



Huntington Beach
City School District



8750 Dorsett Drive
Huntington Beach, CA 92646
www.hbcasd.k12ca.us

Sub Desk - (714) 378-2024
AESOP - (800) 942-3767

Substitute Teacher Handbook 2022/2023

SCHOOL TELEPHONE NUMBERS

MIDDLE SCHOOLS (6-8)

Ethel R. Dwyer Middle School
1502 Palm Avenue, Huntington Beach, CA 92648
(714) 536-7507
FAX: (714) 960-0955
Christa Glembocki - Principal

Isaac L. Sowers Middle School
9300 Indianapolis Avenue, Huntington Beach, CA 92646
(714) 962-7738
FAX: (714) 968-5580
Renee Polk Johnson, Ed.D. - Principal

ELEMENTARY SCHOOLS (K-5)

John H. Eader Elementary School
9291 Banning Avenue, Huntington Beach, CA 92646
(714) 962-2451
FAX: (714) 378-3601
Carolyn Beck - Principal

Dr. Ralph E. Hawes Elementary School
9682 Yellowstone Drive, Huntington Beach, CA 92646
(714) 963-8302
FAX: (714) 378-3603
Julie Jennings - Principal

Huntington Seacliff Elementary School
6701 Garfield Ave., Huntington Beach, CA 92648
(714) 841-7081
FAX: (714) 841-4593
Michael Andrzejewski - Principal

S. A. Moffett Elementary School
8800 Burlcrest Drive, Huntington Beach, CA 92646
(714) 963-8985
FAX: (714) 378-3602
Forest Holbrook - Principal

John R. Peterson Elementary School
20661 Farnsworth Lane, Huntington Beach, CA 92646
(714) 378-1515
FAX: (714) 378-1520
Kevin Smith-Johnson - Principal

Agnes L. Smith Elementary School
770 17th Street, Huntington Beach, CA 92648
(714) 536-1469
Voice Mail: (714) 536-1468
FAX: (714) 536-7484
Maria Ashton - Principal

INTRODUCTION

The Huntington Beach City School District serves over 5,000 students in an area of about twelve square miles. The District serves pupils in grades kindergarten through eighth grade - two (2) middle schools and six (6) elementary schools (K-5).

The staff is comprised of approximately 300 certificated employees, approximately 300 classified employees, and approximately 50 management employees.

Huntington Beach City's educational programs are designed to be flexible enough to meet the individual needs of students, yet structured enough to offer basic skills competency to every student. An introduction to the basics is offered in kindergarten, focusing on "readiness" activities in mathematics and reading. Sharing and social experiences are all part of the early years in school, along with science, health, art, and music. In the primary and elementary grades, heavy emphasis is placed on reading, comprehension, math, spelling, and social science. In middle and upper grades, instruction in the basics is continued, with the schools also offering electives in foreign language, science, home economics, industrial arts, fine arts, and other subjects.

The Board of Education and employees of the Huntington Beach City School District are proud of the educational program provided the pupils of our school district. You, as a substitute teacher, are a very necessary part of that program when you provide the continuity of instruction in the absence of the classroom teacher.

We hope this booklet, along with the specific guidelines from each school, will help to ensure your success as a substitute teacher in our schools. If you find that your concerns are not answered in the materials provided, please inquire at the school site or District Office for further assistance.

It is our intent to provide you with the necessary support to maintain and improve your skills as a teacher, as well as improve the quality of the programs we offer. Best wishes for success as a substitute teacher.

Contact Us

Huntington Beach City School District
8750 Dorsett Drive
Huntington Beach, CA 92646
Website: www.hbcasd.ca.us

SUBDESK: 714-378-2024

SUBSTITUTE TEACHER EMPLOYMENT REQUIREMENTS

All applicants for substitute teacher must complete the following steps in order to be invited or our hiring/orientation meeting:

- Application process through www.edjoin.org, with attachments
- Department of Justice (DOJ) fingerprint clearance through OCDE clearinghouse for substitute teachers
- Verification of a recent tuberculin test/Risk Assessment (Individuals may have this done at the medical provider of their choice)
- A copy of the appropriate credential/permit needs to be filed with the office of the Orange County Department of Education.
- Copy of CBEST
- Two current letters of recommendation (within the last year with a written signature)
- Resume

Once you have completed the application process on www.edjoin.org, your application will be screened by the Human Resources Department. If you are selected to proceed with the hiring/orientation process, you will receive an invitation via email.

MINIMUM REQUIREMENT:

The HBCSD requires substitute teachers to work a minimum of ten (10) days per year. If, by the end of the school year, you have not worked ten (10) days, we may terminate your employment.

ORANGE COUNTY DEPARTMENT OF EDUCATION

3001 Redhill Avenue
Costa Mesa, CA 92628-9050
website: <http://www.ocde.k12.ca.us>
Fingerprint Appointments 714-966-4306
Credential Appointments 714-966-4306

COMMISSION ON TEACHER CREDENTIALING

P.O. Box 944270
Sacramento, CA 94244-2700
Phone: 916-445-7254
website: <http://www.ctc.ca.gov>
Email: credentials@ctc.ca.gov

JOB ASSIGNMENT PROCESS

The AESOP system places substitute teachers in jobs via an integrated telephone and internet system. AESOP online can be accessed 24 hours/7 days a week by logging in to www.frontlinek12.com/aesop. This will give you access to:

- Find and accept available jobs
- View your schedule
- Remove yourself from an accepted job
- Manage your call times
- Manage your availability
- Change your personal data

The AESOP phone system calls out to fill jobs per the following schedule:

	<u>Current Day's Jobs</u>	<u>Future Jobs</u>
Weekdays	5:30 am	3:00 pm - 9:00 pm
Saturday	No calls	
Sunday		3:00 pm - 9:00 pm

Important Things To Note:

- The phone number that appears on Caller ID is 800-942-3767
- Please say "hello" in order for AESOP to begin the phone call
- Do not hang up on AESOP. If you do, the system will not call again for another hour
- The AESOP phone system will NOT leave a message and will continue to call other substitutes until a substitute has been assigned
- The system does not call in the morning for future jobs

When AESOP offers you an assignment, you will be given the following information:

- Teacher's name
- School name
- Grade or subject
- Reporting time
- Personalized message from the teacher (online)
- Confirmation number (please make a note of this number and bring it with you to your assignment)

In the event you are called in the morning and will arrive after the designated start time, accept the assignment and IMMEDIATELY call the school to report your estimated time of arrival.

The AESOP phone system can receive calls 24 hours a day. You may call the system at any time to:

- Change your name recording
- Change your pin number
- Change your phone number
- Listen to unassigned jobs you are entitled to hear
- Review your assignment

Substitutes can job shop twenty-four hours a day, seven days a week. Once you have accepted an assignment, if you need to cancel for any reason, you must do so a minimum of one hour prior to the start time of the assignment. If you try to cancel less than one hour prior to the start time, you will be instructed to call Human Resources. Each absence is assigned a confirmation number. When you accept an assignment, you will receive the same confirmation number. Make sure you make a note of this number. Jobs must be accessed by confirmation number for review or cancellation. Also, if two substitutes show up for one assignment, the substitute with the confirmation number is the one that will stay and get paid for the day.

When you are job shopping or receiving calls, you will hear the name of the teacher, school, hours of assignment, grade level, etc. If you hear “supplemental employee” for an assignment, this means that the position is a rover or extra person for the day. You may be working for several teachers throughout the day or working on a special assignment.

MULTIPLE DAY ASSIGNMENTS

It is VERY IMPORTANT that you listen carefully to AESOP when it calls you for an assignment. This is especially important when AESOP gives you a Multiple Day Assignment. AESOP will only tell you that the job starts on (START DATE) and (START TIME) and ends on (END DATE) and (END TIME). If you do not listen carefully, you may inadvertently accept a job for several days, and think it’s only for the one day you heard (either the start date or end date.)

