

The MetroGUIDE: A MetroED Employee Compliance Handbook

Human Resources
Revised July 2023

The MetroGUIDE is available online at MetroED's Intranet



MetroED
Metropolitan Education District



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Superintendent's Message



As an employee of the Metropolitan Education District (MetroED), you are a member of a unique team. MetroED is a regional provider of career technical education (CTE), and Adult Education (AE) programs. My vision for MetroED, SVCTE, and SVAE is to offer cutting-edge, high-quality programs that will prepare students for college and careers in today's competitive global economy.

MetroED is the largest career-oriented educational organization in Santa Clara County. MetroED annually provides 3,000 diverse students with the skills to help them be productive, income-earning, and tax-paying contributors to Silicon Valley.

MetroED is a Joint Powers Agency (JPA) that partners with six high school districts. In addition, since 2022, we have begun serving districts

outside the original JPA partners. We are open to all districts, charter, and private schools in Santa Clara County. Our team is made up of 110 full and part-time employees who all work together effectively to make the organization, and its students, successful.

Silicon Valley Career Technical Education (SVCTE) offers 2 three three-hour classes to provide students with exciting, relevant, rigorous, and rigorous career-related classes. Over 20 of the courses are UC a-g" approved. We also offer extended after-school and summer programs to students throughout Santa Clara County. Instructors utilize hands-on project-based learning throughout the programs making learning fun and meaningful. Our programs provide students with employability skills, which help students earn higher salaries life-long. Many of our programs offer college credit through dual enrollment and articulation with our local community colleges.

Silicon Valley Adult Education (SVAE) is part of the Metropolitan Education District and offers adult education classes free of charge or at a low cost to adults 18 years or older. SVAE is a comprehensive adult school offering entry-level and advanced courses in health, technology, and careers in the trades. We also offer free English as a Second Language (ESL), Adult Basic Education (ABE), High School Equivalency (HSE) preparation for GED and HiSET tests, and High School Diploma (HSD) subject courses. We also have a variety of Career Technical Education courses online with affordable registration fees. We offer free assessment tests to enter ESL, ABE, HSE, and HSD courses, along with academic and career counseling. Our Hillsdale site provides the community with the Silicon Valley Regional Testing Center and offers state and national tests such as GED, HiSET, CBEST, CSET CPACE, and many other tests for the convenience of our students and community.

This Employee Compliance Guide is designed to help you understand our organization and the requirements for employment. It will help you know what you can expect from MetroED as an employer and your obligations as an employee. We consider ourselves a small family-oriented district that is high performing and takes care of its employees. We provide generous benefits, professional development, a wellness coach, and a supportive healthy environment to be productive. The handbook will also let you know where you can find more information about matters related to your work and your workplace. This handbook is not intended as any kind of employment contract, and MetroED may change it at any time. The latest version is available on the intranet.

On behalf of the entire staff, we thank you for continuing to support our high school and adult programs.

Alyssa Lynch

Alyssa Lynch
Superintendent

Purpose of the Handbook

This handbook/guide is to familiarize you with policies, rules and other key processes of MetroED. The information in this handbook supersedes all rules and policies previously expressed/implied in both written and oral format. Compliance with this handbook is compulsory for all employees. MetroED reserves the right to interpret this handbook and its contents, when necessary.

Equal Employment Opportunity Employer

MetroED prohibits discrimination, harassment, intimidation and bullying based on actual or perceived race or ethnicity, gender/sex (including gender identity, gender expression, pregnancy, childbirth, breastfeeding, and pregnancy-related medical conditions) sexual orientation, religion, color, national origin, ancestry, immigration status, physical or mental status, marital status, registered domestic partner status, age (40 and above), genetic information, political belief or affiliation (not union related), association with a person or group with one or more of these actual or perceived characteristics, or any other basis protected by federal, state or local law, ordinance, or regulation in any program or activity it conducts or to which it provides significant assistance. MetroED will not discriminate against any person who is either a member or a veteran of the Armed Forces of the United States. We expect all employees and members of our management and supervisory staff to support our commitment to equal employment opportunity.

Equal employment opportunity applies to all employees, applicants, contractors, interns, and volunteers and to all terms and conditions of employment, including hiring, placement, promotion, termination, layoff, recall, transfer, leave of absence, compensation, and training.

This policy is in accordance with all applicable state and federal laws and reaffirms the District's continuing commitment to provide equal employment opportunity to all employees and applicants for employment.

Education Code [200-262.4](#)

Metropolitan Education Board Policy [BP 0410](#), [BP 4030](#)

Nondiscrimination in District Programs and Activities

The Governing Board is committed to providing equal opportunity for all individuals in education. District programs, activities, and practices shall be free from unlawful discrimination, including discrimination against an individual or group based on race, color, ancestry, nationality, national origin, ethnic group identification, age, religion, marital, pregnancy, or parental status, physical or mental disability, sex, sexual orientation, gender, gender identity or expression, or genetic information; a perception of one or more of such characteristics; or association with a person or group with one or more of these actual or perceived characteristics.

Retaliation means adverse conduct taken because an individual reported an actual or perceived violation of this policy, opposed practices prohibited by this policy, or participated in the reporting and investigation process described below. "Adverse conduct" includes but is not limited to:

1. Shunning and avoiding an individual who reports harassment, discrimination or retaliation;
2. Express or implied threats or intimidation intended to prevent an individual from reporting harassment, discrimination or retaliation; or
3. Denying employment benefits because an applicant or employee reported harassment, discrimination or retaliation or participated in the reporting and investigation process.

Complaints of discrimination should be filed according to the procedures described in the complaint procedure.

Disability Inclusion and Reasonable Accommodation

MetroED is committed to maintaining an inclusive environment where all applicants and employees can readily and efficiently ask for reasonable accommodations necessary to reach their full potential. Reasonable accommodations are any changes in the workplace or the way job duties are usually performed that provide an equal employment opportunity to someone with a disability. This process does not cover requests that would pose an undue hardship or fundamentally change the essential functions of a job.

A reasonable accommodation is provided when:

- An applicant with a disability needs an accommodation to have an equal opportunity to compete for a job;
- An employee with a disability needs an accommodation to perform the essential functions of the job or to gain access to the workplace; or
- An employee with a disability needs an accommodation to enjoy equal access to benefits and privileges of employment (e.g., tools, training, MetroED sponsored events).

Animals on Campus

Individuals with disabilities may be accompanied on school premises and on school transportation by service animals, including specially trained guide dogs, signal dogs, or service dogs. A therapy animal may be allowed when appropriate and must be approved by principal or designee. (Education Code 39839; Civil Code 54.2; 28 CFR 35.136)

BP and AR 6163.2 Animals At School

The Metropolitan Education District



District Overview

MetroED provides a wide range of career-technical and adult education programs for more than 3,000 high school and adult students in one central location in Santa Clara County each year.

MetroED is administered under a Joint Powers Agreement (JPA) of six school districts in Santa Clara County: Campbell Union High School District, East Side Union High School District, Los Gatos-Saratoga Union High School District, Milpitas Unified School District, San Jose Unified School District and Santa Clara Unified School District. All MetroED programs are fully accredited by the Western Association of Schools and Colleges (WASC)

Organization

The Metropolitan Education District Governing Board

MetroED's Governing Board is comprised of representatives from each of the six Santa Clara County participating school districts that administer the Joint Powers Agreement. These districts govern the Metropolitan Education District. The Board meets monthly and approves all major policies, personnel recommendations, and budget planning.

Our Mission

MetroED prepares high school and adult students for future success in college and careers.

Our Vision

MetroED will provide hands-on, life-changing experiences that ignite the passion of our community of learners.

Our Core Values

MetroED values (not in priority order)

- Respect
- Student-focus
- Accountability
- Cutting-edge programs
- Honesty and integrity
- Being community-oriented
- Teamwork

Brief History and Status of the Metropolitan Education District

For nearly 50 years, MetroED has led the Bay Area in delivering high-quality Career Technical Education and Adult Education. MetroED began in 1917 as San Jose Technical High School. In 1958, the school became a vocational center and established a model of technical education that still serves as a foundation to our programs today. In that year, tenth, eleventh, and twelfth grade students from San Jose, Lincoln, and Willow Glen High Schools began spending half of their school day at the Technical High School and half of

the day at their home schools. Changes in California legislation in 1965 created Regional Occupation Centers, and changed the nature of our collaboration. The legislative intent for the centers was to create one location that provided career-training opportunities for students from several schools to avoid duplicating courses and to prevent the need for individual high schools to purchase expensive equipment. By 1968, we became a co-ed educational center open to high school juniors and seniors. The six school district members in our current JPA have been the same since 1973. These members include Campbell Union High School District, East Side Union High School District, Los Gatos-Saratoga Union High School District, Milpitas Unified School District, San Jose Unified School District, and Santa Clara Unified School District.

MetroED's mission has evolved over the years with changes in legislation and infrastructure. Today, we aim to provide 21st century education relevant for post-secondary training, certifications, college and careers including STEM focused programs. The MetroED Consortium's Silicon Valley Career Technical Education campus already works closely with over 100 local business professionals to gain insight on which skills we need to develop in our students. The California Career Pathway Trust application process has provided us with momentum to bring more employers on board to offer work-based learning experiences and advise us on curriculum and skills development.



Silicon Valley Career Technical Education Center Mission: Silicon Valley Career Technical Education Center (SVCTE)

It is the mission of the SVCTE Center to educate eligible high school and adult students for success in careers and college in a professional, hands-on environment.

SVCTE provides a wide variety of technical training programs at the SVCTE campus, and on high school and other campus locations throughout the county. Courses are offered in over 20 career-technical areas. SVCTE Center's day programs serve more than 1,800 high school juniors and seniors, which come from over 35 comprehensive and continuation high schools. SVCTE Center also serves adults on a "space available" basis; our first priority is high school students.

The SVCTE center portion of the Hillsdale campus is located on a 26-acre site in Central San Jose, and features **seven** large buildings with state-of-the-industry equipped labs dedicated to career technical education (CTE). All SVCTE teachers are credentialed, and have spent a minimum of five years working in the field they now teach.

SVCTE Center has partnerships with many local companies, and maintains business advisory committees for each of its career-technical programs.



Silicon Valley Adult Education (SVAE)

SVAE provides a supportive learning environment that prepares students to achieve their fullest potential by developing skills to succeed in a global society.

SVAE is one of the largest adult education programs that annually provides services to nearly 2,000 adults with the skills to help them be productive, income-earning, and tax-paying contributors to Silicon Valley. SVAE provides California State "Mandated" programs such as English as a Second Language (ESL), Adult Basic Skills, GED Preparation, Adult High School Diploma, and Career Technical Education Classes.

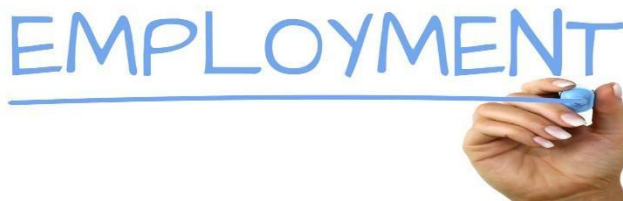
Superintendent's Office (Building 400)

- The Superintendent is the Chief Executive Officer of the District and is Secretary to the Governing Board. The Superintendent is responsible for carrying out directives from the Governing Board, working with the six participating school district's superintendents, coordinating with organizations throughout the community, and administering all District functions within the guidelines of the law and the governing board
- The Chief Business Officer (CBO) and other support staff are also located with the Superintendent in Building 400.
- The Director of Educational Services.
- The Webmaster/Marketing Specialist.

Central Office (Building 6)

Central Office administers several major support functions for the District. The following are departments located within the Central Office:

- The Finance and Accounting Department maintains and updates the financial records of the District, manages the budget, tracks accounting, processes payroll, handles purchasing, accounts receivable, accounts payable and revolving cash accounts.
- The Information Technology Department (IT) provides computer, data, communications support, maintains and updates permanent student records, and provides student transcripts for the District.
- The Director of Human Relations/Communication.
- The Human Resources Department is responsible for all personnel functions including employee recruitment, hiring, testing, employee relations, benefits administration, work verifications, staff development, union contract negotiations, uniform complaints and Employment Development Department (EDD) reports. Human Resources provides employees with access to important information such as payroll, benefits, district calendar, board policies, safety plans, absence reporting, and much more. MetroED employees are able to quickly find resources they need, when they need it.
- The Maintenance and Operations Department (M&O) coordinates facilities and grounds, campus maintenance, custodial services and is located in Bldg. 7 adjacent to Bldg. 6.



Employment

Employee Classifications

"Teachers" are credentialed which means that they have been formally trained and certified for classroom teaching. All of our teachers have the career technical education or adult education credentials. Credentials are required for teaching in any programs that is mandated by the State.

"Classified" employees provide the very important support for the educational programs. They schedule classes, register students, order equipment, prepare reports, assist in the classrooms, assist with benefits, hire and pay employees, pay the bills, repair and clean buildings, and provide all the many services required by a modern school system.

"Administrative" employees manage the complex organizations and systems that comprise MetroED. They make sure that the District is compliant with all the federal, state and local requirements plan and manage District finances, and help the organization meet the changing needs of its member Districts and the larger community.

"Confidential" employees provide administrative support like the classified employees but because of their involvement in the negotiations process, are exempt from union requirements.



Bargaining Units

Most MetroED employees are represented by employee bargaining units. Your classification will determine, when appropriate, which bargaining unit will represent you. The District works cooperatively with its bargaining units in providing all employees with a safe, fair, and supportive work environment.

If you are a member of a bargaining unit, be sure you are familiar with the unit's agreement with the District. The bargaining agreements specify many matters related to employment and employee benefits. Your unit should be in contact with you and can provide you with a copy of the agreement.

The [**American Federation of Teachers \(AFT\)**](#) represents hourly certificated teachers who teach classes primarily for adult students.

The [**California School Employees Association \(CSEA\)**](#) represents classified employees, including those employees in office, technical, para-educator, custodial, grounds and maintenance positions.

The [**California Teachers Association \(CTA\)**](#) represents certificated contract teachers who teach classes primarily for high school students.

Administrators, staff not supported by State or Federal funding, confidentials, substitutes, hourly classified and exempt classifications are not represented by a bargaining unit.

[**Administrative Memorandum of Understanding**](#)

[**Confidential Employees Memorandum of Understanding**](#)

[**Hourly Certificated Staff**](#)

Credentials

The Governing Board recognizes that MetroED's ability to provide a high-quality educational program is dependent upon the employment of certificated staff that is adequately prepared and has demonstrated proficiency in basic skills and in the subject matter to be taught. The Superintendent or designee will ensure that persons employed in positions requiring certification qualifications possess the appropriate credential or permit from the Commission on Teacher Credentialing (CTC) authorizing their employment in such positions.

Appropriate credentials are required for most teaching positions at MetroED. By meeting specific requirements, candidates can receive a preliminary credential and work on completing their credential program while they are teaching. Please note: Thirty Day Emergency Credentials" will not be accepted at MetroED.

Verification of Credentials

The Superintendent or designee will verify that each employee in a position requiring certification qualifications, will, no later than 60 days after the date fixed by MetroED's Governing Board for the commencement of the person's service, register, in the manner prescribed by Education Code 44330. A valid certification document issued on or before that date, authorizing the person to serve in the position for which they were employed, and shall, not later than 60 days after the renewal thereof, register the renewed certification document in the manner prescribed by Education Code 44330.

Reference: [AR 4112.2](#) Certification

Reference: [BP 4111](#), [BP4211](#), [BP4311](#) – Recruitment and Selection

Reference: [BP 6178](#) – Career Technical Education

Reference: [BP 6200](#) – Adult Education

Becoming a MetroED Employee



New employees shall review the [Injury and Illness Prevention Program](#) and [Emergency Evacuation](#) and other mandated training during their hiring process.

If your position requires a teaching credential, you will need to provide proof of a current credential and register it with the Santa Clara County Office of Education. **Please note: *Thirty Day Emergency Credentials" are not accepted at MetroED.***

Reference: [BP 4111.2](#), [AR 4111.2](#)- Legal Status Requirement

Probationary Period

Beginning with your first day of employment, we believe you should know MetroED's expectations of you and your job performance. The probationary period will be an opportunity for you to become acquainted with our mission, our vision and our core values through your daily interaction with your supervisors, co-workers and students. Be sure to ask for direction and advice any time you are unclear about these expectations.

