Purpose

This handbook has been designed to familiarize management employees with the management practices of the Stanislaus County Office of Education (SCOE) and also to consolidate the rules and regulations regarding the employee/employer relationship for management personnel of SCOE.

The following are the classifications of management personnel in our office:
- Certificated
- Classified
- Categorically Funded
- Temporary Contract
- Senior Management

SCOE Services

The Stanislaus County Office of Education partners with local schools and the community to support quality education for the nearly 106,000 students in Stanislaus County and several thousand more in regional programs throughout the state. The office employs approximately 950 and manages a $227 million budget.

1. California State Department of Education
2. 58 County Offices of Education
   - Includes County-wide and Regionalized programs and services
3. Over 1,000 local school districts (26 in Stanislaus County including SCOE)

Under the leadership of the County Board of Education and the Superintendent of Schools, the Stanislaus County Office of Education (SCOE) serves as a link between the 26 school districts in the county and the California Department of Education. Funding and major policy decisions are made at the state level, and day-to-day delivery of instruction is generally the responsibility of local school districts. County Offices provide a support infrastructure for local schools and districts that includes Administrative Services, Instructional Support Services and Direct Student Services. Staff at the county also provides leadership and advocacy on critical education issues and serve as an information resource to local educators.
SCOE Services

Support the business and operation functions of education. Many of these services are required by law, such as attendance accounting, district budget reviews, inter-district appeals, and teacher credentialing. County Offices also help school districts save money (economy of scale) by offering services such as payroll processing, group insurance plans and printing services. The office serves as the Internet hub for 21 school districts and handles substitute placement for 19 districts. Over $1 billion in transactions is managed through SCOE’s financial accounting system each year.

Provides assistance in the following areas:
· Curriculum development
· Instructional delivery assistance
· Student assessment
· Credentialing of teachers and administrators
· Technology and Library Services
  - California Learning Resources Network (Statewide lead)
  - California Technology and Assistance Project (Regional lead – 5 counties)

Staff works with local schools and districts to provide professional development, instructional resources, clarification of mandates, and processes for monitoring and documenting the effectiveness of the instructional programs. Support for schools and districts in Program Improvement status has also become a high priority.

Many of the programs are offered regionally including the Beginning Teacher Support and Assessment Induction Program (BTSA), which serves three counties. Instructional Support Services staff members also are designated Regional Leads in the areas of Math, English/Language Arts, Secondary Education and Visual Performing Arts.
Direct Student Services

SCOE Services

Include county-wide and regionalized education programs for special populations of students:

- Alternative education programs:
  - Juvenile court schools
  - Community schools
  - Independent study
- Foster Youth services
- Homeless Education programs
- Special education programs
- Regionalized migrant education programs (serving seven counties)
- Regional Occupation Programs/Career education (Regional lead – Stanislaus and Tuolumne)
- Outdoor education programs
- Head Start programs
- Early education and care programs
- Prevention education (Regional lead for safety and after school programs – five counties)
- Health care programs
- Charter Schools
Organization
Philosophy &
Structure
Mission

Recognizing the value of cultural diversity and a changing population, the SCOE through effective leadership, coordinated services, staff development, and partnerships among school, family, and community will enable public education to meet the needs of our students and maximize potential for lifelong learning.
Beliefs

♦ Education is the shared responsibility of home, school, and community.

♦ Every person is unique and has worth.

♦ Learning is a lifelong pursuit.

♦ Creativity and problem-solving are important components of learning.

♦ Cultural diversity offers learning opportunities for the community.

♦ People deserve to be treated with dignity and respect.

♦ People are influenced by role models.

♦ Skills for coping with change can be learned.

♦ Human potential is unlimited.

♦ Self-esteem affects learning.

♦ Individuals are members of the global community.

♦ Family is the primary influence in the development of the child.

♦ People have a right to be physically and emotionally safe.

♦ People are responsible for the choices they make.

♦ Knowledge creates opportunities.

♦ Excellence is worth the effort.
**Values**

**People**
Our greatest asset is our people. They can achieve their full potential as individuals and as contributors to our success only if they find joy and satisfaction in their work. We provide a working environment in which integrity, ethical behavior, and respect for one another are paramount in all interactions.

**Programs and Services**
Our programs and services give meaning to our life as an educational organization. They are the standard by which we are measured. Our programs and services are successful only if our customers view them as the best available.

**Educational Excellence**
We provide the best in programs and services to support the education of students in our community. Our goal is to ensure that students are equipped to become lifelong learners and active, productive citizens.

---

**Strategic Goals**

**Strategy 1**
Provide leadership to the educational community to maximize collaboration, communication, and innovation.

**Strategy 2**
Pursue collaborative partnerships with family, school and community to support the preparation of students for the future.

**Strategy 3**
Continuously assess the relevance and effectiveness of the programs and services of SCOE to foster continuous improvement.
Operating Principles

Ethical Behavior is Key to our Success
We will behave with integrity, honesty, humility and courage.

Quality is Essential
Quality is determined by the customer who uses the programs and services, and we consider everyone with whom we interact a customer. We will continually improve our programs and services by determining customer needs and responding to customer feedback and suggestions.

Customers are Part of our Team
Customers include families, school district personnel, community partners, and SCOE employees. We will maintain an environment in which to share ideas and work cooperatively. We will listen to our customers’ needs as we collaboratively develop services and solutions.

Decisions are Made at the Most Appropriate Organizational Level
Management will determine the most appropriate level for the resolution of issues. Management’s decisions will include input from employees who will be impacted by proposed changes as early in the decision-making process as possible.

Everyone Plays an Integral Part in our Organization
Everything an employee does affects our organization. We will hold ourselves accountable to accomplish what we have been hired to do. We will behave as ambassadors of SCOE and respect every person and role within the organization.

Challenges are Addressed from a Systems Approach
When seeking to address and resolve challenges, we will focus on processes and systems using SCOE policies, protocols, and operating principles.

We Manage our Work by Facts
To inspire trust, to seek mutual benefit, and to act in the best interest of those we serve, we will rely on data. We will gather, analyze, and act on data about SCOE’s services, products, and programs.

Employees are Most Effective when they have as much Information as Possible about their Work and the Organization
Managers will provide employees with sufficient background knowledge to fully understand their role and to accurately represent SCOE’s broader mission in the community.
Operating Principles
Continued

We will all accept and give praise to acknowledge individual accomplishments as well as celebrate shared successes.

The organization realizes that to be effective at work, employees must maintain a healthy balance in their duties to home, work and community. We will respect others’ efforts to effectively manage multiple responsibilities. Supervisors will support employees’ requests for flexibility when feasible and appropriate.
A management, supervisor or confidential school employee's behavior must conform to an ethical code. The code must be idealistic and at the same time practical, so that it can apply reasonably to all. The professional acknowledges that the schools belong to the public they serve for the purpose of providing educational opportunities to all and provides professional leadership in the school and community. This responsibility requires standards of exemplary professional conduct. It must be recognized that the professional's actions will be viewed and appraised by the community, associates and students. To these ends, the professional subscribes to the following statements of standards.

The management, supervisory, confidential school employee:

1. Makes the well-being of students the fundamental element in all decision-making and actions.

2. Fulfills professional responsibilities with honesty and integrity.

3. Supports the principle of due process and equal treatment under the law.

4. Obeys local, state and national laws and does not knowingly join or support organizations that advocate, directly or indirectly, the overthrow of the government.

5. Implements the Board of Education of Education’s policies and administrative rules and regulations.

6. Pursues appropriate measures to correct those laws, policies and regulations that are not consistent with sound educational goals.

7. Avoids using positions for personal gain through political, social, religious, economic or other influence.

8. Accepts academic degrees or professional certification used in relationship with professional responsibilities only from duly accredited institutions.

9. Maintains the standards and seeks to improve the effectiveness of the profession through research and continuing professional development.

10. Honors all contracts until fulfillment or release.

11. Seeks to involve the public and keep them honestly informed.

12. Recommends the employment, development, promotion and retention of the best possible personnel to assure a quality educational program.
Personnel
## Definitions of Management

<table>
<thead>
<tr>
<th>Category</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Certificated Management</strong></td>
<td>An employee in a position requiring certification under the California Education Code and designated by the employer as management under the provisions of the Educational Employment Relations Board (EERA).</td>
</tr>
<tr>
<td><strong>Classified Management</strong></td>
<td>An employee in a position not requiring certification under the California Education Code and designated by the employer as management under the provisions of the EERA.</td>
</tr>
<tr>
<td><strong>Categorically Funded Management</strong></td>
<td>An employee, classified or certificated, who holds a designated management position funded by special funds and whose employment or position is dependent upon the continuation of those special funds.</td>
</tr>
<tr>
<td><strong>Senior Management</strong></td>
<td>Pursuant to Education Code § 45100.5, the Stanislaus County Superintendent of Schools may appoint senior management employees in positions not requiring certification qualification for those positions defined in Education Code § 45108.5.</td>
</tr>
</tbody>
</table>
Oath of Affirmation
(AR 4312.3)

All County Office 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 County Office. 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 County Office employees are subject to disaster service activities as assigned to them by their supervisors or by law. (Government Code 3100-3102)

Legally employed noncitizens shall be exempt from taking this oath. (Government Code 3101)

At the advice of legal counsel, the County Superintendent or designee may exempt an employee from taking the oath if he/she raises a valid religious objection.

The County Superintendent, deputy or assistant superintendent, principal or other person authorized in Education Code 60 shall administer the oath or affirmation when a County Office employee is hired.

In the case of intermittent, temporary, emergency or successive employments, the County 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.

The County 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)

Whenever an employee seeks compensation or reimbursement of expenses as a disaster service worker, the County Superintendent or designee shall ascertain and certify that the employee has taken the oath or affirmation.
Recruitment and Selection  
(BP 4311)

The County Superintendent desires to employ the most highly qualified and appropriate person available for each open position in order to improve student achievement and efficiency in County Office operations.

The County Superintendent or designee shall recruit candidates for open positions based on an assessment of the County Office’s needs for specific skills, knowledge and abilities. He/she shall develop job descriptions that accurately describe all essential and marginal functions and duties of each position, and shall disseminate job announcements to ensure a wide range of candidates.

The County Superintendent or designee shall develop selection procedures that identify the best possible candidate for each position based on screening processes, interviews, observations and recommendations from previous employers. He/she may establish an interview committee, as appropriate, to rank candidates and recommend finalists. All discussions and recommendations shall be confidential in accordance with law.

During job interviews, applicants may be asked to describe or demonstrate how they will be able to perform the duties of the job. No inquiry shall be made with regard to any category of discrimination prohibited by state or federal law.
Recruitment and Screening

(AR 4311)

When a management position vacancy is known or anticipated, the County Superintendent of Schools or designee shall determine the need and qualifications for the position. As soon as possible, notice of the vacancy shall be published within the County Office of Education and may be published through other recruitment sources.

In selecting candidates for formal interview, the County Superintendent or designee shall:

1. Review valid transfer requests
2. Review the current applicant file
3. Establish an interview committee
4. Arrange interviews for the best qualified applicants
5. Provide the interview committee with each candidate's complete application, a set of questions to be asked, rating sheets, and related instructions.

The interview committee shall rank candidates in order of priority. When all interviews have been completed, committee members may discuss candidates before recommending finalists. All discussions and recommendations shall be confidential.

When finalists have been identified, the County Superintendent or designee shall interview in person or by telephone those individuals given as references who have had the greatest opportunity to observe the finalists' professional activities.

The County Superintendent or designee shall interview the finalists.

If the County Superintendent or designee cannot make a hiring in full confidence, he/she shall declare the position open and undertake a new search.

When satisfied, the County Superintendent or designee shall contact the finalist to obtain acceptance of an offer of employment.

The salary and placement of newly elected staff shall be determined by the County Superintendent or designee. Employment shall be subject to the possession of valid, appropriate credentials.

As soon as the position is filled, the County Superintendent or designee shall notify all candidates who were not selected.
**Employment Status**

All SCOE employees are employees of the Stanislaus County Superintendent of Schools (SCSS). The SCSS may contract with certificated management employees on a year-to-year basis. Probationary or permanent status is available only to certain employees in particular positions, as specified by law and described in this section.

**Certificated Manager**

Unlike his/her counterpart in a local school district, a regular certificated manager does not receive tenure at any time (except as noted below) and is never classified as a permanent, probationary, or substitute employee. The certificated manager serves at the pleasure of the SCSS.

**Certificated Manager with Displacement Rights**

A certificated manager with displacement rights is one who has taught as a classroom teacher for SCOE and has obtained permanency as a classroom teacher for SCOE prior to becoming a manager. Such an employee shall have permanency as a classroom teacher only and does not obtain permanency as a manager.

**Classified Management**

Classified managers, upon initial employment, shall serve a probationary period of one year in a paid status. During this probationary period, a classified manager serves at the pleasure of the SCSS and may be dismissed at any time by the SCSS or his designee.

Upon successful completion of the probationary period, a classified manager shall gain permanent status in the position.

**Categorically Funded Management**

A certificated management employee hired pursuant to a program which is funded categorically on a year-to-year basis is not classified as a permanent, probationary, or substitute employee. The certificated manager serves at the pleasure of the SCSS.

A classified categorically funded management employee is subject to the same employment rights as other classified management employees.

**Senior Management**

A senior management employee serves on an annual basis pursuant to Education Code § 35031 and is to receive notice of non-relection at least 45 days in advance of the expiration of his or her term.
Contracts
(BP 4312.1)

In order to attract and retain qualified staff, the Stanislaus County Office of Education may employ certificated administrators and supervisors and senior management of the classified staff on a contract basis.

Certificated supervisors and administrators, other than the deputy, assistant or associate superintendent, may be offered a continuing contract covering a period longer than one year but not exceeding four years.

Employee contracts shall include a provision specifying the legal maximum cash settlement that the employee may receive upon termination of the contract. (Government Code 53260)

If the Stanislaus County Superintendent of Schools or designee decides not to reelect or reemploy a deputy, associate or assistant superintendent, or a senior manager of the classified service upon the expiration of his/her term, it shall notify the employee in writing 45 days prior to the expiration of the term of the contract. (Education Code 35031)
Transfers  
(BP 4314)

The County Superintendent of Schools or designee shall assess the needs of the County Office of Education and place management personnel in positions which will meet those needs.

**Voluntary Transfer**

The County Superintendent or designee recognizes that management employees may wish to request transfers to vacant positions for which they are qualified in order to promote their professional growth and broaden their management background. The County Superintendent or designee shall establish procedures for the transfer of management personnel.

**Involuntary Transfer**

Involuntary transfers within an administrator's classification (same job title) shall be initiated at the recommendation of the appropriate Cabinet Member in the best interests of the County Office.

Transfers  
(AR 4314)

**Voluntary Transfer**

Requests for voluntary transfers shall be submitted to the Stanislaus County Superintendent of Schools or designee at the time of the known vacancy. The employee will be notified in writing of the decision within 15 working days.

Transfer requests may be withdrawn by the employee at any time.

**Involuntary Transfer**

Before recommending the involuntary transfer of administrators, the appropriate Assistant County Superintendent or designee shall confer with the affected employee and notify him/her of the intent to recommend the transfer. For transfers effective at the beginning of the school year, this conference shall take place before May 30.

If, after the conference, the recommendation to transfer administrators is made the County Superintendent or designee shall so notify the affected employee in writing at least 20 days before the transfer, except in emergency situations.
Promotion/Demotion/Reassignment/Reclassification
(AR 4313.2)

Certificated Management and Supervisory Personnel

Certificated employees holding an administrative or supervisory credential may be released and placed in a different position for the following year.

Before March 15, the Stanislaus Superintendent of Schools shall determine whether the identified employee may be released from his/her position effective the end of the school year and reassigned to a different position.

By March 15, the employee shall be notified of the Stanislaus County Superintendent of Schools action by registered mail or in person. If the notice is presented to the employee in person, the employee's signature acknowledging receipt of the notice shall be obtained on the County Office's copy of the written notice.

Before July 1, the County Superintendent of Schools shall take additional action to bring into effect the release and reassignment of employees who received the above notice.

If the reassignment is to a teaching position, the County Superintendent of Schools shall give the employee, if requested, a written statement of the reasons for the reassignment. If these reasons include incompetency as an administrator or supervisor, the County Office shall have completed an evaluation of the employee within the 60-day period immediately preceding the notice date.
Promotion/Demotion/Reassignment (BP 4313.2)

The Stanislaus County Superintendent of Schools or designee may promote, demote, and reassign any management, supervisory, or confidential employee when such action is determined to be in the best interest of the Stanislaus County Office of Education.

The County Superintendent or designee shall ensure that the County Office complies with all applicable statutory deadlines and due process procedures.
Nonschool Employment  
(BP 4136, 4236, 4336)

In order to help maintain public trust in the integrity of Stanislaus County Office of Education operations, the County Office expects all employees to give the responsibility of their positions precedence over any other outside employment. A County Office employee may receive compensation for outside activities as long as these activities are not inconsistent, incompatible, in conflict with, or inimical to his/her County Office duties.

An outside activity shall be considered inconsistent, incompatible, or inimical to County Office employment when such activity:

1. Requires time periods that interfere with the proper, efficient discharge of the employee's duties
2. Entails compensation from an outside source for activities which are part of the employee's regular duties
3. Involves using the County Office's name, prestige, time, facilities, equipment, or supplies for private gain
4. Involves service which will be wholly or in part subject to the approval or control of another County Office employee or Stanislaus County Board of Education member

An employee wishing to accept outside employment that may be inconsistent, incompatible, in conflict with, or inimical to the employee's duties shall file a written request with his/her immediate supervisor describing the nature of the employment and the time required. The supervisor shall evaluate each request based on the employee's specific duties within the County Office and determine whether to grant authorization for such employment.

The supervisor shall inform the employee whether the outside employment is prohibited. The employee may appeal a supervisor's denial of authorization to the Stanislaus County Superintendent of Schools or designee. An employee who continues to pursue a prohibited activity may be subject to disciplinary action.

A certificated employee shall not accept any compensation or other benefit for tutoring a student enrolled in his/her class(es). An employee who wishes to tutor another County Office student shall first request authorization from his/her supervisor in accordance with this County Office policy. If authorization is granted, the employee shall not use County Office facilities, equipment, or supplies when providing the tutoring service.
Part-Time Personnel

Part-time employees are persons in positions who are hired on a regular basis, but for less than a normal eight-hour day or 40 hour week. Part-time employees accrue rights to absence due to illness benefits as do full-time employees, except that their eligibility is proportional. Classified part-time employees accrue rights to vacation benefits, except that their eligibility is proportional.

To avoid any possible conflict of interest, management employees of the SCOE shall not accept employment, either part-time or under contract, with school districts within Stanislaus County. By extension, the same concern to avoid conflicts of interest exists with districts in the San Joaquin, Tuolumne, Calaveras, and Amador Counties. Management employees are highly skilled and well qualified and are employed by the SCOE to provide services to school districts and other entities in this county, other counties and to school districts in the San Joaquin, Tuolumne, Calaveras, and Amador Counties Region. Any services provided by such employees must be considered to be services provided by SCOE.

