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PERSONNEL

CONCEPTS AND ROLES IN PERSONNEL

The County Superintendent desires to attract and retain the best qualified persons for the benefit and welfare of students in the Glenn County Office of Education programs and in order to meet the needs of the school districts served.

The County Superintendent believes that personnel policies must be: 1) implemented in an atmosphere of mutual trust and good will; 2) be consistent with the policies established by the Glenn County Board of Education in the areas that reflect its responsibilities; and 3) be consistent with state and federal rules and regulations.

Role of the County Superintendent and Director of Human Resources

Employ all certified, classified, and management personnel.

Assign, direct and supervise, either directly or through staff, the work of all employees.

Determine salary schedules for unrepresented, management and confidential employees.

Negotiate with employee organizations.

Establish beneficial working conditions.

Hear appropriate appeals as required and requested.

Foster and support equal employment opportunities.

Foster and support a high level of employee performance and satisfaction.

Utilize staff effectively.

Attract and retain qualified employees.

Evaluate employees to enhance performance and improve educational services.

Implement appropriate disciplinary action, as reasonable and necessary, according to County Superintendent policy and collective bargaining agreement.

Legal Reference:

EDUCATION CODE
35020 Duties of employees fixed by governing board
35035 Powers and duties of County Superintendent
35160 Authority of governing board
44395 Establishment of program; eligibility; administration and disbursement; definitions

GOVERNMENT CODE
3540-3549.3 Public educational employer-employee relations
12940 et seq. Discrimination prohibited; Unlawful practices generally

Policy Relates to:

- All Programs
- K-12
- Senior Nutrition
- Child and Family Services
- CTE/Adult Education
- Charter Schools
GLENN COUNTY OFFICE OF EDUCATION SUPERINTENDENT'S POLICY SP 4020

PERSONNEL

DRUG AND ALCOHOL-FREE WORKPLACE
The maintenance of drug and alcohol-free workplaces is essential to school and the Glenn County Office of Education operations.

Employees shall be notified of illegal and prohibited drug and alcohol activities and actions. The notification shall specify the actions that will be taken against employees who violate these prohibitions. The notification shall also state that as a condition of employment, the employee will abide by the terms of this policy and notify the employer, within five days, of any criminal drug or alcohol stature conviction which he/she receives for a violation occurring in the workplace.

For the purpose of this policy, "conviction" shall mean a finding of guilt, including a plea of nolo contendere, or imposition of sentence, or both, by any judicial body charged to determine violations of federal or state criminal drug or alcohol statutes.

A drug-alcohol-free awareness program shall inform employees about:
1. The dangers of drug and alcohol abuse in the workplace;
2. The Glenn County Office of Education policy of maintaining drug and alcohol-free workplaces;
3. Any available drug and alcohol counseling, rehabilitation, and employee assistance program; and
4. The penalties that may be imposed on employees for drug and alcohol abuse violations.

The appropriate federal granting or contracting agencies shall be notified within ten (10) days after receiving notification, from an employee or otherwise, of any conviction for a violation occurring in the workplace.

Disciplinary action shall be initiated within thirty (30) days after receiving notice of a conviction for a violation in the workplace from an employee or otherwise. Such action shall be consistent with state and federal law, the appropriate employment contract, the applicable collective bargaining agreement, and Glenn County Office of Education policy and practices.

Disciplinary action shall be made in accordance with relevant state and federal laws, employment contracts, collective bargaining agreements, and Glenn County Office of Education policies and practices.

As used in this policy "drug" and "drugs" refer to controlled substances as defined by State and Federal law.

Legal Reference:
EDUCATION CODE
44011 Controlled substance offense; § Issuance of and functions requiring credentials 44425
Conviction of controlled substance offenses as ground for revocation by commission 44435
Conviction of certain felonies as grounds for revocation by county board of education 44836
Employment of persons convicted of controlled substance offenses
44940 Leave of absence; certificated employee charged with mandatory or optional leave of absence
44940.5 Compulsory leave of absence; procedures
45123 Employment after conviction of controlled substance offense
45304 Suspension for reasonable cause filing of charges; employee charged with mandatory or optional leave of absence offense

Policy Relates to:
• All Programs
• K-12
• Senior Nutrition
• Child and Family Services
• CTE/Adult Education
• Charter Schools
DRUG-FREE WORKPLACE

Notice to Employees

YOU ARE HEREBY NOTIFIED that it is a violation of Board policy for any employee at the workplace to unlawfully manufacture, distribute, dispense, possess or use any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana or other controlled substance as defined in the Drug-Free Workplace Act of 1988.

"WORKPLACE" is defined as any place where County Office of Education work is performed, including a school building or other County Office of Education premises; any County Office of Education owned or County Office of Education approved vehicle used to transport students or other County Office of Education program participants; and any off-school sites when accommodating a County Office of Education sponsored or County Office of Education approved activity or function, where students or other participants are under County Office of Education jurisdiction.

As a condition of your continued employment with the County Office of Education, you will comply with the County Office of Education policy on Drug-Free Workplace and will, any time you are convicted or any criminal drug statute violation occurring no later than five (5) days after such conviction.

Pursuant to California Education Code 45123, the County Office of Education may not employ or retain in employment persons convicted of a controlled substance offense as defined in Education Code section 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.

The County Office of Education may employ a person convicted of a controlled substance offense only if it determines, from evidence presented that the person has been rehabilitated for at least five years. Pursuant to Education Code 45123, the County Office of Education shall determine the type and manner of presentation of the evidence, and the County Office of Education'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 conviction becomes final or when imposition of sentence is suspended, the commission shall revoke the credential. Pursuant of Education Code 44065, the County Office of Education may not employ no certificated persons in positions requiring a certificate.
The following drug counseling, rehabilitation and/or employee assistance programs are available locally:

**Glenn County Office of Education EAP**
311 S. Villa Avenue  
Willows, CA 95988  
(530) 934-6575

**Family Service Association**
920 West Wood Street  
Willows, CA 95988  
(530) 934-2393

**Glenn County Health Services**
242 N. Villa Avenue  
Willows, CA 95988  
(530) 934-8822  
(530) 865-5503

Policy Relates to:
- All Programs
- K-12
- Senior Nutrition
- Child and Family Services
- CTE/Adult Education
- Charter Schools
TITLE: DRUG AND ALCOHOL TESTING FOR EMPLOYEES SUBJECT TO A COMMERCIAL DRIVER'S LICENSE REQUIREMENT

The Glenn County Office of Education shall adhere to federal law and regulations requiring a drug and alcohol-testing program for employee’s subject to a commercial driver's license requirement.

The Superintendent or designee shall implement this program beginning January 1, 1996.

General:

School bus drivers including substitutes shall be subject to a drug and alcohol-testing program that fulfills the requirements of the Code of Federal Regulations, Title 49, Part 382.

Other persons subject to a Federal commercial driver's license requirement are likewise subject to the drug and alcohol-testing program (49 CFR 382.103).

Testing procedures and facilities used for the tests shall conform with the requirements of the Code of Federal Regulations, Title 49, Section 40 tense.

Legal Reference:

Education Code
35160 Authority of governing boards

United States Code, Title 49
2717 Alcohol and controlled substances testing (Omnibus Transportation Employee Testing Act of 1991)

Code of Federal Regulations, Title 49
40 Procedures for Transportation Workplace Drug and Alcohol Testing Programs 382
Controlled Substance and Alcohol Use and Testing

Policy Relates to:
- All Programs
- K-12
- Senior Nutrition
- Child and Family Services
- CTE/Adult Education
- Charter Schools
PERSONNEL

DRUG AND ALCOHOL TESTING
COMMERCIAL DRIVER'S LICENSE REQUIREMENT

Pre-Employment Tests

Drug tests shall be conducted for the first time a driver performs any safety-sensitive function for the office. (49 CFR 382.301) **NO PRE-EMPLOYMENT TESTS FOR ALCOHOL WILL BE CONDUCTED AS THE REQUIREMENT WAS Deleted in May of 1995.**

Safety-sensitive functions include all on-duty functions performed from the time a driver begins work or is required to be ready to work until he/she is relieved from work and all responsibility for performing work. It includes driving; waiting to be dispatched; inspecting and servicing equipment; supervising, performing or assisting in loading and unloading; repairing or obtaining and waiting for help with a disabled vehicle; performing driver requirements related to accidents; and performing any other safety sensitive work for the district or paid work for any other entity. (49 CFR 382.107, 395.2)

The test shall be required of an applicant only after he/she has been offered the position.

Exceptions may be made for drivers who have participated in the drug-testing program required by law within the previous 30 days, provided that the district has been able to make all verifications required by law (49 CFR 392.301)

Post-Accident Tests

Alcohol and controlled substance tests shall be conducted as soon after an accident as practicable on any driver:

1. Who was performing safety-sensitive functions with respect to the vehicle, if the accident involved loss of human life; or

2. Who receives a citation under stated or local law for a moving traffic violation arising from the accident. (49 CFR 392.303)

Drivers shall make themselves readily available for testing, absent the need for immediate medical attention (49 CFR 392.303)

No such driver shall use alcohol for eight hours after the accident or until after he/she undergoes a post-accident alcohol test, whichever occurs first. (49 CFR 382.209)

If an alcohol test is not administered within two hours or a drug test is not administered within 32 hours, the district shall prepare and maintain records explaining why the test was not conducted. Test will not be given if not administered within eight hours after the accident for alcohol or within 32 hours for drugs.
PERSONNEL

DRUG AND ALCOHOL TESTING

Tests conducted by authorized federal, state or local officials will fulfill post-accident testing requirements provided they conform to applicable legal requirements and are obtained by the district. Breath test will validate only the alcohol test and cannot be used to fulfill controlled substance testing obligations. \( \text{(49 CFR 382.303)} \)

Random Tests

Test shall be conducted on a random basis at unannounced times throughout the year. Test for alcohol shall be conducted just before, during or just after the performance of safety-sensitive functions. The number of random alcohol test annually must equal 10% of the average number of driver positions within The Golden State Risk Management Authority. The number of random drug tests annually must equal 50% of the average number of driver positions. Drivers shall be selected by a scientifically valid random process, and each driver shall have an equal chance of being tested each time selections are made. \( \text{(49 CFR 382.305)} \)

Reasonable Suspicion Tests

Tests shall be conducted when a supervisor of district official trained in accordance with law has reasonable suspicion that driver has violated the district's alcohol or drug prohibitions. This reasonable suspicion must be based on specific, contemporaneous, articulable observations concerning the driver's appearance, behavior, speech or body odors. The observations may include indication of the chronic and withdrawal effects of controlled substances. To ensure that supervisions are trained to make reasonable suspicion determinations, supervisor vested with the authority to demand a reasonable suspicion drug and alcohol test shall attend at least one hour of training on alcohol misuse and at least one hour of training on controlled substance use. The training will cover the physical, behavioral, speech, and performance indicators of probable alcohol misuse and use of controlled substances. \( \text{(49 CFR 382.307)} \)

Alcohol tests are authorized for reasonable suspicion that the driver has violated the district's alcohol or drug prohibitions. This reasonable suspicion must be based on specific, contemporaneous, articulable observations concerning the driver's appearance, behavior, speech or body odors. The observations may include indications of the chronic and withdrawal effects of controlled substances. \( \text{(49 CFR 382.307)} \)

Alcohol tests are authorized for reasonable suspicion only if the required observations are made during, just before or just after the period of the work day when the drivers must comply with alcohol prohibitions. An alcohol test may not be conducted by the person who determines that reasonable suspicion exists to conduct such a test. If an alcohol test is not administered within two hours of a determination of reasonable suspicion, the district shall prepare and maintain a record explaining why this was not done. Attempts to conduct alcohol tests shall terminate after eight hours. \( \text{(49 CFS 382.307)} \)

A supervisor or district official who makes observations leading to a controlled substance reasonable suspicion test shall make a written record of his/her observations within 24 hours of the observed behavior or before the results of the drug test are released, whichever is earlier. \( \text{(49 CFR 382.307)} \)
PERSONNEL

DRUG AND ALCOHOL TESTING

Enforcement

Any driver who refuses to submit to a post-accident, random suspicion or follow-up test shall not perform or continue to perform safety-sensitive functions. (49 CFR 382.211)

A refusal will mean that a driver will be removed from performing any safety-sensitive function. The driver will also be referred to a substance abuse professional to determine if the driver has an alcohol misuse related problem, which will require treatment. The driver will be required to see a substance abuse professional, refuses to undergo treatment is required, or refuses to undergo a return-to-duty test, the driver and may be subject to termination. Drivers who test positive for alcohol or drugs shall be subject to disciplinary action up to and including dismissal.

A driver who violates office prohibitions related to drugs and alcohol shall receive from the office the name, addresses and telephone numbers of substance abuse and alcohol-related problems. The employee shall be evaluated by a substance abuse professional that shall determine what help, if any, the driver needs in resolving such a problem. A substance abuse professional who determines that a driver needs assistance shall not refer the driver to a private practice, person or organization in which he/she has a financial interest, except under circumstances allowed by law. (49 CFR 382.605)

An employee identified as needing help in resolving a drug or alcohol problem shall be evaluated by a substance abuse professional to determine that he/she has properly followed the prescribed rehabilitation program and shall be subject to unannounced follow-up tests after returning to duty. The employer is not required to pay for rehabilitation treatment. (49 CFR 382.605)

Employment Status

If a driver test positive for drug and alcohol, the employee shall be disciplined in accordance with causes and procedures established by the employer. The employee is not eligible for sick leave or vacation benefits. Should a split sample be tested and reverse that initial decision, back payment will be made. The Office will continue medical insurance benefits not to exceed the three months. The three-month maximum is not an annual benefit, but a one-time benefit. Nothing in this section is intended to conflict with the Collective Bargaining Agreement.

Return-to-Duty-Tests

A drug or alcohol test shall be conducted when a driver who has violated the district's drug and alcohol prohibition returns to performing safety-sensitive duties. (49 CFR 382.309)

Employees whose conduct involved alcohol cannot return to duty in a safety-sensitive function until the return-to-duty drug test produced a verified negative result. (49 CFR 382.605)

Employees whose conduct involved alcohol cannot return to duty in a safety-sensitive function until the return-to-duty drug test produces a verified result that meets federal and district standards.
PERSONNEL

DRUG AND ALCOHOL TESTING

Follow-up Tests

A driver who violates the office's drug or alcohol prohibition and is subsequently identified by a substance abuse professional as needing assistance in resolving a drug or alcohol problem shall be subject to unannounced follow-up testing as directed by the substance abuse professional in accordance with law. Follow-Up alcohol testing shall be conducted just before, during and/or just after the time when the driver is performing safety-sensitive functions. (49 CFR 382.311)

The follow-up testing MUST consist of at least six tests in the first 12 months following the driver's return to duty. If the substance abuse professional determines that follow-up testing for both alcohol and controlled substances be conducted, the employer may direct that the driver subject himself to both tests. This is true even though the driver may have violated only the regulation pertaining to alcohol misuse.

After 6 tests during a period of one year, the substance abuse professional may make the determination that the follow-up testing of the particular driver may cease. However, the substance abuse professional can required that follow-up testing continue for a period of up to 5 years.

Records

Employee drug and alcohol test results and records shall be maintained under strict confidentiality and released only in accordance with law. Separate files will be maintained by the Personnel Office for drug and alcohol testing results. Upon written request, a driver shall receive copies of any records pertaining to his/her use of drugs or alcohol, including any records pertaining to his/her drug or alcohol tests. Records shall be made available to a subsequent employer or other identified persons only as expressly requested in writing by the driver. (49 CFR 382.405)

Notifications

Each driver shall receive educational materials that explain the requirements of the Code of Federal Regulations, Title 49, Part 381, together with a copy of the district's policy and regulations for meeting these requirements. Representatives of employee organizations shall be notified of the availability of this information. The information shall identify:

1. The Human Resource Director or Transportation Supervisor as designated by the Superintendent to answer driver questions about the materials;

2. The categories of drivers who are subject to the Code of Federal Regulations, Title 49, Part 382;

3. Sufficient information about the safety-sensitive functions performed by drivers to make clear what period of the work day the driver is required to comply with Part 382;
PERSONNEL

DRUG AND ALCOHOL TESTING

4. Specific information concerning driver conduct that is prohibited by Part 382; the circumstances under which a driver will be tested for drugs and/or alcohol under Part 382; each employer is required to test each surviving driver for alcohol and controlled substances as soon as practicable following an accident as required by 382.303. However, if an alcohol test is not administered within 8 hours following the accident, or if a controlled substance test is not administered within 32 hours following the accident, the employer must prepare and maintain a record stating the reason(s) the test(s) were not promptly administered.

5. The circumstances under which a driver will be tested for drugs and/or alcohol under Part 382; each employer is required to test each surviving driver for alcohol and controlled substances as soon as practicable following an accident as required by 382.303. However, if an alcohol test is not administered within 8 hours following the accident, or if a controlled substance test is not administered within 32 hours following the accident, the employer must prepare and maintain a record stating the reason(s) the test(s) were not promptly administered;

6. The procedure that will be used will be urine and breathalyzer to test for the presence of drugs and alcohol, protect the driver and the integrity of the testing processes, safeguard the validity of test results are attributed to the correct driver;

7. The requirements that a driver found to have violated the drug and alcohol tests administered in accordance with Part 382;

8. An explanation of what constitutes a refusal to submit to a drug or alcohol test and the attendant consequences;

9. The consequences for drivers found to have violated the drug and alcohol prohibitions of Part 382, including the requirement that the driver be removed immediately from safety-sensitive functions and the procedures for referral, evaluation and treatment; safety-sensitive functions may not be performed until the individual has been evaluated by an SAP, complied with any recommended treatment, has been re-evaluated by an SAP, has been allowed by the SAP to return to work and has passed a return to duty test.

10. The consequences for drivers found to have an alcohol concentration of 0.02 or greater but less than 0.04; (unable to perform safety-sensitive duties for 8 to 24 hours, or until a retest shows his or her alcohol level is below .02)and;

11. Information concerning the effects of drugs and alcohol on an individual's health, work and personal life; signs and symptoms of a drug or alcohol problem (the driver's or a co-worker's); and available methods of intervening when a drug or alcohol problem is suspected, including confrontation, referral to an assistance program and/or referral to management. (49 CFR 382.601). The employer is responsible for ensuring that each driver signs a statement certifying that he or she has received a copy of materials required in 382.601. The employer is required to maintain the original of the signed certificate and may provide a copy to the driver. The employer would be in violation if it uses a driver, who refuses to comply with 382.601, to perform any safety-sensitive function, because 382.601 is a requirement placed
PERSONNEL

DRUG AND ALCOHOL TESTING

on the employer. The employee would not be in violation if he or she drove without signing for the receipt of the policy.

12. The requirement that should a driver request a split-sample lab test, the cost shall be paid by the driver.

Drivers shall also receive information about legal requirements, office policies and disciplinary consequences related to the use of alcohol and drugs.

Each driver shall sign a statement certifying that he/she has received a copy of the above materials. (49 CFR 382.601)

Before any driver operates a commercial motor vehicle, the district shall provide him/her with post-accident procedures that will make it possible to comply with post-accident testing requirements. (49 CFR 382.303)

The office shall notify a driver of the results of a pre-employment drug test if the driver requests such results within 60 calendar days of being notified of the disposition of his/her employment application. (49 CFR 382.411)

The Medical Review Officer or office shall notify a driver of the results of random reasonable suspicion and post-accident drug tests if the test results are verified positive. The Medical Review Officer or office shall also tell the driver which controlled substance(s) was verified positive. (49 CFR 3812.411)

Drivers shall inform their supervisors if at any time they are using a controlled substance, which their physician has prescribed for therapeutic purposes. Such a substance may be used only of the physician has advised the driver that it will not adversely affect his/her ability to safely operate a commercial motor vehicle. (49 CFR 382.213)

Safety-Sensitive Functions:

Safety-sensitive functions include all on-duty functions performed from the time a driver begins work or is required to be ready to work until he/she is relieved from work and all responsibility for performing work. It includes driving; waiting to be dispatched; inspecting and servicing equipment; supervising, performing or assisting in loading and unloading; repairing or obtaining and waiting for help with a disabled vehicle; performing driver requirements related to accidents; and performing any other safety sensitive work for the county or paid work for any other entity. (49 CFR 382.107)

A safety sensitive function if driving one of the following vehicles:

1. A vehicle with a gross combination weight of at least 26,001 pounds inclusive of a towed unit with a gross vehicle weight rating of more than 10,000 pounds.
2. A vehicle with a gross vehicle weight of at least 26,001 pounds;
3. A vehicle designed to transport 16 or more passengers, including the driver; or
4. A vehicle used to transport those hazardous materials found in the Hazardous Materials Transportation Act.
PERSONNEL

DRUG AND ALCOHOL TESTING

Refuse to Submit: (to an alcohol or controlled substances test) means that a driver:

1. Fails to provide adequate breath for alcohol testing as required by part 40 of this title, without a valid medical explanation, after he or she has received notice of the requirement for breath testing in accordance with the provisions of this part,
2. Fails to provide an adequate urine sample for controlled substances testing as required by part 40 if this title, without a genuine inability to provide a specimen (as determined by a medical evaluation), after he or she has received notice of the requirement for urine testing in accordance with the provisions of this part, or
3. Engages in conduct that clearly obstructs the testing process.
PERSONNEL

TOBACCO-FREE SCHOOL ENVIRONMENT

Because the evidence related to the use of tobacco points to adverse effects physically, emotionally, socially and academically, the Board of Education intends to keep County Office of Education property and County Office of Education vehicles tobacco-free.

