

Employee Annual Notifications

2011-2012

Calaveras County Office of Education
P.O. Box 760 * 185 S. Main Street
Angels Camp, CA 95221

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Insurance Information

Qualifying Event for Insurance Changes

Please remember... When you have a qualifying event; marriage, divorce, birth, adoption, death, or loss of other coverage... you must request a change form and enroll them within 30 days of occurrence.

Blue Cross Allows NO EXCEPTIONS!

American Fidelity Supplemental Plans

Please note, any Calaveras County Office of Education **contracted** employee who does not meet the minimum number of hours worked to qualify for health benefits and/or participation in the Section 125 Plan, may elect to enroll in certain American Fidelity supplemental plans on an after-tax basis. For further information, contact our American Fidelity representative Meghan Kassel at 1-800-365-8306, ext. 236, or <mailto:Meghan.Kassel@af-group.com>

Long Term Disability

Effective October 1, 2011 American Fidelity will implement contract updates to the Calaveras County Office of Education's Long Term Disability Income Benefits that will affect coverage. All employees contracted to work 20 hours or more per week contribute toward Long Term Disability. Please access our new *Certificate of Insurance* document reflecting these plan updates.

Workers Compensation

To report an injury, please contact the company nurse at: **877-223-9311**. You will be directed to the nearest clinic or hospital, unless you have an **approved** Pre-Designated Physician Form on file at the Calaveras County Office of Education.

If you would like to pre-designate a physician or change your designated doctor, please contact the Personnel Department at the County Office of Education, 209-736-4662, to obtain a Workers' Compensation Pre-Designated Doctors Form.

Remember, in the event of an accident, it is also important to report any injury to your supervisor, in addition to notifying Debbie Koehler or Melissa Truelock at the County Office of Education.

Confidentiality Agreement

Calaveras County Office of Education

As an employee of the Calaveras County Office of Education, you may have access to confidential information. This information includes, but is not limited to, documents concerning employees, students or members of the public. The documents may include medical information; home address or telephone number; social security number; payroll deductions; salary documents, data, and reports; personnel files and any personally identifiable information regarding employees or applicants; and student files and data. This agreement also applies to E-mail and other electronically accessible information.

You are personally responsible for maintaining the confidential nature of these materials by carefully observing the security measures listed below:

1. Permit no other persons to have access to confidential information or materials and do not discuss any aspect of the data/information or other confidential personnel-related matters with any other persons unless they are:
 - a. staff members of the County Office of Education who need the information to perform their work
 - b. authorized by your supervisor or the County Superintendent
2. Secure all confidential materials when you are not directly working with them.
3. Do not retain any copies or make personal file copies of confidential materials unless necessary. Any extra copies of confidential materials should be destroyed by shredding when they are no longer necessary.
4. If you have any questions about the confidentiality of any of the information to which you have access, you should assume the information is confidential and handle it as such until you are informed otherwise by your supervisor.

These security standards apply to any and all confidential materials to which you have access. It is essential that these standards and any additional ones that are requested or may be necessary are maintained at every stage of a confidential process in which you assist, participate, or review.

Because of the importance of security, you should notify your supervisor or the County Superintendent if any circumstances cause you to believe that confidential nature of any material or process has not been maintained.

A copy of this form will be maintained in your personnel file.

I have read the above Confidentiality Agreement and understand the policy regarding security and misuse of confidential information. I accept the responsibility of maintaining the strict confidentiality of all materials and information to which I have access.

Employee's Signature

Date

Employee's Printed Name

Employee's Job Title

Drug and Alcohol-Free Workplace

Board Policy/Exhibit 4020

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

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

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

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

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

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

Pursuant to Education Code 44425, whenever the holder of any credential issued by the State Board of Education or the Commission for Teacher Preparation and Licensing has been convicted of a controlled substance offense as defined in Education Code 44011, the commission shall forthwith suspend the credential. When the conviction becomes final or when imposition of sentence is suspended, the commission shall revoke the credential. (Education Code 44425)

Pursuant to Education Code 44940, the County Office of Education must immediately place on compulsory leave of absence any certificated employee charged with involvement in the sale, use or exchange to minors of certain controlled substances.

Pursuant to Education Code 44940, the County Office of Education may immediately place on compulsory leave of absence any certificated employee charged with certain controlled substance offenses.

Drug and alcohol counseling, rehabilitation, and/or employee assistance programs are available locally. Employees may utilize the benefit component of any assistance program the employee may have as an employee of the CCOE



Tobacco-Free Schools

Board Policy/Administrative Regulation 3513.3

The County Board of Education is committed to providing a healthy, safe, and productive environment for its employees. They understand that ample research has demonstrated the health hazards associated with the use of tobacco products, including smoking and the breathing of second-hand smoke.

The Board also recognizes its responsibility to the County's youth to demonstrate and teach acceptable health practices and the need to be consistent with school and community programs to discourage youth from using tobacco products. Therefore, in the best interest of the health and safety of the County's youth, its employees and the community it serves, the County Board of Education directs that all facilities under its jurisdiction be completely tobacco free.

The Tobacco Free Policy applies to all County Office of Education buildings and vehicles, owned or leased, regardless of location. No ashtrays will be provided at any location.

Tobacco Use shall also be prohibited within 10 feet of access to County facilities. Appropriate signs shall be conspicuously posted at all building entrances and within each facility.

Copies of this policy shall be distributed to all employees and shall be included with information given to all new employees. Announcements will also be printed in local newspapers to ensure that the community understands the policy.

Questions and problems regarding this policy should be handled through existing departmental administrative channels and administrative procedures.

Enforcement

Community members who use tobacco products in violation of Board policy will be informed of the policy verbally first, and in writing if necessary. If a person fails to comply with this request, he/she may be asked to leave. If deemed necessary, law enforcement may be called to assist with enforcement of the policy.

An employee who uses tobacco products in violation of Board policy will be dealt with by his/her supervisor.

Students who are in violation of the tobacco-free policy will be referred to school site administration for appropriate action in accordance with state/County Board/school site policy.

Enforcement of this policy depends on the thoughtfulness, consideration and cooperation of the employees, community and students. All individuals on County

Office premises share in the responsibility for adhering to and enforcing the tobacco--free policy.

Employee/Student Assistance Program

The County Office of Education will make available to employees and students programs which assist individuals who wish to stop using tobacco products. The programs may include, but not be limited to the following:

1. Clinics offered by county staff members who are trained in tobacco cessation techniques.
2. Hospital-based smoking cessation clinics.
3. Other resources will be made available from the American Cancer Society, American Lung Association, American Heart Association, and medical groups.



Universal Precautions

Board Policy/Administrative Regulations 4119.43, 4219.43, 4319.43

In order to protect employees from contact with potentially infectious blood or other body fluids, the County Superintendent requires that universal precautions be observed throughout the County Office of Education.

Universal precautions are appropriate for preventing the spread of all infectious diseases and shall be used regardless of whether bloodborne pathogens are known to be present.

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

Employee Information

The County Superintendent or designee shall distribute to employees information provided by the California Department of Education regarding acquired immune deficiency syndrome (AIDS), AIDS-related conditions, and hepatitis B. This information shall include, but not be limited to, any appropriate methods employees may use to prevent exposure to AIDS and hepatitis B, including information concerning the availability of a vaccine to prevent contraction of hepatitis B, and that the cost of this vaccination may be covered by the health plan benefits of the employees. Information shall be distributed at least annually, or more frequently if there is new information supplied by the California Department of Education. (Health and Safety Code 120875, 120880)

Infection Control Practices

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

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

The County Superintendent or designee shall provide hand-washing facilities which are readily accessible to employees. When provision of hand-washing facilities is not feasible, the County Superintendent or designee shall provide an appropriate antiseptic

hand cleanser in conjunction with clean cloth or paper towels, or antiseptic towelettes. (8 CCR 5193(d))

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

1. Perform all procedures involving blood or other potentially infectious materials in such a manner as to minimize splashing, spraying, spattering, and generating droplets of these substances.
2. Use personal protective equipment as appropriate.

- a. Appropriate clothing, including but not limited to, gowns, aprons, lab coats, clinic jackets or similar outer garments, shall be worn in occupational exposure situations.

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

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

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

- c. Masks in combination with eye protection devices or face shields shall be worn whenever splashes, spray, spatter, or droplets of blood or other potentially infectious materials may be generated and eye, nose or mouth contamination can be reasonably anticipated.

3. Wash hands and other skin surfaces thoroughly with soap and running water:

- a. Immediately or as soon as feasible following contact of hands or any other skin or mucous membranes with blood or other potentially infectious materials.

- b. Immediately after removing gloves or other personal protective equipment.

When hand-washing facilities are not available, the employee shall use antiseptic hand cleanser in conjunction with clean cloth or paper towels, or antiseptic towelettes. In such instances, hands shall be washed with soap and running water as soon as feasible.

4. Refrain from eating, drinking, smoking, applying cosmetics or lip balm, or handling contact lenses in work areas with a reasonable likelihood of occupational exposure.
5. Clean and decontaminate all equipment and environmental and work surfaces after contact with blood or other potentially infectious material, no later than the end of the shift or more frequently as required by state regulations.
6. Rather than using the hands directly, use mechanical means such as a brush and dust pan, tongs or forceps to clean up broken glassware which may be contaminated.
7. Use effective patient-handling techniques and other methods designed to minimize the risk of a sharps injury in all procedures involving the use of sharps in patient care.
 - a. Needleless systems shall be used to administer medication or fluids, withdraw body fluids after initial venous or arterial access is established, and conduct any other procedure involving the potential for an exposure incident for which a needleless system is available as an alternative to the use of needle devices. If needleless systems are not used, needles or non-needle sharps with engineered sharps injury protection shall be used.
 - b. Contaminated needles or other sharps shall not be broken, bent, recapped, removed from devices, or stored or processed in a manner that requires employees to reach by hand into the containers where these sharps have been placed.
 - c. Disposable sharps shall not be reused.
8. Handle, store, treat and dispose of regulated waste in accordance with Health and Safety Code 117600-118360 and other applicable state and federal regulations.
 - a. Immediately or as soon as possible after use, contaminated sharps shall be placed in containers meeting the requirements of 8 CCR 5193(d)(3)(D). Containers shall be easily accessible, maintained upright throughout use where feasible, and replaced as necessary to avoid overfilling.
 - b. Specimens of blood or other potentially infectious material shall be placed in a container which prevents leakage during collection, handling, processing, storage, transport or shipping.

Child Abuse Reporting Procedures

Board Policy/Administrative Regulation 5141.4

The County Board of Education and the County Superintendent recognize that the County Office of Education has a responsibility to protect students by facilitating the prompt reporting of known and suspected incidents of child abuse and neglect. The County Superintendent or designee shall establish procedures for the identification and reporting of such incidents in accordance with law.

Employees who are mandated reporters, as defined by law and County Office of Education 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 reporting, investigating and prosecuting cases of child abuse and neglect.

Definitions

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

1. A physical injury inflicted by other than accidental means on a child by another person
2. Sexual abuse of a child as defined in Penal Code 11165.1
3. Neglect 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 physical confrontation 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)
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)

5. Physical pain or discomfort caused by athletic competition or other such recreational activity voluntarily engaged by the student.

Mandated reporters include, but are not limited to, teachers; instructional aides; teacher's aides or assistants; designated 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; and administrators, presenters, or 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. (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 mental suffering has been inflicted upon a child, or that the child's emotional well-being is endangered in any other way, may report the known or suspected instance of child abuse or neglect to the appropriate agency designated below. (Penal Code 11166.05)

Instances that indicate that the emotional well-being of a child might be endangered include, but are not limited to, evidence that the child is suffering from emotional damage, such as severe anxiety, depression, withdrawal, or untoward aggressive behavior towards self or others.

Any person shall notify a peace officer if he/she 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, where the victim is a child under age 14. (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 practicably possible 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 11166)

Calaveras Works and Human Services Agency Child Protective Services
Government Center
San Andreas, CA 95249
(209) 754-6452

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 receiving 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)

Mandated reporters may obtain copies of the Department of Justice form from either the county office of education or the appropriate agency.

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 information that gave rise to the reasonable suspicion of child abuse or neglect and the source(s) of that information
- e. The name, address, telephone number, and other relevant personal information about the person(s) who might have abused or neglected the child

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)

Information relevant to the incident of child abuse or neglect may also be given to an investigator from an agency that is investigating the case. (Penal Code 11167)

3. Internal Reporting

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

The principal or designee 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.

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

He/she may provide or mail a copy of the written report to the principal or County Superintendent or designee without his/her signature or name.

Reporting the information to an employer, supervisor, school 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 child abuse identification and reporting. All employees receiving such training shall receive written notice of state reporting requirements and employees' confidentiality rights. (Penal Code 11165.7)

Training may 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.

Victim Interviews

Whenever a representative of a 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 County Superintendent or designee and/or principal shall not notify the parent/guardian as required in other instances of removal of a child from school, 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)

Peace officers shall be asked to sign an appropriate release or acceptance of responsibility form.