Full-time management employees of the SCOE may accept part-time or contract employment with school districts, other entities which receive like services, or county offices of education outside of Stanislaus County and the San Joaquin, Tuolumne, Calaveras, and Amador County Region only upon prior written approval of their division head or the SCSS.

A management employee is first and foremost an employee of the SCOE. Management employees are often required to be available for evening and weekend assignments. Any outside employment request must be reviewed by the appropriate division head to assure that any other employment will not interfere with the employee’s responsibilities to the SCOE.
Guidelines for Management Part-Time or Contract Employment

Note: These guidelines are not all encompassing. Any situation that requires clarification should be brought to Cabinet for discussion/action.

It is clear that the practice of staff teaching in colleges and universities within Stanislaus County and the San Joaquin, Tuolumne, Calaveras, and Amador Counties Region does not lend itself to a conflict of interest. However, technically, community colleges are school districts. Because community colleges have increased their autonomy and the SCOE staff has minimal involvement with them, management staff is permitted to teach community college classes without a concern for a conflict of interest. As with any other outside employment, such employment must have prior written approval of the appropriate division head.

From time to time, local school districts need SCOE management personnel for special purposes such as fill in administrative assignments or other services. Such employment is possible; however, the employee will be employed by the SCOE who will contract directly with the local school district for such services. Employee requests should be made through the division head to the county superintendent.

County offices of education throughout the state have agreed to an inter-county exchange of personnel for certain assignments. This involves, essentially, a loan of personnel. When SCOE personnel are on loan, they shall continue to be paid by this office and shall not receive stipends from another county. Various arrangements may be made between the county offices regarding incurred expenses.
Reemployment after Resignation

When a regular management employee voluntarily resigns and is subsequently rehired into a regular position within one year from the date of the resignation, the resignation will not be considered a break in service and the following benefits are restored:

1. Accumulated unused sick leave on record.
2. Placement on same salary schedule step and range as the employee received in the same classification at the time of resignation. If employed in a different classification, initial salary schedule placement procedures apply.

The initial date of hire is used to determine eligibility for SCOE health benefit contributions pursuant to Government Code 22859.1.

When a regular management employee voluntarily resigns and is reemployed after an absence of one year or more, the following applies:

1. The employee is not entitled to accumulated sick leave unless employed by another county office or school district in the intervening period.

Vacation accrual is the same as for a new employee (classified).

Salary schedule placement is according to initial employment procedures and approval of the Stanislaus County Superintendent of Schools.

The new date of hire will be used to determine eligibility for retiree health benefit contributions under Government Code 22859.1.
Salary Schedule Placement and Advancement

All new managers hired between July 1 and December 31 shall be advanced to the next higher step of the salary range in their classification on July 1 and each year thereafter. Employees who have not completed six (6) months of service prior to July 1 shall be advanced to the next higher step of the salary range in their classification on July 1 following the completion of six (6) months service. (This anniversary date applies to vacation and longevity as well).

Management employees will be paid in accordance with current SCOE salary schedules. Salary schedules may be obtained from Human Resources.
Salary Adjustment for Status Changes

An employee who receives a promotion or an upward reclassification will be placed on the appropriate step of the range (providing a minimum 5% increase if available) to which the new classification is assigned as determined by the superintendent. The effective date of the salary adjustment will be the date the promotion or reclassification is implemented. (Note: Reclassification requests will be processed in accordance with procedures outlined under “Position Reclassification” in this handbook.)

Whenever an existing position is reclassified and assigned to a lower salary range, incumbents of the position will be continued at their former rate of pay in a "Y" rated status.

When an employee is demoted, either voluntarily or involuntarily, placement within the range of the newly assigned class becomes effective on the date in which the directed placement in the lower classification was made. The newly assigned step in the range of the lower classification will be determined by the Superintendent or designee.

Salary schedule placement of classified management employees demoted during their initial probationary period shall be determined by the Human Resources Division Director.

Classified management employees demoted during a promotional probationary period will be placed on the same step within the range assigned to the class that they held prior to the promotion.
Employee Compensation
(BP 4351)

In order to secure and hold staff committed to student learning, the Stanislaus County Office of Education recognizes the importance of an attractive compensation package which includes salaries, health benefits and other amenities.

The County Office shall adopt separate salary schedules for certificated, classified, and management/supervisory/confidential personnel. These schedules shall comply with law and negotiated agreements and shall be printed and made available for inspection at the County Office. Salary schedules for staff who are not part of a bargaining unit shall be determined by the Stanislaus County Superintendent of Schools or designee.

A $1,000 per year stipend will be added each year to the annual salary of all management employees if they have completed a master’s degree and verified by official transcripts showing the date awarded. Official transcripts received after September 5th of each fiscal year will have the stipend prorated for the balance of their pay year.

It is the intent of the County Office to offer competitive wages and benefits to its employees. Beginning with the 2015-2016 fiscal year and every three years thereafter, the County Superintendent shall direct the Human Resources Division to conduct a compensation survey using the following comparable county offices and school districts for the below referenced salary schedules.

Cabinet: Average of top four Class III County Offices

Certificated/Program Management and Classified Management/Confidential: Three largest school districts in Stanislaus County, based on daily attendance and San Joaquin County Office of Education.
Compensatory Time Off/ Overtime (BP 4351.1)

Confidential employees occasionally may be asked to work or may request to work overtime. The employee will obtain in writing approval from the immediate supervisor before engaging in overtime work whenever practical. In those cases when it is not practical, the employee will obtain approval retroactively on the next workday. The County Superintendent of Schools or designee may grant up to 40 hours of compensatory time off in lieu of overtime pay upon the request of the employee. For extra time worked by the employee in excess of the employee’s regular workday up to eight hours in one day, the compensatory time shall be equal to the extra time worked. For overtime worked in excess of eight hours in one day, compensatory time off shall be granted at a rate equal to time and one-half the hours worked overtime by the employee. Example: 20 overtime hours worked equals 30 hours off (compensated at the one-and-one half rate). Compensatory time shall be taken at a time mutually acceptable to the employee and the supervisor by the end of the fiscal year. All unused compensatory time shall be paid at the end of the fiscal year. If the employee fails to schedule time off, the County Superintendent or designee may schedule time off for an employee with accumulated compensatory time in lieu of paying overtime, provided the time off is scheduled by the end of the fiscal year.
Payroll Deductions

Management employees are entitled to a number of payroll deductions such as Tax Sheltered Annuities, Credit Unions, United Way, ACSA dues, etc. Information is available in the Human Resources payroll department regarding enrollment in any of the available payroll deduction programs.

In the event that health and welfare premium costs exceed the amount contributed by the employer, the management employee shall pay the difference through automatic payroll deductions.
Management Employees
Longevity Pay
(BP 4356.4)

The County Office of Education will pay a longevity award added to the regular salary of members of the classified management staff based on complete years of classified service with the County Office. Employees receiving service credit based on employment with Stanislaus County while providing direct service to the County Office prior to July 1, 2000, may continue receiving such service credit. Longevity pay will be provided according to the following criteria:

1. Upon beginning 10 years of service, $1000 per year.
2. Upon beginning 15 years of service, $1,250 per year.
3. Upon beginning 20 years of service, $1,550 per year.
4. Upon beginning 25 years of service, $1,900 per year.
5. Upon beginning 30 years of service, $2,300 per year.
6. Upon beginning 35 years of service, $2,750 per year.
7. Upon beginning 40 years of service, $3,250 per year.

The County Office will pay a longevity award added to the regular salary of each certificated/program manager according to the following criteria:

1. Upon beginning 10 years of service, $1000 per year.
2. Upon beginning 15 years of service, $1,250 per year.
3. Upon beginning 20 years of service, $1,550 per year.
4. Upon beginning 25 years of service, $1,900 per year.
5. Upon beginning 30 years of service, $2,300 per year.
6. Upon beginning 35 years of service, $2,750 per year.
7. Upon beginning 40 years of service, $3,250 per year.
Performance Appraisal Procedures (BP 4315)

The Stanislaus County Superintendent of School’s or designee shall establish and define job responsibilities for administrative personnel. The evaluation and assessment of the competency of administrative personnel shall be based on:

1. The administrator's progress toward agreed-upon goals, objectives and tasks

2. General expectations of performance which recognize professional responsibility, accountability and attitude

3. The fulfillment of responsibilities contained in the specific job descriptions adopted by the County Superintendent or designee

4. Additional factors as determined by the County Superintendent or designee

The evaluation shall recognize the worth and needs of the individual in the total working environment and shall provide direction toward the improvement of his/her effectiveness.

Each administrator shall be evaluated formally at least once every other school year. Administrators new to a position may be evaluated each year for the first two years in the position. Evaluation is a continuous process and may occur between scheduled periods at the request of the administrator, the administrator’s immediate supervisor or any higher supervisor.

Formal management evaluations shall be recorded in writing on a form prescribed by the County Superintendent or designee. The evaluation shall include recommendations for improvement if needed.

The evaluation report must be signed by the evaluator and the evaluatee and may be reviewed by the evaluator's immediate supervisor at the request of either party. The signature of the evaluated administrator shall not show agreement with the evaluation unless so indicated above his/her signature.
Performance Appraisal Procedures (BP 4315)

A copy of the report shall be given to the administrator within 15 working days following the evaluation and no later than 30 days before the last scheduled school day. The employee may make a written response to the evaluation at any time up to 30 days after receiving a copy of the evaluation. The response shall be attached to the evaluation and permanently placed in the employee’s personnel file.

For 12-month employees, the written evaluation report shall be given to the administrator no later than June 30 and a discussion of the evaluation shall be held no later than July 30 of the year in which the evaluation takes place. (Education Code 44663)

The County Superintendent or designee shall develop regulations and procedures for the evaluation of all administrative and supervisory personnel. These written regulations and procedures shall be available to administrative and supervisory personnel. (Education Code 35171)

Classified management personnel will be evaluated according to the procedures developed by the County Superintendent or designee. The evaluation shall include recommendations for improvement if needed.

The evaluation form must be signed by both the person being evaluated and the supervisor making the evaluation. The signature of the evaluated management employee shall not show agreement with the evaluation unless so indicated above the signature of the employee. The employee may make written response to the evaluation at any time up to 15 days after receiving a copy of the evaluation. The response shall be attached to the evaluation and placed in the employee’s personnel file.

adopted: February 4, 2003 Modesto, California

reviewed: October 6, 2008
# Management, Supervisory and Confidential Personnel (AR 4300)

Management, supervisory and confidential positions shall be classified as follows:

<table>
<thead>
<tr>
<th><strong>Management Employees</strong></th>
<th>Those having significant responsibilities for formulating Stanislaus County Office of Education policies or administering County office programs and who serve in a position which the County office has legally designated as a management position.</th>
</tr>
</thead>
</table>
| **Supervisory Employees** | Those who, using independent judgment, have the authority, in the interest of the County Office, to make or effectively recommend:  
  a. Hiring, transfer, suspension, layoff, recall, promotion, discharge, assignment, reward, or discipline  
  b. Assigning work to employees and directing them  
  c. Adjusting employee grievances |
| **Confidential Employees** | Those who are required to develop or present management positions with respect to employer-employee relations or whose duties normally require access to confidential information that is used to contribute significantly to the development of management positions. |
| **Senior Management of the Classified Service** | A senior management employee is either a fiscal advisor to the Stanislaus County Superintendent or Schools or an employee in the highest position not requiring certification in a principal County Office program area, with County Office wide responsibility for formulating policy or administering the program.  
  Employees designated as senior management are part of the classified service and shall have the same rights, benefits and duties except the right to permanent status in these positions. |
Staff Evaluating Teachers  
(BP 4315.1)

The County Superintendent of Schools or designee expects that administrators assigned to evaluate teachers shall:

1. Possess a valid administrative credential

2. Be competent in the instructional methodologies used by the teachers they evaluate

3. Be skilled in the supervision of instruction and in techniques and procedures related to the evaluation of instruction

4. Be familiar with County Office of Education curriculum priorities, policies and practices, County Office standards for student progress, and County Office policies and procedures related to personnel supervision, performance evaluation and staff development

5. Participate in at least one inservice per year in clinical supervision and/or other approved instructional and evalutational techniques

The County Superintendent or designee shall ensure that administrators who evaluate teachers meet the above criteria.
Staff Development
(BP 4331)

The County Office of Education recognizes that professional development opportunities enhance employee effectiveness and contribute to personal growth. Staff development for management, supervisory and confidential personnel shall be designed to build leadership skills and overall management efficiency.

The County Superintendent of Schools or designee shall develop a plan for administrator support and development activities which is based on a systematic assessment of unmet needs of County Office students and staff and which is tied to the County Office’s vision and goals. The County Office desires that all administrators share in planning activities which are pertinent to their specific areas of responsibility.

The County Office’s administrator training and evaluation program shall address the objectives specified in Education Code 44683.

Activities may include but not be limited to professional education conferences; courses in institutions of higher education; workshops offered by the County Office, state; small-group activities; self-directed learning; observation of other schools; and follow-up activities that help staff implement newly acquired skills.

Within budget parameters, the County Superintendent or designee may approve participation in activities which will benefit individual administrators and enhance their contributions to the County Office.

The County Superintendent or designee shall provide a means for continual evaluation of the benefit of these activities to staff and students, including evaluation by participating administrators.
Staff Development
(AR 4331)

Staff development activities may include but are not limited to:

1. Professional education conferences or committee meetings
2. Courses offered by institutions of higher education
3. Workshops offered by the County Office, county office of education, or state
4. Small-group activities
5. Self-directed learning
6. Observation of other schools
7. Follow-up activities that help staff implement newly acquired skills

The Stanislaus County Superintendent of Schools or designee shall approve, for principals and vice principals, a staff development program which meet the following conditions:

1. The training shall have a duration of at least 80 hours of intensive individualized support and professional development. To the extent practicable, the institute training portion of Modules 1, 2, and 3 shall be held outside of the regular school day. An additional 80 hours of intensive individualized support and professional development may be completed over a period of up to two years once the initial 80 hours of training commences.

Training shall include instruction in the following areas:

a. School financial and personnel management, including hiring, recruitment, and retention practices and misassignments of certificated personnel
b. Core academic standards
c. Curriculum frameworks and instructional materials aligned to the state academic standards, including ensuring the provisions of textbooks and instructional materials as defined in Education Code 60119
Staff Development
(AR 4331)

Continued

d. The use of student assessment instruments; specific ways of mastering the use of assessment data from the Standardized Testing and Reporting program, including analyzing achievement of specific subgroups including English language learners and individuals with disabilities; and school management technology to improve student performance

e. The provision of instructional leadership and management strategies regarding the use of instructional technology to improve student performance

f. Extension of the knowledge, skills, and abilities acquired in the preliminary administrative preparation program that are designed to strengthen the ability of administrators to effectively and efficiently lead an organization and build the capacity of staff to enhance the academic performance of all students, including special emphasis on providing additional support for students identified as English language learners and individuals with disabilities

g. Leadership training to improve the academic achievement of all students including, but not limited to, capacity building in all of the following areas:

(1) Pedagogies of learning

(2) Motivation of student learning

(3) Instructional strategies to teach essential content in ways that address the varied learning needs of students, with special emphasis on English language learners and individuals with disabilities

(4) Collaboration

(5) Conflict resolution, including reduction of racial tensions

(6) Respect for diversity

(7) Parental involvement

(8) Employee relations

(9) Creation of an effective, safe, and inclusive learning and workplace environment

(10) Single plan for student achievement
2. For purposes of this program, the County Superintendent or designee shall select a staff development provider approved by the State Board of Education.

The County Superintendent or designee shall give highest priority to training administrators assigned to, and practicing in, high-priority or hard-to-staff schools.

A high-priority school is a school in the bottom half of all schools statewide based on Academic Performance Index rankings. A hard-to-staff school is a school in which teachers holding emergency permits or credential waivers make up 20 percent or more of the teaching staff.
Regular, full-time classified management employees shall have a basic work year of 261 days per year.

Classified managers working less than the basic work year shall have their vacation days prorated, with non-duty days varying accordingly.

An employee shall earn vacation time during any month that he/she is in paid status for a minimum of one-half (1/2) of the scheduled working days. An employee in paid status for less than one-half (1/2) of the scheduled days shall earn vacation credit on a prorated basis.

Vacation time earned during one fiscal year shall be used prior to December 31st of the first full calendar year following.

If for a job related reason an employee is not able to take all or any part of his/her accumulated vacation, the amount not taken shall be accumulated for use not later than the following June 30th. If it is not taken by June 30th, it will be paid for in cash. The maximum amount of vacation time that can be carried over shall not exceed the equivalent of one (1) year's vacation.

If an employee terminates service and had been granted vacation that was not yet earned at the time of termination of his/her service, the employer shall deduct from the employee’s final check the full amount of salary that was paid for such unearned days of vacation taken.

Upon separation of service, the employee shall be entitled to lump-sum compensation for all earned and unused vacation, except that earned vacation shall not become a vested right until completion of the initial six (6) months of employment.

The management employee shall be paid for the exact number of scheduled days worked during the current fiscal year. The daily/hourly rate used shall be as of the last day of service. Non-duty time has no monetary value, and there will be no compensation for unused non-duty time.

The basic work year (12 months) for certificated management employees shall be determined on an annual basis by the superintendent prior to July 1 of each year. Certificated managers work the number of days specified in their employment contract. This section will also cover certificated management employees with work days of less than the basic work year.
Certificated management employees shall annually prepare a calendar of their intended workdays and non-duty days. Certificated managers receive no vacation; days that are not identified as holidays are non-duty days. Prior to June 15 each year this calendar shall be submitted to the respective division head for approval and a copy sent to Human Resources. Cabinet Members shall submit a copy of their proposed work year to the superintendent. A copy of the approved calendar should be given to Human Resources and leave accounting who may use the calendar in lieu of Verification of Leave forms for non-duty reporting. When changes are necessary, the updated calendar shall be submitted to the respective division head, Human Resources, and Leave Accounting.

Another purpose of the work year calendar is to provide a plan so that the employee will be assured of working the required number of days during the year and to assure appropriate coverage to provide continuity of services. The employee will have the responsibility for working the required number of days. Failure to work the specified number of days will result in an adjustment in pay for the employee and may result in the employee receiving less than a full year of service credit for retirement purposes.

Certificated management employees who separate from employment with the SCSS prior to the end of their contract year will have their compensation adjusted to account for the number of days they have worked and the number of days for which they have previously been compensated. Non-duty days have no cash value.
Employee Attendance Records (BP 4312.63)

Employee is defined as any person working for the Stanislaus County Superintendent of Schools (SCSS). Employment does not include independent contractors or individuals hired under a contract and for whom neither STRS nor PERS contributions are paid by the Stanislaus County Office of Education (SCOE).

The Division Director, Human Resources, or designee, shall be responsible for maintaining accurate employee attendance records.

Employees shall report all absences to their supervisor, or supervisor’s designee.

Supervisors may determine whether the employees reporting to them shall report verbally or in writing. Supervisors shall submit regular attendance records in compliance with established SCOE policy and procedures.

Employees shall periodically verify in writing, their record of attendance.
Load/Scheduling/
Hours of Employment
(BP 4313.1)

The County Office of Education designates in accordance with law salaried positions which are exempt from overtime. Persons holding these positions work whatever hours are necessary in order to fulfill their assignments. Their positions are set apart from other positions by virtue of the duties, flexibility of hours, salary, benefit structure and authority which they entail.

