

Silver Valley Unified School District

EMPLOYEE HANDBOOK



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MISSION STATEMENT

“To prepare students to be confident, collaborative and creative learners for success in a rapidly changing society”.

HISTORY OF THE DISTRICT

Silver Valley Unified School District was previously part of Barstow Unified. In 1977 a deunification election was held in November and became effective with the 1978-79 school year. The district included Fort Irwin, Ludlow, Daggett, Newberry Springs and Yermo. The district covers approximately 3500 square miles. Our largest population of students comes from Fort Irwin. Currently, 70% of our students are Military dependents. Our remaining population is from our valley schools and is in a declining mode.

Because of the population at Fort Irwin, we receive a significant amount of our budget through Federal Impact Aid. As a district, we belong to the National Association of Federally Impacted Schools (NAFIS), the Military Impacted Schools Association (MISA) and the California Association of Federally Impacted Schools (CAFIS). Twice each year, designated Management and Board Members attend the NAFIS conference in Washington D.C. to learn more about impact aid and to lobby our congressmen and senators to keep impact aid a priority in the federal budget.

SHARED BELIEFS

Student Achievement

- Every student needs opportunities to learn and apply academic and social emotional skills that prepares them for success
- Every student will have access to a broad course of study to support college and career readiness

Technology

- Relevant and up-to-date technology is essential for teaching, learning and communication
- Training and support for implementing technology is critical to our learning culture

Student/Parent Support

- A safe and supportive environment advances student achievement and fosters social emotional confidence
- Partnerships with our families and community will enrich learning experiences for our students

District Stability

- High expectations and accountability cultivate a culture of success for all
- Building leadership capacity within our organization promotes long-term sustainability

BOARD OF TRUSTEES

Brian Boatwright
(Trustee Area 1)

Lynn McKee
(Trustee Area 1)

Karen Gray
(Trustee Area 2)

Heather Reid
(Trustee Area 2)

Mark Staggs
(Trustee Area 3)

The Board of Trustees generally meets the second or fourth Tuesday of each month at 6:00 PM in the Board Room of the District Administration Office.

To view the Board Meeting calendar, agendas and minutes and Policies and Administrative Regulations go to <https://svusdpublic.ic-board.com/>.

NON-DISCRIMINATION STATEMENT

The Governing Board prohibits at any district school or school activity, unlawful discrimination, harassment, intimidation, and bullying of any student based on the student's race, color, ancestry, national origin, ethnic group identification, age, religion, marital or parental status, physical or mental disability, sex, sexual orientation, gender, gender identity, or gender expressions. The perception of one or more of such characteristics; or association with a person or group with one or more of these actual or perceived characteristics. Prohibited discrimination, harassment, intimidation, or bullying includes: physical, verbal, nonverbal, or written conduct based on one of the categories listed above that affects a student's ability to participate in or benefit from an education program or activity, creates an intimidating, threatening, hostile, or offensive education environment, has the effect of substantially or unreasonably interfering with a student's academic performance; or otherwise adversely affects a student's educational opportunities.

EQUAL OPPORTUNITY STATEMENT

Silver Valley Unified is an equal employment opportunity employer and does not discriminate against employees or job applicants on the basis of race, religion, color, sex, age, national origin, mental or physical disability, veteran or family status, or any other status or condition protected by applicable federal, state, or local laws, except where a bona fide occupational qualification applies.

This policy extends to all aspects of the employment relationship, including, but not limited to, recruiting, interviewing, job assignments, training, compensation, benefits, discipline, use of facilities, participation in District-sponsored activities, termination, and all other terms, conditions, and privileges of employment.

IMMIGRATION LAW COMPLIANCE

In accordance with the Immigration Reform and Control Act of 1986 (IRCA), Silver Valley Unified only employs individuals who are legally authorized to work in the United States. Furthermore, the District does not continue to employ any individual whose legal right to work in the United States has been terminated.

CIS Form I-9 is used to verify identity and employment eligibility of employees. The employee section of Form I-9 must be completed and the required documentation supporting identity and employment eligibility must be submitted before work can commence.

AMERICANS WITH DISABILITIES ACT COMPLIANCE

Silver Valley Unified adheres to the Americans with Disabilities Act (ADA) and California Fair Employment and Housing Act (FEHA) and makes every effort to ensure that qualified individuals with a disability are not discriminated against in any terms, conditions, or privileges of employment. The ADA/FEHA requires employers to provide a reasonable accommodation to qualified individuals with known disabilities in all aspects of employment, unless the accommodation would cause an undue hardship to the employer.

An individual with a disability is a person who has one or more of the following:

- 1) Has a physical or mental impairment substantially limiting one or more major life activities
- 2) Has a record of such impairment
- 3) Is regarded as having such an impairment (however, no reasonable accommodation is required in this instance).

A qualified individual is a person with a disability who meets the skill, education, experience, training, and other job-related requirements of the position, and who, with or without a reasonable accommodation, can perform the essential functions of the position. We are committed to providing a reasonable accommodation to the known physical or mental limitations of such individuals so they can perform the essential functions of a job, unless the accommodation would create an undue hardship.

If you need an accommodation under the ADA/FEHA, you should immediately notify the District.

HOURS OF WORK

The District office is open Monday through Friday from 7:00 am to 4:30 p.m. The hours for Winter break, Spring break, and Summer are 7:00 am to 3:30 p.m.

Regular hours are set for all employees according to the Department or site in which they work. Employees are expected to be on duty during the hours and days assigned. Employees should report to work promptly at their assigned starting times in order to be ready for duty at the beginning of their shift. The normal work day will be determined by the operational and scheduling needs of the district. Schedule changes will be announced as far in advance as possible. The supervisor will inform the employee of THE lunch and rest break. Lunch periods must be taken when assigned and may not be substituted for time off at the beginning or end of a work day. ***(Refer to SVEA Article 8 and CSEA Article 8 for more information on hours of work)***

LUNCH AND REST PERIODS

- **Classified employees**, except those on split shifts, who work in excess of four (4) hours, shall be assigned a non-paid and uninterrupted lunch period. The length of time for lunch shall be no longer than one (1) hour or less than thirty (30) minutes and, when feasible, shall be scheduled at or about the midpoint of each work shift. Classified employees are allowed one (1) rest period not to exceed fifteen (15) minutes for each four (4) continuous hours of assigned time. The employee's immediate supervisor has the authority to specify the time for such breaks which should occur approximately at midpoint of the four hours. Credit cannot be accumulated for rest periods not used. Rest facilities at any work site may be used for rest periods. Rest periods cannot be used in conjunction to the start and end of the employee's work day. ***(Refer to CSEA Article 8.4 and 8.5 for more information on lunch and rest periods)***
- **Certificated employees** are contracted to work seven (7) hours per day, plus duty free, thirty (30) minute lunch. ***(Refer to SVEA Article 8.4 for more information on lunch and rest periods)***

WORK HOURS, REPORTING AND OVERTIME PAY

Refer to CSEA Article 8 and SVEA Article 8 for more information on work hours, reporting and overtime pay.

PAY AND ALLOWANCES

Certificated payday is the first business day of the month. Classified payday is the last business day of the month. If the normal pay date falls on a holiday, the paycheck shall be issued on the preceding workday for classified and the following workday for certificated. If you are a 10 or 11-month employee, you have the option to have Deferred Net Pay. This will allow you to receive a paycheck for the month or two you are off on summer break. You also have the option to have Direct Deposit. ***Contact the Payroll Office for more information on payday, Deferred Net Pay or Direct Deposit.***

ATTENDANCE AND PUNCTUALITY

Silver Valley Unified believes that a good record of attendance and punctuality is an essential component of good work performance. You are expected to be at your workstation, dressed appropriately and ready to work, by your scheduled start time. If, for any reason, you are unable to report for work, you need to report your absence in the *SmartFind Express* system, no less than one hour prior to your start time. In cases other than illness or emergency, you must report the need for the absence as far in advance as possible. If you become ill during your work shift or must leave the work site without prior authorization, you must contact your immediate supervisor or site administrator to obtain leave approval. ***Refer to CSEA Article 14 and SVEA Article 15 for more information on leaves.***

REPORTING ABSENCES

It is the employee's responsibility to report their own absence to the *SmartFind Express* system as soon as they are aware they will be out. All employees have been issued an Access ID number and PIN number to access the system. If you do not have your Access ID or PIN, please contact the District Office Receptionist.

SMART FIND EXPRESS (Sub Finder System) - Quick reference for using the system

- System Phone Number: 1-888-279-0960. You must register by phone before you can access the system by web. Call the above number and follow the prompts. When the option for changing your PIN comes up, you may choose your own. Once you have registered by phone, you can access the web.
- Web Browser URL: <https://svusd.eschoolsolutions.com>
- Help Desk Phone Number - 760-254-2916, ext. 0

Telephone Access Instructions

- **Registration**

*Follow the prompts on recording your name, entering a new six (6) digit PIN, putting in your absences, and reviewing jobs.

Menu Options

1 – Create an Absence

2 – Review, Cancel Absence or Modify Special Instructions

3 – Review Work Locations and Job Descriptions

4 – Change PIN, Re-record Name or Change Language Preference*

9 – Exit and hang-up

***If multiple languages are configured**

- **Web Browser Instructions**

Sign In

Open your browser and access the *SmartFind Express* at svusd.eschoolsolutions.com. Enter your Access ID and Password.

Note: Password is for online access only and PIN is for phone access only.

Pin Issues

- If you forget your PIN, please call the Receptionist at ext. 1100 for a reset.

Password Issues

- If you forget your Password, please follow the instructions under the 'Forgot Password' link on the login page. *You must be registered with the system to use this option.* Make sure a valid email address is in the system for instructions to be sent.

To Create an Absence

Choose the *Create an Absence* tab:

- Select the Reason for this absence from the drop-down menu
- Indicate if a substitute is required for this absence - Select "Yes" or "No"
- Select Start and End Dates for your absence - Enter the dates with forward slashes (MM/DD/YYYY) or use the calendar icon
- Select Start and End Times for your absence. Default times are listed

To change defaults, enter time in HH:MM am or pm format. Ensure that the correct time is entered. If the times for the substitute are different than the absence times, please enter the adjusted times.

- Multiple Day (Recurring) Absence. Select the *Modify Schedule* button

Your default work schedule is shown. Remove the checkmark(s) from the Work Days boxes that do not apply to this absence. Modify daily schedule and/or times for absence and substitute. Select the *Continue* button.

- Request a particular substitute - Enter the substitute's access ID number or use the Search feature to find the substitute by name
 - Indicate if the requested substitute has accepted this job
 - Yes = substitute is prearranged and will not be called and offered the job
 - No = call will be placed and the substitute will be offered the job
 - Enter special instructions for the substitute to view if needed
 - Select the Continue button
- Select the Create Absence button to receive a Job Number. Please record this Job Number

To Review/Cancel Absence or Modify Special Instructions

Choose the *Review Absences* link to review past, present and future absences or to cancel an absence.

Follow these steps:

- Select the format for absence display: List or Calendar view
- Search for Jobs: Enter specific date range (MM/DD/YYYY) on Calendar icon, enter job number, or leave blank to return all your absences
- Select the *Search* Button
- Select the *Job Number* link to view job details on future jobs

From the Job Details screen:

Special instructions can be updated on future jobs. Modify the special instructions and select the *Save* button

To cancel your job, select the *Cancel Job* button

If a substitute is assigned to your absence and you want the system to notify them of the job cancellation (by calling them), place a checkmark in the box prior to the question "Notify the Substitute of Cancellation?"

Select *Return to List* button to return to the job listing

Note: The following are absence reasons that must be pre-approved and may only be entered by the site administrator:

- Authorized Release – Used for District initiated conferences, trainings, testing, and field trips, (you must also submit a travel conference request form and a leave slip with the name of the conference or training included).
- Association Leave – Must have pre-approved written requests from SVEA or CSEA.
- Family Medical Leave - Must be pre-approved by Risk Control & Insurance Coordinator

HOLIDAYS

The District agrees to provide all classified unit members with the following paid holidays provided they are in a paid status during any portion of the working day before or after the holiday adopted by the Board of Education. All district offices and school sites are closed in recognition of these holidays.

Current recognized holidays are as follows:

- | | |
|----------------------------------------------------------|--------------------------------------------|
| ● Independence Day | ● Lincoln's Birthday |
| ● Labor Day | ● Washington's Birthday |
| ● Veteran's Day | ● Good Friday |
| ● Thanksgiving Day and the day following | ● Memorial Day |
| ● Christmas Holiday (Christmas Eve and Christmas Day) | ● Juneteenth Day |
| ● New Year's Holiday (New Year's Eve and New Year's Day) | ● Floating Holiday (Classified Staff Only) |
| ● Martin Luther King, Jr. Day | |

When a holiday falls on a Saturday, the preceding Friday shall be deemed that holiday. When a holiday falls on a Sunday, the following Monday shall be deemed to be that holiday.