The Board desires that every effort be made to reduce the chances that students will begin or continue using tobacco in any form. The Superintendent or designee will develop a prevention program that includes instruction, intervention, student support and enforcement/discipline. The Superintendent or designee will clearly communicate to students, staff and parents/guardians all Board policies, procedures and school rules related to this prevention program.

Recognizing that keeping the school environment tobacco-free is a common concern of our community, the County Office of Education supports co-operation with community agencies and organizations which are involved in such prevention (refer to substance abuse policy).

In summary, this policy prohibits the use of tobacco products anywhere, anytime on County Office of Education property and in County Office of Education Vehicles.

Legal Reference:

EDUCATION CODE
48900 Grounds for suspension or expulsions
4890 I Smoking or use of tobacco
48909 Drug a poison use
51202 Instruction in personal and public health & safety
51203 Instruction on alcohol, narcotics and restricted dangerous drugs
DRUG FREE WORKPLACE ACT OF 1988
Public Law 100-690, 5151-5160

Policy Relates to:
- All Programs
- K-12
- Senior Nutrition
- Child and Family Services
- CTE/Adult Education
- Charter Schools
PERSONNEL

TOBACCO-FREE SCHOOL ENVIRONMENT

Instructional Programs

The County Office of Education will provide instructional awareness programs that help students avoid the use of tobacco in any form. Instruction will be preventive in nature and designed to help students (refer to substance abuse policy)

The Board recognized that there are students on campuses who use tobacco and can benefit from intervention. Signs stating prohibition of tobacco use will be prominently displayed at all entrance to school property. A referral program to existing cessation school and community support programs will be made available and encouraged for students and staff.

Enforcement/Discipline

1. The Administration will take appropriate action to eliminate the possession and use of tobacco and related paraphernalia (such as roach clips, roll-your-own "cigarette" (joint papers) in classrooms.
2. First offense: Students found to be smoking or in possession of tobacco, including "chew" shall be suspended from one to three days. Parent conference is required before re-entry.
3. Second and all subsequent offenses: Student found as above (#2) shall be suspended from 3 to 5 days, with parent conference required before re-entry. Possible Board Hearing for expulsion with habitual offenders.
4. Referral to the appropriate law enforcement agency will occur whenever a student is in possession of drug paraphernalia.
**PERSONNEL**

**DISCRIMINATION IN EMPLOYMENT**

Employees shall be selected as needed on the basis of merit, training and experience.

All necessary actions shall be taken in order to comply with the letter and the spirit of state and federal laws prohibiting discrimination in employment.

The County Superintendent affirms a commitment to be an equal employment provider. All recruitment, promotion/retention/induction, personnel management practices, and collective bargaining agreements shall be administered in a manner which adheres to equal employment opportunity principles.

Any employee who engages in or permits unlawful discrimination or harassment shall be subject to disciplinary action up to and including dismissal.

Nondiscrimination policies and the availability of complaint procedures shall be regularly publicized within the Glenn County Office of Education facilities. The Assistant Superintendent of Human Resources shall act as Coordinator for Nondiscrimination in Employment.

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

1. To file a valid complaint with EEOC, the employee must file his/her complaint within 300 days of the alleged discriminatory act(s). (42 USC 2000e-5)
2. 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)

Legal Reference:

**EDUCATION CODE**

200 et al. Prohibition of discrimination on the basis of sex
212.5 Definition of sexual harassment
212.6; 230 Particular practices prohibited, including sexual harassment
262.3 Appeals; civil law remedies; notice
44100-44105 Affirmative action employment

**GOVERNMENT CODE**

12900- I 2906 Fair Employment and Housing Act

**PUBLIC LAW**

I 07-110 (HRI) No Child Left Behind Act of2001

**TITLE VII, CIVIL RIGHTS ACT** as amended by Title IX, Equal Employment Opportunity Act

*Meritor Savings Bank, FSP v Vinson et al.*
Discrimination in Employment

**Discriminatory Harassment**

Unlawful harassment based on a person's race, sex, or other attribute listed in the County's nondiscrimination policy includes but is not limited to the following:

1. Slurs, epithets, threats or verbal abuse.
2. Derogatory or degrading comments, descriptions, drawing, pictures or gestures.
3. Unwelcome jokes, stories or teasing.
4. Any other verbal, visual or physical conduct which adversely affects the individual's employment opportunities or has the purpose or effect of unreasonably interfering with his/her work performance or creating an intimidating, hostile or offensive working environment.

Harassment may arise not only as a result of the offender's intention, but also as a result of the offended person's perception of the offensive conduct and the way in which it affects him/her.

Any employee or applicant for employment who feels that he/she is being unlawfully harassed should immediately contact his/her supervisor or the Superintendent or designee, who shall ensure that the complaint is appropriately investigated. Discrimination complaint procedures prohibit retaliatory behavior against any complainant or any participant in the complaint process.
Complaints Concerning Discrimination in Employment

The Superintendent designates the following person(s) as Coordinator(s) for Nondiscrimination in Employment:

Director of Human Resources
311 South Villa Avenue
Willows, CA  95988
(530) 934-6575 Ext. 3125

The following procedures shall be followed when an employee has a complaint alleging that a specific action, policy, procedure or practice discriminates against him/her on any basis specified in the County Office of Education's nondiscrimination policies.

1. The complaint must be initiated within 30 days after a complainant knew, or should have known, of the alleged discrimination.

2. All parties involved in allegations of discrimination shall be notified when a complaint is filed, when a complaint meeting or hearing is scheduled, and when a decision or ruling is made. The complainant also shall be notified of his/her rights to appeal the decision to the next level.

3. When a complaint is brought against the individual responsible for the complaint process at any level, the complainant may address the complaint directly to the next appropriate level.

4. Meetings related to a complaint shall be held at times the County Office of Education determines as least likely to interfere with school schedules and operations.

5. For the protection of the complainant and the County Office of Education, complaint proceeding shall be kept confidential insofar as appropriate.

6. All documents, communications and records dealing with the complaint shall be placed in a County Office of Education complaint file.

7. No retaliation shall be taken in any form for the filing of a complaint, the reporting of instances of discrimination, or for participating in the complaint procedures. Such participation shall not in any way affect the status or work assignments of the complainant.

8. Time limits specified in these procedures may be revised only by written mutual agreements of all parties involved. If the County Office of Education fails to respond within a specified or adjusted time limit, a complainant may proceed to the next step within the prescribed time, the complaint shall be considered settled at the preceding step.

Policy Relates to:
- All Programs
- K-12
- Senior Nutrition
- Child and Family Services
- CTE/Adult Education
- Charter Schools
Level I

The complainant shall meet informally with the Superintendent where the allegedly discriminatory act occurred. A complaint regarding discrimination away from a site should be discussed informally with an administrator selected by the Superintendent. If the complaint's concerns are not clear or cannot be resolved through informal discussion, the Superintendent or other administrator shall prepare, within 10 working days, a written summary of his/her meeting(s) with the complainant. This report shall be available if requested by the nondiscrimination coordinator.

Level II

If a complaint cannot be satisfactorily resolved at Level I, the complainant may submit a formal written complaint to the County Office of Education nondiscrimination coordinator within 10 days of his/her attempt to resolve the complaint informally. The written complaint shall include the following:

1. The complainant's signature or that of his/her representative.
2. The complainant's name, address and telephone number.
3. The name and address of the staff member who committed the alleged violation.
4. A description of the allegedly discrimination act(s) or omission(s).
5. The discrimination basis alleged.
6. A specific description of the time, place, nature, participants in and witnesses to the alleged violation.
7. Other pertinent information which may assist in investigating and resolving the complaint.

The nondiscrimination coordinator shall assign a staff member to assist the complaint with this writing if such help is needed. The coordinator shall respond to the complainant in writing within 10 working days.

The coordinator shall conduct any investigation to respond to the complaint, including discussion with the complainant, person(s) involved, appropriate staff members and students, and review of the Level I report and all other relevant documents. If a response from third parties is necessary, the coordinator may designate up to 10 additional working days for investigation of the complaint.

LEVEL III

If the complaint cannot be resolved at Level II, the complainant may present the complaint to the Superintendent or designee within 10 days. The Superintendent or designee shall review the Level II investigation file, including the written complaint and all responses from Glenn County Office of Education staff. The Superintendent or designee shall respond to the complainant in writing within 10 working days.

If the Superintendent or designee finds it necessary to conduct further investigation, he/she may designate up to 10 additional working days for such investigation and shall respond to the complainant in writing within 10 days of completing the investigation.

LEVEL IV

If the matter is not resolved at Level III, the complainant may file a written appeal to the Board within 10 working days after receiving the Level III response. The Superintendent or designee shall provide the Board with all information presented at previous levels.
The Board shall grant the hearing request for the next regular Board meeting for which it can be placed on the Agenda. Any complaint against a County employee shall be conducted in closed session as a personnel matter. The Board shall render its decision within 10 working days.

The Board may appoint a hearing panel to review the complaint and previous decisions and make recommendations to the Board. The panel shall hear the appeal and render its decision within 10 working days.

OTHER REMEDIES

Complaints may appeal the County Office of Education's action to the California Department of Education. The Superintendent or designee shall ensure that complainants are informed that injunctions, restraining orders and other civil law remedies may also be available to them. This information shall be published with the County's nondiscrimination complaint procedures and included in any related notices. (Education Code 262.3)

Legal Reference:

EDUCATION CODE:
200-262.4 Prohibition of discrimination

GOVERNMENT CODE:
12920-12921 Nondiscrimination
12940-12948 Discrimination prohibited; unlawful practices, generally
PERSONNEL

REASONABLE ACCOMMODATION
Requests for reasonable accommodation may first be considered informally by the program or site administrator. If an accommodation cannot be made at the site because it would impose undue hardship or because of a lack of funds, the administrator shall ask that the request be submitted in writing to the Glenn County Office of Education’s Director of Human Resources. The administrator shall provide the employee with any assistance he/she may need in order to submit this request.

Reasonable accommodation may consist of a modification or adjustment to a job, a work environment or customary work practices and may include, but is not limited to:
1. Job restructuring;
2. Part-time or modified work schedules;
3. Reassignment to a vacant position;
4. Acquisition or modification of equipment or devices;
5. Appropriate adjustment or modification of examinations;
6. The provision of qualified readers or interpreters;
7. Use of accrued paid leave or unpaid leave for necessary treatment;
8. Reserved parking space for persons with mobility impingent.

Upon receiving a request to reasonably accommodate the physical or mental disability of an employee or qualified job applicant, the Director of Human Resources shall:
1. Determine the essential functions of the job;
2. Consult with the employee or applicant to determine his/her precise limitations and how they may be mitigated;
3. With the employee or applicant's help, review the request for accommodation, identify potential means for providing accommodation, and assess their effectiveness; and
4. If possible, develop a plan for the accommodation that would satisfy the employee or applicant's concerns without imposing undue hardship on the Glenn County Office of Education.

The Director may confer with the site administrator, a medical advisor and other Glenn County Office of Education staff before making a final decision.

The Director shall notify the employee or applicant of the results of his/her determination in writing and a copy filed in the Personnel file.

If the employee or applicant is not satisfied with the decision of the Director, further appeal for reasonable accommodation shall be considered a complaint concerning discrimination in employment and may be taken to the County Superintendent in accordance with the Glenn County Office of Education's procedure for such complaints.

The employee or applicant also may appeal directly to the Office for Civil Rights at any point.

Legal Reference: UNITED STATES CODE
   Title 29, Vocational Rehabilitation Act of 1973
   Title 42, Americans with Disabilities Act

Policy Relates to:
- All Programs
- K-12
- Senior Nutrition
- Child and Family Services
- CTE/Adult Education
- Charter Schools
USE OF COMPUTERS, the INTERNET, TELEPHONES/CELL PHONES AND RELATED SERVICES

The Glenn County Office of Education provides employees access to computers with Internet capability and telephones/cell phones for educational purposes and County Office related business.

Violations of this Policy may result in civil liability, monetary damages, criminal prosecution and discipline, up to and including termination.

1. **Policy Violations**

Conduct that violates this policy includes, by way of illustration and not limitation, the following:

- Abusing access to the Internet;

- Abusing the access to Internet for personal use, including email, and telephones/cell phones. Minimal use that does not interfere with work is acceptable.

- Accessing the Internet in any manner that results in an unauthorized monetary expense to the County Office;

- Accessing the Internet to obtain pornographic materials and/or harmful matter, or accessing other inappropriate web sites and subject matters. Under no circumstance is an employee to access subject matters concerning illegal activities, gambling, militant and extremist organizations, drugs, satanic rituals or satanic cults, intolerance, gross depictions, violence, profanity, sexual acts, and nudity;

- Installing and using any software or hardware, without prior written authorization;

- Violating copyright laws and/or terms of applicable software licensing agreements through inappropriate reproduction or dissemination of copyrighted text and images; and

- Any other use of the Internet or County Office computer, which violates any state of federal statute or any County Office policy or procedure.

- Abusing the use of County Office of Education telephones/cell phones for personal reasons.
2. **No Expectation of Privacy**

   Employees of the Glenn County Office of Education shall have NO expectation of privacy concerning the use of County Office computers, the Internet, e-mail and any and all files, documents and/or records stored therein. Any and all files, documents and/or records that are prepared, maintained and/or stored on any County Office computer may be accessible by any other person, including other County Office employees, at any time, and without prior notice.

3. **Public Records**

   Any and all files, documents and/or records that are prepared, maintained and/or stored on any County Office computer may be classified as a public record. Public records are susceptible to disclosure, and therefore open to inspection by the public, at any time and without prior notice.

4. **Computer Files, Documents and/or Records**

   Any malicious attempt to harm or destroy data (including the upload, downloading or creating of computer viruses) and/or any malicious attempt to harm or destroy County Office equipment, materials, and/or files, documents and/or records will not be tolerated. It will result in disciplinary action against the individual(s) up to and including termination. It may result in civil and/or criminal prosecution.

ADOPTED: ______________________

______________________________

Signature
GLENN COUNTY OFFICE OF EDUCATION

USE OF COMPUTERS, the INTERNET, TELEPHONES/CELL PHONES AND RELATED SERVICES

ACKNOWLEDGMENT OF RECEIPT

I acknowledge having received a copy of the Glenn County Office of Education's Policy concerning Use of Computer, the Internet and Related Services. I have thoroughly read this Policy and I agree to abide by each term and condition set forth in this Policy.

I understand that I have no expectation of privacy in the use of any of the County Office's computers and that all files maintained on any of the County Office's computers may be considered public record.

I understand that if I violate ANY of the terms and condition of this Policy concerning the use of the County Office's computers, I may be subject to civil liability and/or criminal prosecution. I also understand that if I violate any of the terms and conditions of this Policy, I am subject to discipline, up to and including termination.

Date: ________________

SIGNATURE

PRINTED NAMED
PERSONNEL

VOLUNTEER ASSISTANCE

The Superintendent encourages parents/guardians and other members of the community to share their time, knowledge and abilities with our students. Community volunteers in our schools enrich the educational program and strengthen schools' relationships with homes, business, public agencies and private institutions. By their presence in the classroom and on school grounds, volunteers may also enhance supervision of students and contribute to school safety.

The Superintendent or designee may authorize the use of volunteers. The Superintendent or designee may require tuberculosis testing and fingerprinting of volunteers and may request criminal records checks as authorized by law. Volunteers shall act in accordance with county policies and regulations.

Workers' Compensation

Unsalaried volunteers shall be considered employees of the county for Workers' Compensation Insurance purposes. If injured while serving as volunteers in the county, they should file Workers' Compensation Insurance forms provided by the county office.
PERSONNEL

CERTIFICATED PERSONNEL

The County Superintendent recognizes that teachers and other certificated personnel work closely with students in carrying out the Glenn County Office of Education's educational goals. The County Superintendent or designee shall ensure that the duties, responsibilities, and Glenn County Office of Education expectations for certificated positions are clearly defined and made known to each member of the certificated staff.

Each certificated staff member shall be held accountable for duties assigned to him/her and shall undergo regular performance evaluations in accordance with law and negotiated agreements.

The County Superintendent strongly encourages certificated staff to continually improve their skills and pursue excellence within their profession.

Rules and regulations related to certificated personnel shall be available to all concerned and shall be administered in a fair and equitable manner.

Legal Reference:

EDUCATION CODE
I 042 Duties and responsibilities
1200 Appointment, Qualifications, Salary and Expenses
1290 Deputy Superintendent
1293-1294 Certified Employees Contracts
1295 Leave of Absence
1311 et seq. Classified County School Employees
44800 et seq. Rights and duties

Policy Relates to:
- All Programs
- K-12
- Senior Nutrition
- Child and Family Services
- CTE/Adult Education
- Charter Schools
The Glenn County Office of Education desires to employ the most highly qualified person available for each open position. The Superintendent or designee shall develop recruitment and selection procedures that include:

1. Assessment of the County's needs for specific skills, knowledge and abilities.
2. Development of job description which accurately describe all essential and marginal functions and duties of each position.
3. Dissemination of vacancy announcements to ensure a wide range of candidates. Opportunity six working days; open position for ten days - working days defined as days County Office of Education is open for business.
4. Screening procedures that identify the best possible candidates for interviews.
5. Interview procedures which determine the best qualified candidate for recommendation to the Superintendent. For employees who are primarily assigned to work in the Head Start Program the recommendation will be made to the Head Start Policy Council.

The Personnel Interview Team shall recommend only those candidates who meet all qualifications established by law for the position. Nominations for employment shall be based upon proper screening, interviews, observations and recommendations from previous employers.

No inquiry shall be made with regard to the age, sex, race, color, religion, national origin, medical condition, disability or sexual orientation of a person seeking employment. During job interviews, applicants may be asked to describe or demonstrate how they will be able to perform the duties of the job.

Glenn County Office of Education employment practices shall not discriminate against legal noncitizen residents. Inquiries to assure employment eligibility shall be made in accordance with Board policy and administrative regulation.

Policy Relates to:
- All Programs
- K-12
- Senior Nutrition
- Child and Family Services
- CTE/Adult Education
- Charter Schools
PERSONNEL

RECRUITMENT AND SELECTION

No person shall be employed by the Superintendent without recommendation or endorsement of the Personnel Interview Team, who shall present one candidate to the Superintendent for approval. Candidates who have been approved by the Head Start Policy Council to work primarily for the Head Start Program will be forwarded to the Superintendent for final approval.

Legal Reference:

EDUCATION CODE
200-261 Prohibition of discrimination on the basis of sex
44066 Limitations on certification requirements
44259 Teaching credential; exception; designated subjects; minimum requirements
44830 Employment of certificated persons
44830.5 Assignment of certificated employees to district; ethnic ratio
44858 Age or marital status in employment positions requiring certification qualifications
44859 Prohibition against certain rules and regulations re residency

Policy Relates to:
- All Programs
- K-12
- Senior Nutrition
- Child and Family Services
- CTE/Adult Education
- Charter Schools
PERSONNEL

CONDITIONS OF EMPLOYMENT

Conditions of employment include but are not limited to the following:

1. Completing all recruitment requirements successfully;
2. Providing appropriate credentials and licenses as required by the job description;
3. Signing all documents as legally required;
4. Providing proof of eligibility to work in the United States;
5. Passing criminal records check/fingerprinting;
6. Providing proof of freedom from active tuberculosis;
7. Providing proof of COVID-19 vaccine or agree to weekly testing;
8. Passing a job related physical examination when required and as appropriate.

Simultaneously with the offer of employment, specific jobs may also include a pre-employment physical ability test.

Health Examinations

The County Superintendent reserves the right to request a physical examination of prospective employee.

Certificated Personnel

The County Superintendent will not employ any certificated person who has not demonstrated required basic skills proficiency, obtained a required waiver or required certification. The County Superintendent may make provisions for teachers to hold intern or provisional credentials in order to teach, providing no acceptable regularly credentialed teachers are available and meet the needs of the Glenn County Office of Education. The County Superintendent directs that all employees take personal responsibility for renewing their credentials/licenses/permits. Each credential/license/permit actively used or required by the job description must be registered with the Glenn County Office of Education prior to the first day of paid service. No warrant shall be issued to any certificated employee who has failed to register and maintain the necessary credential/licensing with the Glenn County Office of Education.

Certificated/Senior Classified Management

Certificated/Senior Classified Management are at-will employees unless otherwise provided by written contract or law.