Employees serving in positions excluded from overtime shall not be unreasonably discriminated against as a result of the exclusion.

Exempt employees’ pay shall not be subject to salary deductions for absences of less than a day.
Weekend/Holiday Workdays (BP 4351.2)

Certificated/Program Management and Classified Management employees may be asked to work or may request to work an extended day, on Saturday, Sunday or a holiday. The employee will obtain prior approval in writing from the immediate supervisor before the work is done. Employees performing work in the evening, on Saturday, Sunday or a holiday may take an equal amount of time off or may request weekend dates to be counted as part of their regular work year planning calendar.
Resignation (BP 4317.2)

Any County Office of Education 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 of work. The County Superintendent of Schools or designee encourages employees to provide advance notice that is appropriate for the position they hold.

An employee’s written resignation shall be submitted to the County Superintendent or designee. The County Superintendent or designee shall set the date when the resignation takes effect. Once the date is formally set by the County Superintendent or designee, 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 County Superintendent 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 County Board. (Education Code 44930, 45201)

Termination Agreements (AR 4317.5)

If a termination settlement agreement has been made with an employee, the County Superintendent of Schools or designee shall inform prospective employers, upon request for an employment reference, that an agreement exists and that he/she may only provide information as provided for in the agreement.

Cash settlements made upon the termination of a contract shall never exceed an amount equal to the employee’s monthly salary multiplied by the number of months, up to 18, in the unexpired term of the agreements. (Government Code 53260)

Settlement agreements shall not include noncash items other than health benefits, which the County Office of Education may offer to continue for the unexpired term up to 18 months or until the employee finds other employment, whichever comes first. (Government Code 53261)

Copies of settlement agreements with a county superintendent, deputy superintendent, assistant superintendent, associate superintendent or other similar chief administrative officer or chief executive officer shall be made available to the public upon request. (Government Code 53262)
Retirement Consultancy Contracts
(BP 4317.12, AR 4317.12)

A retired certificated employee serving as a consultant shall be retained as an employee and his/her service shall be limited in accordance with retirement system rules and regulations. (Education Code 35046)

To be eligible for consideration for a consultancy contract, a retired certificated employee must have served the County Superintendent of Schools for at least 10 years and be at least 55 years of age. (Education Code 35046)

Retirement consultancy contracts are renewable annually for up to five years or until the employee reaches age 65, whichever comes first. (Education Code 35046)

A retiree employed under this program shall not make contributions to the retirement fund or accrue service credit based on compensation earned from program service. (Education Code 24214)

A retiree employed under this program shall be paid at a rate commensurate with that of other employees performing comparable duties. The retiree may earn compensation for creditable service up to the limitation specified by law. This limit applies only to earnings for service that would be creditable for State Teachers’ Retirement System purposes if performed by a current employee. (Education Code 22119.5, 24214, 35046)

Emergency Exemptions from Postretirement Compensation Limitation

A retiree shall be exempt from the above limitation for a maximum period of two years if appointed by the Superintendent of Public Instruction as a trustee or administrator pursuant to Education Code 41320.1, or if assigned to a position by the County Superintendent pursuant to Education Code 42122-42129. (Education Code 24216)
Retirement Consultancy Contracts
(BP 4317.12, AR 4317.12)

Until January 1, 2008, a retiree shall also be exempt from the above limitation up to an additional one-half of the full-time position when employed in an emergency situation to fill a vacant administrative position requiring highly specialized skills, provided that all of the following conditions are met: (Education Code 24216)

1. The vacancy occurred due to circumstances beyond the County Office of Education’s control.

2. The recruitment process to fill the vacancy on a permanent basis is expected to extend over several months.

3. The employment is reported in a public meeting of the County Board of Education.

When employing a retiree eligible for any of the above exemptions, the County Superintendent or designee shall submit all required documentation to substantiate this eligibility to the State Teachers’ Retirement System. (Education Code 24216)

The above exemptions shall not apply to any retiree who has received additional retirement service credit pursuant to Education Code 22715 or 22716. A retiree who has received an additional service credit pursuant to Education Code 22714 or 22714.5 shall be ineligible for the above exemptions for one year from his/her effective date of retirement for service performed in any district, community college district, or county office of education. (Education Code 24216)
Early Retirement Option
(BP 4317.13)

The Stanislaus County Superintendent of Schools (SCSS) may offer certificated management employees the option to retire early in accordance with law when it is beneficial to the county office.

As an incentive to early retirement for certificated management employees participating in the State Teachers’ Retirement System (STRS), the SCSS may offer such employees an additional two years of service credit. (Education Code 22714, 22714.5, 44929, 44929.1)

Before taking formal action to approve this service incentive, the SCSS shall determine that encouraging early retirement would be in the best interest of the county office due to the curtailment of services or changes in the manner in which services are performed and that the retirement will result in a net savings to the county office. (Education Code 22714, 22714.5, 44929)

The SCSS shall demonstrate and certify to the State Superintendent of Schools that the formal action taken would result in a net savings to the county office. (Education Code 22714, 22714.5)

To be eligible for the two years of service credit option, the employee must be at least 55 (or 50 with 30 years of service), completed 10 or more years of paid service with the county office and must retire during a period of 60 to 120 days after the county office takes formal action to implement the option. The 10 or more years does not have to be consecutive. (Education Code 22714)

In providing the early retirement option, the county office shall meet all conditions as specified in Education Code 22714, 22714.5, 44929, and 44929.1.
Pre-Retirement Part-Time Employment (AR 4317.11)

On a case-by-case basis, the Stanislaus County Superintendent of Schools or designee may allow a certificated employee who is a member of the defined benefit program of the California State Teachers’ Retirement System (STRS) to reduce his/her workload from full time to part time when doing so does not disrupt the educational program and is in the best interests of the Stanislaus County Office of Education.

Any such certificated employee who reduces his/her workload to part time may maintain the retirement and health and welfare benefits that he/she would have received if employed on a full-time basis under the following conditions:

1. The option to reduce the employee's workload shall be exercised at the request of the employee and the agreement to reduce the workload shall be in effect at the beginning of the school year.

2. Prior to the reduction in workload, the employee shall have a minimum of 10 years of credited service, of which the immediately preceding five years were full-time employment.

3. The employee shall not have had a break in service during the five years immediately preceding the reduction in workload. Sabbaticals, other approved leaves of absence, and unpaid absences for personal reasons from full-time employment shall not constitute a break in service. However, the period of time during which an employee is retired shall constitute a break in service and an employee who reinstates from retirement shall be required to be employed to perform creditable service on a full-time basis for at least five school years preceding the workload reduction.

4. The employee shall have reached the age of 55 years prior to the workload reduction.

5. The employee shall not hold a position with a salary above that of a school principal.

6. The reduced workload shall be equal to at least one-half of the time the County Office requires for full-time employment, in accordance with Education Code 22138.5, pursuant to the employee's contract of employment during his/her last year of full-time employment.
Pre-Retirement Part-Time Employment (AR 4317.11)

Continued

7. The employee shall be paid compensation that is the pro rata share of the creditable compensation he/she would have earned had he/she not reduced his/her workload.

8. The agreement may be revoked only by mutual consent of the employee and the County Superintendent or designee.

However, an employee who has entered into a formalized agreement with the County Office to have his/her contribution into the defined benefit program picked up by the County Office may not terminate the agreement to reduce his/her workload except by one of the following:

a. Terminating his/her service

b. Retiring from service under the defined benefit program

c. Continuing to perform creditable service under a new reduced workload arrangement for at least one-half of the time the district requires for full-time employment in accordance with Education Code 22138.5

d. Returning to full-time employment

9. The period of the reduced workload shall not exceed 10 years.

Prior to the reduction of an employee's workload, the County Superintendent or designee shall verify the employee's eligibility in conjunction with the administrative staff of STRS and/or the Public Employees' Retirement System. (Education Code 22713)

The County Superintendent or designee shall maintain the necessary records to separately identify each employee who participates in the reduced workload program. (Education Code 22713)
Personnel Reduction
(AR 4317.3)

When the County Superintendent of Schools or designee needs to reduce the kind and/or number of management staff, layoff proceedings shall be initiated after consultation with legal counsel.

As Certificated Managers are not classified as either permanent or probationary employees, they may be released at the will of the County Superintendent.

Classified managers shall be entitled to the same procedure and have the same layoff rights as all other classified employees.
Reduction to Part-Time Employment Status

Pursuant to provisions of EC 44922 and EC 22713, an eligible certificated management employee may request a reduction to part-time employment status. Such request shall be made in writing to the Stanislaus County Superintendent of Schools.

Retirement Contribution

CalSTRS – You pay 8% of your salary plus 1.45% for Medicare. CalSTRS members do not participate in Social Security.

CalPERS – If you were hired on or after January 1, 2013 and had no prior membership in the California Public Retirement System you pay 6% of your salary, plus 6.2% for Social Security and 1.45% for Medicare.

If you were hired prior to January 1, 2013, you pay 7% of your salary, plus 6.2% for Social Security and 1.45% for Medicare.

The employer contributes that percentage of retirement costs commonly known as "employer contribution: for all management personnel. In addition the employer and management employees participate in a program commonly called employer “pick-up” whereby the Internal Revenue Service allows public employees to designate required employee contributions as employer contributions for federal and state tax purposes only. Actually, the employees continue to contribute their portion of retirement costs. The “pick up” provision allows the annual gross salary reported to IRS and the state to be reduced by the amount of the employee’s contribution.
Holidays

The employer grants management employees the following holidays:

- Independence Day
- Labor Day
- Veterans Day
- Thanksgiving Day
- Day following Thanksgiving
- Day before Christmas Day
- Christmas Day
- Day after Christmas Day
- Day before New Year’s Day
- New Year’s Day
- Martin Luther King Jr. Day
- President’s Day
- Memorial Day

Additionally, any day declared by the President or Governor of this state as a holiday, or any day legally adopted as a holiday by the employer will be a paid holiday for all employees.

When a holiday falls on a Saturday, the preceding workday that is not a holiday will be deemed to be that holiday. When a holiday falls on Sunday, the following workday that is not a holiday will be deemed to be that holiday.
Management/ Confidential Leaves (BP 4361)

The County Office of Education recognizes the need to provide for leaves which management and confidential personnel may take for justifiable reasons. Such leaves shall be authorized pursuant to County Office policies and/or administrative regulations.

The leave provisions described in this policy apply to both certificated and classified employees, unless otherwise specified herein.
**Sick Leave**

*Management/Confidential Employees*

Employees shall earn one (1) day of sick leave for each month of service. In cases of immediate family illness and/or injury, Employees may utilize accumulated sick leave to the full extent of days available in the individual's account.

Pay for any day of absence covered by sick leave shall be the same as the pay which would have been received had the employee served during the day. School term employees earn ten (10) days sick leave per year. Sick leave credited but not earned during the work period shall be deducted from the employee's accumulation at the end of each fiscal year or at the time of termination. If there is a deficit at termination, a reduction in the final salary shall be made.

Employees shall accumulate unused sick leave without limitation.

Employees shall be expected, except in emergencies or situations beyond the control of the employee, to give advance notice of absence due to illness, injury, or quarantine, in order that substitute arrangements may be made or that the employee's duties can be adequately covered. Advance notice for planned absences such as child birth or scheduled surgery shall be written verification from the employee's physician or medical practitioner. After any absence due to illness or injury, the employee shall verify the absence by submitting a completed and signed absence report form to his/her supervisor.

The Stanislaus County Superintendent of Schools (SCSS) or designee may, at any time, require current written verification of absence, including but not limited to, a statement from a physician or a medical practitioner. Written verification shall be required for absences lasting five (5) consecutive working days or more, or when there is a reasonable suspicion that sick leave is being utilized inappropriately. If written verification is not produced within five (5) working days of a request for such verification, the absences will be treated as leave without authorization, subject to disciplinary action and loss of pay for the affected days.

Employees returning to work from extended illness or injury absence (including surgery) shall be required to present a full, unrestricted medical release from a physician or a medical practitioner in order to return to duty, unless reasonable accommodation is appropriate. Modifications to this standard may be made at the option and judgment of the Personnel Administrator based upon the job requirement and applicable law.
Sick Leave

Management/Confidential Employees

Continued

An employee may use accumulated sick leave for a disability caused or contributed to by pregnancy, miscarriage, childbirth, or recovery therefrom. Evidence of such a disability shall be supported by a written statement from her physician or medical practitioner.

A disability other than a pregnancy related disability shall not qualify for use of sick leave during an unpaid leave. For example, an employee with the flu would not be eligible for sick leave during a maternity leave.

Accumulated sick leave shall be converted to retirement credit as provided by law.

The SCSS or designee may require an employee to visit a physician or a medical practitioner selected by the SCSS and at SCSS expense in order to receive a report on the employee’s fitness for duty. The report shall include a statement as to the employee’s need for further leave of absence and a prognosis as to when the employee will be able to return to work. If the report concludes that the employee’s condition does not warrant continued absence, the SCSS or designee, after giving notice to the employee, may deny further leave.

Any disagreement that occurs between the employee’s treating physician and the SCSS designated physician shall be settled by obtaining a third opinion of a neutral physician to be mutually agreed upon from a list of physicians obtained in a manner similar to that of workers’ compensation.

Any Employee who has accumulated unused sick leave in another school district or county schools office in California at the time he/she is employed shall be given full credit for such unused sick leave consistent with State law.

Approved: July 1, 2011

Education Code §44978 Sick Leave (Certificated)

Education Code §44978 Sick Leave (Classified)
Extended Illness Leave

Certificated Employees

After the current year’s entitlement to sick leave is exhausted, each employee shall be entitled to an extended sick leave provision for a duration not to exceed five (5) calendar months, dating from the first day of any illness or injury during that fiscal year. During this period the affected employee is entitled to receive 50% of his or her regular rate of pay.

This leave shall be used after an employee’s annual sick leave has been exhausted, and shall run concurrently with any accumulated sick leave. Accordingly, an employee receives full pay during the period their accumulated sick leave runs concurrently with extended illness leave, and upon exhaustion of accumulated sick leave, the employee will receive 50% of his or her regular rate of pay for the remainder of the five months.

A certificated employee may only receive a single five-month period of extended illness leave per year, and only one per injury. If a portion of the five months remains at the end of the fiscal year, the employee is entitled to use only the remainder in the next fiscal year, if for the same illness or injury. Extended illness leave does not accumulate.

For purposes of this section, “five months” includes holidays, but does not include summer and off-track periods (e.g., if the five months begins on October 1, and the employee’s absence is continuous, he or she receives extended illness leave from October through February, including Thanksgiving holiday and winter break.

When all paid leaves of absence have been exhausted, including extended illness leave, the employee shall be placed on the reemployment list for the class from which he/she was on leave, for a period not to exceed 39 months.

Classified Employees

Each school year, classified employees shall be credited with 100 working days of leave for illness or injury, which shall be paid at fifty percent (50%) of the employee’s regular salary. Such additional leave shall be used after entitlement to sick leave has been exhausted, and shall run concurrently with an employee’s sick leave from the first day of absence for illness or injury, but shall be exclusive of any other paid leave. Accordingly, an employee receives full pay while sick leave runs concurrently with extended illness leave, and upon exhaustion of an employee’s sick leave, the employee will received 50% of his or her regular rate of pay for the remainder of the 100 working days.

When all paid leaves of absence have been exhausted, including extended illness leave, the employee shall be placed on the reemployment list for the class from which he/she was on leave, for a period not to exceed 39 months.

Education Code §44983 Extended Illness Leave (Certificated 50% pay)
Education Code §45196 Extended Illness Leave (Classified)

Approved: March 1, 2012
Pregnancy Disability Leave

Management/Confidential Employees

Employees are entitled to use sick leave as set forth above for disabilities caused or contributed to by pregnancy, miscarriage, childbirth and recovery therefrom on the same terms and conditions governing leaves of absence for other illness or other disability.

The starting and ending days of the pregnancy disability leave shall be determined by the employee’s physician or medical practitioner. The employee shall be entitled to use any accrued sick leave or extended sick leave or accrued vacation during the pregnancy disability leave; however, if the employee does not have sufficient accrued sick leave, the employee may take pregnancy disability leave as indicated by the physician or medical practitioner without pay for up to four months. An employee may be entitled to take additional unpaid leave to prepare for the birth of a child or to care for a new baby.

The employee is expected to establish a beginning and ending date for the pregnancy disability leave with her supervisor as far in advance as is possible to do in order to plan for a temporary replacement.

The employee may work as long as she can perform all duties and responsibilities as confirmed by her physician or medical practitioner. If there is a doubt, the Stanislaus County Superintendent of Schools (SCSS) may require an examination by another qualified physician or medical practitioner at SCSS expense.

The employee may return as soon after the termination of pregnancy as she is physically able, provided she presents verification from her physician or medical practitioner that she can perform all duties and responsibilities. If there is a doubt, the SCSS may require an examination by a qualified physician at SCSS expense. The employee shall give the SCSS at least fifteen (15) calendar days advance notice of the date she wishes to return.

Approved: March 1, 2012
Personal Necessity Leave
Management/Confidential Employees

The employee may use accumulated sick leave for purposes of personal necessity.

Up to seven (7) days of accumulated sick leave in each year may be used by the employee as discretionary days. The immediate supervisor or designee shall approve any request for discretionary personal necessity leave.

Notification of personal necessity leave shall be submitted in writing to the employee’s immediate supervisor or designee not later than the day before taking such leave. Personal necessity leave shall be denied if not submitted prior to taking such leave, and the employee shall have been deemed to have taken leave without pay.

The employee shall not be required to provide advance notification for leave taken if a member of the employee’s immediate family dies, or if the employee or a member of the employee’s immediate family unexpectedly becomes seriously ill, has a personal accident or automobile accident or there is serious damage to the employee’s own property (e.g. earthquake, fire or flood).

The employee shall notify his/her immediate supervisor or designee of personal necessity leave taken under the above circumstances prior to the beginning of the work shift in which the absence will occur, if and when the employee is physically able to do so.

After any absence due to personal necessity, the employee shall verify the absence by submitting a completed and signed absence report form to his/her immediate supervisor.

The definition of immediate family shall be the same as defined in the Bereavement Leave section of this handbook.

Education Code §44981 Personal Necessity Leave (Certificated)
Education Code §45207 Personal Necessity Leave (Classified)

Approved: March 1, 2012
Bereavement Leave

Management/Confidential Employees

Each employee shall be entitled to three (3) days paid bereavement leave for the death of a member of the immediate family. In the event of the death of the employee’s spouse, son or daughter, or parent, or if travel over 300 miles one-way is required, up to five (5) days bereavement leave shall be granted.

Members of the immediate family are: mother, father, stepmother, stepfather, grandmother, grandfather, or grandchild of the employee or the spouse of the employee, and the spouse’s son, son-in-law, daughter, daughter-in-law, current mother-in-law, current father-in-law, brother or sister of the employee or the spouse of the employee, or any person living in the immediate household of the employee.

The employee must state the relationship to the deceased on the absence verification form.

