 hours or more per week and their dependents up to age 26 years a health insurance plan that includes coverage for essential health benefits, pays at least 60 percent of the medical expenses covered under the terms of the plan, and meets all other requirements of the federal Patient Protection and Affordable Care Act.

With respect to eligibility to participate in the health benefits plan or the level of health benefits provided, the district shall not discriminate in favor of employees who are among the highest paid 25 percent of all district employees. (26 USC 105; 42 USC 300gg-16)

#### **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.

Unless otherwise provided for in the applicable collective bargaining agreement, covered employees and their qualified beneficiaries may receive continuation coverage by paying the premiums, dues, and other charges, including any increases in premiums, dues, and costs incurred by the district in administering the program.

#### **Confidentiality**

The Superintendent or designee shall not use or disclose any employee's medical information the district possesses 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)

# DELANO UNION SCHOOL DISTRICT

**To:** NEW CLASSIFIED PERSONNEL  
**From:** ROSALINA C. RIVERA, SUPERINTENDENT  
**Date:** JULY 1, 2019  
**Re:** DISTRICT BENEFITS

Welcome to the Delano Union School District.

The Delano Union School District provides a rich comprehensive benefit package for classified personnel. The following is a complete list of paid benefits provided by the District for those eligible:

Lincoln Financial Group Vision Service Plan	Life Insurance Policy - \$50,000 Plan C - Annual Exam & Spectacles (\$15/\$25 Exam/Materials Co-pay) -Supplemental benefit second pair of glasses (\$20)
Delta Dental (PPO) Delta Dental (PPO)	Incentive Plan (\$3,000 annual maximum) Orthodontic (\$1,000 Lifetime maximum)

Your choice of the following medical plans:

	<u>Base Plan – Cost: \$0.00/Month</u>	<u>Buy-Up Plan – Cost: \$52.00/Month</u>
Blue Shield of California / HealthNOW		
Deductible:	\$250 Indiv/\$500 Family	Deductible: \$100 Indiv/\$300 Family
Office Visit Co-Pay:	\$10 Office Visit	\$10 Office Visit
US Scripts		
Prescription Co-Pay:	\$10 Generic/\$25 Brand	\$3 Generic/\$15 Brand
Homescripts		
Mail Order Co-Pay:	\$3 Generic/\$40 Brand	\$3 Generic/\$35 Brand

OR

Kaiser Permanente Prescription Plan	Traditional HMO Plan (No Co-pay) Prescription Card (\$5.00 Co-pay)
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Attached, you will find enrollment forms for the various plans listed above. Please submit your completed forms to the Business Office within 30 days of hire, attention: Lupe Ramirez. Failure to comply may cause a delay in coverage.

Please use the following information to complete the enrollment form. You must sign and date both sides of the form in order to ensure coverage. When enrolling a spouse or child, Blue Shield/Kaiser requires a copy of a marriage certificate for a spouse and a birth certificate for each child.

The Blue Shield Form: Selected Coverage-Custom ASO PPO Plan – Group No. **S58**

The Kaiser Permanente Form: Group No. **230836**

The Delta Dental Enrollment Form: Group Name-Delano Union School District  
Group No. **4899-8016**

Lincoln Financial Group Life Insurance: Policy No. **000010133563**

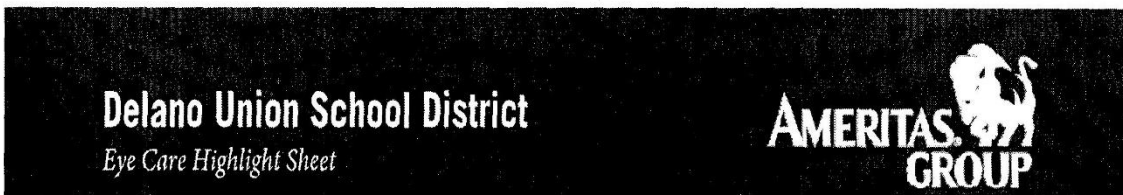
The following numbers are provided to better assist you with your insurance needs and/or questions:

Blue Shield of California general eligibility coverage questions call HealthNOW at (877) 356-0666. Kaiser Permanente questions may be directed to Kaiser - Member Services at (800) 464-4000.

For questions on Blue Shield Claims or Coverage, contact Cathy Compton, GBS Claims Manager (559) 256-6545 or by email at [Cathy.Compton@ajg.com](mailto:Cathy.Compton@ajg.com). Service hours are from 9:00 a.m. to 5:00 p.m. Monday through Friday. Please feel free to leave a message by phone or email if you need to request information outside of regular office hours.

For questions regarding providers on our Blue Shield of California - PPO list, please call Cathy Compton at (559) 256-6545 or access information online at [www.myhnas.com](http://www.myhnas.com). Other websites of interest: Delta Dental – [www.deltadentalins.com](http://www.deltadentalins.com) / VSP – [www.vsp.com](http://www.vsp.com) / Kaiser Permanente [www.kp.org](http://www.kp.org) / U.S. Behavioral Health [www.liveandworkwell.com](http://www.liveandworkwell.com) (access code: delano).

# Delano Union School District Vision Plan



Effective Date: 10/1/2010

	VSP Network	Out of Network
<b>Deductibles</b>		
	\$15 Exam	\$15 Exam
	\$25 Eye Glass Lenses or Frames*	\$25 Eye Glass Lenses or Frames*
<b>Annual Eye Exam</b>	Covered in full	Up to \$52
<b>Lenses (per pair)</b>		
Single Vision	Covered in full	Up to \$55
Bifocal	Covered in full	Up to \$75
Trifocal	Covered in full	Up to \$95
Lenticular	Covered in full	Up to \$125
Progressive	See lens options	NA
<b>Contacts</b>		
Fit & Follow Up Exams	15% discount See Additional Focus Features.	No benefit
Elective	Up to \$105	Up to \$105
Medically Necessary	Covered in full	Up to \$210
<b>Frames</b>	\$130	Up to \$45
<b>Frequencies (months)</b>		
Exam/Lens/Frame	12/12/12	12/12/12
	Benefits are per calendar year	Benefits are per calendar year

\*Deductible applies to a complete pair of glasses or to frames, whichever is selected.

### Enhancement Benefit

<b>Second Pair</b>	This enhancement allows you to get a second pair of glasses or contacts, in addition to those received under the core plan. The second pair of glasses will be subject to a \$20 copay.
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### Lens Options (member cost)\*

	VSP Network	Out of Network
<b>Progressive Lenses</b>	\$60-\$119	No benefit
<b>Std. Polycarbonate</b>	Covered in full for dependent children \$25 - \$35 adults	No benefit
<b>High Luster Edge Polish</b>	\$14	No benefit
<b>Solid Plastic Dye</b>	\$13 (except Pink I & II)	No benefit
<b>Plastic Gradient Dye</b>	\$15	No benefit
<b>Photochromatic Lenses</b> (Glass & Plastic)	\$27-\$76	No benefit
<b>Scratch Resistant Coating</b>	\$15-\$29	No benefit
<b>Anti-Reflective Coating</b>	\$39-\$61	No benefit
<b>Ultraviolet Coating</b>	\$15	No benefit
<b>Lasik or PRK</b>	Average discount of 15% off retail. See Additional Focus Features.	No benefit

\*Lens Option member costs vary by prescription and option chosen.