SICK LEAVE AND VACATION LEAVE

On a yearly basis, the District advances to all employees both sick leave and vacation leave. Your advance is based upon your contract or calendar year. Because this advancement is required by the County Schools accounting system, some of your leave may not be earned at the time of your use. If this is the case, and you terminate your employment with the District, you will be docked any outstanding balance due to the District. The District is prohibited from making any type of gift from public funds. Should any employee be released to return to work by their health care provider with work related restrictions, the employee shall provide the District with specific work related limitations/restrictions. These restrictions may encompass lifting, sitting, standing, bending, stooping, walking.

Should you have any questions regarding sick or vacation leave, feel free to contact your association representative, payroll or the Human Resource Office. ***Refer to SVEA Article 15 and CSEA Article 14 for more information on leaves.***

FAMILY MEDICAL LEAVE

Silver Valley Unified has a family and medical leave policy that is in compliance with the Family and Medical Leave Act of 1993 (FMLA), the California Family Rights Act (CFRA), and the California Paid Family Leave Act (CPFLA), that provides for a leave of absence to employees of the District in some circumstances, and which in some circumstances may also be a paid leave.

Benefits based on an accrual basis (e.g. vacation, sick leave, holidays, etc.) will not accrue during unpaid leave under this policy. Any group health insurance provided will continue as long as the employee continues to pay his or her portion of the insurance. An employee on leave for his or her own serious health condition will be required to provide certification from their physician that they are able to return to work and perform the job duties to which they are returning.

Every employee covered by California state disability insurance (SDI) is eligible for Paid Family Leave insurance of up to six (6) weeks, which need not be consecutive, per twelve (12)-month period, to care for a seriously ill child, spouse, parent, or registered domestic partner; to bond with the employee's new child or the new child of the employee's spouse or registered domestic partner; or to bond with a child in connection with the adoption or foster care placement of the child with the employee or the employee's spouse or registered domestic partner. A serious health condition means an illness, injury, impairment, or physical or mental condition of a patient that involves inpatient care in a hospital, hospice, or residential medical care facility. This includes any period of incapacity (e.g., inability to work, attend school, or perform other regular daily activities) or any subsequent treatment in connection with such inpatient care; or continuing treatment by a physician or practitioner. Unless complications arise, cosmetic treatments, the common cold, influenza, earaches, upset stomach, minor ulcers, and headaches other than migraine, are examples of conditions that do not meet the definition of a serious health condition for purposes of Paid Family Leave.

The Paid Family Leave disability insurance program is provided and administered by the State of California. In accordance with the CPFLA, Silver Valley Unified requires its employees to use two (2) weeks of accrued but unused vacation prior to taking leave under the CPFLA. If an employee has less than two (2) weeks of accrued but unused vacation, the employee shall use all of his or her accrued but unused vacation before taking Paid Family Leave. One week of vacation leave shall apply toward the CPFLA seven (7)-day waiting period.

Under the Family and Medical Leave Act of 1993 (FMLA) and the California Family Rights Act (CFRA) that provide for an unpaid leave of absence, eligible employees must be employed by Silver Valley Unified at least twelve (12)

months and have worked at least 1250 hours during the twelve-month period prior to be eligible for family medical leave.

Forms for leave requests are available from the district's Risk Control and Insurance Coordinator.

Under this leave policy, a total of up to twelve (12) weeks of unpaid leave of absence, which need not be consecutive, in a calendar year is available to eligible employees under the following circumstances:

- A. The birth of a child, but only within the first twelve months of the birth.
- B. The placement of a child for adoption or other legal placement, within the first twelve months of the adoption or placement.
- C. The need to care for a child, spouse, dependent, or parent who has a serious medical condition.
- D. A serious health condition of the employee that makes the employee unable to perform the functions of his/her position.
- E. Any qualifying exigency arising out of the fact that the spouse, son, daughter, or parent of an employee that is on active duty (or has been notified of an impending call to active duty) in the U.S. Armed Forces in support of a contingency operation.

Additionally, up to a total of twenty-six (26) workweeks of leave during a twelve (12) month period are available to an eligible employee who is the spouse, son, daughter, parent, or next of kin of a covered service member to care for the service member.

During the unpaid leave, employees generally retain the same benefits (See accrual exception above). Upon return to Silver Valley Unified at the end of the leave, the employee will be restored to his/her former position with the same rights, benefits, pay, and other terms and conditions which existed prior to the leave; or to an equivalent position with equivalent rights, benefits, pay, and other terms and conditions of employment.

If the employee decides not to return to work from unpaid leave, he/she will remain on leave for the balance of the leave period and then be terminated. The birth parent may choose to use the unpaid twelve-week leave or to utilize the six-week unpaid maternity leave, but cannot use both.

Employees requesting leave for their own serious health condition or a family member's serious health condition may be required to provide medical certification thirty (30) days in advance of the request for leave when possible.

If both parents of a child are employed by Silver Valley Unified, only a total of twelve (12) weeks of unpaid leave between the two parents is available to be used in any calendar year. ***Refer to SVEA Article 15.4 and Appendix D and CSEA Article 14.6.10 and Article 14.13 for more information on FMLA.***

MATERNITY LEAVE

Silver Valley Unified employees are allowed up to four (4) months of disability leave for pregnancy when the employee-mother is actually disabled and unable to work. This includes time off needed for prenatal care, severe morning sickness, doctor-ordered bed rest, childbirth, recovery from childbirth, and related medical conditions. Family medical leave may be taken after the expiration of this maternity leave.

An employee wishing to take this leave shall provide Silver Valley Unified with reasonable notice of the date the leave shall commence and the estimated duration of the leave. ***Refer to SVEA Article 15.4 and CSEA Article 14.6.6 for more information on Maternity Leave***

JURY DUTY

Refer to SVEA Article 15.9 and CSEA Article 14.5 for more information on Jury Duty.

WORKER'S COMPENSATION

District 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 Governing Board 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.

The Superintendent or designee shall post a notice of employee rights related to worker's compensation and shall provide this information in writing to new employees.

This notice shall also include a statement of the district's policy requiring employees to report work-related injuries as soon as practicable. Employees shall also be informed that pursuant to Labor Code 4906, it is a felony for an employee to make a false workers' compensation claim.

Employee Injury Reporting Procedure-In Case of Injury

1. Report the injury to your immediate supervisor. If the supervisor is not available, report the injury to the supervisor's secretary. If an injury is not a medical emergency, the supervisor and the employee **must** telephone **COMPANY NURSE ON-CALL** at 1-877-518-6702. **COMPANY NURSE** issues a confirmation number to the employee. Write this number on the employee injury report. Complete the "Employee Report of Work Injury/Illness" form. **This must be done for any type of injury whether or not immediate medical attention is required.** *To qualify for workers' compensation, employees must notify their supervisor of a work-related injury within 30 days [AR 4157.1, 4257.1, 4357.1]*
2. In a life-threatening situation, the supervisor will obtain emergency medical attention. Otherwise, the employee will be sent to **Dr. Mike's Walk-In-Clinic or Barstow Community Hospital Emergency Room** unless you have a Physician Pre-designation form on file completed by your Physician.
3. *The Pre-designation form must be verified with Risk Management as completed and signed by a Physician prior to referral. It is the employee's responsibility to inform his/her supervisor that he/she has a Pre-designation form on file. [AR 4157.1, 4257.1 4357.1]*
4. Employees **must not** see any doctor without first calling **COMPANY NURSE ON-CALL** unless it is an immediate emergency. In the case of "Immediate Emergency", the Supervisor or Secretary are to call Company Nurse to report injury/illness within 24 hours.
5. **If the employee is making a claim**, the employee should complete a **DWC1 Claim Form** (this form is required by the State). The employee should receive the temporary copy at the time it is completed. The completed forms are to be sent to Risk Management. An employee who is not making a claim at the time of injury, should not complete the DWC-1 Claim Form. The employee may take a blank form if he/she decides to make a claim and complete the form at a later date. **The DWC-1 Claim Form should only be completed and returned to Risk Management at the time of the first doctor's visit.**
6. The supervisor will be required to complete a "Supervisor's report of Employee Injury" and submit it to Risk Management. This report is required for **ALL** injuries, even those where the employee is NOT requesting medical attention.
7. If an injured employee is referred to another physician, the employee **must** contact Risk Management. The adjuster from Keenan & Associates will contact the employee.
8. **Prescriptions:** My Matrix Express Script Prescription ID card is to be used at any Participating Retail Network Pharmacy, see list attached to My Matrix Express Script flyer.

9. The employee **must** submit leave slips to Risk Management **PRIOR TO** any time off due to a work related injury. The date of injury must be noted on the leave slip. This includes time off for worker's comp. doctor appointment.
10. Anytime an employee visits a doctor for a work-related injury/illness, the employee **must** provide a "Work Status" doctor's note to Risk Management **before** returning to the job site. *The doctor must list any and all Limitations/Restrictions on the Work Status regarding employee's ability to work, the anticipated time needed and the type of work modification needed.* [AR 4157.1, 4257.1, 4357.1] If no work limitations are required, the doctor's note must state, "Return to work without restrictions".
11. All services requested by the treating physician beyond the initial visit **must**, by law (SB 899), go through Utilization Review (UR) for approval. Timely filing of employee and supervisor reports is beneficial in the UR process. However, all UR approvals are set by certain medical standards (ACOEM) and are not a guarantee that requested services will be approved.

REMINDER

- Company nurse on-call **must** be called for **all** work-related injuries
- Anytime an employee visits the doctor or is off work for a work-related injury/illness, the employee **must** provide risk management with a "work status" doctor's note **before** returning to the job site.
- Anytime an employee visits the doctor or is off work due to a work-related illness/injury, the employee **cannot** return to work without a Work Status doctor's note. The doctor's note must state whether or not there are any restrictions and list the specific restrictions. Risk Management will verify that accommodations can be made to meet any restrictions listed in order to ensure the health and safety of all employees. [PB/AR 4157.1, 4257.1, 4357.1]
- All services must, by law (SB899), go through Utilization Review (UR). Timely filing of employee and supervisor reports is beneficial in the UR process. However, all UR approvals are set by certain medical standards (ACOEM) and are not a guarantee that requested services will be approved.
- **Forms to be returned to Risk Management**

Checklist each line completed and signed by employee and person issuing the forms

- Supervisor's Report of Injury
- Employee Report of Injury
- Witness Statement
- DWC-1 Claim Form

Claims Administrator

Keenan & Associates Inc.

P.O. Box 2707

Torrance, CA 90509

(800) 654-8346 or (951) 715-0190 Ext 1106, Stephanie Weber, Sr. Claims Examiner

(951) 788-8013 Fax

DISTRICT RESPONSIBILITIES

In the event of a life-threatening emergency, immediately call 911.

Supervisors receiving reports of a work-related employee injury shall:

1. Call Company Nurse at (877)518-6702. Company Nurse generates a report after triaging the employee and emails the report to the appropriate District designees
2. Complete "Supervisor's Statement of Occupational Injury/Illness"
3. Provide the employee with the following paperwork:
 - a. Employee Statement of Occupational Injury or Illness

- b. Workers' Compensation DWC-1 Claim form (The DWC-1 claim form is to be given if the employee does not want medical treatment)
4. The employee is to complete the "Declination Form" along with the Employee Statement of Occupational Injury or illness. Provide the "Witness Report of Injury" to any identified witness. The original forms are to be sent to the designee at the District Office

EMPLOYEE RESPONSIBILITIES

Upon receiving treatment or a work-related injury, the employee shall obtain a medical note/work status of his/her condition, indicating any limitations and/or restrictions on the employee's ability to work, the anticipated time needed for recovery, and the type of work modification needed.

The district has designated a medical carrier where employees will be taken in case of a work-related injury. Employees who wish to be taken to their personal physician for treatment of work-related injuries must have a written request on file at the District Office. It is the employee's responsibility to inform his/her supervisor that he/she has such a request on file. Any Doctor's Notes, appointment notices or temporary/modified duty slips received at the site should be sent to the Director of Risk, Safety & Benefits. All "Modified Duty" assignments require coordination from the District Office before the employee may return to work. Please contact the Director of Risk, Safety & Benefits at (760) 254-1352 if you have any questions.

To qualify for worker's compensation, employees must notify their supervisor of a work-related injury within 30 days.

CHILD ABUSE

All district employees are mandated reporters. Any complaint of child abuse or neglect alleged against a district employee shall be reported to the appropriate local agencies in accordance with law, Board policy and administrative regulation.

DISABILITY INSURANCE (American Fidelity)

The Superintendent or designee shall give notice of disability insurance rights and benefits to each new employee and each employee leaving work due to pregnancy, non-occupational illness or injury, the need to provide care for any sick or injured family member, or the need to bond with a minor child within the first year of the child's birth or placement in connection with foster care or adoption.

When disabled by an injury resulting from a violent act sustained while performing his/her job duties, a certificated or classified employee may continue in the district health and dental care plans upon meeting criteria specified by law. The employee shall pay all employer and employee premiums and related administrative costs.