Education Code §44985       Bereavement Leave (Certificated)
Education Code §45194       Bereavement Leave (Classified)

Approved: March 1, 2012
Jury Duty
Management/Confidential Employees

The employer shall grant leaves with full pay to employees called for jury duty, or subpoenaed as a court witness. The employee shall submit to the employer any fees received, excluding any mileage payments or meal expenses.

An employee selected for jury duty shall submit to his or her immediate supervisor a written notification for jury duty leave accompanied by a copy of an official summons for jury service, no fewer than ten (10) days prior to the date on which the unit member is scheduled to appear, or as soon as possible if such notice is received less than ten (10) days prior to the time for service.

Education Code §44036  Jury Duty Leave (Certificated)
Education Code §44037  Jury Duty Leave (Classified)
Approved:  March 1, 2012

Military Leave
Management/Confidential Employees

Employees who are members of any reserve corps of the Armed Forces of the United States or of the National Guard, or who are inducted, enlisted, or are otherwise ordered to active military duty, shall be granted such leave and military leave pay as is provided in the Military and Veteran's Code.

Employees shall be required to request military leaves in writing and to supply the employer with copies of military orders.

Employees eligible for military leave shall receive their salary or compensation for the first 30 days of any one absence for military leave or during one fiscal year, under qualifying conditions.

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 §44018, 45059  Military Leave
Military & Veterans Code §39
Approved:  March 1, 2012
Industrial Accident and Illness Management/Confidential Employees

Employees are entitled to 60 days of full-paid industrial accident leave in one fiscal year for the same illness or accident. Industrial accident and illness leave is granted when an absence is caused by injury or illness arising from the performance of services for the County Office of Education, is confirmed by a physician, and is verified by a Workers’ Compensation judge or the Workers’ Compensation Appeals Board, if appealed.

Industrial accident or illness leave will commence on the first day of absence resulting from an eligible injury or illness. The 60 days do not accumulate from year-to-year. If the 60-day period overlaps into the next fiscal year, the employee may only use the remainder and will not receive a new 60-day entitlement for the same illness or injury. After the 60 days are exhausted, the employee is entitled to use regular sick leave and extended illness leave.

Paid industrial accident leave shall be reduced by one day for each day of authorized absence, regardless of the temporary disability allowance made under Workers’ Compensation. Days absent while on paid industrial accident leave shall not be deducted from the number of days of paid sick leave to which the employee may be entitled.

If the employee is unable to return to duty after exhausting paid industrial accident leave the employee shall be placed on paid sick leave, if eligible. The employee’s paid leave will be reduced only in the amount necessary to provide a full day’s wages or salary, as indicated in the employee’s assignment, when added to compensation without penalties from Workers’ Compensation Fund.

Education Code §44984 Industrial Accident and Illness Leave (Certificated)

Education Code §45192 Industrial Accident and Illness Leave (Classified)

Approved: March 1, 2012
Family and Medical Leave Act/California Family Rights Act
Management/Confidential Employees

Under the Family and Medical Leave Act ("FMLA") and its State counterpart, the California Family Rights Act ("CFRA"), eligible employees are entitled to up to 12 weeks of unpaid leave for certain family and medical reasons. Employees of the County Office are eligible if they have worked for at least one (1) year, and have actually worked (not counting paid or unpaid leave time) 1,250 hours in the 12 months prior to the date he or she utilizes FMLA/CFRA leave.

Eligible employees shall be entitled to family and medical leave as provided in the federal Family and Medical Leave Act of 1993 ("FMLA") and California Family Rights Act of 1991 ("CFRA"). Eligible unit members shall be entitled to twelve (12) work weeks of leave for a qualifying reason in a twelve (12) month period. The twelve-month period for utilizing this leave shall be defined as any 12-month period commencing on the first date that FMLA/CFRA leave is taken and counting backwards from that date.

Employees are eligible for FMLA/CFRA leave if they have worked for the County Office at least one (1) year, and have actually worked (not counting paid or unpaid leave time) 1,250 hours in the 12 months prior to the date he or she utilizes FMLA/CFRA leave.

FMLA/CFRA may be utilized for the following reasons:

1. To care for the employee’s child after birth or placement for adoption or foster care;
2. To care for the employee’s spouse, son or daughter, or parent, who has a serious health condition;
3. For a serious health condition that makes the employee unable to perform the employee’s job.

Employees utilizing FMLA/CFRA leave shall be required to use all other available paid leaves prior to using the benefits under this section, and such paid leaves shall run concurrently with paid or unpaid leave for pregnancy disability.

Employee health benefit coverage shall be continued for the entire duration of FMLA/CFRA leave.

The employee may be required to provide advance notice and medical certification for FMLA/CFRA leave, upon request by his or her supervisor or designee.

Approved: March 1, 2012
Catastrophic Leave  
(BP 4361.9)

A catastrophic leave program is available to allow management/  
confidential employees to donate available paid leave benefits to another  
employee when that employee or a member of his/her immediate family  
suffers a catastrophic illness or injury and the employee has consumed all  
available paid leave benefits. (E.C. 44043.5)

Administrative regulations shall define the rules and procedures of the  
catastrophic leave policy.

Immediate family as referenced in this section means spouse, registered  
domestic partner, mother, father, stepmother, stepfather, grandmother,  
grandfather, grandchild, son, son-in-law, daughter, daughter-in-law, cur-  
rent mother-in-law, current father-in-law, brother or sister of the employ-  
ee or the spouse or registered domestic partner of the employee, or any  
person living in the immediate household of the employee.

DEFINITION  
"Catastrophic illness" or "injury" means an illness or injury that is ex-  
pected to incapacitate the employee for an extended period of time, or  
that incapacitates a member of the employee’s immediate family which  
incapacity requires the employee to take time off from work for an ex-  
tended period of time to care for that family member, and taking extend-  
ed time off from work creates a financial hardship for the employee be-  
because he or she has exhausted all of his or her sick leave, extended ill-  
ness leave and/or applicable leave or paid time off.

Eligibility leave credits means accrued vacation, sick leave or earned comp-  
ensatory time.

ELIGIBILITY CRITERIA
1. SCOE management/confidential employees shall be eligible to receive  
catastrophic leave after they have completed one year or continuous  
service with SCOE and has exhausted all available paid leave benefits.  
The Superintendent may waive a portion of the one year on continu-  
ous service on a case by case basis.
2. An eligible management/confidential employee may receive cata-  
strophic leave donations when incapacitated as described in the  
above definition. A long term absence for purposes of this regulation  
shall be an absence which initially exceeds fifteen (15) consecutive workdays.
Catastrophic Leave (BP 4361.9)

3. The employee submits a written request to the Division Director, Human Resources that eligible leave credits be donated and provides verification of the catastrophic injury or illness. The employee’s next of kin or immediate supervisor may make this request on behalf of an employee that is unable to make such a request due to the catastrophic illness or injury. The request shall include a summary statement of the employee’s or immediate family member’s situation that may be published to request donations in the event the request is approved.

DONATION OF ELIGIBLE LEAVE BENEFITS

1. A minimum of 8.0 hours and in hour increments thereafter of leave credits.

2. Management/confidential employees may choose to make annual donations of not less than 8.0 hours on July 1st of each year to be used generically by the bank. Prior to July 1st of each year, a notice will be sent to all management/confidential employees requesting an initial donation to the catastrophic leave bank.

3. Management/confidential employees may also or only choose to donate for specific individuals when a “Call for Sick Leave Notice” is sent from Human Resources. A “Call for Sick Leave Notice” will be sent to all management/confidential employees when a specific individual is in need of donations from the bank. If donations exceed the projected need, donation authorizations will be processed in the order received.

4. Donors may not donate more than 25% of their accrued sick leave balance. For example, if an employee has twenty (20) days, they may donate up to 5 days.

5. Hours donated specifically for a person will be expended first.

6. Donation of leave will be strictly voluntary; the identity of leave donors will be held in absolute confidence.

7. Once donated to a bank or individual, donated leave cannot be reclaimed by the donor. Unused leave donated will remain in the catastrophic leave bank.

USE OF DONATED LEAVE BENEFITS

1. The maximum amount of time that donated leave credits may be used is 90 working days taken in 30 day increments.

2. Donated sick leave may extend the time the employee receives full pay. It shall not extend the 100 days of sick leave for classified employees and five months extended sick leave for certificated employees authorized by the Education Code.

3. The receiving employee must use any leave credits that he or she continues to accrue on a monthly basis prior to receiving paid leave from the catastrophic leave bank.
Catastrophic Leave (BP 4361.9)

Continued

4. Catastrophic leave credits shall not be used for illness or disability which qualify the participant for Workers’ Compensation benefits. If a receiving employee’s illness or disability is accepted by Workers’ Compensation retroactively to any day of absence for which the employee has received leave credits, the leave credits will be returned to the catastrophic leave bank.

CATASTROPHIC LEAVE COMMITTEE

1. A catastrophic leave committee consisting of Division Director, Human Resources, two certificated management, one classified management and one confidential employee by majority vote, will determine whether or not the employee is eligible to receive catastrophic leave donations based upon the established criteria as outlined in the policy. The committee shall have the sole authority to either approve or disapprove applications for sick leave benefits. The decision of the committee shall be final and shall not be subject to an appeal procedure.

2. Members of the committee will be appointed by Cabinet. The Division Director, Human Resources will be a permanent member. Initially, one certificated and one classified management member will be appointed for 2 years, and one certificated management and one confidential member will be appointed for 3 years. Terms are July 1 to June 30. Vacancies thereafter will be filled by Cabinet appointment from the same category as the vacating member for two year terms with 2 expiring on odd numbered years and 2 expiring on even numbered years.

3. The committee may request a variety of information to verify the catastrophic injury or illness of the employee or employee’s family members; including but not limited to the following:
   a. Diagnosis and/or prognosis from the employee’s or family member’s treating physician.
   b. Estimated length of time the employee will be unable to work due to employee or family member’s catastrophic illness or injury.
   c. If family member, justification of why the employee is the only person available to care for the family member.
   d. If other resources are available to relieve the hardship.
   e. Possibility of employee’s eligibility for disability retirement benefits if employee’s disability is likely to be permanent.
   f. Availability of other disability benefits that may be used for catastrophic injury or illness for an employee’s family member.

4. If the catastrophic leave committee determines the employee is unable to work due to the employee’s catastrophic illness/injury OR due to employee’s family member’s catastrophic illness/injury, and all eligibility criteria are met, the request to receive donated eligible leave credits will be approved. Otherwise, the committee will indicated the basis of denial of the request.
Catastrophic Leave
(BP 4361.9)

Continued

5. The Division Director, Human Resources will notify the employee of the determination of the committee. If approved, the leave credits will be transferred from the available leave credits in the catastrophic leave bank to the employee’s account. If there is insufficient leave in the catastrophic illness leave bank, a Call for Sick Leave notice will be issued. The notice and form will contain a request for leave credits and the name of the employee. Additional information must be authorized by the receiving employee.
New Employees

The County Superintendent of Schools or designee shall ensure that new County Office of Education employees comply with all the health examination requirements of California law.

In addition, the County Superintendent or designee may require applicants for employment in classified and certificated positions to undergo a preemployment physical examination to show that they are physically able to perform the duties of specific jobs.

Continuing Employees

Continuing employees shall undergo periodic tuberculosis tests once every four years in accordance with law.

The County Superintendent or designee 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 County Office students and employees or to furnish medical proof of physical or mental ability to perform satisfactorily the assigned duties of an individual's position.
Health Examinations
(AR 4312.4)

Tuberculosis Tests

No applicant shall be initially employed in a classified or certificated position unless, within the past 60 days, he/she has submitted to an intradermal or other tuberculin test licensed by the Food and Drug Administration and, if that test was positive, has subsequently obtained an X-ray of the lungs. The applicant shall submit to the Stanislaus County Office of Education a certificate signed by the examining licensed physician indicating that he/she is free of active tuberculosis. (Education Code 49406; 5 CCR 5503)

The cost of the pre-employment tuberculosis examination shall be paid by the applicant.

An applicant who was previously employed in another California school district may fulfill the tuberculosis examination requirement either by producing a certificate showing that he/she was examined within the last four years and found to be free of active tuberculosis or by having his/her previous school district employer verify that it has on file a certificate which contains that evidence. (Education Code 49406)

Every County Office employee who tests negative shall undergo a tuberculosis examination at least once every four years, or more often if so directed by the Stanislaus County Superintendent of Schools upon recommendation of the county health officer, for as long as the employee's test remains negative. An employee with a documented positive test for tuberculosis infection shall no longer be required to submit to the examination but shall be referred to the county health officer within 30 days of the examination to determine the need for follow-up care. (Education Code 49406)

Tuberculosis tests for employees shall be provided by the County Office or at County Office expense. (Education Code 44839, 45122, 49406)

If an employee's religious belief prevents him/her from undergoing a tuberculosis examination, the employee shall file an affidavit stating that he/she adheres to the faith or teachings of a well-recognized religious sect, denomination, or organization and, in accordance with its creed, tenets, or principles, depends for healing upon prayer in the practice of religion and that, to the best of his/her knowledge or belief, he/she is free from active tuberculosis. In order to exempt the individual, the County Superintendent shall determine by resolution, after a hearing, that the health of students would not be jeopardized. (Education Code 49406)
The County Superintendent or designee may exempt from the tuberculosis testing requirement classified employees who are employed for less than a school year if their functions do not require frequent or prolonged contact with students. (Education Code 49406)

The County Superintendent or designee may exempt a pregnant employee from the requirement that a positive tuberculin test be followed by an X-ray of the lungs, for a period not to exceed 60 days following termination of the pregnancy. (Education Code 49406)

The Stanislaus County Board of Education shall not fill a position requiring certification with an applicant who has not previously been employed in a certificated position in California or a retiree who has not been employed as a retiree, unless the County Office has on file a medical certification completed and submitted by a physician, physician assistant, registered nurse, or commissioned medical officer. (Education Code 44839 and 44839.5)

The medical certification shall certify that the applicant or retiree is free from any disabling disease which would render him/her unfit to instruct or associate with children. The medical examination referred to in the certificate must have been conducted within six months of the date that the certificate is filed. (Education Code 44839, 44839.5; 5 CCR 5503)

Applicants and retirants shall pay for the cost of obtaining the medical certification. (Education Code 44849, 44839.5)

The County Office may require certificated employees and/or retirants to undergo, at County Office expense, a periodic medical examination pursuant to Education Code 44839 or 44839.5 to determine that they are free from any communicable disease making them unfit to instruct or associate with children. (Education Code 44839, 44839.5)

A certificated employee may be suspended or transferred to other duties if the County Superintendent has reasonable cause to believe that the employee is suffering from mental illness of such a degree as to render him/her incompetent to perform his/her duties. In such a case, the County Office shall follow the process specified in Education Code 44942 and the County Office's collective bargaining agreement, including the opportunity for the employee to be examined by a panel of psychiatrists or psychologists.
Medical Certification for Communicable Diseases for Certificated Employees

When a new employee in a position requiring certification has not previously been employed in such a position in California or a retirant has not previously been employed as a retirant, he/she shall have a medical certificate on file with the County Office stating that he/she is free from any disabling disease which would render him/her unfit to instruct or associate with children. The certificate shall be completed by a licensed physician and returned to the County Office by the physician. The medical examination referred to in the certificate must have been conducted within six months of the time when the certificate is filed. (Education Code 44839, 44839.5; 5 CCR 5503)

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

Applicants and retirants shall pay for the cost of obtaining the medical certification. (Education Code 44839, 44839.5)

The County Office may require a certificated employee or retirant to undergo a periodic medical examination by a physician to determine that the employee is free from any communicable disease making him/her unfit to instruct or associate with children. This periodic medical examination shall be at County Office expense. (Education Code 44839, 44839.5)

Mental Examination for Certificated Employees

A certificated employee may be suspended or transferred to other duties if the County Superintendent has reasonable cause to believe that the employee is suffering from mental illness of such a degree as to render him/her incompetent to perform his/her duties. In such a case, the County Office shall follow the process specified in Education Code 44942 and the County Office's collective bargaining agreement, including the opportunity for the employee to be examined by a panel of psychiatrists or psychologists.
Employee Drug Testing  
(BP 4312.41)

The County Office of Education maintains a drug and alcohol-free workplace. In accordance with law, all employees shall render service without using, possessing, being impaired by or being under the influence of alcohol or drugs.

Once a conditional offer of employment has been made, prospective employees shall undergo a pre-employment drug and alcohol screening for any substance which could impair their ability to safely and effectively perform their job functions. This screening shall be part of the employee’s pre-employment physical examination.

All medical examinations shall be conducted in accordance with state and federal law, and in accordance with County Office policy and administrative regulation.

Employee Drug Testing  
(AR 4312.41)

Final selection of a job applicant for a position shall not be made until the applicant has successfully completed a drug and alcohol screening required as part of the pre-employment physical examination.

Applicants shall sign a form consenting to the drug and alcohol testing. The consent form shall authorize release of the test results to the County Office of Education.

To ensure the privacy of the drug and alcohol screening of job applicants, the County Office will not use test results for any purpose other than those stated in County Office policy and administrative regulation. The County Office shall maintain the confidentiality of screening records and shall not disclose these records unless the applicant has consented to the disclosure or the County Superintendent or designee is presented with a court order requiring the disclosure.

All initial screening tests shall be conducted at the County Office's expense. If an applicant’s initial test is positive, a second test may be administered as soon as possible to confirm the results. This test also shall be conducted at the applicant's expense.

Failure to submit to the process or to complete the process shall preclude the applicant from being hired into the position. Disqualified applicants shall not be prohibited from applying for another job within the County Office.
Placement of Material in Personnel Files

The County Superintendent of Schools 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 County Superintendent or designee. Official employee files shall be maintained at the County Office of Education’s central office. The County 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.

Personnel files shall be reviewed and replaced within the shortest time possible. In no case shall a personnel file be left unattended or left unfiled overnight.

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 County Superintendent or designee.

A certificated employee may initiate a written reaction or response to his/her performance evaluation and timeline 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 in accordance with employee contracts if applicable. 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)
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 County 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 County Office, unless the employee is required to view the file where it is stored. (Labor Code 1198.5; Education Code 44031)

The County Superintendent or designee shall permit the employee to inspect the personnel records at the location where the County Office stores the personnel records, with no loss of compensation to the employee.

Any employee wishing to inspect his/her personnel record shall contact the County 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. Noncredentialed employees shall have access to any numerical scores obtained as result of written examinations. (Education Code 44031)

The County 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 County 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.
Personnel Files
(AR 4312.6)

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.

Management personnel or County Office legal counsel with a valid "right to know" or "need to know" may, with the County Superintendent or designee's authorization, review an employee's personnel file.
Unauthorized Release of Confidential/Privileged Information
(BP 4119.23, 4219.23, 4319.23)

The County Superintendent of Schools, administration and staff shall maintain the confidentiality of all confidential records until such time as laws, state regulations and/or policies of this County Office of Education permit disclosure. Information and records pertaining to negotiations and student records are not subject to public disclosure under Government Code 6252-6260.

Any employee who willfully releases confidential/privileged information about students or staff shall be subject to disciplinary action up to and including dismissal from County Office service. Confidential information includes any information relating to the County Office's employer-employee strategies on matters in negotiation or matters to be placed in negotiation.