Delano Union School District  
Vision Plan (continued)

**Delano Union School District**  
*Eye Care Highlight Sheet*



**Eye Care Plan Member Service**

Focus eye care from Ameritas Group features the money-saving eye care network of VSP. Customer service is available to plan members through VSP's well-trained and helpful service representatives. Call or go online to locate the nearest VSP network provider, view plan benefit information and more.

**VSP Call Center: 1-800-877-7195**

- Service representative hours: 5 a.m. to 7 p.m. PST Monday through Friday, 6 a.m. to 2:30 p.m. PST Saturday
- Interactive Voice Response available 24/7

**Locate a VSP provider at:** [ameritasgroup.com/member](http://ameritasgroup.com/member)

**View plan benefit information at:** [vsp.com](http://vsp.com)

**Additional Focus® Features**

<b>Contact Lenses Elective</b>	<p>Cost of the fitting and evaluation is deducted from the allowance and any amount left is deducted from the material allowance. Allowance can be applied to disposables, but the dollar amount must be used all at once (provider will order 3 or 6 month supply). Applies when contacts chosen in lieu of glasses.</p> <p>New and current soft contact lens wearers may be eligible for a special program that includes an initial contact lens evaluation and initial supply of lenses. Contact VSP or your VSP provider for additional details.</p>
<b>Additional Glasses</b>	20% discount off the retail price on additional pairs of prescription glasses (complete pair).
<b>Frame Discount</b>	VSP offers a 20% discount off the remaining balance in excess of the frame allowance.
<b>Laser VisionCare</b>	VSP offers an average discount of 15% on LASIK and PRK. The maximum out-of-pocket per eye for members is \$1,800 for LASIK and \$2,300 for custom LASIK using Wavefront technology, and \$1,500 for PRK. In order to receive the benefit, a VSP provider must coordinate the procedure.
<b>Low Vision</b>	With prior authorization, 75% of approved amount (up to \$1,000 is covered every two years).

This document is a highlight of plan benefits provided by Ameritas Life Insurance Corp. as selected by your employer. It is not a certificate of insurance and does not include exclusions and limitations. For exclusions and limitations, or a complete list of covered procedures, contact your benefits administrator.

# Delano Union School District Delta Dental Claim Form



SUBSCRIBER INFORMATION		
1. Policyholder / Subscriber Name (Last, First, Middle Initial, Suffix), Address, City, State, ZIP Code		
2. Date of Birth (MMDDCCYY)	3. Gender <input type="checkbox"/> M <input type="checkbox"/> F	4. Policyholder / Subscriber ID (SSN or ID#)
5. Plan or Group Number	6. Employer Name	
PATIENT INFORMATION		
7. Relationship to Policyholder/Subscriber in #1 Above <input type="checkbox"/> Self <input type="checkbox"/> Spouse <input type="checkbox"/> Dependent Child <input type="checkbox"/> Other		
8. Patient Name (Last, First, Middle Initial, Suffix), Address, City, State, ZIP Code		
9. Date of Birth (MMDDCCYY)	10. Gender <input type="checkbox"/> M <input type="checkbox"/> F	11. Patient ID/Account # (Assigned by Dentist)
12. Remarks		

TRANSACTION AND PREDETERMINATION INFORMATION	
13. Type of Transaction (Mark all Applicable Boxes) <input type="checkbox"/> Statement of Actual Services <input type="checkbox"/> Request for Predetermination/Pre-treatment Estimate <input type="checkbox"/> EPSDI/ Title XIX <input type="checkbox"/> Encounter	
14. Predetermination/ Pre-treatment Estimate Number	
TREATMENT INFORMATION	
15. Treatment Resulting From <input type="checkbox"/> Occupational Illness/Injury <input type="checkbox"/> Auto accident <input type="checkbox"/> Other accident	
16. Date of Accident (MMDDCCYY)	17. Auto Accident State
18. Place of Treatment <input type="checkbox"/> Provider's Office <input type="checkbox"/> Hospital <input type="checkbox"/> ECF <input type="checkbox"/> Other	
19. Number of Enclosures (00 to 99) Radiograph(s) <input type="checkbox"/> Oral Images <input type="checkbox"/> Models <input type="checkbox"/>	
20. Is Treatment for Orthodontics? <input type="checkbox"/> No (Skip 21-22) <input type="checkbox"/> Yes (Complete 21-22)	
21. Date Appliance Placed (MMDDCCYY)	22. Months of Treatment Remaining <input type="checkbox"/> No <input type="checkbox"/> Yes (Complete 44)
23. Replacement of Prosthesis? <input type="checkbox"/> No <input type="checkbox"/> Yes (Complete 44)	
24. Date of Prior Placement (MMDDCCYY)	
OTHER INSURANCE COVERAGE	
25. Other Coverage? <input type="checkbox"/> None <input type="checkbox"/> Dental (Complete 26-32) <input type="checkbox"/> Medical (Complete 26-32)	
26. Name of Other Coverage Policyholder / Subscriber (Last, First, Middle Initial, Suffix)	
27. Date of Birth (MMDDCCYY)	28. Gender <input type="checkbox"/> M <input type="checkbox"/> F
29. Policyholder / Subscriber ID (SSN or ID#)	
30. Plan or Group Number	31. Patient's Relationship to Person Named in #26 <input type="checkbox"/> Self <input type="checkbox"/> Spouse <input type="checkbox"/> Dependent <input type="checkbox"/> Other
32. Other Insurance Company / Dental Benefit Plan Name, Address, City, State, ZIP Code	

33. Diagnosis Codes	A.	B.	C.	D.
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RECORD OF SERVICES PROVIDED												
34. Procedure Date (MMDDCCYY)	35. Area of Oral Cavity	36. Tooth Number(s) or Letter(s)	37. Tooth Surface	38. Quantity	39. Procedure Code	40. Diagnosis Pointer (A, B, etc.)	41. Description	42. Fee				
1												
2												
3												
4												
5												
6												
7												
8												

MISSING TEETH INFORMATION	Permanent														Primary										43. Total Fee											
44. (Place an 'X' on each missing tooth)	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S	T

<b>AUTHORIZATION - RELEASE OF INFORMATION</b> 45. I have been informed of the treatment plan and associated fees. I agree to be responsible for all charges for dental services and materials not paid by my dental benefit plan, unless prohibited by law, or the treating dentist or dental practice has a contractual agreement with my plan prohibiting all or a portion of such charges. To the extent permitted by law, I consent to your use and disclosure of my protected health information to carry out payment activities in connection with this claim.  X _____ Patient/Guardian signature Date	<b>AUTHORIZATION - ASSIGNMENT OF BENEFITS</b> 46. I hereby authorize and direct payment of the dental benefits otherwise payable to me, directly to the below named dentist or dental entity.  X _____ Subscriber signature Date
<b>BILLING DENTIST OR DENTAL ENTITY</b> 47. Dentist or Entity Name, Address, City, State, ZIP Code	
48. NPI	
49. License Number	50. SSN or TIN
51. Phone Number	52. Additional Provider ID

<b>TREATING DENTIST AND TREATMENT LOCATION INFORMATION</b> 53. I hereby certify that the procedures as indicated by date are in progress (for procedures that require multiple visits) or have been completed.  X _____ Signed (Treating Dentist) Date	
54. Treatment Location Address, City, State, ZIP Code -----	
55. NPI	
56. License Number	57. Provider Specialty Code
58. Phone Number	59. Additional Provider ID

Delta Dental Employee Claim Form  
Version 1, Rev 2 12/02/11

# Delano Union School District Blue Shield of California Claim Form



## Subscriber's Statement of Claim

Send this claim to: Blue Shield of California, P.O. Box 272540, Chico, CA, 95927-2540.

