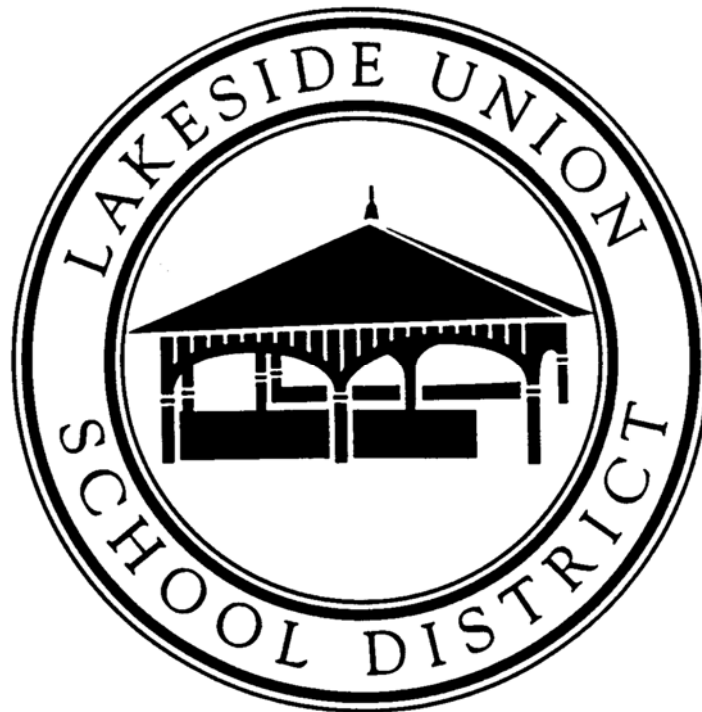


LAKESIDE UNION SCHOOL DISTRICT

*12335 Woodside Ave.
Lakeside, CA 92040*

***“Igniting Passion in Today’s Students for Tomorrow’s
Opportunities”***



EMPLOYEE HANDBOOK

Welcome

Thank you for choosing the Lakeside Union School District as your employer. We value you as an employee. If there is anything we can do to make your experience more positive, please do not hesitate to call the Human Resources Office with any questions or concerns you may have.

This handbook contains a brief summary of information about some of the policies and practices of the Lakeside Union School District. We expect each employee to read this handbook carefully, as it is a valuable reference for understanding the District as well as what is expected of you as an employee. For a complete list of all the policies and regulations of the Lakeside Union School District, please visit www.lsusd.net under the *Board of Trustees / Board Policies and Regulations*.

The contents of this handbook shall not be construed as a contract for employment between the District and any of its employees.

General Information

Human Resources Contacts

Human Resources Director:	Stacy Coble (619) 390-2618 scoble@lsusd.net
Human Resources Specialist: (Classified Staff)	Betsy Harding (619) 390-2619 bharding@lsusd.net
Human Resources Technician: (Certificated Staff)	Holly Tucker (619) 390-2600 ext. 2639 htucker@lsusd.net
Human Resources Assistant: (Sub Desk)	Lisa Delgado (619) 390-2600 ext. 2638 ldelgado@lsusd.net

Other District Contacts

Assistant Superintendent, Educational Services:	Dr. Kimberly Reed (619) 390-2608 kreed@lsusd.net
Assistant Superintendent, Business Services:	Erin Garcia (619) 390-2641 erin.garcia@lsusd.net
Payroll & Benefits:	Keri Wutzke (619) 390-2613 kwutzke@lsusd.net Brenda Huyser (619) 390-2615 bhuyser@lsusd.net

LAKESIDE UNION SCHOOL DISTRICT

2020-2021 Calendar



S	M	T	W	T	F	S
JULY 2020						
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

S	M	T	W	T	F	S
AUGUST 2020						
8						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

S	M	T	W	T	F	S
SEPTEMBER 2020						
21						
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

S	M	T	W	T	F	S
OCTOBER 2020						
22						
			1	2	3	
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

S	M	T	W	T	F	S
NOVEMBER 2020						
15						
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

S	M	T	W	T	F	S
DECEMBER 2020						
14						
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

S	M	T	W	T	F	S
JANUARY 2021						
18						
				1	2	
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

S	M	T	W	T	F	S
FEBRUARY 2021						
18						
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28						

S	M	T	W	T	F	S
MARCH 2021						
15						
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

S	M	T	W	T	F	S
APRIL 2021						
20						
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

S	M	T	W	T	F	S
MAY 2021						
20						
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

S	M	T	W	T	F	S
JUNE 2021						
9						
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

SPECIAL DAYS

- Non-Student Day
- First Day of School** August 20
- Last Day of School** June 11
- 100th Day February 2

GRADING PERIODS

- Trimester Grading Periods
- 1st (60 Days)..... November 13, 2020
- 2nd (62 Days)..... March 5, 2021
- 3rd (58 Days) June 11, 2021

REPORT CARDS

- Trimester 1.....November 20, 2020
- Trimester 2 March 12, 2021
- Trimester 3 June 11, 2021

PARENT CONFERENCES

- Parent Conferences for Elementary and Middle Schools
-December 7-11, 2020
- Parent Conferences for Elementary Only
-March 11-12, 2021

LAKESIDE UNION SCHOOL DISTRICT

Month 1	August 20 – September 18, 2020	21 days
Month 2	September 21 – October 16, 2020	20 days
Month 3	October 19 – November 13, 2020	19 days
Month 4	November 16 – December 18, 2020	20 days
Month 5	December 21, 2020 – January 15, 2021	9 days
Month 6	January 18 – February 12, 2021	19 days
Month 7	February 15 – March 12, 2021	18 days
Month 8	March 15 – April 9, 2021	10 days
Month 9	April 12 - May 7, 2021	20 days
Month 10	May 10 – June 4, 2020	19 days
Month 11	June 7 – June 11, 2020	5 days