Any employee who willingly and for monetary gain uses or discloses confidential/privileged information as defined in Government Code 1098 is guilty of a misdemeanor.

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 County 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.

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 County Board authorizes disclosure of that information.

Confidential information means a communication made in a closed session that is specifically related to the basis for the County Board to meet lawfully in closed session.

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.
Unauthorized Release of Confidential/Privileged Information (BP 4119.23, 4219.23, 4319.23)

The County 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.

Disciplinary action shall not be taken against any employee for disclosing confidential information acquired in a closed session, nor shall the disclosure be considered a violation of the law or County Board policy, when the employee is:

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

2. Expressing an opinion concerning the propriety or legality of County 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

An employee who willfully releases confidential/privileged information about the County Office, 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.
Health and Welfare Benefits

Employee Eligibility

All employees scheduled to be in a paid status for a minimum of four (4) hours per day shall be entitled to all current health and welfare benefits.

Part-time employees who resign during the summer months when they are not scheduled to work will be required to reimburse SCOE for health care premiums paid since their last day in paid status.

Full time employees (employees working 8 hours per day) hired after January 1, 2010 are required to participate in the SISC Health Insurance Plan. All employees less than full time hired after January 1, 2010 may decline to participate in the SISC Health Insurance Plan by signing a declination of coverage form provided by SCOE when initially employed.

The employer shall contribute $6,252 per eligible FTE per year toward medical, dental, and vision plans for the employee and dependents effective May 1, 2008. Eligible employees (at least 4 hours per day) hired on or after July 1, 2002, shall have the benefit contribution prorated if they are part-time (less than 8 hours) and shall not have cash as an option. The employer agrees that medical, dental or vision benefits (as they are made available by benefit providers) shall be provided as requested to an employee’s registered domestic partner (as defined by the California Family Code) and either or both of their dependents effective December 31, 2003. Health benefits for a domestic partner are taxable under the Internal Revenue Code.

Dental and vision for dependents shall be made available to the employees at the employee’s expense as set forth in the above paragraph. An employee may elect to pay for childcare or elder care with pre-tax dollars in addition to electing to pay for the balance of health and welfare insurance premiums with pre-tax dollars through the IRS 125 cafeteria plan.

Beginning September 1, 2010 and each year thereafter, employees hired on or before June 30, 2002 who provide the employer with proof of comparable group medical coverage (approved by the employers’ insurance provider) may waive their right to the employer’s contribution to health and welfare benefits and receive cash as an option. An employee will become permanently ineligible for the cash option if the employee fails to provide proof of comparable group insurance as required by September 1 each year. An employee who waives medical but takes dental and/or vision care shall be paid the difference between $5,040 and the cost of the dental and/or vision care. Once an employee receives more than $5,040 in medical benefits from SCOE, he/she waives any right to return to or otherwise receive the cash in lieu of health and welfare benefits.
Health and Welfare
Benefits

Notwithstanding any provision in the preceding paragraph, employees no matter their date of hire, may elect to receive any difference between $6,252 and a lower cost single “high deductible Plan A” plan if they elect to enroll in the single “high deductible Plan A” plan without vision or dental insurance and said plan costs less than the $6,252 annual SCOE contribution.

The Stanislaus County Superintendent of Schools will notify employees when it learns that a health insurance provider plans on, or is, ceasing to provide services in the area, in which case the Stanislaus County Superintendent of Schools will immediately seek a replacement.

For purposes of this section only, “Hours in Paid Status” shall exclude vacation and holiday hours. All other hours in paid status shall apply.

New employees shall be enrolled in all insurance programs on the first of the month following fulfillment of the eligibility requirement.

Employees shall have representation on the SCOE Insurance/Benefits Committee if the committee is reconvened.

Employees are provided with a fully paid disability insurance plan.

Employees are provided with a fully paid life insurance plan equal to one year’s salary, rounded to the nearest $1,000. Maximum coverage is $100,000.
For the purpose of this policy, health insurance is defined as medical, dental, and vision insurance only.

Health insurance coverage will be provided by the County Office of Education for a period of 24 calendar months for a retired management employee who has met the following criteria.

1. The employee must have completed a minimum of five years full time regular employment with the County Office or served as Assistant/Associate/Deputy Superintendent for four years of full time regular employment, AND

2. Be at least 55 years of age at the commencement of retirement, AND

3. Have a total of 10 years full time regular employment in public education in California.

The 24 month period will begin when existing coverage from active employment has been exhausted.

The retiree may purchase coverage for his/her dependents by remitting the applicable payment to the County Office by the 15th of the month prior to the month of coverage.

The retiree may continue insurance coverage beyond the 24 month period at his/her own expense.
Employment of Relatives  
(BP 4312.8)

The Stanislaus County Superintendent of Schools desires to maximize staff and community confidence in Stanislaus County Office of Education hiring, promotion, and other employment decisions by promoting practices that are free of conflicts of interest or the appearance of impropriety.

The County Office prohibits the appointment of any person to a position for which his/her relative maintains management, supervisory, evaluation, or promotion responsibilities and prohibits an employee from participating in any decision that singularly applies to any of his/her relatives.

For purposes of this policy, relative includes the individual's spouse, domestic partner, parents, grandparents, great-grandparents, children, grandchildren, great-grandchildren, brothers, sisters, aunts, uncles, nieces, nephews, and the similar family of the individual's spouse or domestic partner.

In addition, the Stanislaus County Superintendent of Schools or designee may determine, on a case-by-case basis, whether to appoint a person to a position in the same department or facility as an employee with whom he/she maintains a personal relationship when that relationship has the potential to create (1) an adverse impact on supervision, safety, security, or morale of other County Office employees or (2) a conflict of interest for the individuals involved which is greater because of their relationship than it would be for another person.

An employee shall notify his/her supervisor within 30 days of any change in his/her circumstances that may constitute a violation of this policy.
Employment References
(BP 4312.61)

The County Superintendent of Schools or designee must approve all letters of recommendation on Stanislaus County Office of Education (SCOE) letterhead to be issued on behalf of the SCOE for current or former employees.

At his/her discretion, the County Superintendent or designee may refuse to give a recommendation. Upon receipt of release from requesting school/agency, the designated person may give factual statements regarding the individual's employment history with SCOE.

Upon request, the personnel office will provide a statement verifying dates of employment and position.

Employment References
(AR 4312.61)

No employee shall write or sign any letter or memorandum which intentionally omits significant facts, or which states as facts matters which the writer does not know of his/her own knowledge to be true, relating to the professional qualifications or personal fitness to perform certificated services of any person who the writer knows will use the letter or memorandum to obtain professional employment.

No employee shall agree to provide a positive letter of recommendation which misrepresents facts as a condition of another employee's resigning or withdrawing action against the County Office of Education.
Separation/Disciplinary Action

I. Disciplinary Actions

Dismissal – Certificated management employees are subject to disciplinary action up to and including termination without appeal at the sole discretion of the SCSS.

Involuntary Transfer or Reassignment – A certificated manager may be transferred or reassigned to another position in the same classification or salary range if a division head(s) believes the transfer is in the best interest of the office and with the approval of the SCSS.

Non-Reemployment
Management employees serve at the will of the superintendent. The superintendent may elect not to reemploy a certificated management employee for an ensuing contract year for any reason. Notice should be provided no later than June 30.

Personnel Reduction – Reduction in Force (RIF) – Layoff
If a reduction in force becomes necessary, certificated management reductions will be determined in accordance with the program needs of the SCSS. The SCSS will make the final determination based upon the recommendations of division head(s).

Displacement Rights – Certificated managers with displacement rights as a teacher with the SCSS prior to being promoted to a management position have rights to teaching positions with the SCSS in accordance with applicable provisions of the Education Code.

I. Disciplinary Actions

Probationary Classified Management Employee – In keeping with the provisions of the state Education Code, any classified probationary employee serves at the discretion of the SCSS. A probationary employee may be subject to discipline at any time and may be dismissed without a showing of cause by the SCSS or his designee.

Permanent Classified Management Employee – The following, non-exclusive, disciplinary actions may be taken by the SCSS against a permanent employee for any of the reasons listed in Section II.

1. Dismissal – Dismissal is removal from the employment of the SCSS.

2. Suspension -
   a. Suspension is temporary removal from employment for a specified period of time. Normally, suspension of an employee shall not be for more than 22 working days.
Separation/Disciplinary Action

b. An employee may be suspended pending investigation of alleged misconduct without receiving a notice of intent to dismiss when circumstances indicate that the employee’s continued presence at the work site could be detrimental to the security and well being of the SCOE organization and the health and welfare of students or employees. In such a situation, the employee may be suspended until a decision is reached regarding the potential disciplinary action. Should the suspension subsequently be found to be unwarranted or no longer necessary, restitution may be made, contingent upon approval of the superintendent. The limitations of Section 2.a. above shall not apply in this area.

3. Involuntary Reassignment – Involuntary reassignment is the directed change of assignment to a position other than that occupied by the incumbent without his/her voluntary consent, except for a layoff for lack of work or lack of funds.

4. Involuntary Demotion – Involuntary demotion is the directed placement in a lower classification.

II. Reasons for Actions

a. Any of the following acts or omissions of an employee who has permanent status shall be good cause for having disciplinary action taken against him/her:

- Neglect of duty.
- Inefficiency or negligence in performance of duties.
- Incompetency.
- Insubordination or willful violation of an employee rule or regulation prescribed by the Stanislaus County Board of Education, superintendent, or the head of the division/department in which the employee is employed.
- Dishonesty.
- Conviction of a felony, misdemeanor, or any other offense other than minor traffic violations, in connection with or affecting the employee’s duties. Conviction means plea of guilty or nolo contendere or a determination of guilt in a court of competent jurisdiction.
- Conviction of a sex offense as defined in E.C. §44010, conviction of narcotics offense as defined in Section 44011, or conviction as a sexual psychopath as defined in Division 6, Chapter 2, of the Health and Safety Code (Section 6300, et seq.).
- Discourteous treatment of the public or other employees that has an adverse impact upon the employee’s job performance or the ability of the employer to maintain harmonious relationships.
Separation/Disciplinary Action
Continued

- Absence without proper leave, including the exhaustion of leave.
- Physical or mental unfitness to perform assigned duties.
- Making a willful, material misrepresentation in connection with obtaining or maintaining employment or position.
- Political activity in violation of federal or state law.
- Conduct either during or outside of duty hours which adversely affects the employee’s performance or operation of the department in which he/she is employed.
- Repeated tardiness or absenteeism.
- Failure to report to work as assigned.
- Sexual harassment.
- Violence, threats of violence, or menacing toward other employees or the public.

b. Termination under Section II.a.9 shall be without prejudice and shall not be subject to review procedure, except where there exists a material dispute over matters of fact.

c. Termination under Section II.a.15 may be deemed as automatic resignation and shall not be subject to full review; should a hearing be granted on the basis of unusual circumstances or a dispute over matters of fact, the hearing shall be limited to the issue surrounding automatic resignation, and the burden will rest entirely with the employee.

III. Skelly Meeting
When the superintendent or his designee determines that a permanent classified management employee is to be dismissed, suspended for more than five (5) working days, or reduced in compensation pursuant to Section 1.b. 4 so as to materially affect the employee’s salary for an amount in excess of five (5) working days’ pay, the subject employee shall be given prior written notice by the superintendent or his designee informing the employee of the intended discipline, the effective date, a specific statement of the charges, the reasons therefore; providing the employee, whenever feasible, with copies of the material upon which the proposed action is based (should the subject material not be attached or not complete, a statement will be included in the notice informing the employee that he/she has access to all materials supporting the proposed action and that copies will be provided upon request); giving notice of the opportunity to respond either orally or in writing to the superintendent or his designee within a period of time of five (5) working days, as designated by the Skelly notice, stating that should the employee fail to do so, he/she shall have waived the rights to a Skelly meeting.
IV. Disciplinary Action Procedure

Written Notice

A permanent employee who is to have disciplinary action taken against him/her shall be given written notice, similar in content to III above, and the employee shall be informed in writing of the following:

1. **Statement of Charges** – A statement of the specific charges against the employee shall be written in ordinary and concise language of the specific acts and omissions on which the disciplinary action is based and shall include the cause and any rules and regulations that have been violated. With the exception of an alleged violation of Section 2.a.11; no charge shall be made in which the facts giving rise to the allegation occurred prior to the employee’s becoming permanent.

2. **Right to a Hearing** – The employee may request a hearing in writing within five (5) working days after service of the statement of charges. A form shall be provided to the employee, the signing of which shall constitute a demand for a hearing and unless otherwise expressly admitted, shall constitute a denial of all charges. Failure to request a hearing in writing within five (5) working days shall be deemed to be a waiver of the right to the hearing.

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

**Hearing**

The hearing shall be held within a reasonable period of time [within thirty (30) days] but normally not less than five (5) working days after the filing of a request for a hearing.

If the employee does not request a hearing by the set date, disciplinary action may become final without a hearing.

a) The employee may be represented at the hearing by a designated individual representative of his/her choice.

b) The employee may be represented by an attorney-at-law.

4. The hearing shall be conducted before the superintendent.
   a) Hearing before the superintendent
      1) The employee shall have the right to personally appear and testify, to call and cross-examine witnesses.
Separation/Disciplinary Action

2) The employee shall not be compelled to testify against himself/herself. However, it is emphasized that the failure of the appellant to personally rebut evidence presented against him/her may reflect disfavorably upon the weighing of the evidence.

3) Documentary and oral evidence shall be accepted so long as it conforms with that which is normally acceptable by reasonable and ordinary persons as being relevant, material, and operational.

4) Hearsay evidence is admissible but will be given diminished weight unless it supports direct evidence.

5) Irrelevant or unduly repetitious evidence shall be excluded.

6) The employee shall have the burden of going forward with mitigating evidence.

7) The superintendent shall make his decision based solely on the facts and arguments presented.

b) Results of Hearing Process
The superintendent shall send a final and binding decision, which shall include findings of fact and determination of issues, to the employee by first class mail.

V. Reduction in Force (RIF) - Layoffs
If a reduction in force becomes necessary (layoff for lack of work or lack of funds), classified management reductions will be determined in accordance with the following:

a. Notification of Layoffs
1. When it has been determined by the SCSS that a reduction in a particular kind or level of service is required, the SCSS shall notify affected employees in writing a minimum of forty-five (45) calendar days prior to the date of layoff.
2. The notice shall specify the reason for the layoff.
3. Any layoff shall be affected within a class. The order of layoffs shall be based on length of service within a class, plus higher classes. The employee who has been employed the shortest time in the class, plus higher classes, shall be laid off first. “Length of Service” means all hours in a regular paid status.

b. Displacement Rights
1. Any permanent classified staff person who is laid off from a class and who has previous service in an equal or lower class (either management or regular classified) shall have the right to displace an employee with less seniority in that class. Seniority shall include the total of the previous service in equal or lower classes plus service in the class from which the layoff occurs and in higher classes.
Separation/Disciplinary Action

Continued

2. In the event that two (2) or more affected employees have the same seniority, a lottery shall be cast by the SCSS to determine the relative placing of the subject employees upon a seniority list.

c. Reemployment Rights
Laid off classified management employees are eligible for reemployment in the class from which they are laid off for a 39-month period and shall be employed in the reverse order of layoff.

Classified management employees who take voluntary demotions in lieu of layoff shall be, at the employer’s option, returned to a position in their former class as vacancies become available within a 63-month period, except they shall be ranked in accordance with their hire date seniority on any valid reemployment list.

Grievance Procedure

Problem: A problem is a complaint or a misunderstanding on the part of management team members which arises from the application and interpretation of SCOE policies, regulations, or management employee procedures.

Grievance: An unresolved problem becomes a grievance when either party to a disagreement states in writing that a grievance exists and requests that the process contained herin be invoked.

Conferee: A conferee may be chosen by either party to a grievance and could include a management employee or a professional organization representative.
Procedures

Grievance Procedure

Continued

Problems should be discussed by private conferences between the parties involved.

At least one private meeting between the parties to a disagreement shall take place before the grievance Procedure is invoked, and

The parties shall seek to adjust the difficulty at the Point of origin by:

obtaining advice from an appropriate division of the county office and/or consulting with conferees.

If the problem is not resolved at a private conference, then either party may declare that a grievance exists, and the following procedure may be invoked:

LEVEL 1
a. The grievant shall present a statement of grievance in writing to the person at the lowest management level where authority exists to take corrective action. The grievance shall include:

A description of the problem or complaint, stating specifically the act or condition and the grounds on which the grievance is based.

The name of the employee’s conferee, if any.

The action or solution desired.

b. The person receiving the statement shall communicate his/her decision to the employee in writing within five (5) work days after receiving the complaint.

c. The grievant shall have the right to request a personal conference with the person referred to in Item (a) in order to resolve the grievance.

d. If the employee feels that through written or verbal communication his/her grievance has not been adjudicated to his/her satisfaction, he/she may present his/her grievance to the next level of management.

LEVEL 2
a. An employee may, within five (5) work days, appeal the decision made at Level 1 in writing to the Cabinet Administrator or designee after receiving it. The appeal should include:

(1) A description of the problem or complaint, stating specifically the act or condition and the grounds on which the grievance is based.

(2) The name of the employee’s conferee, if any.

(3) The course of action that has been followed, including a copy of the decision rendered in the first level, and reasons why the decision is being appealed

(4) The action or solution desired.

b. A copy of the appeal shall also be sent to the administrator who rendered the first decision which is being appealed.
c. The Cabinet Administrator or designee shall investigate and confer with the employee within five (5) work days after receipt of the appeal. The employee, at his/her discretion, may be accompanied by his/her conferee.

d. The Cabinet Administrator or designee shall communicate his decisions in writing together with supporting reasons to the parties of interest within fifteen (15) work days after receiving the complaint.

LEVEL 3: BOARD OF REVIEW

a. The grievant may, within five (15) work days, appeal the decision made at Level 2 and request a hearing by a board of review. The Board of review shall be composed of four (4) members:

   (1) Two (2) shall be appointed by SCSS.
   (2) Two (2) shall be appointed by CSEA.
   (3) The board of review shall prepare a report of submission to the grievant stating the issues submitted to it, the facts determined, and its conclusions and the recommendations. Any member of the board of review dissenting from the view of the majority shall have his reasons, therefore, included in this report.
   (4) At the conclusion of the rendering, the chairperson of the board shall issue a decision that shall be final and binding on the parties. The decision of the Board of Review shall be issued within thirty (30) calendar days after the conclusion of the hearing unless the decision is appealed to the Superintendent by either party.

LEVEL 4: APPEAL TO THE SUPERINTENDENT

a. Either party may appeal directly in writing to the Superintendent within five (5) work days from the appellant’s receipt of the Board of Review findings.

b. The Superintendent shall have access to all documents relating to the appeal and county records that would be helpful to the review.

c. The Superintendent shall take action on this appeal within twenty (20) work days, and the Superintendent’s decision shall be final.

d. A copy of the appeal shall also be sent to the administrator who rendered the first decision which is being appealed.

e. The Superintendent shall investigate and confer with the employee within five (5) work days after receipt of the appeal. The employee, at his/her discretion, may be accompanied by his/her conferee.

f. The Superintendent shall communicate his decisions in writing together with supporting reasons to the parties of interest within fifteen (15) work days after receiving the complaint.
1.0 Any party to a grievance may at any point in the process outline, request another person or a management person to serve as a con- 
ferree.