REPORTING AN ABSENCE

If you have accepted a multiple day assignment, and after starting in the assignment become ill or are unable to come in on one of the assigned dates, you must contact Human Resources at (714) 378-2024. They will be able to take you out of the assignment for the day. AESOP will then split the job and get a new substitute for that one day. YOU will remain in the position for the remaining days of the assignment. AESOP will create a new job #. Be sure to jot down the NEW job number for future reference.

We ask that you do not follow this procedure when your job is only for 2 or 3 days and you have not yet started the assignment. In fairness to the students, and to allow continuity in the classroom, we prefer to get a new substitute for the entire absence. (If you have already started the assignment, contacting Human Resources is the only way to get someone else for the rest of the job.)

LATE ASSIGNMENTS: On occasion, it is necessary to call upon our substitute teachers for late assignments. If you are called late for an assignment, you will be paid for the entire assignment if you arrive within thirty (30) minutes of the class start time.

ERROR IN ASSIGNMENT: In the event a mistake is made in calling a substitute teacher unnecessarily to an assignment, the substitute may select one of two options:

- Choose to go home and receive no pay for the day, or
- Choose to remain at the school and work in any assigned position, including clerical work, and be paid a minimum of three (3) hours at the substitute hourly rate of pay.

If you have any questions please feel free to contact Human Resources.

SUBSTITUTE TEACHING - BASIC INFORMATION
(714) 378-2024 (Sub Desk)

PHILOSOPHY: When the regular teacher is absent, the substitute teacher's service to students and staff is essential. Attitude and effort are the greatest factors in making substituting a positive, rewarding experience. Success can be achieved by doing an excellent job, thus proving ability, and by communicating and obtaining feedback for self-improvement.

REPORT/DISMISSAL TIME: Job start time is 30 minutes prior to school start time and please plan on staying until all grade levels are dismissed--regardless of the time your class is dismissed.

CHECKING IN AND OUT: Report to the office to sign in. You will be given keys and a substitute folder or told where to locate one. At the end of the day, report to the office and turn in keys, etc. This is very important--you will be paid based on the sign-in sheet from the school each day. There is no time card to complete.

FIRST ASSIGNMENT AT EACH SITE: Take a few minutes to look over the procedures for discipline, earthquake, fire drill, etc. If you have any questions regarding these matters, please seek assistance or clarification from the Office Manager.

COMPLAINTS: The primary complaints we receive regarding substitute teachers are:

- not arriving prior to start time;
- not following lesson plans;
- not leaving teacher a note as to what was or was not accomplished;
- not grading students' papers;
- lack of discipline--too much noise (classroom management);
- lack of confidentiality; and
- not straightening up the room at the end of the day.

KEEPING YOUR STATUS CURRENT

As well as changing your personal information with the AESOP System, it is equally important that Human Resources be informed of changes in status. Please email Human Resources, if the following occurs:

- permanent change of address or telephone number;
- acceptance of a long term assignment in another district;
- wish to be temporarily or permanently removed from the list; or
- any change in status that will affect your return in September.

SUBSTITUTE TEACHING SALARY INFORMATION

WORK RECORD

It is **extremely** important that substitutes sign in at the beginning of each assignment. By signing in, the office staff will know classes are covered. In addition, the signature form will be used by Payroll to compile the number of days substitutes are to be paid each month and for auditing purposes. Day to Day substitutes do not complete time cards.

PAYROLL DATES

The pay period for substitute teachers is the 11th of one month through the 10th of the next month. Substitutes can expect to receive a paycheck on the last working day of the month, except for the December warrant that will be paid on the first working day of January. Each pay warrant will include the days worked up through the tenth day of the previous month. Example: Work done in September will be paid the last working day in October.

You can pick up your check from the receptionist at the District Office after 10:00 a.m. on payday. If you do not pick up your check, it will be held in Payroll for you.

You may also sign up for direct deposit. Pay warrants will be available at the reception desk (if not enrolled in Direct Deposit) of the District Office between 10:00 a.m. and 3:00 p.m. Checks are not mailed. Substitutes working a long term assignment may request to have their warrants sent to their schools. The Payroll Department will inform each long term substitute of the procedures and conditions.

IMPORTANT NOTE: If you have direct deposit, a paycheck stub will not be printed.

PAY BASIS

In accordance with the salary policy, substitute teachers will be paid for a minimum day if they work three hours or less (hourly rate x 3). For each hour worked beyond the minimum day, they will be paid on an hourly basis. In order to be paid for the full day, a substitute must work the teaching day required by the District, which is 5 ³/₄ hours.

RATE OF PAY: \$135/full day - \$55.23/minimum - \$18.41/hourly

DAY-TO-DAY SUBSTITUTE - Teachers serving in this capacity will be paid at the established daily rate.

LONG TERM SUBSTITUTE - In the event that a classroom teacher will be absent for longer than 10 days, and the beginning and ending dates of the absence are known at the time of initial appointment, there are provisions for hiring the substitute on a long term basis. Long term substitutes are paid as follows:

Day 1 through 20, \$135
Day 21, \$150, not retroactive

PAYROLL DEDUCTIONS

Substitute teachers are subject to payroll deductions required by law. This includes Federal Withholding Tax, California State Income Tax, Medicare Tax, and retirement. Substitute teachers who are members of the California State Teachers' Retirement System (STRS) will pay into this program. Those who are not members may elect to join by completing the application forms available in Human Resources. If an individual is not a member of STRS and does not elect to join, he/she will automatically become a participant in the Public Agency Retirement System (PARS). Substitute teachers are not eligible for voluntary pay deductions (i.e., Credit Union, dues, etc.).

EMPLOYEE INFORMATION SYSTEM (EIS)

Direct Deposit/Net check paycheck stubs for employees and substitutes are no longer being printed/distributed. You may view and/or print your paycheck stub through the Orange County Department of Education's Employee Information System (EIS) from any computer.

ACCESSING THE EMPLOYEE INFORMATION SYSTEM (EIS)
Open your web browser and type the following web address:
<https://employee.ocde.us>

If you are a first time user, you will be required to register by clicking on the Register User link. You will need your employee ID number.

Payroll Questions: 714-378-2064

HEALTHY WORKPLACES/HEALTHY FAMILIES ACT OF 2014 PAID SICK LEAVE

Entitlement:

- **An employee who, on or after July 1, 2015, works in California for 30 or more days within a year from the beginning of employment is entitled to paid sick leave.**
- **Paid sick leave accrues at the rate of one hour per every 30 hours worked, paid at the employee's regular wage rate. Accrual shall begin on the first day of employment or July 1, 2015, whichever is later.**
- **Accrued paid sick leave shall carry over to the following year of employment and may be capped at 48 hours or 6 days. However, subject to specified conditions, if an employer has a paid sick leave, paid leave or paid time off policy (PTO) that provides no less than 24 hours or three days of paid leave or paid time off, no accrual or carry over is required if the full amount of leave is received at the beginning of each year in accordance with the policy.**

Usage:

- **An employee may use accrued paid sick days beginning on the 90th day of employment.**
- **An employer shall provide paid sick days upon the oral or written request of an employee for themselves or a family member for the diagnosis, care or treatment of an existing health condition or preventive care, or specified purposes for an employee who is a victim of domestic violence, sexual assault, or stalking.**
- **An employer may limit the use of paid sick days to 24 hours or three days in each year of employment.**

Retaliation or discrimination against an employee who requests paid sick days or uses paid sick days or both is prohibited. An employee can file a complaint with the Labor Commissioner against an employer who retaliates or discriminates against the employee.

For additional information you may contact your employer or the local office of the Labor Commissioner. Locate the office by looking at the list of offices on our website <http://www.dir.ca.gov/dlse/DistrictOffices.htm> using the alphabetical listing of cities, locations, and communities. Staff is available in person and by telephone.

SAFETY

The HBCSD holds student and staff safety of utmost importance. It is essential that as an employee of the District, you are aware that state law requires you to remain at your work site should a disaster occur. An administrator will release staff when the time is appropriate. It is also your responsibility as a school employee to report any suspicious persons or activity witnessed while on assignment.