Employees newly hired for regular positions in the certificated service should refer to their bargaining unit agreement regarding probationary periods.

Employees newly hired for regular positions in the classified service will be probationary employees until they have satisfactorily completed six months of probationary service. Upon satisfactorily completing this period, they will become permanent classified employees of MetroED. Your probationary period, if applicable, is based upon your bargaining unit contract.

Probationary employees will receive written performance evaluations by their supervisor during the probationary period. These evaluations indicate whether the evaluator is satisfied or not satisfied with the employee's ability, performance, and compatibility with the job. The performance of each certificated probationary employee will be evaluated and assessed at least once every school year. For classified employees, once a 6-month probationary period is completed, evaluations will be done every other year.

Reference: [BP 4115](#), [BP 4215](#), [BP 4315](#) - Evaluation/Supervision

Reference: [BP 4131](#) - Staff Development

The Superintendent or designee may dismiss an employee during the initial probationary period.

Reference: [BP 4118](#), [BP 4218](#) - Dismissal/Suspension/Disciplinary Action

Probationary employees will receive training, assistance and evaluations consistent with their needs. Such training and assistance may consist of in-service training, professional development and/or meetings with an administrator to discuss areas of strength and areas requiring improvement. In-service training will be provided during school hours as part of a comprehensive staff development program.

Permanent Status

Granting of permanent status shall be based on completion of the probationary period in accordance with applicable law. Your permanent status, if applicable, is based upon your bargaining unit contract.

Employees granted permanent status acquire specific rights under the Education Code, including those relating to discipline and dismissal. ([Education Code 44932](#))

Reference: [AR 4117.6](#) - Decision Not to Rehire

A permanent employee who accepts a promotion and fails to complete the probationary period or fails to perform job duties satisfactorily for that promotional position shall be employed in the classification from which they were promoted. (Education Code [45113](#)) This Education Code [45113](#) shall be made available to classified employees and the public.

Orientation, In-service and Staff Development

Employees will receive a general orientation at the start of their employment. Your immediate supervisor will provide training. Employees will also receive some general information from Human Resources: Teachers ((408) 723-6435), classified and management ((408)723-6434).

You will be issued a photo employee badge that must be worn at all times during working hours on site. (Exemption: when performing possible injury causing work, i.e. using machinery/equipment that might catch the badge).

You will be assigned mandatory classes (i.e. Keenan on-line for Sexual Harassment, bullying, mandated reporting, first aid, CPR or other trainings) based on your position. (<http://www.metroed.net/employee-training>)

You will be required to attend in-service classes sponsored by the District. You will be compensated for attendance at all mandatory classes. Your immediate supervisor may arrange for you to attend workshops, in-service and other staff development opportunities, as appropriate.

Staff will have opportunities to participate in staff development activities in order to improve job skills, retrain to meet changing conditions in MetroED and/or enhance personal growth. Refer to your collective bargaining agreement.

Reference: [BP 4161](#), [BP 4261](#), [BP 4361](#) - Leaves

Annual Required Training

MetroED is committed to creating and maintaining an environment where everyone, students, staff, and the community feels comfortable, respected, and free from unlawful discrimination, harassment, retaliation, and abusive conduct.

To support this effort, all MetroED employees complete mandated training, identified by the State of California and individual positions. To ensure compliance MetroED has adopted the Keenan SafeSchools web-based interactive and in-person courses. These trainings are designed to meet the requirements and employees' understanding of their rights, responsibilities and policies.

Training is assigned at the beginning of each new school year. Each employee is responsible for completing all mandated training on time. Mandated training is a condition of employment and is to be completed by the assigned due date. There are no exemptions or extensions for any mandated training.



Performance Evaluations

The District's employees are a very important organizational resource. A major goal of the District is that each employee performs at his/her highest level of potential. In order to achieve this goal, you need to know what is expected of you and how your supervisor rates your job performance. It can be very helpful when your supervisor offers specific suggestions for improvement, both on an informal and a formal basis.

MetroED employees will be evaluated during their probationary period and on a regular basis after that in accordance with procedures outlined in California Education Code 44660-44665 and the collective bargaining agreements. The Governing Board recognizes that collective bargaining agreements are legally binding, bilateral agreements with the exclusive representatives of employees pertaining to terms and conditions of employment. The Board is committed to carrying out the provisions of each agreement and expects the agreements to be consistently and uniformly administered.

Reference: [BP 4115](#), [AR 4115](#) – Evaluation/Supervision

Reference: [BP 4215](#) – Evaluation/Supervision

Reference: [BP 4315](#) - Evaluation/Supervision

Reference: BP [4140/4240/4340](#) - Bargaining Units

Reference: AR [4143/4243](#) - Negotiations/Consultation

This performance review will occur during a private meeting between you and your supervisor. At that meeting, the two of you will discuss and review your work performance and set goals for your continued work development. This review program in no way prevents more frequent informal performance reviews should either you or your supervisor desire them. It is the intent of the District that you know where you stand with your supervisor at all times.

The District expects that you will be an active participant in this review process. Communication between employees and their supervisors is very important. Discussions regarding job performance should be ongoing and employees should initiate conversations with their supervisors if they feel additional ongoing feedback is needed. If you ever have any questions about any aspect of your job, always feel free to talk it over with your supervisor.

Leadership Team members charged with the supervision and evaluation of employees have ethical, statutory, and fiduciary responsibilities to effectively fulfill these duties.

Reference: [BP 4200](#) – Classified Personnel

Reference: [BP 4100](#) – Certificated Personnel

Reference: [BP 4216](#) – Probationary/Permanent Status

Reference: [BP 4300](#) – Administrative and Supervisory Personnel

Advancement/Transfer Process

Transfers and reassignments of personnel will be made in accordance with transfer provisions of the appropriate collective bargaining unit agreement. Transfers will be based upon the principle of serving the best interest of the overall educational program and in the best interest of the District.

The District will make employees aware of job vacancies by posting vacancy announcements at the main site facilities or by email.

The Governing Board recognizes the importance of placing employees in positions that best utilize their skills and talents, help improve student achievement, and provide the most benefit to MetroED. Upon the recommendation of the Superintendent or designee, the Board will approve the transfer or rotation of administrative or supervisory personnel to the same position at another location for reasons including, but not limited to, the need to improve student achievement and operational efficiency, utilize the skills and talents of the employee more effectively, provide opportunities for professional growth, provide an opportunity for evaluating employees in different school settings or locations, and best accommodate the overall needs of the District.

Employees wishing to transfer to another position within the District should check with their supervisor or Human Resources regarding the procedure for transfers. If the employee desires a transfer, they should:

- Notify their supervisor of their intent to apply for the position for which there is an opening
- Request an application for the opening
- Complete and turn in the employment application and wait to be contacted.

Work with Human Resources to complete all transfer procedures.

Reference: [BP 4114](#), [4314](#) - Transfers

Reference: BP [4312.1](#) - Contracts

Reference: AR [4313.2](#) - Demotion/Reassignment

Problem-Solving Procedures

If a dispute arises between you and your supervisor or fellow employees, you are encouraged to make every effort to resolve the problem in an informal manner. Should this not resolve the issue to your satisfaction, you may refer the matter to the next level of supervision. Bargaining unit agreement also contains formal steps to be followed to settle disputes. Please consult your appropriate bargaining unit agreement and/or the intranet to access the complaint procedures.



Personnel Records

MetroED's Human Resources (HR) department will maintain personnel files for all current employees. All personnel files are confidential and will be available only to the employee, persons authorized by the employee, and those authorized by the Superintendent or designee. Official employee files will be maintained at the MetroED's Central Office (Bldg. 6). The Superintendent or designee will determine the types of information to be included and shall process all material to be placed in a personnel file.

All personnel files will be considered confidential and will not be available to persons other than the employee and his or her designee, the Superintendent, and those specifically authorized by the Superintendent.

It is necessary to keep HR and payroll informed of any change in status, such as marriage, address and telephone number, number of dependents, divorce, separation, birth and deaths. These changes could affect such things as withholdings, beneficiaries or insurance coverage; and for your protection, we must keep our records up-to-date. Report all changes in writing to MetroED's HR Department. It is important that we have your correct address and phone number in case of an emergency. Any change to your legal right to work in the United States, such as immigration status, must be reported as well. Do not forget to update your STRS/PERS retirement information online when status changes occur.

Written materials filed, except for those prohibited by law, will be made available for inspection by the employee at an off-duty time during HR office hours. Inspections shall take place in the presence of a HR administrator. Ratings, reports, or records which (1) were obtained prior to the employment of the person involved, (2) were prepared by an identifiable examination committee member, or (3) were obtained in

connection with a promotional examination shall not be available for inspection by employees. (Education Code 44031)

Employees are notified whenever derogatory information is to be placed in their personnel file. The employee can then request to review and comment on the contents. Such a review shall take place during normal business hours and by appointment only.

Reference: AR 4112.6 – Personnel Files

Termination/Resignation

We hope you will be with us for many years. We recognize, however, that either you or the District may terminate the employment relationship. If you decide to leave, we ask that you give a notice of two weeks or more. The District and your co-workers will appreciate it.

Terminated employees are required to return all District property such as manuals, keys, tools, ID badge, equipment and any other District property in their possession before last day of employment. Final payroll check will be issued with the end of the month payroll.

Eligible employees will be offered the opportunity to continue medical coverage through our group health plan at their own cost plus an administrative fee for a limited time as required by law (COBRA). At the end of the continuation period, coverage may be converted to an individual policy if available through the plan carrier at the rates in effect at the time and subject to the terms and conditions of the plan.

Reference: BP 4117.2 – Resignation

Reference: AR 4117.5 – Termination Agreements

Salaries, Wages and Work Hours

Compensation Overview



MetroED makes a sincere effort to pay employees fairly and competitively with other educational institutions. We also try to provide equity in our internal wage and salary structure, as well as adjusting to the prevailing wage rates in our metropolitan area. Regular salary increases are based on internal factors such as step increases and bargaining agreements and external factors such as state funding.

In order to recruit and retain employees committed to the District's goals for student learning, the Governing Board recognizes the importance of offering a competitive compensation package that includes salaries and health and welfare benefits.

Reference: BP 3100, AR 3100 - Budget

Reference: BP 3400, AR 3400 - Management of Districts Assets/Accounts

Reference: BP 4000 - Concepts and Roles

Reference: BP 4154, BP 4254, BP 4354 - Health and Welfare Benefits

The Board will adopt separate salary schedules for certificated, classified, confidential, supervisory and administrative personnel. These schedules will comply with law and negotiated agreements and shall be printed and made available for review on the District's website. (Education Code 45023, 45028)

Reference: AR 4121 - Temporary/Substitute Personnel

Reference: BP 4141/4241 - Collective Bargaining Agreement

Reference: BP 4143/4243 - Negotiations/Consultation

Each bargaining unit has a salary schedule. Employees are placed on the salary schedule and generally advance one-step each year or when they meet the requirements of the schedule. The Superintendent or designee is solely responsible for determining salary and pay rates.

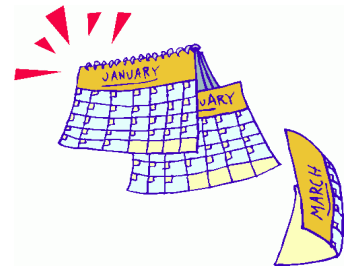
For those members of the staff who are part of a bargaining unit, only the exclusive representatives can bargain over salaries. New salary schedules are published on the website after the MetroED Governing Board approves them.

The Superintendent or designee shall ensure that the District's payroll system complies with all applicable laws and bargaining agreements, including, but not limited to, timelines regarding payment of compensation and deductions of dues for employee organizations.

Reference: BP [4140/4240](#) - Bargaining Units

Work Calendar/Holidays

For each of MetroED's programs, the Governing Board will adopt a school calendar that meets the requirements of law as well as the needs of the community, students, and the work year as negotiated with the district's employee organization(s).



Each school calendar will show the beginning and ending school dates, legal and local holidays, staff development days, orientation days, minimum days, vacation periods, and other pertinent dates.

Reference: BP [4143/4243](#) - Negotiations/Consultation

Reference: BP [6112](#), [AR 6112](#) - School Day

Reference: BP [6115](#), [AR 6115](#) - Ceremonies and Observances

The district will offer 178 days of instruction per school year for SVCTE, and 175 days of instruction for SVAE, except for any school year in which the district and employee organization(s) agree to have fewer days of instruction pursuant to the authorization in Education Code [46201.2](#).

Staff development days are not counted as instructional days.

Reference: BP [4131](#), BP [4231](#), BP [4331](#) - Staff Development

Reference: [BP 6111](#), [AR 6111](#) – School Calendar

If MetroED is to be used as a polling place on an election day, the Board shall determine whether to continue school in session, designate the day for staff training and development, or close the school to students and non-classified staff. (Elections Code [12283](#))

Reference: BP [1400](#) - Relations between Governmental Agencies and the Schools

Reference: BP [5113](#), [AR 5113](#) - Absences and Excuses

Because of different requirements, employee classifications may have different work years. You will be notified of your work year at your time of hire.

The Governing Board publishes the school calendar establishing school days, holidays and break periods each year after approval. For the current calendar go to [metroed.net](#) and click on Calendar.

Work Hours

Definitions:

- (1) **Classification** means that each position shall have a designated title, a regular minimum number of assigned hours per day, days per week, and months per year, a specific statement of the duties

required to be performed by the employees in each such position, and the regular monthly salary ranges for each such position.

- (2) **Permanent** as used in the phrase **permanent employee** includes tenure in the classification in which the employee passed the required probationary period, and includes all of the incidents of that classification.
- (3) **Regular** as used in the phrase **regular classified employee** or any similar phrase, refers to an employee who has probationary or permanent status.
- (4) **Demotion** means assignment to an inferior position or status, without the employee's written voluntary consent.
- (5) **Seventy-five percent of a school year** means the number working days, including holidays, sick leave, vacation and other leaves of absence, irrespective of number of hours worked per day - X .75 of total

The District has established an expected range of hours for each position. Teacher hours are established by the relevant bargaining agreement and the schedule of classes offered for each school term.

Reference: [Education Code 45101](#)



Paydays

The District will furnish each employee an accurate itemized statement in writing showing paid wages: [\(Labor Code 226\)](#)

- (1) gross wages earned,
- (2) total hours worked by the employee, except for any employee whose compensation is solely based on a salary and who is exempt from payment of overtime under subdivision (a) of Section 515 or any applicable order of the Industrial Welfare Commission,
- (3) the number of piece-rate units earned and any applicable piece rate if the employee is paid on a piece-rate basis,
- (4) all deductions, provided that all deductions made on written orders of the employee may be aggregated and shown as one item,
- (5) net wages earned,
- (6) the inclusive dates of the period for which the employee is paid,
- (7) the name of the employee and the last four digits of his or her social security number or an employee identification number other than a social security number,

- (8) the name and address of the legal entity that is the employer and, if the employer is a farm labor contractor, as defined in subdivision (b) of Section 1682, the name and address of the legal entity that secured the services of the employer, and
- (9) All applicable hourly rates in effect during the pay period and the corresponding number of hours worked at each hourly rate by the employee. The deductions made from payment of wages shall be recorded in ink or other indelible form, properly dated, showing the month, day, and year, and a copy of the statement and the record of the deductions shall be kept on file by the employer for at least three years at the place of employment or at a central location within the State of California.

All employees are paid once a month on the last working day of each month by direct deposit.

The District is required by law to make certain deductions from your paycheck each pay period. Some additional deductions may occur and are dependent upon your personal preferences and prior written authorizations. An example would be a payroll deduction for credit union or annuities.

It is the policy of the District not to grant salary advances.

A summary of your hours paid, your earnings and authorized deductions can be found on the check stub. Should you have any questions regarding your paycheck, please contact the Payroll Department ext. 1433.

Employee Self Service

You may view your current and past payroll warrant information as well as W-2 information. You will need to go to ess.scooe.org, check MetroED as the District, click on the word Register in the menu bar or left pane and select new staff User. [How to Register](#)

Overtime/Compensatory Time Off

MetroED establishes staffing patterns to contribute to its overall goal of providing the highest quality programs/services. The District recognizes that the high quality programs/services may be jeopardized when employees work too many hours either in a day or in a pay period. It is for this reason that the District carefully evaluates overtime hours. ***All overtime or compensatory time off must be pre-approved.***

The Board shall provide for such compensation or compensatory time off at a rate at least equal to time and one-half the regular rate of pay of the employee designated and authorized to perform the overtime. See your bargaining unit contract for details.