Parent/Guardian Complaints

Upon request, the County Superintendent or designee shall provide parents/guardians with procedures whereby they can report suspected child abuse occurring at a school site to appropriate agencies. Such procedures shall be in the primary language of the parent/guardian and, when communicating orally regarding those procedures, an interpreter shall be provided for parent's guardians whose primary language is other than English. (Education Code 48987)

To file a complaint against a county office of education 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 to any county office of education employee, that employee 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.

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.

Notifications

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

Before beginning employment, employees shall sign the statement indicating that they have knowledge of the reporting obligations under Penal Code 11166 and that they will comply with those provisions. The signed statements shall be retained by the Superintendent or designee. (Penal Code 11166.5)

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

The County Superintendent or designee shall also 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. 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 county office of education for making a report. (Penal Code 11166)



Sexual Harassment

Board Policy/Administrative Regulations 4119.11, 4219.11, 4319.11

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

The County 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 periodic training to all staff regarding the district's sexual harassment policy, particularly the procedures for filing complaints and employees' duty to use the County Office of Education's complaint procedures in order to avoid harm.
2. Publicizing and disseminating the County Office of Education's sexual harassment policy to staff.
3. Ensuring prompt, thorough and fair investigation of complaints.
4. Taking timely and appropriate corrective/remedial actions after completion of investigation. This may require interim separation of the complainant and the alleged harasser, and subsequent monitoring of developments.

Any County Office of Education employee or job applicant who feels that he/she has been sexually harassed, or who has knowledge of any incident of sexual harassment by or against another employee, a job applicant or a student, shall immediately contact his/her supervisor, County Office of Education administrator or Superintendent to obtain procedures for filing a complaint. 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.

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

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

Any County Office employee who engages or participates in sexual harassment, or who aids, abets, incites, compels or coerces another to commit sexual harassment against a

County Office employee, job applicant or student, is in violation of this policy and is subject to disciplinary action, up to and including dismissal.

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 gender, in the work or educational setting, when: (Education Code 212.5; 5 CCR 4916)

1. Submission to the conduct is made expressly 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 unreasonably interfering with the other individual's work performance; creating an intimidating, hostile or offensive work environment; or adversely affecting the other individual's evaluation, advancement, assigned duties, or any other condition of employment or career development
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 County Office of Education

Other examples of actions that might constitute sexual harassment, whether committed by a supervisor or any other employee, include but are not limited to:

1. Unwelcome leering, sexual flirtations or propositions
2. Unwelcome sexual slurs, epithets, threats, innuendoes, derogatory comments or sexually degrading descriptions
3. Graphic verbal comments about an individual's body, or overly personal conversations or pressure for sexual activity
4. Sexual jokes, stories, drawings, pictures, graffiti, gestures or sexually explicit e-mails
5. Spreading sexual rumors
6. Massaging, grabbing, fondling, stroking or brushing the body
7. Touching an individual's body or clothes in a sexual way
8. Cornering, blocking, leaning over or impeding normal movements

9. **Displaying sexually suggestive objects or using sexual computer screen savers**

10. **Any act of retaliation against an individual who reports a violation of the County Office of Education's sexual harassment policy or who participates in the investigation of a sexual harassment complaint**



Non-Discrimination in Employment

Board Policy/Administrative Regulation 4030

The County Board of Education prohibits unlawful discrimination against and/or harassment of County Office of Education employees and job applicants on the basis of actual or perceived race, color, national origin, ancestry, religion, age, marital status, pregnancy, physical or mental disability, medical condition, veteran status, gender or sexual orientation at any County Office of Education site and/or activity. The County Board also prohibits retaliation against any County Office of Education employee or job applicant who complains, testifies or in any way participates in the County Office of Education's complaint procedures instituted pursuant to this policy.

Any County Office of Education employee who engages or participates in unlawful discrimination, or who aids, abets, incites, compels or coerces another to discriminate, is in violation of this policy and is subject to disciplinary action, up to and including dismissal.

Any County Office of Education employee who observes or has knowledge of an incident of unlawful discrimination or harassment shall report the incident to the principal, County Office of Education administrator or Superintendent as soon as practical after the incident. Failure of a County Office of Education employee to report discrimination or harassment may result in disciplinary action.

The County Superintendent or designee shall regularly publicize, within the County Office of Education and in the community, the County Office of Education's nondiscrimination policy and the availability of complaint procedures. (34 CFR 100.6)

The County Office of Education's policy and administrative regulation shall be posted in all schools and offices including staff lounges and student government meeting rooms. (5 CCR 4960)

The County Board designates the following position as Coordinator for Nondiscrimination in Employment:

Superintendent or designee
P.O. Box 760, Angels Camp, CA 95221
(209) 736-4662

Other Remedies

An employee may, in addition to filing a discrimination complaint with the County Office of Education, file a complaint with either the California Department of Fair Employment and Housing (DFEH) or the Equal Employment Opportunity Commission (EEOC). The time limits for filing such complaints are as follows:

1. To file a valid complaint with DFEH, the employee must file his/her complaint within one year of the alleged discriminatory act(s). (Government Code 12960)
2. To file a valid complaint directly with EEOC, the employee must file his/her complaint within 180 days of the alleged discriminatory act(s). To file a valid complaint with EEOC after filing a complaint with DFEH, the employee must file the complaint within 300 days of the alleged discriminatory act(s) or within 30 days after the termination of proceedings by DFEH, whichever is earlier. (42 USC 2000e-5)

Employees wishing to file complaints with the DFEH and EEOC should contact the nondiscrimination coordinator for more information.

Unlawful discrimination or harassment of an individual includes:

1. Slurs, epithets, threats or verbal abuse
2. Derogatory or degrading comments, descriptions, drawings, pictures or gestures
3. Unwelcome jokes, stories, teasing or taunting
4. Any other verbal, written, visual or physical conduct against the individual which:
 - a. Adversely affects his/her employment opportunities, or
 - b. Has the purpose or effect of unreasonably interfering with his/her work performance or creating an intimidating, hostile or offensive work environment

Any employee or job applicant who feels that he/she has been or is being unlawfully discriminated against or harassed should immediately contact his/her supervisor, the nondiscrimination coordinator or the Superintendent in order to obtain procedures for reporting a complaint. Such complaints shall be filed in accordance with AR 4031 - Complaints Concerning Discrimination in Employment. An employee may bypass his/her supervisor when the supervisor is the alleged offender.

Any supervisor who receives a discrimination/harassment complaint shall immediately notify the nondiscrimination coordinator or the Superintendent, who shall ensure that the complaint is appropriately investigated in accordance with County Office of Education policy and regulations.

The County Superintendent or designee shall ensure that annual training is provided to all employees regarding the issues of discrimination.



Uniform Complaint Procedures

Board Policy/Administrative Regulation 1312.3

The Calaveras County Board of Education and the County Superintendent recognizes that the Calaveras County Office of Education (CCOE) is primarily responsible for complying with applicable state and federal laws and regulations governing educational programs. The CCOE shall investigate complaints alleging failure to comply with such laws and/or alleging discrimination and shall seek to resolve those complaints in accordance with the CCOE's uniform complaint procedures. (5 CCR 4620)

The CCOE shall follow uniform complaint procedures when addressing complaints alleging unlawful discrimination against any protected group as identified under Education Code 200 and 220 and Government Code 11135, including actual or perceived sex, sexual orientation, gender, ethnic group identification, race, ancestry, national origin, religion, color, or mental or physical disability, or age or on the basis of a person's association with a person or group with one or more of these actual or perceived characteristics in any County Office of Education program or activity that receives or benefits from state financial assistance. (5 CCR 4610)

Uniform complaint procedures shall also be used when addressing complaints alleging failure to comply with state and/or federal laws in adult education, consolidated categorical aid programs, migrant education, career technical and technical education and career technical and technical training programs, child care and development programs, child nutrition programs and special education programs.

Complaints related to sufficiency of textbooks or instructional materials, emergency or urgent facilities conditions that pose a threat to the health or safety of students or staff, and teacher vacancies and mis-assignments shall be investigated pursuant to the CCOE's Williams uniform complaint procedure. (AR 1312.4)

The County Board encourages the early, informal resolution of complaints at the site level whenever possible.

The County Board acknowledges and respects every individual's right to privacy. Discrimination complaints shall be in a manner that protect the confidentiality of the parties and the integrity of the process. This may include keeping the identity of the complainant confidential, as appropriate and except to the extent necessary to carry out the investigation or proceedings, as determined by the County Superintendent or designee on a case-by-case basis.

The County Board prohibits retaliation in any form for the participation in complaint procedures, including but not limited to the filing of a complaint or the reporting of instances of discrimination. Such participation shall not in any way affect the status, grades or work assignments of the complainant.

The County board recognizes that a neutral mediator may suggest an early compromise

that is agreeable to all parties in a dispute. In accordance with uniform complaint procedures, whenever all parties to a complaint agree to try resolving their problem through mediation, the County Superintendent or designee shall initiate that process. The County Superintendent or designee shall ensure that mediation results are consistent with state and federal laws and regulations.

Compliance Officer

The County Superintendent or designee shall serve as the compliance officer to receive and investigate complaints and ensure the Calaveras County Office of Education compliance with law:

Kathy Northington, County Superintendent
P.O. Box 760
Angels Camp, CA 95221
(209) 736-6007

The County Superintendent or designee shall ensure that employees designated to investigate complaints are knowledgeable about the laws and programs for which they are responsible. Such employees may have access to legal counsel as determined by the County Superintendent or designee.

Notifications

The County Superintendent or designee shall meet the notification requirements of the Code of Regulations, Title 5, Section 4622, including the annual dissemination of CCOE complaint procedures and information about available appeals, civil law remedies and conditions under which a complaint may be taken directly to the California Department of Education. The County Superintendent or designee shall annually provide written notification of the CCOE's uniform complaint procedures to students, employees, parents/guardians, CCOE advisory committees, school advisory committees, appropriate private school officials or representatives, and other interested parties (5 CCR 4622). The County Superintendent or designee shall ensure that complainants understand that they may pursue other remedies, including actions before civil courts or other public agencies. The County Superintendent or designee shall make available copies of the CCOE's uniform complaint procedures free of charge. The above notification shall state that complainants may seek help from agencies such as legal assistance agencies or local mediation centers. Local resources include:

Calaveras Legal Assistance
Calaveras County Bar Association

Procedures

The following procedures shall be used to address all complaints which allege that the county office has violated federal or state laws or regulations governing educational programs. Compliance officers shall maintain a record of each complaint and

subsequent related actions, including information required for compliance with the a5 CCR 4632. All parties involved in allegations shall be notified when a complaint is filed, when a complaint meeting or hearing is scheduled and when a decision or ruling is made.

STEP 1: FILING OF A COMPLAINT

1. Any individual, public agency or organization may file a written complaint of alleged noncompliance by the County Office.
2. Complaints alleging unlawful discrimination may be filed by a person who alleges that he/she personally suffered unlawful discrimination or by a person who believes that an individual or any specific class of individuals has been subjected to unlawful discrimination. The complaint must be initiated no later than six months from the date when the alleged discrimination occurred or when the complainant first obtained knowledge of the facts of the alleged discrimination. (5 CCR 4630)
3. The complaint shall be presented to the compliance officer who shall maintain a log of complaints received, providing each with a code number and a date stamp.
4. If a complainant is unable to put a complaint in writing due to conditions such as illiteracy or other disabilities, the county office staff shall help him/her to file the complaint. (5 CCR 4600)

STEP 2: MEDIATION

1. Within seven days of receiving the complaint, the compliance officer may informally discuss with the complainant the possibility of using mediation. If the complainant agrees to mediation, the compliance officer shall make all agreements for this process.
2. Before initiating the mediation of a discrimination complaint, the compliance officer shall ensure that all parties agree to make the mediator a party to related confidential information.
3. If the mediation process does not resolve the problem within the parameters of law, the compliance officer shall proceed with his/her investigation of the complaint.
4. The use of mediation shall not extend the County Office's timelines for investigating and resolving the complaint unless the complainant agrees in writing to such an extension of time. (5, CCR 4631)

STEP 3: INVESTIGATION OF COMPLAINT

1. The compliance officer shall hold an investigative meeting within ten (10) days of receiving the complaint or an unsuccessful attempt to mediate the complaint. This meeting shall provide an opportunity for the complainant and/or his/her representative to repeat the complaint orally.