Classified Employees

Classified employees are entitled to continuing employment unless otherwise notified in writing where it has been demonstrated and given cause.
PERSONNEL

CONDITIONS OF EMPLOYMENT (continued)

Legal Reference:

EDUCATION CODE
32340-32341 Unlawful issuance of a credential
44066 Restrictions on certification requirements
44250-44277 Credential types
44279.1 Beginning Teacher Support and Assessment System
44325-44329.5 District interns
44330-44355 Certificates and credentials
44830 Employment of certificated persons; requirement of proficiency in basic skills
44830.3 Employment of district interns
44842 Failure to notify governing board of intention to remain; failure to report for duty
44843 Notice of employment (to County Superintendent)
44857 Registration of certification document
44916 Time of classification; written statement of employment status
44929.20 Continuing contract

Policy Relates to:
- All Programs
- K-12
- Senior Nutrition
- Child and Family Services
- CTE/Adult Education
- Charter Schools
PERSONNEL

EMPLOYMENT CONTRACTS AND AGREEMENTS

Upon initial employment, an acknowledgment of employment will be provided to the employee stating the number of days of service, start date and other relevant information deemed appropriate by the County Superintendent. The Human Resources Department shall be responsible for issuing and maintaining accurate employment records. Changes to the original contract are to be recorded and notification given to the employee.

Reemployment Notices

Probationary and permanent certificated employees may be requested to notify the Glenn County Office of Education of their intent to remain in the Glenn County Office of Education service for the next school year. This notice shall include a copy of Education Code 44842. If the employee, without good cause, fails to notify the Human Resources Office before July 1 that he/she will remain in the Glenn County Office of Education service, the County Superintendent shall consider the employee to have declined re-employment and the employee's services may be terminated on June 30 of that year.

Legal Reference:

EDUCATION CODE
44842 Failure to notify governing board of intention to remain; failure to report for duty

Policy Relates to:
- All Programs
- K-12
- Senior Nutrition
- Child and Family Services
- CTE/Adult Education
- Charter Schools
PERSONNEL

CERTIFICATION

All persons employed in positions requiring certification qualifications must have the appropriate credential or permit authorizing their employment in such positions.

Responsibility for Renewal

All certificated personnel are personally responsible for the renewing of credentials and for keeping them valid.

No Pay for Invalid Credential

Teachers whose credentials are invalid will not be paid for service rendered.

Responsibility for Registration

Each credential actively used by a teacher must be registered by the teacher with the Glenn County Office of Education.

Legal Reference:

EDUCATION CODE
32340-32341 Unlawful Issuance of credential; offense
44225 Powers and duties
44300 Emergency Permits
44250-44274, 44330-44354, 44830, 45034, 45036 - General
44857 Registration of certification documents

GOVERNMENT CODE
Title 5, Sections 80023 - 80027, 80430

LABOR CODE 1420

Policy Relates to:
- All Programs
- K-12
- Senior Nutrition
- Child and Family Services
- CTE/Adult Education
- Charter Schools
PERSONNEL

OATH OR AFFIRMATION

All public employees are disaster service workers. As such, before beginning employment with the Glenn County Office of Education, employees must take the oath or affirmation required by law. In the event of natural, manmade or war-caused emergencies that result in condition of disaster or extreme peril to life, property and resources, all Glenn County Office of Education employees are subject to disaster service activities as assigned to them by their supervisors.

The County Superintendent or designee shall administer the above oath when Glenn County Office of Education employees are hired.

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

Legal Reference:  
EDUCATION CODE  
60 Administration and certification of oaths  
44334 Oath or Affirmation  
44354 Administration of oath  
GOVERNMENT CODE  
3100-3109

Policy Relates to:  
- All Programs  
- K-12  
- Senior Nutrition  
- Child and Family Services  
- CTE/Adult Education  
- Charter Schools
PERSONNEL

HEALTH EXAMINATIONS

New Employees

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

In addition, the Superintendent or designee may require applicants for employment in classified position to undergo a pre-employment physical examination to show that they are physically able to perform the duties of specific jobs. (Education Code 45122)

Continuing Employees

Continuing employees shall undergo periodic tuberculosis tests, once every four years, in accordance with law. (Education Code 49406)

The Glenn County Office of Education is concerned about the prevalence of tuberculosis in our community and may require continuing employees to undergo tuberculosis tests when warranted upon the recommendation of the local health officer.

Employees may be required to pass a physical and/or psychological examination any time such an examination appears necessary to preserve the health and welfare of County students and employees or to furnish medical proof of physical or mental ability to perform satisfactorily the assigned duties of an individual's position. (Education Code 44839, 45122)

Legal Reference:
EDUCATION CODE
44839 Medical Certificate
44839.5 Employment of retirant
45122 Physical Examinations
49406 Examination for tuberculosis
CODE OF REGULATIONS
Title 5, 5502-5504

Policy Relates to:
- All Programs
- K-12
- Senior Nutrition
- Child and Family Services
- CTE/Adult Education
- Charter Schools
New Employees

1. No person shall be initially employed unless he/she has placed on file with the County. A certificate from a physician licensed under the Business and Professions Code indication that a tuberculosis examination within the past 60 days shows that he/she is free from active tuberculosis. The tuberculosis examination shall consist of an approved intradermal tuberculin test. An x-ray of the lungs shall be required only if the intradermal test is positive. (Education Code 49406)

Persons transferring from another County may fulfill tuberculosis examination requirements in either of the following ways:
(Education Code 49406)

a. By producing a certificate showing that the employee was examined within the last four years and found free of active tuberculosis; or

b. By having the last employing school verify that it has on file a current certificate which contains that showing.

2. A maximum fee of $10.00 will be paid by the Glenn County Office of Education for a tuberculosis exam. Higher fees must have the approval of the appropriate department head.

3. When an employee's religious beliefs prevent him/her from undergoing a physical examination, the County shall follow provisions of Education Code 49406.

Continuing Employees

At the end of every four years, continuing employees will meet with the county nurse to fill out an assessment form. (Education Code 49406)

Food Service Workers

All food service workers who cook, serve or handle food are required to obtain a health certificate before being assigned to work in any cafeteria or kitchen. If a disease is suspected, a blood test or periodic health examination may be required.
GLEN COUNTY OFFICE OF EDUCATION SUPERINTENDENT'S POLICY

PERSONNEL

CRIMINAL RECORD CHECK

No person will be hired or retained in classified or certificated positions that have been convicted of a violent or serious felony, unless that person has obtained a certificate of rehabilitation and pardon.

Applicants will be Live Scanned.

The Department of Justice will be requested to forward one copy of the fingerprint record to the Federal Bureau of Investigation for the purpose of obtaining any record of previous convictions of the applicant.

The County Superintendent or designee shall request subsequent arrest service from the Department of Justice as provided under Penal Code 11105.2.

Temporary Certificates of Clearance

Before issuing a temporary certificate of clearance to an applicant whose credential is being processed, the Human Resources Department shall obtain a criminal record summary from the Department of Justice. The County Superintendent or designee shall not issue a temporary certificate of clearance if the applicant has been convicted of a violent or serious felony, unless the applicant has obtained a certificate of rehabilitation and pardon.

The Human Resources Department may issue a temporary certificate of clearance without obtaining a criminal record summary to an employee currently and continuously employed by a district within Glenn County who is serving under a valid credential and has applied for a renewal of that credential or for an additional credential.

Legal Reference:
45125 Employment
45125.5 Employment
45126 Employment
PENAL CODE
11075-11081 Criminal record dissemination
11105 Criminal identification and statistics
11105.2 Criminal identification and statistics
11105.3 Criminal identification and statistics
11140-11144 Unlawful Furnishing of State Summary Criminal History Information
13300-13305 Local summary criminal history information
GOVERNMENT CODE
6200-6203 Crimes relating to public records, documents and certificates
CALIFORNIA CODE OF REGULATIONS
Title II 703, 708

Policy Relates to:
- All Programs
- K-12
- Senior Nutrition
- Child and Family Services
- CTE/Adult Education
- Charter Schools
PERSONNEL

CRIMINAL OFFENDER RECORD INFORMATION

This policy has been developed to meet the requirements of the State of California, Department of Justice, and Bureau of Criminal Identification and Information, Communications Administration Program for any agency that maintains or receives criminal history information.

To all Glenn County Office of Education employees. To insure that this employer is aware of the background of employees accessing confidential criminal history records they shall be fingerprinted and processed through the California Department of Justice.

The overall responsibility for the administration of the employee fingerprint and resulting criminal history information rests with the Assistant Superintendent or person in charge.

A. Record Security: Any questions regarding the release, security and privacy of Criminal Offender Records Information (CORI) are to be resolved by the Custodian of Records.

B. Record Storage: CORI shall be under lock and key and accessible only to the Custodian of Records; who are committed to protect CORI from unauthorized access, use or disclosure.

C. Record Dissemination: CORI shall be used ONLY for the purpose for which it was requested by the Custodian of Records.

D. Record Destruction: CORI shall be destroyed after employment determination has been made, and copies of same will be destroyed in such a way that the employee's name can no longer be identified.

E. Record Reproduction: CORI may not be reproduced for dissemination.

F. Training: Custodian of Records is required:
   1. To read and abide by this policy,
   2. To themselves be fingerprinted and have a clearance check completed,
   3. To have on file a signed copy of the attached Employee Statement Form (which is itself a part of this policy) which acknowledges an understanding of laws prohibiting misuse of CORI.

G. Penalties: Misuse of CORI is a criminal offense. Violation of this policy regarding CORI may result in suspension, dismissal, and/or Criminal or Civil prosecution.

H. Interagency Agreements: Upon Glenn County Office of Education receipt from the Department of Justice of a criminal history record or report of subsequent arrest for any person on an inter-agency "common list of persons eligible for employment", notice shall be provided to the appropriate participating agency.

The County Superintendent's designee of Record custodian will maintain a record of all persons to whom criminal history or arrest record information has been provided.
CRIMINAL BACKGROUND CHECKS FOR CONTRACTORS

Whenever Glenn County Office of Education contracts for school and classroom janitorial, school site administrative, school site grounds and landscape maintenance, student transportation, and school site food-related services, the County Superintendent or designee shall ensure that the contracting entity certifies in writing that any employees who may come into contact with students have not been convicted of a felony as defined in Education Code 45122.1, unless the employee has received a certificate of rehabilitation and a pardon.

On a case-by-case basis, the County Superintendent or designee may also require a contracting entity providing school site services, other than those listed above, to comply with these requirements.

These requirements shall not apply if the County Superintendent or designee determines that the contracting entity is providing services in an emergency or exceptional situation, such as when student health or safety is endangered or when repairs are needed to make school facilities safe and habitable.

In addition, these requirements shall not apply if the County Superintendent or designee determines that the employees of the contracting entity will have limited contact with students. In determining whether a contract employee has limited contact with students, the County Superintendent or designee shall consider the totality of the circumstances, including the following factors:

1. The length of time the contractors will be on school grounds;
2. Whether students will be in proximity of the site where the contractors will be working;
3. Whether the contractors will be working by themselves or with others.

Upon a determination that an employee shall have limited contact with students, the County Superintendent or designee shall take appropriate steps to protect the safety of any student who may come in contact with this employee. These steps may include, but are not limited to, ensuring that the employee is working during non-school hours, providing supervision of the employee by Glenn County Office of Education personnel, ensuring that the employee is not working alone when students are present, limiting the employee's access to school grounds.

Other Facility Contractors

When the Glenn County Office of Education contracts for construction, reconstruction, rehabilitation or repair of a school facility where the employees of the entity will have contact, other than limited contact with students, the County Superintendent or designee shall ensure the safety of students by utilizing one or more of the following methods:

1. The installation of a physical barrier at the work site to limit contact with students;
2. Continual supervision and monitoring of all employees of the entity by an employee of the entity whom the Department of Justice has ascertained has not been convicted of a violent or serious felony;
3. Surveillance of employees of the entity by school personnel.

These requirements shall not apply if the County Superintendent or designee determines that the contracting entity is providing construction, reconstruction, rehabilitation or repair services in an emergency or exceptional situation, such as when student health or safety is endangered or when repairs are needed to make school facilities safe and habitable.
PERSONNEL

CRIMINAL BACKGROUND CHECKS FOR CONTRACTORS (continued)

Legal Reference:  EDUCATION CODE
41302.5 School Districts
45122.1 Employment
45125 - 45125.2 Employment PENAL CODE
667.5 General provisions 1192.7 The judgment

Policy Relates to:
- All Programs
- K-12
- Senior Nutrition
- Child and Family Services
- CTE/Adult Education
- Charter Schools
PERSONNEL

EMPLOYEE RECORDS

Confidential individual personnel files are permanent records and shall be established and maintained for all employees in accordance with law and collective bargaining agreements.

Personnel files shall be made available for inspection as required by law. Inspection shall take place in the presence of a Glenn County Office of Education representative. A record of file inspections shall be maintained.

The following records are, by law, not open to inspection by employees:
1. Records relating to the investigation of a possible criminal offense;
2. Letters of reference;
3. Ratings, reports or records that were obtained prior to the employee's employment, prepared by identifiable examination committee members, or obtained in connection with a promotional examination.

Except for the ratings, reports or records specified above as not open to inspection, employees shall be notified whenever derogatory information is to be placed in their personnel files. Any employee so notified may ask to review and comment on the contents and shall have the right to enter, and have attached to any such derogatory statement, his/her own comments thereon. Such a review may take place during normal work hours. Upon request the employee shall be released from duty for this purpose without a salary reduction.

Home addresses, telephone numbers and other personal information regarding employees shall not be disclosed to the general public. It shall be each employee's responsibility to keep personnel records current by immediately reporting changes of address, number of dependents, telephone number changes, name changes, and other information as may be required.

Legal Reference:

EDUCATION CODE
44030 Failure to make reports
44031 Personnel file contents and inspection
44663 Written evaluation and assessment of certificated employees and certificated non-instructional employees
44252 Issuance and renewal; basic skills proficiency list of criteria
44254 Restricted reading certificates
ATTORNEY GENERAL OPINION
LABOR CODE 1198.5

Policy Relates to:
- All Programs
- K-12
- Senior Nutrition
- Child and Family Services
- CTE/Adult Education
- Charter Schools
PERSONNEL

REGULATIONS REGARDING EMPLOYEE RECORDS

The County Superintendent directs that the Human Resources Department shall maintain personnel files for all current employees. All personnel files are confidential and shall be available only to the employee, persons authorized by the employee and those authorized by the County Superintendent. Employee files shall be maintained in the Human Resources Department. The Director of Human Resources shall determine the types of information to be included and be responsible for the processing of all material to be placed in a personnel file.

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

Placement of Material in Personnel Files
1. All material to be placed in a personnel file shall be processed through the Director of Human Resources.
2. Material of a derogatory nature shall not be entered unless:
   a. The material has been signed and dated by the originating person and approved for inclusion by the department Assistant Superintendent or Director.
   b. The employee is provided a copy with notice that he/she has an opportunity to comment and respond within 10 working days from receipt.
   c. After the employee has had an opportunity to review and make written comments on the derogatory material, it shall be entered into the personnel file and shall become a part of the employee's record.

Personnel File Review
1. The Assistant Superintendents or Directors are authorized by the County Superintendent to review personnel files of employees. Other management personnel may review personnel files when they have valid "need to know" and with approval of the Director of Human Resources.
2. Employees may make an appointment for review of his/her personnel file to be scheduled during normal working hours. Employee signs and dates a statement that he/she asked to review file, which becomes part of the personnel file.
   a. Employees with assignments out-of-county may request a copy of their personnel file as outlined in paragraph 2.b. below in lieu of personally reviewing the file.
   b. Requests for copies of material in personnel file must be in writing and approved by the Director of Human Resources.
   c. Any request by employee to include materials in the file must be approved by the Director of Human Resources.
3. Confidential placement information in the file shall not be available for review unless marked "not confidential" or equivalent by a college, university or other placement office.
4. All reviews of personnel files shall be recorded, including notation of date and time reviewed.
5. In no instance shall any material be removed from the file.
6. All personnel files will be reviewed in the Human Resources Department under observation of Human Resources Department staff.
PERSONNEL

EMPLOYMENT REFERENCES

The superintendent or designee shall process all request for references, letters of recommendation, or information about the reasons for separation regarding all county employees other than himself/herself. The Superintendent or designee must approve all letters of recommendation to be issued on behalf of the Glenn County Office of Education for current or former employees.

At his/her discretion, the Superintendent or designee may refuse to give a recommendation. Any recommendation he/she gives shall provide a careful, truthful and complete account of the employee's job performance and qualifications.

Policy Relates to:
- All Programs
- K-12
- Senior Nutrition
- Child and Family Services
- CTE/Adult Education
- Charter Schools
PERSONNEL

ORIENTATION FOR NEW EMPLOYEES

The County Superintendent believes that it is important to have an effective orientation for all new employees.

For that reason, the County Superintendent assigns responsibility for new employee orientation to the Human Resources Department, which shall give careful consideration to the content, design, and delivery in the Glenn County Office of Education's system of orienting new staff.

The first phase of orientation will be a Human Resources Department briefing that provides essential information regarding the Glenn County Office of Education as an organization, review of mandated topics, safety, job related matters and requirements, day-to-day procedures and practices as well as financial matters of concern.

Work site specific training is the responsibility of the employee's direct supervisor.

Policy Relates to:
- All Programs
- K-12
- Senior Nutrition
- Child and Family Services
- CTE/Adult Education
- Charter Schools
PERSONNEL

EMPLOYMENT OF RELATIVES - NEPOTISM POLICY

Employment of relations by blood or marriage in the Glenn County Office of Education where there is an adverse impact on supervision, safety, security or morale, or involves potential conflicts of interests is prohibited. If two employees marry each other and there is an adverse impact on supervision, safety, security or morale or a reasonably foreseeable conflict of interest exists, one of the employees may be reassigned or transferred. In cases where no accommodation can be arranged, one of the employees must resign or be terminated. The choice of which will resign is to be made by the individual employees.

1. No employee will be under direct supervision of a relative.

2. No employee shall in any way use personal power or influence to aid or hinder other employees or applicants for employment because of a personal relationship by virtue of blood, marriage, or adoption.

3. The employment of relatives in the same department shall be permitted when concurrent employment would be in the best interests of the Glenn County Office of Education.

4. Authorized approval is required prior to appointment of a person to a position in which the person would:
   a) have the same immediate supervisor as a relative, or
   b) have a close working relationship with a relative.

5. If two employees in any of the above types of working relationships become relatives, authorized approval is required for their continuing in that same working relationship.

6. In order to comply with this policy, applicants for employment, employees offered promotional opportunities, and employees requesting transfer or reinstatement shall be required to indicate if they have any relatives who are employees of the Glenn County Office of Education.

7. For the purposes of this policy, persons related by blood, marriage, or adoption (relatives) are any of the following: husband, wife, father, mother, son, daughter, brother, sister, half-brother, half-sister, grandparent, grandchild, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, uncle, aunt, nephew, niece, and first cousin.

Legal Reference:

GOVERNMENT CODE
12940 Unlawful employment practices, exceptions
PERSONNEL

CHILD ABUSE

Employees shall be knowledgeable about the issues and reporting requirements of child abuse. New and substitute employees shall be provided a copy of Section 11164 et seq. of the Penal Code and sign the appropriate verification.

Legal Reference:

EDUCATION CODE
44690-44691 Staff development in the detection of child abuse and neglect

PENAL CODE
273a Willful harm or injury to child; endangering person or health
11164-11174.3 Child Abuse and Neglect Reporting Act, especially
11166 Report; duty; time
11166.5 Required statements of mandated reporters
11172 Immunity from liability; liability for false reports

CDE LEGAL ADVISORY
0328.90 Duties and Liabilities of School Counselors

Policy Relates to:

- All Programs
- K-12
- Senior Nutrition
- Child and Family Services
- CTE/Adult Education
- Charter Schools
PERSONNEL

EMPLOYEE ASSIGNMENTS

The County Superintendent shall make employee assignments in accordance with the needs of the Glenn County Office of Education and negotiated agreements.

Employees have no right of assignment to a particular work site.

Except where otherwise appropriate, certificated employees shall be assigned within the scope of their certificate and competency.

All certificated and classified management and professional staffs are exempt employees for the purpose of the Fair Labor Standards Act. The hours of work shall be determined by their work assignments.

The County Superintendent reserves the right to assign, reassign, schedule and modify all terms and conditions of employment in accordance with the needs of the Glenn County Office of Education and negotiated agreements.

Legal Reference:      EDUCATION CODE
                      35035 Powers and duties of County Superintendent
                      44256-44264 (re credentials and assignments of teachers)
                      44955 Reduction in number of employees
                      GOVERNMENT CODE
                      3540 Agreement EDBOE & ECOSEA
                      3543.2 Scope of representation (re transfer/reassignment

Policy Relates to:
- All Programs
- K-12
- Senior Nutrition
- Child and Family Services
- CTE/Adult Education
- Charter Schools
PERSONNEL

TEMPORARY MODIFIED/ LIGHT DUTY ASSIGNMENT

The County Superintendent recognizes that when employees suffer injuries, modified or light-duty assignments minimize lost time and may serve to facilitate the transition back to the employee's regular duties or full-time work. Whenever possible, the County Superintendent, or designee, shall offer such employees this kind of temporary assignment.

Modified or light-duty assignments shall be designed to accommodate medical restrictions specified by the physician. They may include work in the same job classification or a different classification but will be compensated at the employee's regular salary rate.