2020	July 3	Friday	Fourth of July (Legal Holiday)
	July 29	Wednesday	Middle School Principals Return
	August 3	Monday	11-Month Employees Return
	August 5	Wednesday	Site Administrators Return
	August 5	Wednesday	10-Month Clerical Employees Return
	August 17	Monday	Teacher Workday
	August 18*	Tuesday	Professional Development
	August 19	Wednesday	Teacher Workday
	August 20	Thursday	Classes Begin
	September 7	Monday	Labor Day (Legal Holiday)
	September 25	Friday	School Site Goal Setting and Planning Day (Min Day for Students)
	November 11	Wednesday	Veterans Day (Legal Holiday)
	November 23-27	Monday-Friday	Thanksgiving Holidays (Student and Legal Holidays)
December 7-11	Monday-Friday	Elem & Middle School Parent Conferences (Minimum Day	
Dec 21-Jan 1		Winter Recess	
December 23	Wednesday	Local Holiday **	
December 24	Thursday	Local Holiday	
December 25	Friday	Christmas Day (Legal Holiday)	
December 31	Thursday	Local Holiday	
2021	January 1	Friday	New Year's Day (Legal Holiday)
	January 15*	Friday	Professional Development Day (No School for Students)
	January 18	Monday	Martin Luther King, Jr. Day (Legal Holiday)
	February 15	Monday	Lincoln's Day (Legal Holiday)
	February 22	Monday	Washington's Day (Legal Holiday)
	March 11-12	Thursday-Friday	Elementary Parent Conferences (Minimum Day)
	March 22-April 2	Monday-Friday	Spring Recess
	April 2	Friday	Good Friday (Local Holiday)
	May 5	Wednesday	Day of the Teacher
	May 17-21		Classified Employees Week
	May 28	Friday	School Site Goal Setting and Planning Day (Min Day for Students)
	May 31	Monday	Memorial Day (Legal Holiday)
	June 11	Friday	Last Day of Student Attendance/Final Workday for Teachers
June 23	Wednesday	Final Workday for 10-month Clerical Employees	
June 25	Friday	Final Workday for Administrators	

**Professional Development Day*

***Local holiday for employees, December 23, 2020, in lieu of Admissions Day*

School Directory

Eucalyptus Hills Elementary School School Hours: Mon., Tue., Thurs., Fri. 9:10am - 2:45pm Wednesdays: 9:10am - 12:45pm <i>Hee-Jin Peterson, Small School Administrator</i> <i>Kit Buettgenbach, Secretary</i>	11838 Valle Vista Rd.	(619) 390-2634
Lakeside Farms Elementary School School Hours: Kindergarten: 8:57am - 3:00pm Grades 1-5: 8:57am - 3:20pm Wednesday Early Dismissal: Kindergarten: 8:57am - 1:00pm Grades 1-5: 8:57am - 1:20pm <i>Jim Rosa, Principal</i> <i>Jennifer Davic, Secretary</i>	11915 Lakeside Ave.	(619) 390-2646
Lakeview Elementary School School Hours: Mon, Tue, Thurs, Fri: 8:40am – 3:00pm Every Wednesday dismissal is at 1:00pm Minimum day (Parent Conferences) dismissal is at 12:10pm <i>Staci Arnold, Principal</i> <i>Lamia Matti, Secretary</i>	9205 Lakeview Rd.	(619) 390-2652
Lemon Crest Elementary School School Hours: Mon, Tue, Thurs, Fri: 7:50am - 2:15pm Every Wednesday dismissal is at 12:15pm <i>Keith Keiper, Principal</i> <i>Brandi Whitehurst, Secretary</i>	12465 Lemon Crest Dr.	(619) 390-2527
Lindo Park Elementary School School Hours: Mon, Tue, Thurs, Fri: 7:38am - 2:05pm Every Wednesday dismissal is at 12:05pm. <i>Nina Drammissi, Principal</i> <i>Sheila Florey, Secretary</i>	12824 Lakeshore Dr.	(619) 390-2656
Riverview Elementary School School Hours: EAK 8:00am-1:35pm Wednesdays 8:00am-11:35am	9308 Winter Gardens Blvd.	(619) 390-2662

Grades 2 & 3 8:10am-2:35pm
Wednesdays 8:10am-12:35pm
Grades 4 & 5 8:20am-2:45pm
Wednesdays 8:20am -12:45pm
Grace Cox, Principal
Marisa Robertson, Secretary

Winter Gardens Elementary School

8501 Pueblo Rd.

(619) 390-2687

School Hours:

Grade K 8:45am-2:50pm

Wednesdays 8:45am-12:50pm

Grade 1 8:35am-3:00pm

Wednesdays 8:35am-1:00pm

Hee-Jin Peterson, Vice Principal

Peggy McKay, Secretary

Lakeside Middle School

11833 Woodside Ave.

(619) 390-2636

School Hours:

Mon, Tue, Thurs, Fri: 8:35 am – 3:05pm

Every Wednesday dismissal is at 1:05pm

Steve Mull, Principal

Michele Sampier, Secretary

Tierra Del Sol Middle School

9611 Petite Ln

(619) 390-2670

School Hours:

Mon, Tue, Thurs, Fri: 7:30am – 1:50pm

Every Wednesday dismissal is at 11:50am

Leslie Hardiman, Principal

Cynthia Stroman, Secretary

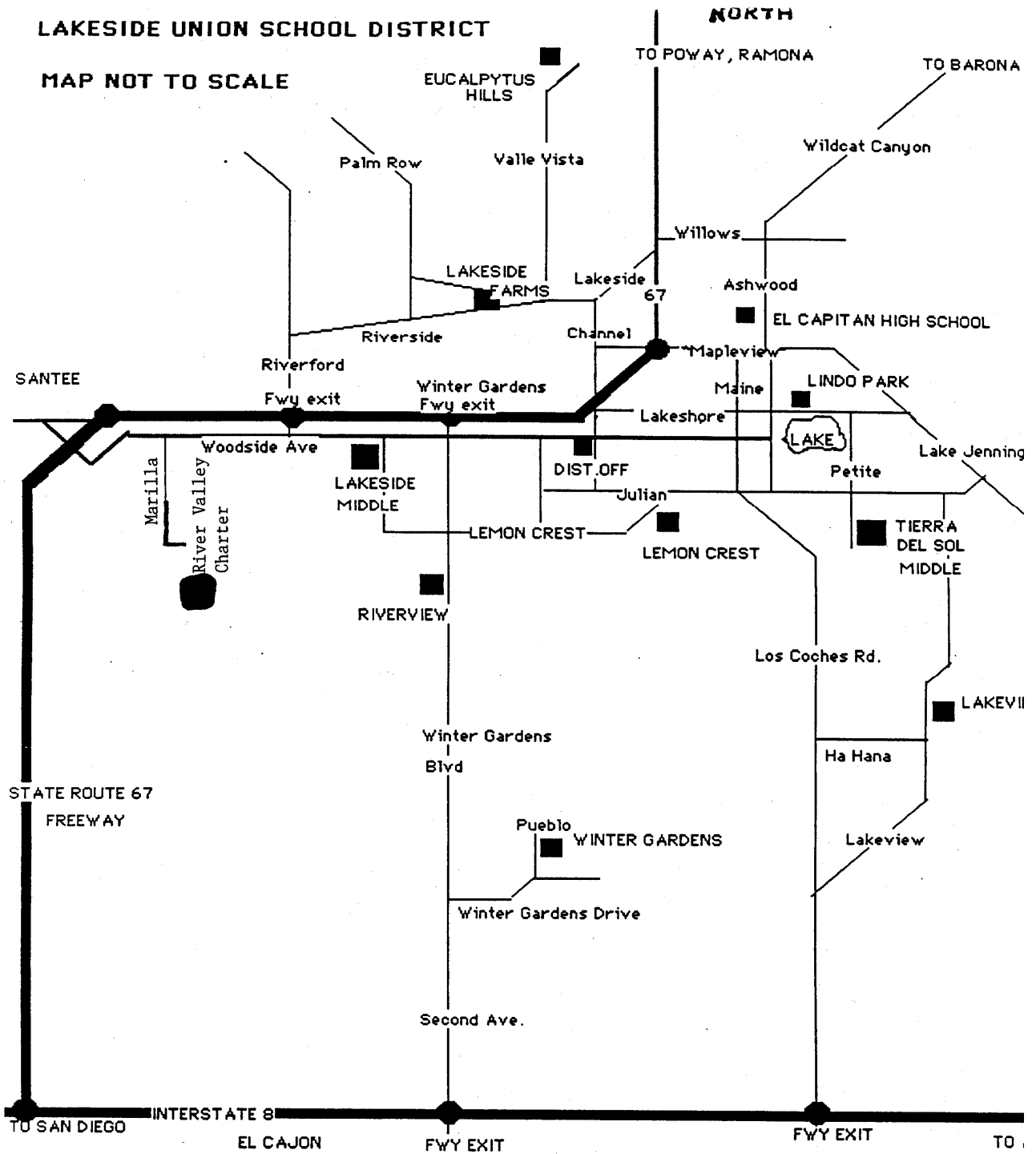
LEAP Marilla

9745 Marilla Dr.

(619) 390-2501

Robin Bowman, Administrator

Map of Schools



Categories of Employment

The Certificated Employee:

The Certificated Employee works in a position that requires a credential issued by the California Commission on Teacher Credentialing. Certificated positions include classroom teachers, specialists, librarians, nurses, counselors, psychologists, and administrators.

The Classified Employee:

Most positions not requiring teaching or related credentials are termed “classified”. Such positions are termed “classified” because they are grouped according to the type of job duties and level of responsibility. Classified employees work in such diverse jobs as: Secretary, Custodian, Bus Driver, School Clerk, Food Service, Special Education Assistant, Campus Student Supervisors, etc.

Probationary Period/Evaluations

Classified Employees

The first year of employment is considered your probationary period. During this time employment is at will, and you or the District can terminate the working relationship at any time.

During your probationary period, your supervisor will evaluate your performance at 6 months and 12 months.

Certificated Employees

All certificated employees shall be evaluated on an annual basis during their probationary period. Permanent certificated employees who receive ratings that are less than satisfactory shall be evaluated annually. Other permanent certificated employees shall be evaluated on a biennial basis. The certificated employee’s evaluation shall be conducted by his/her immediate supervisor or designee.

Employee Expectations

Dress Code

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

In an effort to help choose appropriate clothing, the following guidelines have been established:

- Employees shall not wear any clothing that is offensive to others, or could harass, or have a negative impact on an individual's performance. Clothing should not create an intimidating, hostile, or offensive educational environment. This includes spiked jewelry, chains, nose piercing, lip piercing and wallet chains.
- Attire and personal belongings may not depict sexual connotations, racial terms, tobacco, alcohol, drugs, weapons, profanity/ obscenity, violence, or gangs. Logos and clothing with double entendres and mixed messages are not permissible. Some examples are: SKIN, the iron cross, Seedless, SRH, KMK, Metal Mulisha, PRIDE, Playboy, Hustler, Kottonmouth Kings, and red Dickies or long red shorts.
- Tattoos shall be covered by shirt; they cannot be visible to others.
- Writing or drawing on skin or clothing is prohibited.
- Pants must fit and be worn at the waist. No sagging.
- Dresses, skirts, and shorts length must reach the mid-thigh.
- No pajama apparel (tops or bottoms), crop tops, bare midriffs, plunging necklines exposing cleavage, sheer shirts, cut-offs, tube/strapless tops, halters, or spaghetti straps are allowed. Sleeveless tanks and shirts must be at least 2 inches wide at the shoulder.
- Underwear, including bra straps, boxer shorts, and muscle tank shirts must not be visible.
- Covering any inappropriate clothing with a jacket, sweatshirt, or sweater is not acceptable.
- Hats, hairnets, bandanas, hoods, or other head coverings are not to be worn on school grounds.
- Bandanas are not allowed to be worn on any part of the body including the head.
- Appropriate shoes must be worn at all times. Slippers or flip flops of any kind may not be worn.

Cell Phone Use

Cell phones should be turned off during working hours. Ringing cell phones are a distraction to students and other employees. Personal calls/texts should only be made during breaks and lunches. In the event of a demanding and immediate emergency, flexibility will be provided.

Attendance

The Lakeside Union School District expects every employee to be at the proper location on time and ready to work. Tardiness places a burden on the District staff.