2. The complainant and/or his/her representative shall have an opportunity to present the complaint and evidence or information leading to evidence to support the allegations in the complaint. (5 CCR 4631)
3. A complainant's refusal to provide the County Office's investigator with documents or other evidence related to the allegations in the complaint, or his/her failure or refusal to cooperate in the investigation or his/her engagement in any other obstruction of the investigation, may result in the dismissal of the complaint because of a lack of evidence to support the allegation. (5 CCR 4631)
4. The County Office's refusal to provide the investigator with access to records and/or other information related to the allegation in the complaint, or its failure or refusal to cooperate in the investigation or its engagement in any other obstruction of the investigation, may result in a finding, based on evidence collected, that a violation has occurred and may result in the imposition of a remedy in favor of the complainant. (5 CCR 4631)

STEP 4: RESPONSE

1. Within 30 days of receiving the complaint, the compliance officer shall prepare and send to the complainant a written report of the CCOE's investigation and decision, as described in Step #5 below. If the complainant is dissatisfied with the compliance officer's decision, he/she may, within five days, file his/her complaint in writing with the County Board.
2. The County Board may consider the matter at its next regular County Board meeting or at a special County Board meeting convened in order to meet the 60-day time limit within which the complaint must be answered. The County Board may decide not to hear the complaint, in which case the compliance officer's decision is final.
3. If the County Board hears the complaint, the compliance officer shall send the County Board's decision to the complainant within 60 days of the County Office's initially receiving the complaint or within the time period that has been specified in a written agreement with the complainant. (5 CCR 4631)

Step 5: Final Written Decision

1. The report of the County Office's decision shall be written in English and in the language of the complainant whenever feasible or required by law, and sent to the complainant. If it is not feasible to write this report in the complainant's primary language the County Office shall arrange a meeting which a community member will interpret it for the complainant.
2. The decision shall include:
 - The findings of fact based on the evidence gathered. (5 CCR 4631)
 - The conclusion(s) of law. (5 CCR 4631)
 - Disposition of the complaint. (5 CCR 4631)
 - Rationale for such disposition. (5 CCR 4631)

- Corrective actions, if any are warranted. (5 CCR 4631)
- Notice of the complainant's right to appeal the County Office's decision within 15 days to the CDE and procedures to be followed for initiating such an appeal. (CCR 4631)
- For discrimination complaints, notice that the complainant must wait until 60 days have elapsed from the filing of an appeal with the CDE before pursuing civil law remedies. (Education Code 262.3)

If an employee is disciplined as a result of the complaint, the decision shall simply state that effective action was taken and that the employee was informed of County Office expectations. The report shall not give any further information as to the nature of the disciplinary action.

Appeals to the California Department of Education

If dissatisfied with the County Office's decision, the complainant may appeal in writing to the California Department of Education within 15 days of receiving the County Office's decision. When appealing to the CDE, the complainant must specify the basis for the appeal of the decision and whether the facts are incorrect and/or the law has been misapplied. The appeal shall be accompanied by a copy of the locally filed complaint and a copy of the County Office's decision. (5 CCR 4632)

Upon notification by the CDE that the complainant has appealed the County Office's decision, the Superintendent or designee shall forward the following documents to the CDE: (5 CCR 4632)

1. A copy of the original complaint.
2. A copy of the decision.
3. A summary of the nature and the extent of the investigation conducted by the County Office, if not covered by the decision.
4. A copy of the investigation file, including but not limited to all notes, interviews and documents submitted by the parties and gathered by the investigator.
5. A report of any action taken to resolve the complaint.
6. A copy of the County Office's complaint procedures.
7. Other relevant information requested by the CDE.

The California Department of Education may directly intervene in the complaint without waiting for action by the County Office when one of the conditions listed in 5 CCR 4650 exists, including cases in which the County Office has not taken action within 60 days of the date the complaint was filed with the County Office.

Civil Law Remedies

A complainant may pursue available civil law remedies outside of the County Office's complaint procedures. Complainants may seek assistance from mediation centers or public/private interest attorneys. Civil law remedies that may be imposed by a court

include, but are not limited to, injunctions and restraining orders. For discrimination complaints, however, a complainant must wait until 60 days have elapsed from the filing of an appeal with the California Department of Education before pursuing civil law remedies. The moratorium does not apply to injunctive relief and is applicable only if the County Office has appropriately, and in a timely manner, apprised the complainant of his/her right to file a complaint in accordance with 5 CCR 4622.

For Assistance you may contact:

California Rural Legal Assistance (Legal Aid)..... 415-777-2752
Office of Civil Rights 415-486-5555
Department of Fair Employment and Housing 800-884-1684
Equal Employment Opportunities Commission 800-669-4000

C.C.O.E. Employee Annual Notifications

Program	Contact	Telephone No.
Adult Education	Adult Education Office	(916) 323-5074
Career/Technical Education	Regional Occupational Centers & Programs & Workforce Development Centers	(916) 322-5050
Child Development, including: Alternative Payment Prospective Services CalWORKS Stage 2 & 3 Resource & Referral Exceptional Needs School-Age (Latchkey) General Severely Handicapped Family Child Care Homes State Preschool Migrant	Child Development Office	(916) 322-6233
Consolidated Categorical Aid, including: Economic Impact Aid/State Compensatory Education (EIA/SCE) Economic Impact Aid/State Program for students of Limited English Proficiency (EIA/LEP) No Child Left Behind, Titles I-VI (NCLB) School Improvement Tenth-Grade Counseling Tobacco-Use Prevention Education (TUPE) Peer Assistance and Review (PAR) School Safety and Violence Prevention Act	Categorical Programs Complaint Management Unit	(916) 319-0929
Migrant Education	Migrant, Indian, and International Education Office	(916) 319-0851
Nutrition Services	Nutrition Services Division	(916) 445-0850
Special Education	Procedural Safeguards & Referral Services Unit	(800) 926-0648
Service	Contact	Telephone No.
Facilities (for Williams Settlement cases)	School Facility Planning Division	(916) 322-2470
Office of Equal Opportunity, including: Discrimination Harassment Civil Rights Guarantees	Office of Equal Opportunity	(916) 445-9174

For additional general information on uniform complaint procedures, contact the Categorical Programs Complaints Management Unit, California Department of Education, School And District Accountability Division, 1430 N Street, Sacramento, CA 95814-5901; telephone (916) 319-0929, or visit our Web site at:
<http://www.cde.ca.gov/re/cp/uc>.

Employee Use of Technology

Introduction:

The Calaveras County Office of Education (CCOE) is providing electronic resources to employees including access to the school Local Area Network, CCOE Wide Area Network, and Internet services through the CCOE net. These resources may include computers, monitors, projectors, cameras, printers, servers, phones and other electronic resources. The goal of the Calaveras County Office of Education is to promote educational excellence by providing these electronic resources. The intent of the CCOE is for employees to use these resources for purposes consistent with the CCOE business.

Conditions of Acceptable Use Policies:

No employees will be allowed to access electronic resources including the Internet unless the employee signs the Calaveras County Office of Education Acceptable Use Policy (AUP). The signature at the end of this document indicates that employees have read and understand the terms and conditions of appropriate use and agree to abide.

Access and Security:

All uses of the CCOE electronic resources will require an individual account with username and password. Any employee identified as a security risk will be denied access to these resources. Sharing username and password information with others or accessing another user's files without their knowledge or permission will result in access being revoked or suspended. In addition, inappropriate use of these electronic resources may result in disciplinary action and/or referral to legal authorities.

Internet Safety:

In compliance with the Children's Internet Protection Act (CIPA), CCOE will implement filtering and/or blocking software or hardware to restrict access to Internet Sites containing child pornography, obscene illustrations, or other materials harmful to minors less than 18 years of age. However, no filtering is foolproof and there is still the risk an employee may be exposed to unacceptable content. If an employee accidentally connects to such a site they should contact their supervisor immediately. If an employee sees another user accessing inappropriate sites he or she should notify a supervisor immediately. Employees are to be aware of proper use of safe surfing on the Internet to avoid online predators and identity theft issues.

Acceptable Use:

Acceptable use means that an employee uses these resources in an appropriate manner, abiding by the rules and regulations described in this agreement and avoiding all unacceptable uses of these electronic resources as described below.

Unacceptable Use:

CCOE declares unethical and unacceptable behavior just cause for taking disciplinary action. Inappropriate use of these electronic resources may not only result in disciplinary action but also referral to legal authorities. The following are a list of unacceptable uses of the CCOE net.

1. Violation of any local, state or federal laws.
2. Using the CCOE net for any illegal activity, including unlawful use of copyrighted works.
3. Using the CCOE net to send or request racist, inflammatory, or sexist messages including hate mail.

4. Using the CCOE net to annoy, offend or harass people including sending chain letters.
5. Downloading, creating, distributing, or purposely activating a computer virus of any kind.
6. Downloading software without prior permission from the CCOE net administrator.
7. Stealing data, equipment or intellectual property.
8. Installation or distribution of any personal software or software unlicensed by the CCOE.
9. Playing any games on the CCOE net or Internet unless directly related to employment responsibilities.
10. Using CCOE phones to make personal long distance phone calls without paying or reimbursing the CCOE.
11. Using the CCOE net to gain access to information inside or outside the district that is protected by privacy laws.
12. Using the CCOE network for commercial gain, lobbying or political activity.
13. Using the CCOE network to access pornographic or obscene material.
14. Disguising one's identity, impersonating others or sending anonymous messages.
15. Using profane or obscene language.

Privacy and Monitoring Policy:

The employees of the CCOE net must be aware that information accessed, created, sent, received or stored on the CCOE Network or our school sites are the property of the CCOE. Account users do not have any right to expectation of privacy regarding such materials. CCOE reserves the right to monitor all traffic and information stored and being accessed on the CCOE network.

Storage Capacity:

Due to the growing number of users and limited space on the system, users are encouraged to routinely delete unwanted email messages, pictures and other files or data that take up unnecessary storage space. If an employee refuses to clean up their data files after being warned by a CCOE network administrator these files may be deleted. The CCOE network is not provided to be a storage space for your personal pictures, documents or files. Any personal items that are being stored on any computer or in an employee folder may be deleted at any time without notice to the employee. The CCOE network is designed to achieve and support educational goals and business.

Employee owned equipment

CCOE does not authorize reimbursement of employee personal property which may be stolen, destroyed or damaged while being used for any purpose at work. We do provide a wireless access to the internet for guests that may be used by anyone. You are welcome to use this access during your non work time. We do not provide access to the CCOE network for personally owned equipment and prohibit the use of personal owned equipment to access network files.

Disclaimer:

The Calaveras County Office of Education makes no guarantees or warranties of any kind, whether expressed or implied, for the service being provided hereunder. The CCOE will not be responsible for any damages you suffer while using the provided electronic resources. These damages may include, but are not limited to: the loss of data, non-deliveries, or service interruptions caused by the CCOE net. The CCOE also denies any responsibility for the accuracy or quality of any information obtained through the user's account. All account users are responsible for any losses sustained by the CCOE or affiliates, resulting from the account users intentional misuse of these electronic resources.

Calaveras County Office of Education
Employee Acceptable Use Policy Contract
For use of all Electronic Information Resources

EMPLOYEE AGREEMENT:

The acceptable and unacceptable uses of the CCOE net and the Internet are described in this "Employee Acceptable Use Agreement" for Calaveras County Office of Education. By signing this agreement, I acknowledge that I have read, understand and agree to abide by the provisions of the attached Acceptable Use Policy.

I understand that any violations of the above could result in the immediate loss of my user account and may result in further disciplinary and/or legal action, including but not limited to suspension, termination, or referral to legal authorities.

I also agree to report any misuse of the CCOE net to the county site tech administrator. Misuse can come in many forms but can be viewed as any messages sent or received that indicate or suggest pornography, unethical or illegal solicitation, racism, sexism, inappropriate language, and other issues described under the unacceptable uses in this Acceptable Use Policy. I realize that all the rules of conduct described in this CCOE AUP apply when I am using the CCOE net.

I understand that it is impossible for the CCOE to restrict access to all controversial materials, and I will not hold the CCOE, district, or school responsible for materials acquired on the CCOE net or Internet. I also agree to report any misuse of these electronic resources to the county site tech administrator.

I release the CCOE, its affiliates and its employees from any claims or damages of any nature arising from my access or use of the CCOE net or Internet. I also agree not to hold the CCOE responsible for materials improperly acquired on the system, or for violations of copyright restrictions, user's mistakes or negligence, or any costs incurred by users.

This agreement shall be governed by and construed under the laws of the United States and the State of California.

