

WOODSIDE SCHOOL DISTRICT

PERSONNEL Section 4000

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Policy No.: 4000

Concepts and Roles

Board Adopted: 10/11/05

The Woodside School District Board of Trustees recognizes that the success of the District students and programs hinges on effective personnel. The Board desires to establish safe and supportive working conditions that will attract and retain staff members who are highly qualified and dedicated to the education and welfare of Woodside students. The District's personnel policies and related regulations shall be designed to ensure a supportive, positive climate and shall be consistent with any collective bargaining agreements and in conformance with state and federal laws and regulations.

The Superintendent/Principal has primary responsibility for overseeing the District's personnel system. The Superintendent/Principal shall nominate all personnel for employment, and the Board shall approve only those persons so recommended. Individuals who approach Board members regarding prospective employment shall be referred to the Superintendent/Principal.

The Superintendent/Principal shall assign and supervise the work of all employees and shall evaluate their work in accordance with effective accountability systems. The Superintendent/Principal also shall recommend disciplinary action which the Board may take against employees when warranted pursuant to Board policy, administrative regulations and/or state or federal law.

The Board recognizes that every employee has a stake in the Woodside District's successful operation. The Board encourages all District employees to express their ideas, concerns and proposals related to the improvement of working conditions and the total educational program. The Superintendent/Principal shall establish procedures whereby he/she will receive and consider employee suggestions and submit them, when appropriate, for consideration by the Board.

Legal Reference: Education Code
 35020 Duties of Employees Fixed by Governing Board
 35035 Powers and Duties of Superintendent
 35160 Powers of Governing Board

Government Code

3540-3549.3 Public Education Employer-Employee Relations

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ALL PERSONNEL

Policy No.: 4020

Drug and Alcohol-Free Workplace – Page 1

Board Adopted: 10/11/05

The Board of Trustees believes that the maintenance of drug- and alcohol-free workplaces is essential to school and District operations.

No employee shall unlawfully manufacture, distribute, dispense, possess, use or be under the influence of any alcoholic beverage, drug or controlled substance as defined in the Controlled Substances Act and Code of Federal Regulations before, during or after school hours at school or in any other District workplace.

The Superintendent/Principal shall:

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

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

2. Notify the appropriate federal granting or contracting agencies within 10 days after receiving notification, from an employee or otherwise, of any conviction for a violation occurring in the workplace.
3. Initiate disciplinary action within 30 days after receiving notice of a conviction for a violation in the workplace from an employee or otherwise. Such action shall be consistent with state and federal law, the appropriate employment contract, the applicable collective bargaining agreement and District policy and practices.
4. Make a good faith effort to continue maintaining a drug- and alcohol-free workplace through implementation of Board policy.

In taking disciplinary action, the Board shall require termination when termination is required by law. When termination is not required by law, the Board shall either take disciplinary action, up to and including termination, or shall require the employee to satisfactorily participate in and complete a drug assistance or rehabilitation program approved by a federal, state or local health, law enforcement or other appropriate agency. The Board’s decision shall be made in accordance with relevant state and federal laws, employment contracts, collective bargaining agreements and District policies and practices.

Legal Reference:	Education Code
	44011 Controlled Substance Offense
	44065 Issuance of Credentials
	44425 Conviction of Controlled Substance Offenses as Grounds for Revocation of Credential
	44836 Employment of Certificated Persons Convicted of Controlled

Substance Offenses

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Policy No.: 4020

Drug and Alcohol-Free Workplace – Page 2

Board Adopted: 10/11/05

Legal Reference: Education Code (cont.)
44940 Compulsory Leave of Absence for Certificated Persons
44940.5 Procedures when Employees are placed on Compulsory Leave of
Absence
45123 Employment after Conviction of Controlled Substance Offense
45304 Compulsory Leave of Absence for Classified Persons

Government Code
8350-8357 Drug Free Workplace

The Drug-Free Workplace Act of 1988
Public Law 100-690, 5151-5160

Drug-Free Schools and Communities Act Amendment of 1989 H.R. 3614

United States Code, Title 21
812 Controlled Substances Act

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Policy No.: 4030

Nondiscrimination in Employment – Page 1

Board Adopted: 10/11/05

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

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

Any District employee who observes or has knowledge of an incident of unlawful discrimination or harassment shall report the incident to the Superintendent/Principal as soon as practical after the incident. Failure of a District employee to report discrimination or harassment may result in disciplinary action.

The Superintendent/Principal shall regularly publicize, within the District and in the community, the District's nondiscrimination policy and the availability of complaint procedures.

The District's policy and administrative regulation shall be posted in the school, and offices including staff lounges and student government meeting rooms.

The Board designates the following position(s) as Coordinator(s) for Nondiscrimination in Employment:

Superintendent/Principal
Woodside School District
3195 Woodside Road
Woodside, California 94062-2598
(650) 851-1571

Other Remedies

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

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

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

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Policy No.: 4030

Nondiscrimination in Employment – Page 2

Board Adopted: 10/11/05

Legal Reference: Government Code
11135 Unlawful Discrimination
12900-12996 Fair Employment and Housing Act

Code of Regulations, Title 2
7287.6 Terms, Conditions and Privileges of Employment

Code of Regulations, Title 5
4900-4965 Nondiscrimination in Elementary and Secondary Education Programs Receiving State Financial Assistance

United States Code, Title 20
1681-1688 Discrimination based on Sex or Blindness, Title IX

United States Code, Title 29
794 Section 504 of the Rehabilitation Act of 1964

United States Code, Title 42
2000d-
2000d-7 Title VI, Civil Rights Act of 1964
2000e-
2000e-17 Title VII, Civil Rights Act of 1964 as amended
2000h-2-
2000h-6 Title IX, 1972 Education Act Amendments
12101-12213 Americans with Disabilities Act

Code of Federal Regulations, Title 28
35.101-35.190 Americans with Disabilities Act

Code of Federal Regulations, Title 34
100.6 Compliance Information
104.8 Notice
106.8 Designation of Responsible Employee and Adoption of Grievance Procedures
106.9 Dissemination of Policy

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Regulation No.: 4030

Nondiscrimination in Employment

Board Adopted: 10/11/05

Unlawful discrimination or harassment of an individual includes:

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

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

Any supervisor who receives a discrimination/harassment complaint shall immediately notify the nondiscrimination coordinator (Superintendent/Principal), who shall ensure that the complaint is appropriately investigated in accordance with District policy and regulations.

The Superintendent/Principal shall ensure that annual training is provided to all employees regarding the issues of discrimination.

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Policy No.: 4035

Complaints Concerning Discrimination in Employment – Page 1

Board Adopted: 10/11/05

The following procedures shall be used when a District employee or job applicant has a complaint alleging that a specific action, policy, procedure or practice discriminates against him/her on any basis specified in the District's nondiscrimination policies.

1. The complaint should be initiated promptly after a complainant knew, or should have known, of the alleged discrimination.
2. All parties involved in allegations of discrimination shall be notified when a complaint is filed, when a complaint meeting or hearing is scheduled, and when a decision or ruling is made. The parties also shall be notified of their right to appeal the decision to the next level.
3. When a complaint is brought against the individual responsible for the complaint process at any level, the complainant may address the complaint directly to the next appropriate level.
4. Meetings related to a complaint shall be held at times the District determines appropriate to the circumstances.
5. For the protection of all the parties involved, complaint proceedings shall be kept confidential insofar as appropriate.
6. All documents, communications and records dealing with the investigation of the complaint shall be placed in a confidential District personnel complaint file and not in the employee's individual personnel file.
7. Time limits specified in these procedures may be revised only by written agreement of all parties involved. If the District fails to respond within a specified or adjusted time limit, a complainant may proceed to the next level. If a complainant fails to take the complaint to the next step within the prescribed time, the complaint shall be considered settled at the preceding step.

Level I

The complainant shall first meet informally with his/her supervisor or the Superintendent/Principal. A complaint regarding discrimination away from the school site should be discussed informally with the complainant's supervisor. If the complainant's concerns are not clear or cannot be resolved through informal discussion, the supervisor shall prepare, within 10 working days, a written summary of his/her meeting(s) with the complainant. This report shall be made available to the nondiscrimination coordinator (coordinator) designated by the Board of Trustees in BP 4030 – Nondiscrimination in Employment.

Level II

If a complaint cannot be resolved to the satisfaction of the complainant at Level I, he/she may submit a formal written complaint to the coordinator within 10 working days of his/her attempt to resolve the complaint informally. The written complaint shall include the following:

1. The complainant's name, address and telephone number.

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Complaints Concerning Discrimination in Employment – Page 2

Board Adopted: 10/11/05

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

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

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

Level III

If the matter is not resolved at Level II, either party may file a written appeal to the Board within 10 working days after receiving the Level III response. The Superintendent/Principal shall provide the Board with all information presented at previous levels.

The Board shall grant the hearing request for the next regular Board meeting for which the matter can be placed on the agenda. Any complaint against a District employee shall be addressed in closed session in accordance with law. The Board shall render its decision within 10 working days.

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

Other Remedies

Complainants may appeal the Board's action to the California Department of Education. The Superintendent/Principal shall ensure that complainants are informed that injunctions, restraining orders and other civil law remedies may also be available to them. This information shall be published with the District's nondiscrimination complaint procedures and included in any related notices.

Legal Reference: Education Code
200-262.4 Prohibition of Discrimination

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Policy No.: 4035

Complaints Concerning Discrimination in Employment – Page 3

Board Adopted: 10/11/05

Legal Reference: (cont.)

Government Code

12920-12921 Nondiscrimination

12940-12948 Discrimination Prohibited; Unlawful Practices, Generally

United States Code, Title 29

621-634 Age Discrimination in Employment Act

794 Section 504 of the Rehabilitation Act of 1973

United States Code, Title 42

2001d-

2001d-7 Title VI, Civil Rights Act of 1964

2001e-

2001e-17 Title VII, Civil Rights Act of 1964 as amended

2001h-2-

2001h-6 Title IX, 1972 Education Act Amendments

12101-12213 Americans with Disabilities Act

Code of Federal Regulations, Title 28

35.101-35.190 Americans with Disabilities Act

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Policy No.: 4040

Employee Use of Technology

Board Adopted: 10/11/05

The Board of Trustees recognizes that technological resources can enhance employee performance by improving access to and exchange of information, offering effective tools to assist in providing a quality instructional program, and facilitating District and school operations. The Board expects all employees to learn to use the available technological resources that will assist them in the performance of their job responsibilities. As needed, employees shall receive training in the appropriate use of these resources.

Employees shall be responsible for the appropriate use of technology and shall use the District's technological resources for purposes related to their employment. Such use is a privilege which may be revoked at any time.

Employees should be aware that computer files and communication over electronic networks, including email and voice mail, are not private. These technologies shall not be used to transmit confidential information about students, employees or District operations without authority.

The Superintendent/Principal shall ensure that all District computers with Internet access have a technology protection measure that prevents access to visual depictions that are obscene or pornographic, and that the operation of such measures is enforced. The Superintendent/Principal may disable the technology protection measure during use by an adult to enable access for bona fide research or other lawful purpose.

To ensure proper use of the system, the Superintendent/Principal may monitor the District's technological resources, including email and voice mail systems, at any time without advance notice or consent. If passwords are used, they must be known to the Superintendent/Principal so that he/she may have system access.

The Superintendent/Principal shall establish administrative regulations which outline employee obligations and responsibilities related to the use of District technology. He/she may also establish guidelines and limits on the use of technological resources. Inappropriate use 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 regulations.

The Superintendent/Principal shall provide copies of related policies, regulations and guidelines to all employees who use the District's technological resources. Employees shall be asked to acknowledge in writing that they have read and understood these policies, regulations and guidelines.

In the event that the use of an electronic resource affects the working conditions of one or more employees, the Superintendent/Principal shall notify the employees' exclusive representative.

Legal Reference: Education Code
 51870-51874 Education Technology

 Government Code
 3543.1 Rights of Employee Organizations

 Penal Code

502
631

Computer Crimes, Remedies
Eavesdropping on or Recording Confidential Communications

WOODSIDE SCHOOL DISTRICT

ALL PERSONNEL

Regulation No.: 4040

Employee Use of Technology

Board Adopted: 10/11/05

User Obligations and Responsibilities

Employees are authorized to use the District's online services, including a District provided email account, in accordance with user obligations and responsibilities specified below.

1. The employee is responsible for the proper use of his/her online services and email account at all times. Employees shall keep personal passwords, home addresses and telephone numbers private. They shall use the system only under their own accounts.
2. Employees shall use the system responsibly and primarily for work-related purposes.
3. Employees shall not access, post, submit, publish or display harmful or inappropriate matter that is threatening, obscene, disruptive or sexually explicit, or that could be construed as harassment or disparagement of others based on their race/ethnicity, national origin, gender, sexual orientation, age, disability, religion or political beliefs.
4. Employees shall not use the system to promote unethical practices or any activity prohibited by law, Board policy or administrative regulations.
5. Copyrighted material shall not be placed on the system without the author's permission. Employees may download copyrighted material only in accordance with applicable copyright laws and the District's policy.
6. Employees shall not intentionally upload, download or create computer viruses and/or maliciously attempt to harm or destroy District equipment or materials or the data of any other user, including so-called "hacking."
7. Employees shall not read other users' electronic mail or files. They shall not attempt to interfere with other users' ability to send or receive electronic mail, nor shall they attempt to delete, copy, modify or forge other users' mail.
8. Employees shall report any security problem or misuse of the services to the Superintendent/Principal.