Modified or light-duty assignments are intended to address short-term medical restrictions and will normally extend for less than sixty calendar days. These assignments shall not be used as a means to establish new assignments or displace other employees.

Legal Reference:

EDUCATION CODE
44984 Required rules for industrial accident and illness leave
45192 Industrial accident and illness leave for classified employees
PERSONNEL

REGULATIONS REGARDING TEMPORARY MODIFIED/ LIGHT DUTY ASSIGNMENT

Any employee who suffers a work-related injury shall provide the Glenn County Office of Education with medical verification of his/her physical condition. Unless the treating physician provides a full release from work, the employee may be considered eligible for a temporary modified or light-duty assignment. If the treating physician does not specify work restrictions, the County Superintendent or designee may contact the physician to see if modified or light-duty work might be appropriate.

The County Superintendent or designee shall meet with the employee and his/her supervisor to determine whether the employee can return to his/her regular job with the medical restrictions specified by the physician.

If the employee is not able to return to his/her regular job with restrictions, the County Superintendent or designee shall seek a temporary modified or light-duty assignment for the employee. Employees who are given such assignment shall receive written notification of the assignments.

If no temporary modified or light-duty assignment can be found, the employee will be placed on temporary disability, sick leave, or other available leave to the extent available until an appropriate position within the medication restrictions is found, or until the medical restrictions are lifted. The County Superintendent or designee shall also monitor the status of any employee for whom the physician provided a full release from work to see if the employee could return to a temporary modified or light-duty assignment at a later date.

If an employee rejects a temporary modified or light-duty assignment, this refusal may provide a basis for terminating temporary disability benefits under workers' compensation.

The County Superintendent or designee shall monitor all temporary modified and light-duty assignments and may contact the physician for assistance in determining when the employee is ready to resume his/her regular duties.
# TEMPORARY MODIFIED OR LIGHT-DUTY ASSIGNMENT

<table>
<thead>
<tr>
<th>Employee Name</th>
<th>Employee I.D. Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Regular Work Site</td>
<td>Position</td>
</tr>
<tr>
<td>Date of Injury or Medical Condition</td>
<td>Nature of Injury/Condition</td>
</tr>
</tbody>
</table>

**Restrictions:**

Temporary Modified or Light-Duty Assignment

<table>
<thead>
<tr>
<th>Location</th>
<th>Position</th>
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</table>

Temporary Modified or Light-Duty Start Date  
Expected Completion Date  
(Not more than 60 calendar days)

Supervisor Signature  
Injured Worker Signature

Date Signed  
Date Signed

**Copies:**
- Human Resources Department
- Employee
- Supervisor
- Maintenance Operations and Facilities Department (if injury is work related)
PERSONNEL

TRANSFERS

The County Superintendent or designee may transfer personnel from one assignment to another when he/she believes the transfer will serve the best interests of the overall Glenn County Office of Education.

Personnel may request a transfer by following procedures specified in Administrative Regulations and/or contractual agreements.

Involuntary transfers may become necessary when programs are reduced or canceled, when schools are closed or when transfers are otherwise required in order to accommodate program needs. Such transfers also may be made in order to contribute to an employee's professional growth and/or give supervisory staff an opportunity to evaluate the employee in a different setting.

Legal Reference:

EDUCATION CODE
35035 Powers and duties of County Superintendent 44955
Reduction in number of permanent employees

Policy Relates to:
- All Programs
- K-12
- Senior Nutrition
- Child and Family Services
- CTE/Adult Education
- Charter Schools
PERSONNEL

REGULATIONS REGARDING TRANSFERS

Applying for Transfers

An employee may apply, in writing, to the Human Resources Department for transfer to a posted vacancy or the employee may make a general request for a transfer. An employee must apply for transfer prior to the end of a stated posting period to receive consideration.

Selection for Transfer

All applicants for a posted vacancy, including any qualified employee requesting a transfer into the position will be considered. Selection shall be based on the ability and qualifications of each applicant.

Administrative Transfer

The administration may initiate a transfer of an employee to meet operational needs of the Glenn County Office of Education. The employee to be transferred will be given at least five workdays advance notice and the employee may request an opportunity to discuss the transfer with the Director of Human Resources and/or an Assistant Superintendent.

Voluntary transfers are subject to a probationary period.

Policy Relates to:
- All Programs
- K-12
- Senior Nutrition
- Child and Family Services
- CTE/Adult Education
- Charter Schools
PERSONNEL

PERFORMANCE EVALUATION continuous, uniform process for employee evaluation, assessment and appraisal shall be provided to:

1. Promote achievement of the Glenn County Office of Education goals;
2. Provide a process for two-way communication to evaluate the performance of all certificated and classified personnel;
3. Clarify abilities and specific indicators most critical to job performance;
4. Offer recommendations, if any, regarding desired performance and improvement;
5. Increase the employees' understanding of performance from their supervisor’s viewpoint;
6. Obtain data for decisions regarding retention and assignment of staff;
7. Provide a formal method of recognizing staff achievement and growth;
8. Enhance job satisfaction, self-esteem;
9. Insure positive work relationships.

The performance appraisal process shall include the following basic steps to be followed in the evaluation and assessment of staff. The process is circular, beginning and ending with the summative employee appraisal. Each step of the process is intended to encourage a collaborative effort between the supervisor and the employee:

1. Orientation and clarification of evaluation cycle and forms;
2. Conference to review criteria upon which evaluation will be focused;
3. Development of performance plan (as applicable);
4. Formal and informal observations and data collection;
5. Formal and informal conferences based on observations and data collection;
6. Data analysis;
7. Formal evaluation conference;
8. Summative performance appraisal.

Evaluations will be scheduled as follows:

Teachers
Permanent employees shall be evaluated at least every other year. Nothing precludes evaluation to be conducted at such other times, as management deems appropriate. Others shall be evaluated annually.

Classified
Regular classified employees shall be evaluated every other year, or as outlined in their collective bargaining agreement.

Unsatisfactory Employees
Employees receiving any "unsatisfactory" rating in any evaluation area shall be evaluated periodically during the year in accordance with applicable collective bargaining agreements and established procedure until performance improves or separation from the Glenn County Office of Education occurs.

Legal Reference:

EDUCATION CODE
33039 Guidelines for teacher evaluation
35171 Evaluation of employee performance; printed rules
44660-44665 Evaluation and assessment of performance of certificated employees

GOVERNMENT CODE: 3543.2 Scope of representation

Policy Relates to:
- All Programs
- K-12
- Senior Nutrition
- Child and Family Services
- CTE/Adult Education
- Charter Schools
PERSONNEL

EVALUATOR COMPETENCY CERTIFICATION

1. Possession of a valid Administrative Credential or enrollment in an accredited Administrative Credential Program.

2. Demonstrated ability to complete a teacher evaluation
   2.1 Ability to develop initial conference agreements
   2.2 Ability to formulate evaluation modification agreements
   2.3 Ability to compile observation reports
   2.4 Ability to conduct evaluation conferences
   2.5 Ability to develop evaluation conferences
      2.5.1 Standards of pupil progress
      2.5.2 Suitable learning environment
      2.5.3 Proper student control
      2.5.4 Other duties normally assigned
      2.5.5 Support Services

3. Demonstrated ability to assist others with modifying curriculum

4. Demonstrated ability to assist others with instructional methodologies and supervision techniques
   4.1 Demonstrated ability to assist others with instructional methodologies and supervision techniques
      4.1.1 Ability to formulate IEP goals and objectives
      4.1.2 Ability to formulate lesson plans
      4.1.3 Other
   4.2 Student performance standards
4.2.1 Ability to establish student academic/functional standards

4.2.2 Ability to include student academic/functional standards in classroom instructional plans.
PERSONNEL

EVALUATOR COMPETENCY CERTIFICATION

4.2.3 Ability to assess student progress towards established goals and objectives

4.2.4 Other

4.3 Instructional techniques/strategies

4.3.1 Ability to include adopted curricula into instructional presentations

4.3.2 Ability to communicate effectively both orally and in writing

4.3.3 Ability to utilize a variety of instructional methodologies

4.3.4 Ability to evaluate effectiveness of classroom instruction

4.3.5 Other

4.4 Classroom environment

4.4.1 Ability to utilize available instructional time

4.4.2 Ability to motivate

4.4.3 Ability to maintain "on-task" time

4.4.4 Ability to plan and utilize a variety of learning activities and materials

4.4.5 Ability to identify and utilize instructional resources and equipment

4.4.6 Ability to maintain positive inter-personal relationships

4.4.7 Ability to resolve problems

4.4.8 Ability to maintain records

4.4.9 Ability to maintain liaison with others

4.4.10 Other

5. Other duties normally assigned

5.1 Supervision
5.2  Participation in professional meetings

5.3  Participation in conferences

5.4  Other
PERSONNEL

RETIREMENT

Employees should notify the County Superintendent of their intention to retire as soon as possible so that a suitable replacement may be found. Certificated and management staff must give notice by April 1 preceding the intended contract year of retirement. If requested, the County Superintendent may extend the April 1 deadline. The retirement shall be effective when accepted by the County Superintendent or designee.

Legal Reference:

EDUCATION CODE
1294 Rights of certificated employees
22000 et seq. State Teachers' Retirement System
24201 Retirement allowance options
44420 Failure to fulfill contract as ground for suspension of diplomas and certificates
44907 Effect of retirement


Policy Relates to:
- All Programs
- K-12
- Senior Nutrition
- Child and Family Services
- CTE/Adult Education
- Charter Schools
PERSONNEL

RESIGNATION

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

Any employee's resignation shall become effective when accepted by the department or site administrator. The effective date of the resignation shall be a date not later than the close of the school year during which the resignation is received.

Exit interviews for resigning employees will be scheduled by the Human Resources department. Information provided by employees will be confidential. The purpose of exit interviews will be to provide positive information and constructive feedback for improvement.

Certificated

The County Superintendent discourages certificated employees from resigning during the school year in which they are contracted. Release from contract may depend on one of the following conditions:

1. The employee has acted in good faith in fulfilling his/her obligation to the Glenn County Office of Education;
2. An acceptable, qualified replacement is identified and available.

When a certificated staff member leaves the employment of the Glenn County Office of Education during the school year without obtaining acceptance of his/her resignation from the County Superintendent or leaves before the effective date of the resignation, the County Superintendent is obligated to report this fact with supporting evidence to the Commission for Teacher Preparation and Licensing. The Commission may suspend the credentials of an employee who leaves the Glenn County Office of Education in this manner.

For purposes of this section, formal rejection or refusal to sign the employer's Offer of Employment by the date required thereon may be considered by the employer as a resignation.

Legal Reference:

EDUCATION CODE
1294 Rights of certificated employees
44420 Failure to fulfill contract as ground for suspension of diplomas and certificates
44433; § 44930; § 45201

Policy Relates to:
- All Programs
- K-12
- Senior Nutrition
- Child and Family Services
- CTE/Adult Education
- Charter Schools
PERSONNEL

SUSPENSION/DISCIPLINARY ACTION

All employees shall exhibit professional conduct and serve as positive role models at school and in the community. Employees shall be subject to disciplinary action, including suspension, demotion and dismissal for just cause.

Suspension With Pay

The County Superintendent may place an employee on administrative leave with pay at any time.

Legal Reference:

EDUCATION CODE
44009 Conviction of specified crimes
440 IO Sex offense-definitions
44011 Controlled substance offense - definitions
44932 Grounds for dismissal of permanent employee; suspension of employees
44933 Other grounds for dismissal or suspension
44938 Unprofessional conduct or unsatisfactory performance; notice of charges
44940 Leave of absence; certificated employee charged with mandatory or optional leave of absence offense
44942 Suspension or transfer of certificated employee on ground of mental illness
44944 Conduct of hearing
44948.3 probationary employees; dismissal for unsatisfactory performance
45055 Drawing of warrants for teachers
51530 Advocacy or teaching of communism

GOVERNMENT CODE
3543.2 Scope of representation
CALIFORNIA CASE LAW CSPeFoothill Community College, Dist., 52 Cal. App. 3d 150, 155-156,
1234 Cal Rptr. 830 (1975) (Conduct unbecoming and employee too vague)
334.

Policy Relates to:
- All Programs
- K-12
- Senior Nutrition
- Child and Family Services
- CTE/Adult Education
- Charter Schools
PERSONNEL

SEXUAL HARASSMENT

Sexual harassment of, or by, any employee shall not be tolerated.

Pursuant to Education Code 212.5, unwelcome sexual advances, requests for sexual favors, and other 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, constitute sexual harassment when:

1. Submission to the conduct is made either expressly or by implication, a term or condition of the other's employment status.
2. Submission to or rejection of the conduct is used as the basis for an employment decision affecting the harassed employee.
3. The conduct has the purpose or effect of unreasonably interfering with the other individual's work or academic performance by creating an intimidating, hostile, or offensive work or educational environment.
4. Submission to, or rejection of, the conduct is the basis for any decision affecting benefits, services, honors, programs or other available activities.

Employees shall be encouraged to immediately report incidents of sexual harassment to his or her immediate supervisor or the Director of Human Resources without fear of reprisal. The Director of Human Resources shall be informed of all sexual harassment complaints and shall assist in the investigation and resolution of all such complaints.

Complaints involving sexual harassment shall be processed by using the complaint procedures outlined in Glenn County Office of Education Superintendent's Policy.

Legal Reference:

EDUCATION CODE
200 et al. Prohibition of discrimination on the basis of sex
212.5 Definition of sexual harassment
212.6; § 230 Particular practices prohibited, including sexual harassment
262.3

TITLE VII. CIVIL RIGHTS ACT as amended by Title IX, Equal Employment Opportunity Act
Meritor Savings Bank, FSP v. Vinson et al.

Policy Relates to:
- All Programs
- K-12
- Senior Nutrition
- Child and Family Services
- CTE/Adult Education
- Charter Schools
PERSONNEL

REGULATIONS REGARDING SEXUAL HARASSMENT

Complaint Procedure

Complaints involving sexual harassment shall not be subject to any requirement that would cause the employee to resolve the complaint directly with the offending person.

1. Any individual with a complaint of sexual harassment shall be encouraged to immediately report it to his/her supervisor. If the supervisor is the individual about whom the complaint is to be made, the employee should make the complaint directly to the Director of Human Resources. Supervisors are required to immediately report in writing any incidents of sexual harassment to the Director of Human Resources.

2. Upon notification or discovery of a sexual harassment complaint, the Director of Human Resources or an alternate appointed by the County Superintendent will:
   a. Inform the complainant of his/her rights pursuant to this policy and current law. The complainant will also be given a copy of the sexual harassment policy. Civil law remedies, including but not limited to, injunctions, restraining orders or other orders may also be available to complainants;
      For more information, complainants may contact:
      Department of Fair Employment and Housing
      2000 "O" Street, #120
      Sacramento, CA 95814
      (916) 445-5523 or (800) 884-1684
   b. Attempt to resolve complaint through informal means, if possible;
   c. Authorize the investigation of the complaint and supervise and/or investigate the complaint. The investigation will include interviews with: (1) the complainant; (2) the accused harasser; and (3) any other persons who reasonably may have relevant knowledge concerning the complaint, such as witnesses and victims of similar conduct;
   d. Review factual information gathered through the investigation to determine whether the alleged conduct constitutes harassment; giving consideration to all factual information, the totality of the circumstances, including the nature of the verbal, physical, visual or sexual favor aspect of the action or advance and the context in which the alleged incidents occurred;
   e. Report in writing the results of the investigation and the determination as to whether harassment occurred to appropriate persons, including the complainant, the alleged harasser, and the supervisor;
   f. Recommend to the County Superintendent prompt and effective remedial action if harassment occurred. This action will be commensurate with the severity of the offense and will be communicated to the complainant.

3. Reasonable steps will be taken to protect the victim and other potential victims from further harassment.
4. Reasonable steps will be taken to protect the victim from any retaliation as a result of communicating the complaint.
5. Appropriate action will be taken wherever possible to alleviate the effects of the sexual harassment.
PERSONNEL

CHILDREN IN THE WORKPLACE

Glenn County Office of Education does not provide any type of child care assistance program for employees. In order to fulfill insurance liability, safety standards, supervision, employee responsibilities and the purposes and functions of the Glenn County Office of Education, employees are required to provide for their children's care outside of the Glenn County Office of Education facilities.
PERSONNEL

CODE OF ETHICS

Employees shall provide services with integrity and high ideals. Employees are expected to maintain high standards in their working relationships. These standards included the following:

1. Maintaining courteous professional relationships with districts, students, fellow staff, and the public;

2. Maintaining efficiency and knowledge of the developments in assigned areas of responsibility;

3. Conducting all Glenn County Office of Education related professional activities properly and within established protocol;

4. Establishing and maintaining cooperative working relationships with districts, other agencies and the community;

5. Placing the welfare of the students as first concern of the Glenn County Office of Education;

6. Restraining from using Glenn County Office of Education, school contacts and privileges to promote partisan politics, sectarian religious views or propaganda of any kind;

7. Protecting and properly using Glenn County Office of Education properties, equipment and materials.

Legal Reference: CODE OF REG., TITLE V
80331-80338 Rules of conduct for Professional Educators

Policy Relates to:
- All Programs
- K-12
- Senior Nutrition
- Child and Family Services
- CTE/Adult Education
- Charter Schools
PERSONNEL

REGULATIONS REGARDING CODE OF ETHICS

Rules of Conduct
The County Superintendent expects professional educators to follow the Rules of Conduct as outlined in the Code of Regulations, Title V, Section 80331-80338 and attached as Exhibit A (4119.21).

1. These rules are binding upon every employee of the Glenn County Office of Education. The consequences of any willful breach may be revocation or suspension of the credential, or license, or private admonition of the holder in addition to appropriate disciplinary action;

2. Nothing in these rules is intended to limit or supersede any provision of law relating to the duties and obligations of the Glenn County Office of Education staff or to the consequences of the violation of such duties and obligations. The prohibition of certain conduct in these rules is not to be interpreted as approval of conduct not specifically cited;

3. As used in regulations:
   a. "Certificated person" means any person who holds a certificate, permit, credential, or other license authoring the performance of teaching or education-related service in grades K through 12 in California public schools;
   b. "Professional employment": means the performance for compensation of teaching or other education-related employment;
   c. "Confidential information" means information made confidential or, information which was provided to the person solely for the purpose of facilitating his/her performance of professional services for or, on behalf of the person or employer providing such information.

Policy Relates to:
- All Programs
- K-12
- Senior Nutrition
- Child and Family Services
- CTE/Adult Education
- Charter Schools
80332 Professional Candor and Honesty in Letters or Memoranda of Employment Recommendation

1. Employees shall not write or sign any letter or memorandum which intentionally omits significant facts, or which states as facts matters which the writer does not know of his/her own knowledge to be true relating to the professional qualifications or personal fitness to perform services of any person whom the writer knows will use the letter or memorandum to obtain professional employment nor shall (s)he agree to provide a positive letter of recommendation which misrepresents facts as a condition of resignation or for withdrawing action against the employing agency.

2. This rule has no application to statements identified in the letter or memorandum as personal opinions of the writer but does apply to unqualified statements as fact that which the writer does not know to be true or to statements as fact that which the writer knows to be untrue.

80333 Withdrawal from Professional Employment

A certificated person shall not abandon professional employment without good cause.

"Good cause” includes, but is not necessarily limited to, circumstances not caused by or under the voluntary control of the certificated person.

80334 Unauthorized Private Gain or Advantage

A certificated person shall not:

1. Use for his/her own private gain or advantage or to prejudice the rights or benefits of another person any confidential information relating to students or fellow professionals;

2. Use for his/her own private gain or advantage the time, facilities, equipment, or supplies which are the property of his/her employer without the express or clearly implied permission of his/her employer;

3. Accept any compensation or benefit or thing of value other than his/her regular compensation for the performance of any service which (s)he is required to render in the course and scope of his/her certificated employment. This rule shall not restrict performance of any overtime or supplemental services at the request of the school employer; nor shall it apply to or restrict the acceptance of gifts or tokens of minimal value offered and accepted openly from students, parents or other persons in recognition or appreciation of service.

80335 Performance of Unauthorized Professional Services

A certificated person shall not, after July 1, 1989:

1. Knowingly, accept an assignment to perform professional services if (s)he does not possess a credential authorizing the service to be performed; unless he or she has first exhausted any existing local remedies to correct the situation, has then notified the County Superintendent of schools in writing of the incorrect assignment, and the County Superintendent of schools has made a determination, within 45 days of receipt of the notification, that the assignment was caused by extraordinary circumstances which make correction impossible, pursuant to the procedures referred to in Education Code Section 44258.9 (g) (2) and (3).
2. Knowingly and willfully assign or require a subordinate certificated person to perform any professional service which the subordinate is not authorized to perform by his or her credential or which is not approved by appropriate governing board authorization, unless he or she has made reasonable attempts to correct the situation but has been unsuccessful, and has notified the County Superintendent of those attempts, and the County Superintendent has determined, within 45 days of being notified of the assignment, that the assignment was caused by extraordinary circumstances which make correction impossible.