MANDATED REPORTER

As an employee of the HBCSD you are a mandated reporter and required by California Penal Code 11166 (2010) to report in your professional capacity or within the scope of your employment, any knowledge, observation, or reasonable suspicion that a child you have encountered has been the victim of child abuse or neglect. As a mandated reporter, you shall make an initial report immediately or as soon as is practicably possible by telephone and shall prepare and send, fax, or electronically transmit a written follow-up report thereof within 36 hours of receiving the information concerning the incident. You may include with the report any nonprivileged documentary evidence the mandated reporter possesses relating to the incident.

CELL PHONES & ELECTRONICS

Personal cell phone and electronic device usage will generally be discouraged during your substitute teaching assignment; however, always exercise use should an emergency occur in the classroom or on campus. Never photograph or record students at any time, for any reason.

SCHOOL RECORDS

School records are confidential and should be treated as such. Individual students, teachers, or school situations should not be discussed in other schools or with people other than the professional employees at that particular school.

SOUND JUDGMENT

As an employee of the HBCSD, you are expected to practice sound judgment in all situations. For your safety and the safety of students, you should never be in a classroom alone with a student. If a situation arises where you are unsure of what action to take, contact an administrator on the campus.

SUBSTITUTE WELFARE

Workers' Compensation: Substitute teachers are entitled to Workers' Compensation benefits if an injury is sustained on the job. Work injuries must be reported to your supervisor AND to Human Resources within twenty-four hours. For information regarding Workers' Compensation, please call 714-378-2021.

ARRIVAL AT THE BUILDING

Substitutes should arrive at the building one-half hour before classes begin. If you receive a late call, please call the school office and let them know you were just called and approximately what time you will be reporting for duty.

Substitutes must report to the office upon arrival at the school before going to the classroom to: (1) inform the school that they have arrived and obtain a site badge or ID; and (2) obtain information about the assignment and school procedures, including yard duty assignments for the day.

Note any particular bulletins for the day.

Keys must be kept secure and not loaned to students.

CLASSROOM STANDARDS

The success of the substitute's teaching day depends on establishing a good relationship with the students. The following suggestions will help to build a pleasant working situation in the classroom:

- students respond well to a warm attitude. It is important to establish a positive, but firm relationship at the beginning of the day. Using criticism and constant punishment measures are not good techniques;
- plan your day before the students arrive. Try to stay as close to the normal routine and lessons as possible. If students finish assignments early, always assign other activities;
- most classes can be handled with group established standards and techniques. If an individual becomes a problem to the point of preventing others from accomplishing their work or taking a good majority of your time, contact the office for assistance;
- make sure that the physical conditions of the room are conducive to good learning. Check the lighting, ventilation and temperature for comfortable levels; and
- the school principal should approve all notes sent home to parents. Pupils should not be kept in from recess or physical education as a means of discipline, nor should any form of corporal punishment be administered. Check in the school handbook or with the principal for specific practices of the school.

The District supports the maintenance of good standards in the classroom as well as the rights of pupils. The use of your good judgment in meeting the demands of the classroom is greatly appreciated and will receive strong support.

INSTRUCTION

The regular teacher will have provided lesson plans. If for some reason, plans are not available, the principal should be informed. Lesson plans should be adhered to as much as possible.

It is a good idea to have some plans and activities of your own that you can use if there are none from the regular teacher, or if the class covers the material assigned before the end of the day. Other teachers in the same grade level or subject area can be helpful if additional ideas are needed.

END-OF-DAY PROCEDURES

Classroom

Reference books, teacher guides, seating charts, attendance rolls, etc., are to be returned to the place where the regular teacher had them before you leave for the day. The room should be left in good condition at the end of the day.

Classroom lights must be turned off and classroom door(s) locked.

If possible, all written work assigned and completed by the students should be corrected.

Every effort should be made to complete routine end-of-day-activities.

A brief note should be left for the regular teacher explaining what was accomplished. Any other comments are also welcome. Many principals have a form to be completed by the substitute that can be given to the regular teacher.

If problems are encountered, please feel free to discuss them with the principal (or other designated administrator).

Reporting to the Office After School

Substitute teachers are to remain on campus until all grade levels are dismissed, regardless of the time their class is dismissed, if in an all-day assignment. Before leaving school, the substitute teacher must report to the school office, again, to turn in the keys and check out.

The office manager will inform the substitute whether or not to return the following day. Substitutes asked to stay in the same assignment because of an extended absence should make every effort to fill the position until the regular teacher returns.

All substitute teacher assignments are automatically terminated at the end of the last school day of the week, unless other arrangements have been made.

Any unusual happenings that occur during the day should be reported to the school office.

COMPLAINTS BY SUBSTITUTES

On occasion, problems or concerns may arise while in an assignment. If problems or concerns relate to a particular class or assignment, they should be reported to the principal. Situations that remain unresolved should be reported to the Human Resources.

IN CASE YOU HAVE ANY QUESTIONS, CALL.....

Administrative Service	Jolene Miller, Ext. 2051
Contract Questions	Cyndi Ramirez, Ext. 2021
Credentials	Tamara Arizaga, Ext. 2023
Curriculum Lab	Laurie Thurkettle, Ext. 2025
Food Service	Ashlin Connolly, Ext. 2075 Michelle Van Horn, Ext. 2076
GATE Questions	Debbie Bartlett, Ext. 2036
Human Resources	Robert Miller, Ext. 2020 Cyndi Ramirez, Ext. 2021 Tamara Arizaga (certificated), Ext. 2023 Eric Rodriguez (classified), Ext. 2022
Insurance Questions	Jessie Lee Ext. 2064
Maintenance	Jennifer Lambert, Ext. 2080
Paychecks/Sick Day Accrual	Blake Silvaggio (certificated), Ext. 2065 Trina Terrat (classified), Ext. 2066
Print Shop	Gladys Elizondo, Ext. 2069
Purchase Requisitions	Susanne Wagner, Ext. 2067
Special Education	Megan Kempner, Ext. 2045 Linda Stame, Ext. 2046
Superintendent's Office	James Lambos, Ext. 2011
Transportation	Angela Robertson, Ext. 2091
Website	www.hbcasd.k12.ca.us
School Bell Schedules	Website, District>Staff>Staff Portal
Worker's Compensation	Cyndi Ramirez, Ext. 2021

BOARD POLICIES

PHILOSOPHY

As part of its responsibility to establish a guiding vision for the district, the Board of Trustees shall develop and regularly review a set of fundamental principles which describes the district's beliefs, values or tenets. The Board and district staff shall incorporate this philosophy in all district programs and activities.

(cf 0000 - Vision)
(cf 0200 – Goals for the School District) (cf 9000
- Role of the Board)

It is the philosophy of the district that:

1. All students can learn and succeed.
2. Every student in the district, regardless of gender, special needs, or social, ethnic, language or economic background has a right to a high-quality education that challenges the student to achieve to his/her fullest potential.
3. The future of our nation and community depends on students possessing the skills to be lifelong learners and effective, contributing members of society.
4. A safe, nurturing environment is necessary for learning.
5. Parents/guardians have a right and an obligation to participate in their child's schooling.
6. The ability of children to learn is affected by social, health and economic conditions and other factors outside the classroom.
7. Early identification of student learning and behavioral difficulties contribute to student success.
8. Students and staff respond positively to high expectations and recognition for their accomplishments.
9. Continuous school improvement is necessary to meet the needs of students in a changing economy and society.
10. The diversity of the student population and staff enriches the learning experience for all students.
11. A highly skilled and dedicated staff has a direct and powerful influence on students' lives and learning.

PHILOSOPHY (continued)

12. A high level of communication, trust, respect and teamwork among Board members and the Superintendent contributes to effective decision making.
13. The community provides an essential resource to the educational program.
14. Effective communication with all stakeholders helps build support for the schools.
15. Accountability for the district's programs and operations is shared by the entire educational community, with the ultimate accountability resting with the Board as the basic embodiment of representative government.