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Policy No.: 4050

Employee Protection (Personal Security)

Board Adopted: 10/11/05

An employee, during the performance of duty, is not subject to criminal prosecution for the exercise of the same degree of physical control over a pupil that a parent would be legally privileged to exercise. Such control shall in no event exceed the amount of physical control reasonably necessary to maintain order, protect property, or protect the health and safety of pupils, or to maintain proper and appropriate conditions conducive to learning.

Employees shall promptly report instances of attack, assault or threat against them by any student to their principal or other immediate supervisor and also to the appropriate local law enforcement agency. The report shall be forwarded immediately to the Superintendent/Principal. The Superintendent/Principal shall act as a liaison between the employee, the police, and the courts.

If civil proceedings are brought against an employee alleging that the employee committed an assault in connection with his/her employment, such employee may request the Governing Board to furnish legal counsel to defend the employee in any civil action or proceeding brought against him/her within the limits set by law.

An employee required by law to report suspected child abuse does not incur civil or criminal liability for reporting a known or suspected instance of child abuse.

An employee whose person or property is injured or damaged by willful misconduct of a student may request the District to pursue legal action against the student or the student's parent/guardian.

Legal Reference: Education Code
 44014 Report of Assault or Threats by Pupil Against School Employee

 Government Code

WOODSIDE SCHOOL DISTRICT

CERTIFICATED PERSONNEL

Policy No.: 4100

Certificated Personnel

Board Adopted: 10/11/05

The Board of Trustees recognizes that teachers and other certificated personnel work closely with students in carrying out the District's educational goals. The Superintendent/Principal shall ensure that the duties, responsibilities, and District's expectations for certificated positions are clearly defined and made known to each member of the certificated staff.

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

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

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

Legal Reference: Education Code
 90 Definition, Certificated and Certified
 44006 Certificated Person

Government Code

3543.2 Scope of Representation

WOODSIDE SCHOOL DISTRICT

CERTIFICATED PERSONNEL

Policy No.: 4102

Recruitment and Selection – Page 1

Board Adopted: 11/13/07

Because an important factor in student achievement is the quality of the instructional staff, the Board of Trustees desires to employ the most highly qualified and appropriate person available for each open position.

The Superintendent/Principal shall recruit candidates for open positions based on an assessment of the District's needs for specific skills, knowledge and abilities.

The Superintendent/Principal shall develop selection procedures that identify the best possible candidate for each position based on screening processes, interviews, observations, and recommendations from previous employers.

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

District employment practices shall not discriminate against legal noncitizen residents. Inquiries to assure employment eligibility shall be made in accordance with law, Board policy and administrative regulation.

For each position, the Superintendent/Principal shall present to the Board one candidate who meets all qualifications established by law and the Board for the position. To the extent that the Superintendent/Principal's recommended candidate does not have the required credentials but qualifies for an employment option/waiver, the candidate may be employed by the Board with the understanding that the candidate will obtain whatever credentials are required by law. No person shall be employed by the Board without the recommendation or endorsement of the Superintendent/Principal.

Legal Reference:	Education Code
	200-262.4 Prohibition of Discrimination on the Basis of Sex
	44066 Limitations on Certification Requirement
	44259 Teaching Credential; Exception; Designated Subjects; Minimum Requirements
	44735 Incentive Grants for Recruiting Teachers for Low-Performing Schools
	44750 Regional Teacher Recruitment Centers
	44830-44831 Employment of Certificated Persons
	44858 Age or Marital Status in Certificated Positions
	44859 Prohibition Against Certain Rules and Regulations Re Residency
	52051 Academic Performance Index
	Government Code
	12900 Unlawful Employment Practices
	12940-12956 Discrimination Prohibited; Unlawful Practices
	United States Code, Title 8
	1324(a)(b) Immigration and Nationality Act
	United States Code, Title 42
	2000d-

2000d-7

Title VI, Civil Rights Act of 1964

WOODSIDE SCHOOL DISTRICT

CERTIFICATED PERSONNEL

Policy No.: 4104

Shared Teaching Assignments

Board Adopted: 4/21/04

Board Revised: 10/11/05

The Governing Board realizes that teachers sometimes desire to share the responsibility, salary, and benefits of a full-time teaching position with fellow teachers. When teachers sharing a position have compatible work patterns and similar goals, this situation can benefit both teachers and students. Accommodating requests for shared teaching assignments also can assist the District retain excellent teachers.

The Superintendent/Principal, subject to Governing Board approval, may authorize two teachers to share one full teaching assignment under terms and conditions specified in the District Guidelines and applicable provisions of the collective bargaining agreement. In considering whether or not to approve a request for a shared teaching assignment, the Superintendent/Principal first shall consider the educational and emotional impact on students. The Superintendent/Principal shall also consider the needs of the teachers involved, the effect on other staff at the school, whether the arrangement will result in any increase in cost to the District, and any other relevant information.

WOODSIDE SCHOOL DISTRICT

CERTIFICATED PERSONNEL

Regulation No.: 4104

Shared Teaching Assignments – Page 1

Board Adopted: 4/21/04

Board Revised: 10/11/05

District Guidelines

Application and Eligibility

1. Before approving any application for a shared teaching assignment, the District shall consider the educational impact on students in order to ensure that the shared assignment will fully meet the students' educational needs. The District shall also consider the needs of the teachers involved, the effect on other school staff, and whether the arrangement will result in any increased cost to the District. The District will allow no more than one shared assignment per grade level in any school year.
2. Shared teaching assignments generally shall be available only to tenured teachers who possess a clear credential, who are already employed by the District, and who have mutually agreed to work together. The District may, in special circumstances, allow nontenured teachers to share an assignment.
3. Full-time teachers who desire to work a shared assignment shall request a leave of absence and describe the proposed shared assignment.
4. Teachers must submit their requests for leave and shared assignments to the Superintendent/Principal or designee by March 1 of the school year preceding the year of the proposed leave/shared assignment.
5. Teachers requesting a new leave/shared assignment shall be informed of the status of their proposal by May 15.
6. The Superintendent/Principal or designee shall perform a formal semi-annual evaluation of the effectiveness of the shared teaching assignment.
7. Teachers on leave/shared assignment must reapply by March 1 to request a continuation of the leave/shared assignment. The District may allow only one additional year of the level shared assignment (i.e., a maximum of two years total). The District shall inform teachers requesting an extension of the leave/shared assignment of the District's decision regarding the request no later than April 1 of the school year preceding the school year for which the leave/shared assignment is requested. In special circumstances a job sharing assignment may be continued beyond the second year. To be considered beyond a second year, a job share assignment must ensure that neither partner has rights to a full-time position.
8. Teachers on leave/shared assignment who do not desire to continue the leave/shared assignment shall inform the District by March 1 that they desire to return to a regular assignment for the following school year.

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CERTIFICATED PERSONNEL

Regulation No.: 4104

Shared Teaching Assignments – Page 2

Board Adopted: 4/21/04

Board Revised: 10/11/05

Hours and Responsibilities

1. Both teachers also will work and be paid for all noninstructional days included in the calendared teacher work year as required by Section 16.4 of the collective bargaining agreement.
2. Both teachers shall meet with the Superintendent/Principal before the leave/shared assignment is finally approved to establish exact working days and meeting responsibilities. Both teachers shall attend parent conferences, open house, and back-to-school nights. Both teachers also may be expected to attend specific staff meetings, in-service meetings, and to work on at least the first two instructional days of the first week of school. These duties outlined in paragraph 2 will be performed without extra compensation.
3. Both teachers shall assume full responsibility for the class instructional program. Teachers sharing an assignment must regularly meet to jointly develop lesson plans and ensure clear lines of communication with parents/guardians.

Salary, Leaves, and Absences

1. The amount of salary, benefits, and other entitlements for teachers working shared assignments shall be governed by the collective bargaining agreement between the District and the Woodside Teachers Association. Under Article 16 of the Agreement, salaries, benefits, and other entitlements shall be prorated for the part-time contract in proportion to the amount that the part-time employment bears to full-time employment.
2. Whenever one of the teachers sharing an assignment is absent, the other teacher sharing the assignment shall make every reasonable effort to fill in for the absent partner by trading assigned work days with the approval of the Superintendent/Principal.

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Policy No.: 4106

Legal Status Requirement

Board Adopted: 10/11/05

The District shall hire only citizens and aliens who are lawfully authorized to work in the United States. The Superintendent/Principal shall ensure that District employment practices do not unlawfully discriminate on the basis of citizenship status or national origin, including but not limited to, discrimination against any refugees, grantees of asylum, or person qualified for permanent or temporary residency.

All new employees shall show appropriate documents which certify that they are legally eligible to work in the United States, as required by law and in accordance with administrative regulation.

Legal Reference: United States Code, Title 8
1324(a)(b) Immigration and Nationality Act, as amended by Immigration Reform
and Control Act of 1968 and Immigration Act of 1990

Code of Federal Regulations, Title 8

274a.1-a.14 Control of Employment of Aliens

WOODSIDE SCHOOL DISTRICT

ALL PERSONNEL

Regulation No.: 4106

Legal Status Requirement

Board Adopted: 10/11/05

Within three business days of hire, the Superintendent/Principal shall physically examine the documentation presented by the employee establishing his/her identity and employment eligibility as set forth in INS Form I-9. The Superintendent/Principal shall (1) ensure that the documents presented appear to be genuine and relate to the individual and (2) complete the "Employer Review and Verification" section of the Form I-9.

Persons employed for three days or less must provide such documentation on their first day.

If unable to provide satisfactory documentation because the document was lost, stolen, or damaged, the employee shall furnish a receipt indicating that a replacement document has been requested. This receipt must be presented within three days of the hire, and the replacement document must be provided within 90 days of the hire.

If an individual's employment authorization expires, the Superintendent/Principal must reverify the I-9 form, by noting the document's identification number and expiration date on the form, no later than the date the work authorization expires. The employee shall present a document that either shows continuing employment eligibility or a new grant of work authorization.

After examining the documents presented, the Superintendent/Principal shall copy them. Such copies shall be retained with the individual's I-9 form. The documents shall be kept confidential and used only as needed to help justify the District's past decision to accept the documents as valid.

The District shall retain the I-9 forms for three years after the date of the hire or for one year after the date the individual's employment is terminated, whichever is later.

WOODSIDE SCHOOL DISTRICT

CERTIFICATED PERSONNEL

Policy No.: 4108

Appointment and Conditions of Employment – Page 1

Board Adopted: 10/11/05

Upon recommendation from the Superintendent/Principal, the Board of Trustees shall approve the appointment of all certificated employees.

Individuals appointed to the certificated staff shall, at a minimum:

1. Possess the appropriate certification qualifications and register the certification document in accordance with law and Board policy.
2. Demonstrate proficiency in basic skills as required by law.
3. Submit to fingerprinting as required by law.
4. Not have been convicted of a violent or serious felony as defined in Penal Code 667.5 and 1192.7, unless the individual has received a certificate of rehabilitation and pardon.
5. Not have been convicted of any sex offense as defined in Education Code 44010.
6. Not be required to register as a sex offender pursuant to Penal Code 290 because of a conviction for a crime where the victim was a minor under the age of 16.
7. Not have been determined to be a sexual psychopath pursuant to Welfare and Institutions Code 6300-6332.
8. Not have been convicted of any controlled substance offense as defined in Education Code 44011.
9. Submit to a physical examination, tuberculosis testing and/or provide a medical certificate as required by law and Board policy.
10. Furnish a statement of military service and, if any was rendered, a copy of the discharge or release from service or, if no such document is available, other suitable evidence of the termination of service.
11. File the oath or affirmation of allegiance.
12. Fulfill any other requirements as specified by law, collective bargaining agreement, Board policy or administrative regulation.

Legal Reference:	Education Code
	35161 Powers and Duties
	44008 Effect of Termination of Probation
	44009 Conviction of Specified Crimes; Definitions
	44010 Sex Offense
	44011 Controlled Substance Offense
	44066 Limitation on Certification Requirements
	44250-44277 Credential Types

WOODSIDE SCHOOL DISTRICT

CERTIFICATED PERSONNEL

Policy No.: 4108

Appointment and Conditions of Employment – Page 2

Board Adopted: 10/11/05

Legal Reference:	Education Code (cont.)
	44330 Effect of Registration of Certification Document
	44836 Employment of Person Convicted of Sex Offenses or Controlled Substance Offenses
	44837 Employment of Sexual Sociopath
	44838 Statement of Military Service
	44839 Medical Certificate
	44839.5 Medical Certificate for Retirant
	49406 Examination for Tuberculosis
	Government Code
	3100-3109 Oaths or Affirmations of Allegiance for Disaster Service Workers and Public Employees
	12940-12950 Unlawful Employment Practices
	Penal Code
	290 Registration of Sex Offenders
	290.95 Disclosure by Persons Required to Register as Sex Offenders
	667.5 Prior Prison Terms, Enhancement of Prison Terms
	1192.7 Plea Bargaining Limitation
	Welfare and Institutions Code
	6331-6332 Mentally Disordered Sex Offenders

WOODSIDE SCHOOL DISTRICT

CERTIFICATED PERSONNEL

Policy No.: 4110

Certification

Board Adopted: 10/11/05

The Superintendent/Principal shall ensure that persons employed in positions requiring certification qualifications have the appropriate credential or permit authorizing their employment in such positions.