This form is to be used only when the provider of service does not submit your claim directly to Blue Shield.

Check with the Provider to be sure no claim has been submitted.

Duplicate claims will not only be rejected but may delay payment of the original claim.

### Important instructions

- Use a separate form for:
  - A. Each member of the family
  - B. Each different provider of service
  - C. Each itemized bill
- Print or type
- Fill in all items completely
- Sign your name in the space provided

**Failure to comply with these instructions may result in your claim being delayed or returned to you.**

#### Exceptions:

- Primary Medicare coverage
  - A. Submit claim to Medicare first.
  - B. Complete boxes 1 and 4 only.
  - C. Attach your explanation of Medicare benefits form and a copy of itemized services to this claim and send all to Blue Shield.
- Foreign claims  
Any services rendered outside of the United States or its territories must include the US currency exchange rate or value and the translation for all billed services.

### 1

Subscriber name (Last, First, MI)		Subscriber number	Group number	
Mail address	City	State	ZIP	Is address new? <input type="checkbox"/> Yes <input type="checkbox"/> No

### 2

Patient's name	Date of birth (mo/day/yr)	Gender <input type="checkbox"/> Male <input type="checkbox"/> Female	Relationship to subscriber <input type="checkbox"/> Self <input type="checkbox"/> Spouse <input type="checkbox"/> Child
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Describe briefly patient's illness or injury and, if injury, how it occurred

Patient was treated for <input type="checkbox"/> Injury <input type="checkbox"/> Illness <input type="checkbox"/> Pregnancy	Date of injury, onset of illness or pregnancy	Is patient retired? <input type="checkbox"/> Yes <input type="checkbox"/> No	If Yes, effective date
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### 3

Does patient have other health coverage? <input type="checkbox"/> Yes <input type="checkbox"/> No	If Yes, policy ID number	Name of insuring company	Effective date
Address of insuring company			Type of plan <input type="checkbox"/> Group <input type="checkbox"/> Individual
Name of policy holder	Gender <input type="checkbox"/> Male <input type="checkbox"/> Female	Date of birth (mo/day/yr)	Name of employer

### 4

Was condition related to employment? <input type="checkbox"/> Yes <input type="checkbox"/> No	Does patient have Medicare? <input type="checkbox"/> Yes <input type="checkbox"/> No	If Yes, date of birth (mo/day/yr)	Part A effective date	Part B effective date
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#### Subscriber's signature

I certify that the foregoing information is accurate and complete, and authorize the release of any medical information necessary to process this claim.

X \_\_\_\_\_ Date \_\_\_\_\_

blueshieldca.com

An Independent Member of the Blue Shield Association CLM14850 (1/10)

## **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, checking and/or to repay a loan. For further inquiries, contact our Payroll Technician, Yvonne Munoz at (661) 721-5000, 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 shall receive health and dental materials explaining your benefits. If you have any questions regarding coverage or eligibility, you may call Lupe Ramirez at (661) 721-5000, x00125. Questions regarding claim(s)/payment(s) may be directed to Cathy Compton, Blue Shield Claims Manager at Gallagher Benefit Services (559) 256-6545, for medical/pharmacy eligibility questions you may contact HealthNow Administrative Services at (877) 356-0666, Kaiser Permanente (800) 464-4000, or Delta Dental Customer Service (800) 765-6003. Login for HealthNOW accounts is at [myhnas.com](http://myhnas.com).
5. **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](http://www.liveandworkwell), access code: delano.

*In an emergency, the first concern is your health. Call 911 or go to an emergency room as soon as possible.*

6. **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 Ameritas/VSP Customer Service at (800) 659-2223 or visit their website at [www.vsp.com](http://www.vsp.com).
7. **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](http://www.LincolnFinancial.com).

# *Delano Union School District*

Office of Rosalina C. Rivera, Superintendent  
Department of Human Resources  
Dr. Jason Kashwer, Assistant Superintendent of Human Relations  
1405 - 12<sup>th</sup> Avenue, Delano, California 93215  
(661) 721-5000 x00162 ~ Fax (661) 721-5014

## MEMORANDUM

TO: All Delano Union School District Staff  
FROM: Dr. Jason Kashwer  
DATE: July 1, 2019  
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 Norma Medina at extension 00161.

JK/mrg

**Comprehensive Medical Group**  
**for the Practice of Internal & Geriatric Medicine**  
 1230 Jefferson Street, Delano, CA 93215  
 Telephone: (661) 725-7793 Fax: (661) 725-0595

**REPORT OF WORK CAPABILITIES**

DELANO UNION SCHOOL DISTRICT

Name: \_\_\_\_\_ Employer: \_\_\_\_\_

Date of Visit: \_\_\_\_\_ Date of Injury: \_\_\_\_\_

**WORK CAPABILITIES**

- No limitations, fit for duty      Return to Full Duty Date: \_\_\_\_\_
- To remain off work: from \_\_\_\_\_ to \_\_\_\_\_
- Limited work
- No lifting over:  5  10  20  30  40  50 pounds.
  - No pushing, pulling, or twisting loads over 5 pounds.
  - No repetitive bending or stooping.
  - No squatting, kneeling, or crawling.
  - No working above:  Chest  Shoulder  Head level.
  - No excessive use of:  Right  Left       Hand  Arm  Leg
  - No repetitive grasping or squeezing with:  Right  Left hand.
  - No weight bearing on  Right  Left leg.
  - Must use:  Splint  Brace  Crutches.
  - No soiling/wetting dressing or wound.
  - No operating company machinery, heavy equipment, or vehicles.
  - No working at heights unprotected above ground level.
  - Other limitations: avoid prolonged standing/ allow to sit every 15 min.
- Note: All restrictions apply to all activity, not just work*

- Above limitations in effect from the date of visit to next scheduled visit.
- Above limitations in effect from \_\_\_\_\_ through \_\_\_\_\_

- Patient is scheduled to return to clinic on 5/1/14 @ 2:30pm
- Recheck sooner if condition worsens. 5/15/14
- Discharged from Care (as cured without residuals).
- Permanent and Stationary  DWC PR-4 report to follow  Ready for referral for PR-4
- Discharged from care, not work-related; patient follow up with primary care provider.

- May be treated as First Aid.
- Employer Representative notified: \_\_\_\_\_
- Referred to: \_\_\_\_\_

Provider Signature: \_\_\_\_\_

Radhey S. Bansal, M.D.       Vijaykumar B. Patel, M.D.       Ramy Alnahhal, M.D.

Sheryl Ann D. Sabillo, M.D.       Anna L. Mendoza, M.D.       John Nunez, PA-C



## **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

## **DUSD Reasonable Accommodation AR 4032 (Continued)**

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)

### **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



## **DUSD Reasonable Accommodation AR 4032 (Continued)**

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
- 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/Administrative Regulation 4213.4**

The Board of Trustees recognizes that when employees suffer work-related injuries, modified or light-duty assignments minimize lost time and may serve to facilitate the transition back to the employee's regular duties or full-time work. Whenever possible, the Superintendent or designee shall offer such employees this kind of temporary assignment.