Legal Reference:

EDUCATION CODE

5I 002 Local development of programs based on stated philosophy and goals 5I 01 9

Definition of philosophy

Management Resources:

CSBA PUBLICATIONS

Maximizing School Board Leadership: Vision. 1 996

Policy
adopted: August 21, 2012

**HUNTINGTON BEACH CITY
SCHOOL DISTRICT**
Huntington Beach, California

CIVILITY POLICY

The district is committed to maintaining an orderly educational and administrative process, by keeping schools and administrative offices free from disruptions and preventing unauthorized persons from entering school or district grounds.

The Huntington Beach City School District seeks to promote mutual respect, civility, and orderly conduct among district employees, parents and the public. This policy is not intended to deprive any person of his/her right to freedom of expression but only to maintain, to the extent possible and reasonable, a safe, harassment-free workplace for our students and staff. In the interest of presenting district employees and visiting adults as positive role models to the children of this district, as well as in the community, the Huntington Beach City School District encourages positive communication and discourages volatile, hostile or aggressive actions. In addition, the district seeks public cooperation with this endeavor.

(cf 0410.1 Recognition of Human Diversity)

Legal Reference:

EDUCATION CODE

*32210 Disturbing School 44014 Assault on
Personnel*

*44810 Person on School Grounds 44811 Insults and
Abuses*

PENAL CODE

243.5 Arrest on School Grounds

415.5 Fighting on School Grounds

626.8 Entry of School by Person not on Lawful Business

627.7 Refusal to Leave School Grounds

**HUNTINGTON BEACH CITY
SCHOOL DISTRICT**

Policy

adopted: April 14, 2009

Huntington Beach, California

Community Relations

AR 1315(a)

CIVILITY POLICY

Members of the community and Huntington Beach City School District staff will treat each other with respect. This policy is not intended to deprive any person of his/her right to freedom of expression but only to maintain, to the extent possible and reasonable, a safe, harassment-free workplace for our students and staff.

Disruptions

1. Any individual who disrupts or threatens to disrupt school/office, district office, or support services operations, threatens the health and safety of students or staff, willfully causes property damage, uses loud and/or offensive language which could provoke a violent reaction, or who has otherwise established a continued pattern of unauthorized entry on school district property will be directed to leave school or district property promptly by the chief administrative officer or designee.
2. If any individual uses obscenities or speaks in a demanding, loud, insulting and/or demeaning manner, he/she will be asked to communicate civilly. If corrective action is not taken by the abusing party, the district employee will verbally notify the abusing party that the meeting, conference or telephone conversation is terminated and, if the meeting or conference is on district premises, the offending party will be directed to leave promptly.
3. Disruptions on the part of a staff member or behavior that is insulting or demeaning towards others by a staff member will be treated as described in number two (2) above. Appropriate disciplinary action is to be taken in accordance with the current collective bargaining agreement. Complaints about a staff member by a parent or community member can be filed according to Board Policy 1312.1, Complaints Concerning School Personnel.

When an individual is directed to leave under such circumstances as addressed in the above, the chief administrative officer or designee shall inform the person that he/she will be guilty of a misdemeanor in accordance with California Education Code section 44811 and Penal Codes 415.5 and 626.7 if he/she reenters any district facility within 30 days of being directed to leave or within seven days if the person is a parent/guardian of a student attending the school. If an individual refuses to leave upon request or returns before the applicable period of time, the chief administrative officer or designee may notify law enforcement officials. The chief administrative officer, upon consultation with the involved parties, will determine if further action is necessary, such as written notification or conference.

Safety and Security

1. When violence is directed against an employee, employees shall promptly report the occurrence to their principal or supervisor. In addition, any attack, assault, or threat made against an employee on school/district premises at a school/district sponsored activity should be reported to law enforcement.

CIVILITY POLICY (continued)

Documentation

When it is determined by staff that a member of the public is in the process of violating the provisions of this policy, an effort should be made by staff to provide a written copy of this policy, including applicable code provisions, at the time of occurrence. If no written policy is available at the time of the occurrence, the chief administrator may follow-up the incident with written notification to or a conference with the individual. An employee who is a witness to a violation of this policy will immediately notify his/her supervisor and provide a written report of the incident.

Regulation approved: 4/14/09

**HUNTINGTON BEACH CITY
SCHOOL DISTRICT**
Huntington Beach, California

TOBACCO-FREE SCHOOLS

The Board of Trustees recognizes that the health hazards associated with smoking and the use of tobacco products, including the breathing of second-hand smoke, are inconsistent with its goal to provide a healthy environment for students and staff.

(cf 3514 - Environmental Safety)
(cf 41591425914359 - Employee Assistance Programs) (cf 5030 - Student Wellness)
(cf 5131.62 - Tobacco)
(cf 5141.23 - Asthma Management)
(cf 6142.8 - Comprehensive Health Education) (cf 6143 - Courses of Study)

The Board prohibits the use of tobacco products at any time in district-owned or leased buildings, on district property, and in district vehicles. (Health and Safety Code 104420; Labor Code 6404.5; 20 USC 6083)

This prohibition applies to all employees, students, and visitors at any school-sponsored instructional program, activity, or athletic event held on or off district property. Any written joint use agreement governing community use of district facilities or grounds shall include notice of the district's tobacco-free schools policy and consequences for violations of the policy.

(cf 1330 - Use of School Facilities) (cf 1330.1 - Joint Use Agreements)

Prohibited products include any product containing tobacco or nicotine, including, but not limited to, cigarettes, cigars, miniature cigars, smokeless tobacco, snuff, chew, clove cigarettes, betel, and nicotine delivery devices such as electronic cigarettes. Exceptions may be made for the use or possession of prescription nicotine products.

Smoking or use of any tobacco-related products and disposal of any tobacco-related waste are prohibited within 25 feet of any playground, except on a public sidewalk located within 25 feet of the playground. (Health and Safety Code 104495)

Legal Reference: (see next page)

TOBACCO-FREE SCHOOLS (continued)*Legal Reference:*EDUCATION CODE

48900 Grounds for suspension/expulsion

4890I Prohibition against tobacco use by students HEALTH ANDSAFETY CODE

39002 Control of air pollution from non-vehicular sources I

04350-I 04495 Tobacco use prevention, especially:

I 04495 Prohibition of smoking and tobacco waste on playgrounds I I 9405

Unlawful to sell or furnish electronic cigarettes to minors LABOR CODE

3300 Employer, definition

6304 Safe and healthful workplace

6404.5 Occupational safety and health; use of tobacco products UNITEDSTATES CODE. TITLE 20

6083 Nonsmoking policy for children's services

71 00-71 I 7 Safe and Drug Free Schools and Communities Act CODE OFFEDERAL REGULATIONS. TITLE 21I I 40.I-I I 40.34 Unlawful sale of cigarettes and smokeless tobacco to minors PERERULINGSEureka Teachers Assn. v. Eureka City School District (1992) PERE Order #955 (16 PERC 231 68)CSEA #506 and Associated Teachers o(Metropolitan Riverside v. Riverside Unified School District (1989)PERE Order #750 (13 PERC 20 I 47)*Management Resources:*WEB SITESCalifornia Department of Education, Alcohol, Tobacco and Other Drug Prevention: <http://www.cde.ca.gov/lslhe/at>

California Department of Education, Tobacco-Free School District Certification:

<http://www.cde.ca.gov/lsh/he/atltobaccoji-ecert.asp>California Department of Public Health, Tobacco Control: <http://www.cdph.ca.gov/programs/tobacco> OccupationalSafety and Health Standards Board: <http://www.dir.ca.gov/OSHSB/oshsb.html>U.S. Environmental Protection Agency: <http://www.epa.gov>

Policy

adopted: August 21, 2012

**HUNTINGTON BEACH CITY SCHOOL
DISTRICT**
Huntington Beach, California

TOBACCO-FREE SCHOOLS

Notifications

Information about the district's tobacco-free schools policy and enforcement procedures shall be communicated clearly to employees, parents/guardians, students, and the community. (Health and Safety Code 104420)

(cf 4112.914212.914312.9 - Employee Notifications)

The Superintendent or designee may disseminate this information through annual written notifications, district and school web sites, student and parent handbooks, and/or other appropriate methods of communication.