School District: _____

School Site: _____

Employee Name: _____

Employee Signature: _____

Date: _____

Revised 9/23/11

Family Care and Medical Leave

Board Policy/Administration Regulation 4161.8, 4261.8, 4361.8

The County Office of Education shall not interfere with, restrain, or deny the exercise of any right for family care and medical leave provided to an eligible employee, as defined below, under the law. In addition, the County Office of Education shall not discharge or discriminate against any employee for opposing any practice made unlawful by, or because of, his/her involvement in any inquiry or proceeding related to the family care and medical leave. (29 USC 2615; Government Code 12945.2)

(cf. 4030 - Nondiscrimination in Employment)

Definitions

Child means a biological, adopted, or foster child; a stepchild; a legal ward; or a child of a person standing in loco parentis as long as the child is under 18 years of age or an adult dependent child. (29 USC 2611; Government Code 12945.2)

Eligible employee means an employee who has been employed with the County Office of Education for at least 12 months and who has at least 1,250 hours of service with the County Office of Education during the previous 12-month period. (29 USC 2611; 29 CFR 825.110; Government Code 12945.2)

Parent means a biological, foster, or adoptive parent; a stepparent; a legal guardian; or another person who stood in loco parentis to the employee when the employee was a child. Parent does not include a spouse's parents. (29 USC 2611; 29 CFR 825.122; Government Code 12945.2; 2 CCR 7297.0)

Serious health condition means an illness, injury, impairment, or physical or mental condition that involves either of the following: (29 USC 2611; 29 CFR 825.113, 825.114, 825.115; Government Code 12945.2)

1. Inpatient care in a hospital, hospice, or residential health care facility
2. Continuing treatment or continuing supervision by a health care provider, including one or more of the following:
 - a. A period of incapacity of more than three consecutive full days
 - b. Any period of incapacity or treatment for such incapacity due to a chronic serious health condition
 - c. For purposes of leave under the Family and Medical Leave Act (FMLA), any period of incapacity due to pregnancy or for prenatal care
 - d. Any period of incapacity which is permanent or long term due to a condition for which treatment may not be effective

- e. Any period of absence to receive multiple treatments, including recovery, by a health care provider

Spouse means a partner in marriage as defined in Family Code 300 or 1 USC 7. In addition, for purposes of rights under the California Family Rights Act (CFRA), a registered domestic partner shall have the same rights, protections, and benefits as a spouse and protections provided to a spouse's child shall also apply to a child of a registered domestic partner. (1 USC 7; 29 CFR 825.122; Family Code 297.5, 300; 2 CCR 7297.0)

Eligibility

The County Office of Education shall grant family care and medical leave to eligible employees for the following reasons: (29 USC 2612; 29 CFR 825.112; Family Code 297.5; Government Code 12945.2)

1. Because of the birth of a child of the employee or placement of a child with the employee in connection with the employee's adoption or foster care of the child
2. To care for the employee's child, parent, or spouse with a serious health condition
3. Because of the employee's own serious health condition that makes him/her unable to perform one or more essential functions of his/her position, except that CFRA leave shall not cover an employee's disability on account of pregnancy, childbirth, or related medical conditions
4. Because of any qualifying exigency arising out of the fact that the employee's spouse, child, or parent is a covered military member on covered active duty (or has been notified of an impending call or order to covered active duty)
5. To care for a covered service member with a serious injury or illness if the employee is the spouse, child, parent, or next of kin, as defined, of the service member

In addition to FMLA leave for disability on account of a pregnancy, childbirth, or related medical conditions pursuant to item #3 above, a female employee disabled by pregnancy, childbirth, or related medical conditions may be entitled to take leave for a reasonable period of time, not to exceed four months. (Government Code 12945)

Terms of Leave

An eligible employee shall be entitled to a total of 12 work weeks of family care and medical leave during any 12-month period, except in the case of leave to care for a covered service member as provided under "Military Caregiver Leave" below. (29 USC 2612; Government Code 12945.2)

This 12-month period shall be measured forward from the date the employee's first family care and medical leave begins. (29 CFR 825.200)

Leave taken pursuant to the CFRA shall run concurrently with leave taken pursuant to the FMLA, except in the following circumstances:

1. Leave taken to care for a registered domestic partner or a child of a domestic partner. Such

leave shall count as leave under the CFRA only. (Family Code 297.5)

2. Leave taken for disability on account of pregnancy, childbirth, or related medical conditions. FMLA leave taken for these purposes shall run concurrently with the California pregnancy disability leave granted pursuant to Government Code 12945. CFRA leave related to the birth of a child shall not commence until the expiration of the pregnancy disability leave. (Government Code 12945, 12945.2; 2 CCR 7297.6)

(cf. 4161.1/4361.1 - Personal Illness/Injury Leave)

(cf. 4261.1 - Personal Illness/Injury Leave)

Leave taken for the birth or placement of a child must be concluded within the 12-month period beginning on the date of the birth or placement of the child. Such leave does not need to be taken in one continuous period of time. The basic minimum duration of the leave for birth or placement of a child shall be two weeks. However, the County Office of Education shall grant a request for leave of less than two weeks' duration on any two occasions. (29 USC 2612; 2 CCR 7297.3)

If both parents of a child work for the County Office of Education, their family care and medical leave related to the birth or placement of the child shall be limited to a combined total of 12 weeks. This restriction shall apply whether or not the parents are married, not married, or registered domestic partners. (29 USC [2612](#); Government Code [12945.2](#))

Use/Substitution of Paid Leave

During the period of family care and medical leave, the employee may elect to use his/her accrued vacation leave, other accrued time off, or any other paid or unpaid time off approved by the County Superintendent. Accrued sick leave shall be used when the purpose of the family care and medical leave is one for which sick leave may be taken pursuant to collective bargaining agreements and/or County Board policy. (29 USC 2612; Government Code 12945.2)

(cf. 4141/4241 - Collective Bargaining Agreement)

(cf. 4161/4261/4361 - Leaves)

Intermittent Leave/Reduced Leave Schedule

Leave related to the serious health condition of the employee or his/her child, parent, or spouse may be taken intermittently or on a reduced leave schedule when medically necessary, as determined by the health care provider of the person with the serious health condition. If an employee needs intermittent leave or leave on a reduced work schedule that is foreseeable based on planned medical treatment for the employee or a family member, the County Office of Education may require the employee to transfer temporarily to an available alternative position. This alternative position must have equivalent pay and benefits, the employee must be qualified for the position, and the position must better accommodate recurring periods of leave than the employee's regular job. Transfer to an alternative position may include altering an existing job to better accommodate the employee's need for intermittent leave or a reduced leave schedule. (29 USC 2612; 2 CCR 7297.3)

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

Request for Family Care and Medical Leave

An employee shall provide at least verbal notice sufficient to make the County Office of Education aware that he/she needs family care and medical leave and the anticipated timing and duration of the leave. The employee need not expressly assert or mention FMLA/CFRA to satisfy this requirement; however, he/she must state the reason the leave is needed (e.g., birth of child, medical treatment). If more information is necessary to determine whether the employee is eligible for family care and medical leave, the County Superintendent or designee shall inquire further and obtain the necessary details of the leave to be taken. (2 CCR 7297.4)

Based on the information provided by the employee, the County Superintendent or designee shall designate the leave, paid or unpaid, as FMLA/CFRA qualifying leave and shall give notice of such designation to the employee. (2 CCR 7297.4)

When the need for the leave is foreseeable based on an expected birth, placement for adoption or foster care, or planned medical treatment for a serious health condition of the employee or a family member, the employee shall provide the County Office of Education with at least 30 days advance notice before the leave. The employee shall consult with the County Office of Education and make a reasonable effort to schedule, subject to the health care provider's approval, any planned medical treatment or supervision so as to minimize disruption to county office operations. (Government Code 12945.2; 2 CCR 7297.4)

When the 30 days notice is not practicable because of a lack of knowledge of approximately when leave will be required to begin, a change in circumstances, or a medical emergency, the employee shall provide the County Office of Education with notice as soon as practicable. (2 CCR 7297.4)

Certification of Health Condition

A request by an employee for family care and medical leave for his/her serious health condition, or to care for a child, parent, spouse, registered domestic partner, or child of a registered domestic partner with a serious health condition, shall be supported by a certification from the health care provider of the employee or such other person as applicable. (29 CFR 825.305; 2 CCR 7297.4)

The certification shall include the following: (29 USC 2613; Government Code 12945.2; 2 CCR 7297.0)

1. The date on which the serious health condition began
2. The probable duration of the condition
3. If the employee is requesting leave to care for a child, parent, or spouse with a serious health condition, both of the following:
 - a. Statement that the serious health condition warrants the participation of a family member to provide care during a period of the treatment or supervision of the child, parent, or spouse
 - b. Estimated amount of time the health care provider believes the employee needs to care

for the child, parent, or spouse

4. If the employee is requesting leave because of his/her own serious health condition, a statement that due to the serious health condition, he/she is unable to work at all or is unable to perform one or more essential functions of his/her job
5. If the employee is requesting leave for intermittent treatment or is requesting leave on a reduced leave schedule for planned medical treatment, a statement of the medical necessity for the leave, the dates on which treatment is expected to be given, the duration of such treatment, and the expected duration of the leave

The County Superintendent or designee shall not request any genetic information, as defined in 42 USC 2000ff, from any employee or his/her family member except as necessary to comply with a certification requirement for FMLA/CFRA leave purposes or with the prior written authorization of the employee. Any such genetic information received by the County Office of Education shall be kept confidential in accordance with law. (42 USC 2000ff-1, 2000ff-5)

When an employee has provided sufficient medical certification to enable the County Office of Education to determine whether the employee's leave request is FMLA-eligible, the County Superintendent or designee shall notify the employee within five business days whether the leave is FMLA-eligible. The County Superintendent or designee may also retroactively designate leave as FMLA/CFRA as long as there is no individualized harm to the employee. (29 CFR 825.301)

If the County Superintendent or designee doubts the validity of a certification that accompanies a request for leave for the employee's own serious health condition, he/she may require the employee to obtain a second opinion from a County Office of Education-approved health care provider, at County Office of Education expense. If the second opinion is contrary to the first, the County Superintendent or designee may require the employee to obtain a third medical opinion from a third health care provider approved by both the employee and the County Office of Education, again at County Office of Education expense. The opinion of the third health care provider shall be final and binding. (29 USC 2613; Government Code 12945.2)

If additional leave is needed when the time estimated by the health care provider expires, the County Office of Education may require the employee to provide recertification in the manner specified in items #1-5 above. (29 USC 2613; Government Code 12945.2)

Fitness for Duty Upon Return to Work

Upon expiration of leave taken for his/her own serious health condition, an employee shall present certification from his/her health care provider that he/she is able to resume work with or without limitations.

(cf. 4112.4/4212.4/4312.4 - Health Examinations)

Rights to Reinstatement and Maintenance of Benefits

Upon granting an employee's request for family care and medical leave, the County Superintendent or designee shall guarantee to reinstate the employee in the same or a comparable position when the

leave ends. (29 USC 2614; Government Code 12945.2)

However, the County Office of Education may refuse to reinstate an employee returning from leave to the same or a comparable position if all of the following apply: (29 USC 2614; Government Code 12945.2)

1. The employee is a salaried "key employee" who is among the highest paid 10 percent of those County Office of Education employees who are employed within 75 miles of the employee's worksite.
2. The refusal is necessary to prevent substantial and grievous economic injury to County Office of Education operations.
3. The County Office of Education informs the employee of its intent to refuse reinstatement at the time it determines that the refusal is necessary, and the employee fails to immediately return to service. In any case in which the leave has already commenced, the employer shall give the employee a reasonable opportunity to return to work following the notice prescribed.

(cf. 4117.3 - Personnel Reduction)

(cf. 4217.3 - Layoff/Rehire)

During the period when an employee is on family care and medical leave, he/she shall maintain his/her status with the County Office of Education and the leave shall not constitute a break in service for purposes of longevity, seniority under any collective bargaining agreement, or any employee benefit plan. (29 USC 2614; Government Code 12945.2)

For a period of 12 work weeks, the County Office of Education shall continue to provide an eligible employee on family care and medical leave the group health plan coverage that was in place before he/she took the leave. The employee shall reimburse the County Office of Education for premiums paid during the family care and medical leave if he/she fails to return to County Office of Education employment after the expiration of the leave and the failure is for any reason other than the continuation, recurrence, or onset of a serious health condition or other circumstances beyond his/her control. (29 USC 2614; 29 CFR 825.213; Government Code 12945.2)

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

In addition, during the period when an employee is on family care and medical leave, he/she shall be entitled to continue to participate in other employee benefit plans including life insurance, short-term or long-term disability insurance, accident insurance, pension and retirement plans, and supplemental unemployment benefit plans to the same extent and under the same conditions as apply to an unpaid leave taken for any other purpose. However, for purposes of pension and retirement plans, the County Office of Education shall not be required to make plan payments for an employee during the leave period and the leave period shall not be counted for purposes of time accrued under the plan. (Government Code 12945.2)

Military Family Leave Resulting from Qualifying Exigencies

An eligible employee may take up to 12 work weeks of unpaid leave during the 12-month period established by the County Office of Education while a covered military member is on covered active duty or call to covered active duty status for one or more qualifying exigencies. (29 USC 2612)

Covered military member means an employee's spouse, son, daughter, or parent on covered active duty or call to covered active duty status. (29 CFR 825.126)

Covered active duty means duty during the deployment of a member of the regular Armed Forces to a foreign country or duty during the deployment of a member of the National Guard or Reserves to a foreign country under a call or order to active duty. (29 USC 2611)

Qualifying exigencies include time needed to: (29 CFR 825.126)

1. Address issues arising from short notice deployment (up to seven calendar days from the date of receipt of call or order of short notice deployment)
2. Attend military events and related activities, such as any official ceremony or family assistance program related to the active duty or call to active duty status
3. Arrange childcare or attend school activities arising from the active duty or call to active duty, such as arranging for alternative childcare, enrolling or transferring a child to a new school, or attending meetings
4. Make or update financial and legal arrangements to address a covered military member's absence
5. Attend counseling provided by someone other than a health care provider
6. Spend time (up to five days of leave per instance) with a covered military member who is on short-term temporary rest and recuperation leave during deployment
7. Attend to certain post-deployment activities, such as arrival ceremonies or reintegration briefings
8. Address any other event that the employee and County Office of Education agree is a qualifying exigency

The employee shall provide the County Superintendent or designee with notice of the need for the qualifying exigency leave as soon as practicable, regardless of how far in advance such leave is foreseeable. (29 CFR 825.302)

The employee's qualifying exigency leave may be taken on an intermittent or reduced leave schedule basis. (29 CFR 825.302)

During the period of qualified exigency leave, the County Office of Education's rule regarding an

employee's use of his/her accrued vacation leave and any other accrued paid or unpaid time off, as specified in "Use/Substitution of Paid Leave" above, shall apply.