Definition:

Overtime is any time required to be worked in excess of eight hours in any one day or in excess of 40 hours in any calendar week. If MetroED's Governing Board establishes a workday of less than eight hours but seven hours or more and a workweek of less than 40 hours but 35 hours or more for all of its classified positions or for certain classes of classified positions, all time worked in excess of the established workday or workweek shall be deemed to be overtime. ***All overtime or extra duty must be pre-approved by supervisor.***

The foregoing provisions do not apply to classified positions for which a workday of fewer than seven hours and a workweek of fewer than 35 hours has been established, nor to positions for which a workday of eight hours and a workweek of 40 hours has been established, but in which positions employees are temporarily assigned to work fewer than eight hours per day or 40 hours per week when such reduction in hours is necessary to avoid layoffs for lack of work or lack of funds and the consent of the majority of affected employees to such reduction in hours has been first obtained.

For computing the number of hours worked, time during which an employee is excused from work because of holidays, sick leave, vacation, compensating time off, or other paid leave of absence will be considered as time worked by the employee. ([Education Code 45128](#))

It may be necessary to work overtime, and you may be asked to do so. Overtime must be authorized in writing by your supervisor ahead of time. Overtime will be paid in accordance with the applicable laws and bargaining unit contracts. Human Resources will explain how overtime is computed and paid for you.

Employees may take compensatory time off in lieu of overtime. The generation of comp time and the schedule of comp time must be agreed upon between you and your immediate supervisor.



Attendance and Absences

The District expects all employees to maintain good attendance. If you are absent for any reason, you must notify your supervisor. **You are responsible for your own attendance record.** You enter your absence on the Frontline system immediately. Do not wait until the end of the month. There may be legitimate reasons for being absent which must be communicated to your supervisor. However, such reasons and your attendance will be evaluated based on your record as you make it. Each day of absence is considered an incident. In the cases of illness or injury, an incident is defined as continuous days of absence when they occur for a single reason. Our counseling and discipline procedures are based on your entire attendance record. (Education Code [44978/44977](#))

However, when you find it necessary to be absent for any reason, a report should be made promptly to your supervisor, in advance, whenever possible. In general, our methods for reporting absences are:

- When you know in advance that you will be absent, you must submit your request for absence to your supervisor at least two days, preferably a week, prior to your scheduled reporting time.
- In an emergency, you must personally notify either your supervisor or your department head by telephone prior to the start of your day.
- For each day you are absent, you must notify your supervisor. If you cannot return to work when you are expected, it is your obligation to notify your supervisor. You must enter the absence on the Frontline system.
- When you return to work after a sick leave absence you may need a doctor's excuse indicating that you may return to work. This note may be requested by the HR Director at any time.
- Unreported absences indicate a lack of interest in your job. **If you are, absent for three or more days without notifying your supervisor, we must assume that you have voluntarily given up your job and you may be terminated for job abandonment.**
- Give two-week prior notice if possible to your supervisor for approval of Vacation days, Discretionary days, Floating holidays or Non-Work days before they are taken.

Disciplinary procedures as contained in collective bargaining agreements may include a verbal or written warning, suspension with or without pay or discharge. Progressive discipline may not be followed in all cases. Please refer to your appropriate employee contract for specific disciplinary steps.

Every employee is expected to understand and follow the absence and tardiness guidelines established at each facility. If you have any questions, please ask your supervisor.

Reference: BP [4161/4261/4361](#) , [AR 4161](#), [AR 4261](#), [AR 4361](#)- Leaves

Tardiness

You are expected to be on time for work and be on duty from the beginning to the end of your scheduled workday. Tardiness means reporting to work any time after your scheduled work time has begun. Tardiness may result in the loss of wages and/or disciplinary action.

Whenever it is necessary for you to be late for work, you must notify your supervisor. If it is necessary for you to leave work early, you must notice and get approval from your supervisor.

Break Periods

You are entitled to break periods as required by law and the bargaining agreement you are affiliated with. The length and frequency of breaks depends upon the length of your work assignment and bargaining unit contract.

Request for Leave

All requests for leave require a 'Request for Leave' form. Bargaining unit members/ collective bargaining agreement (CBA) specifies the leaves available to employees including: vacation, sick, bereavement, jury duty, personal necessity/business, discretionary, parental, floating holidays, leave without pay, and family and medical leave.

Administrators, confidential, hourly classified, and exempt classification are not represented by a bargaining unit, however their leaves are defined in their memorandum of understanding (MOU).

Please refer to your CBA or MOU for more information on type of leave and day allotments. CBAs and MOUs are located on the Human Resources web page on the MetroED website under Departments.

After discussing your leave with your supervisor, enter your leave in Frontline, then complete and submit a Request for Leave form to your supervisor. After receiving requests for leave, supervisors review the department/program need balancing organizational objectives and prior pending requests, and will make a recommendation. Leave balances are competed by Payroll and the Request for Leave approval is finalized by Human Resources.

Frontline

All MetroED employees use Frontline Absence Reporting to report absences. You will receive an email with your Frontline ID and PIN within two weeks of your date of hire. By clicking on the Frontline Logo, you will be able to access the Frontline System.

The Frontline System is used for all employees to record any day that you are absent from work. If you are a certificated employee whose position requires a Substitute when you are absent, the Frontline System will also be used to secure a substitute for you. Click the following for [Frontline Automated Absence System login](#), [Employee Quick Start flyer](#), [Employee Training Video](#), and [Training Slides](#)

With Frontline, you can do the following:

- Created an absence online
- Attach a file to an absence

- Manage your work schedule
- Cancel an absence
- Find phone numbers and contact information for your substitutes
- Track your absence history
- Select your preferred substitutes
- Assign a substitute to your absence
- Create an absence over the phone
- Access user guides and training videos

Informed K12

Informed K-12 (formerly Chalk Schools) is a workflow automation platform for K-12 school districts that helps school and district administrators instantly move any paper-based process - including new hire forms, field trip permissions slips, timesheets, purchasing contracts, IT and facilities requests - entirely online.

Employee Benefits

Benefits Overview

The district will provide health and welfare benefits for certificated and classified employees in bargaining units in accordance with state and federal law and subject to negotiated employee agreements or MOUs.

Reference: BP [4140/4240/4340](#) - Bargaining Units
Reference: BP [4141/4241](#) - Collective Bargaining Agreement



Certificated and classified management, confidential and supervisory employees who are not in bargaining units will receive the same health and welfare benefits as those specified in the collective bargaining agreement for certificated employees. Classified management, administrative, supervisory, and confidential employees who are not in bargaining units will receive the same health and welfare benefits as those specified in the collective bargaining agreement for classified employees.

Working for the District may entitle you to benefits in addition to your base compensation depending upon your bargaining unit agreement and your hours of employment. Depending on the eligibility requirement of each plan, you may be able to participate in health benefit programs that are designed to enhance the quality of your life and to provide protection and help when some of life's problems occur.

The District will provide eligible employees with booklets that describe benefits such as health, dental, life and retirement. You will be advised of your benefit eligibility at the time of your hire. We would advise the individual employees to check with HR if their working conditions change to see if their benefit eligibility is affected.

Reference: [BP 4154/4254/4354](#) – Health and Welfare Benefits

Health Plans

For eligible employees, MetroED provides a choice of eight medical health plans: - **Five HMO's:** Kaiser, Anthem HMO Select, Anthem HMO Traditional, Healthnet, and Blue Shield Access+; **Three PPO's:** PERS Choice, PERS Select and PERS Care. The District also provides a dental plan and life insurance for employees who qualify. Part-time employees can supplement the coverage provided by MetroED. Employee paid vision care and short/long term disability insurance is available. For specific information on benefit programs, contact the Human Resources Department (408) 723-6434.

IRC 125 Plan

MetroED will provide an IRC 125 plan to all employees with 20 or more hours per week of employment with MetroED. MetroED pays the cost of the administrative fee. The plan will include premium conversion, dependent care and unreimbursed medical costs.

The maximum contribution by the employee into the dependent care plan shall be \$5,000. The maximum contribution by the employee member into the unreimbursed medical plan shall be \$2,550. The District shall determine the plan administrator. The plan year shall be from July 1 to June 30 of each year. Please contact payroll for questions.

Employee Assistance Program (EAP)

EAP is a service available to you and your dependents at no extra cost. It is designed to help you with everyday problems and questions, big or small. No need to fill out paperwork or make an appointment to speak with an EAP staff member. You will be connected to EAP Staff who are available 24 hours a day, every day. You can access EAP by calling toll-free help line 800-252-4555 or login at www.theEAP.com/Educators-EAP by clicking on the “employee & family” button



Retirement Plans

Eligible MetroED employees also participate in *defined-benefit* pension plans that permit employees to retire after a number of years of employment at a defined percentage of their salary. Employees *vest* in these programs after five years of employment. Certificated employees participate in the State Teachers Retirement System (STRS) and other employees participate in the California Public Employees'

Retirement System (PERS) pension plan. Please contact Human Resources (408) 723-6434 for more information.

Employees have the option of contributing to 403b and 457 plans. These tax-sheltered retirement savings plans enable employees to save money for retirement without paying current tax on contributions. For more information on these programs, please contact Human Resources.

Reference: [BP 4117.13](#) – Early Retirement Option

[Employee Wellness](#)

MetroED is dedicated to serving our employees and providing mental and emotional wellness resources for total health – mind, body, and spirit. These tools can help you navigate life's challenges and make small changes to improve your sleep, mood, relationships, and more.

Staff Wellness Center

The Staff Wellness Center opened its doors to encourage staff to use the space to practice self-care. In the Staff Wellness Center, you'll find comfortable seating, soft music, well-being resources, and assistance, as well as a private room to relax, unwind and recharge. We look forward to creating this space with you and for you where all are met with kindness and acceptance.

Workers' Compensation

If you are injured on the job, notify your supervisor immediately, no matter how minor the injury may seem. Upon learning of an injury, a supervisor will promptly report the incident to the Superintendent or designee and the insurance carrier as appropriate.

The Superintendent or designee will ensure that every new employee is notified of his/her right to receive workers' compensation if injured at work and that injured employees are given notice of rights in accordance with law.

The Superintendent or designee will ensure that notifications regarding workers' compensation are posted in accordance with law. The District will provide for paid and unpaid leaves of absence for employees in accordance with law, Board policy, administrative regulation, collective bargaining agreements, and merit system rules, as applicable.

Steps in the process:

1. Immediately report the injury to your supervisor and HR.
2. As soon as possible after the injury, complete the form (DWC form 1) which will be provided by your supervisor or office administrator. This form must be completed within 24 hours of your injury. Be sure to note the time and place of your injury.
3. Get medical treatment. You do not have to be treated by any specific doctors. Be sure to tell them this is a job-related injury.
4. Any medical bills incurred due to work related injuries must be submitted to Keenan & Associates, 1740 Technology Drive, San Jose CA 95110.

Reference: [AR 4157.1/4257.1/4357.1](#) – Work Related Injuries

Further Information:

For additional information on Workers' Compensation, contact MetroED Human Resources at (408) 723-6435.

Reference: Labor Code: [3200](#)-4855 – Workers' Compensation

Reference: Labor Code: [3550](#)-3553 – Employee notice

Reference: Labor Code: [3600](#)-3605 – Conditions of liability

Reference: Labor Code: [3760](#) – Report of injury to insurer

Ergonomic Injury and Illness Prevention Plan

The District has written and developed this program to comply with the provisions of Section 5110 of Title 8 of the California Code of Regulations and to address the problem of repetitive motion injuries that result from work-related activity.

The Ergonomics Injury & Illness Prevention Program outlines the policies and procedures that are both necessary and required to control RMI's and comply with the various provisions of the ergonomics safety regulations. Although a copy of the current California standard is contained in this manual, significant changes should be anticipated over the coming months and possibly years.

Workstation Evaluation

The proper setup of the workstation is the key to office ergonomics. An improper office arrangement will promote poor posture, increased physical stress, and can cause increased fatigue and may lead to symptoms of repetitive motion injuries (RSI's). **Please contact HR for the proper form to fill out for an evaluation to be scheduled.**

Unemployment Compensation

The District contributes to a special state-administered fund to provide unemployment benefits to employees who, through no fault of their own, are out of work. Depending on your status with the District and expectations of future employment, you may or may not be eligible for coverage.

Liability Insurance

Liability Insurance provided by the District covers you while on duty. This insurance does not protect you from legal action because of an alleged criminal act or deliberately neglecting your job responsibilities or work rules. Volunteers working under the direction of District personnel are also covered.

Be aware that you are responsible for liability insurance on your own automobile regardless of whether you are using it for personal or business use.



Leaves of Absence

At some time during the course of employment, it may be necessary for an employee to apply for a leave of absence. The District will consider all requests for leave and evaluate the circumstances of each individual situation, the needs of the District, the appropriate bargaining unit agreement and the appropriate laws on mandated leaves.

When possible, requests should be submitted at least 30 days before the anticipated start of the leave. The request should state the reasons for the leave. The decision of the District will be final.

Upon your return to work, every effort will be made to return you to the same job (or similar one) held at the time the leave began. However, this cannot be guaranteed except where mandated by the appropriate bargaining unit agreement or law.

Some of the types of leaves of absence that may be available to you are:

- Medical
- Personal
- Family
- Educational

In specific cases, different types of leaves may run concurrently. Please check with your appropriate bargaining unit agreement on leaves of absences for further information.

Reference: [BP 4161](#), [4261](#), [4361](#), [AR 4161](#), [AR 4261](#), [AR 4361](#) – Leaves

Reference: [BP 4141](#), [BP 4241](#) - Collective Bargaining Agreement

Reference: [BP 4361](#) –Leaves

Reference: [AR 4161.8](#), [AR 4261.8](#), [AR 4361.8](#) – Family Care and Medical Leave

Medical Leave

If you are unable to work due to illness or injury, you may apply for a health leave of absence. The District requires satisfactory medical evidence for a leave or an extension of a leave. If you participate in the insurance program, you may be eligible for benefits during all or a portion of your leave of absence. Your bargaining unit contract and benefit coverage will govern the amount and time of coverage.

Employees who request and are granted a medical leave of absence must use all accumulated sick leave concurrent with the start of the leave.

Reference: [BP 4161/4261/4361](#) – Leaves

Family and Medical Leave Act (FMLA)



You may be eligible for benefits under the Family and Medical Leave Act for a period of 12-weeks for serious health condition (for you, your spouse, child or parent), expanding your family, military family leave, and in loco parentis. Please contact the Human Resources Department for more information.

The District will grant family and medical leave in accordance with the requirements of applicable state and federal law in effect at the time the leave is granted. Employees may be eligible for leave under the federal Family Medical Leave Act (“Fed-FMLA”) and the California Family Rights Act (“CFRA”), for purposes of this section these leaves are referred to as “FMLA Leave.”

An employee must notify his/her supervisor and HR Director as soon as he/she becomes aware of the need for a FMLA Leave. Employees are expected to provide prompt notice to the District of any change(s) to an employee’s return to work date. Accepting other employment, continuing to work in another job, or filing for unemployment insurance benefits while on leave may be treated as a voluntary resignation from employment, unless the employee and the District have agreed in writing otherwise.

To be eligible for FMLA Leave benefits, an employee must: (1) have worked for the District for a total of at least 12 months; and (2) have worked at least 1,250 hours over the previous 12 months as of the start of the leave.

Please refer to the appropriate Collective Bargaining Agreement for more details or contact HR.

Military Leave

An employee will be granted a military leave of absence with pay if called to active duty to serve in the United States Armed Forces, in accordance with Federal and State regulations. The military compensation may be reduced from your pay in certain circumstances.

An employee on military leave will be permitted to return to his/her job or comparable position with such credited District service, status and pay, as if the employee had not been away on military leave. These veteran’s rights are extended if the employee complies with veteran’s reemployment eligibility requirements under the law.