(cf 1113 - District and School Web Sites)

Signs stating "Tobacco use is prohibited" shall be prominently displayed at all entrances to school property. (Health and Safety Code 104420)

Enforcement/Discipline

Any employee or student who violates the district's tobacco-free schools policy shall be asked to refrain from smoking and shall be subject to disciplinary action as appropriate.

(cf 4118 - Suspension/Disciplinary Action)

(cf 4218 - Dismissal/Suspension/Disciplinary Action) (cf 5144 - Discipline)

(cf 5144.1 - Suspension and Expulsion/Due Process)

Any other person who violates the district's policy on tobacco-free schools shall be informed of the district's policy and asked to refrain from smoking. If the person fails to comply with this request, the Superintendent or designee may:

1. Direct the person to leave school property
2. Request local law enforcement assistance in removing the person from school premises
3. If the person repeatedly violates the tobacco-free schools policy, prohibit him/her from entering district property for a specified period of time

(cf 1250 - Visitors/Outsiders) (cf 3515.2 - Disruptions)

The Superintendent or designee shall not be required to physically eject a nonemployee who is smoking or to request that the nonemployee refrain from smoking under circumstances involving a risk of physical harm to the district or any employee. (Labor Code 6404.5)

**HUNTINGTON BEACH CITY SCHOOL
DISTRICT**

Huntington Beach, California

Regulation

approved: August 21, 2012

DRUG AND ALCOHOL-FREE WORKPLACE

The Board of Trustees believes that the maintenance of a drug- and alcohol-free workplace is essential to staff and student safety and to help ensure a productive and safe work and learning environment.

(cf 4112.4114212.4114312.41 - Employee Drug Testing)

(cf 4112.4214212.4214312.42 - Drug and Alcohol Testing/or School Bus Drivers)

An employee shall not unlawfully manufacture, distribute, dispense, possess, or use any controlled substance in the workplace. (Government Code 8355; 41 USC 701)

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

(cf 4032 - Reasonable Accommodation)

The Superintendent or designee shall notify employees of the district's prohibition against drug use and the actions that will be taken for violation of such prohibition. (Government Code 8355; 41 USC 701)

An employee shall abide by the terms of this policy and shall notify the district, within five days, of his/her conviction for violation in the workplace of any criminal drug statute. (Government Code 8355; 41 USC 701)

The Superintendent or designee shall notify the appropriate federal granting or contracting agency within 10 days after receiving notification, from an employee or otherwise, of any conviction for a violation occurring in the workplace. (41 USC 701)

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

(cf 4112 - Appointment and Conditions of Employment) (cf 4117.4 - Dismissal)

(cf 4118 - Suspension/Disciplinary Action)

(cf 4212 - Appointment and Conditions of Employment) (cf 4218 - Dismissal/Suspension /Disciplinary Action)

DRUG AND ALCOHOL-FREE WORKPLACE (continued)

Drug-Free Awareness Program

The Superintendent or designee shall establish a drug-free awareness program to inform employees about: (Government Code 8355; 41 USC 701)

1. The dangers of drug abuse in the workplace
2. The district's policy of maintaining a drug-free workplace
3. Available drug counseling, rehabilitation, and employee assistance programs

(cf 41591425914359 - Employee Assistance Programs)

4. The penalties that may be imposed on employees for drug abuse violations occurring in the workplace

Legal Reference:

EDUCATION CODE

44011 Controlled substance offense

44425 Conviction of controlled substance offenses as grounds for revocation of credential 44836.

Employment of certificated persons convicted of controlled substance offenses 44940 Compulsory leave of absence for certificated persons

44940.5 Procedures when employees are placed on compulsory leave of absence 45123

Employment after conviction of controlled substance offense

45304 Compulsory leave of absence for classified persons GOVERNMENT CODE

8350-8357 Drug-free workplace UNITED STATES

CODE, TITLE 20

7111-7117 Safe and Drug Free Schools and Communities Act UNITED STATES

CODE, TITLE 21

812 Schedule of controlled substances

UNITED STATES CODE, TITLE 41

701-707 Drug-Free Workplace Act

CODE OF FEDERAL REGULATIONS, TITLE 21

1308.01-1308.49 Schedule of controlled substances COURT

DECISIONS

Cahoon v. Governing Board of Ventura USD. (2009) 171 Cal.App.4th 381

Ross v. RagingWire Telecommunications, Inc., (2008) 42 Cal.4th 920

Management Resources:

WEBSITES

California Department of Alcohol and Drug Programs: <http://www.adp.ca.gov> California

Department of Education: <http://www.cde.ca.gov>

U.S. Department of Labor: <http://www.dol.gov>

Policy

adopted: August 21, 2012

HUNTINGTON BEACH CITY

SCHOOL DISTRICT

Huntington Beach, California

Personnel

**SEXUAL
HARASSMENT**

The Governing Board prohibits sexual harassment of district employees and job applicants. The Board also prohibits retaliatory behavior or action against district employees or other persons who complain, testify or otherwise participate in the complaint process established pursuant to this policy and administrative regulation.

(cj 04I 0 - Nondiscrimination in District Programs and Activities) (cj 4030 - Nondiscrimination in Employment)

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

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

(cj 4112.9142I 2.914312.9 - Employee Notifications)

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

All complaints and allegations of sexual harassment shall be kept confidential to the extent necessary to carry out the investigation or to take other subsequent necessary actions. (5 CCR 4964)

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

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

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

(cj 4031 - Complaints Concerning Discrimination in Employment)

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

Personnel

BP 4119.1 l(b)
4219.11
4319.11

**SEXUAL
HARASSMENT**

(cf 4117.4 - Dismissal)
(cf 4118 - Suspension/Disciplinary Action)
(cf 4218 - Dismissal/Suspension/Disciplinary Action)

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination on the basis of sex

GOVERNMENT CODE

I 2900-I2996 Fair Employment and Housing Act, especially: I 2940

Prohibited discrimination

I2950.1 Sexual harassment training LABOR

CODE

II 01 Political activities of employees

II 02.1 Discrimination: sexual orientation CODE OF

REGULATIONS. TITLE 2

7287.8 Retaliation

7288.0 Sexual harassment training and education CODE OF

REGULATIONS. TITLE 5

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

UNITED STATES CODE. TITLE 42

2000d-2000d-7 Title VJ, Civil Rights Act of 1964

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

2000h-2-2000h-6 Title IX, 1972 Education Act Amendments CODE OF

FEDERAL REGULATIONS. TITLE 34

106.9 Dissemination of policy COURT

DECISIONS

Department of Health Services v. Superior Court of California, (2003) 31 Cal.4th 1026 Faragher v. City of Boca Raton, (1998) 118 S.Ct. 2275

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

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

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

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

Management Resources:

OFFICE OF CIVIL RIGHTS AND NATIONAL ASSOCIATION OF ATTORNEYS GENERAL

Protecting Students on Harassment and Hate Crime, January, 1999 WEBSITES

California Department of Fair Employment and Housing: <http://www.dfeh.ca.gov>

Equal Employment Opportunity Commission: <http://www.eeoc.gov>

U.S. Department of Education, Office for Civil

Rights: <http://www.ed.gov/about/offices/list/ocr/index.html>

Policy
adopted: 08/21/12

**HUNTINGTON BEACH CITY
SCHOOL DISTRICT**
Huntington Beach, California

Personnel

HARASSMENT

SEXUAL

Definitions

Prohibited sexual harassment includes, but is not limited to, unwelcome sexual advances, unwanted requests for sexual favors, or other unwanted verbal, visual, or physical conduct of a sexual nature made against another person of the same or opposite sex in the work or educational setting when: (Education Code 212.5; 5 CCR 4916)

1. Submission to the conduct is made explicitly or implicitly a term or condition of the individual's employment.
2. Submission to or rejection of such conduct by the individual is used as the basis for an employment decision affecting him/her.
3. The conduct has the purpose or effect of having a negative impact upon the individual's work or has the purpose or effect of creating an intimidating, hostile, or offensive work environment. The conduct is sufficiently severe, persistent, pervasive, or objectively offensive so as to create a hostile or abusive working environment or to limit the individual's ability to participate in or benefit from an education program or activity.
4. Submission to or rejection of the conduct by the other individual is used as the basis for any decision affecting him/her regarding benefits, services, honors, programs, or activities available at or through the district.