Military Caregiver Leave

The County Office of Education shall grant up to a total of 26 work weeks of leave during a single 12-month period, measured forward from the first date of leave taken, to an eligible employee to care for a covered service member with a serious illness or injury. In order to be eligible for such military caregiver leave, an employee must be the spouse, son, daughter, parent, or next of kin of the covered service member. This 26-week period is not in addition to, but rather is inclusive of, the 12 work weeks of leave that may be taken for other FMLA qualifying reasons. (29 USC 2611, 2612; 29 CFR 825.127)

Covered service member may be either: (29 USC 2611)

1. A member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy; is otherwise in outpatient status; or is otherwise on the temporary disability retired list for a serious injury or illness
2. A veteran who, within the five years preceding his/her undergoing of medical treatment, recuperation, or therapy for a serious injury or illness, was a member of the Armed Forces, including the National Guard or Reserves

Son or daughter of a covered service member means the biological, adopted, or foster child, stepchild, legal ward, or a child of any age for whom the covered service member stood in loco parentis. (29 CFR 825.127)

Parent of a covered service member means the covered service member's biological, adopted, step or foster parent, or any other individual who stood in loco parentis to the covered service member (except "parents in law"). (29 CFR 825.127)

Next of kin means the nearest blood relative to the covered service member, or as designated in writing by the covered service member. (29 USC 2611, 2612)

Outpatient status means the status of a member of the Armed Forces assigned to a military medical treatment facility as an outpatient or a unit established for the purpose of providing command and control of members of the Armed Forces receiving medical care as outpatients. (29 USC 2611; 29 CFR 825.127)

Serious injury or illness means: (29 USC 2611; 29 CFR 825.127)

1. For a member of the Armed Forces, an injury or illness incurred or aggravated by the member's service in the line of duty while on active duty in the Armed Forces that may render the member medically unfit to perform the duties of the member's office, grade, rank, or rating
2. For a veteran, an injury or illness incurred or aggravated by the member's service in the line of duty on active duty in the Armed Forces, including the National Guard or Reserves, that

manifested itself before or after the member became a veteran

The employee shall provide reasonable and practicable notice of the need for the leave in accordance with the procedures in the section entitled "Request for Leave" above.

The leave may be taken intermittently or on a reduced schedule when medically necessary. An employee taking military caregiver leave in combination with other leaves pursuant to this administrative regulation shall be entitled to a combined total of 26 work weeks of leave during a single 12-month period. When both spouses work for the County Office of Education and both wish to take such leave, the spouses are limited to a maximum combined total of 26 work weeks during a single 12-month period. (29 USC 2612)

During the period of military caregiver leave, the County Office of Education's rule regarding an employee's use of his/her accrued vacation leave and other accrued paid or unpaid time off, as specified in "Use/Substitution of Paid Leave" above, shall apply.

Notifications

The County Superintendent or designee shall provide the following notifications about state and federal law related to FMLA/CFRA:

1. *General Notice:* Information explaining the provisions of the FMLA/CFRA and employee rights and obligations shall be posted in a conspicuous place on district premises, or electronically, and shall be included in employee handbooks. (29 USC 2619; 2 CCR 7297.9)

The general notice shall also explain an employee's obligation to provide the County Superintendent or designee with at least 30 days notice of the need for the leave, when the need for the leave is reasonably foreseeable. (2 CCR 7297.4)

2. *Eligibility Notice:* When an employee requests leave or when the County Superintendent or designee acquires knowledge that an employee's leave may be for an FMLA/CFRA qualifying reason, the County Superintendent or designee shall, within five business days, provide notification to the employee of his/her eligibility to take such leave. (29 CFR 825.300)

3. *Rights and Responsibilities Notice:* Each time the eligibility notice is provided to an employee, the County Superintendent or designee shall provide written notification explaining the specific expectations and obligations of the employee, including any consequences for a failure to meet those obligations. Such notice shall include, as appropriate: (29 CFR 825.300)

- a. A statement that the leave may be designated and counted against the employee's annual FMLA/CFRA leave entitlement and the appropriate 12-month entitlement period, if qualifying
- b. Any requirements for the employee to furnish medical certification of a serious health condition, serious injury or illness, or qualifying exigency arising out of active duty or call to active duty status and the consequences of failing to provide the certification

- c. The employee's right to substitute paid leave, whether the County Office of Education will require substitution of paid leave, conditions related to any substitution, and the employee's entitlement to take unpaid leave if the employee does not meet the conditions for paid leave
- d. Any requirements for the employee to make any premium payments to maintain health benefits, the arrangement for making such payments, and the possible consequences of failure to make payments on a timely basis
- e. If applicable, the employee's status as a "key employee," potential consequence that restoration may be denied following the FMLA leave, and explanation of the conditions required for such denial
- f. The employee's right to maintenance of benefits during the leave and restoration to the same or an equivalent job upon return from leave
- g. The employee's potential liability for health insurance premiums paid by the County Office of Education during the employee's unpaid FMLA leave should the employee not return to service after the leave

Any time the information provided in the above notice changes, the County Superintendent or designee shall, within five business days of his/her receipt of an employee's first notice of need for leave, provide the employee with a written notice referencing the prior notice and describing any changes to the notice. (29 CFR 825.300)

4. *Designation Notice:* When the County Superintendent or designee has information (e.g., sufficient medical certification) to determine whether the leave qualifies as FMLA/CFRA leave, he/she shall, within five business days, provide written notification designating the leave as FMLA/CFRA qualifying or, if the leave will not be so designated, the reason for that determination. (29 CFR 825.300)

If the amount of leave needed is known, the notice shall include the number of hours, days, or weeks that will be counted against the employee's FMLA/CFRA entitlement. If it is not possible to provide that number at the time of the designation notice, notification shall be provided of the amount of leave counted against the employee's entitlement upon request by the employee and at least once in every 30-day period if leave was taken in that period. (29 CFR 825.300)

If the County Office of Education requires paid leave to be substituted for unpaid family care and medical leave, the notice shall so specify. If the County Office of Education requires an employee to present a fitness-for-duty certification that addresses the employee's ability to perform the essential functions of the job, the notice shall also specify that requirement.

Any time the information provided in the designation notice changes, the County Superintendent or designee shall, within five business days, provide the employee with written notice referencing the prior notice and describing any changes to the notice. (29 CFR 825.300)

Records

The County Superintendent or designee shall maintain records pertaining to an individual employee's use of family care and medical leave in accordance with law. (29 USC 2616; 42 USC 2000ff-1; 29 CFR 825.500; Government Code 12946)





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403(b) Plan Annual Notice

To All School District Employees:

The new school year is an ideal time to make you aware of your eligibility to participate in your employer's 403(b) retirement plan. The 403(b) plan (often called a "tax sheltered annuity" or TSA) is a voluntary plan that allows you to defer a portion of your paycheck to a retirement plan.

This is a great benefit offered by your employer to help you bridge your retirement income gap and lower your taxes. Under federal tax law, you do not have to pay income taxes on your contributions or account earnings until you take the money out of the plan.

Please read below for details on how to enroll and how easy it is to start saving now. Also explore why it is a good idea to invest for retirement.

Why Do I Need to Save if I have CalSTRS or CalPERS?

Your pension may not replace all of your income in retirement. The average retiree receives 60-65 percent of their income at retirement.

For example, if your current salary is \$5,000 per month and your retirement benefit equals 65 percent of your current salary, you will receive \$3,250 each month. However, CalSTRS research indicates that retirees must receive 90-95 percent of their income in retirement to maintain their current standard of living. In the following example the member has a shortfall of \$1,750 per month.

Why Should I Contribute to a 403(b) Plan

- Bridge your retirement income gap
- Lower your taxes
- Easy to start saving now

*If you do not have Internet access or need assistance, please call us at (800) 943-9179 and we can assist you with these services by phone. *To make a 403(b) salary reduction election or change online, please follow the instructions below.*

1. Go to www.CalSTRS403bComply.com
2. Click on "Login to Retirement Solution" on the left side of the screen
3. If you are currently a participant in the 403(b) plan:
 - a. Click on "Login"
 - b. Enter your Social Security Number as the User ID and the last four numbers of your Social Security Number for the Password, then click on "Participant"
4. If you are *not* currently a participant in the 403(b) plan:
 - a. Click on "Login"
 - b. Choose "New to the System, Enroll Now"
 - c. Enter Your Social Security Number as the User ID
 - d. Enter Your Social Security Number as the User ID and the Plan Password for your employer (this is available online under "Plan Description.")
5. If you have any problems, please call CalSTRS 403bComply Customer Service at (888) 892-7494

Illness, Injury and Prevention Plan

CALAVERAS COUNTY OFFICE OF EDUCATION INJURY AND ILLNESS PREVENTION PROGRAM

Revision:

Date:

Authorized by:

Superintendent, Calaveras County Office of Education

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I. DISTRICT COMMITMENT TO SAFETY AND HEALTH

A. Safety and Health Statement of Intent

It is the intent of the Calaveras County Office of Education (called the "District" hereafter) to provide safe working conditions for all employees and to promote continuing, vital SAFETY AWARENESS at all levels, from top management to the individual worker. It is our belief that SAFETY AWARENESS is the basis on which a safety program must be founded, and it results in the creation of a SAFETY CULTURE.

The District recognizes its responsibility to furnish a place of employment free from hazards and unsafe conditions, which shall be safe for employees and visitors; to provide safety devices and mechanical safeguards; to use methods and processes to protect the life, health and safety and welfare of employees, visitors and the general public, and to maintain and enforce a program to fulfill this responsibility.

Employees at every level have a special obligation to examine everything they do with a consciousness which ensures that safety is not compromised. Inherently, safety is everyone's responsibility. In fact, safe performance of duties is an integral part of overall job performance.

Therefore, it shall be considered each person's responsibility not only to assure his/her own personal safety, but to develop a concern for safety for all who work with him/her, and to eliminate unsafe acts wherever they are found.

Employees shall, at all times, while on District property, conduct themselves and perform work in a safe manner consistent with existing safety rules.

B. Objectives of the Injury and Illness Prevention Program (IIPP)

The Injury and Illness Prevention Program (IIPP) is designed to prevent injuries, illnesses and accidents in the work place by eliminating unsafe acts and unsafe conditions. The primary purpose of the program is to ensure a safe and healthful work environment.

C. Location of the Written Injury and Illness Prevention Program (IIPP)

A copy of the written Injury and Illness Prevention Program (IIPP) shall be kept at the district office.

Documentation of training and routine inspections including any related completed work orders, hazard reporting forms, inspection summary sheets, accident investigation reports, and training sign-up sheets will be kept by the District Safety Officer at the District Office.

D. Responsibilities for Safety and Health

District employees at every level have a special obligation to work safely and maintain a safe and healthful work environment. Each employee is fully responsible for implementing the provisions of this program as it pertains to operations under his/her jurisdiction.

DISTRICT SAFETY OFFICER

The person with overall responsibility and authority for implementing the Injury and Illness Prevention Program is the Superintendent. He has appointed a District Safety Officer. This person, listed below, has been delegated the responsibility and authority for this program.

Debbie Koehler
Director of Personnel/Administrative Services
(209) 736-6007

The District Safety Officer's duties include, but are not limited to:

- a. Maintaining a safety program that incorporates the current practices and policies adopted by the safety profession and Cal/OSHA as being most effective in preventing injuries, occupational diseases, vehicular collisions, liabilities and damage to equipment and material.
- b. Consulting directly with management personnel and employees on loss prevention matters and provide guidance necessary to assure effective administration of this program.
- c. Periodically evaluating compliance with the program within the district. Make periodic inspections of worker compliance with Cal/OSHA standards. The Officer has full authority to stop jobs when safety precautions are not being enforced. The verbal notification to stop a job must be followed by a written report directly to the Superintendent.
- d. Evaluating the effectiveness of the communication system between management and employees.
- e. Ensuring that managers and supervisors are trained in work place safety and are familiar with the safety and health hazards to which employees under their immediate direction or control may be exposed, as well as applicable laws, regulations and District safety rules and policies.
- f. Ensuring that employees are trained in accordance with this Program.
- g. Ensuring that inspections and accident investigations are completed in a timely manner.
- h. Ensuring that work place hazards are abated in a timely and effective manner. This includes review of inspection reports requiring action, review of hazard reporting forms, and review of accident investigations including implementation of any identified actions.
- i. Verifying that effective safety meetings are being held as required.
- j. Maintaining documentation of the IIPP.
- k. Recommending recognition for exemplary employees.
- l. Periodically reviewing the overall effectiveness of the IIPP.

The District Safety Officer may assign all or some of these tasks to other individuals.