If for some reason an employee is unable to come to work, he/she is expected to contact their supervisor/principal and to create the absence in the system at least two hours before his/her shift, if not sooner.

Please see page 12 “Absence Reporting” for more information on inputting absences.

Payroll

Viewing Pay Stubs Online

To view your paystub, go to the District’s website at <http://www.lsusd.net> and click on “Staff Resources” and then “Payroll Services”. Then, follow the instructions below:

1. Click PeopleSoft Employee Self-Service (ESS) link.
2. Your initial User ID is your employee ID without hyphens. Example: 123456
3. Your password is the first 4 letters of your last name in all CAPS and the last 4 numbers of your social security number. Example: TUCK1234
4. It will ask you to change your password.

You can also navigate to your paystub by going to: <https://ess.erp.sdcoe.net> and following the instructions in 2 & 3 above.

If you have any questions please feel free to contact the Human Resources or Payroll office.

Payroll Schedule 2020-2021

July 31, 2020

January 29, 2021

August 31, 2020

February 26, 2021

September 30, 2020

March 30, 2021

October 30, 2020

April 30, 2021

November 30, 2020

May 28, 2021

December 18, 2020

June 30, 2021

Retirement Information (CalPERS/CalSTRs)

CalPERS

All classified employees of the Lakeside Union School District (except elected officials and student workers) are subject to membership in the California Public Employees Retirement System (CalPERS). Employees who must be enrolled into CalPERS membership on the date of hire are (G.C. section 20281):

- Employees hired to work full-time for more than 6 months
- Employees working regular, part-time service who work at least an average of 20 hours a week for one year or longer
- Already a CalPERS member, unless working in a position excluded by law or contract exclusion

If a classified employee was enrolled in CalPERS prior to January 1, 2013, then the employee pays 7% of their base earnings; known as PERS Classic. If a classified employee is enrolled in CalPERS on or after January 1, 2013, then the employee pays 6% of their base earnings; known as PERS PEPPRA.

Once in membership, a person remains a member until they take a refund of contributions after permanently separating from CalPERS covered employment OR they retire. For more information about CalPERS membership and retirement benefits please visit the following website: www.calpers.ca.gov

CalSTRS

All certificated employees of the Lakeside Union School District are subject to membership in the California State Teachers' Retirement System (CalSTRS). Employee membership is automatic and is effective the first working day for employees who are:

- Full time contract EC 22501
- Part time 50% or more contract EC 22502
- Currently a member of CalSTRS from previous employment EC 22500

Important Note: If funds are on deposit with CalSTRS from previous employment, then membership is mandatory regardless of the type of certificated employment less than half time (EC 22500).

If a certificated employee was enrolled in CalSTRS prior to January 1, 2013, then the employee pays 10.25% of their base earnings; known as STRS Classic. If the certificated employee is enrolled in CalSTRS on or after January 1, 2013, then the employee pays 10.25% of their base earnings; known as STRS PEPPRA.

For more information about CalSTRS membership and retirement benefits please visit the following website: www.calstrs.com

Personnel Records

Personnel records are kept confidential and are not made available to any unauthorized person or to anyone outside of the District unless you have given authorization for release or if it is required by law. To obtain access to your records, please contact the Human Resources Department.

Please notify the Human Resources Department of any change in name, address, telephone number or tax status.

Workers' Compensation

Being hurt on the job is an unpleasant experience for anyone, whether the injury is slight or serious. In addition to the injury itself, there may be other concerns you may have about medical treatment and financial loss. The California Workers' Compensation Law requires that every employer provide its employees with Workers' Compensation coverage. This coverage guarantees prompt benefits to employees injured on the job or incurring a job-related illness. Benefits are in the form of medical care, temporary disability benefits, and may include permanent disability awards.

Workers' Compensation coverage begins the first minute you are on the job and continues any time you are working. You do not have to be employed for a certain length of time, nor do you have to earn a certain amount in wages before you are protected.

If you are injured on the job and prefer to use your own doctor, you must fill out the "Pre-designation of Personal Physician" Form so that it is on file with the San Diego County Office of Education. This form can be found in your Employment Packet.

For more information and to download forms, please visit <http://www.sdcoe.net/business-services/risk-management/Pages/workers-compensation-forms.aspx>

If you do not have access to a computer, the Lakeside Union School District will give you a Workers' Compensation Handbook upon request.

Absence Reporting

To report absences, the Lakeside Union School District uses E-School Solutions SmartFind Express (<https://lakeside.eschoolsolutions.com>).

You must call the SmartFind system or login to the website to report your absence the day you are absent even if you do not require a substitute. You are expected to call two hours prior to your start time.

Sick & Vacation Leave

To view your current leave account balances, you will need to log into Digital Schools (<https://lsud.digital-schools.com>). For assistance, please contact the Human Resources Department.

Classified Employees

Classified employees earn 1 day of sick leave per month for each month worked, which is frontloaded to you at the beginning of each fiscal school year. You may use up to 7 of those days for personal necessity. For more information you may refer to Article 17 in the current California School Employees' Association (CSEA) Contract.

Classified employees shall earn vacation at the rate of one day per month for the first two years of service and at the rate of one-and-one-fourth (1 ¼) days per month up to and including the seventh year of service. At the beginning of the eighth year, classified employees shall earn one-and-one-half (1 ½) days per month up to and including the thirteenth year. Classified employees shall earn one-and-two-thirds (1 2/3) days per month beginning with the fourteenth year. For more information you may refer to Article 19 in the current California School Employees' Association (CSEA) Contract.

Certificated Employees

Certificated employees earn 10 days of sick leave per year, which is frontloaded to you at the beginning of each fiscal school year. You may use 7 of those days for personal necessity, and 5 of the days as a personal day. Refer to article 7.2 and 7.3 in the current Lakeside Teachers' Association (LTA) Contract.

Benefits

Lakeside Union School District provides medical, dental, and basic life/AD&D insurance to contracted employees working 30+ hours per week. The District also offers various voluntary options to benefit eligible employees including vision, disability, additional life/AD&D and deferred compensation (403b/457).

Employees hired the 1st through the 15th of the month will have a benefit start date of the 1st of the following month (Example: Start date of April 3rd, benefit start date would be May 1st).