INCLEMENT WEATHER POLICY FOR SILVER VALLEY UNIFIED

In case of snow or other potentially hazardous weather or emergency situations, a decision may be made by the Superintendent or Designee to close or delay school. No other individual or employee groups have the authority to render this decision. These decisions are made after consulting the National Weather Service, local weather forecasters, and area law enforcement. Additionally, First Student personnel drive bus routes to check firsthand on local conditions.

Important: Never assume that schools will be closed, delay opening or close early. Schools will be open on their regular schedule unless otherwise announced.

As soon as a decision is made, local radio and television stations are notified and a notice is posted on the school district web page and to the school messenger system. This notice will typically occur prior to 5:30 am. The district will update the school's main phone line with a message to reflect the closing or delay status. ***Please do not call***

radio and television stations. Telephone lines must be kept open so that news media can receive special information from the district regarding any potential schedule changes.

If you hear an announcement that “school is closed” it means:

- School is closed
- All activities are canceled
- Twelve-month employees report to the District Office for assignment

If you hear an announcement that “school is closed, district offices closed” it means:

- School is closed
- All activities are canceled
- All district offices are closed
- Employees do not report to work

If school is delayed, staff members are expected to report when it is safely possible so they can prepare for the arrival of students. Listen to radio and television for the latest information. Changing conditions may cause the district to alter the status of school.

Check the district web site, www.svusdk12.net, for updates. If there are late start days on inclement weather days, staff will be advised as to student/staff arrival times.

You can obtain information regarding a closure, delayed opening or close early at the following:

- KIXW 107.3 FM or KIXF 101.5 FM
- KRXV 98 & 99 FM
- KDUC/KSZL 94.3 FM
- Y-102 FM
- KBTW 104.5 FM
- Time Warner Cable Channel 6
- www.svusdk12.net

WHAT DOES IT MEAN TO BE A DISASTER SERVICE WORKER?

Before beginning employment in the public schools, individuals must take the oath or affirmation of office as required by Government Code Sections 3100-3102 and Section 3 of Article 20 of the Constitution of California. By so doing, they agree to serve as disaster service workers in a time of need, to assist in the protection of life or property, and to mitigate the effects of an emergency. Disaster service workers must perform activities assigned to them by their supervisors or by law enforcement.

Ordinarily, public school employees think of their obligation as being limited to ensuring that students in their care are safe and secure. They understand their responsibility to remain at work until released by their supervisor or law enforcement. But what they may not know is that, in the event of a pandemic, their obligation is much greater. Should schools be closed, employees need to report to their supervisors and may be directed to assist local law enforcement, the Health Department, or the Office of Emergency Services as authorized by the California Emergency Services Act.

Should an extraordinary event occur during your workday, all employees are expected to remain at work until released by the appropriate authority.

CODE OF ETHICS

The Governing Board expects district employees to maintain the highest ethical standards, to follow district policies and regulations, and to abide by state and national laws. Employee conduct should enhance the integrity of the district and the goals of the educational program.

The Board encourages district employees to accept as guiding principles the codes of ethics published by professional associations to which they may belong.

UNAUTHORIZED RELEASE OF CONFIDENTIAL/PRIVILEGED INFORMATION

It is the responsibility of the Governing Board, administration and staff to maintain the confidentiality of all confidential records until such time as laws, state regulations and/or bylaws of this district permit disclosure. Information and records pertaining to closed sessions, negotiations and student records are not subject to public disclosure under Government Code 6252-6260.

Any employee who willfully releases confidential or privileged information about students or staff members or on any topic properly confined to a closed session of the Board including but not limited to, any information relating to the Board's employer-employee strategies on matters in or to be placed in negotiations shall be subject to disciplinary action up to and including dismissal from the service of the district.

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

If you are ever unsure of your obligations under this policy, it is your responsibility to consult with your supervisor for clarification.

EMPLOYEE PERSONNEL RECORDS

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

A file shall be kept for all former employees, including such information as shall seem appropriate to the administration.

All personnel files are confidential and shall be available only to the employee, persons authorized by the employee, the Superintendent, and those authorized by the Superintendent. For legitimate reasons, the Governing Board also has access to personnel records and may delegate a specific member to review any file.

Ratings, reports, or records shall not be available for inspection by employees if they were obtained prior to the employment of the person involved, prepared by identifiable examination committee members, or obtained in connection with a promotional examination. However, non-credentialed employees shall have access to any numerical scores obtained as result of written examinations.

Except for the ratings, reports or records specified above as not open to inspection, employees shall be notified whenever derogatory information is to be placed in their personnel files. Any employee so notified may ask to review and comment on the contents. Such a review shall take place during normal school hours. The employee shall be released from duty for this purpose without a salary reduction.

All other written materials filed in personnel records shall be made available for inspection by the employee at an off-duty time. Inspection shall take place in the presence of an administrator. ***Refer to SVEA Article 5 and CSEA Article 5 for more information on personnel files.***

PERSONNEL INFORMATION

The information in your personnel file is permanent, and it is your responsibility to ensure that it is current. You are required to inform the Human Resources Office immediately of any changes in your personal data. Required information includes the following:

- Correct Name and any Name Change
- Physical Address
- Phone Number
- Social Security Number
- Marital Status
- Number of Dependents
- Contact Person (in the event of an emergency)
- Beneficiaries (under any applicable insurance policies/retirement plans)

As an employee, you have the right to inspect your personnel file provided it's at a reasonable time and you give the Human Resources Department reasonable notice. Employees of the District wishing to review their files must first submit a written request to the HR Department stating the date and time they wish to review their information. All reviews must be done in the presence of the Human Resources Manager or their assigned representative.

Personnel files are the property of the District; the documents contained in those files may not be marked on and may not be removed from the District's premises.

EMPLOYEE EVALUATIONS

Refer to SVEA Article 6 and CSEA Article 6 for more information on Employee Evaluations

EMPLOYEE COMPLAINT PROCEDURE

Employees are encouraged to resolve problems at the site or department level. If you feel this is not possible, you can make an appointment with the Assistant Superintendent of Administrative Services to discuss any matters. In addition, any employee can file a formal complaint with Human Resources or the Office of the Superintendent.

Refer to Board Policies and Administrative Regulations for information on Employee Complaint Procedure.

RESIGNATION - TERMINATION OF EMPLOYMENT BY THE EMPLOYEE

Any district employee who desires to resign his/her position shall submit, in writing, a letter of resignation, or district resignation form, which indicates the date which the employee intends as his/her last day at work. The Governing Board encourages employees to provide advance notice that is appropriate for the position they hold.

The Board authorizes the Superintendent or designee to accept an employee's written resignation and to set its effective date.

The effective date of the resignation shall be a date not later than the close of the school year during which the resignation is received. However, an employee and the Board may agree that a resignation will be accepted at a mutually agreed upon date not later than two years beyond the close of the school year during which the resignation is received by the Board.

EXIT INTERVIEW

Upon termination of employment, voluntary (by the employee) or involuntary (by Silver Valley Unified), with or without cause in both cases, a representative of Silver Valley will ask the departing employee to fill out exit interview.

Any employee who terminates his or her employment, or is terminated by Silver Valley Unified, shall return all files of any kind, keys, tools, computers, software, books, manuals, classroom supplies purchased by the District and any other materials whatsoever that is the property of the district.

Legal action may be taken to recover any property or monies due to the district by the former employee.

EMPLOYEE USE OF TECHNOLOGY

The Governing Board recognizes that technology can enhance employee performance by improving access to and exchange of information, offering effective tools to assist in providing a quality instructional program, and facilitating operations. The Board expects all employees to learn to use the available electronic resources that will assist them in their jobs. As needed, staff shall receive training in the appropriate use of these resources.

Employees shall be responsible for the appropriate use of technology and shall use the district's electronic resources only for purposes related to their employment. Such use is a privilege which may be revoked at any time.

Employees should be aware that computer files and communications over electronic networks, including e-mail and voice mail, are not private. This technology should not be used to transmit confidential information about students, employees, or district affairs without authority.

ONLINE/INTERNET SERVICES

The Superintendent or designee shall ensure that all district 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 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.

To ensure proper use, the Superintendent or designee may monitor employee usage of technological resources, including e-mail, voice mail systems and stored files. Monitoring may occur at any time without advance notice or consent. If passwords are used, they must be known to the Superintendent or designee so that he/she may have system access.

The Superintendent or designee shall establish administrative regulations and an Acceptable Use Agreement which outline employee obligations and responsibilities related to the use of district technology. He/she also may establish guidelines and limits on the use of technological resources. Inappropriate use may result in a cancellation of the employee's user privileges, disciplinary action, and/or legal action in accordance with law, Board policy, and administrative regulation.

The Superintendent or designee shall provide copies of related policies, regulations, and guidelines to all employees who use the district's technological resources. Employees shall be required to acknowledge in writing that they have read and understood the district's Acceptable Use Agreement.

USE OF CELLULAR PHONE OR MOBILE COMMUNICATIONS DEVICE

Instructional personnel shall not use a cellular phone or other mobile communications device for personal business during instructional time, except in emergency situations and/or during scheduled work breaks.

Non-instructional personnel shall not use a cellular phone or other mobile communication device for personal business during assigned hours of work or while on duty, except in emergency situations and/or during scheduled work breaks. Any employee that uses a cell phone or mobile communications device in violation of law, Board policy, or administrative regulation shall be subject to discipline and may be referred to law enforcement officials as appropriate.

PUBLIC RELATIONS

It is our purpose to serve the public to the best of our ability. Always be polite, professional, helpful and prompt in attending to the public's needs. Employees receiving complaints from the public should report the complaint to their Supervisor. Under no circumstances is an employee to argue with the public. If you should encounter an abusive person, you should simply direct them to management personnel for a resolution to their problem, and the incident should be reported to a Supervisor. Obviously, common courtesy and business etiquette should govern behavior when serving the public.

VISITORS IN THE WORKPLACE

To provide for the safety and security of employees and the facilities at the District, only authorized visitors are allowed in the workplace. Restricting unauthorized visitors helps maintain safety standards, protects against theft, ensures security of equipment, protects confidential information, safeguards employees' welfare, and avoids potential distractions, disturbances and disruptions in general business and workflow.

Visitors who have no business purpose (friends or relatives of the employees) must obtain approval in advance from a member of Administration, Management or the Human Resources Department. If approved, the employee assumes responsibility for the visitor and must remain with them during their stay.

Unauthorized visitors should be reported to a member of Administration, Management or the Human Resources Department immediately.

EMPLOYEE SAFETY

The Governing Board believes that safety is every employee's responsibility. The Board expects all employees to use safe work practices and to report and correct any unsafe conditions, which may occur. Supervisors shall constantly promote safety and correct any unsafe work practice through education, training and enforcement. No employees shall be required to work under unsafe or hazardous conditions or to perform tasks, which endanger their health safety, or well-being. Working conditions and equipment shall be maintained in compliance with standards prescribed by federal, state, and local laws and regulations.

The Superintendent or designee shall establish a written Injury and Illness Prevention Program in accordance with law. The program shall include training in safe and healthful work practices for all employees. ***Refer to SVEA Article 20 and CSEA Article 19 for more information on Employee Safety***

HAZARDOUS SUBSTANCES AND MATERIALS

All district personnel **are not** authorized to bring any form of hazardous substance and or materials into the workplace. Inclusive of these restricted substances are:

- Any household cleaners
- Pesticides/insecticides
- Detergents
- Air fresheners/potpourri
- Upholstery cleaners
- Furniture polish
- Paint/paint thinner/paint strippers
- Bleach
- Floor wax

Exposure to indoor air pollutants can cause headaches, nausea, weakness, dizziness, numbness, memory loss, eye and throat irritations and more seriously, damage to the central nervous system, liver, kidney and heart problems and cancer. While highly scented personal care products such as perfumes and deodorants may not affect everyone, many people are very sensitive to their use. This also includes scented products such as personal care

items and cleaning materials. Scented products can often severely affect people who suffer from asthma and other chronic lung diseases.

DRESS AND GROOMING

The Governing Board believes that appropriate dress and grooming by district employees contribute to a productive learning environment and model positive behavior. During school hours and at school activities, employees shall maintain professional standards of dress and grooming that demonstrate their high regard for education, present an image consistent with their job responsibilities and assignment, and not endanger the health or safety of employees or students. All employees shall be held to the same standards unless their assignment provides for modified dress as approved by their supervisor.

If you have further questions about your expected attire, please discuss these questions with your immediate supervisor.

DISTRICT OFFICE LOCATION

- **District Office**

The SVUSD Office is located at 35320 Daggett-Yermo Road in Yermo, CA, 8 miles north of Barstow. We are located between Interstate 40 and Interstate 15.

- From Interstate 15 North, exit at Ghost Town Road, turn right and continue straight through the stop sign. The District office is located on the right side of the road.
- From Interstate 40 East, exit Daggett, turn left and continue straight. Cross the railroad tracks and continue approximately 3 miles. The District Office is located on the left side of the road.