When fully credentialed individuals are not available, the District may employ person with emergency permits, intern permits, pre-intern certificates or credential waivers in accordance with law.

Legal Reference:	Education Code
	8360-8370 Qualifications of Child Care Personnel
	32340-32341 Unlawful Issuance of a Credential
	44066 Limitations on Certification Requirements
	44200-44399 Teacher Credentialing
	44225.6 CTC Annual Report on Credentials, Internships and Emergency Permits
	44225.7 Priorities for Recruitment when Fully Prepared Teacher not Available
	44251 Period of Credentials
	44252 Standards and Procedures for Issuance; Proficiency Testing of Basic Skills
	44252.5 State Basic Skills Assessment Required for Certificated Personnel
	44259 Minimum Requirements for Teaching Credential
	44259.5 Standards for Teachers of All Students, including English Language Learners
	44270.3-
	44270.4 Out of State Credentials, Administrative Services
	44274.5 Out of State Credentials
	44277 Requirements for Maintaining Valid Credentials
	44300-44301 Emergency Permits
	44302 CTC Notification Regarding District Options when Fully Qualified Teacher Not Available
	44305-44308 Pre-internship Teaching Certificates
	44325-44328 District Interns
	44330-44355 Certificates and Credentials
	44395-44399 National Board for Professional Teaching Standards
	44735 Teaching as a Priority Block Grant
	44830-44929 Employment of Certificated Persons; Requirement of Proficiency in Basic Skills
	56060-56063 Substitute Teachers in Special Education
	90530 Recruitment Centers

Code of Regulations, Title 5

80001-80690.1 Commission on Teacher Credentialing

Court Decisions

Association of Mexican-American Educators, et al. v. State of California and the Commission on Teacher Credentialing (1993) 836 F.Supp. 1534

WOODSIDE SCHOOL DISTRICT

CERTIFICATED PERSONNEL

Policy No.: 4112

District Interns

Board Adopted: 10/11/05

The Board of Trustees supports the use of interns in the District to fulfill the District's need for additional instructional resources and to enable future teachers to fulfill state credentialing requirements and link teaching theory with practice.

The Superintendent/Principal may enter into agreements with accredited colleges and universities to jointly provide supervised teaching experiences with the District as part of a teacher preparation program. He/she shall collaborate with the college or university in the selection, placement, support and performance assessment of interns.

Interns shall be provided with ongoing feedback regarding their performance in order to enhance their skills and shall be formally evaluated at least once every year.

Interns shall be classified as probationary employees and shall achieve permanent status with the District only as provided by law and administrative regulations.

In designing internship programs, the Superintendent/Principal shall coordinate with services offered to beginning teachers in the District in order to provide continuity of preparation, support and assessment.

Pre-Internship Teaching Program

To provide pre-interns with early, focused preparation in the subject matter they are assigned to teach and to assist them in progressing into a teacher internship program, the District shall provide a program of intensive preparation, support and assistance to individuals with pre-internship certificates issued by the Commission on Teacher Credentialing.

Legal Reference:	Education Code
	300-340 English Language Education for Immigrant Children
	44279.1-44279.7 Beginning Teacher Support and Assessment System
	44305-44308 Pre-Internship Teaching Program
	44314 Diversified or Liberal Arts Program
	44321 CTC Approval of Internship Programs
	44325-44328 District Interns
	44450-44467 Teacher Education Internship Act of 1967 (University Interns)
	44520-44534 New Careers Program
	44830.3 Employing District Interns
	44885.5 District Interns Classified as Probationary Employees

Code of Regulations, Title 5
13000-13017 New Careers Program

80055

Internship Credential

WOODSIDE SCHOOL DISTRICT

CERTIFICATED PERSONNEL

Policy No.: 4114

Special Education Staff

Board Adopted: 10/11/05

Special Educators

The Board of Trustees shall employ certificated special educators to provide services, where required by law, for students who have exceptional needs, their parents/guardians, and school staff.

Legal Reference:

Education Code

56195.8	Adoption of Policies
56361	Program Option
56362	Resource Specialist Program, Contents, Direction; Resource Specialists, Caseloads, Assignments, Instructional Aide; Pupil Enrollment
56362.1	Caseload
56362.5	Resource Specialist Certificate of Competence
56362.7	Bilingual - Cross Cultural Certificate of Assessment Competence
56363.3	Average Caseload Limits
56441.7	Maximum Caseload (Programs for Individuals with Exceptional Needs Between the Ages of Three and Five Inclusive)

Code of Regulations, Title 5

3051.1	Language, Speech and Hearing Development and Remediation; Appropriate Credential
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WOODSIDE SCHOOL DISTRICT

ALL PERSONNEL

Policy No.: 4116

Oath or Affirmation

Board Adopted: 10/11/05

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

The Superintendent/Principal shall administer the above oath when District employees are hired.

Legally employed noncitizens shall be exempt from taking this oath.

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

Legal Reference:

Education Code

60 Persons Authorized to Administer and Certify Oaths
44334 Oath or Affirmation
44354 Administration of Oath

Government Code

3100-3109 Oath or Affirmation of Allegiance

California Constitution

Article 20, Section 3 Oath of Office

Court Decisions

Chilton v. Contra Costa Community College District (1976) 55 Cal. App. 3d 544

Vogel v. County of Los Angeles (1967) 68 Cal. 2d 18, 22

WOODSIDE SCHOOL DISTRICT

ALL PERSONNEL

Exhibit No.: 4116

Oath or Affirmation

Board Adopted: 10/11/05

"I, _____, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States and the Constitution of the State of California against all enemies, foreign and domestic; that I will bear true faith and allegiance to the Constitution of the United States and the Constitution of the State of California; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter.

(Signature)

Certified by:

(Person who administers the oath)

WOODSIDE SCHOOL DISTRICT

ALL PERSONNEL

Policy No.: 4120

Health Examinations

Board Adopted: 10/11/05

New Employees

The Superintendent/Principal shall ensure that new District employees comply with all the health examination requirements of California law.

In addition, the Superintendent/Principal may require applicants for employment in classified positions to undergo a preemployment physical examination to show that they are physically able to perform the duties of specific jobs.

Continuing Employees

Continuing employees shall undergo periodic tuberculosis tests once every four years in accordance with law.

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

Legal Reference:

Education Code

44839	Medical Certificate; Periodic Medical Examination
44839.5	Requirements for Employment of Retirant
44932	Grounds for Dismissal of Permanent Employee
44942	Suspension or Transfer of Certificated Employee on Ground of Mental Illness, Psychiatric Examination; Mandatory Sick Leave
45122	Physical Examinations
49406	Examination for Tuberculosis

Code of Regulations, Title 5

5502-5503	Physical Examination for Retirants Employed as Substitute Teacher, etc.
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WOODSIDE SCHOOL DISTRICT

CERTIFICATED PERSONNEL

Policy No.: 4122

Criminal Record Check

Board Adopted: 10/11/05

The Superintendent/Principal shall ensure that no person is hired in a position requiring certification qualifications or supervising positions requiring certification qualifications who has been convicted of a violent or serious felony, unless that person has obtained a certificate of rehabilitation and a pardon.

When the District receives written electronic notification of the fact of conviction from the Department of Justice, the Superintendent/Principal shall immediately terminate the employee without regard to any other procedure for termination specified in the Education Code or District procedures, unless that employee has received a certificate of rehabilitation and a pardon.

If the employee challenges the Department of Justice record and the Department of Justice withdraws in writing its notification, the Superintendent/Principal shall immediately reinstate the employee with full restoration of salary and benefits for the period of time from the suspension without pay to the reinstatement.

The Superintendent/Principal shall request subsequent arrest service from the Department of Justice as provided under Penal Code 11105.2

Legal Reference:	Education Code
	44010 Sex Offense
	44332 Temporary Certificate
	44332.6 Criminal Record Check, County Board of Education
	44346.1 Applicants for Credential, Conviction of a Violent or Serious Felony
	44830.1 Certificated Employees, Conviction of a Violent or Serious Felony
	44830.2 Certificated Employees; Interagency Agreement
	44836 Conviction of a Sex Offense
	45122.1 Classified Employees, Conviction of a Violent or Serious Felony
	45125 Use of Personal Identification Cards to Ascertain Conviction of Crime
	45125.01 Classified Employees; Interagency Agreements
	45125.5 Automated Records Check
	45126 Duty of Department of Justice to Furnish Information
	Penal Code
	667.5 Prior Prison Terms, Enhancement of Prison Terms
	1192.7 Plea Bargaining Limitation
	11105.2 Subsequent Arrest Notification
	Code of Regulations, Title 11
	703 Release of Criminal Offender Record Information

WOODSIDE SCHOOL DISTRICT

ALL PERSONNEL

Policy No.: 4124

Employment References

Board Adopted: 10/11/05

The Superintendent/Principal shall process all requests for references, letters of recommendation, or information about the reasons for separation regarding all District employees other than himself/herself. All letters of recommendation to be issued on behalf of the District for current or former employees must be approved by the Superintendent/Principal.

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

Legal Reference: Labor Code
 1050-1054 Reemployment Privileges

 Civil Code
 47 Privileged Communication

 Code of Civil Procedure
 527.3 Labor Disputes

 Code of Regulations, Title 5
 80332 Professional Candor and Honesty in Letters or Memoranda of
 Employment Recommendation

 Court Decisions

Randi W. v. Muroc Joint Unified School District et al. (1997) 14 Cal. 4th 1066

WOODSIDE SCHOOL DISTRICT

ALL PERSONNEL

Regulation No.: 4124

Employment References

Board Adopted: 10/11/05

No certificated employee shall write or sign any letter or memorandum which intentionally omits significant facts, or which states as facts matters which the writer does not know of his/her own knowledge to be true, relating to the professional qualifications or personal fitness to perform certificated services of any person who the writer knows will use the letter or memorandum to obtain professional employment.

No certificated employee shall agree to provide a positive letter of recommendation that misrepresents facts as a condition of another employee's resigning or withdrawing action against the District.

WOODSIDE SCHOOL DISTRICT

ALL PERSONNEL

Policy No.: 4126

Employment of Relatives

Board Adopted: 10/11/05

In order to preclude situations that could bring about a conflict of interest for members of the administrative staff, an employee shall not be appointed to a position where a member of his/her immediate family maintains supervisory or evaluation responsibilities.

Immediate family members may not be employed at the same department or work location unless approved by the Superintendent/Principal.

12940

Unlawful Employment Practices, Exceptions

WOODSIDE SCHOOL DISTRICT

ALL PERSONNEL

Policy No.: 4128

Employee Notifications – Page 1

Board Adopted: 10/11/05

The District shall provide employees with the following notifications and shall obtain signed acknowledgments that the notifications were received when so required by law or regulations.

Acknowledgments Required by Law

1. Legal obligation to report known or suspected instances of child abuse.
2. Oath or affirmation of allegiance required of public employees.
3. Hepatitis B vaccine declination.
4. Notice of release from position requiring an administrative or supervisory credential.
5. The classified employee's class specification, salary data, assignment or work location, duty hours and prescribed workweek.
6. Information about certificated employee membership in the State Teachers' Retirement System.

Legal Reference:

Education Code

231.5	Sexual Harassment Policy
22455.5	STRS Information to Potential Members
22515	Irrevocable Election to Join STRS
44031	Personnel File Contents, Inspection
44663	Evaluation and Assessment; Copy to Certificated Employee
44916	Written Statement of Employment Status
44940.5-	
44941	Notification of Suspension and Intent to Dismiss
44949	Cause, Notice and Right to Hearing
44951	Continuation in Position Unless Notified
44955	Reduction in Number of Employees
45113	Notification of Charges
45117	Notice of Layoff
45169	Employee Salary Data
45192	Industrial and Accident Leave
45195	Additional Leave
49079	Notification to Teacher

Government Code

3100-3109	Oath or Affirmation of Allegiance
8355	Certification of Drug-Free Workplace, Including Notification

Penal Code

11166.5	Employment; Statement of Knowledge of Duty to Report
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Unemployment Insurance Code

WOODSIDE SCHOOL DISTRICT

ALL PERSONNEL

Policy No.: 4128

Employee Notifications – Page 2

Board Adopted: 10/11/05

Legal Reference: (cont.)

Code of Regulations, Title 5
80026.1 Information to Applicants

Code of Regulations, Title 8
5193 California Blood Borne Pathogens Standard

Code of Federal Regulations, Title 49
382.601 Controlled Substance and Alcohol Use and Testing Notifications

WOODSIDE SCHOOL DISTRICT

CERTIFICATED PERSONNEL

Policy No.: 4130

Assignment

Board Adopted: 10/11/05

In order to serve the best interests of students and the educational program, the Superintendent/Principal shall assign certificated personnel to positions for which their preparation, certification, experience and aptitude qualify them.