Those employees hired the 16th through the end of the month, will have a benefit start date of the 1st of the second full month of employment (Example: Start date of April 17th, benefit start date would be June 1st).

Employees' may have a share of cost based on coverage selection. Premium contribution amounts can be found in your Union Contract and in the Payroll/Benefit department.

Reporting Child Abuse

California Law requires employees of a public school district to report known or suspected instances of child abuse to a child protective agency immediately or as soon as practically possible.

No employee shall be civilly or criminally liable for any required or authorized report of child abuse. Any person who fails to report is guilty of a misdemeanor and is punishable by confinement in the county jail for a term not to exceed six months and a fine of not more than \$1,000 or both.

To see the full text of the law establishing your responsibility, please see Appendix A on page 19.

Every employee must complete training as a California Mandated Reporter each school year. The training is available on the JPA Learning website. Contact the Human Resources department for your login information.

Sexual Harassment

It is the policy of the Lakeside Union School District to provide a school environment free from all forms of harassment, including sexual harassment, and to maintain an environment in which all employees model this behavior and are treated with dignity and respect.

No person shall be subjected to sexual overtures or conduct either verbal, visual or physical which are intimidating, hostile, offensive, or unwelcome. Such conduct by employees is deemed unacceptable and unlawful behavior and will not be tolerated by the School District.

“Sexual harassment” is defined as conduct of a sexual nature which affects an individual’s employment or progress; which has a negative impact on an individual’s work; which creates a work environment that is intimidating, hostile, or offensive; or which affects benefits, services, or activities available to an individual in the work setting.

Please see Appendix B on page 27 for the full policy as well as the reporting and resolution procedures.

Discrimination

The Governing Board is committed to equal opportunity for all individuals in education. District programs and activities shall be free from discrimination based on sex, race, color, religion, national origin, ethnic group, marital or parental status, physical or mental disability, sexual orientation, gender identity, or any other unlawful consideration, whether actual or perceived. The Board shall promote programs which ensure the elimination of any discrimination in all District activities. (Const. art. I, $\text{--}\beta$ 28.; Ed. Code $\text{--}\beta$ 201(b).)

All educational programs, activities and employment practices shall be conducted without discrimination based on sex, race, color, religion, national origin, ethnic group, marital or parental status, physical or mental disability, sexual orientation, gender identity, or any other unlawful consideration, whether actual or perceived. (Education Code $\text{--}\beta$ 221.5.) All persons affiliated with the school, including students, staff, and parents, should treat all persons equally and respectfully and refrain from the willful or negligent use of slurs against any person based on sex, race, color, religion, national origin, ethnic group, marital or parental status, physical or mental disability, sexual orientation, gender identity, or any other unlawful consideration, whether actual or perceived.

Drug Free Workplace

The Lakeside Union School District adheres to the requirement set forth in the federal Drug-Free Work Place Act of 1988. To comply with the requirement, we call your attention to the following:

1. The unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the workplace. Any employee judged to be in violation of that restriction will be formally reprimanded, disciplined or dismissed in accordance with the severity of the misconduct and in accordance with existing bargaining agreements and/or District policies.
2. During your employment, from time to time, you will be made aware of the dangers of drug abuse and our policies regarding the maintenance of drug-free workplace.

3. Drug counseling, rehabilitation and employee assistance programs are available through Project EASE (call 619-277-3273 or 1-800-722-3273).
4. Continued employment is conditional upon your adherence to the prohibitions cited in Item 1 above, and your compliance with the provision that you notify the District within five days of any conviction for violation of any criminal drug statute occurring in the workplace. (Such notice will be forwarded to the appropriate federal agency within ten days of receipt. Within 30 days of such notice we will either take a personnel action (such as noted in Item 1) or we will require you to participate satisfactorily in an approved drug abuse assistance or rehabilitation program.)

Smoke Free Workplace

The Board of Trustees recognizes the evident health hazards in the use of tobacco products and the rising trend in society to control or eliminate the use of these products in public buildings and surrounding areas. The Board also recognizes the validity of the Surgeon General's opinion that secondary, as well as primary, exposure to smoking is a health hazard. It is the intent of the Board to provide a smoke free workplace and to keep all areas used by students free from smoking in order to provide the healthiest environment possible.

The Board of Trustees also encourages the implementation of programs to assist both employees and students in becoming and remaining non-smokers.

This policy is not a punitive measure, nor does it try to dictate whether adults may or may not smoke. However, the policy does tell adults they do not have the District's permission to smoke or use tobacco products on District property or in District vehicles.

Smoking and the use of tobacco products by any person is prohibited on sites and in vehicles owned and/or operated by Lakeside Union School District Schools.

The tobacco-free policy includes buildings, grounds, school sponsored events and services provided by employees off campus.

(Legal References: County Code of Regulatory Ordinances Sections 32.801 – 32.804 and Education Code 48901 Smoking; Possession of Tobacco)

Universal Precautions & Bloodborne Pathogens

Universal precautions are techniques used in all situations where blood or body fluids are present and are not limited to use with individuals known to be carrying a specific virus such as HIV or the virus causing Hepatitis B. In the school setting, those precautions should include: hand washing, using gloves, careful trash disposal, and using disinfectants.

Certain pathogenic microorganisms can be found in the blood of infected individuals. These "bloodborne pathogens" may be transmitted from the infected individual to other individuals by blood or certain body fluids. The two most significant bloodborne pathogens are the Hepatitis B Virus (HBV) and the Human Immunodeficiency Virus (HIV). It is not always possible to know when blood or body fluids are infectious. Therefore, all body fluids shall be handled as if infectious.

Please see Appendix C, beginning on page 33, for the “Universal Precautions & Exposure Control Plan for Bloodborne Pathogens”.

Use of District Technology Equipment

Lakeside Union School District is pleased to offer access to the District computer network system for file and print services, Internet access and electronic mail use. To gain access, all staff must agree to all terms of responsibility required for access by reading and signing the District acceptable use policy, which is a legally binding contract.

District Network

The District network and technology equipment is provided for school/work related purposes only. Access to network services is a privilege, not a right; inappropriate use could result in revocation of those privileges, and while the District does employ tools to provide a filtered internet experience in compliance with CIPA, staff understand that sites accessible via the internet may contain material that is illegal, defamatory, inaccurate or potentially offensive to some people.