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.

Modified or light-duty assignments shall be designed to accommodate medical restrictions specified by the employee's physician. They may include work in the same job classification or a different job classification at the employee's regular salary rate.

Modified or light-duty assignments are intended to address short-term medical restrictions and will normally extend for less than eight weeks' duration. These assignments shall not be used as a means to establish new assignments or displace other employees.

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.

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 AR 4261.9a**

When an employee or a member of his/her family experiences a catastrophic illness or injury which requires the employee to take time off from work for an extended period of time, and the employee has exhausted all available sick leave and other paid time off, he/she may request donations of accrued vacation or sick leave credits. (Education Code 44043.5)

In making such a request, the employee shall provide verification of the catastrophic injury or illness. (Education Code 44043.5)

Verification shall be made by means of a letter, dated and signed by the sick or injured person's physician, indicating the incapacitating nature and probable duration of the illness or injury.

Upon determination that the employee is unable to work due to his/her own or a family member's catastrophic illness or injury, any other employee, upon written notice to the Governing Board, may donate accrued vacation and/or sick leave credits to the requesting employee. Donations shall be at a minimum of eight hours, and in hour increments thereafter. (Education Code 44043.5)

All transfers of eligible leave credit shall be irrevocable. (Education Code 44043.5)

The Superintendent or designee shall ensure that all donations are confidential.

The employee who is the recipient of the donated leave credits shall use those credits within 12 consecutive months.

If donated credits are not used by the employee within 12 consecutive months, the credits shall be placed in a pool that will be available to the next eligible employee who requests catastrophic leave.

An employee who receives paid catastrophic leave shall use any leave credits that he/she continues to accrue on a monthly basis before receiving paid leave pursuant to this program. (Education Code 44043.5)

Adopted by Board of Trustees

April 10, 2017

Delano, CA

## **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)

An employee who needs to be absent from the district to fulfill his/her 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**

An employee shall receive his/her 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. He/she 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 he/she 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)

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)

Certificated employees shall not be entitled to compensation during non-teaching, non-paying months of the year.

During the period of military leave, an employee may, upon his/her own request, use any vacation or similar paid leave accrued before the commencement of the military leave. 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 his/her health plan coverage during the military leave. The maximum period of coverage for the employee and his/her 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)

## **DUSD Military Leave AR 4261.5 (Continued)**

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)

### **Vacation and Sick Leave Accrual**

An employee on temporary military leave under the conditions described in item #1 Active Military Training or Exercises, in the section entitled "Salary/Compensation" above, shall continue to accrue the same vacation, sick leave, and holiday privileges to which he/she 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 War or Other Emergency, in the section entitled "Salary/Compensation" above, shall not suffer any loss or diminution of vacation or holiday privileges because of his/her leave of absence. (Military and Veterans Code 395.05)

### **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 certificated employee. In the case of a certificated probationary employee, the period of such absence shall not count as part of the 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)

### **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 he/she would otherwise have been entitled, except under the conditions noted below. (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 his/her position within six months of an 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 he/she could terminate or could cause to be terminated his/her 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 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 military service, provided the employee has a period of eight hours to rest following transportation to his/her residence.

## **DUSD Military Leave AR 4261.5 (Continued)**

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.

In cases where reporting within the periods specified in items #1 and #2 above is impossible or unreasonable through no fault of the employee, he/she shall report as soon as possible after the expiration of the period. (38 USC 4312; 20 CFR 1002.115, 1002.117)

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 his/her 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, he/she shall be reinstated in a position of like seniority, status, and pay, if such position exists, or to a comparable vacant position for which he/she is qualified. (Military and Veterans Code 395, 395.1; 38 USC 4313; 20 CFR 1002.192)

An employee failing to apply for reinstatement within the appropriate period does not automatically forfeit his/her rights, but shall be subject to the Board's rules 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, non recurrent 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)

## **DUSD Bereavement Personal Leaves Administrative Regulation 4261.2**

Employees are entitled to a leave of up to three days, or five days if out-of-state travel is required, upon the death of any member of the employee's immediate family. No deduction shall be made from the employee's salary, nor shall such leave be deducted from any other leave to which the employee is entitled. (Education Code [44985](#), [45194](#))

Members of the immediate family include: (Education Code [44985](#), [45194](#))

1. The mother, father, grandmother, grandfather, or grandchild of the employee or of the employee's spouse
2. The employee's spouse, son, son-in-law, daughter, daughter-in-law, brother, or sister
3. Any relative living in the employee's immediate household

At the employee's request, bereavement leave may be extended under personal necessity leave provisions as provided in the section "Personal Necessity" below

Regulation DELANO UNION SCHOOL DISTRICT

approved: April 10, 2017 Delano, California

## **DUSD Jury Duty Personal Leaves AR 4261.2**

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 his/her 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 his/her regular earnings and any jury fees he/she received.

An employee shall be granted leave with pay to appear in court as a witness other than a litigant or to respond to an official order from another governmental jurisdiction for reasons not brought about through the connivance or misconduct of the employee. Such an employee shall receive the difference between his/her regular earnings and any witness fees he/she received.

Regulation DELANO UNION SCHOOL DISTRICT

approved: April 10, 2017 Delano, California

## **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 employee's performance of his/her duties.

An employee's personal beliefs and activities, including religious, political, cultural, social, or other beliefs or activities, or lack thereof, shall not be grounds for disciplinary action against the employee, provided that the beliefs or activities do not violate law, Board policy, or administrative regulation.

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 disciplined or 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, 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, he/she 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 1102.8)

No employee shall use or attempt to use his/her official authority or influence 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 he/she has subsequently been subjected to acts or attempted acts of reprisal 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 him/her, in accordance with Education Code 44114.

### **Protection Against Liability**

No employee shall be liable for harm caused by his/her act or omission when he/she is acting within the scope of employment or district responsibilities; when the employee's act or omission is in conformity with federal or state law, district policy, or administrative regulation; or when the employee's act or omission is in furtherance of an effort to control, discipline, expel, or suspend a student or to maintain order or control in the classroom or school.

The protection against liability shall not apply when:

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.



## **DUSD Civil and Legal Rights B.P 4219.1 (Continued)**

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 respects the right of school employees to engage in political discussions and activities on their own time and at their own expense. On such occasions, employees shall make it clear that they are acting as individuals and not as representatives of the district.

Like other community members, employees may use school facilities for meetings under the Civic Center Act.

Employees shall refrain from prohibited activities identified in law 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**

District employees shall not:

1. Use district funds, services, supplies or equipment to urge the passage or defeat of any ballot measure or candidate, including any candidate for election to the Governing Board (Education Code 7054)
2. During working hours and on district property, 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)
3. During working hours and on district property, solicit or receive any political funds or contributions to promote the passage or defeat of other types of ballot measures
4. Use district time to urge the passage or defeat of any ballot measure or candidate
5. Use district equipment for the preparation or reproduction of political campaign materials, even if the district is reimbursed
6. Post or distribute political campaign materials 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 opposing views
10. Wear buttons or articles of clothing that express political opinions on ballot measures or candidates during instructional time

However, teachers shall not be prohibited from wearing political buttons during non-instructional time, such as Back-to-School Night.