Certificated personnel may be assigned to any school within the District in accordance with the collective bargaining agreement.

Certificated personnel may be assigned outside the scope of their certificates or fields of study only as allowed by law and when so required in order to meet the needs of the educational program.

The Superintendent/Principal may assign holders of a credential other than an emergency permit, with their consent, to teach subjects outside their credential authorization in departmentalized classes. The Superintendent/Principal shall develop procedures to verify the subject matter knowledge of the teacher before any such assignment is made. These procedures shall be developed with the assistance of subject matter specialists and shall be submitted to the Board for approval.

Legal Reference:	Education Code
	35035 Additional Powers and Duties of Superintendent
	37616 Assignment of Teachers to Year-Round Schools
	44250-44277 Credentials and Assignments of Teachers
	44395-44398 Incentives for Assigning NBPTS-Certified Teachers to Low-Performing Schools
	44824 Assignment of Teachers to Weekend Classes
	44955 Reduction in Number of Employees

Government Code

3543.2 Scope of Representation

WOODSIDE SCHOOL DISTRICT

CERTIFICATED PERSONNEL

Regulation No.: 4130

Assignment

Board Adopted: 10/11/05

Procedures for Verifying Subject Matter Knowledge

With the involvement of appropriate subject matter specialists, the Superintendent/Principal shall develop and employ procedures for verifying the subject matter knowledge of teachers assigned to teach in departmentalized classes outside their credential authorization. For the purposes of these procedures, subject matter specialists are mentor teachers, curriculum specialists, resource teachers, classroom teachers certified to teach a subject, staff to regional subject matter projects or curriculum institutes, or college faculty.

Procedures to be used for this purpose shall specify:

1. One or more of the following ways in which subject matter competence shall be assessed:
 - a. Observation by subject matter specialists.
 - b. Oral interviews.
 - c. Demonstration lessons.
 - d. Presentation of curricular portfolios.
 - e. Written examinations.
2. Specific criteria and standards for verifying subject matter knowledge by any of the above methods. These criteria shall include, but need not be limited to, evidence of the individual's knowledge of the subject matter to be taught, including demonstrated knowledge of the appropriate curriculum framework and the specific content of the District's course of study for the subject at the grade level to be taught.

Whenever a teacher is assigned to teach departmentalized classes, the Superintendent/Principal shall notify the exclusive representative of the District's certificated employees.

WOODSIDE SCHOOL DISTRICT

CERTIFICATED PERSONNEL

Policy No.: 4132

Evaluation/Supervision

Board Adopted: 10/11/05

The Woodside School District Board of Trustees believes that regular and comprehensive evaluations can help instructional staff improve their teaching skills and raise students' levels of achievement. Evaluations also serve to hold staff accountable for their performance. The Superintendent/Principal shall evaluate the performance of certificated staff members in accordance with law, negotiated employee contracts and Board-adopted evaluation standards.

Evaluations shall be used to recognize the exemplary skills and accomplishments of staff and to identify focus areas for growth and/or areas needing improvement. When areas needing improvement are identified, the Board expects employees to accept responsibility for improving their performance. The Superintendent/Principal shall endeavor to assist employees to improve their performance and may require participation in appropriate programs. Staff members are encouraged to take initiative to request assistance as necessary to promote effective teaching.

Legal Reference: Education Code
 33039 State Guidelines for Teacher Evaluation Procedures
 35171 Availability of Rules and Regulations for Evaluation of Performance
 44500-44508 Peer Assistance and Review Program for Teachers
 44660-44665 Evaluation and Assessment of Performance of Certificated
 Employees (the Stull Act)

Government Code

3543.2 Scope of Representation

WOODSIDE SCHOOL DISTRICT

CERTIFICATED PERSONNEL

Policy No.: 4134

Probationary/Permanent Status

Board Adopted: 10/11/05

Probationary Status

Probationary employees shall receive training, assistance and evaluations consistent with their needs as new certificated personnel. Such training and assistance may consist of in-service training and/or meetings with the employee's evaluator to discuss areas of strength and areas requiring improvement. In-service training may be provided during school hours as part of a comprehensive staff development program.

The performance of each probationary employee shall be evaluated and assessed at least once every school year.

Permanent Status

Granting of permanent status shall be based on completion of the probationary period in accordance with applicable law. Employees granted permanent status acquire specific rights under the Education Code, including those relating to discipline and dismissal.

Legal Reference:	Education Code
	44466 Status of University Interns
	44850.1 No Tenure in Administrative or Supervisory Position
	44885.5 Status of District Interns
	44908 Complete Year for Probationary Employees
	44911-44913 Service not computed in Eligibility for Permanent Status
	44915 Classification of Probationary Employees
	44917-44921 Status of Substitute or Temporary Employees
	44929.20 Continuing Contracts (Not to Exceed Four Years – ADA Under 250)
	44929.21 Districts of 250 ADA or More
	44929.23 Districts with Less Than 250 ADA
	44929.28 Employment by Another District
	44930-44988 Resignations, Dismissals and Leaves of Absences, Especially:
	44948.2 Election to Use Provisions of Section 44948.3

44948.3 Dismissal of Probationary Employees

WOODSIDE SCHOOL DISTRICT

CERTIFICATED PERSONNEL

Regulation No.: 4134

Probationary/Permanent Status

Board Adopted: 10/11/05

A probationary certificated personnel who has been employed by the District in a position or positions requiring certification for two complete consecutive school years and is then rehired for the next succeeding school year shall become a permanent employee at the beginning of the third year.

Interns

A person employed as a District or university intern shall be classified as a temporary employee. Following completion of the internship, if he/she is reelected by the District to serve in a position requiring certification qualifications for the next succeeding school year, he/she shall continue to be classified as a probationary employee during that year.

A person who has completed an internship and at least one complete school year in a position requiring certification qualifications within the District shall be granted permanent status when he/she is reelected for the next succeeding school year to a position requiring certification qualifications.

WOODSIDE SCHOOL DISTRICT

ALL PERSONNEL

Policy No.: 4136

Resignation

Board Adopted: 10/11/05

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

The Board authorizes the Superintendent/Principal to accept an employee's written resignation and to set its effective date. Once the Superintendent/Principal has accepted and set an effective date for this resignation, the resignation may not thereafter be withdrawn by the employee.

The effective date of the resignation shall be a date not later than the close of the school year during which the resignation is received. However, an employee and the Board may agree that a resignation will be accepted at a mutually agreed upon date not later than two years beyond the close of the school year during which the resignation is received by the Board.

Legal Reference:

Education Code

35161	Board Delegation of Any Powers or Duties
44242.5	Reports of Change in Employment Status, Alleged Misconduct
44420	Failure to Fulfill Contract as Ground for Suspension of Diplomas and Certificates
44433	Unauthorized Departure from Service as Unprofessional Conduct
44930	Acceptance and Date of Resignation
45201	Power to Accept Resignation

Code of Regulations, Title 5

80303	Reports of Change in Employment Status
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80304

Notice of Sexual Misconduct

WOODSIDE SCHOOL DISTRICT

CERTIFICATED PERSONNEL

Policy No.: 4138

Personnel Reduction

Board Adopted: 10/11/05

The Board of Trustees may reduce the number of certificated personnel, or their hours and wages, due to any of the following conditions:

1. Declining enrollment, provided that the percentage of reduction in probationary and permanent certificated personnel shall not exceed the corresponding percentage of student attendance lost.
2. Reduction or discontinuance of programs or services.
3. State-mandated modification of the curriculum.
4. The fiscal crisis that may occur after enactment of the Budget Act when the total revenue limit per ADA has not increased by at least two percent.

The Board recognizes that its authority in the reduction of personnel is subject to legal requirements. Except as otherwise provided by statute, a permanent employee who is certificated and competent to render a service shall not be terminated or given a reduction in hours and wages while a probationary employee or other employee with less seniority is retained to render the service.

To be considered competent, an employee must have academic training and one year of full-time experience in the specialized area to which the District would be able to assign him/her. The District will also consider the recency of the employee's experience.

Legal Reference:	Education Code
	44830 Employment of Certificated Persons
	44949 Dismissal of Probationary Employees
	44955 Reduction in Number of Permanent Employees
	44955.5 Termination of certificated Employees
	44956-
	44959.5 Rights of Employees

Government Code

3543.2 Scope of Representation

WOODSIDE SCHOOL DISTRICT

CERTIFICATED PERSONNEL

Regulation No.: 4138

Personnel Reduction

Board Adopted: 10/11/05

For purposes of reduction of certificated personnel, terminations shall generally be in order of least seniority. The District may deviate from terminating or reappointing a certificated employee in order of seniority for either of the following reasons:

1. To fill a demonstrated specific need for personnel to teach a specific course or courses of study, or to provide services authorized by a services credential with a specialization in either student personnel services or health for a school nurse, when the certificated employee has the necessary special training and experience which others with more seniority do not possess.
2. To maintain or achieve compliance with constitutional requirements related to equal protection of the law.

Before assigning or reassigning any certificated employee to teach a subject which he/she has not previously taught, and for which he/she does not have a teaching credential or which is not within the employee's major area of postsecondary study, the Board shall require the employee to pass a subject matter competency test in the appropriate subject.

Terminated certificated employees shall not be subject to any requirements that were not imposed on employees who continued in service; their period of absence shall be treated as a leave of absence and not considered a break in the continuity of their service.

Notice and Right to Hearing

When the District needs to reduce the number of certificated staff, the District shall adhere to the notice, hearing and layoff procedures in Education Code 44949 and 44955.

When the Board, during the time period between five days after enactment of the Budget Act and August 15, determines that the total revenue limit per ADA has not increased by at least two percent and that the District therefore needs to reduce the number of certificated staff, the Board shall adopt a schedule of notice and hearings, and the District shall otherwise proceed.

Reappointment

If the number of employees is increased or the discontinued service reestablished, permanent certificated employees under 65 years of age shall have the right to reappointment in order of seniority for 39 months after being terminated. Probationary certificated employees under 65 years of age shall have the same right for 24 months after being terminated, subject to the prior reappointment rights of permanent employees.

WOODSIDE SCHOOL DISTRICT

ALL PERSONNEL

Policy No.: 4140

Termination Agreements

Board Adopted: 10/11/05

If a termination settlement agreement has been made with an employee, the Superintendent/Principal shall inform prospective employers, upon request for an employment reference, that an agreement exists and that he/she may only provide information as provided for in the agreement.

Cash settlements made upon the termination of a contract shall never exceed an amount equal to the employee's monthly salary multiplied by the number of months, up to 18, in the unexpired term of the contract. This amount is a maximum ceiling, not to be construed as a target amount for settlement agreements.

Settlement agreements shall not include noncash items other than health benefits, which the District may offer to continue for the unexpired term up to 18 months or until the employee finds other employment, whichever comes first.

Copies of settlement agreements with a Superintendent/Principal shall be made available to the public upon request.

Legal Reference:

Civil Code

47

Privileged Communication

Government Code

53260-53264 Employment Contracts

Labor Code

1198.5

Inspection of Personnel Files by Employees

Code of Regulations, Title 5

80303

Reports of Dismissal, Resignation and Other Terminations for Cause

80332

Professional Honesty in Letters of Employment Recommendation

WOODSIDE SCHOOL DISTRICT

CERTIFICATED PERSONNEL

Policy No.: 4142

Decision Not to Rehire

Board Adopted: 10/11/05

The Superintendent/Principal shall provide the Board of Trustees with his/her recommendations regarding the rehiring of probationary employees.

The Board may decide not to rehire a probationary employee for a second year and give written notice of its decision to the employee at any time during his/her first year. If the Board does not give written notice, the employee shall be rehired for the following year.

The Board may decide not to rehire a probationary employee for a third year and give written notice to the employee on or before March 15 of his/her second year. If the Board does not give written notice on or before March 15, the employee shall be rehired for the following year.

The Board may also decide not to rehire a District intern at the end of his/her first, second or third consecutive year. Written notice to the employee may be given at any time during the year except during the employee's last year as an intern, when notice must be given on or before March 15. If the Board does not give written notice, the employee shall be rehired as a probationary employee for the following year.

Legal Reference:	Education Code
	44885.5 District Interns
	44929.21 Districts with 250 ADA or More; Notice of Reelection Decision
	44929.23 Districts with Daily Attendance Less Than 250
	44948.2 Election to Use Provisions of Education Code 44948.3
	44948.3 Dismissal of Probationary Employees (Over 250 ADA)
	44949 Cause, Notice and Right to Hearing Required for Dismissal of Probationary Employee

44955

Reduction in Number of Permanent Employees

WOODSIDE SCHOOL DISTRICT

CERTIFICATED PERSONNEL

Policy No.: 4144

Suspension/Disciplinary Action – Page 1

Board Adopted: 10/11/05

The Woodside School District Board of Trustees desires that all employees exhibit professional and appropriate conduct and serve as positive role models at school and in the community. Unacceptable conduct shall be subject to disciplinary action in accordance with law, collective bargaining agreement, Board policy and administrative regulations.

Disciplinary actions may include, but not be limited to, verbal warnings, written warnings, reassignment, suspension, freezing or reduction of wages, compulsory leave and dismissal.