Reference: [AR 4161.5](#), AR 4261.5, AR 4361.5 - Military Leave

Jury and Witness Duty



The following procedure must be followed when you receive a summons for jury duty:

1. Upon receipt of a jury duty summons, it is your responsibility to present the original summons to the Human Resources Office as soon as possible. HR will copy and return the original summons to you. The copy will be date stamped and shall be the basis for determining the order of granting jury duty leaves with regular pay. Note: If your summons is for call-in service with the requirement to report within a one-hour notice, and your position requires a substitute, it is recommended that you request a specific reporting date as it is not possible to obtain a substitute on short notice during the workday. ([Education Code 44037, 48205, 87036.](#))
2. When reporting for jury duty, please treat this as a regular absence and mark JD on your Frontline reporting system. You will not be charged for this day but must report the day as absence.

3. If you are dismissed before noon on a scheduled workday, you are expected to report back to work if you have afternoon or evening hours.
4. The course will give you a Certification of Jury Service indicating the day or days served. This form must be sent to HR.
5. As of August 2004, in an effort to avoid duplicate payment of public funds, California Superior Court jurors employed by a government entity (including school districts) who receive their regular compensation during jury service may not be paid daily jury duty fees by the court (California Code of Civil Procedure, Section 215). Hence, when completing the juror affidavit questionnaire, it is your responsibility to check the "Government/Public Employee" box (rather than "Employed"). This alerts the court to withhold payment of jury fees (although you will still receive mileage reimbursement, unless you have elected to waive it).
6. Note: Employees summoned to United States District Court are entitled to jury fees. Hence, in accordance with current employee contract agreements, an amount equal to the jury fees paid by the court will automatically be withheld from the employee's subsequent pay.

Questions may be directed to HR.

Special Events

MetroED often sponsors special employee events, usually at the beginning and/or end of the school year. Employees will be notified regarding details.

Reference: BP [6141.2](#) - Recognition of Religious Beliefs and Customs

Nationally, Teacher Appreciation Week is observed the first full week of May and the California Day of the Teacher is observed Tuesday of the first full week in May. The observation is for recognizing the dedication, excellence and commitment that teachers make to students.

The third full week in May is designated as Classified School Employee Week. ([Education Code 45460](#))

All public schools shall annually observe that week in recognition of classified school employees and the contributions they make to the educational community. The observances required by this section shall be integrated into the regular school program.

Reference: [BP 6115](#), [AR 6115](#) – Ceremonies & Observances

Key Employment Policies

The MetroED Governing Board establishes key policies of the District. Governing Board policies (BP) can be reviewed on the internet under the Board Policies Link.

Administrative Regulations (AR) specify how the policies are to be administered. They can be located with the board policies. Separate regulations may apply to certificated, classified or administrative employees.

Equal Employment Policy

Definition

Title VII of the Civil Rights Act of 1964 was the first federal law designed to protect most U.S. employees from employment discrimination based upon that an employee's (or applicant's) race, color, religion, sex, or national origin (Public Law 88-352, July 2, 1964, 78 Stat. 253, 42 U.S.C. Sec. 2000e et. seq.). The Title also established the U.S. Equal Employment Opportunity Commission to assist in the protection of U.S. employees from discrimination.

MetroED's policy is to provide equal employment opportunity to all employees and applicants for employment. We administer all personnel practices--including but not limited to recruiting, hiring, promoting, and all other employment-related procedures--in a manner which does not discriminate discrimination, harassment, intimidation and bullying based on actual or perceived race or ethnicity, gender/sex (including gender identity, gender expression, pregnancy, childbirth, breastfeeding, and pregnancy-related medical conditions) sexual orientation, religion, color, national origin, ancestry, immigration status, physical or mental status, marital status, registered domestic partner status, age (40 and above), genetic information, political belief or affiliation (not union related), association with a person or group with one or more of these actual or perceived characteristics, or any other basis protected by federal, state or local law, ordinance, or regulation in any program or activity it conducts or to which it provides significant assistance. MetroED will not discriminate against any person who is either a member or a veteran of the Armed Forces of the United States.t, as well as other protected classifications as set forth in state law except when such basis may be a bona fide occupational qualification. MetroED will not discriminate against any person who is either a member or a veteran of the Armed Forces of the United States.

This policy is in accordance with all applicable state and federal laws and reaffirms the District's continuing commitment to provide equal employment opportunity to all employees and applicants for employment. We expect all employees and members of our management and supervisory staff to support our commitment to equal employment opportunity.

Drug and Alcohol-Free Workplace

The Governing Board believes that the maintenance of drug and alcohol-free workplace is essential to school and district operations.

It is a violation of Board policy for any employee at the District workplace to unlawfully manufacture, distribute, dispense, possess, use or be under the influence of any alcoholic beverage, drug or controlled substance as defined in the Controlled Substance Act and Code of Federal Regulations, before, during or after school hours at school or in any other district workplace. Violations of these prohibitions by MetroED employees will result in disciplinary action in accordance with Board policies and the Education Code.

Should any employee be convicted of a criminal drug violation occurring at the workplace or work site, it will be their responsibility to notify the Superintendent within five (5) days following the conviction. The Superintendent will then take action as prescribed by Board Policy and the Education Code.

Reference: [BP 4020 Drug and Alcohol-Free Workplace](#)

Reference: [E 4020 Drug and Alcohol-Free Workplace](#)

Tobacco-Free Schools



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

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

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

Reference: BP [1330](#) - Use of School Facilities

Prohibited products include any product containing tobacco or nicotine, including, but not limited to, cigarettes, cigars, miniature cigars, smokeless tobacco, snuff, chew, clove cigarettes, betel, and nicotine delivery devices such as electronic smoking devices, and e-cigarettes. No exceptions are permitted.

Reference: [BP 3513.3](#) – Tobacco-Free Schools

Reference: [BP 5131.62](#) – Tobacco



[STOPit](#) Anonymous Reporting

STOPit is an online reporting tool designed to deter and mitigate bullying, cyber abuse, and other inappropriate behaviors, consisting of an app and a back-end incident management system for school administrators. Both Report and Messenger empower students and employees to stand up for themselves and for one another. Employees have the power to help put an end to harmful and inappropriate behavior they see online through social media and other means. They can use STOPit to reach out for help if you or other fellow employees are facing a personal crisis or experiencing building, abuse, or are otherwise in need of assistance. Our goal with STOPit is to create safer, kinder, school communities both online and off.

Harassment

[Uniform Complaint Procedures](#)

[Title IX Compliance](#)

It is MetroED policy to provide a work environment free of harassment. To that end, harassment of MetroED employees by management, supervisors, coworkers, or nonemployees who are in the workplace is absolutely prohibited. Any retaliation against an individual who has complained about harassment or retaliation against individuals for cooperating with an investigation of a harassment complaint to also unlawful and will not be tolerated. The District will take all steps necessary to prevent and eliminate unlawful harassment.

Definition of Unlawful Harassment

“Unlawful harassment” is conduct that has the purpose or effect of creating an intimidating, hostile, or offensive work environment; has the purpose or effect of substantially and unreasonably interfering with an individual’s work performance; or otherwise adversely affects an individual’s employment opportunities because of the individual’s membership in a protected class.

Definition of Sexual Harassment

“Sexual harassment” is generally defined under both state and federal law as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature where:

- Submission to or rejecting of such conduct is made either explicitly or implicitly a term or condition of any individual’s employment or as a basis for employment decisions; or
- Such conduct has the purpose or effect of unreasonably interfering with an individual’s work performance or creating an intimidating, hostile, or offensive work environment.
- Other sexually oriented conduct, whether intended or not, that is unwelcome and has the effect of creating a work environment that is hostile, offensive, intimidating, or humiliating may also constitute sexual harassment.

Sexual Harassment

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

Any form of harassment of employees or students at MetroED will not be tolerated. Appropriate disciplinary action will be taken when such harassment is discovered, up to and including discharge of the guilty party.

While it is not possible to list all those additional circumstances that may constitute sexual harassment, the following are some examples of conduct that, if unwelcome, may constitute sexual harassment depending on the circumstances, including the severity of the conduct and its pervasiveness:

- Unwanted sexual advances, whether they involve physical touching or not;
- Sexual epithets, jokes, written or oral references to sexual conduct, gossip regarding one's ex life, comments about an individual's body, comments about an individual's sexual activity, deficiencies, or prowess;
- Displaying sexually suggestive objects, pictures, or cartoons;
- Unwelcome leering, whistling, brushing up against the body, sexual gestures, or suggestive or insulting comments;
- Inquiries into one's sexual experience; and
- Discussion of one's sexual activities.

Any employee who has witnessed or been subject to any harassment should report the incident to his or her immediate supervisor, any member of management, or the Superintendent. The District will immediately investigate complaints and take whatever corrective action is deemed necessary.

Any such activities are very inappropriate in the work place or at school. Such harassment or similar unacceptable activities or conduct that affect working conditions, which create a hostile working, or educational environment are specifically prohibited.

Reporting a complaint of harassment or intimidation will not jeopardize you as an employee or your job with MetroED. Confidentiality will be appropriately guarded to the best of our ability and in the best interest of both the employee and MetroED.

Any employee who, based on our investigations, is believed to have engaged or participates in sexual harassment or who aids, abets, incites, compels, or coerces another to commit sexual harassment against a District employee, job applicant, or student is in violation of this policy and is subject to disciplinary action, up to and including dismissal.

Reference: [BP 4119.11](#), [BP 4219.11](#), [BP 4319.11](#) Sexual Harassment
[AR 4119.11](#), [AR 4219.11](#), [AR 4319.11](#)

TITLE IX

The complaint procedures described in the following shall be used to address any complaint governed by Title IX of the Education Amendments of 1972 alleging that a district employee, while in an education program or activity in which a district school exercises substantial control over the context and respondent,

was subjected to one or more of the following forms of sexual harassment: (34 CFR 106.30, 106.44)
Please see [MetroED website](#) for questions.

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

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

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

Reporting Allegations/Filing a Formal Complaint

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

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

[A formal complaint](#), with the complainant's physical or digital signature, may be filed with the Title IX Coordinator in person, by mail, by email, or by any other method authorized by the district. (34 CFR 106.30)

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

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

Supportive Measures

Upon receipt of a report of Title IX sexual harassment, the Title IX Coordinator shall promptly contact the complainant to discuss the availability of supportive measures and shall consider the complainant's wishes with respect to the supportive measures implemented. Supportive measures shall be offered as appropriate, as reasonably available, and without charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures shall be nondisciplinary, nonpunitive, and not unreasonably burden the other party, including measures designed to protect the safety of all parties or the district's educational environment or to deter sexual harassment. Supportive measures may include, but are not limited to, counseling, extensions of deadlines, modifications of work schedules, mutual restrictions on contact, changes in work locations, leaves of absence, increased security, and monitoring of certain areas of the campus. (34 CFR 106.30, 106.44)

The district shall maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the district's ability to provide the supportive measures. (34 CFR 106.30)

Emergency Removal

If a district employee is the respondent, the employee may be placed on administrative leave during the pendency of the formal complaint process. (34 CFR 106.44)

If the respondent is a student, the district may, on an emergency basis, remove the student from the district's education program or activity, provided that the district conducts an individualized safety and risk analysis, determines that removal is justified due to an immediate threat to the physical health or safety of any student or other individual arising from the allegations, and provides the student with notice and an opportunity to challenge the decision immediately following the removal. This authority to remove a student does not modify a student's rights under the Individuals with Disabilities Education Act or Section 504 of the Rehabilitation Act of 1973. (34 CFR 106.44)

Dismissal of Complaint

The Title IX Coordinator shall dismiss a formal complaint if the alleged conduct would not constitute sexual harassment as defined in 34 CFR 106.30 even if proved. The Title IX Coordinator shall also dismiss any complaint in which the alleged conduct did not occur in the district's education program or activity or did not occur against a person in the United States, and may dismiss a formal complaint if the complainant notifies the district in writing that the complainant would like to withdraw the complaint or any allegations in the complaint, the respondent is no longer employed by the district, or sufficient circumstances prevent the district from gathering evidence sufficient to reach a determination with regard to the complaint. (34 CFR 106.45)

Upon dismissal, the Title IX Coordinator shall promptly send written notice of the dismissal and the reasons for the dismissal simultaneously to the parties, and shall inform them of their right to appeal the dismissal of a formal complaint or any allegation in the complaint in accordance with the appeal procedures described in the section "Appeals" below. (34 CFR 106.45)

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

Informal Resolution Process

When a formal complaint of sexual harassment is filed, the district may offer an informal resolution process, such as mediation, at any time prior to reaching a determination regarding responsibility. The district shall not require a party to participate in the informal resolution process or to waive the right to an investigation and adjudication of a formal complaint. (34 CFR 106.45)

The district may facilitate an informal resolution process provided that the district: (34 CFR 106.45)

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

Written Notice

If a formal complaint is filed, the Title IX Coordinator shall provide the known parties with written notice of the following: (34 CFR 106.45)

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

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

3. A statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the complaint process
4. The opportunity for the parties to have an advisor of their choice who may be, but is not required to be, an attorney, and the ability to inspect and review evidence
5. The prohibition against knowingly making false statements or knowingly submitting false information during the complaint process. The above notice shall also include the name of the investigator, facilitator of an informal process, and decision-maker and shall inform the parties that, if at any time a party has concerns regarding conflict of interest or bias regarding any of these persons, the party should immediately notify the Title IX Coordinator.

Investigation Procedures

During the investigation process, the district's designated investigator shall (34 CFR 106.45)

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

witness

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

Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence are offered to prove that someone other than the respondent committed the conduct alleged by the complainant or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent. (34 CFR 106.45)

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

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

Written Decision

The Superintendent shall designate an employee as the decision-maker to determine responsibility for the alleged conduct, who shall not be the Title IX Coordinator or a person involved in the investigation of the matter. (34 CFR 106.45)

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

The decision-maker shall issue, and simultaneously provide to both parties, a written decision as to whether the respondent is responsible for the alleged conduct. (34 CFR 106.45)

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

The timeline may be temporarily extended for good cause with written notice to the complainant and respondent of the extension and the reasons for the action. (34 CFR 106.45)

In making this determination, the decision-maker shall use the "preponderance of the evidence" standard for all formal complaints of sexual harassment. (34 CFR 106.45)

The written decision shall include the following: (34 CFR 106.45)

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

by the district to the complainant

6. The district's procedures and permissible bases for the complainant and respondent to appeal

Appeals

Either party may appeal the district's decision or dismissal of a formal complaint or any allegation in the complaint, if the party believes that a procedural irregularity affected the outcome, new evidence is available that could affect the outcome, or a conflict of interest or bias by the Title IX Coordinator, investigator(s), or decision-maker(s) affected the outcome. If an appeal is filed, the district shall (34 CFR 106.45)

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

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

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

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

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

Remedies

When a determination of responsibility for sexual harassment has been made against the respondent, the district shall provide remedies to the complainant. Such remedies may include the same individualized services described above in the section "Supportive Measures," but need not be nondisciplinary or nonpunitive and need not avoid burdening the respondent. (34 CFR 106.45)

Disciplinary Actions

The district shall not impose any disciplinary sanctions or other actions against a respondent, other than supportive measures as described above in the section "Supportive Measures," until the complaint procedure has been completed and a determination of responsibility has been made. (34 CFR 106.44)

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

Record-Keeping

The Superintendent or designee shall maintain, for a period of seven years: (34 CFR 106.45)

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

STATE STATUTES
Current Through November 2013

Mandatory Reporters of Child Abuse and Neglect

All States, the District of Columbia, American Samoa, Guam, the Northern Mariana Islands, Puerto Rico, and the U.S. Virgin Islands have statutes identifying persons who are required to report suspected child maltreatment to an appropriate agency, such as child protective services, a law enforcement agency, or a State's toll-free child abuse reporting hotline.

Professionals Required to Report

Approximately 48 States, the District of Columbia, American Samoa, Guam, the Northern Mariana Islands, Puerto Rico, and the Virgin Islands designate professions whose members are mandated by law to report child maltreatment.¹ Individuals designated as mandatory reporters typically have frequent contact with children. Such individuals may include:

¹ The word "apparent" is used to mean the fact that States frequently amend their laws. This information is current as of November 2013. At that time, their statutory provisions were the only laws States had for state-wide specific professional groups in non-child-reports but required all persons to report.