Access to the District network exists to support the District’s educational responsibilities and mission. The specific conditions and services that are offered will change over time. In addition, the District makes no warranties with respect to the District network service, and it specifically assumes no responsibility for:

1. Any costs, liability, or damages caused by the way the individual chooses to use his/her district access;
2. Any consequences of service interruptions or changes, even if these interruptions arise from circumstances under the control of the District;
3. The privacy of content shared via District-provided electronic mail, which may be disclosed through Public Records Requests, subpoena, personnel investigations, or an account breach.

The District reserves the right to limit, review and monitor any and all files on district-owned technology, which include, but are not limited to, the following:

1. Set up a filter to block District determined objectionable sites and/or terminology.
2. Preview, copy, or download any documents/applications on District-provided user accounts or devices.
3. File server space in order to make determinations on whether specific uses of the network are appropriate.

Etiquette

All users are expected to abide by the rules of network etiquette. These include, but are not limited to, the following:

1. Be polite. Use language which is appropriate for an educational setting. Do not use abusive, inflammatory or obscene language.
2. Respect privacy. Do not reveal personal information about yourself, students and/or staff. Do not share your account information or password with anyone, or leave it written down where others can find it.
3. Be considerate. Do not use the network in a way that would disrupt the use of the network by other users.

4. Use access time efficiently. Use access time for school-related purposes only.

E-mail Use

E-mail is a method communication. All users who are allowed access are expected to accept conditions, which include, but are not limited to, the following:

1. Users of e-mail should not consider electronic communications to be either private or secure; such communications are subject to subpoena and Public Records Requests.
2. Messages relating to or in support of illegal activities must be reported to appropriate authorities.
3. Individuals are to identify themselves accurately and honestly in e-mail communications. E-mail account names and/or addresses may not be altered to impersonate another individual or to create a false identity.
4. Individuals shall protect themselves from phishing schemes by proceeding with caution before clicking on links or providing any personal data to an unknown sender.

Social Media

The Lakeside Union School Board recognizes that staff members are using social media accounts to connect with students, parents, local community members, and the global community at large. To ensure that social media sites are created and maintained in accordance with BP and AR 1114(a), District-Sponsored Social Media, as well as BP and AR 4040, Employee Use of Technology, a separate guidelines document has been created for staff to follow. District, school, and classroom social media accounts must be District-Sponsored if they post student, classroom, and/or school photos/activities or use school/district branding. They may only be used for the purpose of sharing information and photos related to learning, teaching, and activities within the District.

There is no assumption of privacy when voluntarily posting information to a personal social networking site. The District reserves the right to reprimand and discipline staff when social networking sites are used to:

1. Disrupt school activities
2. Disclose confidential information of students, parents, and staff
3. Make disparaging remarks about students, parents, staff, or the District

Prohibited Use

The transmission of any material in violation of any federal or state law is prohibited. This includes, but is not limited to the distribution of the following:

1. Any information that violates or infringes on the rights of any other person.
2. Any abusive, defamatory, illegal, inappropriate, obscene, profane, racially offensive, sexually oriented and/or threatening material.
3. Advertisements, solicitations, commercial ventures or political lobbying.
4. Any information which encourages the use of controlled substances or the use of the system for the purpose of inciting crime.
5. Any material that violates copyright laws.

District Mobile Technology Use

The Lakeside Union School District allows staff to use the District's equipment on and off site in order to enhance, enrich, and facilitate teaching and administrative duties, as well as school communication.

1. The District's equipment (i.e. laptop, iPad, etc) is to be used as a productivity tool for school-related business, curriculum enhancement, research, and communication.
2. Staff members shall exercise appropriate professional judgment and common sense when using the District's equipment.
3. All District-issued equipment and accessories are District property and are provided to staff for a period of time as deemed appropriate by administration.

Staff members who are provided District-owned technology will sign the LUSD STAFF TECHNOLOGY USE POLICY and follow all conditions and guidelines provided in that document. It is the staff member's responsibility to update the Business Office if devices are returned to the District, lost, stolen, or replaced for a different device.

Data Privacy Requirements

Staff is responsible for ensuring that they comply with the data privacy provisions found in the following laws, as well as any other applicable laws that may go into effect after this document is signed:

- Family Educational Rights and Privacy Act (FERPA)
- Children's Online Privacy Protection Act (COPPA)
- Student Online Personal Information Protection Act (SOPIPA)
- California Electronic Communications Privacy Act (CalECPA)

A Final Word

This handbook is intended to provide employees with basic information about the Lakeside Union School District and the employee's rights, benefits and obligations. The rules and policies upon which this handbook is based are subject to change as revisions in the law, Governing Board Policies, and employee contracts occur. You are encouraged to contact the Human Resources Office or Business Services Office for any questions or requests for information.

The Lakeside Union School District looks forward to a mutually satisfying working relationship with you in an effort to provide a quality education for every student in our district.

APPENDIX A – REPORTING CHILD ABUSE

LAKESIDE UNION SCHOOL DISTRICT Acknowledgement of responsibility to report Known or suspected child abuse

[Lakeside Union SD \(Lakeside\)](#) | BP 5141.4 Students

Child Abuse Prevention and Reporting

Child Abuse Prevention

The Governing Board 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:

EDUCATION CODE

[32280-32288](#) Comprehensive school safety plans

[33308.1](#) 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

WEB SITES

California Attorney General's Office, Crime and Violence Prevention Center: <http://safestate.org>

California Department of Education, Safe Schools: <http://www.cde.ca.gov/ls/ss>

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>

[Lakeside Union SD \(Lakeside\)](#) | AR 5141.4 Students

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. 3515.3 - 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](#))

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](#))

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](#))

County of San Diego Health and Human Services Agency

Child Welfare Services

151 Van Houten Avenue

El Cajon, CA 92020

(800) 344-6000 or (858) 560-2191

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 mandated reporter shall keep a copy of the report per school site protocol.

The Department of Justice form may be obtained online at http://ag.ca.gov/childabuse/pdf/ss_8572.pdf.