The Superintendent/Principal may take disciplinary action as he/she deems appropriate in light of the particular facts and circumstances involved. He/she shall ensure that disciplinary actions are taken in a consistent, nondiscriminatory manner and are appropriately documented.

Legal Reference:	Education Code
	44009 Conviction of Specified Crimes
	44010 Sex Offense – Definitions
	44011 Controlled Substance Offense – Definitions
	44660-44665 Evaluation and Assessment of Performance of Certificated Employees
	44830.1 Criminal Record Summary Certificated Employees
	44932 Grounds for Dismissal of Permanent Employee
	44933 Other Grounds for Dismissal
	44938 Unprofessional Conduct or Unsatisfactory Performance; Notice of Charges
	44940 Sex Offenses and Narcotic Offenses; Compulsory Leave of Absence
	44940.5 Compulsory Leave of Absence; Procedures; Extension; Compensation; Bond or Security; Reports
	44942 Suspension or Transfer of Certificated Employee on Grounds of Mental Illness
	44944 Conduct of Hearing
	44948.3 Dismissal of Employees on Probation
	45055 Drawing of Warrants for Teachers
	51530 Advocacy or Teaching of Communism
	Government Code
	3543.2 Scope of Representation
	Health and Safety Code
	11054 Schedule I, Substances Included
	11055 Schedule II, Substances Included
	11056 Schedule III, Substances Included
	11357-11361 Marijuana
	11363 Peyote
	11364 Opium
	11370.1 Possession of Controlled Substances With a Firearm

WOODSIDE SCHOOL DISTRICT

CERTIFICATED PERSONNEL

Policy No.: 4144

Suspension/Disciplinary Action – Page 2

Board Adopted: 10/11/05

Legal Reference: (cont.)

Penal Code

667.5

Prior Prison Terms, Enhancement of Prison Terms

1192.7

Plea Bargaining Limitation

WOODSIDE SCHOOL DISTRICT

ALL PERSONNEL

Policy No.: 4146

Civil and Legal Rights – Page 1

Board Adopted: 10/11/05

The Board of Trustees believes that the personal life of an employee is not an appropriate concern of the District, except as it may directly prevent the employee from performing his/her duties or responsibilities.

An employee's religious or political activities, or the lack thereof, shall not be grounds for any discrimination or disciplinary action by the District, provided these activities do not violate Board policy, administrative regulations or local, state or federal laws.

Teachers shall have the right to refuse to submit to any evaluation or survey conducted by the District concerning personal values, attitudes and beliefs; sexual orientation; political affiliations or opinions, critical appraisals of other individuals with whom the teacher has a family relationship; or religious affiliations or beliefs.

Whistleblower Protection

All employees shall have the right to disclose improper governmental activities to a Board member, a school administrator, a member of the San Mateo County Board of Education, San Mateo County Superintendent of Schools, or the Superintendent of Public Instruction. An improper governmental activity is an activity by the District or a District employee that violates state or federal law, is economically wasteful, or involves gross misconduct, incompetency or inefficiency.

No employee shall use or attempt to use his/her official authority or influence to intimidate, threaten, coerce or command another employee for the purpose of interfering with that employee's right to disclose improper governmental activity.

An employee who has disclosed improper governmental activity and believes that he/she has subsequently been subjected to acts or attempted acts of reprisal shall file a written complaint in accordance with the District's complaint procedures. After filing a complaint with the District, he/she may also file a copy of the complaint with local law enforcement.

Rights in Legal Proceedings

Any employee has the right, if contacted by an attorney or the representative of a law firm not employed by the District about any claim, complaint, lawsuit or other legal proceeding against the District, to:

1. Speak to the attorney or the representative without fear of punishment in retaliation for such communication.
2. Contact his/her supervisor before answering questions or responding in any way.
3. Refuse to speak to the attorney or representative.
4. Notify the District that the attorney or representative has requested an interview.
5. Consult with his/her own attorney or an attorney employed by the District or bargaining unit.

WOODSIDE SCHOOL DISTRICT

ALL PERSONNEL

Policy No.: 4146

Civil and Legal Rights – Page 2

Board Adopted: 10/11/05

6. Be represented at any interview either by his/her own attorney or an attorney employed by the District.

Legal Reference:

Education Code

- 200-262.4 Prohibition of Discrimination on the Basis of Sex
- 7050-7057 Political Activities of School Officers and Employees
- 44040 Unlawful to Discriminate Solely Because of Employee's Appearance before Certain Boards or Committees
- 44110-44114 Reporting by School Employees of Improper Governmental Activity
- 44801 Leave of Absence for Employees Elected to the Legislature
- 49091.24 Teacher Rights to Refuse Evaluation/Survey of Personal Life

Civil Code

- 51 Unruh Civil Rights Act

Government Code

- 3540.1 Public Employment Definitions
- 3543.5 Interference with Employee's Rights Prohibited
- 12940-12950 Discrimination Prohibited; Unlawful Practices

United States Code, Title 42

- 2000d-
- 2000d-7 Title VI, Civil Rights Act
- 2000e-
- 2000e-17 Title VII, Civil Rights Act of 1964 as Amended
- 2000h-
- 2000h-6 Title IX, 1972 Education Act Amendments

12101-12213 Americans with Disabilities Act

WOODSIDE SCHOOL DISTRICT

ALL PERSONNEL

Policy No.: 4148

Sexual Harassment – Page 1

Board Adopted: 10/11/05

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

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

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

Any District employee or job applicant who feels that he/she has been sexually harassed, or who has knowledge of any incident of sexual harassment by or against another employee, a job applicant or a student, shall immediately contact his/her supervisor or Superintendent/Principal to obtain procedures for filing a complaint. If the complaint is against the Superintendent/Principal, the complainant shall immediately report the incident to the Board. Complaints of sexual harassment shall be filed in accordance with Policy 4031 – Complaints Concerning Discrimination in Employment.

An employee may bypass his/her supervisor in filing a complaint where the supervisor is the subject of the complaint.

A supervisor who receives a harassment complaint shall promptly notify the Superintendent/Principal.

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

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

Legal Reference: Education Code
 200-262.4 Prohibition of Discrimination on the Basis of Sex

 Government Code
 12900-12996 Fair Employment and Housing Act

WOODSIDE SCHOOL DISTRICT

ALL PERSONNEL

Policy No.: 4148

Sexual Harassment – Page 2

Board Adopted: 10/11/05

Legal Reference: (cont.)

Labor Code

1101 Political Activities of Employees
1102.1 Discrimination: Sexual Orientation

Code of Regulations, Title 5

4900-4965 Nondiscrimination in Elementary and Secondary Education
Programs Receiving State Financial Assistance

United States Code, Title 42

2000d-
2000d-7 Title VI, Civil Rights Act
2000e-
2000e-17 Title VII, Civil Rights Act of 1964 as amended
2000h-
2000h-6 Title IX, 1972 Education Act Amendments

Code of Federal Regulations, Title 34

106.9 Dissemination of Policy

Court Decisions

Faragher v. City of Boca Raton (1998) 118 S.Ct. 2275
Burlington Industries v. Ellreth (1998) 118 S.Ct. 2257
Gebser v. Lago Vista Independent School District (1998) 118 S.Ct. 1989
Oncale v. Sundowner Offshore Serv. Inc. (1998) 118 S.Ct. 988
Juarez v. Ameritech Mobile Systems (N.D. Ill.) 7496 F. Supp 798
Dornhecker v. Mailbu Grand Prix Corp. (5th Cir. 1987) 828 F.2d. 307
Meritor Savings Bank, FSB v. Vinson et al. (1986) 447 U.S. 57

WOODSIDE SCHOOL DISTRICT

ALL PERSONNEL

Regulation No.: 4148

Sexual Harassment – Page 1

Board Adopted: 10/11/05

Prohibited sexual harassment includes, but is not limited to, unwelcome sexual advances, unwanted requests for sexual favors or other unwanted verbal, visual or physical conduct of a sexual nature made against another person of the same or opposite gender, in the work or educational setting, when:

1. Submission to the conduct is made expressly or implicitly a term or condition of the individual's employment.
2. Submission to or rejection of such conduct by the individual is used as the basis for an employment decision affecting him/her.
3. The conduct has the purpose or effect of unreasonably interfering with the other individual's work performance; creating an intimidating, hostile or offensive work environment; or adversely affecting the other individual's evaluation, advancement, assigned duties, or any other condition of employment or career development.
4. Submission to or rejection of the conduct by the other individual is used as the basis for any decision affecting him/her regarding benefits, services, honors, programs or activities available at or through the District.

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

1. Unwelcome leering, sexual flirtations or propositions.
2. Unwelcome sexual slurs, epithets, threats, innuendoes, derogatory comments or sexually degrading descriptions.
3. Graphic verbal comments about an individual's body, or overly personal conversations or pressure for sexual activity.
4. Sexual jokes, stories, drawings, pictures, graffiti, gestures or sexually explicit emails.
5. Spreading sexual rumors.
6. Massaging, grabbing, fondling, stroking or brushing the body.
7. Touching an individual's body or clothes in a sexual way.
8. Cornering, blocking, leaning over or impeding normal movements.
9. Displaying sexually suggestive objectives or using sexual computer screen savers.
10. Any act of retaliation against an individual who reports a violation of the District's sexual harassment policy or who participates in the investigation of a sexual harassment complaint.

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Regulation No.: 4148

Sexual Harassment – Page 2

Board Adopted: 10/11/05

Notifications

A copy of the Board of Trustees' policy and this administrative regulation shall:

1. Be displayed in a prominent location in the main administrative building or other area of the school where notices of District rules, regulations, procedures and standards of conduct are posted.
2. Be provided to each faculty member, all members of the administrative staff, and all members of the support staff at the beginning of the first quarter or semester of the school year, or whenever a new employee is hired.
3. Appear in any school or District publication that sets forth the District's comprehensive rules, regulations, procedures and standards of conduct.

All employees shall receive either a copy of information sheets prepared by the California Department of Fair Employment and Housing or a copy of District information sheets that contain, at a minimum, components on:

1. The illegality of sexual harassment.
2. The definition of sexual harassment under applicable state and federal law.
3. A description of sexual harassment, with examples.
4. The District's complaint process available to the employee.
5. The legal remedies and complaint process available through the Fair Employment and Housing Department and Equal Employment Opportunity Commission.
6. Directions on how to contact the Fair Employment and Housing Department and Equal Employment Opportunity Commission.

WOODSIDE SCHOOL DISTRICT

ALL PERSONNEL

Policy No.: 4150

Professional Standards

Board Adopted: 12/13/05

The Board of Trustees expects District employees to maintain the highest ethical standards, follow District policies and regulations, and abide by state and federal laws. Employee conduct should enhance the integrity of the District and advance the goals of the educational programs. Each employee should make a commitment to acquire the knowledge and skills necessary to fulfill his/her responsibilities and should focus on his/her contribution to the learning and achievement of District students.

The Board expects District employees to follow as guiding principles the professional standards and codes of ethics adopted by professional associations to which they may belong.

80331-80338 Rules of Conduct for Professional Educators

WOODSIDE SCHOOL DISTRICT

ALL PERSONNEL

Policy No.: 4152

Unauthorized Release of Confidential/Privileged Information

Board Adopted: 12/13/05

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

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

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

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

Legal Reference:

Education Code

35010 Control of District; Prescription and Enforcement of Rules
35146 Closed Sessions (Re: Student Suspension)
44031 Personnel File Contents and Inspection
44932 Grounds for Dismissal of Permanent Employees
44933 Other Grounds for Dismissal
45113 Rules and Regulations for Classified Service
49060-49078 Pupil Records

Government Code

1098 Public Officials and Employees: Confidential Information
3540 et seq. Meeting and Negotiation in Public Employment
6252 et seq. Inspection of Public Records
54957 Closed Session; Purposes for Holding; Definition of "Employee"
Exclusion of Witnesses
54957.2 Taking of Minutes at Closed Sessions; Clerk; Minute Book
54957.6 Closed Session, Representatives to Employee Organizations; State
Conciliator

Labor Code

1102.5 Employees: Disclosure of Information

United States Code, Title 20

1232g

Family Education Rights and Privacy Act

WOODSIDE SCHOOL DISTRICT

ALL PERSONNEL

Policy No.: 4154

Political Activities of Employees

Board Adopted: 12/13/05

The Board of Trustees 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 shall make it clear that they are acting as individuals and not as representatives of the District.

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

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

Legal Reference:

Education Code

7050-7057 Political Activities of School Officers and Employees

38130-38139 Civic Center Act

51520 Prohibited Solicitations on School Premises

Government Code

3543.1 Rights of Employee Organizations

Attorney General Opinions

93 Ops.Cal.Atty.Gen. 1201 (1994)

Court Decisions

California Teachers Association v. Governing Board of San Diego Unified School

District (1996) 45 Cal.App.4th 1383

WOODSIDE SCHOOL DISTRICT

ALL PERSONNEL

Policy No.: 4156

Exposure Control Plan for Bloodborne Pathogens – Page 1

Board Adopted: 12/13/05

The following regulation is based on Title 8, Section 5193, which contains specific requirements for compliance with OSHA standards for preventing exposure to bloodborne pathogens.

Definitions

Occupational Exposure means “reasonably anticipated skin, eye, mucous membrane, or parenteral contact with blood or other potentially infectious materials that may result from the performance of an employee’s duties.”