SCHOOL SITE LOCATIONS

- **Alternative Education Center**

The Alternative Education Center is the site for Calico Continuation High School, Opportunity and Silver Valley Academy, Independent Study and Success Program. It is located at 33525 Ponnay Street in Daggett, CA. From Interstate 40E, exit at Daggett, turn left over the freeway. Turn left at the first intersection (National Trails Hwy) and another left at the first street you come to (Ponnay). The school is located on the left side of the road.

- **Fort Irwin Middle School (6-8)**

Fort Irwin Middle School is located on the Fort Irwin military installation at 700 Pork Chop Hill, Fort Irwin. Exit Fort Irwin Road from Interstate 15 North, turning left. Take Fort Irwin Road approximately 35 miles, checking in with the Military Police at the Guard Shack. Continue on Fort Irwin Road to North Loop (the first 4-way intersection). turn left, then merges right on to Barstow Road. Turn left on to Normandy (the second cross street). Follow Normandy to Pork Chop Hill and turn left. The school is on the corner of Normandy and Pork Chop Hill.

- **Lewis Elementary School (TK-2)**

Lewis Elementary School is located on the Fort Irwin military installation at 1800 Black Hawk, Fort Irwin. Exit Fort Irwin Road from Interstate 15 North, turning left. Take Fort Irwin Road approximately 35 miles, checking in with the Military Police at the Guard Shack. Take a left on Outer Loop Road (first traffic light), turning right onto Goldstone Road. Turn left at the first stop sign (Pork Chop Hill). The school is approximately one quarter mile down on the left hand side.

- **Newberry Elementary School (K-5)**

Newberry School is located at 33713 Newberry Road in Newberry Springs. Take Interstate 40 East and exit at Newberry Springs (approximately 25 miles east of Barstow), turning right. Turn left at the first paved cross street (Newberry Road). Go over the freeway and over the railroad tracks, to the second

paved cross street (Silver Valley Road). The school is located at the corner of Newberry Road and Silver Valley Road.

- **Silver Valley High School**

SVHS is located at 35494 Daggett-Yermo Road in Yermo, directly north of the District Office. Follow the directions to the District Office to find SVHS.

- **Tiefort View Intermediate School (3-5)**

Tiefort View Intermediate School is located on the Fort Irwin military installation at 8700 Anzio, Fort Irwin. Exit Fort Irwin Road from Interstate 15 North, turning left. Take Fort Irwin Road approximately 35 miles, checking in with the Military Police at the Guard Shack. Take a left on Outer Loop Road (first traffic light), turning right onto Barstow Rd. Turn right onto Anzio St (approximately .6 mile). The school is located on the right-hand side.

- **Yermo School (TK-8)**

Yermo School is located at 38280 Gleason Street in Yermo. Take Interstate 15 North and exit at Yermo, veering right to the stop sign at the corner. Turn left to McKinney Street (just before the park). You will run directly into the school at the corner of McKinney Street and Gleason Street.

REQUIREMENTS FOR CARS ON POST

Please see Human Resources for proper vetting and approval.

WHO TO CALL AT THE DISTRICT OFFICE

A) SUPERINTENDENT'S OFFICE (Fax No. 254-1388)

Jesse M. Najera – Superintendent

Serves as the Chief Executive Officer of the District and is responsible for the administration of the District. Oversees the organization and/or re-organization of District management and support staff. Works with the Board of Trustees and represents the interests of the Board and the District in day-to-day contact with parents, community and governmental agencies.

Martha Bootsma – Administrative Assistant to the Superintendent – Ext. 1119

Coordinates the School Board and SARB Agendas, processes Interdistrict and Intradistrict Transfers, maintains Suspensions and Expulsions records, handles Field Trip Requests, maintains District Policies and procedures, coordinates the Calendar Committee.

B) ADMINISTRATIVE SERVICES (Fax No. 254-2091)

Marc Lacey – Assistant Superintendent, Administrative Services

Works under the direction of the Superintendent, plans, organizes and controls the District's financial matters and reporting requirements of the COE and the CDE. Supervises the Human Resources Department, Director-Child Nutrition, and Director-Safety, Risk and Benefits. Represents the District in benefit administration, risk management, legal and legislative matters, as well as, COVID-19 Liaison. Advises the Superintendent and administrative staff in the areas of supervision of personnel, maintaining adequate staffing, development and maintenance of district policy and procedure.

Dolores Sarabia – Department Secretary – Ext. 1182

Provides support for the Assistant Superintendent of Administrative Services, and assists with purchases for the department, records business board agenda items, handles information on personnel illness and injuries, recruitment travel arrangements, and processing of sub noon duties. Call her regarding any of the above or for any general questions regarding personnel.

Amanda Dokie – District Receptionist "Operator" – Ext. 1100

Handles the district switchboard and greets all visitors to the district office. Some of her other duties include serving as the District Paymaster, mail service and distribution. In addition, she's also the Smart Find Express Manager along with providing general support to the Superintendent, Business and Human Resources Department, maintains the Meeting Room calendar for meetings or for general use. Call the receptionist if you want to send a fax or are expecting one.

• BUSINESS OFFICE DEPARTMENT (Fax No. 254-1393)

Robin Schreiner – Senior Director, Business Services – Ext. 1134

Works under the direction of the Superintendent creating and managing the district's budget, as well as, develops, monitors, and reports the district, school sites, and department budgets. In addition, oversees the business department staff.

Nancy Ramirez – Accounts Payable Technician – Ext. 1153

Is responsible for verifying and preparing all payments for district approved expenses, maintaining vendor 1099 records, evaluation and analysis of district utilities and other expenses, assisting with fixed asset documentation and other complex accounting functions.

Kayla Gewirtz – Purchasing Agent – Ext. 1124

Creates and manages Purchase Orders and contracts, as well as, assists with warehouse deliveries.

Selena Sanchez – Payroll Technician – Ext. 1118

Handles all areas relating to payroll functions, including W-4 forms, annuities, voluntary deductions, and electronic deposits. She keeps track of leave accounting and is responsible for quarterly tax returns.

Pam Sarabia – Accounting Technician – Ext. 1126

Is responsible for preparing attendance reports, processing of miscellaneous revenues, cash and charges, manages the revolving checking account, coordinates travel requests, monitors mandated cost programs, assisting ASB clerk, determining warehouse prices and preparing financial reports.

Erica Ouellette – Data Systems Technician – Ext. 1139

Troubleshoots, support and provide training related to the district's Student Information System, Infinite Campus, as well as, collect and create reports for California's Student Information Systems. Collects attendance reports from the school sites and prepares district-wide reports to comply with state and federal requirements.

Melissa Moore – Associate Student Body Clerk – Ext. 1113

Ensures the proper handling of Associated Student Body (ASB) accounts and provides financial information/assistance to school personnel responsible for supervising student activities.

Juan Cuevas – Warehouse – Ext. 1127

Receives all shipments to the District Warehouse, delivers warehouse supplies and packages to the Fort Schools, SVHS, Newberry Springs, Yermo, and AEC, ships all packages from the District Warehouse and handles mail deliveries, along with managing fixed asset inventory.

- **CHILD NUTRITION SERVICES** (Fax No. 254-1321)

Donna Trofa – Director – Ext. 1138

Works with the Assistant Superintendent of Administrative Services and plans, organizes and directs the district-wide child nutrition program, including menu planning, purchasing, cost control, personnel training and the overall supervision of the district child nutrition program.

Pam Sarabia – Accounting Technician – Ext. 1126

Works with the Director of Child Nutrition Services, generating menus and handling cafeteria accounts. Call her for breakfast and lunch program info, banquet and special events catering and sack lunches for field trips.

David Brown – CNS Warehouse – Ext. 1127

Under the direction of the Child Nutrition Director, maintains the overall cleanliness and order of the CNS warehouse, including receiving deliveries, distribution of food and supplies to school site cafeterias and general upkeep of the storage area.

- **HUMAN RESOURCES DEPARTMENT** (Fax No. 254-1384)

Mercedes Shinen – Human Resource Analyst, Certificated – Ext. 1136

Handles all certificated credentialing, recording of certificated negotiations, certificated professional growth, data collection, certificated and classified stipends, certificated work calendars, and Induction. Also records agenda items for Board meetings and provides support for the Assistant Superintendent of Administrative Services.

Debbie Sorenson – Human Resource Analyst, Classified – Ext. 1129

Handles all classified personnel including job postings, interviews, testing, professional growth, classified retirement plan, classified work calendars and records classified negotiations, as well as, hires all noon duty, Certificated/Classified substitutes. She also records classified agenda items for board meeting and provides support for the Asst. Superintendent of Administrative Services.

- **SAFETY, RISK CONTROL AND BENEFITS**

Beatrice Ramirez – Director – Ext. 1152; cell phone 760-508-0581

Works under the direction of the Assistant Superintendent of Administrative Services and administers the Workers' Compensation Program, Property & Liability Insurance and Health and Welfare Benefits. This also includes all areas related to Risk Management, Employee Insurance Claims and also the improvement of Safety Procedures and Mitigation of Safety Hazards.

- **TECHNOLOGY, MAINTENANCE AND OPERATIONS**

Robert Saffel – Senior Director, Technology, Maintenance, and Operations – Ext. 1150

Works under the direction of the Superintendent and provides technical consultation regarding the implementation and use of computers; oversees repairing and maintaining equipment; ordering system supplies; planning and implementing network systems; and participating in the system development, training and maintenance process for computer users. In addition, plans, organizes, coordinates and directs the facilities, maintenance, custodial, operations of the district. Is responsible to prepare and administer the Technology, Maintenance and Operations Department's budgets, and oversees the staff of both departments.

- **MAINTENANCE AND OPERATIONS DEPARTMENT** (Fax No. 760-254-1385)

Nicole Banks – Department Secretary – Ext. 1142; cell phone 760-792-9190

Works with maintenance, grounds, custodial or any facility requests or problems; processes the "Use of Facilities requests", vehicle requests, utility service calls, pest control and vandalism reports.

Matt Matteson – Operations Lead – Ext. 1142; cell phone 760-810-8145

Provides assistance with any custodial, grounds, or warehouse issues.

Walter Mennecke – MOT Lead – Ext. 1141

Handles all "Work Order" requests and emergency facility or safety issues. Please call the MOT lead with any emergencies that you may have regarding your facility.

Les Yarber – Lead Custodian – Ext. 1144

Coordinates and assists the custodial staff and coordinates special event set-up requests, custodial service concerns, as well as, evening facility concerns.

Dallas Whitton –Mechanic – Ext. 1144; cell phone 760-792-9191

Servicing all district vehicles, repairs and maintains all trucks, cars, and the district's "ride-on" equipment.

- **TECHNOLOGY DEPARTMENT** (Fax No. 760-254-1391)

Rory Sena – Information Services Specialist – Ext. 1137

Handles a wide variety of software issues, and also manages the phone systems around the District Office and high school. In addition, is the primary person to contact with networking questions.

Richard Islas – Computer Systems Specialist – Ext. 1985

Is responsible for installing and configuring new computer systems; troubleshooting, maintaining and repairing computers and peripherals; and providing end-user tech support when possible.

Anna McClaine/Elizabeth Sickler – Tech Support Specialist – Ext. 1120/1986

Acts as a liaison between school site users and Technology Services staff. Effectively addresses and resolves technology matters with school site staff and students.

Jennifer Lealofi – Tech Assessment Clerk – Ext 1132

Provides specialized and technical activities related to testing, analyzing, recording, displaying, integration, desegregation, reporting, and filing of student test information, both local and state level. Also, a resource to site personnel for state and other standardized testing, and assists with miscellaneous projects.

C) EDUCATIONAL SERVICES (Fax No. 254-1391)

Jeff Youskievicz – Assistant Superintendent, Educational Services – Ext. 1135

Works under the direction of the Superintendent, and is responsible for planning, organizing, evaluating, coordinating and directing a variety of programs and services in the areas of curriculum, instruction, assessment, school/district improvement, attendance, discipline, professional development and special projects to enhance student learning, achievement and educational effectiveness for schools in the district.

Stephanie Godwin – Department Secretary – Ext. 1157

Works with the Assistant Superintendent and the Director of Student Services, as well as, assists the District Psychologists by coordinating their calendars, monitors written IEP's, directs 504 Plans, schedules the Educational Service Center (ESC) conference area and monitors McKinney Vento.

Isabella Ferguson - Multimedia Educational Clerk – Ext. 1131

Is responsible for all textbooks, printing, staff development, and website/social media platforms.

Tami Lash – District Nurse – Ext. 1133

Conducts a health service program at various schools for the evaluation, improvement, and protection of the health of pupils and school employees in accordance with state law and district policies and procedures.

• **SPECIAL EDUCATION (Fax No. 254-1391)**

Cheri Rigdon – Director of Student Services – Ext. 1125; cell phone 760-792-9065

Works with the Assistant Superintendent of Educational Services, and is responsible for the implementation of Special Education services, IEP's, 504's and/or provides assistance in getting students additional supports, as well as, Child Welfare and Attendance (CWA) and SARB Chairperson.