Nothing in Board policy or administrative regulation shall be construed to prevent employees from soliciting or receiving funds or contributions for political purposes during nonworking time, including before and after school, the lunch period or other scheduled work intermittency during the school day. (Education Code 7056)

## **DUSD Political Activities of Employees Administrative Regulation 4219.25 (Continued)**

### **Employee Organizations**

Employee organizations may use district mailboxes and other means to communicate with employees, subject to reasonable regulation. Employee organizations may have access at reasonable times to areas in which employees work; may use institutional bulletin boards, mailboxes, and other means of communication and may use district facilities at reasonable times for the purpose of meetings. (Government Code 3543.1)

However, employee organizations shall not use district funds, services, supplies or equipment, such as the district mail system, to urge the passage or defeat of any ballot measure or candidate, including any candidate for election to the Board (Education Code 7054)

Access to district communication channels shall be limited in cases where such access would be disruptive to district operations.

In the event of a concerted action or work stoppage, political activities by employee organizations and individual employees shall be restricted to peaceful informational picketing and other activities allowed by law.

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

### **DUSD Non School Employment Board Policy 4236**

The Board of Trustees recognizes that district employees may receive compensation for outside activities as long as these activities are not inconsistent, incompatible, in conflict with or inimical to the employee's duties or to the duties, functions or responsibilities of the district.

Outside paid activities are incompatible with district employment if they require time periods that interfere with the proper, efficient discharge of the employee's duties, if they entail compensation from an outside source for activities which are part of the employee's regular duties, or if they involve using for private gain the district's name, prestige, time, facilities, equipment or supplies.

District employees shall not perform, without prior Board approval, any outside paid service which will be wholly or in part subject to the approval or control of another district employee or a district officer.

Upon determining that an employee's outside job is incompatible with district employment, the Superintendent or designee shall so inform the employee. An employee who continues to pursue an incompatible activity may be subject to disciplinary action. Appeals shall be addressed in accordance with law, Board policy and administrative regulations.

# DELANO UNION SCHOOL DISTRICT

## CERTIFICATED / CLASSIFIED / PAYROLL REQUEST FORM

Name: \_\_\_\_\_ Date: \_\_\_\_\_

- Site:
- |                                  |                               |
|----------------------------------|-------------------------------|
| _____ Albany Park School         | _____ Nueva Vista Lang. Acad. |
| _____ Almond Tree Middle School  | _____ Pioneer School          |
| _____ Cecil Avenue Middle School | _____ Princeton Street School |
| _____ Del Vista School           | _____ Terrace School          |
| _____ Fremont School             | _____ District Office         |
| _____ Harvest                    | _____ Food Services           |
| _____ La Viña                    | _____ M.O.T.                  |
| _____ Morningside School         | _____ Other                   |

- Information requested from:
- Certificated Personnel
  - Classified Personnel
  - Payroll Department

Please specify type of information requested:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Signature: \_\_\_\_\_ Phone # \_\_\_\_\_

\* \* \* \* \*

**District Office Use Only**

Date Received: \_\_\_\_\_

Reply: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Information processed by: \_\_\_\_\_

**PLEASE ALLOW 5 – 10 FULL WORKING DAYS FOR REPLY.**

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:	_____		
_____ (Assist. Supt.of Human Resources' Signature)	_____ (Date)	Approved <input type="checkbox"/>	Denied <input type="checkbox"/>
_____ (Superintendent's Signature)	_____ (Date)	Approved <input type="checkbox"/>	Denied <input type="checkbox"/>

**DELANO UNION SCHOOL DISTRICT**

**Office of Rosalina C. Rivera - Superintendent**  
 A. Linda Hinojosa RN, BSN, PHN – Director of Health Services  
 Community Connections Center  
 1842 Norwalk St. – Delano, California 93215  
 (661) 721-7036

**CERTIFICATION OF TUBERCULIN SKIN TEST OR CHEST X-RAY**

Last Name: \_\_\_\_\_ First Name: \_\_\_\_\_

Position: \_\_\_\_\_ Site: \_\_\_\_\_

Date of Birth: \_\_\_\_\_ Address: \_\_\_\_\_

City: \_\_\_\_\_ Zip: \_\_\_\_\_ Phone/Cell: \_\_\_\_\_

According to our records your certificate of freedom from tuberculosis will expire. Education code section 49406 requires that every school district employee file a certificate every four years that verifies freedom from active tuberculosis. An approved intra dermal skin test is provided at no cost to you by the district at Health Services on Mondays, 2:30 to 3:30 pm (Please call to verify dates). If you have had a previous positive skin test, please contact health services immediately for a referral for a chest x-ray. If your skin test results are positive you will be referred to Dr. Lillian Eng, MD. for a chest x-ray and appropriate follow up. If you prefer, you may go to your own physician however you will be required to pay for your own expenses and **you will have to use their form. You will not be permitted into the classroom or your work place if the certificate is not on file in the Personnel Office.**

	CK	DATE GIVEN	GIVEN BY	DATE READ	READ BY	Reading in MM
PPD TUBERCULIN (5 TU)						
OTHER						
BOOSTER PPD						

***I here by request the above checked skin test. I understand that a negative result indicates freedom from active tuberculosis and that a positive result will be referred for further medical follow-up. I agree to return in 48 to 72 hours to have the results interpreted.***

\_\_\_\_\_  
**Employee Signature**

*Delano Union School District Medical Consultant: Dr.Lillian Eng., M.D. Lic# A101963*

\_\_\_\_\_  
**Date**

*S:\HEALTH\T.B\Certification of TB.doc*

**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.

## **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)

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,

## **DUSD Media Relations BP 1112 (Continued)**

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 Web Sites Administrative Regulation 1113**

## **Design Standards**

The Superintendent or designee shall develop design standards for district and school web sites 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 web site. 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 web sites 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 web site accessibility. The Superintendent or designee shall regularly review district and school web sites and modify them as needed to ensure legal compliance with accessibility standards.

## **Web Site Content**

As applicable, district and school web sites shall provide current information regarding the district's mission and goals, district/school programs and operations, district/school news, agendas and minutes of Board of Trustees meetings, School Accountability Report Cards, school calendars, and links to educational resources.

With approval of the principal, individual teachers may create web pages linked to the district or school web site to provide information pertaining to class assignments, expectations, and activities.

Student work may be published on district or school web sites provided that both the student and his/her 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 web site 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 web site 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 web site 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 web site includes links to external web sites, it shall include a disclaimer that the district is not responsible for the content of external web sites.

## **Roles and Responsibilities**

Any employee assigned as a district or school webmaster shall be responsible for the uploading of material to the web site(s) upon approval of the Superintendent or designee. He/she shall review district and school web sites 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 web sites and to make corrections as needed in spelling, grammar, or accuracy of content.

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**

The Superintendent or designee shall establish security procedures for the district's computer network to prevent unauthorized access and changes to district and school web sites. To the extent possible, the host computer(s) shall be in a lockable room with restricted access

## **DUSD District and School Web Sites Board Policy 1113**

To enhance communication with students, parents/guardians, staff, and community members, the Board of Trustees encourages the Superintendent or designee to develop and maintain district and school web sites. The use of district and school web sites 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 web sites in order to maintain a consistent identity, professional appearance, and ease of use.

The district's design standards shall address the accessibility of district and school web sites to individuals with disabilities, including compatibility with commonly used assistive technologies.