Exposure Incident means “a specific eye, mouth, other mucous membrane, non-intact skin, or parenteral contact with blood or other potentially infectious materials that results from the performance of an employee’s duties.” Parenteral contact means “piercing mucous membranes or the skin barrier through such events as needlesticks, human bites, cuts, and abrasions.”

Exposure Control Plan

The District’s Exposure Control Plan shall contain at least the following components:

1. A determination of which employees have occupational exposure to blood or other potentially infectious material.
2. A description of the schedule and method for implementing exposure control requirements, including but not be limited to:
 - a. Universal precautions
 - b. Engineering and work practice controls
 - c. Personal protective equipment
 - d. Cleaning and maintenance schedules
 - e. Hepatitis B vaccination
 - f. Post-exposure evaluation and follow-up
 - g. Informing employees about biohazards, including:
 - (1) Labels and signs, and
 - (2) Training
 - h. Maintenance of training and medical records
3. The District’s procedure for evaluating circumstances surrounding exposure incidents.

WOODSIDE SCHOOL DISTRICT

ALL PERSONNEL

Policy No.: 4156

Exposure Control Plan for Bloodborne Pathogens – Page 2

Board Adopted: 12/13/05

The Exposure Control Plan shall be reviewed and updated at least annually and whenever necessary to:

- a. Reflect new or modified tasks and procedures affecting occupational exposure.
- b. Reflect new or revised employee positions with occupational exposure.
- c. Review the exposure incidents that occurred since the previous update

The District's Exposure Control Plan shall be accessible to employees in accordance with law. It also shall be made available to the Chief or Director of the National Institute for Occupational Safety and Health and Human Services, or his/her designee, upon request for examination and copying.

Exposure Determination

The District's exposure determination shall be made without regard to the use of personal protective equipment and shall include:

1. All job classifications in which all employees have occupational exposure to bloodborne pathogens.
2. Job classifications in which some employees have occupational exposure.
3. All tasks and procedures or groups of closely related tasks and procedures in which occupational exposure occurs and which are performed by employees listed in item 2 above

Hepatitis B Vaccination

Hepatitis B vaccinations shall be provided at no cost to those employees determined to have occupational exposure to blood and other potentially infectious materials. Employees who decline to accept the vaccination shall sign the hepatitis B declination statement as required by law.

The District may exempt "designated first-aid providers" from the pre-exposure hepatitis B vaccine if:

1. Rendering first aid is not the primary job responsibility of the employee and is not performed on a regular basis.
2. The District's Exposure Control Plan provides that:
 - a. Employees report all first-aid incidents involving the presence of blood or other potentially infectious materials before the end of the work shift during which the incident occurred.
 - b. Designated first-aid providers participate in the bloodborne pathogens training program.

WOODSIDE SCHOOL DISTRICT

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Policy No.: 4156

Exposure Control Plan for Bloodborne Pathogens – Page 3

Board Adopted: 12/13/05

- c. Unvaccinated first-aid providers shall have the opportunity to receive the full hepatitis B vaccination series no later than 24 hours after rendering assistance in any situation involving the presence of blood or other potentially infectious material regardless of whether an exposure incident occurred.
3. The District implements a procedure to ensure the above requirements are met.

Protective Equipment

The District shall provide appropriate personal protective equipment at no cost to the employee. The District shall maintain, repair, make accessible and require employees to use and properly handle protective equipment.

Information and Training

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

Employees who fall within the definition of designated first-aid providers shall also receive training. Such training shall include the specifics of reporting first-aid incidents that involve blood or body fluids that are potentially infectious.

First-Aid Incidents

Unvaccinated designated first-aid providers must report any first-aid incident involving the presence of blood or other potentially infectious materials to their supervisors, regardless of whether an exposure incident occurred, by the end of the work shift. The full hepatitis B vaccination series shall be made available to such employees no later than 24 hours after the first-aid incident.

Exposure Incidents: Post-Evaluation and Follow-Up

All exposure incidents must be reported as soon as possible to the Superintendent/Principal. Following a report of an exposure incident, the District shall provide the exposed employee with a confidential medical evaluation and follow-up, as required by law. The District shall maintain the confidentiality of the affected employee and the exposure source during all phases of the post-exposure evaluation.

Records

Medical and training records shall be kept in accordance with law. Medical records shall be maintained for the duration of employment plus thirty years. Training records shall be maintained for three years from the date of training.

Medical records for each employee with occupational exposure will be kept confidential as appropriate and

transferred or made available in accordance with law.

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Policy No.: 4156

Exposure Control Plan for Bloodborne Pathogens – Page 4

Board Adopted: 12/13/05

Records shall be made available to employees and the National Institute for Occupational Safety and Health in accordance with law.

WOODSIDE SCHOOL DISTRICT

ALL PERSONNEL

Regulation No.: 4156

Exposure Control Plan for Bloodborne Pathogens – Page 1

Board Adopted: 12/13/06

Universal Precautions and Exposure Control Plan for Bloodborne Pathogens

1. Universal Precautions/Exposure Control Plan

"Universal Precautions" is an approach to infection control. According to the concept of universal precautions, all human blood and certain human body fluids are treated as if known to be infectious for HIV, HBV, and other bloodborne pathogens.

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

- a. Wear disposable waterproof gloves whenever you expect to come into direct hand contact with blood, other body fluids, or contaminated items or surfaces. This applies to incidents including, but not limited to, caring for nosebleeds or cuts, cleaning up spills, or handling clothes soiled by blood or body fluids. Do not reuse gloves. After each use, remove the gloves without touching them outside and dispose of them in a lined waste container. Gowns or smocks should also be worn if you anticipate soiling of clothes by body fluids or secretions.
- b. Wash your hands and any other contacted skin surfaces thoroughly for 15 to 30 seconds with dispensable soap and warm running water, rinse under running water, and thoroughly dry with disposable paper towels:
 - 1) Immediately after any accidental contact with blood, body fluids, drainage from wounds, or with soiled garments, objects or surfaces.
 - 2) Immediately after removing gloves, gowns or smocks.
 - 3) Before eating, drinking or feeding.
 - 4) Before handling food, cleaning utensils or kitchen equipment.
 - 5) Before and after using the toilet or diapering.

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

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

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Exposure Control Plan for Bloodborne Pathogens – Page 2

Board Adopted: 12/13/06

- d. Properly dispose of contaminated materials.
 - 1) Place blood, body fluids, gloves, bloody dressings and other absorbent materials into appropriate plastic bags or lined waste containers.
 - 2) Place needles, syringes and other sharp disposable objects in leak-proof, puncture-proof containers.
 - 3) Bag soiled towels and other laundry. Presoak with disinfectant and launder with soap and water.
 - 4) Dispose of urine, vomitus or feces in the sanitary sewer system.
- e. Do not care for other's injuries if you have any bleeding or oozing wounds or skin conditions.
- f. Use a mouthpiece, resuscitation bag or other ventilation device when readily available in place of mouth-to-mouth resuscitation.
- g. Immediately report any exposure incident or first-aid incident in accordance with the District's Exposure Control Plan or other procedures. These precautions and exposure incident report forms shall be posted in all offices, food preparation or food serving areas, maintenance shops, and in classrooms with a greater than normal likelihood of exposure, including physical education, and special day classes.

2. Exposure Control Plan

Definitions

Occupational Exposure means "reasonably anticipated skin, eye, mucous membrane, or parenteral contact with blood or other potentially infectious materials that may result from the performance of an employee's duties."

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

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

Exposure Control Plan Update

The Exposure Control Plan shall be reviewed and updated at least annually and whenever necessary to:

- a. Reflect new or modified tasks and procedures affecting occupational exposure.

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Exposure Control Plan for Bloodborne Pathogens – Page 3

Board Adopted: 12/13/06

- b. Reflect new or revised employee positions with occupational exposure.
- c. Review the exposure incidents that occurred since the previous update.

The District's Exposure Control Plan shall be accessible to employees in accordance with law. It also shall be made available to the Chief or Director of the National Institute for Occupational Safety and Health, U.S. Department of Health and Human Services, or designee, upon request for examination and copying.

Exposure Determination

The District' exposure determination shall be made without regard to the use of personal protective equipment and shall include:

- a. All job classifications in which all employees have occupational exposure to bloodborne pathogens.
- b. Job classifications in which some employees have occupational exposure.
- c. All tasks and procedures or groups of closely related tasks and procedures in which occupational exposure occurs and which are performed by employees listed in item #2 above.

Hepatitis B Vaccination

Hepatitis B vaccinations shall be provided at no cost to those employees determined to have occupational exposure to blood and other potentially infectious materials. Employees shall use their health care provider, in so far as is possible.

In compliance with Cal/OSHA and Industrial Safety Order (GISO) #5193, the following list of job classifications are defined as Category I and Category II and have been identified as being at-risk for Hepatitis B exposure.

Category 1* Job Classifications are employees who have occupational exposure to blood or other potentially infectious materials on a regular basis.

Office Manager
Special Education Teacher
Maintenance Supervisor

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Regulation No.: 4156

Exposure Control Plan for Bloodborne Pathogens – Page 4

Board Adopted: 12/13/06

Category II* Job Classifications are considered employees exposed to blood or other potentially infectious materials not on a daily or regular basis.

P.E. Teacher K-5, 6-8

*Substitutes who work in any of the above job classifications are encouraged to avail themselves of Hepatitis B vaccination.

Any other job classification/or employee who has been identified as having exposure to blood or other potentially infectious materials will be offered the Hepatitis B vaccine.

The District may exempt "designated first-aid providers" from the pre-exposure hepatitis B vaccine if:

- a. Rendering first aid is not the primary job responsibility of the employee and is not performed on a regular basis.
- b. The District's Exposure Control Plan provides that:
 - 1) Employees report all first-aid incidents involving the presence of blood or other potentially infectious materials before the end of the work shift during which the incident occurred.
 - 2) Designated first-aid providers who have not received the series will be offered the hepatitis B vaccination series no later than 24 hours after rendering assistance in any situation involving the presence of blood or other potentially infectious material regardless of whether an exposure incident occurred.
 - 3) The District implements a procedure to ensure the above requirements are met.

Protective Equipment

The District shall provide appropriate personal protective equipment at no cost to the employee. The District shall maintain, repair, make accessible and require employees to use and properly handle protective equipment.

Information and Training

The District shall provide a training program as specified by law to all employees in job classifications, which have been determined to have some degree of occupational exposure. This program shall be offered at the time of initial assignment, annually thereafter, and whenever a change of tasks or procedures affects the employee's exposure. A videotape presentation may suffice as the training program.

Employees who fall within the definition of designated first-aid providers shall also receive training.

Such training shall include the specifics of reporting first-aid incidents, which involve blood or body fluids, which are potentially infectious.

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ALL PERSONNEL

Regulation No.: 4156

Exposure Control Plan for Bloodborne Pathogens – Page 5

Board Adopted: 12/13/06

First-Aid Incidents

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

Exposure Incidents: Post-evaluation and Follow-up

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

Records

Medical and training records shall be kept in accordance with law. Medical records shall be maintained for the duration of employment plus thirty years. Training records shall be maintained for three years from the date of training.

Medical records for each employee with occupational exposure will be kept confidential as appropriate and transferred or made available in accordance with law.

Records shall be made available to employees and the National Institute for Occupational Safety and Health in accordance with law.

WOODSIDE SCHOOL DISTRICT

ALL PERSONNEL

Exhibit No.: 4156

Exposure Control Plan for Bloodborne Pathogens

Board Adopted: 12/13/06

Hepatitis B Vaccine Declination

I understand that due to my occupational exposure to blood or other potentially infectious materials I may be at risk of acquiring hepatitis B virus (HBV) infection. I have been given the opportunity to be vaccinated with hepatitis B vaccine, at no charge to myself. However, I decline hepatitis B vaccination at this time. I understand that by declining this vaccine, I continue to be at risk of acquiring hepatitis B, a serious disease.

If in the future I continue to have occupational exposure to blood or other potentially infectious materials, and I want to be vaccinated with hepatitis B vaccine, I can receive the vaccination series at no charge to me.

Signature

Employee Name (Please print)

Date

WOODSIDE SCHOOL DISTRICT

CERTIFICATED PERSONNEL

Policy No.: 4158

On-Call Day-To-Day Substitute Personnel – Page 1

Board Adopted: 12/13/05

Hiring

The Board of Trustees may employ on-call day-to-day substitute personnel to fill positions of regularly employed certificated persons absent from service.

Substitute 30-day Emergency Permit personnel shall not serve greater than 30 consecutive days in a single regular classroom and not greater than 20 consecutive days in a single special education classroom.

Safety and Benefits

The Board shall adopt and make public a salary schedule setting the daily rate(s) for personnel in the On-Call Day-to-Day Substitute service.

Substitute personnel shall not participate in the health and welfare plans or other fringe benefits of the District.