Amy Faith/Maxine Huntington/Crystal Nielsen – Psychologists – Ext. 1181/1116/1158

Is responsible for evaluating students for IEP's, as well as, work with SST teams, 504 teams and IEP teams. They also work with schools to provide social, emotional, behavioral and mental health supports to children in the district.

Ericson Reyes – Occupational Therapist – Ext. 1148; cell phone 760-267-4035

Is responsible for providing School-Based Occupational Therapy Services.

BOARD POLICIES/ADMINISTRATIVE REGULATIONS/EXHIBITS

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BP 1312.3 UNIFORM COMPLAINT PROCEDURES

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

Complaints Subject to UCP

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

1. Accommodations for pregnant and parenting students
2. Adult education programs
3. After School Education and Safety programs
4. Agricultural career technical education
5. Career technical and technical education and career technical and technical training programs
6. Child care and development programs
7. Compensatory education
8. Consolidated categorical aid programs
9. Course periods without educational content
10. Discrimination, harassment, intimidation, or bullying in district programs and activities, including in those programs or activities funded directly by or that receive or benefit from any state financial assistance, based on the person's actual or perceived characteristics of race or ethnicity, color, ancestry, nationality, national origin, immigration status, ethnic group identification, age, religion, marital status, pregnancy, parental status, physical or mental disability, medical condition, sex, sexual orientation, gender, gender

identity, gender expression, or genetic information, or any other characteristic identified in Education Code 200 or 220, Government Code 11135, or Penal Code 422.55, or based on the person's association with a person or group with one or more of these actual or perceived characteristics

11. Educational and graduation requirements for students in foster care, homeless students, students from military families, and students formerly in a juvenile court school
12. Every Student Succeeds Act
13. Local control and accountability plan
14. Migrant education
15. Physical education instructional minutes
16. Student fees
17. Reasonable accommodations to a lactating student
18. Regional occupational centers and programs
19. School plans for student achievement as required for the consolidated application for specified federal and/or state categorical funding
20. School safety plans
21. School site councils as required for the consolidated application for specified federal and/or state categorical funding
22. State preschool programs
23. State preschool health and safety issues in license-exempt programs
24. Any complaint alleging retaliation against a complainant or other participant in the complaint process or anyone who has acted to uncover or report a violation subject to this policy
25. Any other state or federal educational program the Superintendent of Public Instruction or designee deems appropriate

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

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

When an allegation that is not subject to the UCP is included in a UCP complaint, the district shall refer the non-UCP allegation to the appropriate staff or agency and shall investigate and, if appropriate, resolve the UCP-related allegation(s) through the district's UCP.

The Superintendent or designee shall provide training to district staff to ensure awareness and knowledge of current law and requirements related to UCP, including the steps and timelines specified in this policy and the accompanying administrative regulation.

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

Non-UCP Complaints

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

1. Any complaint alleging child abuse or neglect shall be referred to the County Department of Social Services Protective Services Division and the appropriate law enforcement agency.
2. Any complaint alleging health and safety violations by a child development program shall, for licensed facilities, be referred to Department of Social Services.
3. Any complaint alleging that a student, while in an education program or activity in which the district exercises substantial control over the context and respondent, was subjected to sexual harassment as defined in 34 CFR 106.30 shall be addressed through the federal Title IX complaint procedures adopted pursuant to 34 CFR 106.44-106.45, as specified in AR 5145.71 - Title IX Sexual Harassment Complaint Procedures.
4. Any complaint alleging employment discrimination or harassment shall be investigated and resolved by the district in accordance with the procedures specified in AR 4030 - Nondiscrimination in Employment, including the right to file the complaint with the California Department of Fair Employment and Housing.
5. Any complaint alleging a violation of a state or federal law or regulation related to special education, a settlement agreement related to the provision of a free appropriate public education (FAPE), failure or refusal to implement a due process hearing order to which the district is subject, or a physical safety concern that interferes with the district's provision of FAPE shall be submitted to the California Department of Education (CDE) in accordance with AR 6159.1 - Procedural Safeguards and Complaints for Special Education.
6. Any complaint alleging noncompliance of the district's food service program with laws regarding meal counting and claiming, reimbursable meals, eligibility of children or adults, or use of cafeteria funds and allowable expenses shall be filed with or referred to CDE in accordance with BP 3555 - Nutrition Program Compliance.
7. Any allegation of discrimination based on race, color, national origin, sex, age, or disability in the district's food service program shall be filed with or referred to the U.S. Department of Agriculture in accordance with BP 3555 - Nutrition Program Compliance.
8. Any complaint related to sufficiency of textbooks or instructional materials, emergency or urgent facilities conditions that pose a threat to the health or safety of students or staff, or teacher vacancies and misassignments shall be investigated and resolved in accordance with AR 1312.4 - Williams Uniform Complaint Procedures.

AR 1312.3 UNIFORM COMPLAINT PROCEDURES

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

Compliance Officers

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

Assistant Superintendent, Educational Services
35320 Daggett-Yermo Road
Yermo, CA 92398
760-254-2916

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

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

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

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

Notifications

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

In addition, the Superintendent or designee shall annually provide written notification of the district's UPC to students, employees, parents/guardians of district students, district advisory committee members, school advisory committee members, appropriate private school officials or representatives, and other interested parties.

The notice shall include:

1. A statement that the district is primarily responsible for compliance with federal and state laws and regulations, including those related to prohibition of unlawful discrimination, harassment, intimidation, or bullying against any protected group, and a list of all programs and activities that are subject to UCP as identified in the section "Complaints Subject to UCP" in the accompanying Board policy
2. The title of the position responsible for processing complaints, the identity of the person(s) currently occupying that position if known, and a statement that such persons will be knowledgeable about the laws and programs that they are assigned to investigate

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

The annual notification, complete contact information of the compliance officer(s), and information related to Title IX as required pursuant to Education Code 221.6 shall be posted on the district and district school web sites and may be provided through district-supported social media, if available.

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

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

Filing of Complaints

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

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

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

1. A complaint alleging district violation of applicable state or federal law or regulations governing the programs specified in the accompanying Board policy may be filed by any individual, public agency, or organization.
2. Any complaint alleging noncompliance with law regarding the prohibition against student fees, deposits, and charges or any requirement related to the LCAP may be filed anonymously if the complaint provides evidence, or information leading to evidence, to support an allegation of noncompliance. A complaint about a violation of the prohibition against the charging of unlawful student fees may be filed with the principal of the school or with the Superintendent or designee.
3. A UCP complaint, except for a UCP complaint alleging unlawful discrimination, harassment, intimidation, or bullying, shall be filed no later than one year from the date the alleged violation occurred. For complaints related to the LCAP, the date of the alleged violation is the date when the County Superintendent of Schools approves the LCAP that was adopted by the Board.
4. A complaint alleging unlawful discrimination, harassment, intimidation, or bullying may be filed only by a person who alleges having personally suffered unlawful discrimination, a person who believes that any specific class of individuals has been subjected to unlawful discrimination, or a duly authorized representative who alleges that an individual student has been subjected to discrimination, harassment, intimidation, or bullying.
5. A complaint alleging unlawful discrimination, harassment, intimidation, or bullying shall be initiated no later than six months from the date that the alleged unlawful discrimination occurred, or six months from the date that the complainant first obtained knowledge of the facts of the alleged unlawful discrimination. The time for filing may be extended for up to 90 days by the Superintendent or designee for good cause upon written request by the complainant setting forth the reasons for the extension.
6. When a complaint alleging unlawful discrimination, harassment, intimidation, or bullying is filed anonymously, the compliance officer shall pursue an investigation or other response as appropriate, depending on the specificity and reliability of the information provided and the seriousness of the allegation.
7. When a complainant of unlawful discrimination, harassment, intimidation, or bullying or the alleged victim, when not the complainant, requests confidentiality, the compliance officer shall inform the complainant or victim that the request may limit the district's ability to investigate the conduct or take other necessary action. When honoring a request for confidentiality, the district shall nevertheless take all reasonable steps to investigate and resolve/respond to the complaint consistent with the request.

Mediation

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

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

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

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

Investigation of Complaint

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

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

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

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

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

Timeline for Investigation Report

Unless extended by written agreement with the complainant, the compliance officer shall prepare and send to the complainant a written investigation report, as described in the section "Investigation Report" below, within 60 calendar days of the district's receipt of the complaint.

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

Investigation Report

For all complaints, the district's investigation report shall include:

1. The findings of fact based on the evidence gathered

2. A conclusion providing a clear determination for each allegation as to whether the district is in compliance with the relevant law
3. Corrective action(s) whenever the district finds merit in the complaint, including, when required by law, a remedy to all affected students and parents/guardians and, for a student fees complaint, a remedy that complies with Education Code 49013 and 5 CCR 4600
4. Notice of the complainant's right to appeal the district's investigation report to CDE, except when the district has used the UCP to address a complaint not specified in 5 CCR 4610
5. Procedures to be followed for initiating an appeal to CDE

The investigation report may also include follow-up procedures to prevent recurrence or retaliation and for reporting any subsequent problems.

In consultation with district legal counsel, information about the relevant part of an investigation report may be communicated to a victim who is not the complainant and to other parties who may be involved in implementing the investigation report or are affected by the complaint, as long as the privacy of the parties is protected. In a complaint alleging unlawful discrimination, harassment, intimidation, and bullying, notice of the investigation report to the alleged victim shall include information about any sanction to be imposed upon the respondent that relates directly to the alleged victim.

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

For complaints alleging unlawful discrimination, harassment, intimidation, and bullying based on state law, the investigation report shall also include a notice to the complainant that:

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

Corrective Actions

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

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

1. Counseling
2. Academic support
3. Health services

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

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

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

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

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

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

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

For complaints alleging noncompliance with the law regarding student fees, the district, by engaging in reasonable efforts, shall attempt in good faith to identify and fully reimburse all affected students and parents/guardians who paid the unlawful student fees within one year prior to the filing of the complaint.

Appeals to the California Department of Education

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

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

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

Upon notification by CDE that the district's investigation report has been appealed, the Superintendent or designee shall forward the following documents to CDE within 10 days of the date of notification:

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

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

Health and Safety Complaints in License-Exempt Preschool Programs

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

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

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

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

If it is determined that the complaint is beyond the authority of the preschool program administrator, the matter shall be forwarded to the Superintendent or designee in a timely manner, not to exceed 10 working days, for

resolution. The preschool administrator or the Superintendent or designee shall make all reasonable efforts to investigate any complaint within their authority.

Investigation of a complaint regarding health or safety issues in a license-exempt CSPP program shall begin within 10 days of receipt of the complaint.

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

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

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

All complaints and responses are public records.

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

EX 1312.3 Uniform Complaint Procedures

Exhibit 1

NOTICE TO PARENTS/GUARDIANS, STUDENTS, AND TEACHERS: PRESCHOOL COMPLAINT RIGHTS

Parents/Guardians, Students, and Teachers:

Pursuant to Education Code 8212, you are hereby notified that any California State Preschool Program that is exempt from licensure must have:

1. Outdoor shade that is safe and in good repair
2. Drinking water that is accessible and readily available throughout the day
3. Safe and sanitary restroom facilities with one toilet and handwashing fixture for every 15 children
4. Restroom facilities that are available only for preschoolers and kindergartners
5. Visual supervision of children at all times
6. Indoor and outdoor space that is properly contained or fenced and provides sufficient space for the number of children using the space at any given time
7. Playground equipment that is safe, in good repair, and age appropriate

If you choose to file a complaint alleging that any of the above conditions is not being met, your complaint will be addressed through the district's uniform complaint procedures as required by law. A complaint form may be obtained at the school office or district office, or downloaded from the school or district web site.

You may also download a copy of the California Department of Education complaint form when available from the following web site: <http://www.cde.ca.gov/re/cp/uc>. However, a complaint need not be filed using either the district's complaint form or the complaint form from the California Department of Education.

End Exhibit 1

Exhibit 2

PRESCHOOL COMPLAINT FORM: UNIFORM COMPLAINT PROCEDURES

Education Code 8212 requires that the district's uniform complaint procedures be used for the filing of complaints concerning noncompliance with health and safety standards for license-exempt California State Preschool Programs. The complaint and response are public documents as provided by law. Complaints may be filed anonymously. However, if you wish to receive a response to your complaint, you must provide the contact information below.

Response requested? ☐ Yes ☐ No

Contact information (if response is requested):

Name: _____

Address: _____

Telephone/Day: _____ Telephone/Night: _____

E-mail Address: _____

Date problem was observed: _____

Location of the problem that is the subject of this complaint:

School Name/Address: _____

Room Number/Name of Room/Location of Facility: _____

Only the following issues may be the subject of this complaint process. If you wish to complain about an issue not specified below, please contact the school or district for the appropriate district complaint procedure.

Specific issue(s) of the complaint: (Please check all that apply. A complaint may contain more than one allegation.)