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
- 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](#))

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 [11174.3](#))

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

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 LAKESIDE UNION SCHOOL DISTRICT

approved: September 17, 2012 Lakeside, California

APPENDIX B – SEXUAL HARASSMENT

LAKESIDE UNION SCHOOL DISTRICT

PERSONNEL CERTIFICATE/CLASSIFIED

[Lakeside Union SD \(Lakeside\)](#) | BP 4119.11 Personnel

Sexual Harassment

◀ [Previous](#) | [Next](#) ▶

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.

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

(cf. [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

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

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

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.

(cf. [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.

(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

12900-12996 Fair Employment and Housing Act, especially:

12940 Prohibited discrimination

12950.1 Sexual harassment training

LABOR CODE

1101 Political activities of employees

1102.1 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 VI, 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 from Harassment and Hate Crime, January, 1999

WEB SITES

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 LAKESIDE UNION SCHOOL DISTRICT

adopted: September 17, 2012 Lakeside, California

revised: February 11, 2016

Definitions

Prohibited sexual harassment includes, but is not limited to, unwelcome sexual advances, unwanted requests for sexual favors, or other unwanted verbal, visual, or physical conduct of a sexual nature made against another person of the same or opposite sex in the work or educational setting when: (Education Code [212.5](#); Government Code [12940](#); 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. Regardless of whether or not the alleged harasser was motivated by sexual desire, 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

Training

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

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](#))

A supervisory employee is any employee with the authority to hire, transfer, suspend, lay off, promote, discharge, assign, reward, or discipline other employees, or to effectively recommend such action.

The district's sexual harassment training and education program for supervisory employees shall include the provision of (Government Code [12950.1](#); 2 CCR 7288.0):

1. 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.
2. Practical examples aimed at instructing supervisors in the prevention of harassment, discrimination, and retaliation.
3. A component on the prevention of abusive conduct that addresses the use of derogatory remarks, insults, or epithets, other verbal or physical conduct that a reasonable person would find threatening, intimidating, or humiliating, and the gratuitous sabotage or undermining of a person's work performance
4. A copy of the district's sexual harassment policy and administrative regulation, which each participant shall acknowledge in writing that he/she has received
5. All other contents of mandated training specified in 2 CCR [11023](#)

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. [4112.9/4212.9/4312.9](#) - Employee Notifications)
3. Appear in any school or district publication that sets forth the school's or district's comprehensive rules, regulations, procedures, and standards of conduct

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

(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](#))

Regulation LAKESIDE UNION SCHOOL DISTRICT

approved: September 12, 2012 Lakeside, California

revised: February 11, 2016

APPENDIX C

Universal Precautions and Bloodborne Pathogens

How is HIV Infection Spread?

Everyone infected with HIV even a person without apparent symptoms can transmit the virus to someone else. HIV infection can be transmitted by:

1. Sexual activity involving direct contact with semen, blood, or vaginal secretions of someone who is infected.
2. Sharing the unsterile, infected instruments used to penetrate skin such as those used for tattooing, ear piercing, shaving, or acupuncture and sharing intravenous (IV) needles and / or syringes with someone who is infected.
3. Direct contact with infected blood on broken skin
4. Accidental needle sticks with needles containing infected blood.
5. Receiving blood transfusion or blood products from someone who is infected (a screening test has been used since 1985 that has reduced this risk to 1 in 68,000 in California (AIDS update December 1988))
6. Being born to or breast-fed by an infected mother.

Symptoms:

A person could be infected with HIV and not even know because it might take years to damage the immune system enough for symptoms to appear. They may not know for many years that they have the infection. When symptoms do appear, they often seem like many common illnesses such as:

- Fever
- Swollen glands
- Loss of appetite
- Night Sweats
- Diarrhea

Only a blood test will identify the presence of HIV. As the HIV infected person becomes unable to fight off infections and certain illnesses, they are diagnosed with AIDS. **There is no known cure for HIV or AIDS.**

What is Hepatitis B?

Hepatitis B is an infection of the liver caused by a virus present in food and other body fluids of infected persons. Less than 50% of persons who become infected show symptoms of illness. The symptoms are like those of Hepatitis A and include fatigue, mild fever, muscle or joint aches, nausea, vomiting, loss of appetite, and abdominal pain. In some patients the urine turns dark and the skin becomes yellow. The onset of symptoms may appear from 6 weeks to 6 months after becoming infected with the virus. Death is uncommon from Hepatitis B but 5% to 10% of those infected become long-term virus carriers. Up to 25% of carriers may develop serious chronic liver disease. There is a highly effective vaccine to prevent infection with Hepatitis B.

How is Hepatitis B Spread?

An infected person can transmit Hepatitis B as long as the virus remains in the blood. Transmission may occur as early as 4 weeks before any symptoms occur. A small number of people will carry the virus in their blood for years and are known as chronic carriers. Hepatitis B is transmitted by:

1. Sexual activity involving direct contact with semen, blood or vaginal secretions of someone who is infected.
2. Sharing the unsterile, infected instruments used to penetrate skin such as those used for tattooing, ear piercing, shaving or acupuncture.
3. Direct contact with infected blood with mucous membrane of the eye and mouth.
4. Direct contact of infected blood on broken skin (i.e. cuts)
5. Accidental needle-sticks with needles containing infected blood.
6. Sharing toothbrushes contaminated with infected blood
7. Being born to an infected mother.

Symptoms:

The symptoms of Hepatitis B include *mild fever, fatigue, loss of appetite, abdominal pain, nausea, muscle and joint aches; skin becomes yellowish (jaundice), and vomiting.*

Definitions:

Exposure Incident means "a specific eye, mouth, other mucous membranes, non-intact skin, or parental contact with blood or other potentially infectious materials that results from the performance of an employee's duties".

Parenteral Contact means "piercing mucous membranes or the skin barrier through such events as needle-sticks, human bites, cuts and abrasions".

First-aid incidents

Unvaccinated designated first-aid providers must report any first-aid incident involving the presence of blood or other infectious material regardless of whether an exposure incident occurred by the end of the work shift. The full Hepatitis B vaccination series shall be made available to such employees no later than 24 hours after the first-aid incident (Title 8, Section 5193 (F)).