2.0 Any employee may serve as a conferee without prejudicing his/her 
position within the city office.

3.0 Management personnel may appeal decisions and/or actions of su- 
periors if he/she believes that there has been a violation or misap- 
plication of SCOE policies, regulations, or administrative procedures 
that affect adversely the rights of the employee.

4.0 Employees are encouraged to ask their immediate supervisor for 
assistance on any matters which relate to their duties. In general, 
the problem of an employee should first be taken to his/her immedi- 
ate supervisor.

5.0 Any employee of the county office required to be absent from du- 
ties pursuant to these procedures shall not suffer any loss of pay. 
Authorization for such absence must be obtained from the Superin- 
tendent.

6.0 During the proceedings and until a final determination has been 
reached, all actions shall be private and any preliminary disposition 
will not be made public without the agreement of all parties.

7.0 A decision rendered at any step in these procedures becomes final 
unless appealed within the time limit specified. If a decision is not 
given within the time limit, an appeal may be taken directly to the 
next level.

8.0 Time limits given in these procedures may be modified by agree- 
ment of the parties involved.

9.0 At any point in these procedures after the complaint has been put 
in writing, the parties in interest may agree to confer with the Su- 
perintendent regarding the submitting of the matter directly to a 
board of review. Other sections of these procedures notwithstanding, if all of the parties and the Superintendent agree as provided in 
this section, the complaint may be submitted to a board of review.

10.0 Disposition of records: All records of proceedings shall be retained 
in a special grievance file maintained by the Human Resources Of- 

cine of the SCOE. All documents, communications, and records 
dealing with the processing of a grievance shall be filed separately 
from the personnel files of the participants and shall be considered 
confidential.

11.0 The Superintendent or his/her designee shall be responsible for the 
maintenance of adequate records and making arrangements for 
hearing and other services needed to enable the board of review to 
implement its function.
12.0 Costs of operating the grievance procedure, including the expenses incurred by members of the board of review, shall be borne by the SCOE. Fees of conferees shall be paid by the parties employing such conferees.

13.0 Nothing in this procedure should be construed as denying to any employee the opportunity to consult with any supervisory or administrative officer in the county office.

14.0 Nothing prevents the parties from extending or shortening the dates by mutual written agreement. (Forms are to be obtained from the Human Resources division.)

Gifts to Employees

No employee is to receive any commission, expense-paid trip, or anything of value from individuals or companies selling equipment, materials, or services used in the operation of the public school. This would include the purchase and use of all materials, supplies, or other items needed for the repair, maintenance, or operation of school facilities, office or cafeterias, for school transportation, or materials used to conduct classes, activities, and organizations.

Designated management positions require filing of conflict of interest forms (Form 700) upon employment, separation, and annually pursuant to BP 3290.
Sexual Harassment  
(BP 4319.11)

The Stanislaus County Office of Education prohibits sexual harassment of County Office of Education employees and job applicants. The Stanislaus County Superintendent of Schools also prohibits retaliatory behavior or action against County Office of Education employees or other persons who complain, testify or otherwise participate in the complaint process established pursuant to this policy and administrative regulation.

The County Superintendent of Schools 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 staff
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

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.

Any County Office of Education employee or job applicant who feels that he/she has been sexually harassed or who has knowledge of any incident of sexual harassment by or against another employee, a job applicant or a student, shall immediately report the incident to his/her supervisor, the principal, County administrator or County Superintendent of Schools.

A supervisor, principal or other County Office of Education administrator who receives a harassment complaint shall promptly notify the County Superintendent of Schools or designee.

Complaints of sexual harassment shall be filed in accordance with AR 4031 - Complaints Concerning Discrimination in Employment. An employee may bypass his/her supervisor in filing a complaint where the supervisor is the subject of the complaint.

Any County Office of Education employee who engages or participates in sexual harassment or who aids, abets, incites, compels, or coerces another to commit sexual harassment against a County Office of Education employee, job applicant, or student is in violation of this policy and is subject to disciplinary action, up to and including dismissal.
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:

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 such conduct by the individual is used as the basis for an employment decision affecting him/her.

3. The conduct has the purpose or effect of having a negative impact upon the individual's work or has the purpose or effect of creating an intimidating, hostile, or offensive work environment. The conduct is sufficiently severe, persistent, pervasive, or objectively offensive so as to create a hostile or abusive working environment or to limit the individual's ability to participate in or benefit from an education program or activity.

4. Submission to or rejection of the conduct by the other individual is used as the basis for any decision affecting him/her regarding benefits, services, honors, programs, or activities available at or through the Stanislaus County Office of Education.

Other examples of actions that might constitute sexual harassment, whether committed by a supervisor, a co-worker, or a non-employee, in the work or educational setting, 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

Prohibited sexual harassment may also include any act of retaliation against an individual who reports a violation of the County Office's sexual harassment policy or who participates in the investigation of a sexual harassment complaint.
Sexual Harassment
(AR 4319.11)

Continued

Training

Every two years, the Stanislaus County Superintendent of Schools 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 newly hired or promoted supervisory employees shall receive training within six months of their assumption of the supervisory position.

The County Office's training and education program for supervisory employees shall include information and practical guidance regarding the federal and state laws on the prohibition against and the prevention and correction of sexual harassment, and the remedies available to the victims of sexual harassment in employment. The training shall also include all of the content specified in 2 CCR 7288.0 and practical examples aimed at instructing supervisors in the prevention of harassment, discrimination, and retaliation.

In addition, the County Superintendent or designee shall ensure that all employees receive periodic training regarding the County Office's sexual harassment policy, particularly the procedures for filing complaints and employees' duty to use the County Office's complaint procedures.

Notifications

A copy of the County Office policy and this administrative regulation shall:

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

2. Be provided to each faculty member, all members of the administrative staff, and all members of the support staff at the beginning of the first quarter or semester of the school year or whenever a new employee is hired

3. Appear in any school or County Office publication that sets forth the school's or County Office's comprehensive rules, regulations, procedures, and standards of conduct
Sexual Harassment
(AR 4319.11)

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 County Office information sheets that contain, at a minimum, components on:

1. The illegality of sexual harassment

2. The definition of sexual harassment under applicable state and federal law

3. A description of sexual harassment, with examples

4. The County Office’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 7287.8 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 County Office shall post, in a prominent and accessible location, DFEH’s poster on discrimination in employment and the illegality of sexual harassment.
Complaints
(BP 4144, 4244, 4344)

The Stanislaus County Superintendent of Schools or designee recognizes the need for providing employees with a complaint process.

The County Superintendent or designee expects that employees and supervisors will make every effort to resolve employee complaints and disagreements informally before resorting to formal complaint procedures.

The County Superintendent or designee shall establish complaint procedures which allow employees to appeal to him/her.

The County Superintendent prohibits retaliation against complainants. The County Superintendent or designee may keep a complainant’s identity confidential, except to the extent necessary to investigate the complaint.

Complaints
(AR 4144, 4244, 4344)

Except as specified below, the following procedure shall be used for any complaint by an employee alleging misapplication of the Stanislaus County Office of Education's policies, regulations, rules, or procedures or for "whistleblower" complaints by an employee or job applicant regarding an improper County Office activity including, but not limited to, an allegation of gross mismanagement, a significant waste of funds, an abuse of authority, or a specific danger to public health or safety.

Complaints alleging unlawful discrimination on any basis specified in the County Office's nondiscrimination policies, including complaints of sexual harassment, shall be resolved in accordance with the County Office's procedure for complaints regarding discrimination in employment.

Complaints regarding unlawful discrimination in County Office programs or the County Office's failure to comply with state or federal laws regarding educational programs shall be resolved in accordance with the County Office's Uniform Complaint Procedures. Complaints regarding sufficiency of textbook materials, teacher vacancy or misassignment, an urgent or emergency facility condition, or the failure to provide intensive instruction to students who did not pass the high school exit examination by the end of grade 12 shall be resolved in accordance with the County Office's Williams Uniform Complaint Procedures.
Complaints
(AR 4144, 4244, 4344)

For complaints regarding working conditions or other subjects of negotiation, the employee shall use the grievance procedure specified in the applicable collective bargaining agreement.

Any of the time limits specified in this procedure may be extended by written agreement between the parties involved.

Prior to instituting a formal, written complaint, the employee shall first discuss the issue with his/her supervisor or the program administrator of the school where the alleged act took place. Formal complaint procedures shall not be initiated until the employee has first attempted to resolve the complaint informally.

If a complaint has not been satisfactorily resolved through the informal process in Step 1, the complainant may file a written complaint with his/her immediate supervisor or program administrator within 60 days of the act or event which is the subject of the complaint. If an employee fails to file a written complaint within 60 days, the complaint shall be considered settled on the basis of the answer given at the preceding step.

In the written complaint, the employee shall specify the nature of the problem, including names, dates, locations, witnesses, the remedy sought by the employee, and a description of informal efforts to resolve the issue.

Within 10 working days of receiving the complaint, the immediate supervisor or program administrator shall conduct any necessary investigation and meet with the complainant in an effort to resolve the complaint. Within five working days after the meeting, he/she shall prepare and send a written response to the complainant.

If a complaint has not been satisfactorily resolved at Step 1, the complainant may file the written complaint with Cabinet Level Administrator or designee within five working days of receiving the written response from the immediate supervisor or the program administrator. The complainant shall include all information presented to the immediate supervisor or program administrator at Step 2.

Within 10 working days of receiving the complaint, the Cabinet Level Administrator or designee shall conduct any necessary investigation, including reviewing the investigation and written response by the immediate supervisor or program administrator at Step 2, and shall meet with the complainant in an effort to resolve the complaint. Within five working days after the meeting, he/she shall prepare and send a written response to the complainant.
If a complaint has not been satisfactorily resolved at Step 2, the complainant may file a written appeal to the County Superintendent within five working days of receiving the Cabinet Level Administrator or designee's response. All information presented at Steps 1 and 2 shall be included with the appeal.

The County Superintendent may uphold the findings without hearing the complaint or the County Superintendent may hear the complaint. The hearing shall be held in closed session if the complaint relates to matters properly addressed in closed.

The County Superintendent shall make its decision within 30 days of the hearing and shall send its decision to all concerned parties. The County Superintendent's decision shall be final.

Complaints
(AR 4144, 4244, 4344)

Continued
Business Services
The Stanislaus County Superintendent of Schools understands that while
landline phones are the primary mode of communication, cellular phones
and other data devices are an efficient and important method for conduct-
ing Stanislaus County Office of Education business. Also, they help to
ensure the safety of staff, students, and others, as well as help to protect
County Office property. A "Data Device" is defined as one which is ca-
pable of viewing and changing electronic data such as: sending/receiving
e-mail, viewing/changing electronic calendars and contact lists, download-
ing/uploading/viewing attachments.

The County Superintendent or designee shall determine if an employee
requires a cellular phone or other data device for the efficient perfor-
manence of his/her job responsibilities. The following positions are by the
nature of their job classification required to have a cellular phone or data
device:

* County Superintendent of Schools, Assistant Superintendent, Division
  Director, Site Administrator, Maintenance and Operations Supervisor, Cus-
todial Supervisor, and Communications Staff.

Other job classifications or specific positions that require a cellular phone
or data device must be approved by the Assistant Superintendent/Division
Director of the Department/Division. Deciding factors to provide such
devices include, but are not limited to:

1. Job duties require frequent communication and there is not ready-
   access to a landline telephone.

2. Job duties require immediate communication to ensure the safety of
   County Office staff and students, or the security of County Office property

3. Job duties require frequent travel or work away from assigned office
   and access to work related data files and other information is required in
   order to perform duties
Cellular Phone Reimbursement
(BP 3513.1)

Continued

The County Office's primary method for meeting the communication needs of an eligible County Office employee will be to provide cellular phones or other data devices for use by employees for county-related business. The Business Office has established a review and approval system for monthly charges.

Any cellular phone or data device provided by the County Office is the property of the County Office, and may be searched, as permitted by law, with no expectation of privacy in the data stored therein.

In certain limited circumstances eligible County Office employees may be provided an allowance for use of his/her personally owned cellular phone or data device for county-related business. The allowance shall be based on the business requirements of the employee. The employee shall be entirely responsible for payments and monthly service fees (if any) to his/her service provider. When an employee receives a monthly allowance for the use of his/her personally owned cellular phone or data device, the amount of the allowance shall be reported as taxable income by the County Office and the employee.
Reimbursements

Introduction

The SCOE reimbursements department is part of the Business Services division:

Kim Mathiesen—238-1919
Liz Arthur—238-1903

The department is responsible for the reimbursement of employees for travel and conferences, business meals and local transportation expenses, in accordance with Internal Revenue Services rules.

The reimbursements department is responsible for paying advances listed on Travel Authorizations, Travel Reimbursements, Mileage Claims, Cash Buy-Outs, and Incidental Reimbursements Claims. As well as, the SCOE Purchase Cards, car rentals, and air fare.

Generally Applicable Conditions

The following conditions apply universally to all reimbursable travel expenses:

1. The employee has a duty to find the lowest cost fee or fare that meets the business purpose of the travel and is readily available to procure. For example, if it is a lower cost to fly rather than drive and flying is practical, then the employee should fly. If there are several conference hotel options, the lowest cost option should be procured. If the employee chooses a higher cost option, the difference between the higher and lower cost will be the financial responsibility of the employee.

2. Employees may not be reimbursed of meals, lodging or transportation that are considered lavish or extravagant by customary standards, or exceed the per diem allowance.

3. Travel expenses for non-SCOE approved individuals, including spouses, are not reimbursable.

Travel Advances

A Travel Authorization form must be submitted to the Business Office prior to traveling. All travel and conferences must be pre-approved by a supervisor. The pre-approval is obtained by filling out a Travel Authorization form and having a supervisor sign it before the date of travel. All out-of-state travel must be pre-approved by the SCOE Superintendent.
Reimbursements

Continued

Employees must submit a SCOE Travel Authorization form complete with information documenting purpose of proposed travel, required signatures and correct account code information. This form should also indicate which expenses are to be advanced.

1. Attach Conference agenda, announcement or other supporting document relative to the travel.
2. Payee name and address must be included on flyer/announcement.
3. Contact Hotel/Motel for lodging arrangement and attach the Hotel/Motel confirmation document.
4. Only one night’s lodging will be advanced.
5. Payee name, address, and total amount for 1st night must be included.
6. Contact SCOE Travel Agency (Storer Travel Agency) for airfare arrangements.
7. Flight itinerary must be attached.
8. There is only one out-of-pocket advance given for any trip.
9. Out-of-pocket advances are given at least one week before trip.

Advances can be requested on the Travel Authorization form. Employees will be provided, upon request and upon completion of a Travel Authorization form, with an out-of-pocket advance. SCOE will prepay conference registration, first night’s lodging, car rental, and airfare. (Airfare when booked through Storer Travel and Car rentals when reserved through Enterprise Car Rental.)

Employees may request travel advances for up to 75% of the estimated cost of travel bases on standard meal allowances, reasonable lodging, and transportation estimates. Travel advance requests must be submitted with the proper approvals at least two weeks in advance of the registration due date or travel date, whichever is earliest. Employee out-of-pocket advances will not be issued for less than $50 per trip.

SCOE will reimburse employees for ordinary and necessary expenses incurred while traveling "away from their home" on official SCOE business or while at a conference either held locally or away. Employees are deemed to be "away from home" when SCOE requires them to travel away from their regular place of business for substantially longer than an ordinary day’s work (12 hours) and as a result the employee requires sleep or rest in order to meet the demands of their job.

Requests for travel reimbursement must be accompanied by an adequate accounting through the completion of the SCOE Travel Reimbursement Claim form. The Travel Reimbursement Claim form must include the stated business purpose of the travel, dates of travel, departure and return time and date, and claimant’s name and signature, as well as the supervisor’s approval. Even when travel is “zero cost” or cancelled, a Travel Reimbursement form must be completed and submitted within 30 days from return date of travel. Every attempt should be made by the employee to obtain full refunds of advanced costs and/or find a substitute SCOE employee to conduct the trip, due to cancellation.
The Travel Reimbursement Claim must generally be supported with documentary evidence, such as original detailed receipts, ticket stubs and third-party confirmations. Non-detailed credit card charges, slips or bills, and cancelled checks are insufficient documentary evidence alone.

Significant effort should be made to provide documentary evidence, such as receipts for every reimbursable expense otherwise the employee is responsible for payment for the expense and no reimbursement will be approved. There are, however, two limited circumstances when reimbursements may be made without documentary evidence. Considerable effort should be made by the employee to avoid both of these circumstances and a supervisor approval is required before reimbursement will be made.

1. The expense is less than $76 and a receipt was not available, the employee must have the date and business purpose documented.
2. The expense was transportation related, either “away from home” or local, and a receipt was not readily available, e.g. bus fare or toll fees.

Employees will be reimbursed for actual expenses incurred. That means that substitute costs for actual costs may not be reimbursed. For example, an employee may not claim mileage instead of actual rental car charges because the mileage reimbursement would be more. By way of another example, claiming mileage instead of actual airfare, when the airfare is less. The employee should, however, claim less than actual charges if the employee chooses a more expensive mode of transportation or lodging than otherwise permitted.

Excess reimbursements must be repaid to SCOE within 30 days after notification that excess reimbursement has been made. Any excess reimbursements not repaid will first be deducted from future reimbursements, then from wages.
Reimbursements

Continued

Standard Meal Allowances

SCOE reimburses employees for meal expenses during out of town travel, on official business, at the current published IRS standard meal allowance rates depending on the area in which the employee travels to. The standard rates for travel are as follows using a high-low methodology. Employees must use the following rates for all California travel unless the area is listed as a high cost area. For out of state rates, contact the Business Office. To receive the standard meal allowance you must document the date, time, place, and business purpose of your travel on a Travel Authorization & Travel Reimbursement form. No receipts are required. The standard meal allowance includes tax and tips.

Standard Daily Meal Allowance:
- $10.00 Breakfast
- $13.00 Lunch
- $22.00 Dinner

Total Per Diem: $45.00

High Cost Daily Meal Allowance:
- $14.00 Breakfast
- $17.00 Lunch
- $27.00 Dinner

Total Per Diem: $58.00

Meal expenses may be claimed as follows:

<table>
<thead>
<tr>
<th>Travel Begins</th>
<th>Travel Ends</th>
<th>Allowances May be Claimed</th>
</tr>
</thead>
<tbody>
<tr>
<td>7:00 A.M.</td>
<td>9:00 A.M.</td>
<td>Breakfast</td>
</tr>
<tr>
<td>7:00 A.M.</td>
<td>2:00 P.M.</td>
<td>Breakfast and Lunch</td>
</tr>
<tr>
<td>10:00 A.M.</td>
<td>2:00 P.M.</td>
<td>Lunch</td>
</tr>
<tr>
<td>10:00 A.M.</td>
<td>7:00 P.M.</td>
<td>Lunch and Dinner</td>
</tr>
<tr>
<td>5:00 P.M.</td>
<td>7:00 P.M.</td>
<td>Dinner</td>
</tr>
<tr>
<td>7:00 A.M.</td>
<td>7:00 P.M.</td>
<td>Breakfast, Lunch, and Dinner</td>
</tr>
</tbody>
</table>

Transportation Allowances

The most economical (and logistically practical) mode of transportation should be used. If the employee opts for more expensive transportation, for example driving instead of flying or visa versa, then the employee is responsible for the payment of excess costs.