- ☐ The preschool does not have outdoor shade that is safe and in good repair
- ☐ Drinking water is not accessible and/or readily available throughout the day
- ☐ The preschool does not provide safe and sanitary restroom facilities with one toilet and handwashing fixture for every 15 children
- ☐ Restroom facilities are not available only for preschoolers and kindergartners
- ☐ The preschool program does not provide visual supervision of children at all times
- ☐ Indoor or outdoor space is not properly contained or fenced or does not provide sufficient space for the number of children using the space at any given time

☐ Playground equipment is not safe, in good repair, or age appropriate

Please describe the issue of your complaint in detail. You may attach additional pages and include as much text as necessary to fully describe the situation.

Please file this complaint at the following location:

(Preschool Administrator or Designee)

(Address)

Please provide a signature below. If you wish to remain anonymous, a signature is not required. However, all complaints, even anonymous ones, should be dated.

(Signature)

(Date)

End Exhibit 2

Exhibit 3

Silver Valley Unified School District

P.O. Box 847, Yermo, CA 92398
760-254-2916
www.svusdk12.net

UNIFORM COMPLAINT FORM

(Reference Board Policy/Administrative Regulation 1312.3)

Submit Completed Form to:

Assistant Superintendent, Educational Services
35320 Daggett-Yermo Rd. Yermo, CA 92398
760-254-2916

COMPLAINANT'S CONTACT INFORMATION

Last Name: _____ First Name: _____

Address: _____

City: _____ State: _____ Zip: _____

Phone Number: _____ Email: _____

You are filing this complaint on behalf of: _____

- ☐ Yourself ☐ Your child (a student) ☐ Another student ☐ Group

BASIS OF COMPLAINT (please check the applicable category/categories:

- ☐ DISCRIMINATION ☐ HARASSMENT ☐ INTIMIDATION ☐ BULLYING

For allegation(s) of noncompliance, please check the program or activity referred to in your complaint, if applicable:

- | | | |
|-----------------------------------------------------|------------------------------------------------------------|---------------------------------------------|
| <input type="checkbox"/> Adult Education | <input type="checkbox"/> Consolidated Categorical Programs | <input type="checkbox"/> Nutrition Services |
| <input type="checkbox"/> Career/Technical Education | <input type="checkbox"/> Migrant and Indian Education | <input type="checkbox"/> Special Education |
| <input type="checkbox"/> Child Development Program | <input type="checkbox"/> Adoption of School Safety Plan | <input type="checkbox"/> Fees and Charges |

For allegation(s) of unlawful discrimination/harassment, please check the basis of the unlawful discrimination/harassment described in your complaint, if applicable:

- | | | |
|------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------|---------------------------------------------|
| <input type="checkbox"/> Age | <input type="checkbox"/> Ethnicity | <input type="checkbox"/> Religion |
| <input type="checkbox"/> Ancestry | <input type="checkbox"/> Gender* | <input type="checkbox"/> Sex (Title IX) |
| <input type="checkbox"/> Color | <input type="checkbox"/> National Origin | <input type="checkbox"/> Sexual Harassment |
| <input type="checkbox"/> Mental or Physical Disability | <input type="checkbox"/> Race | <input type="checkbox"/> Sexual Orientation |
| <input type="checkbox"/> Based on a person's association with a person or group with one or more of these actual or perceived characteristics. | | |

* According to State law, "Gender" includes a person's gender identity and gender related appearance and behavior whether or not stereotypically associated with the person's assigned sex at birth. (Education code section 210.7)

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

1. Please describe, in as much detail as possible, the type of incident(s) you experienced that led to this complaint, including: the events or actions; the individuals involved; date(s) and time; location; and witnesses, if any:

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

3. Describe any harm suffered as a result of the incident(s) described above.

4. Describe the proposed remedy that is being requested.

Signature of Person Filing Complaint

Date

Received by: _____

Title: _____

Date Received/Filed: _____

(Please provide a duplicate copy to the Complainant)

End Exhibit 3

BP 3515.5 SEX OFFENDER NOTIFICATION

In order to protect students while they are traveling to and from school, or attending school or a school-related activity, the Governing Board believes it is important that the district respond appropriately when a law enforcement agency notifies the district about registered sex offenders who may reside or work within district boundaries.

The Superintendent or designee shall establish an ongoing relationship with law enforcement officials to coordinate the receipt and dissemination of such information. To the extent authorized by law, the Superintendent or designee also shall establish procedures for notifying appropriate staff as necessary.

To protect the district and its employees from liability, employees shall disseminate sex offender information in good faith, and only in the manner and to the extent authorized by the law enforcement agency.

The Superintendent or designee may annually notify parents/guardians of the availability of information about registered sex offenders on the Department of Justice's Internet website.

Role of District Police/Security Department

In accordance with law, Board policy and administrative regulation, the district police/security department may disseminate information about registered sex offenders to the school community. The district police/security department shall consult with local law enforcement and the Superintendent or designee prior to any such dissemination.

The district police/security department shall maintain records of the means and dates of dissemination for five years.

BP 4030 NON-DISCRIMINATION IN EMPLOYMENT

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

No district employee shall be discriminated against or harassed by any coworker, supervisor, manager, or other person with whom the employee comes in contact in the course of employment, on the basis of the employee's actual or perceived race, color, ancestry, national origin, age, religious creed, marital status, pregnancy, physical or mental disability, medical condition, genetic information, military and veteran status, sex, sexual orientation, gender, gender identity, gender expression, or association with a person or group with one or more of these actual or perceived characteristics.

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

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

1. Discrimination in hiring, compensation, terms, conditions, and other privileges of employment
2. Taking of an adverse employment action, such as termination or the denial of employment, promotion, job assignment, or training
3. Unwelcome conduct, whether verbal, physical, or visual, that is so severe or pervasive as to adversely affect an employee's employment opportunities, or that has the purpose or effect of unreasonably interfering with the individual's work performance or creating an intimidating, hostile, or offensive work environment
4. Actions and practices identified as unlawful or discriminatory pursuant to Government Code 12940 or 2 CCR 11006-11086, such as:
 - a. Sex discrimination based on an employee's pregnancy, childbirth, breastfeeding, or any related medical condition or on an employee's gender, gender expression, or gender identity, including transgender status
 - b. Religious creed discrimination based on an employee's religious belief or observance, including religious dress or grooming practices, or based on the district's failure or refusal to use reasonable means to accommodate an employee's religious belief, observance, or practice which conflicts with an employment requirement
 - c. Requirement for a medical or psychological examination of a job applicant, or an inquiry into whether a job applicant has a mental or physical disability or a medical condition or as to the severity of any such disability or condition, without the showing of a job-related need or business necessity
 - d. Failure to make reasonable accommodation for the known physical or mental disability of an employee, or to engage in a timely, good faith, interactive process with an employee who has requested such accommodations in order to determine the effective reasonable accommodations, if any, to be provided to the employee

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

No employee shall, in exchange for a raise or bonus or as a condition of employment or continued employment, be required to sign any document that releases the employee's right to file a claim against the district or to disclose information about harassment or other unlawful employment practices.

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

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

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

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

AR 4030 NON-DISCRIMINATION IN EMPLOYMENT

All allegations of discrimination in employment, including those involving an employee, job applicant, intern, volunteer, or other person contracted to provide services to the district shall be investigated and resolved in accordance with procedures specified in this administrative regulation.

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

Asst. Supt, Administrative Services
Silver Valley Unified School District
P.O. Box 847
Yermo, CA 92398
760-254-2916

Measures to Prevent Discrimination

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

1. Display in a prominent and accessible location at every work site where the district has employees, and post electronically in a conspicuous location on computers for employee use, up-to-date California Department of Fair Employment and Housing (DFEH) posters on the prohibition of workplace discrimination and harassment, the rights of transgender employees, and the rights and obligations of employees who are pregnant, have a related medical condition, or are recovering from childbirth
 2. Publicize the district's nondiscrimination policy and regulation, including the complaint procedures and the coordinator's contact information, by:
 - a. Including them in each announcement, bulletin, or application form that is used in employee recruitment
 - b. Posting them in all district schools and offices, including staff lounges and other prominent locations
 - c. Posting them on the district's web site and providing easy access to them through district-supported social media, when available
 3. Disseminate the district's nondiscrimination policy and administrative regulation to all employees by one or more of the following methods:
 - a. Printing and providing a copy to all employees, with an acknowledgment form for each employee to sign and return
 - b. Sending a copy via email with an acknowledgment return form
 - c. Posting a copy on the district intranet with a tracking system ensuring all employees have read and acknowledged receipt of the policies
 - d. Discussing the policy and regulation with employees upon hire and/or during a new hire orientation session
 - e. Any other way that ensures employees receive and understand the policy
 4. Provide to employees a handbook that contains information that clearly describes the district's nondiscrimination policy, procedures for filing a complaint, and resources available to anyone who feels that he/she has been the victim of any discriminatory or harassing behavior
 5. Provide training regarding the district's nondiscrimination policy, including what constitutes unlawful discrimination, harassment, and retaliation and how and to whom a report of an incident should be made
- The district may also provide bystander intervention training to employees which includes information and practical guidance on how to recognize potentially problematic behaviors and which may motivate them to take action when they observe such behaviors. The training and education may include exercises to provide employees with the skills and confidence to intervene as appropriate and to provide them with resources they can call upon that support their intervention.
6. Periodically review the district's recruitment, hiring, and promotion processes and regularly monitor the terms, conditions, and privileges of employment to ensure district compliance with law
 7. For any district facility where 10 percent of employees have a language other than English as their spoken language, translate the policy into every language spoken by at least 10 percent of the workforce

Complaint Procedure

Complaints of sexual harassment shall be investigated and resolved in accordance with AR 4119.12/4219.12/4319.12 - Title IX Sexual Harassment Complaint Procedures if the alleged conduct meets the definition of sexual harassment pursuant to 34 CFR 106.30.

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

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

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

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

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

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

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

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

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

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

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

The coordinator shall also determine whether interim measures, such as scheduling changes, transfers, or leaves, need to be taken before the investigation is completed in order to prevent further incidents. The coordinator shall ensure that such interim measures do not constitute retaliation.

3. **Written Report on Findings and Remedial/Corrective Action:** No more than 20 business days after receiving the complaint, the coordinator shall conclude the investigation and prepare a written report of the findings. This timeline may be extended for good cause. If an extension is needed, the coordinator shall notify the parties and explain the reasons for the extension.

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

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

4. **Appeal to the Governing Board:** The complainant or the person accused may appeal any findings to the Board within 10 business days of receiving the written report of the coordinator's findings. The Superintendent or designee shall provide the Board with all information presented during the investigation. Upon receiving an appeal, the Board shall schedule a hearing as soon as practicable. Any complaint against a district employee shall be addressed in closed session in accordance with law. The Board shall render its decision within 10 business days.

Other Remedies

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

1. For filing a complaint with DFEH alleging a violation of Government Code 12940-12952, within three years of the alleged discriminatory act(s), unless an exception exists pursuant to Government Code 12960
2. For filing a complaint with EEOC, within 180 days of the alleged discriminatory act(s)

To file a valid complaint with EEOC after first filing a complaint with DFEH, within 300 days of the alleged discriminatory act(s) or within 30 days after the termination of proceedings by DFEH, whichever is earlier

BP 4119.1, 4219.1, 4319.1 CIVIL AND LEGAL RIGHTS

The Governing Board believes that the personal life of an employee is not an appropriate concern of the district, except as it may directly relate to the employee's performance of his/her duties.

An employee's personal beliefs and activities, including religious, political, cultural, social or other beliefs or activities, or lack thereof, shall not be grounds for disciplinary action against the employee, provided the beliefs or activities do not violate law, Board policy, or administrative regulations.

The district shall make no inquiry concerning the personal values, attitudes and beliefs of district employees or their sexual orientation or political or religious affiliations, beliefs or opinions. In addition, no district employee shall be required to provide critical appraisals of other individuals with whom the employee has a family relationship. However, the district reserves the right to access any publicly available information about any employee.

No employee shall be disciplined or retaliated against solely for acting to protect a student engaged in conduct authorized under Education Code 48907 or 48950.

When necessary to protect the health, welfare, or safety of students and staff, school officials may search district property under an employee's control.

Whistleblower Protection

An employee shall have the right to disclose to a Board member, a school administrator, a member of the County Board of Education, County Superintendent of Schools, or the Superintendent of Public Instruction any

improper governmental activity by the district or a district employee that violates state or federal law, is economically wasteful, or involves gross misconduct, incompetency or inefficiency. When the employee has reasonable cause to believe that the information discloses a violation of state or federal statute or a violation of or noncompliance with a state or federal rule or regulation, he/she has the right to disclose such information to a government or law enforcement agency or to refuse to participate in any such activity.

The Superintendent or designee shall prominently display in lettering larger than size 14 point type a list of employees' rights and responsibilities under the whistleblower laws, including the telephone number of the whistleblower hotline maintained by the office of the California Attorney General.

No employee shall use or attempt to use his/her official authority or influence to intimidate, threaten, coerce or command another employee for the purpose of interfering with that employee's right to disclose improper governmental activity.