### **Web Site Content**

The Superintendent or designee shall develop content guidelines for district and school web sites and assign staff to review and approve content prior to posting.

Board policy pertaining to advertising in district and school publications, as specified in BP 1325 - Advertising and Promotion, shall also apply to advertising on district and school web sites.

### **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 web sites.

Telephone numbers and home and email addresses of students and/or their parents/guardians shall not be published on district or school web sites.

Photographs of individual students shall not be published on district or school web sites 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 web sites.

Employees' home addresses, personal telephone numbers, and personal email addresses shall not be posted on district or school web sites.

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 web sites without the prior written permission of that individual. (Government Code 3307.5, 6254.21, 6254.24)

No public safety official shall be required to consent to the posting on the Internet of his/her 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 his/her family. (Government Code 3307.5)

DELANO UNION SCHOOL DISTRICT  
Policy adopted: December 11, 2017  
Delano, California

## **DUSD District Sponsored Social Media Board Policy 1114**

The Governing Board recognizes the value of technology such as social media platforms in promoting community involvement and collaboration. The purpose of any official district social media platform shall be to further the district's vision and mission, support student learning and staff professional development, and enhance communication with students, parents/guardians, staff, and community members.

The Superintendent or designee shall develop content guidelines and protocols for official district social media platforms to ensure the appropriate and responsible use of these resources and compliance with law, Board policy, and regulation.

### **Guidelines for Content**

Official district social media platforms shall be used only for their stated purposes and in a manner consistent with this policy and administrative regulation. By creating these official sites and allowing for public comment, the Board does not intend to create a limited public forum or otherwise guarantee an individual's right to free speech.

The Superintendent or designee shall ensure that the limited purpose of the official district social media platforms is clearly communicated to users. Each site shall contain a statement that specifies the site's purposes along with a statement that users are expected to use the site only for those purposes. Each site shall also contain a statement that users are personally responsible for the content of their posts.

Official district social media platforms 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 shall be subject to discipline in accordance with district policies and administrative regulations.

Users of official district social media platforms should be aware of the public nature and accessibility of social media and that information posted may be considered a public record subject to disclosure under the Public Records Act. The Board expects users to conduct themselves in a respectful, courteous, and professional manner.

### **Privacy**

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 platforms.

Board policy pertaining to the posting of student photographs and the privacy of telephone numbers, home addresses, and email addresses, as specified in BP 1113 - District and School Web Sites, shall also apply to official district social media platforms.

Social media and networking sites and other online platforms shall not be used by district employees to transmit confidential information about students, employees, or district operations.

DELANO UNION SCHOOL DISTRICT

Policy adopted: April 10, 2017

Delano, California

# **DUSD District Sponsored Social Media Administrative Regulation 1114 Excerpt**

## **Definitions**

Social media means any online platform for collaboration, interaction, and active participation, including, but not limited to, social networking sites such as Facebook, Twitter, YouTube, LinkedIn, or blogs.

Official district social media platform is a site authorized by the Superintendent or designee. Sites that have not been authorized by the Superintendent or designee but that contain content related to the district or comments on district operations, such as a site created by a parent-teacher organization, booster club, or other school-connected organization or a student's or employee's personal site, are not considered official district social media platforms.

## **Guidelines for Content**

The Superintendent or designee shall ensure that official district social media platforms provide current information regarding district programs, activities, and operations, consistent with the goals and purposes of this policy and regulation. Official district social media platforms shall contain content that is appropriate for all audiences.

The Superintendent or designee shall ensure that copyright laws are not violated in the use of material on official district social media platforms.

The Superintendent or designee shall ensure that official district social media platforms are regularly monitored. Staff members responsible for monitoring content may remove posts based on viewpoint-neutral considerations, such as lack of relation to the site's purpose or violation of the district's policy, regulation, or content guidelines.

Each official district social media platform shall prominently display:

1. The purpose of the site along with a statement that users are expected to use the site only for those intended purposes.
2. Information on how to use the security settings of the social media platform.
3. A statement that the site is regularly monitored and that any inappropriate post will be promptly removed. Inappropriate posts include those that:
  - a. Are obscene, libelous, or so incite 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
  - b. Are not related to the stated purpose of the site, including, but not limited to, comments of a commercial nature, political activity, and comments that constitute discrimination or harassment
4. Protocols for users, including expectations that users will communicate in a respectful, courteous, and a professional manner.
5. A statement that users are personally responsible for the content of their posts and that the district is not responsible for the content of external online platforms.
6. A disclaimer that the views and comments expressed on the site are those of the users and do not necessarily reflect the views of the district.
7. A disclaimer that 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 platforms.

## **Appropriate Use by District Employees**

District employees who participate in official district social media platforms shall adhere to all applicable district policies and procedures, including, but not limited to, professional standards related to interactions with students.

## **DUSD District Sponsored Social Media AR 1114 Excerpt (Continued)**

When appropriate, employees using official district social media platforms 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 platforms.

DELANO UNION SCHOOL DISTRICT  
Regulation approved: April 10, 2017  
Delano, California





## DISTRICT SOCIAL MEDIA POLICY

### Delano Union School District

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The Delano Union School District supports the use of email, text messaging and online social media to facilitate District programs, departments and school sites in building a more successful parent, community, student and employee network, and recognizes the common use of such technology in everyday life.

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 and not any District-provided email that is subject to the District's Acceptable Use Policy.

"Text" and 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 that enable people to communicate easily over the internet to share information and resources. 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 (<http://facebook.com>)
- Hi5 (<http://hi5.com/friend/displayHomePage.do>)
- Flickr (<http://www.flickr.com>)
- Twitter (<http://www.twitter.com>)
- YouTube (<http://www.youtube.com>)

- LinkedIn (<http://linkedin.com>)
- Slogs (Web Logs)
- Any District social media site

“Personal Social Media” includes all social media that is not official District social media.

“Technology” includes computers, notebooks, the Internet, telephones, cellular telephones, personal digital assistants, pagers, MP3 players, such as iPod’s, USB drives, wireless access points (routers), or any wireless communication device.

“District Technology” is that which is owned or provided by the District.

“Personal Technology” is non-District 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 without authorization from the District HR Department. Any use of District representations existing without prior authorization will be subject to removal. As appropriate, a recommendation for disciplinary action may result.

2. **Content Disclaimer.** Any approved official presence on social media sites 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, 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.

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 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.

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.

**5. 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.

**6. 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 or exposed to District students.

**7. 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.

**8. 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 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.

**9. "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.

**10. 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.

**11. 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. 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!

**12. 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" includes brothers, sisters, sons, daughters, grandchildren, aunts/uncles, in-laws, cousins, nieces, nephews, or persons for whom the employee serves as legal guardian.

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**DISTRICT SOCIAL MEDIA POLICY**  
**ADOPTED: October 3, 2016**

*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**

## **Personnel**

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; and improving access to and exchange of information. The Board expects all employees to learn to use the available technological resources that will assist them in the performance of their job responsibilities. As needed, employees shall receive professional development in the appropriate use of these resources.

Employees shall be responsible for the appropriate use of technology and shall use district technology primarily for purposes related to their employment.

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.

The Superintendent or designee shall establish an Acceptable Use Agreement which outlines employee obligations and responsibilities related to the use of district technology. 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, or display 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 6777; 47 USC 254)

The Superintendent or designee shall annually notify employees in writing that they have no reasonable expectation of privacy in the use of any equipment or other technological resources provided by or maintained by the district, including, but not limited to, computer files, email, text messages, instant messaging, and other electronic communications, even when provided their own password. 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 maintained on any personal device or messages sent or received on a personal device that is being used to conduct district business may be subject to disclosure, 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.