Legal Reference:	Education Code
	44252.5 State Basic Skills Assessment Required for Certificated Personnel
	44300 Emergency Teaching or Specialist Permits
	44830 Employment of Certificated Persons; Requirements of Proficiency in Basic Skills
	44839.5 Employment of Retirant
	44845-44846 Criteria for Reemployment Preferences
	44914 Substitute and Probationary Employment in Computation for Classification as Permanent Employee
	44915 Classification of Probationary Employees
	44916 Time of Classification; Statement of Employment Status
	44917 Classification of Substitute Employees
	44918 Substitute or Temporary Employee Deemed Probationary Employee; Reemployment Rights
	44919 Classification of Temporary Employees
	44920 Employment of Certain Temporary Employees; Classifications
	44921 Employment of Temporary Employees; Reemployment Rights (Unified and High School Districts)
	44953 Dismissal of Substitute Employees
	44954 Release of Temporary Employees
	44956 Rights of Laid-Off Permanent Employees to Substitute Positions
	44957 Rights of Laid-Off Probationary Employees to Substitute Positions
	44977 Salary Schedule for Substitute Employees
	45030 Substitutes
	45041 Computation of Salary
	45042 Alternative Method of Computation for Less Than One School Year
	45043 Compensation for Employment Beginning in the Second Semester
	56060-56063 Substitute Teachers in Special Education

WOODSIDE SCHOOL DISTRICT

CERTIFICATED PERSONNEL

Policy No.: 4158

On-Call Day-To-Day Substitute Personnel – Page 2

Board Adopted: 12/13/05

Legal Reference: (cont.)

Code of Regulations, Title 5

5502 Filing of Notice of Physical Examination for Employment of Retired Person

5503 Physical Examination for Employment of Retired Persons

WOODSIDE SCHOOL DISTRICT

CERTIFICATED PERSONNEL

Policy No.: 4160

Student Teachers

Board Adopted: 12/13/05

Assignment of student teachers shall be made by the Superintendent/Principal. Resident teachers will be recommended by the Superintendent/Principal. An effort will be made to rotate assignments so that all interested teachers may participate.

WOODSIDE SCHOOL DISTRICT

CERTIFICATED PERSONNEL

Policy No.: 4162

Professional Growth

Board Adopted: 12/13/05

The Board of Trustees recognizes its obligation to help teachers meet their responsibility for fulfilling the professional growth requirements of their credentials. The Board expects that the increased competence attained by these teachers during their professional growth activities will contribute significantly to the District's educational program.

Legal Reference: Education Code
 44277 Requirements for Professional Growth

 California Code of Regulations, Title 5
80550-80565 Generally, Especially:
80550 Professional Growth Requirements Definitions
80552-80553 Specific Renewal Requirements
80554-80555 Elements of Professional Growth Plan and Professional Growth
 Record
80556 Professional Growth Advisors, and Employing Agencies; Roles and
 Responsibilities
80558 Definition of Professional Growth Activities

80565

Professional Service Requirements

WOODSIDE SCHOOL DISTRICT

ALL PERSONNEL

Policy No.: 4164

Publication or Creation of Materials

Board Adopted: 12/13/05

The Board of Trustees recognizes that District employees may create copyrightable materials at work, at home, or both at work and at home. The development of copyrightable materials during, or in part during, the work day shall be approved by the Superintendent/Principal. However, the Superintendent/Principal's approval or lack of approval shall not affect the District's ownership of copyrights for materials developed during work hours.

Materials written or developed by an employee during the normal school day are considered District property.

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

The Board may secure copyrights in the name of the District for all copyrightable works developed by the District. All royalties or revenues from these copyrights shall be used for the benefit of the District.

The Board may market or license any noneducational mainframe electronic software developed by the District. Proceeds from this marketing or licensing shall be used exclusively for educational purposes.

Legal Reference:

Education Code

32360 Copyrights; Use of Funds
32361 Copyrights; Use of Employee Work Time
35170 Authority to Secure Copyrights
35182 Marketing or Licensing Noneducational Mainframe Electronic Data-
Processing Software
60076 Royalties or Other Compensation

Labor Code

2870-2872 Inventions Made by an Employee

United States Code, Title 17

201 Copyright Law

201(a) Copyright Law

WOODSIDE SCHOOL DISTRICT

ALL PERSONNEL

Policy No.: 4166

Soliciting and Selling

Board Adopted: 12/13/05

Employees shall not solicit District staff, students or their families with the intent to sell general merchandise, books, equipment or services.

Staff shall not distribute promotional, political, controversial or other noninstructional materials unless approved by the Superintendent/Principal.

Staff members shall not use their status as District employees to secure information such as names, addresses and telephone numbers for use in profit-making ventures.

Educational tours may be promoted on school premises only if they are sponsored by the District. Employees engaged in planning, organizing or leading tours as a private business shall make it clear that they do not represent the school or District. All activities related to such tours must be carried on outside of school hours.

Any classroom activity requiring students to bring money to school for any purpose must have the principal's approval.

Staff participation in "flower funds," "sickness and bereavement funds," "anniversary funds" and the like shall be a matter of individual discretion.

51520

Prohibited Solicitations on School Premises

WOODSIDE SCHOOL DISTRICT

CERTIFICATED PERSONNEL

Policy No.: 4168

Tutoring

Board Adopted: 10/16/02

Board Revised: 1/17/07

The Governing Board of Woodside School District believes that, by maintaining a high quality instructional staff, providing a rich, varied curriculum, training staff to teach that curriculum to students with diverse learning styles as well as offering support systems for students with identified exceptional learning needs, the need for individual, private tutoring should be minimized.

Should, however, private, individual tutoring be recommended and/or desired by parents willing to assume the costs thereof, the following conditions must be met:

1. No teacher on staff may accept any kind of remuneration for tutoring any pupil enrolled in his/her class during the school year, nor tutor during contract hours.
2. Teachers who accept private tutoring engagements must make their own arrangements with the parents of the students to be tutored, including fees and an off-campus site.
3. On-site individual tutoring may be done by certificated staff or outside personnel (requested by the parents) IF such assistance is recommended through the IEP (Individual Educational Plan) special education process, the 504 Plan process (accommodations for mainstream, non-special education students with special needs) and/or the SST (Student Study Team) process.
4. Individual tutoring requested by parents (to be done on campus) outside of IEP, SST or the 504 process must be approved in writing by the child's classroom teacher and the Superintendent.
5. All on-site, non-staff tutors must have documented fingerprinting, and on-site tutoring location and times must be communicated to the administration and office staff of the school for emergency purposes before tutoring commences. All on-site tutors must apply for a use permit under the District's facilities policy and provide insurance naming the District as an additional insured.

WOODSIDE SCHOOL DISTRICT

CERTIFICATED AND CLASSIFIED PERSONNEL

Policy No.: 4170

Bargaining Units

Board Adopted: 12/13/05

The Board of Trustees recognizes the right of public school employees to form bargaining units, select an employee organization as the exclusive representative of their unit, and be represented by that organization in their employment relationship with the District.

The Board is committed to negotiating in good faith and respecting the rights of employees and employee organizations. As required by law, the Board shall negotiate only with the exclusive representative of each bargaining unit.

Employees shall not be intimidated, restrained, coerced or discriminated against, either by the District or by employee organizations, because of their membership or nonmembership in an employee organization.

3540-3549.3 Educational Employment Relations Act

WOODSIDE SCHOOL DISTRICT

CERTIFICATED AND CLASSIFIED PERSONNEL

Policy No.: 4172

Collective Bargaining Agreement

Board Adopted: 12/13/05

The Board of Trustees recognizes that collective bargaining agreements are legally binding, bilateral agreements. The Board is committed to carrying out the provisions of each agreement and expects the agreements to be consistently and uniformly administered.

In order to help prepare for future negotiations, the Superintendent/Principal shall identify any portions of the agreement that hinder the District's efforts to meet District goals.

Legal Reference:

Education Code

35160 Authority of Governing Boards

35160.1 Broad Authority of School Districts

Government Code

3540-3549.3 Educational Employment Relations Act

Code of Regulations, Title 8

31001-32997 Regulations of Employee Relations Boards

WOODSIDE SCHOOL DISTRICT

CERTIFICATED AND CLASSIFIED PERSONNEL

Policy No.: 4174

Public Notice – Personnel Negotiations – Page 1

Board Adopted: 12/13/05

Public Notice

The Board of Trustees, pursuant to the collective bargaining law of the State, declares its intent to establish the means by which the public shall be made aware of and be provided an opportunity for input to the negotiations process.

Presentation of Employee Organization Proposals

Initial collective bargaining proposals of the employee organization(s) shall be presented to the Board in public during a regularly scheduled Board meeting. The Board may schedule a public hearing at the regularly scheduled Board meeting following the presentation of the initial proposal in order to receive public input.

Presentation of Board's Proposal

The initial collective bargaining proposal of the Board shall be presented no later than the second regularly scheduled Board meeting after the public hearing on the employee organization's initial proposal. At the same meeting or at the next regularly scheduled Board meeting following the presentation of the Board's initial proposal, the Board shall place on the agenda a time for public comment on the initial proposal.

Availability of Initial Proposals to the Public

The initial proposals of both the employee organization(s) and the Board shall be made available to the public not later than the second work day following the regularly scheduled Board meeting at which they were presented. Copies of the full initial proposals shall be available at each school site and at the District Office.

Availability of Initial Proposals to Interested Organizations or Citizens

Organizations and individual residents of the District may register with the District Office for the purpose of receiving copies of initial proposals. The District shall mail a copy of both the employee organizations and the Board's initial proposals to all groups so registered. Reimbursement to the District for making copies of the documents and mailing them shall be \$.05 per page for each document.

Public Hearing

Each citizen commenting on a proposal shall be required to identify him or herself. Length of comment may be limited by the President of the Board. The Board shall not take any action to adopt or modify its initial proposal until after it has had an opportunity to receive public comment on the proposal. Interested individuals or groups not wishing to make a formal presentation may respond in writing to be received by the Board not later than mid-week of the week preceding the public hearing. After the public hearing the Board may adopt its initial proposal, including modifications, if any.

WOODSIDE SCHOOL DISTRICT

CERTIFICATED AND CLASSIFIED PERSONNEL

Policy No.: 4174

Public Notice – Personnel Negotiations – Page 2

Board Adopted: 12/13/05

Notification of New Subjects of Bargaining

The proposals on new subjects of bargaining not included in the initial proposal of either the employee organization or the Board shall be made public within 24 hours. Not later than two workdays following the presentation of the new subject at the Board meeting, the initial proposal(s) regarding the new subject(s) shall be available at the District Office. Interested organizations or residents of the district may register at the District Office for the purpose of being notified about new subjects of bargaining. The District shall notify by mail each organization or resident so registered concerning any new subject which has been proposed, subject to the District policy concerning reimbursement for making and mailing copies of the document.

Public Disclosure

Before entering into a written agreement covering matters within the scope of representation, the Board shall disclose, at a public meeting, the major provisions of the agreement, including but not limited to the costs that would be incurred by the District under the agreement for the current and subsequent fiscal years.

Legal Reference: Government Code
 3547 Proposals Relating to Representation; Informing Public, Adoption of
 Proposals; New Subjects; Regulations
 3547.5 Major Provisions of Agreement with Exclusive Representative

 Code of Regulations, Title 8
 32075 PERB Regional Office Defined

32900 EERA and HEERA Public Notice: Requirements for Governing
Boards to Adopt Policy
32910 Filing of EERA or HEERA Complaint

WOODSIDE SCHOOL DISTRICT

CERTIFICATED AND CLASSIFIED PERSONNEL

Regulation No.: 4174

Public Notice – Personnel Negotiations

Board Adopted: 12/13/05

Public Disclosure

The Superintendent/Principal shall prepare a summary of the proposed agreement which shall be available to the public prior to the Board entering into the agreement. The summary shall include, but may not necessarily be limited to:

1. Major provisions of the agreement that affect compensation, such as:
 - a. Percentage change in salaries.
 - b. Changes in health and welfare benefits.
 - c. Changes in health and welfare benefit dollar contributions by the District.
 - d. Changes in step and column or longevity provisions.
 - e. Changes in overtime, differential, callback and standby pay provisions.
 - f. Changes in staffing ratios.
 - g. One-time bonuses or off-the-schedule increases.
 - h. Percentage change of total compensation for the average represented employee.
2. Other provisions that will result in increased costs to the District even if they do not involve an increase in employee compensation, such as class-size reduction or increased number of staff development days.
3. Costs of the proposed agreement, for the current and subsequent fiscal years, categorized for salaries, benefits, other compensation and other noncompensation costs.
4. Proposed source(s) of funding for the current and subsequent fiscal years including the assumptions used to determine available resources to meet the obligations of the proposed agreement.
5. Other major provisions that do not directly affect the District's costs, such as grievance procedures.

A copy of the summary shall be provided to the San Mateo County Office of Education.

A copy of the Board of Trustees' policy implementing the public notice requirements shall be available in the District office.

WOODSIDE SCHOOL DISTRICT

ALL PERSONNEL

Policy No.: 4176

Complaints

Board Adopted: 12/13/05

The Board of Trustees recognizes the need for providing employees with a complaint process.

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

The Superintendent/Principal shall establish complaint procedures which allow employees to appeal to the Board.