3. Neither (1) nor (2) shall be applicable in a situation where extraordinary circumstances make the correction of the misassignment impossible.

4. There shall be no adverse action taken against a certificated person under this rule for actions attributable to circumstances beyond his or her control.

80336 Performance with Impaired Faculties

A certificated person shall not:

1. Perform or attempt to perform any duties or services authorized by his/her credential during any period in which he or she knows or is in possession of facts showing that his or her mental or intellectual faculties are substantially impaired for any reason, including but not limited to use of alcohol or any controlled substance.

2. Assign or require or permit a subordinate certificated person to perform any duties authorized by his or her credential during any period in which the superior certificated person knows or is in possession of facts showing that the subordinate certificated person's mental or intellectual faculties are substantially impaired for any reason, including but not limited to use of alcohol or any controlled substance.

For the purpose of this section, substantial impairment means a visible inability to perform the usual and customary duties of the position in a manner that does not represent a danger to pupils, employees, or school property. It does not include or mean inability attributable to lack of or inadequate professional preparation or education.

80337 Harassment and Retaliation Prohibited

No certificated person shall directly or indirectly use or threaten to use any official authority or influence in any manner whatsoever which tends to discourage, restrain, interfere with, coerce, or discriminate against any subordinate or any certificated person who in good faith reports, discloses, divulges, or otherwise brings to the attention of the Glenn County Board of Education, the Commission on Teacher Credentialing or any other public agency authorized to take remedial action, any facts or information relative to actual or suspected violation of any law regulating the duties of persons serving in the public school system, including but not limited to these rules of professional conduct.

80338 Discrimination Prohibited

A certificated person shall not, without good cause, in the course and scope of his/her certificated employment and solely because of race, color, creed, gender, national origin, handicapping condition or sexual orientation, refuse or fail to perform certificated services for any person.
PERSONNEL

DRESS CODE

Employees shall report to work dressed in a manner that is appropriate and consistent with their job assignment. No clothing shall be worn which:

1. Creates a safety hazard;

2. Is excessively revealing or provocative;

3. Displays any words, pictures, or designs, which would be considered by reasonable standards, to be vulgar, profane, and inappropriate for the workplace; or otherwise set an inappropriate example to students, parents or other employees.

Legal Reference:

EDUCATION CODE
35160 Authority of governing boards
35160.1 Broad authority of school districts

GOVERNMENT CODE
3543.2 Scope of representation

San Mateo city School District v. PERE (1983) 33 Cal. 3d 850
East Hartford Education Assn. V. Board of Education (2d Cir. 1977) 562 F. 2d 856
Miller v. School District #167 (7th Cir. 1974) 495 F. 2d 658
Domino v. Rapides Parish School Board (5th Cir. 1982) 675 F. 2d 100
Inglewood Unified School District PERB 1700 (1985)

Policy Relates to:
- All Programs
- K-12
- Senior Nutrition
- Child and Family Services
- CTE/Adult Education
- Charter Schools
PERSONNEL

UNAUTHORIZED RELEASE OF CONFIDENTIAL/PRIVILEGED INFORMATION

The County Superintendent, the Glenn County Board of Education, administration and staff shall maintain the confidentiality of all confidential records until such time as laws, state regulations and/or bylaws of the Glenn County Office of Education permit disclosure. Information and records pertaining to closed sessions; negotiations and student records are not subject to public disclosure.

Any employee who willfully releases confidential/privileged information about students, staff or any topic properly confined to a closed session shall be subject to disciplinary action up to and including dismissal. Confidential information includes any information relating to the County Superintendent's employer-employee strategies on matters in negotiation or matters to be placed in negotiation.

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

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

Legal Reference:

EDUCATION CODE
350 IO General provisions
35146 Closed Sessions
44031 Personnel file contents and inspection
44932 Grounds for dismissal of permanent employees
44933 Other grounds for dismissal or suspension
45113 Employment
49060-49079 Pupil records

GOVERNMENT CODE
1098 Prohibitions Applicable to Specified Officers
3540 General Provisions
54957 Meetings
54957.2 Meetings
54957.6 Meetings

LABOR CODE
1102.5 Political affiliations

UNITED STATES CODE
Title 20, 1232g, Family Educational Rights Privacy Act

Policy Relates to:
- All Programs
- K-12
- Senior Nutrition
- Child and Family Services
- CTE/Adult Education
PERSONNEL
POLITICAL ACTIVITIES OF EMPLOYEES

The County Superintendent respects the right of school employees to engage in political activities on their own time. When engaging in such activities, employees shall make it clear that they are acting as individuals and not as representatives of Glenn County Office of Education.

Under no circumstances shall Glenn County Office of Education employees:

1. Conduct political activities on Glenn County Office of Education property during duty hours;
2. Solicit campaign support or contributions on Glenn County Office of Education property during duty hours;
3. Use Glenn County Office of Education equipment for the preparation or reproduction of campaign materials;
4. Post or distribute campaign materials on Glenn County Office of Education property;
5. Disseminate campaign materials through Glenn County Office of Education mail service or place them in staff mailboxes;
6. Permit the use of students to write, address or distribute campaign materials;
7. Wear button or articles of clothing that express political opinions on ballot measures or political candidates during elementary school classroom periods.

Like other citizens, employees may use school facilities for meetings under the Civic Center Act.

Legal Reference:
- EDUCATION CODE
  - 7050-7057 Political Activities of School Officers and Employees
  - 35175 Powers and duties
  - 51520 Solicitations
  - Attorney General Opinion 1201 (3/17/94)

Policy Relates to:
- All Programs
- K-12
- Senior Nutrition
- Child and Family Services
- CTE/Adult Education
- Charter Schools
PERSONNEL

EMPLOYEES WITH INFECTIOUS DISEASE

The County Superintendent encourages each employee to inform the Glenn County Office of Education as soon as possible if he/she contracts an infectious disease, which creates a physical or mental disability. The Glenn County Office of Education will reasonably accommodate the needs of such individuals. The County Superintendent may reassign or grant disability leave to an employee who is unable to perform his/her job responsibilities because of illness or because the employee's illness significantly endangers his/her health or safety or the health or safety of others.

No employee will be discriminated against because of his/her disability. Legal protections established for disabled persons extend to individuals significantly impaired by infectious diseases.

When informed that an employee has a disabling infectious disease, the County Superintendent or designee may request that the employee sign a release form to provide confidential medical information and records.

In determining a reasonable accommodation of the employee's condition, the County Superintendent or designee may consult with public health officials or physicians with expertise in the diagnosis and treatment of infectious disease. The County Superintendent or designee may also communicate with the employee's physician regarding the employee's ability to perform the essential requirements of the job with reasonable accommodation and make recommendations based on medical information received.

To determine whether the employee should continue working in his/her present capacity, including whether the employee can perform the essential requirements of the job with reasonable accommodations and without posing a significant health risk to others, the County Superintendent or designee shall weigh the following factors:

1. The nature of the disease and the probability of its being transmitted, including the duration and severity of the risk;
2. The physical condition of the employee, including diagnosis, treatment, and prognosis of the condition;
3. The actual requirements of the employee's job and the expected type of interaction with others in the school setting.

The job assignment of an employee with a disabling infectious disease shall be reevaluated whenever there is a change in medical knowledge or in the employee's medical regimen or health, which might affect his/her assignment.

The County Superintendent or designee shall ensure that employee rights to confidentiality are strictly observed. The Glenn County Office of Education shall disclose medical record information only to the extent required or permitted by law. The medical records of any employee with a disabling infectious disease shall be held in strict confidence.

Legal Reference: CIVIL CODE 56-56.37 Definitions; Disclosure of Medical Information by Providers; Disclosure of Genetic Test Results by A Health Care Service Plan; Use and Disclosure of Medical Information by Employers; Use and Disclosure of Medical and Other Information by Third Party Administrators and Others; et al
GOVERNMENT CODE 12900-12996 Department of Fair Employment and Housing
HEALTH AND SAFETY CODE 120975-121020 Mandated Blood Testing and Confidentiality to Protect Public Health
CODE OF REGULATIONS Title 2, 7293.5 et seq.
UNITED STATES CODE Title 29, 701-797a Rehabilitation Act of 1993
PERSONNEL

EXPOSURE CONTROL PLAN FOR BLOOD BORNE PATHOGENS

The County Superintendent or designee shall meet state and federal standards for dealing with blood borne pathogens and other potentially infectious materials in the workplace. A written Exposure Control Plan designed to protect employees from possible infection due to contact with bloodborne viruses, including human immunodeficiency virus (HIV) and hepatitis B virus (HBV) shall be established.

The County Superintendent or designee shall determine which employees have occupational exposure to bloodborne pathogens and other potentially infectious materials. In accordance with the Glenn County Office of Education's Exposure Control Plan, employees having occupational exposure shall be offered the hepatitis B vaccination.

Any employee not identified as having occupational exposure in the Glenn County Office of Education's exposure determination may petition to be included in the employee in service and hepatitis B vaccination program. Any such petition should be submitted to the Director of Human Resources who shall evaluate the request and notify the petitioners of his/her decision. The Director of Human Resources may deny a request when there is no reasonable anticipation of contact with infectious material.

Legal Reference: LABOR CODE
142.3 Occupational Safety and Health Standards Board
144.7 Occupational Safety and Health Standards Board

CODE OF REGULATIONS
Title 8, § 3204, § 5193

CODE OF FEDERAL REGULATIONS
Title 29, § 1910.1030
CDE Program Advisories - IO16.89

Policy Relates to:
- All Programs
- K-12
- Senior Nutrition
- Child and Family Services
- CTE/Adult Education
- Charter Schools
Definitions

Occupational Exposure means "reasonably anticipated skin, eye, mucous membrane, or parenteral contact with blood or other potentially infectious materials that may result from the performance of an employee's duties." [Title 8, Section 5193(b)]

Exposure Incident means "a specific eye, mouth, other mucous membrane, nonintact skin, or parenteral contact with blood or other potentially infectious materials that results from the performance of an employee's duties." Parenteral contact means "piercing mucous membranes or the skin barrier through such events as needle sticks, human bites, cuts, and abrasions." [Title 8, Section 5193(b)]

Exposure Control Plan

The Glenn County Office of Education's Exposure Control Plan shall contain at least the following components: [Title 8, Section 5193(c)]

1. A determination of which employees have occupational exposure to blood or other potentially infectious materials;
2. A description of the schedule and method for implementing exposure control requirements, including, but not limited to:
   a. Universal precautions;
   b. Engineering and work practice controls;
   c. Personal protective equipment;
   d. Housekeeping schedules;
   e. Hepatitis B vaccination;
   f. Post-exposure evaluation and follow-up;
   g. Informing employees about biohazards, including (1) labels and signs, and (2) training;
   h. Maintenance of training and medical records.

The Human Resources Department shall annually and whenever necessary, review and update the exposure control plan to:

1. Reflect new or modified tasks and procedures affecting occupational exposure;
2. Reflect new or revised employee positions with occupational exposure;
3. Review the exposure incidents, which occurred since the previous update. [Title 8, Section 5193(c)]

The Glenn County Office of Education's Exposure Control Plan shall be accessible to employees in accordance with law. It also shall be made available to the Chief or Director of the National Institute for Occupational Safety and Health, U.S. Department of Health and Human Services, or his/her designee, upon request for examination and copying. [Title 8, Section 5193(c)]
Exposure Determination

The Glenn County Office of Education's exposure determination shall be made without regard to the use of personal protective equipment and shall include:
1. All job classifications in which all employees have occupational exposure to bloodborne pathogens.
2. Job classifications in which some employees have occupational exposure.
3. All tasks and procedures or groups of closely related tasks and procedures in which occupational exposure occurs and which are performed by employees listed in item #2 above. [Title 8, Section 5193(c)]

Hepatitis B Vaccination

Hepatitis B vaccinations shall be provided at no cost to those employees determined to have occupational exposure to blood and other potentially infectious materials. Employees who decline to accept the vaccination shall sign the hepatitis B waiver statement as required by law. [Title 8, Section 5193(f)]

Protective Equipment

The Glenn County Office of Education shall provide appropriate personal protective equipment at no cost to the employee. The Glenn County Office of Education shall maintain, repair, make accessible and require employees to use and properly handle protective equipment. [Title 8, Section 5193(d)]

Information and Training

The Glenn County Office of Education shall provide a training program as specified by law to all employees in job classifications which have been determined to have some degree of occupational exposure. This program shall be offered at the time of initial assignment, annually thereafter, and whenever a change of tasks or procedures affect the employee's exposure.

Employees who fall within the definition of designated first-aid providers shall also receive training. Such training shall include the specifics of reporting first-aid incidents which involve blood or body fluids which are potentially infectious. [Title 8, Section 5193(g)]

Exposure Incidents

All exposure incidents must be reported as soon as possible to the Assistant Superintendent of Human Resources. Following a report of an exposure incident, the Glenn County Office of Education shall provide the exposed employee with a confidential medical evaluation and follow-up, as required by law. The Glenn County Office of Education shall maintain the confidentiality of the affected employee and the exposure source during all phases of the post-exposure evaluation. [Title 8, Section 5193(f)]

Records

Medical and training records shall be kept in accordance with law. Medical records shall be maintained for the duration of employment plus thirty years. Training records shall be maintained for three years from the date of training. [Title 8, Section 5193(h)]
An employee's records shall be made available to that employee and to the National Institute for Occupational Safety and Health in accordance with law. [Title 8, Section 51 93(h)]

Medical records for each employee with occupational exposure will be kept confidential as appropriate and transferred or made available in accordance with law. [Title 8, Section 51 93(h)]
PERSONNEL

UNIVERSAL PRECAUTIONS

All employees of Glenn County Office of Education will be annually informed about precautions that can be taken to prevent exposure to AIDS/HIV and Hepatitis B in the school setting.

Employees with responsibility for administering first aid in school and on school buses should have current instruction and certification.

When providing school employee's first-aid training and training in CPR, adherence to current recommendations of the American Red Cross and the American Heart Association about using universal precautions to prevent the spread of infectious diseases is essential.

Universal precautions shall be observed throughout the Glenn County Office of Education to protect employees, students, and any other persons in the school environment from contact with potentially infectious blood or other body fluids.

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

Legal Reference:

HEALTH AND SAFETY CODE
J 17600-1 I 8360 Medical Waste
120875 Acquired Immune Deficiency Syndrome (Aids) Information
120880 Acquired Immune Deficiency Syndrome (Aids) Information

CODE OF REGULATIONS
Title 8, § 5193

CODE OF FEDERAL REGULATIONS
Title 29, 1910.1030

Policy Relates to:
- All Programs
- K-12
- Senior Nutrition
- Child and Family Services
- CTE/Adult Education
- Charter Schools
PERSONNEL

REGULATIONS REGARDING UNIVERSAL PRECAUTIONS

Definition

Universal precautions are an approach to infection control. According to the concept of universal precautions, all human blood and certain human body fluids are treated as if known to be infectious for HIV, HBV, and other bloodborne pathogens. [Title 8, Section 5193]

Human immunodeficiency virus (HIV) and hepatitis B virus (HBV) can be found in blood, semen, vaginal secretions, and breast milk. Other body fluids such as feces, urine, vomit, nasal secretions, sputum, and saliva may contain infectious germs that cause other disease. It is not always possible to know when blood or body fluids are infectious; therefore, all body fluids shall be handled as if infectious. All students and staff shall routinely observe the following universal precautions for the prevention of infectious disease:

1. Wear disposable waterproof gloves whenever you expect to come into direct contact with blood, other body fluids, or contaminated items or surfaces. This applies to incidents including, but not limited to, caring for nosebleeds or cuts, cleaning up spills, or handling clothes soiled by blood or body fluids. Do not reuse gloves. After each use, remove the gloves without touching them outside and dispose of them in a lined waste container. Gowns or smocks should also be worn if you anticipate soiling of clothes by body fluids or secretions;

2. Wash hands and any other contacted skin surfaces thoroughly for 15 to 30 seconds with dispensable soap and warm running water, rinse under running water, and thoroughly dry with disposable paper towels:
   a. Immediately after any accidental contact with blood, body fluids, drainage from wounds, or with soiled garments, objects for surfaces.
   b. Immediately after removing gloves, gowns, or smocks.
   c. Before eating, drinking or feeding.
   d. Before handling food, cleaning utensils or kitchen equipment.
   e. Before and after using the toilet or diapering.

   When running water is not available, use antiseptic hand cleanser and clean towels or antiseptic towelettes, and use soap and running water as soon as feasible.

3. Clean surfaces and equipment contaminated with blood with soap and water and disinfect them promptly with a fresh solution of bleach (ten parts water to one-part bleach) or other disinfectant. While cleaning, wear disposable gloves and use disposable towels whenever possible. Rinse mops or other nondisposable items in the disinfectant.

4. Properly dispose of contaminated materials and label them as biohazardous.
   a. Place blood, body fluids, gloves, bloody dressings, and other absorbent materials into appropriately labeled plastic bags or lined waste containers.
   b. Place needles, syringes, and other sharp disposable objects in leak-proof: puncture-proof containers.
   c. Bag soiled towels/other laundry. Presoak with disinfectant and launder with soap and water.
   d. Dispose of urine, vomitus, or feces in the sanitary sewer system.

5. Do not care for others’ injuries if you have any uncovered bleeding or oozing wounds or nonintact skin conditions.

6. Use a mouthpiece, resuscitation bag, or other ventilation device when readily available in place of mouth-to-mouth resuscitation.

Staff shall immediately report any exposure incident or first aid incident in accordance with the Glenn County Office of Education's Exposure Control Plan.
PERSONNEL

OTHER PERSONNEL

Professional Experts

Professional experts are employees who are hired on a temporary basis for a specific project or purpose regardless of the length of employment.

They are hired at the discretion of the County Superintendent.

They are not required to have certification and will not be a part of the classified service or represented by an employee bargaining unit.

Their employment is determined by the continuation of the specific program or project for which they were hired and the availability of funds in that project. The length of time for their employment and the conditions thereof will be determined by the availability of those special project funds and/or the discretion of the County Superintendent.

The County Superintendent fixes the duties and sets the compensation of professional expert employees. The County Superintendent will also determine the line of responsibility, supervision and evaluation.

Professional Expert Employees

They will be represented by the Assistant Superintendent/Director of their assigned department. They are not eligible for early retirement benefits.

They are bound by their specific special project funds for employee compensation. Employee compensation will not exceed that of other Glenn County Office of Education employees with like duties and responsibilities.

Legal Reference:

EDUCATION CODE
45103 Classified Employees Employment

Policy Relates to:
- All Programs
- K-12
- Senior Nutrition
- Child and Family Services
- CTE/Adult Education
- Charter Schools
PERSONNEL

TEMPORARY / SUBSTITUTE PERSONNEL

The County Superintendent may employ substitute certificated personnel to fill positions of regularly employed persons absent from service. Rates of compensation for substitute employees will be set by the County Superintendent.

The County Superintendent may classify as a temporary employee a teacher who is employed at least one semester and up to one school year. Persons whose service begins in the second semester and before March 15 may be classified as temporary employees even if employed for less than a semester. The County Superintendent shall determine the number of persons who shall be so employed based on the absence of regular employees due to leaves or long-term illness.

At the time an individual is hired, a written statement clearly indicating the temporary or long-term (over 20 days) substitute nature of the employment and the length of time for which the individual is being employed shall be provided to the employee. All certificated substitutes hired in excess of 20 days shall be deemed long-term substitutes and placed on Step1, Column 1 of the current Certificated Salary Schedule, beginning the 21^st^ day, sick leave will accrue at the rate of one day per month. General Ed Column 1 Certificated Salary Schedule beginning 31^st^ day, sick leave will accrue at the rate of one day per month.

The County Superintendent may release temporary employees at his/her discretion if such employees have served less than 75 percent of the school year. Temporary employees who have served 75 percent or more of the school year may be released as long as such employees are notified before the end of the school year of the Glenn County Office of Education's decision not to reelect them.

Temporary employees employed for more than 75 percent of the school year must be re-employed to fill any vacant position unless notified in writing that they will be released at the end of the school year. Temporary employees who have served 75 percent of two consecutive school years will receive "first priority" to fill vacant positions in which they taught during those years.

Any temporary employee who performs the duties normally required of certificated employees for at least 75 percent of the school year shall be deemed to have served a complete school year as a probationary employee if employed as a probationary employee for the following school year.

Before employing an individual who is on leave of absence from another school district, approval must be received from the County Superintendent.

Any employee who accepts a temporary change in assignment, at the request of the Superintendent or his/her authorized agents, shall not suffer the loss of benefits or a reduction in pay. For example, a teacher's aide who agrees to substitute teach shall continue to receive the fringe benefit insurance provided teacher aides at the same rate that was provided prior to accepting the substitute teaching position.
GLENN COUNTY OFFICE OF EDUCATION SUPERINTENDENT'S POLICY SP 4121(b)

PERSONNEL

TEMPORARY/ SUBSTITUTE PERSONNEL

EDUCATION CODE
1293 Staff; § 1294.1 Staff; § 44300 Emergency Permits
44830 Employment
44845-44846 Employment
44914 Substitute and probationary employment
44916-44921 Employment - Substitute
44953 Dismissal of substitute employees
44954 Release of temporary employees
44956 Rights of terminated permanent employee
44957 Rights of terminated probationary employee
44977 Salary deductions due to absence from duties
45030 Substitute Salaries
56060-56063 Substitute Teachers

CODE OF REGULATIONS
Title V: 5502, 5503

Policy Relates to:
• All Programs
• K-12
• Senior Nutrition
• Child and Family Services
• CTE/Adult Education
• Charter Schools
PERSONNEL
PERSONNEL

REGULATIONS REGARDING SUBSTITUTE PERSONNEL

Substitute Employees

1. Employ a person as a substitute on a day-to-day basis for various teachers or teaching assignments for the same teacher but not to exceed (20 continuous days - Special Ed) (30 continuous days - General Ed).
   