# **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

## **DUSD Employee Acceptable Use Agreement of Technology E 4040 (Continued)**

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.

## **DUSD Employee Acceptable Use Agreement of Technology E 4040 (Continued)**

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 12<sup>th</sup> 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)

<b>Equipment Description</b>	<b>Brand, Make and Model</b>	<b>Serial Number</b>

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.

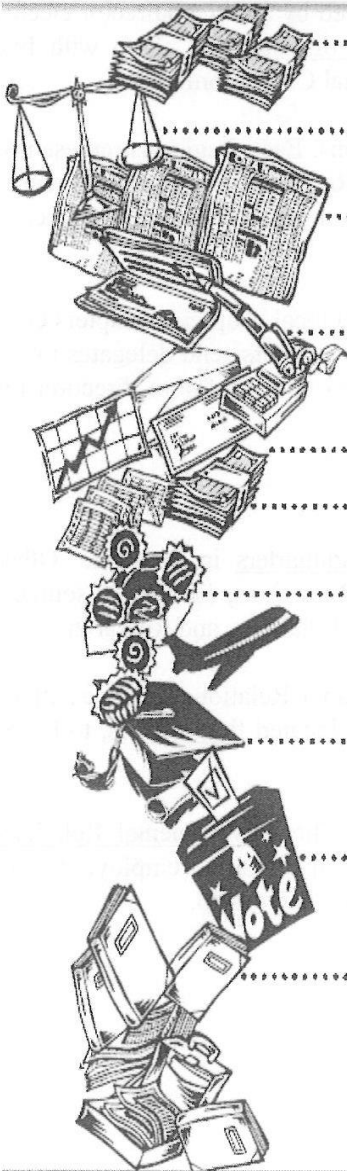
CSEA is served by Labor Relations Representatives statewide. The Labor Relations Representatives perform a range of professional services, working out of strategically located [field offices](#), to better serve local membership.

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.

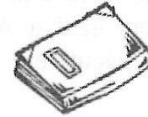
Discounts on tickets including Disneyland, Knott's Berry Farm, Movies, See's Candy water parks, travel and much more!

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

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*There's never been a better time*  
to join CSEA.

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**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](http://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.

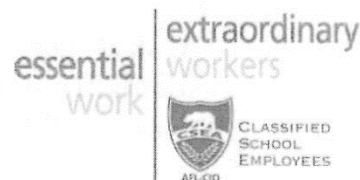
Now we're asking everyone to support CSEA, so we can achieve even more from classified employees.

**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!



# **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  
Shawn Bonita  
679-9508

Chapter Vice President  
Carmen Rico  
721-5000 Ext. 81120

Chapter Secretary  
Mayra Gonzalez  
721-5030  
720-2700

Chapter Treasurer  
Teresa Nunez  
679-9509

Chief Job Steward  
William Sanchez  
679-9635

**California School  
Employees Association**



AFL-CIO



# **VII.**

# **Miscellaneous**

## **DUSD Communication with the Public Board Policy 1100 Excerpts**

The Governing Board 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 communications methods in order to provide the public with access to information. Such methods may include, but are not limited to, district and school newsletters, web sites, social networking pages or other online communications technologies, direct email 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.

DELANO UNION SCHOOL DISTRICT  
Policy adopted: April 10, 2017  
Delano, California

## **DUSD Publication or Creation of Materials Board Policy 4232**

The Governing Board recognizes the importance of creating a work environment that encourages employee innovation in creating and developing high-quality materials to improve student achievement and the efficiency of district operations.

The Superintendent or designee shall oversee the development of instructional materials, computer programs, and other copyrightable materials by employees, independent contractors, and consultants. An employee, independent contractor, or consultant shall notify the Superintendent or designee of his/her intent to publish or register a work developed in whole or in part within the scope of his/her employment.

Instructional materials, computer programs, and other copyrightable materials developed by an employee within the scope of his/her employment shall be the property of the district.

If an employee has developed copyrightable material during both work and non-working hours, and the work was within the scope of his/her employment, the Superintendent or designee shall negotiate a contract with the employee to protect the district's right as to the ownership or partial ownership of the copyright.

The Superintendent or designee shall ensure that any contract with an independent contractor or consultant contains a provision specifying the district's right to ownership of the copyright of any work produced by the contractor or consultant for the district.

The Superintendent or designee 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)

## **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 for their own personal profit or benefit. Solicitation of students and staff on behalf of the school or other charitable organizations shall be conducted in accordance with applicable Board policy and administrative regulation.

Staff members shall respect the confidentiality of district employees and students and shall not use their status as district employees to secure information such as names, addresses, e-mail addresses, and telephone numbers for solicitations or use in personal profit-making or beneficial 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 private, non-district-sponsored businesses 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.

Staff participation in "flower funds," "anniversary funds" or other similar funds shall be voluntary.

## **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.

No reimbursement shall be made for accidental damage or for any loss due to lack of personal supervision or failure to keep property in a secured area.

The maximum payment shall be the amount specified by the district's insurance carrier for such loss or the amount specified in the applicable collective bargaining agreement, whichever is less.

Reimbursement for personal items used for work-related purposes shall be made only if:

1. Use of the personal property was approved by the principal, site supervisor or designee before the property was brought to school or district premises
2. At that time, the employee and district representative agreed on the value of the property.

## 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
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.

## DUSD Transportation Regulations for Students (Continued)

- 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.

- |                          |   |
|--------------------------|---|
| 1 <sup>st</sup> Referral | Warning or possible bus-riding suspension. Telephone call or letter to parent/guardian if there is a bus-riding suspension.   |
| 2 <sup>nd</sup> Referral | Warning or possible bus-riding suspension. Telephone call or letter to parent/guardian if there is a bus-riding suspension.   |
| 3 <sup>rd</sup> Referral | Mandatory five (5) day bus-riding suspension letter or telephone call to parent/guardian.   |
| 4 <sup>th</sup> 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. |
| 5 <sup>th</sup> 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. Jack Tillman, Director of Maintenance, Operations, & Transportation 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 – 12<sup>th</sup> 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: Day(s) & Date(s) \_\_\_\_\_ Time From: \_\_\_\_\_ Time To: \_\_\_\_\_  
 \_\_\_\_\_  
 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**

Public Address System  Yes  No Air Conditioning  Yes  No Heating  Yes  No Chorus Risers  Yes  No  
 TV/VCR  Yes  No Additional set up instructions: \_\_\_\_\_

**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  N/A  Hold Harmless Agreement   
 Statement of Information \_\_\_\_\_ Letter \_\_\_\_\_

**FEES:**  
 \_\_\_\_\_ Use of Facility \$ \_\_\_\_\_ Special Equipment \$ \_\_\_\_\_ Notifications:  
 \_\_\_\_\_ Custodial \$ \_\_\_\_\_ Other Personnel \$ \_\_\_\_\_ Site: \_\_\_\_\_  
 \_\_\_\_\_ Supervision \$ \_\_\_\_\_ Other \$ \_\_\_\_\_ M.O.T.: \_\_\_\_\_  
 \_\_\_\_\_ Kitchen \$ \_\_\_\_\_ F/S: \_\_\_\_\_

The above application has been: Approved  Denied  Date: \_\_\_\_\_  
 TOTAL FEES \$ \_\_\_\_\_

By: \_\_\_\_\_ Expires: \_\_\_\_\_  
 Authorized Representative

White: M.O.T Yellow: Accounting Dept. Pink: School/Organization  
 Revised 01/11/06



DELANO UNION SCHOOL DISTRICT  
M.O.T. CUSTODIAL SERVICES

To: All D.U.S.D. Staff  
From: Jack Tillman  
Subject: Custodial Cleaning

In our efforts to improve custodial services, please provide us with any concerns or comments regarding the cleaning of your classroom or office/facility. Thank you for your cooperation in this matter.