An employee who has disclosed improper governmental activity and believes that he/she has subsequently been subjected to acts or attempted acts of reprisal shall file a written complaint in accordance with the district's complaint procedures. After filing a complaint with the district, he/she the employee may also file a copy of the complaint with local law enforcement and/or seek civil law remedies against the supervisor or administrator who retaliated or attempted to retaliate against him/her, in accordance with Education Code 44114.

Protection Against Liability

No employee shall be liable for harm caused by his/her act or omission when he/she is acting within the scope of employment or district responsibilities; when the employee's act or omission is in conformity with federal or state laws, district policy, or administrative regulation; or when the employee's act or omission is in furtherance of an effort to control, discipline, expel or suspend a student, or to maintain order or control in the classroom or school.

The protection against liability shall not apply when:

1. The employee acted with willful or criminal misconduct, gross negligence, recklessness, or a conscious, flagrant indifference to the right's or safety of the individual harmed.
2. The employee caused harm by operating a motor vehicle or other vehicle requiring license or insurance.
3. The employee was not properly licensed, if required, by state law for such activities.
4. The employee was found by a court to have violated a federal or state civil rights law.
5. The employee was under the influence of alcohol or any drug at the time of the misconduct.
6. The misconduct constituted a crime of violence pursuant to 18 USC 16 or an act of terrorism for which the employee has been convicted in a court.
7. The misconduct involved a sexual offense for which the employee has been convicted in a court.
8. The misconduct occurred during background investigations, or other actions, involved in the employee's hiring.

BP 4119.11, 4219.11, 4319.11 SEXUAL HARASSMENT

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

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

Sexual harassment includes, but is not limited to, harassment that is based on the sex, gender, gender identity, gender expression, or sexual orientation of the victim and harassment based on pregnancy, childbirth, or related medical conditions.

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

1. Providing training to employees in accordance with law and administrative regulation
2. Publicizing and disseminating the district's sexual harassment policy to employees and others to whom the policy may apply
3. Ensuring prompt, thorough, fair, and equitable investigation of complaints
4. Taking timely and appropriate corrective/remedial action(s), which may require interim separation of the complainant and the alleged harasser and subsequent monitoring of developments

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

Sexual Harassment Reports and Complaints

District employees who feel that they have been sexually harassed in the performance of their district responsibilities or who have knowledge of any incident of sexual harassment by or against another employee shall immediately report the incident to their direct supervisor, a district administrator, or the district's Title IX Coordinator. Employees may bypass their supervisor in filing a complaint if the supervisor is the subject of the complaint. A supervisor or administrator who receives a harassment complaint shall promptly notify the Title IX Coordinator.

Once notified, the Title IX Coordinator shall ensure the complaint or allegation is addressed through AR 4119.12/4219.12/4319.12 - Title IX Sexual Harassment Complaint Procedures or AR 4030 - Nondiscrimination in Employment, as applicable. Because a complaint or allegation that is dismissed or denied under the Title IX complaint procedure may still be subject to consideration under state law, the Title IX Coordinator shall ensure that any implementation of AR 4119.12/4219.12/4319.12 concurrently meets the requirements of AR 4030.

The Title IX Coordinator shall offer supportive measures to the complainant and respondent, as deemed appropriate under the circumstances.

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

AR 4119.11, 4219.11, 4319.11 SEXUAL HARASSMENT

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

Definitions

Sexual harassment includes, but is not limited to, unwelcome sexual advances, unwanted requests for sexual favors, or other unwanted verbal, visual, or physical conduct of a sexual nature, regardless of whether or not the conduct is motivated by sexual desire. Conduct is considered to be sexual harassment when made against another person of the same or opposite sex in the work or educational setting under any of the following conditions:

1. Submission to the conduct is made explicitly or implicitly a term or condition of the individual's employment.
2. Submission to or rejection of the conduct is used as the basis for an employment decision affecting the individual.
3. The conduct has the purpose or effect of having a negative impact upon the individual's work performance or of creating an intimidating, hostile, or offensive work environment.
4. Submission to or rejection of the conduct is used as the basis for any decision affecting the individual regarding benefits, services, honors, programs, or activities available at or through the district.

For purposes of applying the complaint procedures specified in Title IX of the Education Amendments of 1972, sexual harassment is defined as any of the following forms of conduct that occurs in an education program or activity in which a district school exercises substantial control over the context and respondent:

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

Examples of Sexual Harassment

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

1. Unwelcome verbal conduct such as 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

Title IX Coordinator/Compliance Officer

The district designates the following individual(s) as the responsible employee(s) to coordinate its efforts to comply with Title IX of the Education Amendments of 1972 in accordance with AR 4119.12/4219.12/4319.12 - Title IX Sexual Harassment Complaint Procedures, as well as to oversee, investigate, and resolve sexual harassment complaints processed under AR 4030 - Nondiscrimination in Employment. The Title IX Coordinator(s) may be contacted at:

Asst. Supt, Educational Services
Silver Valley Unified School District
P.O. Box 847
Yermo, CA 92398
760-254-2916

Training

Every two years, the Superintendent or designee shall ensure that supervisory employees receive at least two hours, and nonsupervisory employees receive at least one hour, of classroom or other effective interactive training and education regarding sexual harassment. All newly hired employees and employees promoted to a supervisory position shall receive training within six months of their assumption of the new position.

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

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

The district's sexual harassment training and education program shall include, but is not limited to, the following:

1. Information and practical guidance regarding federal and state laws concerning the prohibition, prevention, and correction of sexual harassment
2. The types of conduct that constitute sexual harassment
3. Remedies available for victims in civil actions, and potential employer/individual exposure/liability
4. Strategies to prevent harassment in the workplace
5. Supervisors' obligation to report sexual harassment, discrimination, and retaliation of which they become aware
6. Practical examples which illustrate sexual harassment, discrimination, and retaliation using training modalities such as role plays, case studies, and group discussions, based on factual scenarios taken from case law, news and media accounts, and hypotheticals based on workplace situations and other sources
7. The limited confidentiality of the complaint process
8. Resources for victims of unlawful harassment, such as to whom they should report any alleged harassment
9. Steps necessary to take appropriate remedial measures to correct harassing behavior, which includes the district's obligation to conduct an effective workplace investigation of a harassment complaint
10. What to do if the supervisor is personally accused of harassment
11. The essential elements of the district's anti-harassment policy, and how to use the policy if a harassment complaint is filed
Employees shall receive a copy of the district's sexual harassment policy and administrative regulations, which they shall read and acknowledge that they have received.
12. Information, including practical examples, of harassment based on gender identity, gender expression, and sexual orientation
13. Prevention of abusive conduct, including a review of the definition and elements of abusive conduct pursuant to Government Code 12950.1, the negative effects that abusive conduct has on the victim and other in the workplace, the detrimental consequences of this conduct on employee productivity and morale, and that a single act does not constitute abusive conduct unless the act is severe or egregious

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

Notifications

The Superintendent or designee shall notify employees that the district does not discriminate on the basis of sex as required by Title IX, that the Title IX nondiscrimination requirement extends to employment, and that inquiries about the application of Title IX to the district may be referred to the district's Title IX Coordinator and/or to the Assistant Secretary for Civil Rights, U.S. Department of Education.

The district shall notify employees, bargaining units, and applicants for employment of the name or title, office address, email address, and telephone number of the district's Title IX Coordinator.

A copy of the Board policy and this administrative regulation shall:

1. Be displayed in a prominent location in the main administrative building, district office, or other area of the school where notices of district rules, regulations, procedures, and standards of conduct are posted
2. Be provided to every district employee at the beginning of the first quarter or semester of the school year or whenever a new employee is hired
3. Appear in any school or district publication that sets forth the school's or district's comprehensive rules, regulations, procedures, and standards of conduct
4. Be posted, along with the name or title and contact information of the Title IX Coordinator, in a prominent location on the district's web site
5. Be included, along with the name or title and contact information of the Title IX Coordinator, in any handbook provided to employees or employee organizations

All employees shall receive a copy of an information sheet prepared by the California Department of Fair Employment and Housing (DFEH) or the district that contains, 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 district's complaint process available to the employee
5. The legal remedies and complaint process available through DFEH and the Equal Employment Opportunity Commission (EEOC)
6. Directions on how to contact DFEH and the EEOC
7. The protection against retaliation provided by 2 CCR 11021 for opposing harassment prohibited by law or for filing a complaint with or otherwise participating in an investigation, proceeding, or hearing conducted by DFEH and the EEOC

In addition, the district shall post, in a prominent and accessible location, DFEH poster on discrimination in employment and the illegality of sexual harassment and the DFEH poster regarding transgender rights.

Complaint Procedures

All complaints and allegations of sexual harassment by and against employees shall be investigated and resolved in accordance with law and district procedures. The Title IX Coordinator shall review the allegations to determine the applicable procedure for responding to the complaint. All complaints that meet the definition of sexual harassment under Title IX shall be investigated and resolved in accordance with AR 4119.12/4219.12/4319.12 - Title IX Sexual Harassment Complaint Procedures. Other sexual harassment complaints shall be investigated and resolved pursuant to AR 4030 - Nondiscrimination in Employment.

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

AR 4119.12, 4219.12, 4319.12 TITLE IX SEXUAL HARASSMENT COMPLAINT PROCEDURES

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

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

All other sexual harassment complaints or allegations shall be investigated and resolved in accordance with AR 4030 - Nondiscrimination in Employment. The determination of whether the allegations meet the definition of sexual harassment under Title IX shall be made by the district's Title IX Coordinator.

Because the complainant has a right to pursue a complaint under AR 4030 for any allegation that is dismissed or denied under the Title IX complaint procedure, the Title IX Coordinator shall ensure that all requirements and timelines for AR 4030 are concurrently met while implementing the Title IX procedure.

Reporting Allegations/Filing a Formal Complaint

An employee who is the alleged victim of sexual harassment may submit a report of sexual harassment to the district's Title IX Coordinator using the contact information listed in AR 4119.11/4219.11/4319.11 - Sexual Harassment or to the employee's direct supervisor or other district administrator, who shall forward the report to the Title IX Coordinator within one day of receiving the report.

Upon receiving such a report, the Title IX Coordinator shall inform the complainant of the right to file a formal complaint and the process for filing a formal complaint.

A formal complaint, with the complainant's physical or digital signature, may be filed with the Title IX Coordinator in person, by mail, by email, or by any other method authorized by the district.

Even if the alleged victim chooses not to file a formal complaint, the Title IX Coordinator shall file a formal complaint in situations when a safety threat exists. In addition, the Title IX Coordinator may file a formal complaint in other situations as permitted under the Title IX regulations, including as part of the district's obligation to not be deliberately indifferent to known allegations of sexual harassment. In such cases, the Title IX Coordinator shall provide the alleged victim notices as required by the Title IX regulations at specific points in the complaint process.

The Title IX Coordinator, investigator, decision-maker, or a facilitator of an informal resolution process shall not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent. Such persons shall receive training in accordance with 34 CFR 106.45.

Supportive Measures

Upon receipt of a report of Title IX sexual harassment, the Title IX Coordinator shall promptly contact the complainant to discuss the availability of supportive measures and shall consider the complainant's wishes with respect to the supportive measures implemented. Supportive measures shall be offered as appropriate, as reasonably available, and without charge to the complainant or the respondent before or after the filing of a

formal complaint or where no formal complaint has been filed. Such measures shall be non-disciplinary, non-punitive, and not unreasonably burden the other party, including measures designed to protect the safety of all parties or the district's educational environment or to deter sexual harassment. Supportive measures may include, but are not limited to, counseling, extensions of deadlines, modifications of work schedules, mutual restrictions on contact, changes in work locations, leaves of absence, increased security, and monitoring of certain areas of the campus.

The district shall maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the district's ability to provide the supportive measures.

Emergency Removal

If a district employee is the respondent, the employee may be placed on administrative leave during the pendency of the formal complaint process.

If the respondent is a student, the district may, on an emergency basis, remove the student from the district's education program or activity, provided that the district conducts an individualized safety and risk analysis, determines that removal is justified due to an immediate threat to the physical health or safety of any student or other individual arising from the allegations, and provides the student with notice and an opportunity to challenge the decision immediately following the removal. This authority to remove a student does not modify a student's rights under the Individuals with Disabilities Education Act or Section 504 of the Rehabilitation Act of 1973.

Dismissal of Complaint

The Title IX Coordinator shall dismiss a formal complaint if the alleged conduct would not constitute sexual harassment as defined in 34 CFR 106.30 even if proved. The Title IX Coordinator shall also dismiss any complaint in which the alleged conduct did not occur in the district's education program or activity or did not occur against a person in the United States, and may dismiss a formal complaint if the complainant notifies the district in writing that the complainant would like to withdraw the complaint or any allegations in the complaint, the respondent is no longer employed by the district, or sufficient circumstances prevent the district from gathering evidence sufficient to reach a determination with regard to the complaint.

Upon dismissal, the Title IX Coordinator shall promptly send written notice of the dismissal and the reasons for the dismissal simultaneously to the parties, and shall inform them of their right to appeal the dismissal of a formal complaint or any allegation in the complaint in accordance with the appeal procedures described in the section "Appeals" below.