   RATE: $165.00 per day
   $82.50 per half day - 3 hours or less

2. Employ a person as a substitute on a day-to-day basis for the same teacher for a continuous period of time exceeding 20 days/30 days but not longer than one semester.
   
   RATE: Step I of the standard credential column of the Glenn County Office of Education's salary schedule for the department in which their substitute work is conducted.

3. Substitute pay for teachers in CAFS is based on that department's salary schedule and may vary each year.
The Governing Board and County Superintendent recognize that Glenn County Office of Education employees may create copyrightable materials at work, at home, or both at work and at home. The development of copyrightable materials during, or in part during, the workday shall be approved by the Superintendent or designee. However, the Superintendent or designee's approval or lack of approval shall not affect the district's ownership of copyrights for materials developed during work hours. In the agreement developed, the items are discussed as intellectual property.

Materials written or developed by an employee during the normal school day are considered County Office property. (Education Code 60076, 17 United States Code 201)

Materials developed during both school and leisure hours are owned jointly by the employee and the district. In such cases, the Superintendent or designee shall ensure that a contractual agreement is made, clarifying the joint ownership. A partnership entity may be created to hold the copyright on behalf of both parties.

Materials developed solely at home remain the property of the employee. An agreement for intellectual work should be clarified if the employee plans to copyright and/or market materials. No development or marketing of such materials may be done on work time.

The Board may secure copyrights in the name of the district for all copyrightable works developed by the district. All royalties or revenues from these copyrights shall be used for the benefit of the district. (Education Code 35170)

The Board may market or license any non-educational mainframe electronic software developed by the district. Proceeds from this marketing or licensing shall be used exclusively for educational purposes. (Education Code 35182)

Legal Reference:

EDUCATION CODE
32360 Copyrights; use of funds
32361 Use of employee worktime
35170 Authority to secure copyrights
35182 Marketing or licensing non-educational mainframe electronic data-processing software
60076 Royalties or other compensation

LABOR CODE
2870-2872 Inventions made by an employee
Federal Copyright Law 12 U.S.C., 201 and 20l(a)
PERSONNEL

COMPLAINT PROCEDURE

The County Superintendent recognizes the need for providing employees with a complaint process.

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

The following guidelines shall prescribe the manner in which complaints are handled:

1. A "complaint" shall be defined as an alleged misapplication of the Glenn County Office of Education's policies, regulations, rules or procedures. Procedures for the resolution of employee complaints provide a route of appeal through administrative channels and to the County Superintendent, if necessary.

2. If the complaint is related to discrimination or sexual harassment, the procedure for complaints concerning discrimination and sexual harassment should be used. If the complaint involves subjects covered by a collective bargaining agreement, the appropriate grievance procedure should be used.

3. All matters related to a complaint shall be kept confidential. Only those individuals directly involved in resolving the complaint shall be informed of the complaint.

4. No reprisals shall be taken against any participant in a complaint procedure by reason of such participation.

Any complaint not taken to the next step within prescribed time limits shall be considered settled on the basis of the answer given at the preceding step.

Legal Reference:

GOVERNMENT CODE
3543 Rights, Obligations, Prohibitions, and Unfair Practices
3543.2 Rights, Obligations, Prohibitions, and Unfair Practices
53296-53298.5 Disclosure of information; local government

Policy Relates to:
- All Programs
- K-12
- Senior Nutrition
- Child and Family Services
- CTE/Adult Education
- Charter Schools
PERSONNEL

REGULATIONS REGARDING COMPLAINT PROCEDURES

Informal Complaints

Employees are encouraged to resolve complaints informally. Formal complaint procedures shall not be initiated unless informal efforts to resolve the complaint have been exhausted and the complainant has provided a written description of such efforts.

Formal Complaint Procedure - Step 1

If a complaint has not been satisfactorily resolved by informal procedures, the complainant may file a written complaint with the immediate supervisor or principal within 60 days of the act or event, which is the subject of the complaint.

Within five working days of receiving the complaint, the immediate supervisor shall conduct any necessary investigation and meet with the complainant in an effort to resolve the complaint.

The immediate supervisor shall present all concerned parties with a written answer to the complaint within ten working days after the meeting.

Formal Complaint Procedure - Step 2

If a complaint has not been satisfactorily resolved at Step 1, the complainant may file the written complaint with the department Assistant Superintendent within ten working days of receiving the answer at Step 1. All information presented at Step 1 shall be included with the complaint.

Within ten working days of receiving the complaint, the department Assistant Superintendent shall conduct any necessary investigation and meet with the complainant in an effort to resolve the complaint.

The department Assistant Superintendent shall present all concerned parties with a written answer to the complaint within ten working days after the meeting.

Formal Complaint Procedure - Step 3

If a complaint has not been satisfactorily resolved at Step 2, the complainant may file a written appeal to the County Superintendent within ten working days of receiving the answer at Step 2. All information presented at Steps 1 and 2 shall be included with the appeal.

The County Superintendent shall present a written answer to the appeal within ten working days of receipt of the complaint. The County Superintendent's decision is final.
PERSONNEL

Certificated Personnel

UNITS

Units must be approved in advance for inclusion in salary units. Units must be completed by September 1st and officially reported to the County Office of Education, Human Resource Department, no later than September 15th to be considered for salary increments for that school year. Also, official transcripts must be submitted to the Human Resource Department.
PERSONNEL

EMPLOYEE COMPENSATION AND RELATED BENEFITS SALARY GUIDES

Certificated Personnel

Salary, Fringe Benefits, Daily Rates and Hourly Rates

(See Classified Contract)

Legal Reference:

EDUCATION CODE
44977 Salary deductions due to absence from duties
45022-45061.5 Salaries

GOVERNMENT CODE
3543.2 Rights, Obligations, Prohibitions, and Unfair Practices
3543.7 Rights, Obligations, Prohibitions, and Unfair Practices

Policy Relates to:
• All Programs
• K-12
• Senior Nutrition
• Child and Family Services
• CTE/Adult Education
• Charter Schools
PERSONNEL

RETROACTIVE PAY

Retroactive pay is not granted to employees who have terminated their employment with the Glenn County Office of Education previous to the date that a pay increase has been established.
HEALTH AND WELFARE BENEFITS

All Personnel/Glenn County Board of Education Members

FRINGE BENEFITS FOR RETIREES NOT PART OF A BARGAINING UNIT

The Glenn County Office of Education agrees to provide the same Medical, Dental, and Vision benefits to all retirees, both employees and board members, who fit this classification immediately following retirement as is provided regular employees, under the following conditions:

1. Retiree must have reached the age of 55.

2. Retiree must have the following years of service with the Glenn County Office of Education/Glenn County Board of Education.
   
   1 year of benefits at 10 years
   2 years of benefits at 15 years
   3 years of benefits at 20 years
   4 years of benefits at 25 years
   5 years of benefits at 30 years

3. The retiree's spouse and/or dependents will be added to the retiree's coverage for as long as the retiree is eligible.

4. Cessation of coverage for retirees shall take place if the member is subsequently employed by any employer, other than the County Office, who provides a comparable package of benefits.

5. If the retiree qualifies for Medicare during coverage, the County Office will pay for all supplemental costs up to the cost covered by the fringe benefit package for regular employees.

6. Cessation of coverage for the spouse and/or dependent shall take place three (3) months after the death of the retired member.

7. Retirees may elect to continue to purchase the Tiered Rate medical plan and at age 65 the Medicare rates with Medicare A & B through the Glenn County Office of Education if they have met the criteria in sections 1 and 2 above.

8. For retirees working less than 10 years with the Glenn County Office of Education/Glenn County Board of Education, they have the option to purchase the benefits.

Approved: ____________________________  Date: ______________
FRINGE BENEFITS FOR NON-BARGAINING UNIT EMPLOYEES

The Superintendent may provide fringe benefit programs for employees not operating under a collective bargaining agreement.

1. Full-time employees (8 hours per day for classified employees) may be provided Health, Dental, and Vision insurance benefits as agreed upon by the Superintendent.

2. Employees working less than 50% of a full work day shall not be provided the fringe programs of Health, Dental, and Vision insurance.

3. Employees working 50% or more of a full-time day but less than a full day, may receive a prorated portion of the fringe benefits paid by the Superintendent if they wish to pay the balance of the cost.

Department heads shall provide the Superintendent with whatever necessary information he/she requests in order to determine the feasibility of providing benefits. The desired information will include the financial condition of the department's program and the cost of providing the benefits.

Final determination will rest with the Glenn County Superintendent of Schools.
HEALTH AND WELFARE BENEFITS

FRINGE BENEFITS FOR RETIREES NOT PART OF A BARGAINING UNIT

Any Glenn County Office of Education program not covered under a bargaining unit contract and not considered a part of the State General Fund "K-12" program (Examples: Child Development and Senior Nutrition) may, with the County Superintendent's approval, provide a fringe benefit plan for its employees.

State General Fund "K-12" program employees not covered by a bargaining unit contract shall be provided with a common fringe benefit plan approved by the Superintendent, subject to funding limits.

The Superintendent may provide fringe benefit programs for employees not operating under a collective bargaining agreement.

1. Full-time employees (8 hours per day for classified employees) may be provided Health, Dental, and Vision insurance benefits as agreed upon by the Superintendent.

2. Employees working less than 50% of a full work day shall not be provided the fringe programs of Health, Dental, and Vision insurance.

3. Employees working 50% or more of a full-time day but less than a full day may receive a prorated portion of the fringe benefits paid by the Superintendent if they wish to pay the balance of the cost.

4. Learning Center Receptionist positions (7 hours a day 10 months) are to be considered Full-Time Equivalents for health benefit purposes.

Department heads shall provide the Superintendent with whatever necessary information he/she requests in order to determine the feasibility of providing benefits. The desired information will include the financial condition of the department’s program and the cost of providing the benefits.

Final determination will rest with the Glenn County Superintendent of Schools.
HEALTH AND WELFARE BENEFITS

FRINGE BENEFITS FOR RETIREES NOT PART OF A BARGAINING UNIT

Legal Reference:

**EDUCATION CODE**
1252 Group Workers' Compensation
7000-7005 Health and Welfare Benefits
7008 Health and Welfare Benefits
44041 Deductions in salary payment as requested
44042 Payroll deduction for insurance premiums
44986 Leaves of absence for disability benefit
45136 Benefits of probationary and permanent part-time employees

**GOVERNMENT CODE**
22009.03 General provisions and definitions
22156 Division of Retirement Systems
22859 State Employee's Retirement System
53200-53210 Group Insurance

**HEALTH AND SAFETY CODE**
1366.23-1366.28 California COBRA Program
1373.621 Standards

**UNEMPLOYMENT INSURANCE CODE**
2613 General Provisions

**UNITED STATES CODE**
Title 26, 4980B
Title 29, 1161-1168
Title 42, 1395
HEALTH AND WELFARE BENEFITS

All Personnel/Glen County Board of Education Members

FRINGE BENEFITS FOR RETIREES NOT PART OF A BARGAINING UNIT

The Glenn County Office of Education agrees to provide the same Medical, Dental, and Vision benefits to all retirees, both employees and board members, who fit this classification immediately following retirement as is provided regular employees, under the following conditions:

1. Retiree must have reached the age of 55.

2. Retiree must have the following years of service with the Glenn County Office of Education/Glen County Board of Education.
   
   1 year of benefits at 10 years
   2 years of benefits at 15 years
   3 years of benefits at 20 years
   4 years of benefits at 25 years
   5 years of benefits at 30 years

3. The retiree's spouse and/or dependents will be added to the retiree's coverage for as long as the retiree is eligible.

4. Cessation of coverage for retirees shall take place if the member is subsequently employed by any employer, other than the County Office, who provides a comparable package of benefits.

5. If the retiree qualifies for Medicare during coverage, the County Office will pay for all supplemental costs up to the cost covered by the fringe benefit package for regular employees.

6. Cessation of coverage for the spouse and/or dependent shall take place three (3) months after the death of the retired member.

7. Retirees may elect to continue to purchase the Tiered Rate medical plan and at age 65 the Medicare rates with Medicare A & B through the Glenn County Office of Education if they have met the criteria in sections 1 and 2 above.

8. For retirees working less than 10 years with the Glenn County Office of Education/Glen County Board of Education they have the option to purchase the benefits.

Approved: ____________________________ Date: __ __ __ __ __ __ __
PERSONNEL

REIMBURSEMENT, LOSS OF PERSONAL PROPERTY

Employees are not encouraged to bring personal property or materials to the classrooms or other workstations. Responsibility for loss or destruction of such property is not assumed by the Glenn County Office of Education except as noted below.

Legal Reference:

EDUCATION CODE
1273 Reimbursement for theft, destruction or damage of property
35213 Reimbursement for loss, destruction or damage of personal property

Policy Relates to:
- All Programs
- K-12
- Senior Nutrition
- Child and Family Services
- CTE/Adult Education
- Charter Schools
PERSONNEL

EMPLOYEE SAFETY

Certificated Personnel

Teaching Conditions and Safety Conditions

(See Certificated Contract)
EMPLOYEE SAFETY
Safety is every employee's responsibility. The County Superintendent expects all employees to use safe work practices and to report and correct any unsafe conditions, which may occur. Supervisors shall constantly promote safety and correct any unsafe work practice through education, training and enforcement. No employee shall be required to work under unsafe or hazardous conditions or to perform tasks that endanger their health, safety, or wellbeing. Working conditions and equipment shall be maintained in compliance with standards prescribed by federal, state, and local laws and regulations.

Emergency and Disaster Preparedness Plan
Glenn County Office of Education's Emergency and Disaster Preparedness Plan, which includes earthquake preparedness, provides an effective method in which to protect the health, safety and wellbeing of its students, staff, employees and property during time of an emergency or disaster. School Safety Plans will be completed and available at all Glenn County Office of Education school sites.
A copy of the plans shall be placed at each Glenn County Office of Education site in a readily accessible location and regularly reviewed with all employees. Procedures and staff responsibilities during an emergency or disaster are clearly stated in the plans.
The County Superintendent or designee shall implement an emergency communication plan to supplement the Emergency and Disaster Preparedness Plan. It will include:
1. Communications - assuring that "phone trees" and communication processes are up-to-date and useable.
2. Computers - assuring that computers are marked for match and workstation location
3. Critical documents - identifying and locating critical documents, which should be saved in an emergency situation.
Pursuant to Education Code Section 45203, should school closure occur during a regular pupil attendance day and certificated employees receive regular pay, classified employees will receive regular pay whether or not they are required to report for duty that day. Should a site closure occur during a non-pupil attendance day in which classified employees are scheduled for duty, the same standards apply.
Employees not available to work during a term of emergency or disaster due to any scheduled leave of absence shall remain in leave status.

Legal Reference:
GOVERNMENT CODE
3100-3105 Oath or Affirmation of Allegiance for disaster service workers and public employees
EDUCATION CODE
8482-8484.6 After school education and safety program
32000-32060 School safety, public and private institutions
32210-32212 Willful disturbance, public schools or meetings
45200 Interruption or termination of vacation days
45203 Paid Holidays
LABOR CODE
6305 Occupational safety and health
6310 General provisions
6401.7 Responsibilities of Employers and Employees
6400-6413.5 Responsibilities of Employers and Employees

Policy Relates to:
• All Programs
• K-12
• Senior Nutrition
• Child and Family Services
• CTE/Adult Education
• Charter Schools
WORK-RELATED INJURIES

Note: The following optional policy and regulation are intended to help the district reduce workers' compensation costs by effective claims handling. To qualify for workers' compensation, Labor code 5400 requires employees to notify the employer of an injury within 30 days; it is in the district's interest, however, to encourage immediate reporting of injuries to designated person(s). This policy may be revised as desired to further identify designated person(s).

Glenn County Office of Education employees may be insured for on-job specific or cumulative injuries in accordance with law. In order to reduce costs and facilitate employee recovery, the Superintendent desires to have an efficient claims handling process. Employees are required to report any work-related injuries or illnesses to their supervisor as soon as practicable.

Legal Reference:

EDUCATION CODE
44984 Industrial accident and illness leaves, certificated employees
45192 Industrial accident and illness leaves, classified employees

GOVERNMENT CODE
21023.5 Employer not to separate for disability members eligible to retire

LABOR CODE
3200-4855 Workers' compensation, especially:
3550 Posting of notice re workers' compensation insurance carrier
3551 Written notice to new employees
3552 Indication of employee's personal physician
3600-3605 Conditions of liability
4600 Provision of medical and hospital treatment by employer
4906 Disclosures and statements
5400-5404 Notice of injury or death
6409.1 Reports

Policy Relates to:
- All Programs
- K-12
- Senior Nutrition
- Child and Family Services
- CTE/Adult Education
- Charter Schools
Work-Related Injuries

Notifications

The Superintendent or designee shall post a notice or employee rights related to workers' compensation and shall provide this information in writing to new employees. (Labor code 3550-3551)

Note: The following paragraphs are optional.

This notice shall also include a statement of the Glenn County Office of Education policy requiring employees to report work-related injuries as soon as practicable.

Employees shall also be informed that pursuant to Labor Code 4906, it is a felony for an employee to make a false worker's compensation claim.

County Office of Education Responsibilities

Note: Persons who receive reports of employee injury should be trained to document the incident. If the injury is due to a third party, this documentation could serve to establish third-party liability; it can also serve as a basis for contesting a more elaborate future claim.

Supervisors receiving reports of a work-related employee injury shall gather appropriate information, including but not limited to:

1. The date, time and place of the injury
2. The name, occupation and signature of the injured employee
3. Details of how the injury occurred
4. The names of any witnesses

Supervisors shall promptly remit information about work-related injuries to the Superintendent of designee.

Whenever a work-related injury results in lost work time beyond the date of the injury or requires medical treatment beyond first aid, the employee shall be given a workers’ compensation claim form and a notice of potential eligibility for benefits within one working day of the injury. (Labor Code 5401) In the case of stress claims, the claim form shall be provided only if the employee indicated that he/she is going to a physician is unable to work.

Within five working days of obtaining knowledge of any injury which results in lost time beyond the date of the injury, or which requires medical treatment beyond first aid, the Superintendent or designee shall file a complete report of the injury with the district's insurer. (Labor Code 6409.1)

Note: Pursuant to Labor Code 5402, any denial of workers’ compensation claims must be made by the employer within 90 days; otherwise there is a presumption that the injury is compensable. If the district thinks a claim should be denied, it should so inform the insurance carrier or claims administrator.
Work-Related Injuries (continued)

Employee Responsibilities

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

Note: The following paragraph is for use by districts that contract with a medical clinic, hospital or doctor to provide immediate medical care or treatment or work-related injuries. In any case, the district should determine in advance where medical treatment will be given. If an employee has notified the employer in advance and in writing that he/she wishes to use a personal physician, he/she has the right to be treated by that physician. If an employee has notified the he/she has the right to be treated by that physician. If the employee designates a chiropractor for an injury that is not chiropractic, the district can petition for another doctor.

To qualify for workers' compensation, employees must notify their supervisor of a work-related injury within 30 days. (Labor Code 5400)
PERSONNEL

CERTIFICATED PERSONNEL

Leaves Rights

(See Certificated Contract)
Catastrophic Leave

Donation of Leave

Upon written request, the County Superintendent may authorize employees to donate earned sick leave or accrued vacation to an employee as eligible leave credits when that employee or that employee's family member suffers from a catastrophic illness or injury. The County Superintendent will consider each request on a case-by-case basis, considering both the circumstances of the employee and the financial constraints of the Glenn County Office of Education. The donation and receipt of such credits are subject to the following conditions:

1. Catastrophic illness or injury is defined to mean an illness or injury that is expected to incapacitate an employee or a member of an employee's family for an extended period of time and which incapacity requires the employee to take time off from work or care for that family member for an extended period of time, and taking extended time off work creates a financial hardship for the employee because he or she has exhausted all of his or her sick leave and other paid time off.

2. Eligible leave credits are defined to mean vacation and sick leave accrued to the donating employee. An employee cannot donate future vacation leave and sick leave that has not been accrued.

3. Family member is defined to mean the employee's spouse, children and stepchildren.

4. The employee who is, or whose family is, suffering from a catastrophic illness or injury and who is requesting that eligible leave credits be donated:
   a. Must request in writing to the County Superintendent that eligible leave credits be donated.
   b. Provide verification of the catastrophic injury/illness acceptable to the County Superintendent.
   c. Must exhaust all paid leave credits.
   d. Must use all leave credit that he or she continues to accrue on a monthly basis before receiving donated leave credits.