Please complete this form and forward to your site/department administrator.

School Site: \_\_\_\_\_ Room# \_\_\_\_\_ Date of Incident: \_\_\_\_\_

Specify what was not properly cleaned: \_\_\_\_\_

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Person completing form: \_\_\_\_\_

Supervisor's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Supervisor will forward to Jack Tillman, Director of MOT.

White: MOT                      Canary: Site Administrator                      Pink: Originator      Revised 10/04, 5/07, 06/09

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Specify what was not properly cleaned: \_\_\_\_\_

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Person completing form: \_\_\_\_\_

Supervisor's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Supervisor will forward to Jack Tillman, Director of MOT.

White: MOT                      Canary: Site Administrator                      Pink: Originator                      Revised 10/04, 5/07, 06/09

## DELANO UNION SCHOOL DISTRICT STUDENT ACCIDENT REPORT

Pupils Name		Age		Birthdate	

School Site \_\_\_\_\_ Grade \_\_\_\_\_ Male \_\_\_\_\_

Date of Accident \_\_\_\_\_ Time \_\_\_\_\_ Female \_\_\_\_\_

Location:                      \_\_\_\_\_ Classroom                      \_\_\_\_\_ Way to School  
                                       \_\_\_\_\_ Playground                      \_\_\_\_\_ Way from School  
                                       \_\_\_\_\_ Restroom                      \_\_\_\_\_ Cafeteria  
                                       \_\_\_\_\_ Corridor                      \_\_\_\_\_ 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:**

**FIRST AID ADMINISTERED:**

\_\_\_\_\_ 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 \_\_\_\_\_

\_\_\_\_\_ 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

# CONFERENCE ATTENDANCE REQUEST

Submit the following to the Business Office (Attn: Chevelle Madrigal), *at least three weeks in advance*.

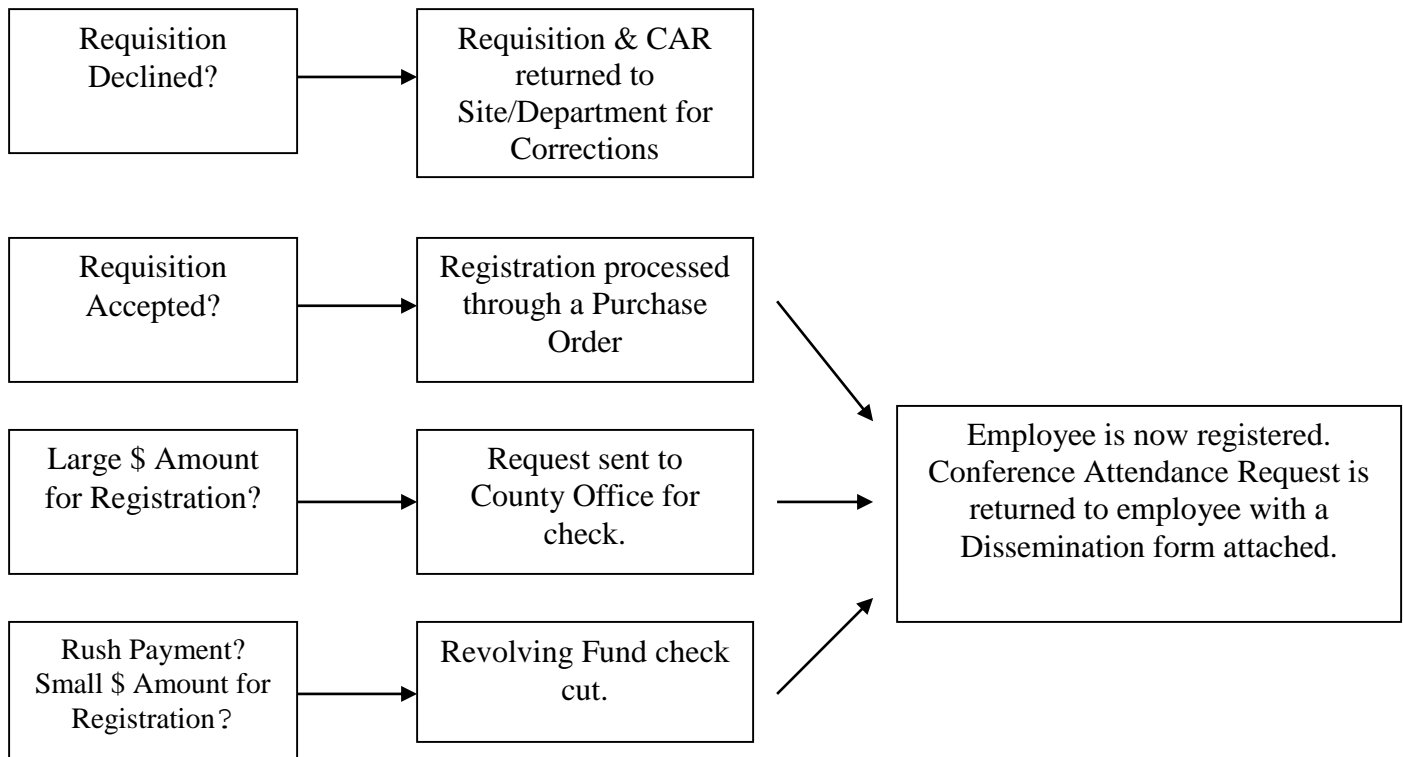
## 1. Requisition

- 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, (Attn: Carmen Luque) the following:
  - 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. Check with Carmen Luque at Ext 00124 for most updated version.

**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 \_\_\_\_\_

This is to certify the conference/ workshop addresses needs in

Component in the current school plan.

Initial of Principal / Site Resource

Teacher: \_\_\_\_\_

Charge to Acct. Code

# \_\_\_\_\_

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: \_\_\_\_\_

Transportation \_\_\_\_\_

Other Prepaid Expenses \_\_\_\_\_

Other Prepaid Expenses \_\_\_\_\_

Employee Reimbursement \_\_\_\_\_

Approved for Payment \_\_\_\_\_

PV/PO/Rev Fund CHK # \_\_\_\_\_

PV/PO/Rev Fund CHK # \_\_\_\_\_

PV/PO/Rev Fund CHK # \_\_\_\_\_

PV/PO/Rev Fund CHK # \_\_\_\_\_

Total Conference Cost

\$ \_\_\_\_\_  
\$ \_\_\_\_\_  
\$ \_\_\_\_\_  
\$ \_\_\_\_\_  
\$ \_\_\_\_\_

Date: \_\_\_\_\_

White - Business Office

Canary - Originator

Goldenrod - Instruction

Pink - Human Resources