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

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

Prohibited sexual harassment may also include any act of retaliation against an individual who reports a violation of the district's sexual harassment policy or who participates in the investigation of a sexual harassment complaint.

Personnel

AR 4119.1 l(b)

4219.11

SEXUAL HARASSMENT

4319.11

(continued)

Training

Every two years, the Superintendent or designee shall ensure that supervisory employees receive at least two hours of classroom or other effective interactive training and education regarding sexual harassment. All newly hired or promoted supervisory employees shall receive training within six months of their assumption of the supervisory position. (Government Code 12950.1)

The district's training and education program for supervisory employees shall include information and practical guidance regarding the federal and state laws on the prohibition against and the prevention and correction of sexual harassment, and the remedies available to the victims of sexual harassment in employment. The training shall also include all of the content specified in 2 CCR 7288.0 and practical examples aimed at instructing supervisors in the prevention of harassment, discrimination, and retaliation. (Government Code 12950.1; 2 CCR 7288.0)

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

Notifications

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

1. Be displayed in a prominent location in the main administrative building, district office, or other area of the school where notices of district rules, regulations, procedures, and standards of conduct are posted
2. Be provided to each faculty member, all members of the administrative staff, and all members of the support staff at the beginning of the first quarter or semester of the school year or whenever a new employee is hired

(cf 4112.914212.914312.9 - Employee Notifications)

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

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

1. The illegality of sexual harassment
2. The definition of sexual harassment under applicable state and federal law
3. A description of sexual harassment, with examples
4. The district's complaint process available to the employee

Personnel

AR 4119.11 (c) 4219.11
4319.11

SEXUAL HARASSMENT
(continued)

(cf 4031 - Complaints Concerning Discrimination in Employment)

5. The legal remedies and complaint process available through DFEH and the Equal Employment Opportunity Commission (EEOC)
6. Directions on how to contact DFEH and the EEOC
7. The protection against retaliation provided by 2 CCR 7287.8 for opposing harassment prohibited by law or for filing a complaint with or otherwise participating in an investigation, proceeding, or hearing conducted by DFEH and the EEOC

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

**HUNTINGTON BEACH CITY SCHOOL
DISTRICT**

PROFESSIONAL STANDARDS -

The Board of Trustees expects district employees to maintain the highest ethical standards, exhibit professional behavior, follow district policies and regulations, abide by state and federal laws, and exercise good judgment when interacting with students and other members of the school community. Employee conduct should enhance the integrity of the district, advance the goals of the district's educational programs, and contribute to a positive school climate.

(cf 0200 – Goals for the School District)
(cf 4119.114219.1/4319.1 - Civil and Legal Rights) (cf 5131 - Conduct)
(cf 5137 - Positive School Climate)

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

(cf 2111 - Superintendent Governance Standards) (cf 9005 - Governance Standards)

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

(cf 4112.2 - Certification)
(cf 4131 - Staff Development) (cf 4231 - Staff Development) (cf 4331 - Staff Development)

Inappropriate employee conduct includes, but is not limited to:

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

(cf 0450 - Comprehensive Safety Plan) (cf 41581425814358 - Employee Security)

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

(cf 0410 - Nondiscrimination in District Programs and Activities) (cf 4119.JJ /4219.JJ /4319.JJ - Sexual Harassment)
(cf 5131.2 - Bullying)
(cf 5145.3 - Nondiscrimination/Harassment) (cf 5145.7 - Sexual Harassment)

PROFESSIONAL STANDARDS (continued)

3. Physically abusing, sexually abusing, neglecting, or otherwise willfully harming or injuring a child
4. Engaging in inappropriate socialization or fraternization with a student or soliciting, encouraging, or maintaining an inappropriate written, verbal, or physical relationship with a student
5. Possessing or viewing any pornography on school grounds, or possessing or viewing child pornography or other imagery portraying children in a sexualized manner at any time
6. Using profane, obscene, or abusive language against students, parents/guardians, staff, or community members
7. Willfully disrupting district or school operations by loud or unreasonable noise or other action
8. Using tobacco, alcohol, or an illegal or unauthorized substance, or possessing or distributing any controlled substance, while in the workplace or at a school-sponsored activity

(cf 3513.3 - Tobacco-Free Schools)

(cf 4020 - Drug and Alcohol Free Workplace)

(cf 4112.4114212.4114312.41 - Employee Drug Testing)

(cf 4112.42/4212.42/4312.42 - Drug and Alcohol Testing/or School Bus Drivers)

9. Dishonesty with students, parents/ guardians, staff, or members of the public, including, but not limited to, falsification of information in employment records or other school records
10. Divulging confidential information about students, district employees, or district operations to persons not authorized to receive the information

(cf 3580 - District Records)

(cf 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information) (cf 5125 - Student Records)

(cf 5125.1 - Release of Directly Information)

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

(cf 4119.2514219.25/4319.25 - Political Activities of Employees)

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

PROFESSIONAL STANDARDS (continued)

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

(cf 4040 - Employee Use of Technology)

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

14. Wearing inappropriate attire

(cf 4119.2214219.2214319.22 - Dress and Grooming)

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

(cf 1312.1 - Complaints Concerning District Employees)
{cf 5141.4 - Child Abuse Prevention and Reporting}

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

(cf 4117.4 - Dismissal)
(cf 4117.7 - Employment Status Reports) (cf 4118 -
Suspension/ Disciplinary Action)
(cf 4218 - Dismissal/Suspension/ Disciplinary Action)

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

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

PROFESSIONAL STANDARDS (continued)

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination

44242.5 Reports and review of alleged misconduct PENAL CODE

11164-11174.4 Child Abuse and Neglect Reporting Act CODE OF REGULATIONS. TITLE 5

80303 Reports of dismissal, resignation and other terminations for alleged misconduct 80331 -80338

Rules of conduct for professional educators

Management Resources:

COMMISSION ON TEACHER CREDENTIALING PUBLICATIONS

California Standards for the Teaching Profession, 2009

COUNCIL OF CHIEF STATE SCHOOL OFFICERS PUBLICATIONS

Educational Leadership Policy Standards: ISLLC 2008, 2008 NATIONAL

EDUCATION ASSOCIATION PUBLICATIONS

Code of Ethics of the Education Profession, 1975 WESTED

PUBLICATIONS

Moving Leadership Standards into Everyday Work: Descriptions of Practice, 2003

WESTED AND ASSOCIATION OF CALIFORNIA SCHOOL ADMINISTRATORS PUBLICATIONS

California Professional Standards for Educational Leaders, 2001 WEB SITES

CSBA: <http://www.csba.org>

Association of California School Administrators: <http://www.acsa.org> California

Department of Education: <http://www.cde.ca.gov> California Federation of

Teachers: <http://www.cft.org>

California School Employees Association: <http://www.csea.com> California

Teachers Association: <http://www.cta.org> Commission on Teacher

Credentialing: <http://www.ctc.ca.gov> Council of Chief State School

Officers: <http://www.ccsso.org> WestEd: <http://www.WestEd.org>

Policy

adopted: August 21, 2012

**HUNTINGTON BEACH CITY SCHOOL
DISTRICT**
Huntington Beach, California

DRESS AND GROOMING

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

(cf 4118 - Suspension/Disciplinary Action)
(cf 4119.25/4219.25/4319.25 - Political Activities of Employees) (cf 4218 - Dismissal/Suspension/Disciplinary Action)
(cf 5132 - Dress and Grooming)

Legal Reference:

EDUCATION CODE

4890 *Smoking or use of tobacco* 35160 *Authority of governing boards*

35160.I *Broad authority of school districts*

GOVERNMENT CODE

3543.2 *Scope of representation*

12949 *Dress standards, consistency with gender identity* COURT

DECISIONS

San Mateo City School District v. PERB (1983) 33 Cal. 3d 850

Damico v. Rapides Parish School Board (5th Cir. 1982) 675 F.2d JOO

East Hartford Education Assn. v. Board of Education (2d Cir. 1977) 562 F. 2d 856 Finot v.