SUPERINTENDENT

Management, at all levels, has the responsibility to provide employees and students with a safe school and work environment by promoting safe practices and maintaining safe facility conditions. Although personnel exposure varies widely from department to department, an unrelenting effort is directed toward controlling injuries, collisions, liabilities and waste of materials within the district. In meeting this goal, management will, to the best of their knowledge and ability:

- a. Ensure that the policies and procedures set forth herein are complied with by all personnel

- under their direction. Ensure adherence to all safety directives and standards.
- b. Provide the leadership and direction necessary for administering school and/or departmental safety policies such as rules and regulations.
- c. Devote a portion of staff meetings, as necessary, to review departmental accidents and to discuss plans to reduce losses.
- d. Promote safety training and education.
- e. Require a program of regular safety inspections of equipment, facilities and crews to ensure the safe operation and protection of District personnel and assets and complies with Federal, State and local safety standards and regulations.
- f. Ensure that the District has an effective Hazard Communication Program in place.
- g. Ensure that all accidents are immediately investigated and reported promptly. Vehicular accidents must be reported immediately following notification to law enforcement authorities.
- h. Review all accident investigations for verification of a proper response.
- i. Hold each principal/department head/supervisor fully accountable for an explanation of the preventable injuries, collisions and liabilities incurred by his/her employee. An excessive number is an indication that some management policies and practices need reevaluation.

DEPARTMENT HEADS/SUPERVISORS

Each Department Head/Supervisor is fully responsible and accountable to the Superintendent for compliance with the provisions of the program within his/her department. He/She ensures that:

- a. All personnel are briefed and fully understand work procedures and policies and enforce their use for each job class.
- b. All employees, full-time or part-time, permanent or temporary, are trained upon hire and retrained, when necessary, in the way each job must be accomplished.
- c. All employees are instructed and understand the use and need for protective equipment relating to the job.
- d. Necessary safety equipment and protective devices for each job are available and used properly.
- e. Initiative is taken in recommending correction of deficiencies noted in facilities, work procedures, employee job knowledge, or attitudes that adversely affect district loss control efforts.
- f. Safety meetings are conducted, as necessary, to review accidents, analyze their causes, and promote a free discussion of hazardous work problems and possible solutions.
- g. All serious accidents are thoroughly investigated, recorded and promptly reported. All accidents with the potential of becoming liability claims must be reported immediately.
- h. Prompt, corrective action is taken wherever hazards are recognized or unsafe acts are observed. Each department head/supervisor is accountable for the preventable injuries, collisions and liabilities incurred by his/her employees.
- i. Written documentation is maintained reflecting that each employee is fully trained for the job he/she is assigned to do, that he/she is familiar with the published work rules, and that he/she has received information indicating that compliance is mandatory.
- j. Employees are properly evaluated by indicating to the employees that: Following safe work procedures is required of all district employees; adherence to district safety policies is considered on performance evaluations; failure to comply with safety rules is grounds for disciplinary action.

- k. Recommend exemplary employees for recognition.
- l. In-service educational programs are planned at least annually for all employees and that documentation is maintained for all educational activities.
- m. Proper safety procedures are prepared and used for all hazardous operations.
- n. All periodic inspections within his/her jurisdiction are completed as scheduled.
- o. Chemical hazards are known to employees, material safety data sheets are available and employees are trained on the safe use of such chemicals.

EMPLOYEES

Employees are required, as a condition of employment, to exercise due care in the course of their work to prevent injuries to themselves and to their fellow workers and to be mentally and physically alert to safety issues. To accomplish this goal, employees will:

- a. Adhere to all safety policies and procedures.
- b. Report potential unsafe conditions to the immediate supervisor.
- c. Keep work areas clean and orderly at all times and use all safeguards and safety equipment.
- d. Wear safety protective devices as necessary (or when instructed to do so).
- e. Report injuries immediately and seek immediate medical attention when required.
- f. Learn to lift and handle materials properly.
- g. Take an active part in the District Safety Program, workshops, training and safety meetings.
- h. Operate only machinery or equipment as authorized by his/her supervisor.
- i. Ask for training if unsure about or are untrained on a task or piece of equipment.
- j. Use only the prescribed equipment for the job and utilize it properly.
- k. Promote safety awareness, and contribute to an overall safety culture.

II. HAZARD IDENTIFICATION, EVALUATION AND CONTROL

A. Inspections

1. Purpose

A safety inspection program is essential to disclose unsafe acts or conditions, determine reasons for their existence, and to recommend corrective action.

2. Scheduled Inspections

Inspections of District facilities will be conducted by the responsible party or designee per the following table. The reporting date for annual reports is September 30.

<u>District Facility</u>	<u>Frequency</u>	<u>Responsible Party</u>
School site/Grounds	Annual report	Maintenance
Classrooms	Check Daily Annual report	Teacher
Playgrounds	Check Daily Annual Report	Teacher/ Maintenance
Transportation area Supervisor	Check Daily Annual report	Transportation

Inspection reports may be submitted to the Safety Officer in a checklist format. The checklists can be obtained from the Safety Officer.

3. Unscheduled Inspections

In addition to scheduled inspections and ongoing review, the District Safety Officer will arrange for unscheduled, unannounced inspections. The list of subjects for these inspections will be chosen randomly, but with particular emphasis on:

- General Housekeeping
- Availability, maintenance, and use of the correct tools and equipment
- Use of Personal Protective Equipment
- Correct ergonomics for workstations
- Safe manipulation of challenged students

4. Tagging of Unsafe Facilities or Equipment

Facilities and equipment noted to be unsafe for use shall be tagged on the spot by the inspector or the employee discovering the hazard. Personnel who continue to use any item that has been so tagged or who willfully removes the tag before the unsafe

condition is corrected shall be subject to disciplinary action up to and including dismissal.

5. Documentation of Inspections

Copies of completed inspection reports shall be filed with the Injury and Illness Prevention program. For organizational purposes, the inspection reports may be recorded on the Site Inspection Summary Form. If appropriate, a copy of the inspection shall be forwarded to Maintenance and Operations with appropriate work orders.

B. Employee Hazard Reporting Procedure

Employees shall make every effort to correct hazards immediately within their control. Other hazards shall be reported immediately to the employee's supervisor. Employees may also use the Employee Hazard Reporting Form to report hazards (anonymously, if they so wish). These forms will be kept available in employee lounges or other suitable place. The form shall be submitted to The District Safety Officer. The District Safety Officer may wish to consult with the appropriate departments to determine the proper response. Possible responses can include, but are not limited to, repair, maintenance, purchases, training, policy or procedure clarification, etc... A response to the Hazard Reporting Form shall be made to the employee (or posted at the site, for anonymous reporting) within 5 working days. If appropriate, the District Safety Officer shall hold the original Hazard Reporting Form and attach completed work orders (or other pertinent documentation) before signing and filing.

C. Job Hazard Analysis (JHA)

Each supervisor shall maintain and periodically update a Code of Safe Work Practices for the job classifications within his/her jurisdiction. The Code of Safe Work Practices or Job Hazard Analysis will be used to train new employees and provide on-going training for existing employees. The applicable JHA shall be maintained with the Injury and Illness Prevention Program.

D. Hazard Evaluation and Control

Inspection Forms and Employee Hazard Reporting Forms requiring action shall be forwarded to Maintenance and Operations from the District Safety Officer with related work orders, as appropriate. Any work orders dealing with safety issues are prioritized according to the seriousness of the hazard and completed in a timely manner. Copies of these completed work orders will be returned to the District Safety Officer for filing with the original report/form. The District Safety Officer will not file the original report/form until the completed documentation has been attached.

E. Imminent Hazards

Whenever possible, it is the District's intent to abate immediately any hazard which gives rise to a risk of imminent harm. When such a hazard exists which the District cannot abate immediately without endangering employees and/or property, all exposed personnel will be removed from the area of potential exposure except those necessary to correct the hazardous condition. All employees involved in correcting hazardous conditions will receive appropriate training in how to do so and are provided with necessary safeguards and personal protective equipment.

III. SAFETY AND HEALTH TRAINING

Awareness of potential health and safety hazards, as well as knowledge of how to control such hazards, is critical to maintaining a safe and healthful work environment and preventing injuries, illnesses and accidents in the work place. The District is committed to instructing all employees in safe and healthful work practices. To achieve this goal, the District provides training to each employee with regard to general safety procedures and with regard to any hazards or safety procedures specific to that employee's work assignment. Additional training of new and repeat topics will be provided periodically for each employee.

A. When Required Training Will Occur

Training will be provided as follows:

1. Upon hiring, including the contents of this IIPP;
2. Whenever an employee is given a new job assignment for which training has not previously been provided;
3. Whenever new substances, processes, procedures or equipment which represent a new hazard are introduced into the work place;
4. Whenever the District is made aware of a new or previously unrecognized hazard;
5. Whenever the District, District Safety Officer or Department Manager believes that additional training is necessary; and
6. When periodic training, such as CalOSHA annual training, is required.

B. Training of Supervisors

The District develops and provides formal safety training in specific areas for supervisors, including familiarization of the hazards that their employees may face.

C. Additional Areas of Training

Depending on the requirements of each job, additional training may be provided. The district will stipulate certain additional training for certain jobs, and employees may request additional training. A partial list of possible areas of training is:

1. Hazard Communication, Employee Right-to-Know.
2. Personal Protective Equipment.
3. Hand Tools and Portable Power Tools.
4. Fire Safety.
5. Machinery and Machine Guarding.
6. Office Safety/Ergonomics
7. Back Injury Prevention/Proper Lifting Techniques.
8. Defensive Driving.
9. Cardiac Pulmonary Resuscitation (CPR) and First Aid.
10. Forklift Operators/ Utility Cart Safety Training.
11. Accident Investigation for Supervisors.
12. Blood Borne Pathogens.
13. Other programs as necessary.

D. Documentation of Training

Documentation of safety training is maintained in writing by completing a Training Verification Form and filing it with the master IIPP. A copy may be placed in the employee personnel file.

IV. COMMUNICATION WITH EMPLOYEES ON SAFETY AND HEALTH ISSUES

It is the goal of the District to effectively communicate with its employees on all issues regarding Safety and Health. To achieve this, the District has a written Illness and Injury Prevention program, a Hazardous Substance Communication Program, and may institute other programs that contribute to employee safety. Each employee may obtain a copy of these programs and review the safety procedures specific to that employee's work assignment.

A. Safety Meetings

Safety meetings are conducted by management, or their designee, periodically. Safety meetings may be incorporated into other meetings and will provide time for employees to discuss safety with management. During these meetings, each manager shall discuss with the employees under his or her direct supervision such issues as:

1. New hazard that has been introduced or discovered in the work place;
2. Causes of recent accidents or injuries and the methods adopted by the District to prevent similar incidents in the future; and
3. Any health or safety issue deemed by the manager to require reinforcement.

These safety meetings are documented on a signup sheet as to content and attendance, and the signup sheet is kept with the IIPP.

B. Anonymous Notification Procedure

The District has a system of anonymous notification whereby employees who wish to inform the District of work place hazards may do so anonymously by sending a written notification to the District Safety Officer using the Employee Hazard Report Form. The reporting procedure is covered in Section II.B.

C. Posters/Signs

Where appropriate, signs and posters may be utilized to help maintain a high level of safety awareness on the job.

D. Newsletter

The District may distribute a Wellness and Safety newsletter to all employees in a timely manner. A copy of each issue is maintained in the Injury and Illness Prevention file at the District Office.

E. Training

The District has training requirements designed to instruct each employee on general safety procedures as well as on safety procedures specific to the employee's job. These training requirements are described in greater detail in Section III of this program.

V. ACCIDENT INVESTIGATION

A. Purpose

The purpose of accident investigation is twofold. It is to determine the root causes of accidents, and to eliminate them in order to prevent their reoccurrence. The objective of any investigation is FACT FINDING, NOT FAULT FINDING.

B. District Expectation

All work-related accidents involving employee injuries and/or property damage are investigated by the District in a timely manner. Minor incidents and near misses may be investigated as well as serious accidents. A near miss is an incident which, although not serious in itself, could have resulted in a serious injury or significant property damage. Initial accident investigations are documented in writing using the "Supervisor First Report of Injury", reviewed by the district safety officer, and filed. The District Safety Officer may choose to further investigate using the "Accident Investigation Form" in the IIPP. That form includes recommendations for accident prevention, for action. Upon completion of the investigation, including supporting documentation of any actions taken, the form is signed by the District Safety Officer and filed with the IIPP. See section D below.

C. Responsibility for Accident Investigation

The Department Head/Supervisor shall be responsible for initiating the initial accident investigation in a timely manner. "Supervisor First Report of Injury" forms are forwarded to the district safety officer for review. The District Safety Officer is responsible for assessing the results of the investigation and authorizing further action, if needed.

D. Procedures for Investigation of Accidents

In depth accident investigations are initiated by the District Safety Officer. They obtain the Accident Investigation Form from the IIPP and begin to investigate using the following four-step process:

1. The Accident Investigation Form shall be used for investigations as follows:
 - 1.1. **Section 1: Information.** Investigations are best handled by two or more people. When the Worker's Compensation Claim number is known, it should be included for reference.
 - 1.2. **Section 2: Description.** The following facts shall be gathered by the accident investigator:
 - 1.2.1. WHO was involved? Include injured employees and witnesses. Interview as many people as needed to establish the facts of the event.
 - 1.2.2. WHAT happened? Describe what took place and include any equipment/machinery/tools that were involved.