WHAT'S INSIDE

- Professionals required to report
- Reporting by other persons
- Individual responsibility to report
- Standards for making a report
- Privileged communications
- Inclusion of the reporter's name in the report
- Disclosure of the reporter's identity
- Summaries of State laws

To find statute information for a particular State, go to <https://www.childwelfare.gov/statewide/laws/policies/state/>

Child Welfare Information Gateway
Child Welfare Bureau (OCYF/ACF) 800.394.3333 | Email: info@childwelfare.gov | <https://www.childwelfare.gov>

Children's Bureau

Mandated Reporters (Child Abuse Prevention, Reporting and Training)

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

The District's instructional program shall include age-appropriate and culturally sensitive child abuse prevention curriculum.

The Board recognizes that child abuse has severe consequences and that the District has a responsibility to protect students by facilitating the prompt reporting of known and suspected incidents of child abuse. The Superintendent or designee shall establish procedures for the identification and reporting of such incidents in accordance with the law. Mandated online trainings are required each year for employees with regard to Child Abuse and Neglect.

Reference: [BP 0450](#) - Comprehensive Safety Plan

Employees who are mandated reporters, as defined by law and administrative regulation (teachers, para-educators, classified employees, certificated counselors, administrators, district security officers, volunteers) are obligated to report all known or suspected incidents of child abuse and neglect. Mandated reporters shall not investigate any suspected incidents but rather shall cooperate with agencies responsible for investigating and prosecuting cases of child abuse and neglect.

How to report suspected child abuse or neglect:

1. CALL 9-1-1 if you believe a child is in imminent danger, needs medical attention, or it would not be safe for them to return or remain at home. Or CALL DFCS in the:
 - o San Jose area: (408) 299-2071
 - o Gilroy/Morgan Hill area: (408) 683-0601
 - o Palo Alto area: (650) 493-1186
 - o Santa Clara County Toll-Free Phone Number: (833) SCC-KIDS (722-5437)

2. After the initial call and within 36 hours, all mandated reports MUST then submit a suspected Child Abuse Report ([form SS 8572](#)) by mail to the DFCS at 373 West Julian Street, 2nd Floor, San Jose, CA 95110 or fax to (408) 975-5851.

Cautionary Note

- The reporting responsibility has not been fulfilled until both the telephone call and written reports are complete.
- School personnel are not to engage in any investigation of suspected cases. The child protective services office or Adult Protective Services will do the investigation.
- The reporting responsibility is an individual one, which is not discharged by report to supervisors or administrators.

How to report suspected dependent adult abuse or neglect

1. CALL 9-1-1 for immediate danger or CALL APS in Santa Clara County (408) 975-4900 or 1-800-414-2002
2. After the initial call, all mandated reports MUST then submit a [Suspected Dependent Adult Abuse Report \(SOC 341\)](#) within two working days by mail to the APS at 333 West Julian St. – Fourth Floor, San Jose, CA 95110.

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

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

Reference: [BP 5141.4](#) – Child Abuse Prevention and Reporting

Political Activities of Employees

The Governing Board and MetroED respects the right of school employees to engage in political discussions and activities on their own time and at their own expense. On such occasions, employees will make it clear that they are acting as individuals and not as representatives of MetroED.

Employees will refrain from prohibited activities identified in law and administrative regulations. Employees who engage in these activities will be subject to disciplinary action and/or criminal penalties.

The following activities are prohibited from being performed while on duty:

- Posting or distributing political campaign materials on MetroED property.
- Soliciting votes or contributions.
- Fundraising.
- Distributing political campaign materials through the SCCOE's mail service, e-mail or staff mailboxes.
- Using students to write address or distribute political campaign materials.
- Presenting viewpoints on particular candidates or ballot measures in the classroom without giving equal time to the presentation of opposing views.
- Wearing buttons or articles of clothing that express political opinions on ballot measures or candidates during instructional time.

Employees are free to make personal campaign contributions, however, MetroED funds or resources cannot be used, directly or indirectly, for contribution to political parties or candidates or for the preparation or reproduction of political campaign materials.

Under certain circumstances, the MetroED may provide information about legislation or ballot measures that affect the MetroED, staff, or community. Use of the MetroED's name for these purposes requires prior approval by the MetroED Governing Board.

Reference: BP 1160 – Political Processes

Reference: BP 1325 – Advertising and Promotion

Reference: BP 4118 – Dismissal/Suspension/Disciplinary Action

Reference: AR 4118/4218 – Dismissal/Suspension/Disciplinary Action

Reference: BP 4119.25, BP 4219.25, BP4319.25– Political Activities of Employees

Education Code 51520 – Prohibited solicitations on school premises

Reference: E 4040.2 Employee Net Use Agreement



Standards of Conduct and Work Rules

Core Values

MetroED's Core Values (not in priority order) are:

- Accountability
- Being community-oriented
- Cutting-edge programs
- Honesty and Integrity
- Respect
- Student-focus
- Teamwork

The District expects business-like, professional personal conduct from its employees. In general, this means something like the following, though this is not an exhaustive listing.

- Prompt and regular attendance, punctuality and adherence to break and lunch requirements
- Complete attention and efforts to work matters during work time
- Acceptable standards of work quality and quantity
- Compliance with and support of our safety and housekeeping rules
- Honesty and accuracy in record-keeping, including time worked and reasons for absence or tardiness
- Daily conduct in a manner consistent with the rules of society and good common sense.
- A positive, friendly, and supportive attitude toward work and others
- Professional dress
- Professional cell phone use

**It's your responsibility to dress
appropriately for the
educational environment!**



Dress Code

Professional personal appearance is important. The personal appearance of our employees does reflect and influence the overall image of the District. Good grooming and appropriate business attire is expected of all District employees.

All employees are expected to dress in a manner consistent with good hygiene, safety, and professionalism. Employees shall be allowed to appear in dress and in a manner consistent with their gender identity, gender expression, or religious creed. In addition, MetroED shall not dismiss an employee, discriminate against an employee in compensation or in terms, conditions, or privileges of employment, or refuse to hire a job applicant based on religious dress or grooming practices. Remember we are setting an example for our students.

All employees shall be held to the same standard unless their assignment provides for modified dress as approved by their supervisor. Any questions or complaints regarding the appropriateness of attire should be directed to the Human Resources department. Dress and Grooming (4119.22, 4219.22, 4319.22)

Professional Standards

The Governing Board expects district employees to maintain the highest ethical standards, behave professionally, follow district policies and regulations, abide by state and federal laws, and exercise good judgment when interacting with students and other members of the school community. Employees shall engage in conduct that enhances the integrity of the district, advances the goals of the district's education programs, and contributes to a positive school climate.

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

- cf. E 4119.21 Code of Ethics of the Education Profession
- cf. E 4219.21 Code of Ethics – Classified Employees
- cf. E 4319.21 California Professional Standards for Educational Leaders

Each employee is expected to acquire the knowledge and skills necessary to fulfill his/her responsibilities and to contribute to the learning and achievement of district students.

Inappropriate employee conduct includes, but is not limited to:

1. Engaging in any conduct that endangers students, staff or others, including, but not limited to, physical violence, threats of violence, or possession of a firearm or other weapon.
2. Engaging in harassing or discriminatory behavior toward students, parents/guardians, staff, or community members, or failing or refusing to intervene when an act of discrimination, harassment, intimidation, or bullying against a student is observed
3. Physically abusing, sexually abusing, neglecting, or otherwise willfully harming or injuring a child
4. Engaging in inappropriate socialization or fraternization with a student or soliciting, encouraging, or maintaining an inappropriate written, verbal, or physical relationship with a student
5. Possessing or viewing any pornography on school grounds, or possessing or viewing child pornography or other imagery portraying children in a sexualized manner at any time
6. Using profane, obscene, or abusive language against students, parents/guardians, staff, or community members
7. Willfully disrupting district or school operations by loud or unreasonable noise or other action
8. Using tobacco, alcohol, or an illegal or unauthorized substance, or possessing or distributing any controlled substance, while in the workplace, on district property, or at a school-sponsored activity
9. Being dishonest with students, parents/guardians, staff, or members of the public, including, but not limited to, falsifying information in employment records or other school records
10. Divulging confidential information about students, district employees, or district operations to persons or entities not authorized to receive the information
11. Using district equipment or other district resources for the employee's own commercial purposes or for political activities
12. Using district equipment or communications devices for personal purposes while on duty, except in an emergency or during scheduled work breaks
13. Causing damage to or engaging in theft of property belonging to students, staff, or the district
14. Wearing inappropriate attire

Reports of Misconduct

An employee who observes or has evidence of another employee's inappropriate conduct shall immediately report such conduct to the principal or Superintendent or designee. An employee who has knowledge of or

suspects child abuse or neglect shall file a report pursuant to the District child abuse reporting procedures ad detailed in [AR 5141.4](#) – Child Abuse Prevention and Reporting

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

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

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

- [E 4119.21](#) Code of Ethics of the Education Profession
- [E 4219.21](#) Code of Ethics – Classified Employees
- [E 4319.21](#) California Professional Standards for Educational Leaders

Conflicts of Interest

MetroED expects all employees to conduct themselves and school business in a manner that reflects the highest standards of ethical conduct, and in accordance with all federal, state, and local laws and regulations. This includes avoiding real and potential conflicts of interests.

Exactly what constitutes a conflict of interest or an unethical business practice is both a moral and a legal questions. The District recognizes and respects the individual employee's right to engage in activities outside of employment, which are private in nature and do not in any way conflict with or reflect poorly on the organization.

It is not possible to define all the circumstances and relationships that might create a conflict of interest. If a situation arises, where there is a potential conflict of interest, the employee should discuss this with a manager for advice and guidance on how to proceed. The list below suggests some of the types of activity that indicate improper behavior or unacceptable ethics:

1. Carrying on district business with a company in which the employee, or a close relative of the employee, has a substantial ownership or interest.
2. Holding a substantial interest in or participating in the management of a business to which the organization makes sales or from which it makes purchases.
3. Accepting substantial gifts or excessive entertainment from an outside organization or agency.
4. Speculating or dealing in materials, equipment, supplies, services, or property purchased by the organization.
5. Participating in civic or professional organization activities in a manner that divulges confidential work-related information.
6. Misusing privileged information or revealing confidential data to outsiders.
7. Using one's position at the district or knowledge of its affairs for personal gains.
8. Engaging in practices or procedures that violate antitrust laws, commercial bribery laws, copyright laws, discrimination laws, campaign contribution lows, or other laws regulating the company business.



Use of District Technology and the Internet

The District's technical resources including desktop and portable computer systems, fax machines, Internet and World Wide Web access, voicemail, electronic mail (e-mail), and its intranet system enable employees to quickly and efficiently access and exchange information throughout the District and around the world. When used properly, we believe these resources greatly enhance employee productivity and knowledge. Because some of these technologies are both new and

rapidly changing, it is important for every employee to understand the rules and restrictions governing their use.

The District's technical resources are provided for the benefit of the District and its students and other customers, vendors and suppliers. These resources are provided for use in the pursuit of District business and are to be used only in that pursuit, except as otherwise provided.

MetroED employees are permitted to use the District's technical resources for occasional non-work purposes when given permission from their direct supervisor and when used in moderation during non-work hours and according to the rules and expectations expressed in this policy. At no time should such use interfere with work.

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

Employees must understand that they have no right to privacy as to any information or file maintained in or on the District's property or transmitted or stored through the District's computer, voicemail, e-mail, or telephone systems, and that any such information or files may be monitored by the District at any time.

Inappropriate use of district technology may result in a cancellation of the employee's user privileges, disciplinary action, and /or legal action in accordance with law, Board policy, and administrative regulation.

Employees shall be responsible for the appropriate use of technology and will use the District's technological resources primarily for purposes related to their employment.

Reference: [BP 4040](#) – Employee Use of Technology

Reference: [BP4119.23](#), [BP4219.23](#), [BP4319.23](#) Unauthorized Release of Confidential-Privileged Information

All MetroED employees are required to sign an "Employee Use Agreement" acknowledging their understanding of the policies and procedures related to all communications and technology use at the District.

Reference: [E 4040](#) [Employee Net Use Agreement](#)

Employees will not develop any classroom or work-related web sites, blogs, forums, political, or similar on-line communications representing the District or using District equipment or resources without permission of the Superintendent or designee. Such sites or e-mails shall be subject to rules and guidelines established for District on-line publishing activities including, but not limited to, copyright laws, privacy rights, and

prohibitions against obscene, libelous, and slanderous content. Any such site shall include a disclaimer that the District is not responsible for the content of the messages. The District retains the right to delete material on any such on-line communications.

Reference: [BP 1113](#), [AR 1113](#) – District and School Web Sites



Software and Copyright Policies

Federal law provides for both civil and criminal penalties for the unauthorized use and or copying of software. Article 1; Section 8 of the United States Constitution protects a person's rights to control the reproduction and distribution of a person's creative efforts. The law describing these rights and their limitations is included in Title 17 of the U.S. Code.

The law protects copying of software. The software license stipulates how the license is to be used. If you make more copies than allowed, you have willfully violated copyright laws.

The owner of the copyright can bring civil action against the District and individual employees. Statutory damages can be as much as \$100,000 for each work copied. The Government can criminally prosecute for copyright infringement. Penalties include fines up to \$250,000 and jail terms of up to 5 years or both.

The Governing Board and Superintendent expect that the District and its employees will strictly follow all federal copyright laws. It is expected that software licenses will be purchased for all software installed on District computers. **Software must be registered to MetroED, not to an employee or department.**

All computers purchased by the District and used by District employees are the property of the District. The District has the right to control the use of all District equipment and the software installed on District owned hardware.

Employees have a responsibility to ensure that any software installed on District computers has been properly purchased and installed in accordance with the license agreement. Users who download software from the Internet are required to follow all licensing policies and agreements.

Listed below are the current procedures for the purchasing and installation of District hardware and software:

- Purchase requisitions for all technology related hardware or software must be submitted via a Technical Support Request (TSR). IT must approve all requisitions.
- All hardware purchases must include a requisition for software.
- All software will be registered under the name MetroED using the following address: 760 Hillsdale Avenue, Bldg. #6, IT Department, San Jose, California 95136.
- The District supported software standards include Window OS (2000, XP, 2007, NT), Google, G-Suite and Chrome OS, Net term, Microsoft's Office Suite (Word, Excel, Power Point, Publisher, Access), QSS and Malware bytes. The District does not support free ware, shareware or screen savers.

Use of E-Mail and the Internet/Intranet

Internet/Intranet access is available to students and staff at MetroED. Internet and e-mail use is intended for business and educational activities. The district will deliver correspondence to employees at their assigned MetroED email address. Employees are expected to regularly check their MetroED email for memos from the Superintendent or designee, event information, MetroED news, Employee Newsletter, and other MetroED correspondence.

Inappropriate and/or illegal interaction with or on the internet is strictly prohibited and may result in discipline, up to and including termination.

The following actions are prohibited:

- Reading, copying or modifying other user's mail.
- Destroying data of another user or network connected to the system through uploading or creating computer viruses.
- Sending or forwarding messages that are abusive, threatening, contain vulgarities or are otherwise offensive. Offensive material includes, but is not limited to, pornography, sexual comments, jokes or images, racial slurs, gender-specific comments, or any comments, jokes or image that would offend someone on the basis of his or her race, religion, color, sex, age, national origin or ancestry, physical or mental disability, veteran status, as well as any other category protected by federal, state or local laws.
- Pursuing, storing or transmitting inappropriate sexual materials on the internet.
- No materials considered "for adults only" should be sent or received via the District system by anyone, regardless of age.
- Using the District's technical resources for personal gain or the advancement of individual views. Solicitation for non-district business-including sales of personal property, advancement of personal views, business solicitation, or fund-raising is strictly prohibited.
- Unauthorized access to the District computer system or to confidential information on the system.
- Any user identified as a security risk will be denied access to the information system.
- Vandalism of District information systems or resources. Vandalism is defined as any malicious attempt to harm or destroy data or equipment of another user, the District or the network. Any vandalism may result in the loss of computer services, disciplinary action, monetary liability and legal referral.

The District will not be responsible for any viruses which get into the District's system and which then infect a non-district computer.