1. **Automobile Rental:** Pre-approval by manager is required. Reimbursement for automobile rentals will be for actual and necessary cost (including insurance) for a mid-sized or smaller automobile unless the documented business use of the vehicle requires a different type or size vehicle. SCOE has an account set-up with Enterprise Rent-a-Car. If the reservation is placed on-line from the SOCE website, it is charged to the SCOE account.

2. **Private Automobile**: Reimbursement will be at the current IRS optional standard mileage rate. The mileage claimed must only be for "business use". Reimbursement will be from SCOE assigned work site or point of origin if closer. When completing the reimbursement claim form, be certain to state business purpose of the travel.

3. **SCOE Pool Vehicles**: Reimbursements for emergency road services will be made to SCOE employees using pool vehicles for business purposes. *Please use county gas card provided with the SCOE vehicle*. Employee must submit receipts for any emergency road services and gas purchases on SCOE gas card.

4. **Airfare**: **SCOE travel agent** *(Storer Travel Agency at 521-0800)*: All Airfare should be arranged through SCOE travel agent. Efforts should be made to obtain the best fare and ensure that the airfare is the most economical and practical form of transportation. Cancelled booked flights result in a credit with the airline for a period of one year from the purchase date. It is the department’s responsibility for keep track of any credit so it can be used before the expiration date. Original flight itinerary showing cost, reservation confirmation and/or boarding receipt must be attached to the Travel Authorization and/or Travel Reimbursement form.

5. **Miscellaneous Transportation Costs**: SCOE will reimburse employees for miscellaneous transportation costs including tolls, taxis, shuttles, and parking. Valet parking may be reimbursed when a physical hardship requires the service or it is the only parking available. Receipts are required for parking charges in excess of $6.00 for any continuous period.

   Lodging is reimbursed based on the actual costs incurred for ordinary accommodations in standard single-occupancy rooms. The excess cost for upgraded or suite-type accommodations or multi-occupancies for non-SCOE approved individuals will not be reimbursed by SCOE. SCOE employees may be reimbursed for overnight stays at approved conference locations and at hotels that are moderately priced for the area. Rooms may be arranged when overnight travel is required and/or when the employee must leave their home before 6:00 a.m. or they must travel after 7:00p.m. in order to be at their destination on time. Employees may also secure lodging whenever the travel conditions make it unsafe to travel within the same day, or reasonable transportation service cannot be secured (e.g. airline cancellations). Employees must submit a receipt in the claimant’s name that states the name of the facility, location, date(s) and itemized room charges.

   SCOE employees are responsible for most personal travel incidentals including food charges not covered under daily per diem rates, telephone calls (unless SCOE business), personal service and in-room entertainment, such as movies. SCOE will reimburse employees for incidental business-related fees and for tips for taxis, shuttle service, or valet parking.
Mileage Reimbursement Claims are used when an employee travels for business purposes. Employees such as Itinerant Teachers, Nurses, etc. who travel from site-to-site using their personal vehicle as required for their job, use this form in order to be reimbursed for their mileage. This form is for SCOE business only. Mileage for attending conferences, seminars, or workshops, must be claimed on Travel Authorization and Travel Reimbursement forms. The Mileage Claim form should be completed and submitted monthly, however an exception will be made for those employees who do not travel extensively during a one month period. Those employees can claim bi-monthly or quarterly. Failure to comply with the following guidelines will result in delay of payments.

1. Supply all information needed on the top portion of the form. To ensure proper reimbursement, please list last 4 digits of social security number (or the employee ID number) and current mailing address.
2. Reason for mileage (e.g., supply pick ups, various assigned sites).
3. List the date for each day’s travel and include the start, interim and end locations. All travel locations between the start and end locations must be listed. Multiple interim locations may be on one line.
4. Total miles driven daily and fill out in the total mileage column.
5. Claimant’s signature as well as department manager’s signature, budget account number and date are required in order to process.

Only SACP members can list Home or Co. Line as a start and/or end location. For those employees a deduction of <7> or <14> miles will be taken each day this location is claimed.

A Cash Buy-Out Requisition is used to reimburse employees for work related purchases made using their own personal funds not exceeding $100. The Cash Buy-Out Requisition form should be submitted within one month of purchase and is used for the following purchases:

1. Instructional supplies for the classroom (this includes CBI purchases which must include the name of the student on the receipt).
2. Food for meetings/workshops must include an agenda/flyer, list or number of attendees. Reimbursement for meeting refreshments is limited to the per diem rate of $4.00 per attendee.
3. Supplies

The maximum allowable receipts per Cash Buy-Out Requisition are 9 (except for group purchases for CBI program). Employees should attach only original itemized receipts, with proof of payment and merchant name preprinted or stamped on it, for reimbursement. Employees must be sure that their name, address and last 4 of their Social Security (or the Employee ID) number, as well as program manager’s signature and account number(s) are filled in correctly, in order for timely processing.
A Cash Buy-Out will not be accepted for the following:
- Equipment over $100
- Travel Expenditures
- Field Trips
- Any Repairs
- Subscriptions
- Services
- Any rentals
- Memberships
- Phone/Internet Charges

Incidental Reimbursement Claims are used for employee purchases over $100, field trips, repairs, or extenuating circumstances, when using personal funds. All receipts/bills must be the original, with proof of payment and merchant name preprinted or stamped on it. The following information must be on the Incidental Reimbursement Claim form to ensure timely processing:
1. The employee’s name, mailing address, and last 4 of their Social Security (or Employee ID) number.
2. The name of store, description of item(s) and amount of purchase.
3. Employee’s signature and date.
4. Correct budget account number(s).
5. Department manager and CORE Member signature as well as date.

The SCOE Purchase Card is a unique VISA card intended to simplify the purchasing and payment process and reduces the total acquisition cost for small dollar items. Additionally, it provides users with greater flexibility on low dollar transactions.

In order to obtain a Purchasing Card an employee must have approval from their Manager, and then complete the “SCOE New Cardholder Application” form (Contact the Business Office for this form). Upon forwarding the form to the Business Office, the application will be reviewed and processed for the employee. The Business Office will notify the employee once the Purchasing Card has arrived. **ALL** employees who qualify for a Purchasing Card must attend a “Credit Card Orientation” in order to obtain a card.
Communication
Cell Phone Protocol

In order to handle all cell phone requests in a timely manner and to ensure that requests don’t get lost, please direct questions or problems to the Network Services Help Desk at 238-HELP or help@stancoe.org. This includes requests for; training, troubleshooting, new or replacement phones (which need to have a requisition number referenced so the phone can be ordered). Your issue will be logged and it will be routed to the proper person for quick resolution.

If your phone is lost or stolen

1. Contact AT&T immediately to suspend service (1-800-331-0500)
2. Inform your manager
3. Contact the Help Desk with the date of loss and the date AT&T was contacted

Any applications, including third party software applications, must be reviewed by and approved by SCOE Network Services and Telecommunications prior to downloading. Verification that the application is supported by AT&T must occur, as non-supported applications may void the phone warranty. In some instances, downloaded applications may require an additional monthly fee when used. Network Services/Telecommunications can research for a suitable alternative. Department Cabinet Member and SCOE Network Services and Telecommunications approval is required for any applications and fees.

Text messaging and MMS (Multi Media Messaging) is automatically blocked from all cell phones. Internet is automatically blocked from all non-Blackberry phones. Blackberries support Blackberry Messenger which is an alternative to texting (this only works between Blackberries).

Dialing 411 or (XXX) 555-1212 is prohibited. If directory assistance is absolutely necessary, please dial 1-800-FREE 411 (1-800-343-3411). We recommend you place this number in your contacts/address book for reference.

SCOE owned devices are not for personal use and it is considered a violation of SCOE Board Policy BP 3513.1 to do so. Violation of this policy may result in disciplinary action including revoking the device.

Employees are required to reimburse SCOE for any personal calls made on a SCOE owned device. Reimbursement does not absolve the employee of any possible disciplinary action as noted above.

Directory Assistance
Employee Use of Technology (BP 4040)

The Stanislaus County Office of Education recognizes that technological resources can 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 County Office and school operations, and improving access to and exchange of information. It is expected that all employees will 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 the County Office's technological resources only for purposes related to their employment. Such use is a privilege which may be revoked at any time.

Employees shall be notified that computer files and communications over electronic networks, including e-mail and voice mail, are not private. These technologies shall not be used to transmit confidential information about students, employees or County Office operations without authority.

The Stanislaus County Superintendent of Schools or designee shall ensure that all County Office computers with Internet access have a technology protection measure that prevents access to visual depictions that are obscene or child pornography, and that the operation of such measures is enforced. The County 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.
Use of Electronic Information Resources
Network Use Policy

Purpose
The purpose of Stanislaus County Office of Education (SCOE) Wide Area Network (Network), which includes Internet access, is to advance and promote excellence and research in education in Stanislaus County. The Network is intended to assist in the communication, collaboration, and exchange of information in and among SCOE departments, schools, school district offices, the California Department of Education, institutions of higher learning, and other educational resources between departments, support SCOE business operations, promote innovation and educational excellence, and provide information resources for staff.

Acceptable Use
Successful operation of the Network requires that users regard each as a shared resource, and cooperate to form a community of diverse interests with the common purpose of advancing excellence in education in SCOE. It is therefore imperative that users conduct themselves in a responsible, decent, ethical, and polite manner while using the Network.

Legal Issues
The California computer crime bill (1979) added section 502 to the Penal Code making it a felony to intentionally access any computer system or network for the purpose of:

- Devising or executing any scheme or artifice to defraud or extort or
- Obtaining money, property, or services with false or fraudulent intent, representations, or promises.

It is also a felony to maliciously access, alter, delete, damage or destroy any computer system, computer network, computer program, or data. Some examples of offenses are removing another user’s accounts, changing other user’s passwords, using an unauthorized account, damaging files, altering the system, using the system for personal gain, using illegally or damaging SCOE property. Penalties include maximum fines of $5000 and/or imprisonment in the state prison for up to three years or the county jail for up to one year. Anyone committing acts of this kind will face legal action, and SCOE disciplinary procedures.
Use of Electronic Information Resources
Network Use Policy

Responsibilities
Users shall accept the responsibility for the following:

- Monitor all material received through the access account.
- Disallow copyrighted software of any kind from entering the Network from any source unless otherwise authorized.
- Prevent from entering the Wide Area Network, all pornographic material, inappropriate text files, or files dangerous to its integrity.
- Use newsgroups in a manner appropriate to good taste and legal guidelines and restrict their utilization to business or educational purposes.
- Maintain the integrity of the private e-mail system.
- Refrain from engaging in games on the Network.
- To the best of one’s ability, refrain from using the Network or in any way that would disrupt its use by others.
- If a security problem is discovered, immediately notify your supervisor or the Network System Administrator.
- Report all violations of privacy and misuse of the Network to the Network System Administrator.

Personal Use
The use of the SCOE Wide Area Network and Internet connection is a privilege. Users should strive for the most responsible use of the institutional resources for purposes related to accessing, sharing, and creating information and collaborating with other members of this and other communities for scholarly and work-related communications. While occasional social communication using e-mail are not disallowed by this policy, limiting the number of purely personal electronic messages and files is appropriate and reasonable. Unreasonable and excessive personal use of Internet will lead to disciplinary action (up to and including dismissal).

Copyright
According to the Copyright Act of 1976, “Fair Use” means that information legally found on the Internet may be used for scholarly purposes. Information may not be plagiarized or sold.
Use of Electronic Information Resources
Network Use Policy

This policy does not attempt to articulate all required or proscribed behavior by users. Misuse may come in many forms; it is commonly viewed as any transmission(s) sent or received that indicated or suggest pornography, unethical or illegal solicitation, racism, sexism, or inappropriate language.

SCOE characterizes the following as unacceptable in which an individual:

- Uses the Network for illegal, inappropriate, or obscene purposes, or in support of such activities. [Illegal activities shall be defined as a violation of the intended use of the Network, and/or federal laws. Inappropriate use shall be defined as a violation of the intended use of the Network, and/or purpose and goals. Obscene activities shall be defined as a violation of generally accepted social standards for use of a publicly-owned and operated communication vehicle.]
- Uses the Network for any illegal activity, including violation of copyrights or other contracts violating such matters as institutional or third party copyright, license agreements and other contracts
- Intentionally disrupts Network traffic or crashes the Network and connected systems
- Degrades or disrupts equipment or system performance
- Uses SCOE computing resources for commercial activities, financial gain, political lobbying, or fraud
- Steals data, equipment, or intellectual property
- Gains unauthorized access to others' files or vandalizes the data of another user
- Gains or seeks to gain unauthorized access to resources or entities
- Uses the system to encourage the use of drugs, alcohol, or tobacco, or promotes unethical practices of any activity prohibited by law or SCOE policy
- Uses intellectual property of others without permission
- Uses harassing, abusive, or obscene language
- Annoys, harasses, or intentionally offends
- Introduces computer viruses
- Forges electronic mail messages or uses an account owned by another user
- Wastes resources
- Invades the privacy of others
- Possesses data in any form (including hard copy or disk) which might be considered a violation of these rules
- Sending chain letter e-mails
Consequences of Violations

SCOE has the right to (1) monitor user activity in any form that it sees fit to maintain the integrity of the Wide Area Network and (2) restrict or terminate Network access at any time for any reason.

Consequences of violations include but are not limited to the following:

- Suspension of Internet access
- Revocation of Internet access
- Suspension of Wide Area Network privileges
- Revocation of Wide Area Network privileges
- Suspension of computer access
- Revocation of computer access
- Legal action and prosecution
- Financial liability for loss of network resources
- Disciplinary action (up to and including dismissal)

Policy Review

The Stanislaus County Office of Education Superintendent or Superintendent's Designee will determine whether specific uses of the SCOE Wide Area Network are consistent with this policy.
Social Media

The Stanislaus County Office of Education (SCOE) recognizes the importance of the Internet in shaping public thinking about the office. SCOE also recognizes the importance of employees joining in and helping shape industry conversation and direction through blogging and interaction in social media. SCOE is committed to supporting employee rights to interact knowledgeably and socially in the blogosphere and on the Internet through blogging and interaction in social media.

Consequently, the guidelines in this blogging and social media policy will help you make appropriate decisions about your work-related blogging and the contents of your blogs, personal Web sites, postings on wikis and other interactive sites, postings on video or picture sharing sites, or in the comments that you make online on blogs, elsewhere on the public Internet, and in responding to comments from posters either publicly or via email. SCOE’s internal Internet and Email Policy remains in effect in the workplace.

These guidelines will help you open up a respectful, knowledgeable interaction with people on the Internet. They also protect the privacy, confidentiality, and interests of SCOE and employees, partners, and customers.

Note that these policies and guidelines apply only to work-related sites and issues and are not meant to infringe upon your personal interaction or commentary online.

1. Know and follow SCOE’s Conduct Guidelines (add link).

2. Employees are personally responsible for the content they publish on blogs, wikis or any other form of user-generated media. Be mindful that what you publish will be public for a long time—protect your privacy.

3. Identify yourself—name and, when relevant, role at SCOE—when you discuss SCOE or SCOE-related matters. And write in the first person. You must make it clear that you are speaking for yourself and not on behalf of SCOE.

4. If you publish content to any website outside of SCOE and it has something to do with work you do or subjects associated with SCOE, use a disclaimer such as this: “The postings on this site are my own and don't necessarily represent SCOE’s positions, strategies or opinions.”

5. Respect copyright, fair use and financial disclosure laws.
6. Don't provide SCOE's or another's confidential or other proprietary information. Ask permission to publish or report on conversations that are meant to be private or internal to SCOE.

7. Don't cite or reference partners or suppliers without their approval. When you do make a reference, where possible link back to the source.

8. Respect your audience. Don't use ethnic slurs, personal insults, obscenity, or engage in any conduct that would not be acceptable in SCOE's workplace. You should also show proper consideration for others' privacy and for topics that may be considered objectionable or inflammatory—such as politics and religion.

9. Be aware of your association with SCOE in online social networks. If you identify yourself as a SCOE employee, ensure your profile and related content is consistent with how you wish to present yourself with colleagues.

10. Don't pick fights, be the first to correct your own mistakes, and don't alter previous posts without indicating that you have done so.

11. Try to add value. Provide worthwhile information and perspective. SCOE is best represented by its people and what you publish may reflect on SCOE's reputation within the community.

12. You may not share information that is confidential and proprietary about SCOE. This includes information that has not been publicly released by the SCOE. If you have any question about whether information has been released publicly or doubts of any kind, speak with your supervisor and/or the Communications Department before releasing information that could potentially harm the organization or current and potential, programs and services, employees, partners, and customers. (You may also want to be aware of the points made in the non-disclosure agreement you signed when you joined SCOE.)

13. SCOE's logo and trademarks may not be used without explicit permission in writing from the organization. This is to prevent the appearance that you speak for or represent SCOE officially.
14. Speak respectfully about SCOE and current or potential employees and partners. Do not engage in name calling or behavior that will reflect negatively on SCOE’s reputation. Note that the use of copyrighted materials, unfounded or derogatory statements, or misrepresentation is not viewed favorably by SCOE and can result in disciplinary action up to and including employment termination. SCOE encourages you to write knowledgeably, accurately, and using appropriate professionalism. Despite disclaimers, your Web interaction can result in members of the public forming opinions about SCOE and its employees, partners, programs and services. Honor the privacy rights of current SCOE employees by seeking their permission before writing about or displaying internal organization activities that might be considered to be a breach of their privacy and confidentiality.

15. Recognize that you are legally liable for anything you write or present online. Employees can be disciplined by the company for commentary, content, or images that are defamatory, pornographic, proprietary, harassing, libelous, or that can create a hostile work environment. You can also be sued by SCOE employees, and any individual or company that views your commentary, content, or images as defamatory, pornographic, proprietary, harassing, libelous or creating a hostile work environment. Media contacts about SCOE or employees should be referred for coordination and guidance to the Communications Department. This does not specifically include your opinions, writing, and interviews on topics aside from SCOE.

16. Media contacts about SCOE or employees should be referred for coordination and guidance to the Communications Department. This does not specifically include your opinions, writing, and interviews on topics aside from SCOE.
Introduction

The SCOE communications department is part of the Administration Division:

Asst. Superintendent Admin. Services:
Susan Rich – 238-1708

Communications Coordinators:
Cynthia Fenech – 238-1704
Judy Leitz – 238-1709

The department supports ALL SCOE staff/managers in their efforts to promote positive public relations internally and externally. The communications staff develops and disseminates "SCOE News" and makes it a priority to ensure that employees receive "SCOE News" prior to any release to the public whenever possible.

Communications staff are generally responsible for all media relations. When in doubt about communicating with the media ALWAYS contact the communications department staff FIRST.