Exposure Incidents: Post-evaluation and Follow-up

All exposure incidents must be reported as soon as possible to the Superintendent or designee. Following a report of an exposure incident the district shall provide the exposed employee with a confidential medical evaluation and follow-up as required by law. The district shall maintain the confidentiality of the affected employee and the exposure source during all phases of the post-exposure evaluation (Title 8, Section 5193 (F)).

For more information or questions regarding infectious diseases or "Universal Precautions", contact: Pam Fleming, District Nurse (619) 390-2633

LAKESIDE UNION SCHOOL DISTRICT

"Where Learning Lasts a Lifetime"

Universal Precautions and Bloodborne Pathogens

WHAT ARE UNIVERSAL PRECAUTIONS?

Universal precautions are techniques used in all situations where blood or body fluids are present and are not limited to use with individuals known to be carrying a specific virus such as HIV or the virus causing Hepatitis B in the school setting. Those precautions should include hand washing, using gloves, careful trash disposal and using disinfectants.

Hand washing: Classroom instruction about proper hand washing can be integrated into health instruction at all grade levels. Students should be instructed to wash their hands for at least 15 – 30 seconds. Scheduling time for students to wash hands before eating is suggested to encourage this practice.

➡ Hand washing is the single most important technique for preventing the spread of infectious disease.

Hand washing must be done:

1. Before drinking or eating
2. Before handling clean equipment or utensils
3. After contact with any body secretions
 - a. After handling soiled diapers, garments or equipment
 - b. Immediately after coming in contact with any one else's blood
 - c. Before and after assisting with feeding
 - d. After assisting with toileting or diapering
4. After removing disposable gloves

Techniques for washing hands:

1. Hand washing facilities should be soap running water and paper towels.
2. Wet hands with running water
3. Apply liquid soap and lather well
4. Wash hands using a circular motion and friction for at least 10 seconds include front and back surfaces of hands between fingers and knuckles around nails and entire wrist
5. Rinse hands well under running water
6. Dry hands well with paper towels and discard towels

Using Gloves: Gloves are standard components of first aid supplies that are available in, school health offices, cafeterias, playgrounds, classrooms, and buses, where they are readily accessible for emergencies and regular care. All staff members who may be called upon to administer first aid or care involving blood or other body fluids must have access to appropriate gloves.

When to use gloves:

1. Prior to handling body fluids
2. When handling blood (including menstrual)
3. When changing soiled or wet diapers or clothing
4. When cleaning up areas contaminated with vomit, blood, saliva, urine, or feces.

Techniques for using gloves:

1. Use a clean pair of gloves for each pupil contact or cleaning task
2. Properly dispose of any contaminated materials (gauze, diapers, etc.) prior to removing gloves.
3. Remove gloves by grasping the cuff and then stripping it off by turning it inside out
4. Dispose of gloves in plastic bags.
5. Wash hands after removing gloves.

Trash Disposal:

Trash cans lined with plastic are required for disposal of trash containing blood or any other body fluid. Daily, the trash can liner, with trash enclosed will be securely tied, removed and a new liner inserted. Needles, syringes, or lancets used in the school setting are to be disposed by trained school staff utilizing Sharps Disposal Management System.

Using Disinfectants:

At each school site, appropriate and Environmental Protection Agency (EPA) approved disinfectants are supplied and are to be used. The custodian or other trained personnel are called upon to clean contaminated areas.

First Aid Involving CPR:

Individuals with responsibility for administering first aid in school in the cafeterias, on the playgrounds, or on school buses should have current CPR instruction and certification. CPR instruction is provided by local agencies such as the American Red Cross and the American Heart Association, it is recommended that all employees who have CPR certification know the location of a device that prevents backflow of fluids from the mouth of a victim being given CPR. Devices are available to each school site.

Policies and Laws:

The law states that information regarding HIV / AIDS status requires written permission and can only be shared with persons specifically named.

Bloodborne Pathogens:

Certain pathogenic microorganisms can be found in the blood or infected individuals. These "bloodborne pathogens" may be transmitted from the infected individual to other individuals by blood or certain body fluids. The two most significant bloodborne pathogens are the Hepatitis B Virus (HBV) and the Human Immunodeficiency Virus (HIV) it is not always possible to know when blood or body fluids are infectious, therefore all body fluids shall be handled as if infectious.

Bloodborne Pathogens:

Aids (Acquired Immune Deficiency Syndrome) is the advanced stage of HIV infection. HIV attacks the body's immune system, leaving it vulnerable to life-threatening opportunistic infections and cancers. The virus also may directly attack the central nervous system and cause deterioration of the brain. Persons infected with HIV frequently have no apparent symptoms. They may look healthy. There is no known cure for AIDS.

ACKNOWLEDGEMENT OF RECEIPT OF EMPLOYEE HANDBOOK

The Employee Handbook contains information about Lakeside Union School District, and I understand that I should consult the Personnel Office regarding any questions not answered in the Handbook or on the District's Website under the Board of Trustees Policies and Regulations Tab.

Since the information, policies, and benefits described herein are subject to change at any time, I acknowledge that revisions to the handbook may occur. All such changes will generally be communicated through official notices, and I understand that revised information may supersede, modify, or eliminate existing policies.

I understand that this handbook is neither a contract of employment nor a legally binding agreement. I have had an opportunity to read the handbook, and I understand that I may ask my supervisor or the Personnel Department any questions I might have regarding the handbook. I accept the terms of the handbook. I also understand that it is my responsibility to comply with the policies contained in the handbook, and any revisions made to it. I further agree that if I remain with the Lakeside Union School District following any modifications to the handbook, I thereby accept and agree to such changes.

I confirm that I have received a copy of the Employee Handbook and acknowledge that I have read the handbook in its entirety, including the Reporting Child Abuse, Sexual Harassment, Drug-Free Workplace, Bloodborne Pathogens, and the Use of District Technology Equipment sections.

I will sign two copies of this Acknowledgement of Receipt; one copy for myself, and return the other copy to the Personnel Department. I understand that this form will be retained in my personnel file.

Signature of Employee

Date

Print Employee Name

Signature of Personnel Office

Date