Reference: [AR 4040.1](#) Employee Use of Technology Email

Email Signature

All MetroED employee email signatures are to be consistent across all forms of communication throughout the district, departments, and programs. This ensures that all emails sent on behalf of MetroED reflect our values, convey a unified voice, meet professional standards, and represent our brand. Employees are to format their email signatures per the following email guidelines:

- Email from a MetroED address is considered official district correspondence. District email account signatures should not include inspirational quotes, religious quotes, or department-specific tag lines
- A full email signature should be used when communicating with external audiences but is not necessary for outline emails between coworkers
- It is the policy of MetroED that all individuals with @metroed.net email follow the District approved email signature guidelines.

Use of Letterhead

Staff should not use letterhead to write letters of recommendation. The exception is a professional recommendation for MetroED employees written by human resources or the superintendent in their official capacity but otherwise, the writer would not be authorized to speak for MetroED.

Intranet

The MetroED Intranet provides links to the most requested tools and resources and provides an easy to navigate format. It was created to have District resources and important links in one central location.

Social Media

Our social media accounts are designed to share news and information about the initiatives of MetroED and our community partners. We welcome and encourage conversation with our online community; however, our platforms are moderated online discussions, not a public forum. As an organization who puts students first, we ask all users to keep comments appropriate and civil.



We follow the community standards established by various social media platforms, and ask our users do the same. MetroED reserves the right to remove any content deemed as bullying, intimidation, or harassment; content deemed hateful, libelous, slanderous, or hostile.

We will immediately remove material that is obscene, pornographic, contains nudity or graphic or gratuitous violence. Any content which contains proprietary or unauthorized self-promotion and/or solicitations whether for profit or not, such as spam or comments that include links to other sites, which are not, community partners will be removed. Repeat contact or engagement to drive traffic to a non-partner account, product, service or initiative will be removed. If a user has multiple infractions, the individual will be blocked from the social media platform.

Telephone Policy



Telephone courtesy and etiquette are a major part of the District's service commitment to our customers. Always answer the telephone in a friendly, courteous manner. Please use the following script answering the phone: **“Thank you for calling MetroED. You have reached the (your department name) Office. This is (your name). How may I help you?”**

Telephone calls should be answered within three rings whenever possible.

You should offer to assist the caller in any way you can until the call is completed to the caller's satisfaction. You are expected to limit personal use of District telephones.

Reference: [BP 4040](#) Employee Use Of Technology



Use of Personal Cellular Phone or Mobile Communications Device

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

Employees may not use a cellular phone or other mobile communications device for personal business while on duty, except in emergencies and/or during scheduled work breaks. Any employee that uses a cell phone or mobile communications device in violation of law, Board policy, or administrative regulation will be subject to discipline as appropriate.

Reference: [BP 4040](#) Employee Use Of Technology

Reference: BP [4112.9](#), BP [4212.9](#), [BP 4312.9](#) - Employee Notifications

Branding and Style Guide

The MetroED Branding and Style Guide aims to ensure that all communications from MetroED is presented as attractive and consistent and that all reproduction standards are followed. This is important because the appearance of our work says a great deal about us as an organization. It is also a way to create a cohesive message and style across our departments and programs.

The main goal of a branding and style guide is to be shared with others. Taking time to create one means ensuring that our brand image stays consistent—even when handled by external parties.

The branding and style guide includes the following and is to be referenced when creating flyers, reports, presentations, webpages, and formal letters:

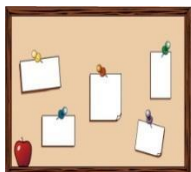
- **The tone of voice:** how MetroED uses language and emotion (including grammar, abbreviations, and acronyms)
- **Typography:** font style, sizes, and spacing
- **Logos:** full logos, secondary logos, and icons
- **Color palette:** primary and secondary colors

Any written memoranda, forms, manuals, curriculum, procedures, programs, correspondence, stories or any written materials developed by you for the District should be treated as proprietary and will remain the sole and exclusive property of the District. Please refer to the District Style Guide on District Intranet. For Media & Communications Project Assistance please complete the communications request form [CRE](#).

The following guidelines should be used for all correspondence, flyers, brochures, publications, facsimiles, etc. for internal and external distribution: (On Intranet look under the Communication Header - Written Communication Style Guidelines)

- Arial font is to be used: 10 to 12 point
- Justify all paragraphs
- Always run a spell check and proof read
- If MetroED letterhead is not used, the MetroED logo should be on the first page of the document. The logo can be sized to meet the requirements of the documents
- Do not use the logo without using the wording Metropolitan Education District below. The logos are available on the Intranet, click on Communications and then click on Logos.
- All documents, no matter how many pages, need a footer with Page x of x (Page 1 of 1)
- ***All publications and brochures that are distributed to external customers must be sent to the Superintendent's Office for approval allowing three business days for review before submitting to the printer or printed in-house for distribution.***

Bulletin Boards



Employees will have the right to exercise freedom of speech and of the press including, but not limited to, the use of bulletin boards; the distribution of printed materials or petitions; the wearing of buttons, badges, and other insignia; and the right of expression in official publications. ([Education Code 48907](#))

It is important to check the bulletin boards periodically. The District keeps you informed of vital and safety information by posting on these boards.

All notices that are posted must be official. Nothing is to be posted unless approved by the responsible administrator. Employees will respect each other's opinions and will not remove anything that is posted.

Employee Access to the Facilities

The Governing Board recognizes that MetroED (District) facilities and grounds are a community resource and authorizes their use by community groups for purposes provided for in the Civic Center Act when such use does not interfere with school activities.

Reference: BP [6145.5](#) - Student Organizations and Equal Access

All school-related activities will be given priority in the use of facilities and grounds under the Civic Center Act. Thereafter, the use shall be on a first-come, first-served basis.

The Superintendent or designee will maintain procedures and regulations for the use of school facilities and grounds that: ([Education Code 38133](#))

1. Aid, encourage, and assist groups desiring to use school facilities for approved activities
2. Preserve order in school buildings and on school grounds and protect school facilities, designating a person to supervise this task, if necessary
3. Ensure that the use of school facilities or grounds is not inconsistent with their use for school purposes and does not interfere with the regular conduct of school work
4. The safety of staff is a number one priority to the district. Training, policies, and procedures ensure everyone knows what to do in an emergency

Reference: BP 0450 - Comprehensive Safety Plan

The safety of staff is a number one priority to the district. Training, policies, and procedures ensure everyone knows what to do in an emergency.

Employees are not allowed to access campus outside their regular work hours or when the campus is closed for business. Employees who need to access the campus outside their normal work hours must have justification and preapproval from their direct supervisor.

The employee's direct supervisor must notify the Chief Business Official and the Facilities Manager via email on the date and time an employee was authorized to access the campus and the justification of the approval. The Facilities Manager will assign a staff member to disarm and reset the alarm in the building the employee needs to access.

Administrators may access the campus only on Saturdays and must notify the Facilities Manager via email or text before coming to the campus.

Any access to campus outside of Saturday must be pre-approved by the Chief Business Official or the Superintendent.

Fees for the Use of Facilities

The Board believes that the use of school facilities or grounds should not result in costs to the District. The Board will charge at least direct costs to all groups granted facility use under the Civic Center Act.

Groups will be charged fair rental value when using school facilities or grounds for entertainment or meetings where admission is charged or contributions solicited and net receipts are not to be expended for charitable purposes or for the welfare of the District's students. ([Education Code 38134](#))

The District has the right to limit access by employees to any of the District's facilities, or those provided by others, for District programs at its discretion. Approval of your immediate supervisor is needed before you **must formally request access to facilities during shutdown periods or when the facility is closed.** You or your supervisor must notify the Maintenance and Operations Department if you will be in a building controlled by the District after hours. This is for your safety and protection.

Those interested in using the District Facilities must complete the “Application and Agreement for Use of School Property” found on the MetroED Intranet. District approval is required prior to event.

Reference: [BP 1330](#) – Use of School Facilities



Parking

The District is committed to providing a school environment that promotes the safety of students, employees, and visitors to school grounds. The District also recognizes the importance of protecting MetroED property, facilities, and equipment from vandalism and theft.

The Superintendent has developed campus security procedures that are consistent with the goals and objectives of the District's comprehensive safety plan and site-level safety plans. Such procedures are regularly reviewed to reflect changed circumstances and to assess their effectiveness in achieving safe school objectives.

Parking on campus is available for our employees on a first come, first serve basis. Please do not park in spaces reserved for the disabled or visitors. You are expected to drive carefully and safely in our parking areas making sure of the direction of each row. The speed limit is 5 mph unless traffic or other conditions require a slower speed to protect pedestrians.

The District assumes no liability for any property lost or damaged in the parking lots.

Reference: [BP 0450](#) - Comprehensive Safety Plan

Security Cameras

The Board believes that reasonable use of security cameras will help the District achieve its goals for campus security. In consultation with the District's safety planning committee and relevant staff, the Superintendent or designee have identified appropriate locations for the placement of surveillance cameras. Cameras will not be placed in areas where students, staff, or community members have a reasonable expectation of privacy. Audio capability on the District's surveillance equipment is disabled so that sounds are not recorded.

Reference: [BP 5131.1](#) - Bus Conduct

Reference: [BP 5145.12](#) - Search and Seizure

Signs have been posted at conspicuous locations at affected school buildings and grounds. These signs inform students, staff, and visitors that surveillance may occur and state that school personnel do not actively monitor the District's system. The Superintendent or designee will also provide prior written notice to students and parents/guardians about the District's surveillance system, including the locations where surveillance may occur, explaining that the recordings may be used in disciplinary proceedings, and that matters captured by the camera may be referred to local law enforcement, as appropriate.

Reference: [BP 5144](#) - Discipline

Reference: [BP 5144.1](#) - Suspension and Expulsion/Due Process

To the extent that any images from the District's security's cameras create a student or personnel record, the Superintendent or designee ensures that the images are only accessed, retained, and disclosed in accordance with law, Board policy, administrative regulation, and any applicable collective bargaining agreements.

Reference: [AR 4112.6](#), [AR 4212.6](#), [AR 4312.6](#) - Personnel Files

Reference: [BP 5125](#) - Student Records

Reference: BP [5125.1](#) - Release of Directory Information

District Property

Employees are expected to take reasonable precautions for the care and safety of the school equipment with which they have been entrusted. Employees will be held responsible for recurring damage or losses that occur due to their negligence or lack of supervision. All defective equipment is to be reported to a supervisor immediately.

Employees and/or students may use MetroED equipment only for school-related tasks. The Superintendent or designee ensures that all employees understand that personal use of District equipment is prohibited and that a violation may be cause for disciplinary action.

Reference: BP [4040](#) - Employee Use of Technology



Solicitation and Distribution

The District intends to maintain an atmosphere consistent with the physical, emotional and psychological well-being of all employees and students. The District maintains a comprehensive school safety plan (CSSP) for the safety of students and employees.

Employees may not verbally ask other employees to join or contribute to any organization, fund, activity or cause, except for protected activities covered by collective bargaining agreements. Nor can you solicit anywhere on District property while you, or the other employees involved, are on duty.

Employees may not distribute written solicitation materials on District property while on duty or using the District's e-mail.

Solicitation and distribution are also prohibited anywhere on District property if they interfere with the educational process or result in littering or safety hazards.

Visitors may not come on to District property to solicit or distribute literature for employees on behalf of any organization, fund, activity or cause.

Off-duty employees may not come on the premises of the District at any time to solicit or distribute literature on behalf of any organization, fund or cause except for protected activities covered by collective bargaining agreements. For the purpose of this policy, off duty employees are those employees who arrive more than fifteen (15) minutes before the start of their working time and/or who remain later than fifteen (15) minutes following the conclusion of the working time and any employee not scheduled to work on that work day.

All bulletin boards, except the employee break-room boards, are to be used only for the posting of materials related to the operations and objectives of the District, except those reserved for information posted by recognized bargaining groups. For posting on your employee bulletin board, please obtain permission and access through your supervisor.

With regard to the appropriate solicitation/distribution areas, contact your supervisor or HR Department.

Reference: BP [4119.25/4219.25/4319.25](#)- Political Activities of Employees

Education Code [7056](#) – Political Funds

cf. [1160](#) - Political Processes

cf. [4040](#) - Employee Use of Technology

cf. [4140/4240](#) - Bargaining Units

cf. [4141.6/4241.6](#) - Concerted Action/Work Stoppage

Virtual Online Guidelines

Virtual online meetings, training and classrooms have become a vital part of how we maintain productivity and continuity. Please adhere to MetroED's Virtual Online guidelines for a professional, effective and respectful online environment.



1. Prior to joining a meeting, make sure your system is working properly. Keep your microphone on mute if you are not actively engaged in a conversation.
2. Dress as if you are in the office or classroom (industry or professional attire). You never know if you will need to get up suddenly.
3. Ensure that you have a clean, work-appropriate background and meeting space free of distractions. Find a quiet area that has minimal background noise, movement, and distractions (e.g., no kids, dog/cat on lap, etc.). Turn off notifications from messaging, ringtones. Adjust your camera before the meeting so you can see what others will see. Use the MetroED, SVCTE or SVAE virtual backgrounds as an easy way to eliminate background distractions when you have a meet from a messy or busy location.
4. Keep your camera on during the entire meeting. Look into the camera when talking instead of looking at yourself. Position your camera and monitor at eye level so you can look into the camera and simulate that eye-to-eye connection with other attendees.
5. **Behavior expectations**
 - a. Place "Virtual Teaching" or "In a Virtual Meeting" sign on the exterior door.
 - b. Join the meeting at least five (5) minutes early and stay for the duration. If you have to join after the meeting has started, wait for the conference leader to ask who joined. This will prevent you from possibly interrupting the presenter and further disrupting the meeting.
 - c. Keep things professional at all times (be mindful of sarcasm, dark humor, political platforms, and use only appropriate language).
 - d. Be prepared. Come to the meeting with a positive attitude. Please review the meeting agenda and any attached documents before the start of the meeting. Be prepared to discuss the issues and offer solutions. Everyone in the meeting is expected to share ideas, ask questions, and contribute to the discussions. Share your perspective and speak honestly. Work together collaboratively.
 - e. Limit your movement when you speak (do not rock in your chair, etc.). Avoid excessive use of your hands or off-camera motion, and do not put your face too close to the camera.
 - f. Do not get up and walk around during the meeting.
 - g. Avoid multitasking (checking email, eating, drinking, shuffling papers, typing, etc.), and give your full attention throughout the meeting and encourage participants to do the same.
 - h. Do not have side conversations. If you would not do it in an in-person meeting, then you should not do it in a virtual meeting. It is distracting even if you are on mute.
 - i. Identify yourself before you speak. Otherwise, it is difficult to know who is speaking.
 - j. Do not interrupt other speakers while they are presenting. If you have a question that cannot wait, type it in the chat window so that it can be addressed later.
 - k. Protect student's privacy, confidential information, and not take pictures of your virtual classroom and publish on social media.
 - l. Let the host know, via the chat, if you need to step away (then turn off your camera).
 - m. The general rule for meeting hosts: Wait until everyone else has left the meeting before hanging up, so attendees can leave at their own pace and get any final words in before disconnecting.



Working Remotely

The Governing Board recognizes that working remotely at home or at another alternative location may be necessary at times when widespread illness, natural disaster, or other emergency condition makes the school or worksite unsafe or otherwise interrupts the district's ability to effectively conduct operations at the school or worksite. A full-time, part-time, or short-term remote work arrangement may also be granted by the Superintendent or designee to an individual employee, upon request, provided that the position is suitable for remote work, the employee has consistently demonstrated the ability to work independently and meet performance expectations, and the work arrangement does not hinder district operations.

The opportunity to work remotely shall be entirely at the district's discretion, and no grievance or appeal right may arise from district denial of any employee request for remote work.

Employees approved for remote work shall comply with all district policies, administrative regulations, work schedules and job assignments. Except when specifically agree, approval of remote work shall not change the compensation, benefits, or other terms and conditions of employment of an employee.

Unless otherwise approved in advance by the Superintendent or designee, employees working remotely shall do so within regular work hours established for the position. Employees are entitled and expected to take appropriate, uninterrupted meal and rest breaks, and shall keep accurate records of the hours they work. Employees shall notify their supervisor when unable to perform work assignments due to illness, equipment failure, or other unforeseen circumstances.

Employees working remotely are expected to conduct their work in a location that is safe and free of obstructions, hazards, and distractions. Such employees shall report to their supervisor any serious injury or illness occurring in the home workspace or in connection with their employment as soon as practically possible in accordance with Board policy.