Pasadena Board of Education (J967) 250 Cal.App.2d 189

PUBLIC EMPLOYMENT RELATIONS BOARD DECISIONS

Santa Ana Unified School District (1998) 22 PERC P29, 136 Inglewood Unified School District (1985) 10 PERC P 17, 000

Management Resources:

WEBSITES

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

Policy

adopted: August 21, 2012

**HUNTINGTON BEACH CITY
SCHOOL DISTRICT**
Huntington Beach, California

CHILD ABUSE PREVENTION AND REPORTING

Child Abuse Prevention

The Board of Trustees recognizes the district's responsibility to educate students about the dangers of child abuse so that they will acquire the skills and techniques needed to identify unsafe situations and to react appropriately and promptly.

The district's instructional program shall include age-appropriate and culturally sensitive child abuse prevention curriculum. This curriculum shall explain students' right to live free of abuse, inform them of available support resources, and teach them how to obtain help and disclose incidents of abuse. The curriculum also shall include training in self-protection techniques.

(cf 6143 - Courses of Study)

The Superintendent or designee shall seek to incorporate community resources into the district's child abuse prevention programs. To the extent feasible, the Superintendent or designee shall use these community resources to provide parents/guardians with instruction in parenting skills and child abuse prevention.

(cf 1020 - Youth Services)

Child Abuse Reporting

The Board recognizes that child abuse has severe consequences and that the district has a responsibility to protect students by facilitating the prompt reporting of known and suspected incidents of child abuse. The Superintendent or designee shall establish procedures for the identification and reporting of such incidents in accordance with law.

(cf 0450 - Comprehensive Safety Plan)

Employees who are mandated reporters, as defined by law and administrative regulation, are obligated to report all known or suspected incidents of child abuse and neglect. Mandated reporters shall not investigate any suspected incidents but rather shall cooperate with agencies responsible for investigating and prosecuting cases of child abuse and neglect.

The Superintendent or designee shall provide training regarding the reporting duties of mandated reporters.

In the event that training is not provided to mandated reporters, the Superintendent or designee shall report to the California Department of Education the reasons that such training is not provided. (Penal Code 11165.7)

Legal Reference: (see next page)

CHILD ABUSE PREVENTION AND REPORTING (continued)

Legal Reference :

EDUCATION CODE

32280-32288 *Comprehensive school safety plans*

33308.J *Guidelines on procedure for filing child abuse complaints*

44690-44691 *Staff development in the detection of child abuse and neglect* 44807 *Duty concerning conduct of students*

48906 *Notification when student released to peace officer* 48987

Dissemination of reporting guidelines to parents 49001 *Prohibition of corporal punishment*

51220.5 *Parenting skills education* PENAL CODE

152.3 *Duty to report murder, rape, or lewd or lascivious act*

273a *Willful cruelty or unjustifiable punishment of child; endangering life or health*

288 *Definition of lewd or lascivious act requiring reporting*

11164-11174.4 *Child Abuse and Neglect Reporting Act* WELFARE AND

INSTITUTIONS CODE

15630-15637 *Dependent adult abuse reporting* CODE OF REGULATIONS. TITLE 5

4650 *Filing complaints with CDE, special education students*

Management Resources:

CDE LEGAL ADVISORIES

0514.93 *Guidelines for parents to report suspected child abuse* WEBSITES

California Attorney General's Office, Crime and Violence Prevention Center: <http://safestate.org> *California Department of Education, Safe Schools:* <http://www.cde.ca.gov/lslss>

California Department of Social Services, Children and Family Services Division: <http://www.childsworld.ca.gov>

U.S. Department of Health and Human Services, National Clearinghouse on Child Abuse and Neglect Information: <http://nccanch.acf.hhs.gov>

Policy
adopted: August 21, 2012

**HUNTINGTON BEACH CITY
SCHOOL DISTRICT**
Huntington Beach, California

CHILD ABUSE PREVENTION AND REPORTING

Definitions

Child abuse or neglect includes the following: (Penal Code 11165.5, 11165.6)

1. A physical injury or death inflicted by other than accidental means on a child by another person
2. Sexual abuse of a child, including sexual assault or sexual exploitation, as defined in Penal Code 11165.1
3. Neglect of a child as defined in Penal Code 11165.2
4. Willful harming or injuring of a child or the endangering of the person or health of a child as defined in Penal Code 11165.3
5. Unlawful corporal punishment or injury as defined in Penal Code 11165.4

Child abuse or neglect does not include:

1. A mutual affray between minors (Penal Code 11165.6)
2. An injury caused by reasonable and necessary force used by a peace officer acting within the course and scope of his/her employment (Penal Code 11165.6)

(cf 35I 5.3 - District Police/Security Department)

3. An injury resulting from the exercise by a teacher, vice principal, principal, or other certificated employee of the same degree of physical control over a student that a parent/guardian would be privileged to exercise, not exceeding the amount of physical control reasonably necessary to maintain order, protect property, protect the health and safety of students, or maintain proper and appropriate conditions conducive to learning (Education Code 44807)
4. An injury caused by a school employee's use of force that is reasonable and necessary to quell a disturbance threatening physical injury to persons or damage to property, to protect himself/herself, or to obtain weapons or other dangerous objects within the control of the student (Education Code 49001)

(cf 5144 - Discipline)

5. Physical pain or discomfort caused by athletic competition or other such recreational activity voluntarily engaged in by the student (Education Code 49001)

CHILD ABUSE PREVENTION AND REPORTING (continued)

Mandated reporters include, but are not limited to, teachers; instructional aides; teacher's aides or assistants; classified employees; certificated pupil personnel employees; administrative officers or supervisors of child attendance; administrators and employees of a licensed day care facility; Head Start teachers; district police or security officers; licensed nurses or health care providers; and administrators, presenters, and counselors of a child abuse prevention program. (Penal Code 11165.7)

Reasonable suspicion means that it is objectively reasonable for a person to entertain a suspicion, based upon facts that could cause a reasonable person in a like position, drawing when appropriate on his/her training and experience, to suspect child abuse or neglect. However, *reasonable suspicion* does not require certainty that child abuse or neglect has occurred nor does it require a specific medical indication of child abuse or neglect. (Penal Code 11166)

Reportable Offenses

A mandated reporter shall make a report using the procedures provided below whenever, in his/her professional capacity or within the scope of his/her employment, he/she has knowledge of or observes a child whom the mandated reporter knows or reasonably suspects has been the victim of child abuse or neglect. (Penal Code 11166)

Any mandated reporter who has knowledge of or who reasonably suspects that a child is suffering serious emotional damage or is at a substantial risk of suffering serious emotional damage, based on evidence of severe anxiety, depression, withdrawal, or untoward aggressive behavior toward self or others, may make a report to the appropriate agency. (Penal Code 11166.05, 11167)

Any district employee who reasonably believes that he/she has observed the commission of a murder, rape, or lewd or lascivious act by use of force, violence, duress, menace, or fear of immediate and unlawful bodily injury against a victim who is a child under age 14 shall notify a peace officer. (Penal Code 152.3, 288)

Responsibility for Reporting

The reporting duties of mandated reporters are individual and cannot be delegated to another person. (Penal Code 11166)

When two or more mandated reporters jointly have knowledge of a known or suspected instance of child abuse or neglect, the report may be made by a member of the team selected by mutual agreement and a single report may be made and signed by the selected member of the reporting team. Any member who has knowledge that the member designated to report has failed to do so shall thereafter make the report. (Penal Code 11166)

CHILD ABUSE PREVENTION AND REPORTING (continued)

No supervisor or administrator shall impede or inhibit a mandated reporter from making a report. (Penal Code 11166)

Any person not identified as a mandated reporter who has knowledge of or observes a child whom he/she knows or reasonably suspects has been a victim of child abuse or neglect may report the known or suspected instance of child abuse or neglect to the appropriate agency. (Penal Code 11166)

Reporting Procedures

1. Initial Telephone Report

Immediately or as soon as practicable after knowing or observing suspected child abuse or neglect, a mandated reporter shall make an initial report by telephone to any police department (excluding a school district police/security department), sheriff's department, county probation department if designated by the county to receive such reports, or county welfare department. (Penal Code 11165.9, 11166)

Orange County Social Services
714-940-1000

When the initial telephone report is made, the mandated reporter shall note the name of the official contacted, the date and time contacted, and any instructions or advice received.