If a complaint is dismissed, the conduct may still be addressed pursuant to AR 4030 - Nondiscrimination in Employment as applicable.

Informal Resolution Process

When a formal complaint of sexual harassment is filed, the district may offer an informal resolution process, such as mediation, at any time prior to reaching a determination regarding responsibility. The district shall not require a party to participate in the informal resolution process or to waive the right to an investigation and adjudication of a formal complaint.

The district may facilitate an informal resolution process provided that the district:

1. Provides the parties with written notice disclosing the allegations, the requirements of the informal resolution process, the right to withdraw from the informal process and resume the formal complaint process, and any consequences resulting from participating in the informal resolution process, including that records will be maintained or could be shared.

2. Obtains the parties' voluntary, written consent to the informal resolution process

Written Notice

If a formal complaint is filed, the Title IX Coordinator shall provide the known parties with written notice of the following:

1. The district's complaint process, including any informal resolution process
2. The allegations potentially constituting sexual harassment with sufficient details known at the time, including the identity of parties involved in the incident if known, the conduct allegedly constituting sexual harassment, and the date and location of the alleged incident if known. Such notice shall be provided with sufficient time for the parties to prepare a response before any initial interview.

If, during the course of the investigation, new Title IX allegations arise about the complainant or respondent that are not included in the initial notice, the Title IX Coordinator shall provide notice of the additional allegations to the parties.

3. A statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the complaint process
4. The opportunity for the parties to have an advisor of their choice who may be, but is not required to be, an attorney, and the ability to inspect and review evidence
5. The prohibition against knowingly making false statements or knowingly submitting false information during the complaint process

The above notice shall also include the name of the investigator, facilitator of an informal process, and decision-maker and shall inform the parties that, if at any time a party has concerns regarding conflict of interest or bias regarding any of these persons, the party should immediately notify the Title IX Coordinator.

Investigation Procedures

During the investigation process, the district's designated investigator shall:

1. Provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence
2. Not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence
3. Provide the parties with the same opportunities to have others present during any grievance proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice, who may be, but is not required to be, an attorney
4. Not limit the choice or presence of an advisor for either the complainant or respondent in any meeting or grievance proceeding, although the district may establish restrictions regarding the extent to which the advisor may participate in the proceedings as long as the restrictions apply equally to both parties
5. Provide, to a party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all investigative interviews or other meetings, with sufficient time for the party to prepare to participate
6. Send in an electronic format or hard copy to both parties and their advisors, if any, the evidence obtained as part of the investigation that is directly related to the allegations raised in the complaint, and provide the parties at least 10 days to submit a written response for the investigator to consider prior to the completion of the investigative report
7. Objectively evaluate all relevant evidence, including both inculpatory and exculpatory evidence, and determine credibility in a manner that is not based on a person's status as a complainant, respondent, or witness

8. Create an investigative report that fairly summarizes relevant evidence and, at least 10 days prior to the determination of responsibility, send to the parties and their advisors, if any, the investigative report in an electronic format or a hard copy, for their review and written response

Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence are offered to prove that someone other than the respondent committed the conduct alleged by the complainant or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent.

Privacy rights of all parties to the complaint shall be maintained in accordance with applicable state and federal laws.

If the complaint is against an employee, rights conferred under an applicable collective bargaining agreement shall be applied to the extent they do not conflict with the Title IX requirements.

Written Decision

The Superintendent shall designate an employee as the decision-maker to determine responsibility for the alleged conduct, who shall not be the Title IX Coordinator or a person involved in the investigation of the matter.

After the investigative report has been sent to the parties but before reaching a determination regarding responsibility, the decision-maker shall afford each party the opportunity to submit written, relevant questions that the party wants asked of any party or witness, provide each party with the answers, and allow for additional, limited follow-up questions from each party.

The decision-maker shall issue, and simultaneously provide to both parties, a written decision as to whether the respondent is responsible for the alleged conduct.

The written decision shall be issued within 60 calendar days of the receipt of the complaint.

The timeline may be temporarily extended for good cause with written notice to the complainant and respondent of the extension and the reasons for the action.

In making this determination, the decision-maker shall use the "preponderance of the evidence" standard for all formal complaints of sexual harassment.

The written decision shall include the following:

1. Identification of the allegations potentially constituting sexual harassment as defined in 34 CFR 106.30
2. A description of the procedural steps taken from receipt of the formal complaint through the written decision, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held if the district includes hearings as part of the grievance process
3. Findings of fact supporting the determination
4. Conclusions regarding the application of the district's code of conduct or policies to the facts
5. A statement of, and rationale for, the result as to each allegation, including a decision regarding responsibility, any disciplinary sanctions the district imposes on the respondent, and whether remedies designed to restore or preserve equal access to the district's educational program or activity will be provided by the district to the complainant
6. The district's procedures and permissible bases for the complainant and respondent to appeal

Appeals

Either party may appeal the district's decision or dismissal of a formal complaint or any allegation in the complaint, if the party believes that a procedural irregularity affected the outcome, new evidence is available that could affect the outcome, or a conflict of interest or bias by the Title IX Coordinator, investigator(s), or decision-maker(s) affected the outcome. If an appeal is filed, the district shall:

1. Notify the other party in writing when an appeal is filed and implement appeal procedures equally for both parties
2. Ensure that the decision-maker(s) for the appeal is trained in accordance with 34 CFR 106.45 and is not the same decision-maker(s) who reached the determination regarding responsibility or dismissal, the investigator(s), or the Title IX Coordinator
3. Give both parties a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome
4. Issue a written decision describing the result of the appeal and the rationale for the result
5. Provide the written decision simultaneously to both parties

An appeal must be filed in writing within 10 calendar days of receiving the notice of the decision or dismissal, stating the grounds for the appeal and including any relevant documentation in support of the appeal. Appeals submitted after this deadline are not timely and shall not be considered.

A written decision shall be provided to the parties within 20 calendar days from the receipt of the appeal.

Either party has the right to file a complaint with the U.S. Department of Education's Office for Civil Rights within 180 days of the date of the most recently alleged misconduct.

The complainant shall be advised of any civil law remedies, including, but not limited to, injunctions, restraining orders, or other remedies or orders that may be available under state or federal antidiscrimination laws, if applicable.

Remedies

When a determination of responsibility for sexual harassment has been made against the respondent, the district shall provide remedies to the complainant. Such remedies may include the same individualized services described above in the section "Supportive Measures," but need not be non-disciplinary or non-punitive and need not avoid burdening the respondent.

Disciplinary Actions

The district shall not impose any disciplinary sanctions or other actions against a respondent, other than supportive measures as described above in the section "Supportive Measures," until the complaint procedure has been completed and a determination of responsibility has been made.

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

Record-Keeping

The Superintendent or designee shall maintain, for a period of seven years:

1. A record of all reported cases and Title IX investigations of sexual harassment, any determinations of responsibility, any audio or audiovisual recording and transcript if applicable, any disciplinary sanctions imposed, any remedies provided to the complainant, and any appeal or informal resolution and the results therefrom.

2. A record of any actions, including supportive measures, taken in response to a report or formal complaint of sexual harassment, including the district's basis for its conclusion that its response was not deliberately indifferent, the measures taken that were designed to restore or preserve equal access to the education program or activity, and, if no supportive measures were provided to the complainant, the reasons that such a response was not unreasonable in light of the known circumstances.
3. All materials used to train the Title IX Coordinator, investigator(s), decision-maker(s), and any person who facilitates an informal resolution process. The district shall make such training materials publicly available on its web site, or if the district does not maintain a web site, available upon request by members of the public.

EX 4119.12, 4219.12, 4319.12 TITLE IX SEXUAL HARASSMENT COMPLAINT PROCEDURES

NOTICE OF TITLE IX SEXUAL HARASSMENT POLICY

The Code of Federal Regulations, Title 34, Section 106.8 requires the district to issue the following notification to employees, job applicants, and employee organizations:

The district does not discriminate on the basis of sex in any education program or activity that it operates. The prohibition against discrimination on the basis of sex is required by federal law (20 USC 1681-1688; 34 CFR Part 106) and extends to employment. The district also prohibits retaliation against any employee for filing a complaint or exercising any right granted under Title IX.

Title IX requires a school district to take immediate and appropriate action to address any potential Title IX violations that are brought to its attention. Any inquiries about the application of Title IX, this notice, and who is protected by Title IX may be referred to the district's Title IX Coordinator, to the Assistant Secretary for Civil Rights of the U.S. Department of Education, or both.

The district has designated and authorized the following employee as the district's Title IX Coordinator, to address concerns or inquiries regarding discrimination on the basis of sex, including sexual harassment, sexual assault, dating violence, domestic violence, and stalking:

Assistant Superintendent, Administrative Services
P.O. Box 847
Yermo, CA 92398
760-254-2916

Any individual may report sex discrimination, including sexual harassment, to the Title IX Coordinator or any other school employee at any time, including during non-business hours, by mail, phone, or email. During district business hours, reports may also be made in person. Upon receiving an allegation of sexual harassment, the Title IX Coordinator will promptly notify the parties, in writing, of the applicable district complaint procedure.

To view an electronic copy of the district's policies and administrative regulations on sexual harassment, including the grievance process that complies with 34 CFR 106.45, please see BP/AR 4119.11/4219.11/4319.11 - Sexual Harassment and AR 4119.12/4219.12/4319.12 - Title IX Sexual Harassment Complaint Procedures on the district's web site at svusdk12.net.

To inspect or obtain a copy of the district's sexual harassment policies and administrative regulations, please contact:

Assistant Superintendent, Educational Services
P.O. Box 847
Yermo, CA 92398
760-254-2916

Materials used to train the Title IX Coordinator, investigator(s), decision-maker(s), and any person who facilitates an informal resolution process are also publicly available on the district's web site or at the district office upon request.

End Board Policies, Regulations and Exhibits

COMMUNICATION POLICY

Any questions with respect to any of the provisions of this Employee Manual should be addressed to your immediate supervisor or the Human Resources Office.

You are entitled to express your point of view on work-related matters in a constructive manner, as well as to make any productive suggestions in any of the communication avenues available within Silver Valley Unified.

DISCLAIMER

Any controversy or claim arising out of or relating to the employment relationship created between the employer Silver Valley Unified and employee (you), including all topics covered in this Employee Manual, and the interpretation of this Manual, or any alleged breach of it, shall be settled by Federal Law, State Law, Board Policy, or applicable entries within the Collective Bargaining agreement.

This Manual shall be interpreted, construed, and enforced in all respects in accordance with the laws of the United States of America, The State of California, Board Policy and Collective Bargaining Agreements.

We have supplied a separate copy of the Acknowledgement Form below.

Please be sure to sign, date, and return this form to the Human Resources Office after reading this Employee Manual; doing so is a prerequisite for employment with Silver Valley Unified.

Thank you and we look forward to having you as an employee!

SILVER VALLEY UNIFIED SCHOOL DISTRICT

35320 Daggett-Yermo Road, P.O. Box 847, Yermo CA 92398

P: (760)254-2916

F: (760)254-2091



🐦 @FIMS_Wildcats



🐦 @AEC_Scorpions



🐦 @LES_Coyotes



🐦 @NES_BobCats



🐦 @SVHS_Pride



🐦 @TVIS_Sharp



🐦 @Yermo_Eagles

Website: www.svusdk12.net

🐦 @SilverValleyUSD

📘 <https://www.facebook.com/silvervalleyusd>

📷 <https://www.instagram.com/silvervalleyusd>

“THE SILVER VALLEY WAY!”

ACKNOWLEDGMENT FORM

This Employee Manual has been prepared for your understanding of the policies, practices, and benefits of Silver Valley Unified; it is important to read this entire Manual. We reserve the right to make changes at any time without notice and to interpret these policies and procedures at the discretion of the district. This Employee Manual supersedes all prior manuals and previously-issued policies.

After you finish reading this Employee Manual, please sign, date, and return this Acknowledgement Form within seven (7) days of your receiving this Employee Manual to read.

You agree to keep this Manual in your possession during your employment and to update it whenever new information is provided to you. You acknowledge that this Manual remains the property of the district and must be returned immediately upon request, or upon the termination of your employment.

By signing below, you acknowledge that you have read and understood the policies outlined in this Employee Manual. You agree to comply with the policies contained in this Manual and to read and understand any revisions to it and be bound by them. You understand this Manual is intended only as a general reference and is not intended to cover every situation that may arise during your employment. This Manual is not a full statement of District policy. Any questions regarding this Manual can be discussed with your supervisor or a Human Resources representative.

You acknowledge that this Manual is not intended to create, nor shall be construed as creating, any express or implied contract of employment for a definite or specific period of time between you and the district or to otherwise create express or implied legally enforceable contractual obligations on the part of the district concerning any terms, conditions, or privileges of employment. If you are subject to a written employment agreement, and any terms of that agreement conflict with this Manual, your employment agreement shall control.

Employee Name (print legibly)

Employee Signature

Date

THIS FORM IS TO BE FILED IN EMPLOYEE'S PERSONNEL RECORDS