The district shall provide to employees who work remotely all supplies, materials, apparatus, and equipment reasonably necessary to perform their jobs, including, as necessary, a technology device and Internet access. Employees shall use caution in accessing the Internet from public locations and in accessing information from networks outside of the district in order to safeguard confidential information. Employees shall be responsible for maintaining and protecting equipment on loan from the district and shall adhere to the district's Acceptable Use Agreement. The employee's personally owned equipment may only be used for district business when approved by the Superintendent or designee.

Work done at a remote work location is considered official public business. District records and communications shall be retained and safeguarded against damage or loss, and shall be kept confidential or made accessible to the public in accordance with law.

Any employee working remotely shall be available during work hours to the employee's supervisor and other staff, students, parents/guardians, and members of the public, as appropriate, via email, phone, or other means. Lack of responsiveness on the part of the employee may result in discipline and or termination of remote work responsibilities. Employees shall be required to attend virtual or in-person meetings when directed by their supervisor.

Employee productivity shall be evaluated based on time spent on tasks and projects, task completion, and quality of job performance in the same manner as all employees in the same position at the assigned school or office.

Remote work arrangements maybe discontinued at any time at the discretion of the Superintendent or designee.



Applicable Terms for Working Remoting

1. Workers' Compensation – The remote employee is covered by workers' compensation for an injury or illness resulting from performing official duties at the designated site. The employee must authorize access to appropriate officials at the remote site to perform safety inspections and/or investigate a workers' compensation claim.
2. The Cabinet-level supervisor prior to purchase must approve supplies and Furniture – and must get Authorization for any additional supplies and/or furniture. All purchasing needs to follow the guidelines outlined by the Purchasing Department. The employee's department may provide standard office supplies as needed. Unless otherwise specified in the Remote Agreement, the employee will be responsible for providing furniture at the remote worksite. The district is not responsible for loss, damage, or wear of the remote employee is owned equipment and/or furniture. Repair and/or replacement costs and liability for privately owned equipment and furniture used for remote work is the responsibility of the employee.
3. Property and Equipment – Home worksite equipment shall generally be provided by the employee. In the event that the District provides equipment, the employee exclusively for District business shall use such equipment.

The employee agrees to take reasonable steps to protect any District property from theft, damage, or misuse. This includes maintaining data security and record confidentiality. The employee will comply with all copyrights and licensing agreements for all software owned by the District. Depending on the circumstances, the employee maybe responsible for any damage of, or loss of, District property based on the discretion of the District.

The employee is responsible for the maintenance and repair of these items unless other arrangements have been made in advance and in writing with the Cabinet-level supervisor's approval. The District assumes no responsibility for any damage to, depreciation of, or loss of the employee's personal property that may be used at home (or another remote worksite) for District business. The District may pursue recovery from the remote employee for District property that is deliberately or h=through negligence damaged or destroyed while in the employee's care.

The employee will return District equipment, records, and materials, upon request and/or termination of the remote work agreement. The employee may be responsible for any costs necessary to return, repair, or replace District property. If the District property is not returned upon request, at the end of a remote work situation, or upon termination, the employee (or former employee) is responsible for all costs to replace any unreturned equipment.

If the employee is unable to meet work obligations due to equipment issues, the employee will notify their supervisor and may be required to travel to the workplace to perform their job functions until the issues are resolved. The employee agrees to report to their supervisor/manager instances of loss or damage to District property, or known unauthorized use of access to District systems or data.

4. Property Insurance - The District has an insurance program to insure its property whenever it is approved for use. In the case of any damaged or lost equipment, the CBO must be contacted as soon as possible for assistance in filing a claim. The employee will be responsible for any District property that is lost or damaged. Personal property used in connection with District employment is not covered under the District's insurance policy and should be covered by home or rental insurance. The District is not liable for personal property.
5. Data Security – Employees may find the need to take District confidential information off-site to a remote location in either paper or electronic form. In order to ensure the security and confidentiality of sensitive information, employees must take appropriate safeguards to protect the integrity of data and prevent unauthorized disclosure such as by not sharing passwords with others or implementing screensavers.

External computers that are used to administer District resources or access sensitive information must be properly configured and secured. Employees are required to connect to the District's network through the Virtual Private Network (VPN), have personal firewall software installed, and be running current virus protection software. Contact Information Technology to ensure proper configuration and security.

When accessing sensitive data remotely, it is prohibited to store sensitive data (such as Social Security Numbers, student records, credit card numbers) onto local hard drives, floppy disks, flash drives or other external media (including laptops and smartphones). Employees should periodically save files to a server that is maintained by the District. All HIPPA and PERPA privacy and confidentiality laws apply.

All employees must follow all District policies and procedures relating to the security and integrity of sensitive data.

The remote employee will protect District information from unauthorized disclosure or damage and will comply with federal, state, and District rules, policies, and procedures regarding disclosure of public and official records. Work done at the employee's remote site is regarded as official District business. All records, documents and correspondence, in either paper or electronic form must be safeguarded for return to the District. Release or destruction of records should be done only in accordance with District policy and procedure and with the knowledge of the employee's supervisor. Electronic/computer files are considered District records and shall be protected as such.



6. District Records and Files – All District records and files temporarily stored at a remote location remain the property of the District. Products, documents, and records that are used, developed, or revised must be copied and/or returned to the District when requested, at the end of the remote agreement, and/or at the termination of employment.

The employee will protect all confidential District documents from unauthorized access.

7. Personal Property Liability – The District will not be liable for damages

Safety, Health and Emergency Preparedness

The Governing Board is committed to maximizing employee safety and believes that safety is every employee's responsibility. Working conditions and equipment will be maintained in compliance with standards prescribed by federal, state and local laws and regulations.

No employee will be required or permitted to be in any place of employment that is unsafe or unhealthy. (Labor Code 6402)

MetroED has implemented a written Injury and Illness Prevention Program (IIPP) in accordance with law. (Labor Code 6401.7)

Reference: BP 3514 - Environmental Safety

Reference: BP 3514.1 - Hazardous Substances

Reference: BP 4119.41/4219.41/4319.41 - Employees with Infectious Disease

Reference: BP 4119.42/4219.42/4319.42 - Exposure Control Plan for Blood borne Pathogens

Reference: BP 4119.43/4219.43/4319.43 - Universal Precautions

Reference: BP 4157/4257/4357 Employee Safety

Reference: BP 4158/4258/4358 - Employee Security

No employee shall be discharged or discriminated against for making complaints, instituting proceedings or testifying with regard to employee safety or health, or for participating in any occupational health and safety committee established pursuant to Labor Code 6401.7 and 6310. An injury to an employee always means a loss. It is a loss to the individual and the District.



The District has a firm responsibility to provide a safe and healthy work environment and to prevent injuries to employees. To meet this responsibility, we have made every effort to lessen hazards by installing safer practices, equipment, policies and training. We also have an active [Safety Committee](#) that meets monthly to review and revise our safety and emergency preparedness practices and programs.

No employee shall be discharged or discriminated against for making complaints, instituting proceedings or testifying with regard to employee safety or health, or for participating in any occupational health and safety committee established pursuant to Labor Code [6401.7](#) and [6310](#)

Raptor

Raptor is a visitor management system for that enhances campus security by reading a visitor's drivers' license (or other approved government issued ID), comparing information against a sex offender database to alert District administrators and if a match is found. Once cleared through the system, a visitor badge is produced that includes a photo, name of the visitor, date & time, and destination. The Raptor system is designed to permanently replace paper sign in to the remote employee's property resulting from the remote agreement.

All visitors, including parents/guardians, contractors, vendors, and guest speakers will use the Raptor System. ID badges must be worn at all times on the MetroED campus. Additionally, Raptor slows our District to maintain a database of all persons on site for security and emergency purposes.

[Injury Illness and Prevention Program \(IIPP\)](#)

MetroED is committed to the health and safety of all employees and recognizes the need to comply with regulations governing injury and accident prevent and employee safety.

The primary objective of the [Injury and Illness Prevention Program \(IIP\)](#) is to reduce job-related employee injuries and illness as well as to insure compliance with California Code of Regulations Title B, Section 3203. Please click the hyperlink above to read the plan, presentation and facts.

The program has been designed to:

- Implement a system that provides tools for managers to run their safety programs.
- Give employees access to safety information for the safe completion of their jobs
- Ensure routine safety inspections.
- Provides guidance for achieving the three fundamental objectives
 - To strive for an injury and illness free workplace.
 - To identify and eliminate deficiencies that can lead to injuries, illnesses, or death.
 - To maintain a proactive and effective Safety Program with open communication between employee and supervisor, with a strong focus on employee health and safety training, regularly scheduled inspections, and accident and injury investigation.

The IIP applies to all MetroED personnel, including temporary, part-time, and full-time employees, and volunteers. All personnel must comply with the provisions in the IIPP and other safety programs.

Responsibilities (IIPP)

1. IIPP Program Administrator, HR Director, Facility Manager:

- a. Coordinate all risk control activities
- b. Act as liaison between management and outside safety agencies
- c. Establish minimum safety standards, rules and regulations, and ensure that employees are aware of these regulations
- d. Ensure that safe practices and conditions are established
- e. Review all supervisors' reports of accidents, and see that recommendations are acted upon. Use the reports for analysis of accident trends. Follow up concerning recommendations that result from accident investigations critical

- f. Work with district management to establish training programs for all employees and supervisors
- g. Ensure that all employees comply with all identified safety and health work practices
- h. Establish and preside over a safety committee comprised of department managers, and key employees. The Safety Committee also has a part in meeting the IIPP safety communication burden
- i. Verify and post emergency phone numbers for police, fire and medical
- j. Maintain bulletin boards in clearly visible areas with required safety information such as accident reporting and how to get medical help
- k. Determine when first-aid training is necessary and coordinate such training
- l. Follow-up on the completion of safety recommendations of the safety committee, district personnel or other safety consultants
- m. Follow all Cal-OSHA record keeping and accident reporting requirements

2. SITE Managers are required to:

Site Managers include school principals and administrators or managers in charge of all other District facilities. Site managers are considered an integral part of the successful Injury and Illness Prevention Program. Each site manager assumes the responsibility for staff, student and visitor safety and welfare at their sites. The site manager safety and health responsibilities include:

- a. Coordinating all required Injury and Illness Prevention Policies and procedures with the District program coordinators
- b. Ensuring that appropriate records are maintained and posted at the site
- c. Ensuring that designate personnel complete assigned monthly inspections
- d. Ensuring that all employees attend district scheduled training sessions
- e. Ensuring that the appropriate supervisor completes the initial report following an accident at the site
- f. Ensuring that staff meetings address safety issues, concerns and training

3. Department Managers/Supervisors are required to:

Principals, Department Managers and Supervisors are considered the key links between the Program Coordinators and district employees. The duties and actions of these leaders are critical in assuring that the overall Injury and Illness Prevention Program works. Each Principal, Department Manager and Supervisor is responsible for employee health and safety in their department or section and thereby has the authority to enforce appropriate parts of the Injury and Illness Prevention Program. The Principals', Department Managers' and Supervisors' duties and responsibilities include:

- a. Instruction of employees in general safe work practices and on hazards unique to specific job assignments
- b. Supervision of employees to ensure that safety policies, rules and regulations are followed and not violated
- c. Supervision to ensure that employees use appropriate personal protective and safety equipment when required and that such use is in accordance with operating instruction
- d. Ensure that unsafe acts or conditions are brought to the attention of the program coordinators or the authorized person in charge of facilities
- e. Attend specialized training programs for supervisors and key employees when offered by the District
- f. Complete the "Supervisor's Report of Accident" when appropriate
- g. Follow-up accident investigations by providing department employees with a synopsis of the accident and what precautions are necessary to prevent a reoccurrence
- h. Conduct periodic inspections of the workplace when directed by the program coordinator and complete the appropriate inspection check-off forms
- i. Attend monthly safety meetings. Supervisor will conduct trainings with staff

4. Employee Responsibilities:

- a. Attending or participating in District provided training and information programs
- b. Following all District safety rules and regulations and applying safe work practices to all jobs
- c. Reporting safety hazards to their supervisor. Use this [FORM](#)

- d. Providing recommendations on how to eliminate or reduce a discovered safety hazard
- e. Each employee has personal responsibility for the cleanliness and safety of the employee's entire work area. All work shall be performed in a safe manner, including wearing appropriate safe attire. Should an employee identify a work condition that appears to be unsafe, the employee shall attempt to restore safety if it is within their capabilities. Then, the employee shall immediately notify their supervisor. The condition shall be investigation by qualified personnel and the condition corrected
- f. Use all district forms of communication to stay informed of all local, state and federal laws and regulations

Compliance with Safe & Healthy Work Practices

Safe Work Practices:

- Immediately report all work-related injuries or illnesses to your supervisor.
- If you go to the doctor for work related injury, you must first report to HR to receive treatment authorization.
- Report all hazards to your supervisor.
- Obey all warning signs and tags, check labels, and follow instructions carefully
- Never damage labels and instructions on equipment or containers.
- Only perform authorized work.
- Do not attempt any work unless you understand the safety procedures and hazards involved.
- Only qualified and authorized persons shall attempt electrical repairs.
- Do not endanger the safety of yourself, co-workers, students or the public.
- Machinery must be operated with safety guards in place at all times.
- Exits, aisles, stairways, and emergency equipment must be kept clear of obstructions.
- Use only tool that are in safe condition. If you provide your own tools, you are responsible for their care and condition. Store tools properly when not in use.
- Do not attempt to operate a forklift or other similar vehicle without appropriate training, authorization and licensing.
- Frayed electrical cords must not be used.
- No horseplay is allowed on the job.
- Use proper lifting techniques and use lifting devices to avoid back injuries.
- Attend all mandatory safety meetings, training and activities.
- Do not ride as a passenger on any vehicle not designed for passengers.
- Lock out the power (or disconnect cord-connected machinery) before removing guards or doors.
- Make sure all movement is stopped before removing doors, guards, or other machinery covers.
- Before removing a padlock used to lock out machinery, all guards and access doors must be in place.
- Use appropriate hand tools around sprockets, pulleys, or dangerous moving machinery parts. Never reach into a running machine.
- Always use a ladder to access elevated locations. Never use chairs, boxes, desks, etc.
- Do not smoke or use other sources of ignition where flammable liquids are stored or used.

Disciplinary Action Procedure

The Supervisor shall document and recommend disciplinary action when an employee knowingly or consistently violates safety rules. Disciplinary action, up to and including termination, may be pursued depending on the type or frequency of the violations. Retraining is the first step to correct any unsafe work practices. Examples of safety violations are:

- Purposely breaking a safety work rule.
- Carelessness resulting in injury to self or others.
- Misuse of equipment.
- Misuse of vehicles or failure to adhere to the California Vehicle Code.

- Failure to heed posted caution and warning signs.
- Failure to report accidents or injuries.
- Any other action detrimental to the health and well-being of employees, students, or the public.



Your complete cooperation is required in observing the following guidelines:

1. Keep informed either of both the fire and disaster rules that are posted or in a manual in your working area.
2. Know the location of all fire alarm boxes and fire extinguishers.
3. Be aware of your specific duties during all fires or disasters.
4. Immediately report to your supervisor any unsafe conditions.
Several examples of unsafe conditions are:
 - a) equipment blocking stairways, exits or hallways
 - b) defective equipment
 - c) unsafe storage of combustible materials.



Health Requirements

The District recognizes that tuberculosis poses a public health threat. Treatment of active cases of this disease is the most effective means of controlling its spread.

The Superintendent or designee may require a tuberculosis skin test when qualified medical personnel reasonably suspect that a student has active tuberculosis. If there is an outbreak of tuberculosis at any school, the Superintendent or designee may require all students at the school to undergo tuberculosis skin tests.

Students known to have had a positive tuberculosis skin test will be excluded from school until they provide evidence of a follow-up x-ray and appropriate medical care or are no longer suspected of having active tuberculosis.

Reference: [BP 5113](#) - Absences and Excuses

Reference: [BP 5141](#) – Health Care and Emergencies

All District employees will be provided information on how tuberculosis is spread and how it can be prevented and treated.

No person will be employed initially unless he/she has submitted to a tuberculosis examination within the past sixty (60) days to determine whether he/she is free from active tuberculosis. The tuberculosis examination will consist of an approved intradermal tuberculin test. An X-ray of the lungs will only be required if the intradermal test is positive.