5. An employee who chooses to donate eligible leave credits:
   a. Must provide written notice to the County Superintendent of the intent to transfer the eligible leave credits.
   b. Must acknowledge in writing that the employee understands that he or she cannot revoke the donation of eligible leave credits.

6. The County Superintendent will determine if the employee is eligible to receive leave credits. If the County Superintendent determines that the employee is able to work, the County Superintendent may deny the request.

7. The employee receiving donated hours can only receive them once per contract year.

8. The County Superintendent's decision to deny the employee's request to receive leave credits is final and is not subject to appeal under the grievance or other procedures.

Legal Reference: EDUCATION CODE
44043 Temporary Disability
PERSONNEL

HOLIDAYS

a. County Office employees, except Senior Nutrition program employees, receive the following holidays:

- July 4
- Labor Day (September)
- Veteran's Day (November)
- Thanksgiving Day (November)
- Day After Thanksgiving
- Day Before Christmas
- Christmas Day (December)
- Day Before New Year's
- New Year's Day (January)
- Martin Luther King Day
- Lincoln's Birthday (February)
- Washington's Birthday (February)
- Memorial Day (May)
- Juneteenth (June)

b. Senior Nutrition program employees receive the following holidays:

- July 4
- Labor Day (September)
- Veteran's Day (November)
- Thanksgiving Day (November)
- Day After Thanksgiving
- Day before Christmas Day (December)
- Christmas Day (December)
- New Year's Day (January)
- Martin Luther King Day
- Washington's Birthday (February)
- Memorial Day (May)

Holidays falling within the employee's vacation period do not count as vacation days.

Additional days may be granted by the Superintendent.

For any holiday which falls on a Saturday, the preceding Friday shall be deemed the holiday. For any holiday which falls on a Sunday, the following Monday shall be deemed the holiday.

Legal Reference:

EDUCATION CODE
45203
PERSONNEL

CLASSIFIED PERSONNEL

The Superintendent recognizes that classified personnel are very important in carrying out the educational goals. The Superintendent or designee shall ensure that the duties, responsibilities and Glenn County Office of Education expectations for classified positions are clearly defined and made known to each member of the classified staff.

Each classified staff member shall be held accountable for duties assigned to him/her and shall undergo regular performance evaluations in accordance with law and negotiated agreements.

The superintendent strongly encourages classified staff to continually improve their skills and pursue excellence within their profession.

Superintendent's Policy and Administrative Regulations related to classified personnel shall be available to all concerned and shall be administered in a fair and equitable manner.

Policy Relates to:

- All Programs
- K-12
- Senior Nutrition
- Child and Family Services
- CTE/Adult Education
- Charter Schools
PERSONNEL

REGULATIONS REGARDING RECRUITMENT AND SELECTION

The position may be:
1. An administrative appointment by the County Superintendent;
2. An administrative transfer initiated by the County Superintendent;
3. A transfer opportunity which may be requested by an employee;
4. A promotional opportunity for active employees;
5. An open position for both active employees and outside candidates.

In order to promote consistent selection of quality personnel to fill positions for the Glenn County Office of Education, the following selection procedures will be followed:
1. All proposed or potential employee positions will be submitted to the Human Resources Department by submitting a Job Announcement form. If it is a newly created position, an explanation of the need, job description, and the funding source(s) must be attached.
2. All newly created positions will be referred to the County Superintendent by the appropriate Assistant Superintendent or Director with a recommendation for disposition.

Recruitment

Following the approval of a position, formal announcement of the position may be published and distributed as appropriate.

The announcement must include:
1. General information about the position;
2. Specific requirements of the position;
3. The position's supervisory or directive sequence;
4. The date and time the application is due;
5. The timelines for screening, interviewing and notifications;
6. Other information regarding the position, funding or other limitations and constraints.

All recruitment announcements will be given appropriate dissemination. Posting of positions shall be as outlined in relevant bargaining unit agreements.

Screening

Following the closing date, application packets will be screened for completeness by a committee. Application packets that are not complete will not be considered.

The appropriate Assistant Superintendent, Director or his/her designee will assist in the development of the screening criteria that may include testing or other requirements.

All complete candidate application packets will be made available to the Screening Committee for the "initial paper screening."

In the event there are a limited number of candidates for a position and the Assistant Superintendent Director or his/her designee deems it prudent, the procedure may move directly to the interview process.
Screening Committee
The appropriate Assistant Superintendent, Director or his/her designee will appoint the members of the Screening Committee.

The Screening Committee will recommend candidates for the interview process. The Director of Human Resources may accept the slate of candidates as presented or may request that additional candidates be included for the interview process.

After the final list of candidates to be interviewed has been approved, the Human Resources Department will notify all other candidates of their non-selection by regular U.S. mail.

Inquiries by non-selected candidates will be directed to the Director of Human Resources.

Interview Committee
The appropriate Assistant Superintendent, Director or his/her designee will appoint the members of the Interview Committee and will assist in the development of interview criteria/questions.

Peer positions on the screening and interview committees may be from any peer level employee of Glenn County Office of Education.

All arrangements for the interview process will be made by the Director of Human Resources.

It will be the responsibility of the Director of Human Resources to follow the procedures as outlined. It will be the task of the Interview Committee to interview candidates and make a recommendation to the Superintendent who most nearly match the criteria of the announced position.

A minimum of two (2) references from previous employers, for each candidate will be completed by the Director of Human Resources.

All final employment decisions will be made by the County Superintendent. Notification will not be given until the County Superintendent has approved the selection.
PERSONNEL

REGULATIONS REGARDING RECRUITMENT AND SELECTION (continued)

After a final selection has been made, it will be the responsibility of the Director of Human Resources to notify and offer the position to the selected candidate. Non-selected candidates will be notified by the Human Resources Department. If the candidate cannot be personally reached after three attempts, Human Resources will be notified to send a notification by regular U.S. mail.
PERSONNEL

GENERAL POLICIES RELATING TO CLASSIFIED PERSONNEL

The Classified Service

a. Persons are employed by the County Superintendent to serve as secretaries, receptionists, teacher aides, clerks, credential analyst, HR Specialist, IT, Admin. Assist/Systems Specialist, Financial Specialist/Analyst, Support Staff, Data Analyst, Vocational Trainers, Senior Nutrition staff, custodians, mental Health Clinician, LVN, Graphic Printing Assistant and bus drivers. These employees, who are known as classified service.

b. Substitute and short-term employees, who are employed and paid for less than 75 percent of a school year, are not a part of the classified service.

c. Other positions that are not a part of the classified service are: full-time day students employed part-time, and apprentices and professional experts employed on a temporary basis for a specific project, regardless of length of employment.

Classification

a. The Superintendent fixes and prescribes the duties to be performed by all persons in the classified service.

b. A job description will be prepared for each position.

c. Each position will be weighted in terms of duties to be performed by all persons in the classified service.

d. The classes will be weighted and ranked.

e. This classification plan is the foundation for studies relating to reclassification, establishment of new positions and pay.

Legal References:
Ed. Code 45100
45103
45104
45109

Policy Relates to:
- All Programs
- K-12
- Senior Nutrition
- Child and Family Services
- CTE/Adult Education
- Charter Schools
WORK HOURS FOR CLASSIFIED EMPLOYEES

1. The regular work week for full-time employees is eight hours per day and forty hours per week. The actual schedule of hours worked will vary with the individual.

2. Employees who are officially authorized to work overtime are compensated according to the County Office procedures governing such payment. Employees will not be compensated for more than an eight-hour day unless they have been specifically assigned such duty by their program director or the County Superintendent. Time in excess of eight hours per day will be reported in 1/3 hour increments.

3. Time less than eight hours will be computed in increments of the fourth (1/4).

4. Any employee absence will be registered on the time sheet by the employee with an indication of the reason, ill, vacation, personal business, etc. and initialed by the immediate supervisor.

Legal Reference:
ED Code 45127

Policy Relates to:
- All Programs
- K-12
- Senior Nutrition
- Child and Family Services
- CTE/Adult Education
- Charter Schools
RECLASSIFICATION PROCESS

Justification for reclassification of a classified position is the gradual addition or change of duties that are performed on an ongoing, daily basis that substantially changes the position. An employee must be in the current position a minimum of three (3) years.

The employee seeking reclassification shall submit a completed Request for Reclassification form to their immediate supervisor with specific identification of:

a. The tasks being performed on an ongoing basis which are outside of their present assigned job description, and which are specifically identified as requirements of the reclassification level they are seeking.

b. Any skills or training which qualify them for consideration of reclassification to the new position.

c. The County Superintendent will make the final determination regarding all reclassification requests, and will inform the employee of the final decision.

Policy Relates to:

- All Programs
- K-12
- Senior Nutrition
- Child and Family Services
- CTE/Adult Education
- Charter Schools
PERSONNEL

CLASSIFIED PERSONNEL

Work Year, Hours and Day

(See Classified Contract)
PERSONNEL

WORK SCHEDULE FOR FULL-TIME CLASSIFIED EMPLOYEES

1. The classified salary schedule is based on an eight-hour day and a forty-hour week for all regular employees, except as stipulated. Employees assigned to work less than an eight-hour will be paid at the rate that their employment bears to full-time service.

2. The weekly hours of work may be adjusted by the County Superintendent or designee to meet reasonable time demands during the school term, or school holidays and during the summer months.

3. The basic day, week, month, and year for full-time employment shall be as follows:

<table>
<thead>
<tr>
<th>Working days credited per year</th>
<th>255 days</th>
</tr>
</thead>
<tbody>
<tr>
<td>Working hours credited per year</td>
<td>2040 hours</td>
</tr>
<tr>
<td>Working hours credited per week</td>
<td>40 hours (annual average)</td>
</tr>
<tr>
<td>Working hours credited per day</td>
<td>8 hours</td>
</tr>
</tbody>
</table>

The above relationship shall be used in computing payment for part-time employment or for partial service.

4. Overtime is defined to be any hours worked in a day beyond eight hours and any hours worked in a week beyond forty hours. The Employee shall receive compensatory time off at a rate equal one and one-half times the overtime hours worked. (E.C. 45128,45129). All overtime shall have the prior approval of the County Superintendent or designee.

5. Employees who are required to work on a designated classified holiday shall receive their regular pay rate and additional compensatory time off equal to one and one-half times the holiday hours worked according to the rules set forth in #4 above.

6. Classified Management Employees work at the discretion of the County Schools Superintendent and are not included within the above provisions.

Legal Reference:
Ed Code 45127
45128
45129
45130
45203

Policy Relates to:
- All Programs
- K-12
- Senior Nutrition
- Child and Family Services
- CTE/Adult Education
- Charter Schools
PERSONNEL

CLASSIFIED PERSONNEL

Transfer and Reassignment Day

(See Classified Contract)

Policy Relates to:
- All Programs
- K-12
- Senior Nutrition
- Child and Family Services
- CTE/Adult Education
- Charter Schools
PERSONNEL

PROBATIONARY/PERMANENT STATUS

Employees newly hired for regular positions in the classified service shall be considered probationary employees until they have satisfactorily completed six months of probationary service. Upon satisfactorily completing this period, they shall become permanent classified employees of Glenn County Office of Education.

Permanent employees promoted to a higher classification shall be considered probationary in their new position until they have satisfactorily completed six months of service in that position.

The County Superintendent or designee may dismiss an employee during the initial probationary period. A permanent employee who accepts a promotion and fails to complete the probationary period for that promotional position, shall be employed in the classification from which the employee was promoted.

Substitute and short-term employees who are employed for less than seventy-five percent (75%) of the school year shall not be considered part of the classified service and shall not qualify for benefits of the regular classified employees.

Legal Reference:

EDUCATION CODE
1311 Employment of persons to positions not requiring certification qualifications
45103 Classified employee’s employment
45113 Rules and regulations governing personnel management of classified service

Policy Relates to:
- All Programs
- K-12
- Senior Nutrition
- Child and Family Services
- CTE/Adult Education
- Charter Schools
PERSONNEL

DISMISSAL/DEMOTION/SUSPENSION (DISCIPLINARY ACTION)

A permanent classified employee may be dismissed, demoted, or suspended for reasonable cause as determined by the Director of Human Resources.

No dismissal, demotion, or suspension shall be taken against any permanent employee for any cause which arose prior to the date upon which the employee became permanent, nor for any cause which arose more than two (2) years preceding the date of the filing of the notice of cause, unless such cause was concealed or not disclosed by such employee when it could reasonably be assumed that the employee should have disclosed the facts to the appropriate authority in the Glenn County Office of Education.

Probationary employees may be dismissed or demoted prior to completion of the probationary period.

A permanent or probationary employee shall not be considered to have been dismissed or demoted until final action is taken by the Superintendent.

Suspension with Pay

The County Superintendent may place an employee on administrative leave with pay at any time.

Legal Reference:

EDUCATION CODE
1311 Classified county school employees
7000-7007 Health and welfare benefits
7055 Political activities of school officers and employees
44009-11 General provisions
45101 Employment - definition
45113 Rules and regulations 45116
Notice of disciplinary action
Skelly vs. State Personnel Board, 15 Cal. 3d 194

GOVERNMENT CODE
1028 Disqualifications for Office or Employment

CODE OF CIVIL RIGHTS
1013

Policy Relates to:
- All Programs
- K-12
- Senior Nutrition
- Child and Family Services
- CTE/Adult Education
- Charter Schools
PERSONNEL (Classified)

REGULATIONS REGARDING DISMISSAL/ DEMOTION/ SUSPENSION (DISCIPLINARY ACTION)

Dismissal

Dismissal means an involuntary separation from service initiated by the employee's supervisor and approved by the Director of Human Resources.

Demotion

Demotion means an involuntary change in the employee's classification resulting in a reduction in pay rate.

Demotion due to reclassification when the employee is performing satisfactorily shall not be considered disciplinary action.

Suspension

Suspension means an involuntary absence from work, either with pay or without pay, imposed by the employee's immediate supervisor subject to the following conditions:

1. An employee may be suspended with pay by a Supervisor for up to three (3) working days. The Supervisor may not impose such suspension until having verbally informed the employee of the specific act(s) or omission(s) causing the suspension. The Superintendent shall be notified immediately of the suspension.

2. A permanent employee may be suspended without pay by a Supervisor for up to three (3) working days. Prior to such suspension, the employee shall be notified in writing of the specific act(s) or omission(s) causing the suspension and shall be provided the right to a hearing with the County Superintendent or designee.

Cause

A permanent classified employee may be subject to disciplinary action, i.e. dismissal, demotion or suspension, for the following causes:

1. Incompetency, a pattern of inefficiency, or continued negligence in the performance of assigned duties.

2. Insubordination including, but not limited to, refusal to do reasonably assigned work or any other serious breach of discipline.

3. Discourteous, offensive or abusive conduct toward other employees, pupils or the public.

4. Misuse or theft, destruction or mishandling of Glenn County Office of Education property or property of employees.

5. Offering anything of value offering any service in exchange for special treatment in connection with the employee’s job or employment; or the accepting of anything of value or any service in exchange for granting any special treatment to another employee or to any member of the public.

6. Possession of opened alcoholic beverage containers, drinking alcoholic beverages, being intoxicated while on the job or unauthorized use of narcotics or habit forming drugs not prescribed by a licensed physician.

7. Engaging in political or personal activities during assigned hours of employment.

8. Conviction of any felony or crime.
PERSONNEL

REGULATIONS REGARDING DISMISSAL/DEMOTEION / SUSPENSION (DISCIPLINARY ACTION)

9. Conviction of a sex offense as defined in Education Code Section 44010 or a narcotics offense as defined in Education Code Section 44011.
10. Repeated or unexcused absence or tardiness after warning.
11. Abuse of leave privileges.
12. Physical or mental unfitness for service.
13. Knowingly falsifying any information supplied to the Glenn County Office of Education including but not limited to information supplied on application forms, employment records and other records.
14. Persistent violation or refusal to obey safety rules or other procedures made applicable to the Glenn County Office of Education by the County Superintendent or by any appropriate state or governmental agency.
15. Any willful failure of good conduct tending to injure the public service or its reputation with particular regard to students.
16. Abandonment of position, which shall be interpreted to mean an absence without continued notification in excess of one (1) day, except in case of dire emergency.
17. Membership in the Communist Party or any other organization which advocates the overthrow of federal, state or local government by force, violence or other unlawful means as defined in Section 1028 of the Government Code.
18. Willful or persistent violation of Glenn County Office of Education rules and regulations or adopted and implemented procedures of a division or department when such procedures are made known to the employee in writing.
19. Refusal to accept changes in shift assignment, working hours or work location provided that such changes were made in accordance with Glenn County Office of Education rules and regulations.
20. Any other cause which when considered can reasonably be interpreted as negatively affecting, to a significant degree, the purposes and functions of the Glenn County Office of Education, a department, a work site or the employee.

Notice of Disciplinary Action

Prior to formal approval of disciplinary action, the Supervisor will forward the list of complaints to the Director of Human Resources with the recommendation that disciplinary action be approved. Such prior notice shall contain:
1. A statement of the charges, which have resulted in the recommendation for disciplinary action.
2. A statement of the specific rules and/or regulations that have been violated by the employee.
3. A statement of the facts upon which the charges are based and copies of all relevant written materials supporting the facts.
4. A statement of the employee's right to respond to the charges.

When the Director of Human Resources has taken action to suspend, demote or dismiss an employee, the employee shall be notified in writing within ten (10) working days of the disciplinary action. A notice of disciplinary action shall contain:
1. A statement of charges in ordinary and concise language of the specific acts and/or omissions of the employee, which have resulted in the disciplinary action.
2. A statement of the specific rules and/or regulations that have been violated by the employee and the relevant cause(s) for disciplinary action as specified in this section.
3. Copies of all relevant written materials upon which the charges are based.
4. A statement of the employee's right to appeal to the County Superintendent for a hearing on the charges.
A notice of disciplinary action shall be accompanied by a card or paper which, if signed by the employee and filed with the Human Resources Department within five (5) working days of receipt of the notice, shall constitute a denial of all the charges and a demand for a hearing.

A notice of disciplinary action shall be handed personally to the employee or sent by certified or registered mail. The notification requirement shall be deemed to have been complied with if a copy of the notice is deposited in the United States Post Office, addressed to the employee at the last known mailing address on file in the employee's official personnel folder.

For purposes of this regulation if a notice is mailed, the postmark date of the notice shall be the official date of notification. Five (5) calendar days after the postmark date shall be the official date of receipt of the notification.

Right of Appeal
Upon receipt of notice the Director of Human Resources has taken action to suspend, demote or dismiss an employee, the employee may within five (5) working days’ appeal to the County Superintendent for a hearing. An appeal shall be considered to have been made if the employee signs the card or paper provided with the notice, which constitutes a denial of the charges and a demand for a hearing, and files such card or paper with the Human Resources Department within the specified time.

Hearing Procedure
After an employee has made and filed an appeal in answer to charges, the County Superintendent shall order a hearing. If a hearing is to be conducted, the County Superintendent shall then fix the time and place of the hearing which shall be within a reasonable length of time from the receipt of the appeal, but in no event will the hearing be held less than five (5) days after services of the notice of disciplinary action to the employee.

The County Superintendent may appoint a hearing officer to conduct any hearing and report findings and recommendations. Such recommendations shall not be binding on the County Superintendent.

Hearings shall be conducted in the manner most conducive to determination of the truth, and neither the County Superintendent nor the hearing officers shall be bound by technical rules of evidence. Decisions made by the County Superintendent shall not be invalidated by any informality in the proceedings.

The County Superintendent or hearing officer shall determine the relevancy, weight and credibility of testimony and evidence. Findings shall be based on a preponderance of evidence.

The County Superintendent and the employee may be represented by separate legal counsel or other designated representatives.

A hearing shall be held in closed session unless an open hearing is requested by the employee. The County Superintendent or hearing officer may exclude witnesses not under examination except the employee and the party attempting to substantiate the charges against the employee and respective counsel.

If a hearing officer has been appointed, a written report of the hearing officer's findings and recommendations shall be submitted to the County Superintendent with copies sent to both parties involved.

The County Superintendent shall render judgment as soon after the conclusion of the hearing as possible and in no event later than twenty-one (21) calendar days after the hearing or after receipt of the hearing officer's report.
PERSONNEL

CLASSIFIED PERSONNEL

County Office Rights

(See Classified Contract)
PERSONNEL

CLASSIFIED PERSONNEL

Public Charges

(See Classified Contract)
PERSONNEL

LONG TERM CLASSIFIED SUBSTITUTES

All Classified substitutes hired in excess of 20 consecutive work days shall be deemed long term substitutes and shall receive the following, effective on their 21st day and thereafter:

1. Placement at the appropriate salary schedule, step, and salary range.
2. Sick leave, vacation, and holidays benefits retroactive to their first day of work on a prorated basis according to their scheduled hours worked.

No Substitute's hourly rate shall exceed the hourly rate of the Employee for who the substitute is working.

Any employee who accepts a temporary change in assignment, at the request of the Superintendent or designee shall not suffer the loss of benefits or a reduction in pay.