1.2.3. WHEN did the accident occur? What time of day, day of the week, shift, and break period did the accident occur? Was an employee working overtime involved?

1.2.4. WHERE did the accident occur? Describe the location where the accident occurred and any special characteristics.

1.3. **Section 3: Findings.** The causes of the accident shall be determined.

1.3.1. Surface causes shall be determined (unsafe acts and unsafe conditions)

1.3.2. Root Causes shall then be determined (policies, procedures, etc...)

1.4. **Section 4: Recommendations.**

1.4.1. HOW could this accident have been prevented? What immediate and long-term actions can be taken to prevent reoccurrence?

1.4.2. It is appropriate to make minor repairs and similar responses at this time. Indicate what was done in this section before forwarding.

1.5. **Section 5: Discussion.**

Use this section to summarize the event and the investigation.

1.5.1. Consider a cost/benefit analysis. Use Worker's Compensation data, frequencies and severities of accidents, regulations, lost time, and other indirect costs, and compare this to the benefits realized by implementing recommendations.

2. The investigator signs the form and forwards it to the District Safety Officer for review.
3. The District Safety Officer reviews the form and implements actions to prevent reoccurrence of the accident. Actions can be the recommendations from the form, or they may be determined by the District Safety Officer. Any actions taken beyond those taken in step 1.4.2 are logged in section VI.
4. Once the actions have been completed and supporting documentation has been received, the form is signed by the District Safety Officer and the Superintendent. The form and related documentation is filed with the master IIPP.

VI. DISTRICT SAFETY RULES

GENERAL SAFETY RULES

For the protection and safety of all employees, the District has established the following rules designed to prevent accidents and injuries. Each area may also have specific rules that pertain to the tasks and equipment found in that area. Compliance with these rules is mandatory.

1. All accidents and injuries must be reported to the supervisor at the time of occurrence.
2. Machines or equipment shall not be operated until you have received proper instructions on their operation.
3. Horseplay, throwing things, running in aisles and stairways, distracting employees at work and unnecessary shouting are forbidden.
4. All spilled oil, grease, water and other liquids must be cleaned up immediately.
5. Failure by an employee to comply with the safety rules will be grounds for corrective discipline.

Medical Emergency

1. All medical emergencies will be reported immediately. Medical emergency number must be called and location of emergency given.

VII. EMERGENCIES

A. Emergency Action Plan

The District has an Emergency and Disaster Preparedness Plan.

B. Earthquake Procedures

Procedures to follow during an earthquake are outlined in the Emergency and Disaster Preparedness Plan.

C. Fire Prevention Program

The District maintains a fully automatic fire alarm system. The District also conducts fire drills in accordance with Section 32110 of the California Education Code. Fire evacuation routes are posted in each classroom and facility. Specific responsibilities are outlined in the Disaster Preparedness Plan.

VIII. ENFORCEMENT OF THE SAFETY PROGRAM

A. Incentive Program

The District provides incentive for employees who make safety suggestions adopted by the district and/or who have demonstrated safe and healthful work practices.

B. Disciplinary System

The District has a policy for disciplinary action for employees who fail to comply with oral, written and/or posted safety warnings, the California Education Code, District policies, or other administrative policies and programs.

Any disciplinary action taken shall not violate the employee's rights as defined under General Industry Safety Order 5194, Federal OSHA Title 29, Part 1910, SB 198 or other Cal-OSHA or Fed-OSHA regulation.

Accident Investigation Report

SECTION I. INVESTIGATION INFORMATION

Name of Injured: _____

Accident Number (or claim number): _____

Accident Investigator: _____

Accident Investigator: _____

Date of Injury: _____

Title: _____

Title: _____

SECTION II. DESCRIPTION OF ACCIDENT

(Describe sequence of events and the injuries. Include who, what, where, when, why, and any witnesses)

SECTION III. FINDINGS (Attach separate page if necessary)

Surface Cause: Unsafe Conditions (defective materials, environmental conditions, housekeeping, maintenance, situations)

1. _____

2. _____

3. _____

Surface Cause: Unsafe Acts: (knowledge, motivation, ability, attitudes, attention, physical deficiencies)

1. _____

2. _____

3. _____

C.C.O.E. Employee Annual Notifications

Root Cause(s) (Policies, procedures, supervision, training, decision-making, other factors)

- 1.
2.
3.

SECTION IV. RECOMMENDATIONS (Indicate if any of the corrections have been done) (Attach separate page if necessary)

Immediate Corrections. (To reduce or eliminate unsafe acts and conditions)

- 1.
2.

Long Term Corrections. (Policies, procedures, training, etc. to ensure unsafe conditions and/or practices do not recur.)

- 1.
2.

SECTION V. SUMMARY (Include further information. Weigh costs and benefits. Attach additional sheets if needed)

Prepared by _____ Title _____ Date _____

*****FORWARD TO THE DISTRICT SAFETY OFFICER*****

SECTION VI. DISTRICT SAFETY OFFICER REVIEW (Review report. Verify appropriate actions taken. Revise if needed.)

Immediate: _____

LongTerm: _____

***** SIGN ONLY AFTER ALL THE CORRECTIVE ACTIONS HAVE BEEN COMPLETED *****

Safety Officer: _____ Date: _____

Superintendent: _____ Date: _____

***** WHEN COMPLETED, WORK ORDERS ATTACHED, AND SIGNED, FILE WITH THE MASTER IIPP *****

Report of Unsafe Condition or Hazard

Please submit this report to the District Safety Officer. You will receive a response in five (5) working days.

Optional: Employees may submit this form anonymously.

Employee's Name: _____ Job Title: _____

Location of Condition Believed to Be Unsafe or Hazardous: _____

Date and Time Condition or Hazard Observed: _____

Description of Unsafe Condition or Hazard: _____

What Changes Would You Recommend to Correct the Condition or Hazard?

Optional:
Signature of Employee: _____ Date: _____

School District Response:

Name of Person Investigating Report: _____ Date Received: _____

Results of Investigation (What was found? Was condition unsafe or a hazard?) (Attach additional sheets if necessary):

Action Taken to Correct Hazard or Unsafe Condition, If Appropriate (or, Alternatively, Information provided to Employees as to Why Condition Was Not Unsafe or Hazardous) (attach additional sheets if necessary):

Signature of Person Investigating Report: _____

DSO REVIEW: _____ Date: _____

Date of response to employee (or posting of a copy of this form, for anonymous reports): _____

WHEN COMPLETED, WORK ORDER COPIES ATTACHED, AND REVIEWED BY THE DISTRICT SAFETY OFFICER,
FILE WITH THE MASTER IIPP

Verification of Initial Training Form

NAME _____ Job Title _____
Please Print

Work Site _____
Please Print

Supervisor: _____

I agree to follow all Calaveras County Office of Education safety and health rules, policies and procedures. I have received training and written materials on the district's following safety policies:

General Safety and Health Issues

The District's Injury and Illness Program

District Safety Rules

Emergency procedures

Housekeeping

Personal protective equipment

Lifting techniques

Working around equipment

Reporting unsafe conditions

General safe work practices

Job Hazard Analysis

Employee signature

Date

Trainer's name

Trainer's signature

FILE THIS TRAINING FORM WITH THE IIPP. FILE A COPY IN THE EMPLOYEE'S PERSONNEL FILE.

Pesticide Use

The Calaveras County Office of Education is providing employees the name of all pesticide products expected to be applied at school facilities this school year. That identification includes the name and active ingredients. Only fully certified pesticides can be used on school grounds.

Employees may register with the County Office of Education if they wish to receive notification of pesticide applications at a particular school or facility. Please request a REQUEST FOR INDIVIDUAL PESTICIDE APPLICATION NOTIFICATION from their work site. Further information is available from the California Department of Pesticide Regulation, P.O. Box 4015, Sacramento, CA 95812-4015, www.cdpr.ca.gov. (E.C. 17610.1)

<u>Product</u>	<u>EPA No.</u>	<u>Active Ingredient</u>
Roundup Pro.	524-475	Glyphosate, N-(phosphonomethyl) glycine
Surflan	62719-113	Oryzalin: 3-5dinitro-N4N4-diprophlsulfanilamide
Ronstar	264-445	Oxadiazon
Dimension 270-G	7001-375	Dithiopyr
Primo Liquid	100-729	Trinexapac-ethyl
Cleary 3336F	1001-63	Thiophanate-methyl (dimethyl (1m2-phenylene)-bis



Management Plan for Asbestos-Containing Material

The Calaveras County Office of Education has available upon request a complete and updated management plan for asbestos-containing material (Code of Federal Regulations: 40CFR 763.93)



Asbestos Activities, Summer 2011

The Calaveras County Office of Education (CCOE) continues to comply with the Asbestos Hazard Emergency Response Act (AHERA) enacted in 1987 to establish requirements for management of asbestos in public and nonprofit elementary and secondary schools. Standards for training, maintenance, abatement, inspections, surveillance, notifications and record keeping are contained in the regulation.

The County Office of Education's compliance program was initiated in 2001 when the County Office assumed responsibility for Special Education facilities, Mountain Oaks Charter School sites and Extended Day child care sites. For all schools containing asbestos, periodic surveillance is conducted at six month intervals and a more comprehensive inspection is conducted at three year intervals to determine any change in the condition of the asbestos containing materials at all the Special Education Facilities. Preventive maintenance is routinely performed, and deterioration or damage is corrected through the AHERA operations and maintenance program. The sites have been inspected and AHERA records are being maintained. No activities were conducted at any sites during the summer that disturbed asbestos in any of the buildings.

The AHERA designated person is Mr. Paul Edwards, a California Certified Asbestos Consultant. Documents kept in school administrative offices include the asbestos management plans, inspection reports and records of surveillance, training, maintenance and abatement. Copies of the plans may be obtained for a nominal charge. If you have any questions about the asbestos program or the AHERA legislation, please contact Mr. Edwards at 209.296.2100.

This notice is being sent to all CCOE students, their parents/guardians, and employees.



Aerosol Transmissible Disease Prevention Program

PURPOSE

This section outlines the identification of safe work practices to minimize the incidence of occupationally acquired diseases that are transmissible through aerosols in the school setting. This policy is mandated by the State of California Title 8, Section 5199, Aerosol Transmissible Diseases Standard.

SETTING

School office, nurse's office or other student treatment area.

POLICY

- A. This plan is administered by the Calaveras County Office of Education, Director of Personnel/Administrative Services.
- B. The plan is evaluated and updated to include methods for controlling/preventing respiratory pathogen transmission i.e., new engineering and work practice controls, new cleaning and decontamination procedures, changes in isolation procedures, use of PPE, and determining employee exposures.
- C. The following methods are used to prevent exposures to aerosol transmissible diseases/pathogens:
 - 1. Promptly identify suspect students.
 - 2. Transfer to an appropriate room within the institution for airborne infectious disease students.
 - 3. When it is not feasible to provide airborne isolation rooms for a novel disease, provide other effective control measures, i.e. PPE, hand hygiene, social distancing – keeping 6 feet from suspected or diagnosed ATD students..
- D. Apply appropriate isolation precautions.
- E. Maintain Appropriate Engineering Controls. To prevent transmission i.e. ventilation systems and fresh air exchanges in appropriate treatment rooms are used to manage the environment of students with ATD:
 - 1. Maintain ventilation systems by inspection and monitoring for exhaust and recirculation filter loading and leakage at least annually.
- F. Implement Appropriate Work Practices to Prevent Transmission:
 - 1. Food is not allowed in appropriate treatment rooms *or areas*.
 - 2. Respiratory etiquette is practiced by employees.
 - 3. Using personal protective equipment to protect employees from other pathogens spread by the airborne/droplet route of transmission, i.e., influenza.
 - 4. Wash hands before and after student contact.
 - 5. Identify and review annually, the work locations at higher risk for exposure to ATD and/or ATP, Including the School Office, nurse's office, health office, or treatment room or area.
 - 6. Maintain routine cleaning.

Source Controls Are Established:

1. Respiratory etiquette is taught to students.
2. Ill students will be separated from students and staff and sent home. Students may wear a surgical mask, if they are able to and should be instructed to cover their cough/sneeze.
3. Students with the same respiratory illness symptoms may be placed together in the same treatment room during times of high census, such as a pandemic.
4. Inform persons entering the facility about our source control practices; visitors are to wash hands, use respiratory etiquette and wear mask when indicated.
5. Schools do not provide names of students suspected/confirmed of having an ATD to employees, other students or non-relatives of the suspected ATD student.

G. Respiratory Protection

1. Respirators are NIOSH approved.
2. Fit testing and respiratory protection procedures will occur in accordance with the Calaveras County Office of Education's Respiratory Protection Program.
3. N95 respirators will be reused when there is a lack of available inventory, i.e. pandemic or epidemic. The N95 can be worn for one shift of work or more often depending on the need. The N95 is not to be worn if it is damaged in any way. As an alternative, elastomeric masks may be used when there is a shortage of N95 masks.