Each employee will place on file with the District a certificate from the examining physician showing that the employee is free from active tuberculosis. Persons who have not complied with provisions of this policy will not be allowed to teach/work in the District schools, classes or programs.

Persons transferring from another district will fulfill the requirements of this policy by either: a) producing a copy of the certificate showing that the employee was examined within the last four (4) years and found free of active tuberculosis, or b) undergoing the tuberculosis examination.

The Superintendent will follow provisions of [Education Code 49406](#) in those cases where an employee's religious belief prevents them from undergoing a physical examination.

Employees who test negative on tuberculin skin tests shall be required to undergo a tuberculosis examination at least once every four (4) years. This examination will be provided at District expense reimbursement up to \$20.00 when the employee provides an original receipt with the negative tuberculin results test. ([Education Code 49406](#))

If the Superintendent has probable cause to suspect that, an employee has an infectious, contagious or communicable disease, or an illness or ailment that would directly affect the health and welfare of students, he/she will have the authority to require a medical examination administered by a physician licensed under the Business and Professions Code. The cost of such examination will be at the expense of the District. (Education Code 44839, 45122; Administrative Code, Title 5, Section 5504)

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 of the District. If a disease is suspected, subject to local ordinance, a blood test may be required. Periodic health examinations may be required for continued employment. Food service workers are required to wear appropriate clothing, hairnets and other protective devices while handling food.

References: [AR 4112.4](#), [AR 4212.4](#), [AR 4312.4](#) - Health Examinations
Reference: [BP 5141.26](#) - Tuberculosis Testing



Infectious Disease Control

The Governing Board encourages each employee to inform MetroED as soon as possible if they contract an infectious disease that creates a physical or mental disability. The Board will reasonably accommodate the needs of such individuals.

The Board 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.

If the District feels a medical situation exists that poses a health problem for employees or residents, it reserves the right to obtain further medical consultation.

Reference: [BP 4119.41](#), [BP 4219.41](#), [BP 4319.41](#) – Employees with Infectious Disease

Blood Borne Disease Control

Definitions

It is the policy of the District to eliminate or minimize occupational exposure to blood borne pathogens in accordance with federal and state regulations. All human blood and other potentially infectious materials will be treated as if known to be infectious for human immunodeficiency virus A(HIV), Hepatitis B virus (HBV), and other blood borne pathogens. See [IIPP](#) for more details

Universal precautions are an approach to infection control. All human blood and certain human body fluids, including but not limited to semen, vaginal secretions and any body fluid that is visibly contaminated with blood, are treated as if known to be infectious for human immunodeficiency virus (HIV), hepatitis B virus (HBV), hepatitis C virus (HCV) and other blood borne pathogens. (8 CCR [5193\(b\)](#))

Personal protective equipment includes specialized clothing or equipment worn or used for protection against a hazard. General work clothes such as uniforms, pants, shirts or blouses not intended to function as protection against a hazard are not considered personal protective equipment. (8 CCR [5193\(b\)](#))

A sharp is any object that can be reasonably anticipated to penetrate the skin or any other part of the body and to result in an exposure incident. (8 CCR [5193\(b\)](#))

Engineered sharps injury protection is a physical attribute built into a needle device or into a non-needle sharp which effectively reduces the risk of an exposure incident. (8 CCR [5193\(b\)](#))

Reference: [BP 4119.43](#), [BP 4219.43](#), [BP 4319.43](#) - Universal Precautions

Reference: [BP 4157](#), [BP 4257](#), [BP 4357](#) - Employee Safety

Employee Information

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

Reference: [BP 4112.9](#), [BP 4212.9](#), [BP 4312.9](#) - Employee Notifications

Reference: [BP 4119.42](#), [BP 4219.42](#), [BP 4319.42](#) - Exposure Control Plan for Blood borne Pathogens

The District believes that, as part of providing and maintaining a safe place of employment, it is necessary to communicate and train employees who may be exposed to blood or body fluids and the possibility of contacting Blood borne diseases.

Therefore, each employee needs to know about the use of universal precautions, using gloves when in contact with body fluids, and the prescribed process for proper disposal of bloody bandages, Band-Aids or

other contaminated waste. Special biohazard clean-up kits are provided to protect employees in cleaning up blood or body fluid spills. Generally, custodial, housekeeping and certain other identified employees will handle such wastes.

Employees who have occupational exposure risks to Blood borne diseases will be identified by the District. These employees may obtain Hepatitis B vaccination through their health plan provider or District designated health service.

Be sure you understand our Blood Borne Disease Policy and Procedures, the use of universal precautions, and the appropriate disposal of infected/bloody waste. Ask a member of the Human Resources Department to explain our Blood Borne Disease Control Policies and Procedures to you (723-6441).

Reference: [BP 5141.22](#) – Infectious Diseases

Employee Security (Personal Security)

The District is committed to maximizing employee safety and believes that safety is every employee's responsibility. Working conditions and equipment are to be maintained in compliance with standards prescribed by federal, state and local laws and regulations.

No employee will be required or permitted to be in any place of employment that is unsafe or unhealthy. (Labor Code [6402](#))

The District expects all employees to use safe work practices and to correct or report any unsafe conditions that may occur. If an employee is unable to correct an unsafe condition, he/she will immediately report the problem to their immediate supervisor.

The District administration promotes safety and will correct any unsafe work practice through education, training and enforcement.

Employees will promptly report instances of attack, assault or threat against them by any student, other employee, a parent or member of the public, to their site administrator or other immediate supervisor and also to the appropriate local law enforcement District. The report will be forwarded immediately to the employee's supervisor. The Superintendent or his/her designee will act as liaison between the employee, the police, and the courts. (Education Code 44014)

The District assumes no responsibility for vehicles or their contents parked in the District parking lots or the parking lots of the participating districts or any location where District classes are held.

Reference: [BP 4157](#), [BP 4257](#), [BP 4357](#) – Employee Safety

Workplace Violence Prevention

The District is committed to providing a safe, secure workplace for our employees. Threats, threatening language, or any other acts of aggression or violence made toward or by an employee will not be tolerated and may lead to disciplinary action, including termination. A threat may include any verbal or physical harassment or abuse, attempts to intimidate others, menacing gestures, stalking, or any other hostile, aggressive, and/or destruction actions taken for the purpose of intimidation. This policy covers any violent or potentially violent behavior that occurs in the workplace or a MetroED-sponsored functions or events.

All MetroED employees share the responsibility of keeping our work environment free from violence or potential violence. Any employee who witnesses or experiences violent behavior should promptly inform their supervisor, manager, or the Human Resources Department. All threats will be promptly investigated. No employee will be subject to retaliation, intimidation, or discipline a result of reporting a threat in good faith under this guideline. Please see current [IIPP](#) for more details.

Emergency Preparedness:

MetroED has an active emergency preparedness plan covering major emergencies including fires, earthquakes, chemical spills and other incidents which may threaten our students, employees and facilities. of our [Comprehensive School Site Safety Plan](#) and other emergency procedures are available on-line on the MetroED Intranet under the Emergency Preparedness Tab. All employees should become acquainted with the major emergency procedures and escape routes.



Copies

All District employees, by operation of the law, are declared to be disaster service workers subject to such disaster service workers as may be assigned to them by their supervisors to mitigate the effects of disaster. (Gov't Code, Title I, Division 4, Chapter 8, Section 3100).

In conformity with these legal responsibilities, all District personnel must be prepared, whether at home or elsewhere, to report for duty in the event of a Declared Emergency. MetroED encourages the utilization of a "buddy system" at District sites so that emergency functions can be maintained while permitting employees to assure the welfare of their own families.

As a Joint Powers Agency (JPA) providing career/technical and adult education programs for six Silicon Valley school districts, MetroED has an advantage over most public school organizations in having teachers and staff members professionally trained not only in the area of medical expertise but also in emergency response, triage, fire science, law enforcement and in other areas.

MetroED makes a deliberate effort to incorporate this staff and expertise in its safety planning and emergency response programs.

Annually HR will ask each employee to update their emergency contact information. It is important to keep up-to-date emergency contact information on file with the District in case of crisis or emergency situations. The Human Resources staff in the event of an event will access this information. We ask that you please take the time to review and, if necessary, to update your emergency contact(s) on a regular basis. Please send any updates to HR.

The MetroED [Emergency Preparedness](#) information can be found on the Website for staff and students in the event of safety emergencies on the District's campuses. MetroED's [Comprehensive School Safety Plan](#) is available online.



Notifications to Employees

The Governing Board believes that providing clear communications to staff is essential to establishing a professional, positive work environment and enhancing their job performance. The Superintendent or designee shall provide district employees all notifications required by law and other notifications he/she believes will promote staff knowledge of the district's policies, programs, activities, and operations.

When required by law, Board policy, or administrative regulation, district employees shall be asked to sign an acknowledgment indicating receipt of the notification. Such acknowledgments shall be retained in each employee's personnel file.

Provide the following list notices that the law requires to employees. See the referenced Board policy, administrative regulation or Board bylaw for further information about related program and notice requirement:

Notifications: [Board Policies E 4112.9, 42119.9, 4312.9](#)

When/Whom	Education or Other Legal	Board Policy/ Administrative
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to Notify	Code	Regulation #	Subject
V. To Individual Employees Under Special Circumstances (continued)			
To any employee with exposure to blood or other potentially infectious materials, upon initial employment and at least annually thereafter	8 CCR 3204	AR 4119.42 4219.42 4319.42	The existence, location, and availability of exposure and medical records; person responsible for maintaining and providing access to records; right to access records
To any employee assigned to a work area where hazardous chemicals are present, upon initial assignment and upon new exposure situation	8 CCR 5191	AR 3514.1	Location and availability of chemical hygiene plan, exposure limits, signs and symptoms of exposure, location of reference material
To any employee who may be exposed to hazardous substances in the work area, upon initial assignment and when new hazard is introduced into work area	8 CCR 5194	AR 3514.1	Any presence of hazardous substances in the work area, location and availability of hazard communication program, new material safety data sheet, employee rights
To employee eligible for military leave	38 USC 4334	AR 4161.5 4261.5 4361.5	Notice of rights, benefits, and obligations under military leave
Within five days of employee's request for FMLA leave, receipt of supporting information, or district's knowledge that the requested leave may qualify as FMLA leave	29 CFR 825.300; 2 CCR 11049, 11091	AR 4161.8 4261.8 4361.8	Designation of leave as FMLA or non-FMLA; if not eligible, reason not eligible; requirement to use paid leave; any requirement for fitness- for-duty certification; any subsequent changes in designation notice
Whenever notice of eligibility for FMLA is provided to employee	29 CFR 825.300	AR 4161.8 4261.8 4361.8	Rights and responsibilities re: use of FMLA; consequences of failure to meet obligations

**Notice of Employee Rights under Title IX
(34 C.F.R. § 106.8, subd. (b))**

Federal Title IX of the Education Amendments of 1972 ("Title IX"), implemented at 34 C.F.R. § 106.31, sub. (a), provides that no person shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any academic, extracurricular, research, occupational training, or other education program or activity operated by a recipient which receives federal financial assistance. This includes employment at an educational institution.

Relevant here, Title IX requires that school districts take immediate and appropriate action to address any potential Title IX violations that are brought to its attention. Any inquiries about the application of Title IX, this

notice, and whom Title IX protects may be referred to Meagan Azevedo, Director of Human Resources/Title IX Coordinator, to the Assistant Secretary for Civil Rights from the United States Department of Education, or both.

Title IX Coordinator

Meagan Azevedo is the Title IX Coordinator for Metropolitan Education District, and can be reached by telephone at (408) 723-6569 by e-mail at mazevedo@metroed.net by mail or in person at 760 Hillsdale Avenue, San Jose, California 95136.

Sexual Harassment under Title IX

Sexual harassment under Title IX means conduct based on sex that satisfies one or more of the following:

1. An employee of the school district conditioning the provision of an aid, benefit or service of the recipient on an individual's participating in unwelcome sexual conduct (*quid pro quo*);
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive and objectively offensive that it effectively denies a person equal access to the recipient's education program or activity; or
3. "Sexual assault" as defined in 20 U.S.C. 1092(f)(6)(A)(v), "dating violence" as defined in 34 U.S.C. 12291(a)(10), "domestic violence" as defined in 34 U.S.C. 12291(a)(8), or "stalking" as defined in 34 U.S.C. 12291(a)(30).

Alleged conduct that does not rise to the level of the sexual harassment under Title IX will be addressed in accordance with other District policies that prohibit sexual harassment and/or sex-based discrimination, or other forms of inappropriate conduct, as is deemed appropriate.

Filing a Title IX Complaint with the District

Any person may report sex discrimination, including sexual harassment (whether or not the person reporting is the person alleged to be the victim of conduct that could constitute sex discrimination or sexual harassment), in person, by mail, by telephone or by e-mail, using the contact information listed for the Title IX Coordinator, or by any other means that results in the Title IX Coordinator receiving the person's verbal or written report. Such reports may be made at any time, including during non-business hours, by using the telephone number or e-mail address, or by mail to the office address, listed for the Title IX Coordinator.

Under Title IX, employee complaints alleging a Title IX violation may be submitted at any time as long as the complainant is participating in, or attempting to participate in the District's education program or activity. However, the District encourages employees to report all potential instances of sexual harassment under Title IX and District policy, regardless of when it occurred, to allow the District to take appropriate steps to address the alleged misconduct. If the complainant is unable to prepare the complaint in writing, administrative staff shall help the complainant to do so. Please note that the length of time elapsed between an incident of alleged sexual harassment, and the filing of a formal complaint, may, in specific circumstances, prevent a recipient from collecting enough evidence to reach a determination, justifying a discretionary dismissal under Title IX.

The District will process all formal complaints in accordance with Title IX and District Board Policy ("BP") and Administrative Regulation ("AR") 4119.11 – Sexual Harassment, and AR 4119.12 – Title IX Sexual Harassment Complaint Procedures, which includes an option for informal resolution for certain matters. Under Title IX, a formal complaint means a document filed by a victim, or signed by the Title IX Coordinator, that alleges sexual harassment against a respondent and requests that the school district investigate the allegation of sexual harassment. Complaints that do not rise to the level of a Title IX complaint will be processed in accordance with BP/AR 4030 – Nondiscrimination in Employment, or any other procedure deemed appropriate.

All investigations will be conducted as confidentially as possible. Upon receipt of any formal complaint, the District will provide all known parties with adequate notice of the District's complaint process and the underlying allegations. During the course of the investigation, the District will provide the complainant and respondent (or "the parties") with an equal opportunity to present witnesses and evidence. The District will not restrict the ability of the parties to discuss the allegations under investigation, and it will allow parties to utilize an advisor of their choice. Prior to the conclusion of the investigation, the complainant and respondent will have the opportunity to inspect and respond to evidence directly related to the allegations in the complaint that was gathered during the course of the investigation. Thereafter, and prior to any final decision being made, the parties will receive a copy of the investigation report that fairly summarizes relevant evidence, and they will have an opportunity to submit written, relevant questions to be asked of the other party. Please note that if a complaint involves an employee in a program that qualifies as a "postsecondary institution" under Title IX, in lieu of submitting written questions, a live hearing with cross-examination of the parties will be conducted in accordance with Title IX. Finally, a determination regarding responsibility will be made and issued to both parties. Under Title IX and District policy, the responding party is presumed not responsible for the alleged conduct until a determination regarding responsibility is made at the end of the complaint process.

Any party not satisfied with the final determination will have the option to appeal the final determination, as detailed in AR 4119.12. In addition, a person may file a complaint concerning sexual harassment with the California Department of Fair Employment and Housing (DFEH) and/or with the Equal Employment Opportunity Commission (EEOC). Complaints with DFEH must be filed within three years of the alleged discriminatory acts, unless an exception exists pursuant to Government Code section 12960. Complaints with the EEOC must be filed within 180 days of the alleged discriminatory acts or within 300 days of the alleged discriminatory act after first filing a complaint with DFEH or 30 days after the termination of proceedings by DFEH, whichever is earlier.

Additional details about procedures for filing a Title IX complaint may be found on the [MetroED Website](#) under the District Information/Resources and [AR 4119.12](#)– Title IX Sexual Harassment Complaint Procedures