2. Written Report

Within 36 hours of knowing or observing the information concerning the incident, the mandated reporter shall then prepare and either send, fax, or electronically submit to the appropriate agency a written follow-up report, which includes a completed Department of Justice form (SS 8572). (Penal Code 11166, 11168)

The Department of Justice form may be obtained from the district office or other appropriate agencies, such as the county probation or welfare department or the police or sheriff's department.

Reports of suspected child abuse or neglect shall include, if known: (Penal Code 11167)

- a. The name, business address, and telephone number of the person making the report and the capacity that makes the person a mandated reporter

CHILD ABUSE PREVENTION AND REPORTING (continued)

- b. The child's name and address, present location, and, where applicable, school, grade, and class
- c. The names, addresses, and telephone numbers of the child's parents/guardians
- d. The name, address, telephone number, and other relevant personal information about the person who might have abused or neglected the child
- e. The information that gave rise to the reasonable suspicion of child abuse or neglect and the source(s) of that information

The mandated reporter shall make a report even if some of this information is not known or is uncertain to him/her. (Penal Code 11167)

The mandated reporter may give to an investigator from an agency investigating the case, including a licensing agency, any information relevant to an incident of child abuse or neglect or to a report made for serious emotional damage pursuant to Penal Code 11166.05. (Penal Code 11167)

3. Internal Reporting

The mandated reporter shall not be required to disclose his/her identity to his/her supervisor, the principal, or the Superintendent or designee. (Penal Code 11166)

However, employees reporting child abuse or neglect to an appropriate agency are encouraged, but not required, to notify the principal as soon as possible after the initial telephone report to the appropriate agency. When so notified, the principal shall inform the Superintendent or designee.

The principal so notified shall provide the mandated reporter with any assistance necessary to ensure that reporting procedures are carried out in accordance with law, Board policy, and administrative regulation. At the mandated reporter's request, the principal may assist in completing and filing the necessary forms.

Reporting the information to an employer, supervisor, principal, school counselor, co worker, or other person shall not be a substitute for making a mandated report to the appropriate agency. (Penal Code 11166)

Training

Training of mandated reporters shall include identification and mandated reporting of child abuse and neglect. (Penal Code 11165.7)

CHILD ABUSE PREVENTION AND REPORTING (continued)

Training shall also include guidance in the appropriate discipline of students, physical contact with students, and maintenance of ethical relationships with students to avoid actions that may be misinterpreted as child abuse.

(cf 4119.2114219.2114319.21 - Professional Standards) (cf 4131 - Staff Development)
(cf 4231 - Staff Development) (cf 4331 - Staff Development)
(cf 5145.7 - Sexual Harassment)

Victim Interviews by Social Services

Whenever a representative from the Department of Social Services or another government agency investigating suspected child abuse or neglect deems it necessary, a suspected victim may be interviewed during school hours, on school premises, concerning a report of suspected child abuse or neglect that occurred within the child's home or out-of-home care facility. The child shall be given the choice of being interviewed in private or in the presence of any adult school employee or volunteer aide selected by the child. (Penal Code 11174.3)

A staff member or volunteer aide selected by a child may decline to be present at the interview. If the selected person accepts, the principal or designee shall inform him/her of the following requirements: (Penal Code 11174.3)

1. The purpose of the selected person's presence at the interview is to lend support to the child and enable him/her to be as comfortable as possible.
2. The selected person shall not participate in the interview.
3. The selected person shall not discuss the facts or circumstances of the case with the child.
4. The selected person is subject to the confidentiality requirements of the Child Abuse and Neglect Reporting Act, a violation of which is punishable as specified in Penal Code 11167.5.

If a staff member agrees to be present, the interview shall be held at a time during school hours when it does not involve an expense to the school. (Penal Code 1H74.3)

Release of Child to Peace Officer

When a child is released to a peace officer and taken into custody as a victim of suspected child abuse or neglect, the Superintendent or designee and/or principal shall not notify the

CHILD ABUSE PREVENTION AND REPORTING (continued)

Parent/guardian, but rather shall provide the peace officer with the address and telephone number of the child's parent/guardian. It is the responsibility of the peace officer or agent to notify the parent/guardian of the situation. (Education Code 48906)

(cf 5145.11 - Questioning and Apprehension by Law Enforcement)

Parent/Guardian Complaints

Upon request, the Superintendent or designee shall provide parents/guardians with a copy of this administrative regulation which contains procedures for reporting suspected child abuse occurring at a school site to appropriate agencies. For parents/guardians whose primary language is not English, such procedures shall be in their primary language and, when communicating orally regarding those procedures, an interpreter shall be provided.

To file a complaint against a district employee or other person suspected of child abuse or neglect at a school site, parents/ guardians may file a report by telephone, in person, or in writing with any appropriate agency identified above under "Reporting Procedures." If a parent/guardian makes a complaint about an employee to any other employee, the employee receiving the information shall notify the parent/guardian of procedures for filing a complaint with the appropriate agency. The employee also is obligated pursuant to Penal Code 11166 to file a report himself/herself using the procedures described above for mandated reporters.

(cf 1312.1 - Complaints Concerning District Employees)

In addition, if the child is enrolled in special education, a separate complaint may be filed with the California Department of Education pursuant to 5 CCR 4650.

(cf 1312.3 - Uniform Complaint Procedures)

Notifications

The Superintendent or designee shall provide to all new employees who are mandated reporters a statement that informs them of their status as mandated reporters, their reporting obligations under Penal Code 11166, and their confidentiality rights under Penal Code 11167. The district also shall provide these new employees with a copy of Penal Code 11165.7, 11166, and 11167. (Penal Code 11165.7, 11166.5)

Before beginning employment, any person who will be a mandated reporter by virtue of his/her position shall sign a statement indicating that he/she has knowledge of the reporting obligations under Penal Code 11166 and will comply with those provisions. The signed statement shall be retained by the Superintendent or designee. (Penal Code 11166.5)

(cf 4112.914212.914312.9 - Employee Notifications)

CHILD ABUSE PREVENTION AND REPORTING (continued)

Employees who work with dependent adults shall be notified of legal responsibilities and reporting procedures pursuant to Welfare and Institutions Code 15630-15637.

The Superintendent or designee also shall notify all employees that:

1. A mandated reporter who reports a known or suspected instance of child abuse or neglect shall not be held civilly or criminally liable for making a report and this immunity shall apply even if the mandated reporter acquired the knowledge or reasonable suspicion of child abuse or neglect outside of his/her professional capacity or outside the scope of his/her employment. Any other person making a report shall not incur civil or criminal liability unless it can be proven that he/she knowingly made a false report or made a report with reckless disregard of the truth or falsity of the report. (Penal Code 11172)
2. If a mandated reporter fails to report an incident of known or reasonably suspected child abuse or neglect, he/she may be guilty of a crime punishable by a fine and/or imprisonment. (Penal Code 11166)
3. No employee shall be subject to any sanction by the district for making a report. (Penal Code 11166)

Regulation
approved: August 21, 2012

**HUNTINGTON BEACH CITY SCHOOL
DISTRICT**
Huntington Beach, California