Proactive Communication

1. News Releases (These are communications to the media that range from updates on programs to announcements regarding personnel to issue-related articles) generally originate in the communications department. Any deviation from this must be cleared through the department. Communications staff are available to work with departments to develop appropriate and timely news releases.

2. SCOE department staff can, with division administrator approval, draft and release media advisories on routine matters (dates, times and location of upcoming events, etc.) Copies of the advisory must be sent to the communications department. Department staff can also make follow-up calls to media regarding advisories they've released.

Note: Communications staff can mass-distribute advisories created by department staff to the local media.

3. Any quotations developed for the superintendent’s consideration MUST be approved by the superintendent/designee.

4. Contact with the editorial board of any newspaper, where the individual is identifying themselves as a representative of SCOE, must be approved in advance by the communications department.

5. Letters to the Editor of any newspaper, where the writer is identifying themselves as a representative of SCOE, must be cleared through the communications office prior to submission.
1. If a reporter calls as a follow-up to a media advisory, the person originating the advisory can take the call and provide the needed information.

2. If a reporter calls regarding a news release issued by the communications department, those identified as contacts (always noted at the top of the release) can respond. If a staff member is identified as a contact, they will generally have helped formulate the content of the release and be very knowledgeable about the subject and any political issues surrounding it.

3. If a reporter calls and begins to ask questions about a news release (and you are not a contact) refer them to the communications office.

4. If a reporter calls to seek input or ask questions, seemingly unrelated to any prior communication from SCOE, please do the following:
   a. Use a delay tactic such as – “I’m going to need to get back to you on that, when is your deadline?”
   b. Ask Questions:
      - Can you tell me a little more about the story you’re writing?
      - What specifically do you want to know?
      - Are you interviewing anyone else for this story?

5. CALL the communications staff who will be able to help determine the context of the reporter’s story and then respond to the reporter or walk you through an appropriate response strategy.

6. Follow up contact with any reporter regarding errors in content or misquotes must be handled through the communications office.
Health/Safety & Security
Employee Assistance Program

What is Workplace Wellness?
Stanislaus County Office of Education recognizes that employees are the organization’s most valuable resource. When problems arise that interfere with their ability to be at their best it becomes a concern to all. That is why the office contracts with Workplace Wellness.

Workplace Wellness provides educational workshops that aid in preventing personal and job-related problems. The trained, caring professionals are also available for crisis intervention, consultation, evaluation and referral services in a variety of areas. **Workshops can be customized and delivered on SCOE worksites.**

About the Program
Brief intervention and referral services, not to exceed three (3) visits per problem, are also available to employees and their immediate family members.

Contact Information
Phone: (209) 558-8466
Address: 1321 I Street, Suite 3 - Modesto, 95354
Safety Introduction
BP 4157, 4257, 4357

Safety is part of an array of risk management services provided through the Business Services Department located on the second floor at 1100 H Street, Modesto. The Director of Operations and Support Services oversees safety programs.

Safety services include workers’ compensation claim management; job hazard risk analysis and mitigation; accident investigation; safety training and ergonomic evaluations. Our safety training program includes job specific and general training. SCOE has identified twelve regulatory topics (Top 12) that pertain to the general employee population and prepared informational materials to assist you to be compliant with current federal and state regulations. Materials and training calendars are posted on our website for your convenience. The Top 12 are:

1. Injury Illness Prevention Program
2. Bloodborne Pathogens
3. Hazard Communication
4. Sexual Harassment
5. Heat Stress
6. Comprehensive School Safety Plan
7. Emergency Action Plan
8. Emergency Disaster Preparedness
9. Fire Extinguisher & Fire Safety
10. First Aid/CPR
11. Driver Awareness
12. Ergonomics

The department is staffed by a Safety Coordinator (238-1932) and an Administrative Assistant (238-1925).

The Stanislaus County Office of Education is committed to the safety and health of all the employees and recognizes the need to comply with regulations regarding injury and accident prevention and employee safety. All safety activities fall under the scope of the program. The SCOE Injury Prevention Program insures compliance with California Occupational Safety and Health Act (CAL-OSHA), which requires all employers to:

- Establish and maintain an effective Injury Prevention Program
- Provide a safe and healthy working environment for all employees
- Reduce the financial and human losses resulting from accidents and illnesses arising out of or occurring in the course of employment
- Establish safety policies, committees, training and other activities which will become part of the Injury Prevention Program.
Driver Safety
AR 3541.1, BP 3544.1, BP/AR 3530

SCOE participation in the driver registration safety program is administered by the Safety Department and fulfills the requirements of our liability insurer. An employee driver is anyone who operates a vehicle to conduct SCOE business.

To become an approved driver you must 1) complete the driver registration form, Employee Use of SCOE and Personal Vehicles, 2) read the Defensive Driving booklet – A Crash Course, and send the completed self test to Safety. This two step process will authorize you to use your personal vehicle or check out a SCOE vehicle to conduct SCOE business.

Driving Students: A third step is required if you will be transporting students. Contact Safety to be registered to attend a SCOE approved driver awareness class. This is a one time requirement.

There are additional prerequisites for drivers of specialized equipment and vehicles such as golf carts, fork lifts and buses.

Every other calendar year (2010, 2012, 2014) you will receive a new form and reference procedural guide. The completed form must be signed by your supervisor and returned to Safety. There is no need to retake the class or the self –test but the option to attend the class is open to anyone with their supervisor’s approval.

Driver Eligibility List: A complete list of approved drivers is located on the SCOE Car Reservation website with a link under the log in dialogue box.

SCOE Vehicles

SCOE vehicles are equipped with additional safety items such as a first aid kit, seat belt cutter, glass breaker, accident photo pack, emergency reflectors, flash light, fire extinguisher and an emergency reference guide.
Employee Security  
(BP 4158, 4258, 4358)

The Stanislaus County Office of Education desires to provide a safe and orderly work environment for all employees. As part of the County Office's comprehensive safety plan, the Stanislaus County Superintendent of Schools or designee shall develop strategies for protecting employees from potentially dangerous persons and situations and for providing them with necessary assistance and support when emergency situations occur.

Any employee against whom violence or any threat of violence has been directed in the workplace shall notify the County Superintendent or designee immediately. The County Superintendent or designee shall initiate legal and security measures to protect the employee and others in the workplace. In addition, the County Superintendent or designee may initiate legal proceedings against any individual to recover damages for injury caused by the willful misconduct of that individual to the person or property of an employee or another person on district premises.

The County Superintendent or designee shall ensure that employees are trained in crisis prevention and intervention techniques in order to protect themselves and students. Staff development may include training in classroom management, effective communication techniques, and crisis resolution.

The County Superintendent or designee also shall ensure that employees are informed, in accordance with law, of crimes and offenses committed by students who may pose a danger in the classroom.

The County Superintendent or designee may make available at appropriate locations, including, but not limited to, County Office and school offices, gyms, and classrooms, communication devices that would enable two-way communication with law enforcement and others when emergencies occur.

Employees may not carry or possess pepper spray on school property or at school activities. On a case-by-case basis, however, the County Superintendent or designee may allow an employee to possess pepper spray that meets the requirements of Penal Code 12403.7 when justified by unusual dangerous circumstances. Any employee who is negligent or careless in the possession or handling of pepper spray shall be subject to appropriate disciplinary measures.
Employee Security (BP 4158, 4258, 4358)

Continued

The County Office requires employees to take immediate action upon being made aware that any person is in possession of an 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, based upon this analysis, 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.
Employee Security  
(AR 4158, 4258, 4358)

An employee may use reasonable and necessary force when necessary for self-defense, to protect another person or property, to quell a disturbance threatening physical injury to others, or to obtain possession of weapons or other dangerous objects on or within the control of a student.

Employees shall promptly report to their principal or other immediate supervisor any attack, assault or physical threat made against them by a student.

Both the employee and the principal or other immediate supervisor shall promptly report such instances to the appropriate local law enforcement agency.

In addition, employees shall promptly report to their principal or supervisor, and may report to law enforcement, any attack, assault or threat made against them on school grounds by any other individual.

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

An employee whose person or property is injured or damaged by willful misconduct of a student may ask the County Office of Education to pursue legal action against the student or the student's parent/guardian.

The County Superintendent or designee shall inform the teacher of each student who has engaged in, or is reasonably suspected of, any act during the previous three school years which could constitute grounds for suspension or expulsion under Education Code 48900, with the exception of the possession or use of tobacco products, or Education Code 48900.2, 48900.3, 48900.4, or 48900.7. This information shall be based upon County Office records maintained in the ordinary course of business or records received from a law enforcement agency.

Upon receiving a transfer student's record regarding acts committed by the student that resulted in his/her suspension or expulsion, the County Superintendent or designee shall inform any of the student's teacher(s) that the student was suspended from his/her former school or 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.
Employee Security
(AR 4158, 4258, 4358)

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 County Office's security department may provide written notification to the County Superintendent or designee.

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 County Superintendent or designee shall so inform the school principal.

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

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.

When a student is removed from school as a result of his/her offense, the County Superintendent or designee shall hold the court's information in a separate confidential file until the student is returned to public school. If the student is returned to a different local educational agency, the County Superintendent or designee shall transmit the information provided by the student's parole or probation officer to the Superintendent of the new local education agency of attendance.

Any confidential file of court-initiated information shall be kept until the student becomes 18, graduates from high school, or is released from juvenile court jurisdiction, whichever occurs first; it shall then be destroyed.
In order to maintain confidentiality when providing information about student offenses to counselors and teachers of classes/programs to which a student is assigned, the principal or designee shall send the staff member a written notification requesting him/her to review a student's file in the school office as soon as practicable. This notification shall not name or otherwise identify the student. The staff member shall be asked to initial the notification and return it to the principal or designee.

The staff member shall also initial the student's file when reviewing it in the school office. Once the County Office has made a good faith effort to comply with the notification requirement of Education Code 49079 and Welfare and Institutions Code 827, an employee's failure to review the file constitutes County Office compliance with the requirement to provide notice to the teacher.

Employees who possess pepper spray on school property shall be notified of the following conditions:

1. The pepper spray shall be used only in self-defense.

2. An employee who uses pepper spray other than in self-defense shall be subject to disciplinary action by the County Office and, in accordance with law, a fine and/or imprisonment.

3. The employee shall ensure that the pepper spray is stored in a secure place and not accessible to students or other individuals. An employee who is negligent in the storage of pepper spray may be subject to disciplinary action.

Employees wishing to carry pepper spray on school property or to a school-related activity shall submit to the County Superintendent or designee a written request setting forth the need for the pepper spray. Should the County Superintendent or designee determine that the employee may not carry pepper spray, the employee shall receive a written statement of the reason for this determination.
Emergencies & Disaster Preparedness Plan/ Disaster Service Workers (BP 3516)

The Stanislaus County Board of Education recognizes that all district staff and students must be prepared to respond quickly and responsibly to emergencies, disasters, and threats of disaster.

The Stanislaus County Superintendent of Schools or designee shall develop and maintain a disaster preparedness plan which details provisions for handling emergencies and disasters and which shall be included in the Stanislaus County Office of Education’s comprehensive school safety plan.

The Superintendent or designee shall also develop and maintain emergency plans for each school site.

In developing the district and school emergency plans, the County Superintendent or designee shall collaborate with city and county emergency responders, including local public health administrators.

The County Superintendent or designee shall use state-approved Standardized Emergency Management System guidelines and the National Incident Command System when updating district and site-level emergency and disaster preparedness plans.

The County Board shall grant the use of school buildings, grounds, and equipment to public agencies, including the American Red Cross, for mass care and welfare shelters during disasters or other emergencies affecting the public health and welfare. The County Board shall cooperate with such agencies in furnishing and maintaining whatever services they deem necessary to meet the community’s needs.

School employees are considered disaster service workers and are subject to disaster service activities assigned to them.
The Stanislaus County Superintendent of Schools or designee shall ensure that Stanislaus County Office of Education and school site plans address, at a minimum, the following types of emergencies and disasters:

1. Fire on or off school grounds which endangers students and staff
2. Earthquake or other natural disasters
3. Environmental hazards
4. Attack or disturbance, or threat of attack or disturbance, by an individual or group
5. Bomb threat or actual detonation
6. Biological, radiological, chemical, and other activities, or heightened warning of such activities
7. Medical emergencies and quarantines, such as a pandemic influenza outbreak

The County Superintendent or designee shall ensure that the County Office’s procedures include strategies and actions for prevention/mitigation, preparedness, response, and recovery, including, but not limited to, the following:

1. Regular inspection of school facilities and equipment and identification of risks
2. Instruction and practice for students and employees regarding emergency plans, including:
   a. Training of staff in first aid and cardiopulmonary resuscitation
   b. Regular practice of emergency procedures by students and staff
Emergencies & Disaster
Preparedness Plan/
Disaster Service Workers
(AR 3516)

3. Specific determination of roles and responsibilities of staff during a dis-
aster or other emergency, including determination of:

a. The appropriate chain of command at the County Office and, if com-
munication between the County Office and site is not possible, at each site

b. Individuals responsible for specific duties

c. Designation of the principal for the overall control and supervision of activities at each school during the emergency, including authorization to use his/her discretion in situations which do not permit exe-
cution of prearranged plans

d. Identification of at least one person at each site who holds a valid certificate in first aid and cardiopulmonary resuscitation

e. Assignment of responsibility for identification of injured persons and administration of first aid

4. Personal safety and security, including:

a. Identification of areas of responsibility for supervision of students

b. Procedures for evacuation of students and staff, including posting of evacuation routes

c. Procedures for release of students, including a procedure to release students when reference to the emergency card is not feasible

d. Identification of transportation needs, including a plan which allows bus seating capacity limits to be exceeded when a disaster or hazard requires students to be moved immediately to ensure their safety

e. Provision of a first aid kit to each classroom

f. Arrangements for students and staff with special needs

g. Upon notification that a pandemic situation exists, adjustment of attendance policies for students and sick leave policies for staff with known or suspected pandemic influenza or other infectious disease
Emergencies & Disaster Preparedness Plan/
Disaster Service Workers
(AR 3516)

Continued

5. Closure of schools, including an analysis of:
   a. The impact on student learning and methods to ensure continuity of instruction
   b. How to provide for continuity of operations for essential central office functions, such as payroll and ongoing communication with students and parents/guardians

6. Communication among staff, parents/guardians, the Stanislaus County Board of Education, other governmental agencies, and the media during an emergency, including:
   a. Identification of spokesperson(s)
   b. Development and testing of communication platforms, such as hotlines, telephone trees, and web sites
   c. Development of methods to ensure that communications are, to the extent practicable, in a language and format that is easy for parents/guardians to understand
   d. Distribution of information about County Office and school site emergency procedures to staff, students, and parents/guardians

7. Cooperation with other state and local agencies, including:
   a. Development of guidelines for law enforcement involvement and intervention
   b. Collaboration with the local health department, including development of a tracking system to alert the local health department to a substantial increase of student or staff absenteeism as indicative of a potential outbreak of an infectious disease

8. Steps to be taken after the disaster or emergency, including:
   a. Inspection of school facilities
   b. Provision of mental health services for students and staff, as needed
Hazardous Substances
(BP 3514.1)

The County Office of Education recognizes that potentially hazardous sub-
stances are used in the daily operations of our schools. The County Su-
perintendent of Schools or designee shall ensure these substances are
inventoried, used, stored and regularly disposed of in a safe and legal
manner.

Insofar as possible, the County Superintendent or designee shall minimize
the quantities of hazardous substances stored on school property and
shall substitute less dangerous materials for hazardous substances.

The County Superintendent or designee shall develop, implement and
monitor a written hazard communication program in accordance with
state law. As part of this program, he/she shall ensure that employees
are fully informed about the properties and potential hazards of substanc-
es to which they may be exposed and that material safety data sheets
are readily accessible to them.

Teachers shall instruct students about the importance of proper handling,
storage, disposal and protection when using any potentially hazardous
substance.
Ergonomics
(AR 4157.2, 4357.2)

To minimize employees' risk of repetitive motion injuries (RMIs), the County Superintendent of Schools or designee shall implement an ergonomics program whenever two or more RMIs from an identical work activity have been reported by County Office of Education employees within a 12-month period beginning July 3, 1997. In addition, all reported injuries must satisfy all of the following conditions:

1. The RMIs were predominantly caused (i.e., 50 percent or more) by a repetitive job, process or operation.

2. The employees incurring the RMIs were performing a job process or operation of identical work activity. Identical work activity means that the employees were performing the same repetitive motion task, such as similar word processing, assembly or loading tasks.

3. The RMIs were musculoskeletal injuries that a licensed physician objectively identified and diagnosed.

The County Superintendent or designee shall ensure that the ergonomics program be designed to minimize RMIs in accordance with law. The program shall be composed of the following components:

1. Worksite evaluation
   Each job, process or operation of identical work activity, or a representative number of such jobs, processes or operations of identical activities, shall be evaluated for exposures which have caused RMIs.

2. Control of exposures which have caused RMIs
   Any exposures that have caused RMIs shall, in a timely manner, be corrected or, if not capable of being corrected, be minimized to the extent feasible. The County Office shall consider engineering controls, such as work station redesign, adjustable fixtures or tool redesign, and administrative controls such as job station, work pacing or work breaks.

3. Training
   Employees shall be provided training that includes an explanation of:
   a. The County Office's program
   b. The exposures that have been associated with RMIs
   c. The symptoms and consequences of injuries caused by repetitive motion
   d. The importance of reporting symptoms and injuries to the employer
Work-Related Injuries
(BP 4357.1)

County Office of Education employees may be insured for on-the-job specific or cumulative injuries in accordance with law. In order to reduce costs and facilitate employee recovery, the County Superintendent of School's or designee desires to have an efficient claims handling process. Employees are required to report any work-related injuries or illnesses to their supervisor as soon as practicable.
Miscellaneous
Dress and Grooming
(BP 4119.22, 4219.22, 4319.22)

The County Superintendent of Schools believes that appropriate dress and grooming by County Office of Education 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 Action)
(cf. 5132 - Dress and Grooming)
Dress and Grooming
(AR 4119.22, 4219.22, 4319.22)

General Dress Standards (applies to all staff and substitute staff)

Employees shall report to work dressed in a manner that is appropriate and consistent with their job assignment and that does not endanger the health or safety of students or staff.

The following is not permitted at any time:

1. Skirts, dresses, pants, shorts, or tops that fail to conceal undergarments, back, abdomen, or cleavage.
2. Fishnet or see-through clothing that fails to conceal undergarments
3. Flip Flops (rubber beach foot-wear)
4. Sleepwear
5. Workout Sweats
6. Spandex
7. Clothing with inappropriate messages (ex. Sex, drugs, alcohol, foul language)
8. Worn, torn jeans (including jeans with fashion holes)
9. Skirts, dresses, shorts, skorts that are shorter than mid-thigh
10. Uncovered tattoos that are offensive or gang affiliated

Office Professionals

Employees in an office setting shall not, except on *Professional Casual Dress Days designated at their site, wear the following:

1. Shorts
2. Baseball hats/caps
3. Jeans (blue)

*Signs must be posted at entrance doors at sites observing Professional Casual Dress Days so the public is aware of this deviation from standard dress.