H. Implementation.

1. This program and supporting procedures are generally followed at all times. However, specific implementation requirements identified in this Calaveras County Office of Education ATD Plan are voluntary. If a confirmed episode or epidemic of Aerosol Transmissible Diseases as listed in Section V-Definitions, is declared by either the County Department of Public Health, the Centers for Disease Control, or the California Department of Education, this plan will be converted from a voluntary program to a mandatory program. At that time, all procedures will be strictly adhered to according to this ATD Plan.

PROCEDURES

- A. Confirmed or suspected ATD students are placed in designated appropriate treatment rooms *or areas*.
- B. Students suspected or confirmed as infectious due to an airborne pathogen may wear a surgical mask until an appropriate room is available.
- C. Visitors entering the rooms housing ATD students will wear a surgical mask or equivalent during the visit. If able, the student may wear a surgical mask.
- D. Work Practice Controls – Principles and Supervisors are responsible for enforcing employee work practice controls. The following work practice controls are implemented to prevent exposure to airborne pathogens, Employees taking care of students with suspected or confirmed airborne diseases must:
 1. Wear appropriate Personal Protective Equipment, up to and including respirators, gloves, surgical masks, etc.
 2. Practice appropriate hand hygiene
 3. Maintain social distancing – keeping 6 feet from students suspected or confirmed with an ATD or ATP when possible.
 4. Students with communicable airborne diseases who can, may wear a surgical mask during transport and other times when students are out of designated treatment rooms or areas.
 5. Employees must wash hands after removal of gloves.
 6. Occupational exposures are to be reported to supervisor immediately.

- a. Exposures are investigated promptly, and everyone who may have been exposed is informed.
 - b. Do not provide the name of the source student to other employees, students, or parents.
 7. Visitors who must enter an appropriate treatment room where suspect or confirmed ATD students waiting to go home, are to wear surgical masks.
- E. Employee Surveillance and Post-exposure Follow-up. Calaveras County Office of Education is responsible for new employee and annual employee surveillance and for post-exposure follow-up for airborne pathogens.
- F. Medical Services for Employees with Occupational Exposure to ATD
1. Assess exposures; TB skin tests are provided every 4 years according to Ed Code and more frequently in accordance with applicable public health guidelines or if the public health officer recommends more frequent testing.
 2. Employees with TB test conversions are referred to a health care provider knowledgeable about TB for evaluation.
 3. Diagnostic tests and treatment options are provided to the employee.
 4. Investigate the circumstances of occupational exposures to any ATD. Document the investigation.
 5. Vaccinations shall be made available to all employees with occupational exposures unless the employee has already received the vaccine or it is determined the employee has immunity, or the vaccine is contraindicated for medical reasons.
 6. Individual providing vaccine or determining immunity provides information to the employer (name, date, dose, immunity, any restrictions on the employee's exposure, if additional vaccine is required, and date/dose it should be provided).
 7. If vaccine is not available, employer documents unavailability of the vaccine and checks on availability every 60 days.
- G. Training
2. New employee orientation and annual education of employees.
 3. Written materials, including hand-out or brochure about ATD is provided to employees during the New Employee orientation classes and Annual Education classes. The topics include transmission, symptoms, incidence, risk group vaccines, and exposure prevention strategies.
- H. Recordkeeping
1. Employees skin test results are recorded by Human Resources Department.
 2. New employee and annual education of employees is recorded by the Calaveras County Office of Education Safety Office. These records are maintained for three years.
 3. Employee information is kept confidential. Records are maintained for 30 years past termination, resignation, or retirement.

DEFINITIONS

- A. Diseases/Pathogens Requiring Airborne Infection Isolation:
1. Aerosolizable spore-containing powder or other substance
 2. Avian Influenza (transmissible to humans)
 3. Herpes Zoster (varicella zoster) (shingles), disseminated disease in any person.
 4. Measles (rubeola)
 5. Monkeypox
 6. Novel or unknown pathogens
 7. Severe acute respiratory syndrome (SARS)
 8. Smallpox (variola; see vaccinia for management of vaccinated persons)
 9. Tuberculosis (M.Tuberculosis), extrapulmonary draining lesion, pulmonary or laryngeal disease-confirmed, pulmonary or laryngeal disease-suspected

10. Varicella and any emerging disease determined by public health to have airborne transmission
- B. Diseases/Pathogens requiring Droplet Precautions:
1. Diphtheria/*Corynebacterium diphtheriae* – pharyngeal
 2. Epiglottitis, due to *Haemophilus influenzae* type b
 3. Group A Streptococcal (GAS) disease (strep throat, necrotizing fasciitis, impetigo)/Group A streptococcus
 4. *Haemophilus influenzae* Serotype b (Hib) disease/*Haemophilus influenzae* serotype b -- Infants and children
 5. Influenza, human (typical seasonal variations)/influenza viruses
 6. Meningitis
 7. *Haemophilus influenzae*, type b known or suspected
 8. *Neisseria meningitidis* (meningococcal) known or suspected
 9. Meningococcal disease/*Neisseria meningitidis*: sepsis, pneumonia (see also meningitis)
 10. Mumps (infectious parotitis)/Mumps virus
 11. Mycoplasmal pneumonia/*Mycoplasma pneumoniae*
 12. Parvovirus B19 infection (erythema infectiosum, fifth disease)/Parvovirus B19
 13. Pertussis (whooping cough)/*Bordetella pertussis*
 14. Pharyngitis in infants and young children/Adenovirus, Orthomyxoviridae, Epstein-Barr virus, Herpes simplex virus,
 15. Pneumonia
 16. Adenovirus
 17. *Chlamydia pneumoniae*
 18. *Mycoplasma pneumoniae*
 19. *Neisseria meningitidis* *Streptococcus pneumoniae*
 20. Pneumonic plague/*Yersinia pestis*
 21. Rubella virus infection (German measles) (Also see congenital rubella)/Rubella virus
- C. **Aerosol Transmissible Disease (ATD) or aerosol transmissible pathogen (ATP)**--A disease or pathogen for which droplet or airborne precautions are recommended.
- D. **Airborne Infection Isolation (All)**. Infection control procedures designed to reduce the risk of transmission of airborne infectious pathogens in health care settings.
- E. **Airborne Infectious Disease (AirID)**--Either: (1) an aerosol transmissible disease transmitted through dissemination of airborne droplet nuclei, small particle aerosols, or dust particles containing the disease agent for which **All** is recommended by the CDC or CDPH, as listed in Appendix A, or (2) the disease process caused by a novel or unknown pathogen for which there is no evidence to rule out with reasonable certainty the possibility that the pathogen is transmissible through dissemination of airborne droplet nuclei, small particle aerosols, or dust particles containing the novel or unknown pathogen.
- F. **Case**--(A) A person who has been diagnosed by a health care provider who is lawfully authorized to diagnose, using clinical judgment or laboratory evidence, to have a particular disease or condition; or (B) A person who is considered a case of a disease or condition that satisfies the most recent communicable disease surveillance case definitions established by the CDC
- G. **Droplet Precautions**. Infection control procedures as described in Guideline for Isolation Precautions designed to reduce the risk of transmission of infectious agents through contact of the or the mucous membranes of the nose or mouth of a susceptible person with large-particle droplets (larger than 5 µm in size) containing microorganisms generated from a person who has a

clinical disease or who is a carrier of the microorganism

- H. **Exposure Incident**--An event in which an employee has been exposed to an individual who is a case or suspected case of a reportable ATD, the exposure occurred without the benefit of applicable exposure controls required by this section, and it reasonably appears from the circumstances of the exposure that transmission of disease is sufficiently likely to require medical evaluation.
 - I. **High Hazard Procedures**--Procedures performed on a person who is a case or suspected case of an aerosol transmissible disease or on a specimen suspected of containing an ATP-L (**Aerosol transmissible pathogen – laboratory**) in which the potential for being exposed to aerosol transmissible pathogens is increased due to the reasonably anticipated generation of aerosolized pathogens. Such procedures include, but are not limited to, suctioning (except closed circuit suctioning), sputum induction, bronchoscopy, aerosolized administration of pentamidine or other medications, and pulmonary function testing. High Hazard Procedures also include, but are not limited to, autopsy, clinical, surgical and laboratory procedures that may aerosolize pathogens.
 - J. **Latent TB Infection (LTBI)**--Infection with *M. tuberculosis* in which bacteria are present in the body, but are inactive. Persons who have LTBI but who do not have TB disease are asymptomatic, do not feel sick and cannot spread TB to other persons. They typically react positively to TB tests.
 - K. **Local Health Officer**. The health officer for the local jurisdiction responsible for receiving and/or sending reports of communicable diseases as defined in Title 17, CCR. Note: Title 17, Section 2500 requires that reports be made to the local health officer for the jurisdiction where the patient resides.
 - L. **M. Tuberculosis**--Mycobacterium Tuberculosis - The scientific name of the group of bacteria that causes tuberculosis.
 - M. **Negative Pressure**--The relative air pressure difference between two areas. The pressure in a containment room or area that is under negative pressure is lower than adjacent areas, which keeps air from flowing out of the containment facility and into adjacent rooms or areas.
 - N. **Novel or Unknown ATP**--A pathogen capable of causing serious human disease meeting the following criteria:
 - 1. There is credible evidence that the pathogen is transmissible to humans by aerosols; and
 - 2. The disease agent is:
 - a. A newly recognized pathogen, or
 - b. A newly recognized variant of a known pathogen and there is reason to believe that the variant differs significantly from the known pathogen in virulence or transmissibility, or
 - c. A recognized pathogen that has been recently introduced into the human population, or
 - d. A not yet identified pathogen.
- NOTE: Variants of the human influenza virus that typically occur from season to season are not considered novel or unknown ATPs if they do not differ significantly in virulence or transmissibility from existing.
- O. **Occupational Exposure**--Exposure from work activity or working conditions that is reasonably anticipated to create an elevated risk of contracting any disease caused by ATPs or ATP-Ls (**Aerosol transmissible pathogen -- laboratory**. if protective measures are not in place.

- P. **Personal protective equipment (PPE)** - specialized clothing or equipment worn for protection against a hazard PPE includes equipment such as, but not limited to, gloves, facial protection, gowns/aprons, shoe covers, lab coats, eye protection, foot protection, respiratory protection and hearing protection.
- Q. **Physician or other licensed healthcare professional (PLHCP)** means an individual whose legally permitted scope of practice (i.e., license, registration, or certification) allows him or her to independently provide, or be delegated the responsibility to provide, some or all of the health care services required by this section.
- R. **Public Health Guidelines.** In regard to tuberculosis, applicable guidelines published by the CTCA and or CDPH. In regards to vaccine preventable diseases, the Centers for Disease Control and Prevention publication, "Epidemiology and Prevention of Vaccine –Preventable Diseases". In regard to any other disease or condition, recommendations made by the CDPH or the local health officer pursuant to authority granted under the Health and Safety Code and/or Title 17, California Code of Regulations.
- S. **Reportable Aerosol Transmissible Disease (RATD)**--An aerosol transmissible disease or condition which a health care provider is required to report to the local health officer, in accordance with Title 17 CCR, Chapter 4, and for which the CDC or the CDPH recommend droplet precautions or All.
- T. **Respirator**--A device which has met the requirements of 42 CFR Part 84, has been designed to protect the wearer from inhalation of harmful atmospheres, and has been approved by NIOSH for the purpose for which it is used.
- U. **Respiratory Hygiene/Cough Etiquette in Health Care Settings**--Respiratory Hygiene/Cough Etiquette in Health Care Settings, CDC, November 4, 2004, which is hereby incorporated by reference for the sole purpose of establishing requirements for source control procedures
- V. **Respiratory Protection Program** refers to the Calaveras County Office of Education's Respiratory Protection Program that is compliant with 29 CFR 1910.134 and CCR Title 8 Section 5144 and 5147.
- W. **Source Control Measures**--The use of procedures, engineering controls, and other devices or materials to minimize the spread of airborne particles and droplets from an individual who has or exhibits signs or symptoms of having an ATD, such as persistent coughing.
- X. **Standard Precautions** - apply to 1) all toxic chemical aerosols or droplets; 2) all bodily fluids, secretions, and excretions, except sweat, regardless of whether or not they contain visible blood; 3) non-intact skin; and 4) mucous membranes. Standard Precautions are designed to reduce the risk of inhalation and transmission of microorganisms from both recognized and unrecognized sources of toxins and infection.
- Y. **Surge**--A rapid expansion beyond normal services to meet the increased demand for qualified personnel, medical care, equipment, and public health services in the event of an epidemic, public health emergency, or disaster.
- Z. **Susceptible Person**--A person who is at risk of acquiring an infection due to a lack of immunity as determined by a PLHCP in accordance with applicable public health guidelines.

AA. TB Conversion--A change from negative to positive as indicated by TB test results, based upon current CDC or CDPH guidelines for interpretation of the TB test.

BB. Tuberculosis (TB)--A disease caused by *M. tuberculosis*

CC. Suspected Case--Either of the following:

1. A person whom a health care provider believes, after weighing signs, symptoms, and/or laboratory evidence, to probably have a particular disease or condition listed in section IV. A or B.
2. A person who is considered a probable case, or an epidemiologically-linked case, or who has supportive laboratory findings under the most recent communicable disease surveillance case definition established by CDC.