Policy Relates to:
- All Programs
- K-12
- Senior Nutrition
- Child and Family Services
- CTE/Adult Education
- Charter Schools
PERSONNEL

CLASSIFIED PERSONNEL

Classified Association Rights

(See Classified Contract)

Policy Relates to:
- All Programs
- K-12
- Senior Nutrition
- Child and Family Services
- CTE/Adult Education
- Charter Schools
PERSONNEL

CLASSIFIED PERSONNEL

Classified Association Rights

(See Classified Contract)
PERSONNEL

CLASSIFIED PERSONNEL

VACATIONS

a. Every classified employee who is employed full time is allowed ten working days of vacation with pay each year. After four consecutive years of employment, the employee shall be allowed 15 days of vacation per year. After twelve consecutive years, they are allowed 20 days of vacation per year.

b. If an employee serves less than a full year, his vacation is prorated on the basis of the time served.

c. It is expected that employees will schedule vacation days when developing their work calendar with their supervisor for the year. Less than 12 month employees are paid off vacation monthly. Accrued vacation for 12 month employees will only be paid off in circumstances of resignation or retirement.

d. In general, not more than one year's accumulated vacation time earned, but not taken, may be carried beyond June 30th of the following year for 12 month employees.

e. If a holiday falls within an employee's vacation period, it shall not be charged against the employee's vacation time.
PERSONNEL

MANAGEMENT/SUPERVISORY/CONFIDENTIAL PERSONNEL

It is the intent of the County Superintendent to analyze the needs of the Glenn County Office of Education on an annual basis to determine which management positions may not be necessary for the following year.

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

1. Management employees are those having significant responsibilities for formulating County Office of Education policies or administering Glenn County Office of Education programs and whom the County Superintendent has legally designated as management.

2. Supervisory employees are those who have the authority to make recommendations to the County Superintendent or designee concerning the employees under their supervision. This authority shall extend to the following areas: hiring, transfer, suspension, layoff, recall, promotion, discharge, assignment, reward, direction, work assignment and discipline.

3. Confidential employees are those employees who, in the regular course of their duties, may have access to or possess information relating to their employer's employer-employee relations.

Legal Reference:

EDUCATION CODE
35031 Officers and agents
45100.5 Classified Employees Employment
45104.5 Abolition of senior management position; effect
45108.5 Senior management employee
45108.7 Waiver; number and type of senior management positions

GOVERNMENT CODE
3540.1 Meeting and Negotiating in Public Educational Employment
3545 Unit Determinations

Policy Relates to:
- All Programs
- K-12
- Senior Nutrition
- Child and Family Services
- CTE/Adult Education
- Charter Schools
PERSONNEL

MANAGEMENT/SUPERVISORY/CONFIDENTIAL PERSONNEL
PERSONNEL

ASSIGNMENT

The County Superintendent shall make employee assignments in accordance with the needs of the Glenn County Office of Education.

Employees have no right of assignment to a particular work site.

Except where otherwise appropriate, certificated management employees shall be assigned within the scope of their certificate and competency.

All certificated and classified management and professional staffs are exempt employees for the purpose of the Fair Labor Standards Act. The hours of work shall be determined by their work assignments.

The County Superintendent reserves the right to assign, reassign, schedule and modify all terms and conditions of employment in accordance with the needs of the Glenn County Office of Education.

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

Management Work Year

The "regular" work year for certificated and classified management positions is stated in number of days for contract purposes. The "regular" work year for classified management positions is 12 months. The regular work year shall start on July 1 and extend through June 30. The number of days as indicated on the management salary schedule, and on individual contracts, shall comprise the "regular" work year.

Work Schedules

Management work schedules may be fulfilled in a flexible manner in order to best meet the demands of the tasks to be accomplished. The standard workweek for management employees is Monday through Friday.

Saturday and/or Sunday may be considered a duty day only with prior approval or directive by an Assistant Superintendent or a Director.

1. It is a mandatory activity of Glenn County Office of Education; or
2. The activity is required as a part of employee's job responsibilities; or
3. It is a conference that has been requested, pre-approved in writing, and meets the criteria of 1 or 2.
PERSONNEL

ASSIGNMENT (continued)

Certificated Management

A maximum of 8 work days over the contracted work year may be carried over to the next contracted work year and taken as non-duty days that count towards the fulfillment of the contract.

Upon termination of employment, a maximum of 8 unused carry over workdays shall be paid at the employee's daily rate.

A record of the days worked shall be maintained and reported on the Employment Record (ER).

Extra Work for Extra Pay

Management personnel may be assigned "extra work for extra pay" responsibilities as determined by the County Superintendent.

"Extra work for extra pay" requests may also be made by management personnel to the County Superintendent. Requests will be submitted in writing with a recommendation by the program administrator. Requests for "extra work for extra pay" may be made annually.

Consideration for approval will be made on an individual basis. The rationale for the request must include a description of the work that will be accomplished during the "extra work" assignment.

If approved, "extra work for extra pay" assignments will be identified as such in contracts which will be separate and apart from the regular work year contracts.

"Extra work for extra pay" time will not be counted as part of the regular contract year. It will not be used for the purpose of extending the regular contract year, or for the purpose of calculating employer contributions for employee benefits under STRS.

Legal Reference:

UNITED STATES CODE
TITLE 29; 201-216 Fair Labor Standards Act
CODE OF FEDERAL REGULATIONS
TITLE 29, 511-800
EDUCATION CODE
45108.5 Senior Management Employees
45130 Exclusions from overtime provisions

Policy Relates to:
- All Programs
- K-12
- Senior Nutrition
- Child and Family Services
- CTE/Adult Education
- Charter Schools
Management, Supervisory and Confidential Personnel

PROMOTION/DEMOTION/REASSIGNMENT

Certificated Management and Supervisory Personnel

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

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

By March 15, the employee shall be notified of the Superintendent's action by registered mail or in person. If the notice is presented to the employee in person, the employee's signature acknowledging receipt of the notice shall be obtained on the County Office of Education copy of the written notice. (Education Code 44951)

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

If the reassignment is to a teaching position, the Superintendent shall give the employee, if requested, a written statement of the reasons for the reassignment. If these reasons include incompetence as an administrator or supervisor, the district shall have completed an evaluation of the employee, within the 60-day period immediately preceding the notice date. (Education Code 44896)

Classified Management, Supervisory and Confidential Personnel

For the personnel in this classification:

"Demotion" means assignment to an inferior position or status, without the employee's written voluntary consent. (Education Code 45101)

"Reclassification" means the upgrading of a position to a higher classification as a result of the gradual increase of the duties being performed by the incumbent in such position. (Education Code 45101)

If assigned to a position within a bargaining unit, management, supervisory and confidential classified employees shall be reclassified at the discretion of the County Office of Education subject to provisions of the applicable collective bargaining agreement.

Any decision regarding the demotion of a permanent management, supervisory or confidential classified employee shall be subject to the causes, appeal rights, and procedure set forth in County Office of Education policy, regulation or collective bargaining agreements for disciplinary action against classified employees. (Education Code 45113)

The Superintendent shall provide 60 days' notice before demoting a deputy, associate or assistant superintendent, a Director or employee in the senior management of the classified service. (Education Code 35031)
Management, Supervisory and Confidential Personnel

PROMOTION/DEMOTION/REASSIGNMENT

In initiating the involuntary reassignment of a classified manager, the Superintendent or designee shall provide the classified manager with prior written notice of the intent to reassign him/her to a designated position. The notice will inform the manager of the specific reasons for the reassignment, his/her right to a hearing, and the time within which an appeal must be filed. The notice shall also contain a card or paper for requesting such a hearing. The classified manager may, within five days after receiving such notice, file a written request for hearing before the Board.

The request for such hearing shall be filed in the office of the Superintendent or designee. If the manager fails to file a request for hearing as specified above, he/she will be deemed to have waived the right to a hearing and the reassignment may be made effective immediately.

If a request for hearing is filed as specified above, a hearing shall be scheduled before the Superintendent. The Superintendent shall hear the matter, with the party initiating the reassignment bearing the burden of proving the reasons for the reassignment. The hearing shall be recorded by a reporter or tape recording. After the hearing, the Superintendent shall determine whether to approve, modify, or revoke the reassignment. The decision of the Superintendent shall be final.
PERSONNEL

EMPLOYEE

Definition

Telecommuting is defined as working at home, for a predetermined time period, during work hours to fulfill a specific task or assignment designated by the employee's supervisor and approved by the Superintendent.

The telecommuting work option is available to employees on a case by case basis. Telecommuting is a cooperative arrangement between supervisor and employee, not an entitlement, and is based on:

1. The needs of the job, work group and Glenn County Office of Education;
2. The employee's past and present levels of performance.

Jobs suitable for telecommuting are characterized by clearly defined tasks and work products. A telecommuter's performance is measured by product results, not work location.

Each telecommuting arrangement will be jointly agreed between the supervisor and employee with approval by the department supervisor (Exhibit A). Telecommuting is voluntary and may be terminated at any time, at will, by either Glenn County Office of Education or the employee.

Telecommuting does not change the basic terms and conditions of employment as a manager of Glenn County Office of Education.

Responsibilities

Glenn County Office of Education provided equipment, supplies or software at home is not an entitlement of telecommuting. Telecommuter's may be expected to provide telecommuting equipment such as computer, modem, printer and telephone access line at their own expense. Glenn County Office of Education does not assume any liability for loss, damage or wear of employee-owned equipment nor its technical support.

At the County Superintendent's discretion, telecommuting equipment, dial-up access, supplies or software may be provided based on business need. Such equipment and/or software will remain the property of Glenn County Office of Education and is insured under the Glenn County Office of Education liability policy. However, the employee's homeowner's policy will incur primary responsibility for theft or vandalism. Damage to equipment and/or software due to negligence is the employee's responsibility.

Employees who work at home will take all precautions necessary to secure proprietary information in their home and prevent unauthorized access to any Glenn County Office of Education system from their home.

Telecommuting is not an alternative to Glenn County Office of Education's established leave provisions, e.g., sick leave and family care. Telecommuters who work at home will manage dependent care and personal responsibilities in a way that allows them to successfully fulfill job responsibilities.

Policy Relates to:
- All Programs
- K-12
- Senior Nutrition
- Child and Family Services
- CTE/Adult Education
- Charter Schools
TELECOMMUTING AGREEMENT
Between
GLENN COUNTY OFFICE OF EDUCATION
and

(.Employee Name)

DESCRIPTION OF ASSIGNMENT:

________________________________________________________________________

________________________________________________________________________

________________________________________________________________________

CONDITIONS OF AGREEMENT:
Beginning Date:__________________ Completion Date:__________________________
Scheduled Work Days:_______________________________________________________
Scheduled Work Hours:______________ to ______________

WORK LOCATION (Employee Residence):

______________________________________ (Street Address)      (City)

Homeowner’s Insurance Provider __________________________________________

Employee-owned equipment, software, and data permitted to be used with Glenn County Office of 
Education assets or information systems to which employee has access from- remote work location
(if any):

<table>
<thead>
<tr>
<th>Item</th>
<th>Assets/Information Systems with which item can be used:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

GCOE information systems to which employee will have access from remote work location (if any):
GCOE assets (if any) provided for use at remote work location:

<table>
<thead>
<tr>
<th>Description</th>
<th>I.D. Numbers</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
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</tbody>
</table>

I have read and understand the attached Employee Telecommuting policy, and agree to the duties, obligations, responsibilities and conditions for telecommuters expressed in that document, in addition to my normal duties, obligations and responsibilities as a Glenn County Office of Education management employee.

I agree that, among other things I am responsible for establishing specific scheduled telecommuting work hour, furnishing and maintaining my designated work space in a safe manner, employing appropriate telecommuting security measures and protecting Glenn County Office of Education assets, information and information systems.

I understand that telecommuting is voluntary and I may stop telecommuting at will at any time. I also understand that Glenn County Office of Education may at will, at any time, change any or all of the conditions under which this agreement is made or withdraw permission to telecommute.

Date

Employee Signature

Date

Supervisor Signature

APPROVED:

Date

Superintendent Signature

DISTRIBUTION: Original - Human Resources Department; Copy- Department
PERSONNEL

EVALUATION

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

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

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

3. The fulfillment of responsibilities contained in the specific job descriptions adopted by the Glenn County Office of Education

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

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

Each administrator shall be evaluated formally at least once every other school year. Administrators new to a position may be evaluated each year for the first two (2) years in the position. Evaluation is a continuous process and may occur between scheduled periods at the request of the administrator, the administrator's immediate supervisor or any higher supervisor.

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

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

A copy of the report shall be given to the administrator no later than May 31. The employee may make a written response to the evaluation at any time - up to 30 days after receiving a copy of the evaluation. The response shall be attached to the evaluation and permanently placed in the employee's personnel file.

Confidential and Supervisory Employees

The County Superintendent or designee shall develop appropriate procedures for the evaluation of confidential and supervisory employees. Evaluations shall be administered in the same manner and time schedule as classified employees who have non-confidential or supervisory positions with the Glenn County Office of Education.

Legal Reference:

EDUCATION CODE
33039 Guidelines for teacher evaluation
35171 Evaluation of employee performance
44660-44665 Evaluation and assessment of performance of certificated employees
45113 Classified Employees Employment
GOVERNMENT CODE
3543.2 Rights, Obligations, Prohibitions, and Unfair Practices
PERSONNEL

COMPETENCE IN EVALUATION

The County Superintendent or designee will assess and certify the competency of management and supervisory employees assigned to evaluate employees every two (2) years. Certification of competency will be part of management and supervisory employee evaluation.

Evaluator competency will be based on the following criteria:

All Evaluators

1. Be familiar with Glenn County Office of Education policies and procedures for personnel supervision, performance evaluation and staff development:
   a. Be knowledgeable of the legal provisions and policies and procedures governing supervision, evaluation and dismissal.
   b. Follow Glenn County Office of Education procedures, policies and priorities relating to job requirements.
   c. Ensure that employees are aware of Glenn County Office of Education adopted evaluation procedures and the criteria for judging performance quality.
   d. Apply Glenn County Office of Education criteria for judging employee performance.
   e. Use goals and objectives for improved performance practices.
   f. Design in service opportunities and provide resources for employees acquiring needed skills to meet performance standards.
   g. Monitor employee progress toward goals and objectives.
   h. Summarize evaluations, making recommendations and commendations.

Evaluators of Teaching Staff

1. Possess a valid administrative credential.
2. Be competent in instructional methodologies used by teachers they are assigned to evaluate, including:
   a. Knowledge of expected content coverage.
   b. Planning for the achievement of specified objectives.
   c. Analyzing a task into its prerequisite skills and sequences of learning.
   d. Applying principles of learning, including human development.
   e. Applying a repertoire of teaching strategies depending on the instructional objectives and the learners' needs, styles and capacities.
   f. Monitoring students' progress toward goal achievement.
   g. Monitoring students' on-task behavior.
   h. Gathering data about and keeping records of student progress.
   i. Analyzing, evaluating and modifying the effectiveness of teaching strategies.
   j. Applying classroom management skills, including setting classroom rules and using appropriate interventions.
   k. Demonstrating behaviors that promote equal opportunity, such as proximity and opportunity for response and access to student leadership opportunities.
PERSONNEL

COMPETENCE IN EVALUATION (continued)

3. Be skilled in the supervision of instruction and in techniques and procedures related to the evaluation of instruction:
   a. Conference with teachers before and after instruction.
   b. Observe classroom instruction and student performance.
   c. Facilitate the teacher's analysis, evaluation and modification of the teaching strategies and lesson design.
   d. Design in service strategies for instructional improvement.
   e. Facilitate the acquisition of materials, facility arrangement, scheduling and provide resources or other support services needed to improve instruction and learning.

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

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

Legal Reference:

EDUCATION CODE
33039 Guidelines for teacher evaluation
44660-44665 Evaluation and Assessment of Performance of Certificated Employees
44681-44689 Administrator training and evaluation

GOVERNMENT CODE
3543.2 Rights, Obligations, Prohibitions, and Unfair Practices

Policy Relates to:
- All Programs
- K-12
- Senior Nutrition
- Child and Family Services
- CTE/Adult Education
- Charter Schools
PERSONNEL
PERSONNEL

PERSONNEL REDUCTION

Certificated Management

Certificated management staff serves at the pleasure of the County Superintendent.

When the County Superintendent needs to reduce the number and/or kind of certificated management, notification shall be by certified mail or in person. If the notice is presented in person, the employee's signature acknowledging receipt of the notice shall be obtained on the Glenn County Office of Education copy of the notice.

Certificated managers do not earn permanency. If permanency was earned as a teacher by teaching in the county service, it is retained on advancement to an administrative position. The County Superintendent may place displaced personnel in other certificated positions (causing no reduction in the overall number of certificated employees of the Glenn County Office of Education).

Classified Management/Supervisory/Confidential Employees

 Classified managers, supervisory and confidential employees, except for those designated as Senior Management employees, shall be entitled to the same procedure and have the same layoff rights as all other classified employees. Layoff proceedings shall be carried out in consultation with legal counsel.

The County Superintendent may abolish any or all positions of the senior management of the classified service. Any employee occupying a senior management position abolished shall become a member of the classified or certificated service in a position to which he/she would otherwise be entitled if the employee had not been in a senior management position.

Legal Reference:

EDUCATION CODE
44951 Continuation in position unless notified
45100.5 Senior management position
45104.5 Abolition of senior management position
45108.5 Senior management position
45108.7 Waiver, number and type of senior management positions
45114 Layoff and reemployment procedures
45380 Retraining and study
GOVERNMENT CODE
3540.1 General provisions
3543.4 Rights, obligations, prohibitions and unfair practices
3545 Unit determinations

Policy Relates to:
- All Programs
- K-12
- Senior Nutrition
- Child and Family Services
- CTE/Adult Education
- Charter Schools
PERSONNEL

LEAVES

Management employees shall be entitled to those leave provisions.

Classified supervisory and confidential employees shall be entitled to those leave provisions provided in the Memorandum of Classified Confidential and Supervisory Policies and Procedures.

Educational Leave for Management Employees
The County Superintendent recognizes that opportunities arise, which if taken advantage of, can enhance both the skill level of the employee and future operations of the Glenn County Office of Education. For example, an employee may be invited as a guest lecturer at a university for a period of time or may be invited to work for another public agency in a related professional position. Should a management employee wish to take advantage of these or similar circumstances, the following procedures and time lines must be followed:

1. The employee must notify, in writing, his/her immediate supervisor prior to March 1st preceding the fiscal/academic year for which the leave is requested.

2. The leave request must be accompanied by a written rationale which describes how the activities the employee is engaged in during the leave period will benefit:
   a. the professional growth of the employee, and
   b. the Glenn County Office of Education upon the employee's return to the Glenn County Office of Education.

3. The request for the leave must receive a positive recommendation from the employee's Supervisor before it goes to the County Superintendent for final approval.

4. The leave may be granted for one fiscal/academic year.

5. The employee must notify his immediate supervisor in writing no later than February 15th of the leave year of his/her decision to return or not return the next fiscal/academic year. Failure to notify will result in a notification of non-reemployment for the next fiscal/academic year.

6. The County Superintendent will make efforts to reinstate the employee in the same position held prior to taking the leave.

7. A leave that imposes any additional expenses upon the Glenn County Office of Education will not be approved.

Legal Reference:
EDUCATION CODE
44962-44988 Resignations, dismissals and leaves of absence

Policy Relates to:
- All Programs
- K-12
- Senior Nutrition
- Child and Family Services
- CTE/Adult Education
- Charter Schools
PERSONNEL
PERSONNEL

Certificated Management

EVALUATOR COMPETENCY CERTIFICATION

It is the policy of the Glenn County Office of Education that all administrative personnel who are assigned to evaluate K-12 teachers have demonstrated competency in classroom instructional methodologies and teacher's evaluation techniques. Evaluator competency is based on the following criteria:

1. Possession of a valid Administrative Credential or enrollment in an accredited Administrative Credential Program.

2. Demonstrated knowledge of the curricula
   2.1 Curricular guides and frameworks
   2.2 Course and grade level content

3. Demonstrated knowledge of instructional methodology and supervision techniques
   3.1 Long and short range instructional planning
   3.2 Student performance standards
   3.3 Instructional presentations
   3.4 Classroom environment
   3.5 Instructional evaluation

4. Demonstrated knowledge of the teacher evaluation process
   4.1 Pre-evaluation agreement
   4.2 Evaluation observation and records
   4.3 Evaluation conferences and records
   4.4 Evaluation report
PERSONNEL

Certificated Management

EVALUATOR COMPETENCY CERTIFICATION (cont.)

The Superintendent/designee will, no less than every other year, assess the competency of each evaluator who is assigned to evaluate teachers. Following that assessment, the Superintendent will recommend that the Board of Education certify the competency of teacher evaluator.

Teacher evaluators will systematically participate in in-service activities to improve their evaluation skills. Evaluator competency will be based on the following criteria.

Legal Reference:
EDUCATION CODE
35160.5 Competency Certification

Policy Relates to:
- All Programs
- K-12
- Senior Nutrition
- Child and Family Services
- CTE/Adult Education
- Charter Schools