Legal Reference: Government Code
3543 Public School Employees' Rights
3543.1 Rights of Employee Organizations
53296 Definitions
53297 Filing Complaint
53298 Reprisals

53298.5 Violations; Punishment

WOODSIDE SCHOOL DISTRICT

ALL PERSONNEL

Regulation No.: 4176

Complaints – Page 1

Board Adopted: 12/13/05

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

1. A “complaint” shall be defined as an alleged misapplication of the District’s policies, regulations, rules or procedures. Procedures for the resolution of employee complaints provide a route of appeal through administrative channels and to the Board of Trustees, if necessary. If the complaint is related to discrimination, the District’s procedure for complaints concerning discrimination should be used.
2. If a complaint involves sexual harassment, the initial complaint should be made directly to the offending employee’s immediate supervisor. An employee is not required to resolve sexual harassment complaints with the offending person.
3. So as not to interfere with school schedules, meetings related to a complaint shall be held before or after the complainant’s regular working hours.
4. All matters related to a complaint shall be kept confidential. Only those individuals directly involved in resolving the complaint shall be informed of the complaint.
5. All documents, communications and records dealing with the complaint shall be placed in a District complaint file. No such material shall be placed in an employee’s personnel file.
6. No reprisals shall be taken against any participant in a complaint procedure by reason of such participation.
7. Time limits specified in these procedures may be reduced or extended in any specific instance by written mutual agreement of the parties involved. If specified or adjusted time limits expire, the complaint may proceed to the next step.
8. Any complaint not taken to the next step within prescribed time limits shall be considered settled on the basis of the answer given at the preceding step.

Informal Complaints

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

Formal Complaint Procedure – Step 1

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

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

complaint.

WOODSIDE SCHOOL DISTRICT

ALL PERSONNEL

Regulation No.: 4176

Complaints – Page 2

Board Adopted: 12/13/05

The immediate supervisor or Superintendent/Principal shall present all concerned parties with a written answer to the complaint within 10 working days after the meeting.

Formal Complaint Procedure – Step 2

If a complaint has not been satisfactorily resolved at Step 1, the complainant may file a written appeal to the Board within five working days of receiving the answer at Step 1. All information presented at Step 1 shall be included with the appeal, and the Superintendent/Principal shall submit to the Board a report describing attempts to resolve the complaint at Step 1.

An appeal hearing shall be held at the next regularly scheduled Board meeting which falls at least 12 days after the appeal is filed. This hearing shall be held in closed session if the complaint relates to matters properly addressed in closed session.

The Board shall make its decision within 30 days of the hearing and shall mail its decision to all concerned parties. The Board's decision shall be final.

WOODSIDE SCHOOL DISTRICT

ALL PERSONNEL

Policy No.: 4178

Employee Property Reimbursement

Board Adopted: 12/13/05

The Board of Trustees authorizes the Superintendent/Principal to pay the cost of replacing or repairing employee personal property, except cash, which has been stolen or intentionally destroyed or damaged while being used for work-related purposes.

No reimbursement shall be made for accidental damage or for any loss due to lack of personal supervision or failure to keep property in a secured area.

The maximum payment shall be the amount specified by the District's insurance carrier for such loss or the amount specified in the applicable collective bargaining agreement, whichever is less.

Reimbursement for personal items used for work-related purposes shall be made only if:

1. Use of the personal property was approved by the principal, site supervisor or designee before the property was brought to school or District premises.
2. At that time, the employee and District representative agreed on the value of the property.

Legal Reference: Education Code
 35213 Reimbursement for Loss, Destruction or Damage of Personal Property
 48904 Liability for Parent/Guardian for Willful Misconduct; Withholding of Grades, Diplomas and Transcripts

 Civil Code

1714.1 Liability of Parent or Guardian for Act of Willful Misconduct by a Minor

WOODSIDE SCHOOL DISTRICT

ALL PERSONNEL

Policy No.: 4180

Work-Related Injuries

Board Adopted: 12/13/05

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

Legal Reference:

Education Code

44984 Industrial Accident and Illness Leaves, Certificated Employees
45192 Industrial Accident and Illness Leaves, Classified Employees

Government Code

21153 Employer Not to Separate for Disability Members Eligible to Retire

Labor Code

3200-4855 Workers' Compensation, Especially:
3550 Posting of Notice Re: Workers' Compensation Insurance Carrier
3551 Written Notice to New Employees
3600-3605 Conditions of Liability
3760 Report of Injury to Insurer
4600 Provision of Medical and Hospital Treatment by Employer
4906 Disclosures and Statements
5400-5404 Notice of Injury or Death

6409.1 Reports

WOODSIDE SCHOOL DISTRICT

ALL PERSONNEL

Regulation No.: 4180

Work-Related Injuries – Page 1

Board Adopted: 12/13/05

Notifications

The Superintendent/Principal shall post a notice of employee rights related to workers' compensation and shall provide this information in writing to new employees.

This notice shall also include a statement of the District's policy requiring employees to report work-related injuries as soon as practicable.

Employees shall also be informed that it is a felony for an employee to make a false workers' compensation claim.

District Responsibilities

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

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

Supervisors shall promptly remit information about work-related injuries to the Superintendent/Principal.

Whenever a work-related injury results in lost work time beyond the date of the injury or requires medical treatment beyond first aid, the employee shall be given a workers' compensation claim form and a notice of potential eligibility for benefits within one working day of the injury.

Within five working days of obtaining knowledge of any injury which results in lost time beyond the date of the injury or which requires medical treatment beyond first aid, the Superintendent/Principal shall file a complete report of the injury with the District's insurer.

Employee Responsibilities

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

The District has designated a medical carrier where employees will be taken in case of a work-related injury. Employees who wish to be taken to their personal physician for treatment of work-related injuries must have a written request on file with the Superintendent/Principal. It is the employee's responsibility to inform his/her supervisor that he/she has such a request on file.

WOODSIDE SCHOOL DISTRICT

ALL PERSONNEL

Regulation No.: 4180

Work-Related Injuries – Page 2

Board Adopted: 12/13/05

To qualify for workers' compensation, employees must notify their supervisor of a work-related injury within 30 days.

WOODSIDE SCHOOL DISTRICT

CERTIFICATED PERSONNEL

Policy No.: 4182

Industrial Accident/Illness Leave

Board Adopted: 12/13/05

In each fiscal year, allowable leave for certificated employees for any single industrial accident or illness shall be for 60 days during which the schools of the District are in session or when the employee would otherwise have been performing work for the District.

Allowable industrial accident/illness leave shall not accumulate from year to year.

When a certificated employee is absent from his/her duties because of an industrial accident or illness:

1. Industrial accident or illness leave shall start on the first day of absence.
2. The employee shall be paid such portion of the salary due for any month in which the absence occurs as, when added to the temporary disability indemnity under Division 4 or 4.5 of the Labor Code, will result in a payment to the employee of not more than his/her full salary.
3. Industrial accident or illness leave shall be reduced by one day for each day of authorized absence, regardless of a temporary disability indemnity award.
4. When an industrial accident or illness leave overlaps into the next fiscal year, the employee is entitled to only the amount of unused leave due the employee for the same illness or injury.

Upon expiration of allowable leave for an industrial accident or illness, the employee may use personal illness and injury leave. If the employee continues to receive temporary disability indemnity, he/she may elect to take as much of the accumulated sick leave which, when added to his/her temporary disability indemnity, will result in a payment to the employee of not more than the employee's full salary.

During any paid leave of absence, the employee may endorse to the District the temporary disability indemnity checks received on account of his/her industrial accident or illness. In those cases, the District shall issue appropriate salary warrants for payment of the employee's salary, and shall deduct normal retirement, other authorized contributions, and the temporary disability indemnity, if any, actually paid to and retained by the employee for periods covered by such salary warrants.

Legal Reference:	Education Code
	44977 Salary Deductions During Absence from Duties
	44978 Provisions for Certificated Employee Sick Leave
	44983 Exception to Sick Leave

44984

Required Rules for Industrial Accident and Illness Leave of Absence

WOODSIDE SCHOOL DISTRICT

CLASSIFIED PERSONNEL

Policy No.: 4200

Classified Personnel

Board Adopted: 12/13/05

The Board of Trustees desires to fill each of its classified positions with highly skilled and qualified persons, consistent with position requirements. The primary role of classified personnel is to provide services that support and enhance the District's educational program.

The classified service shall consist of all employees in positions not requiring certification unless the position is specifically exempted from the classified service. Individuals who possess certification qualifications shall not be prohibited from being employed in a classified position.

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

Policies, rules and regulations related to classified personnel shall be available to all concerned and shall be administered in a fair and equitable fashion.

Legal Reference: Education Code
45100-45139 Employment of Classified Staff
45160-45166 Salaries and Differential Compensation
45190-45210 Resignation and Leaves of Absence
45220-45320 Merit System
49406 Examination for Tuberculosis
51760-

51769.5 Work Experience Education

WOODSIDE SCHOOL DISTRICT

CLASSIFIED PERSONNEL

Regulation No.: 4200

Classified Personnel

Board Adopted: 12/13/05

Individuals hired solely for the following purposes are exempt from the classified service:

1. Substitute or short-term employees who are employed for less than 75 percent of the school year to replace any classified employee who is temporarily absent from duty.
2. Part-time playground positions (noon duty aides).
3. Apprentices and professional experts employed on a temporary basis for a specific project.
4. Full-time day students employed part-time.
5. Part-time students employed part-time in any program conducted by a community college district pursuant to Education Code 51760 et seq. and which is financed by state or federal funds.

Persons hired solely for purposes that are exempted from the classified service shall nevertheless fulfill the obligations of classified employees related to physical examinations, fingerprinting, and tuberculosis tests. Employment for such purposes after conviction of a sex or controlled substance offense shall be subject to the provisions of Education Code 45123 and 45124.

WOODSIDE SCHOOL DISTRICT

CLASSIFIED PERSONNEL

Policy No.: 4210

Recruitment and Selection

Board Adopted: 12/13/05

In order to secure quality personnel, the District shall maintain an effective recruitment program based upon alertness to good candidates, initiative that results in prompt action, and good personnel practices in dealing with applicants.

The Superintendent/Principal shall determine the personnel needs of the District. He/she shall locate suitable candidates and make recommendations to the Board of Trustees for employment.

No inquiry shall be made with regard to the age, race, color, religion, sex or national origin of persons proposed for or seeking employment. Questions regarding handicap shall be asked only when directly related to the job.

District employment practices shall not discriminate against authorized aliens. Legally-required inquiries to assure employment eligibility status shall be made in accordance with Board policy and administrative regulation.

The Superintendent/Principal shall ensure that persons nominated for employment meet all qualifications established by law and by the Board.

Legal Reference:

Education Code

200-261 Prohibition of Discrimination on the Basis of Sex
44066 Limitations on Certification Requirements
45103-45138 Employment (Classified Employees)
49406 Examination for Tuberculosis

Code of Regulations, Title 5

30-31 Affirmative Action Employment Programs

United States Code, Title 42

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

Immigration Reform and Control Act of 1986

WOODSIDE SCHOOL DISTRICT

CLASSIFIED PERSONNEL

Policy No.: 4215

Dismissal/Suspension/Disciplinary Action – Page 1

Board Adopted: 12/13/05

Dismissal of Probationary Employment

At any time prior to the expiration of the probationary period, the Superintendent/Principal may dismiss a probationary classified employee from the District. A probationary employee shall not be entitled to a hearing and may not pursue a dismissal grievance under the applicable classified employees' collectively bargained agreement, if any. To the extent permitted by law, where a provision of a collectively bargained agreement conflicts with this policy, the provision of the collectively bargained agreement will be considered controlling.

Progressive Discipline

Except in those situations where immediate disciplinary action is justified, disciplinary action will not be initiated unless and until warnings have been issued to correct a problem leading up to the use of the disciplinary procedure. Such warnings will state the nature of the problem to be corrected and give a specific time within which to correct the problem. The warning shall also include the disciplinary action that will be recommended if the problem is not corrected.

The number and nature of the warning(s) will depend upon the seriousness of the offense. The normal process would include initially a verbal warning; second instance a memo; third instance a memo with a copy to the personnel file which includes: (1) the nature of the problem; (2) specific time period to correct the problem, if relevant; (3) the history of prior warnings if relevant; and (4) possible disciplinary action to be taken if the problem is not corrected.

Dismissal/Suspension/Disciplinary Action of Permanent Employee

Permanent classified employees shall be subject to certain personnel actions only for cause, including suspension without pay, demotion, reduction of pay, deprivation of any material or significant incident of classification, reassignment without a contractual or legal basis, or dismissal.

Causes

In addition to any disqualifying or actionable causes otherwise provided for by statute, regulation, or by policy/regulation of the District, each of the following constitutes cause for personnel action against a permanent classified employee:

1. Knowingly falsifying any information supplied to the District, including, but not limited to, information supplied on application forms, employment records, or any other District records.
2. Incompetence.
3. Inefficiency.
4. Neglect of duty.

WOODSIDE SCHOOL DISTRICT

CLASSIFIED PERSONNEL

Policy No.: 4215

Dismissal/Suspension/Disciplinary Action – Page 2

Board Adopted: 12/13/05

5. Insubordination. Willful Disobedience.
6. Dishonesty.
7. Drinking alcoholic beverages while on duty or in such close time proximity thereto as to cause any detrimental effect upon the employee or upon employees associated with him or her.
8. Possessing or being under the influence of an illegal controlled substance at work or away from work, or furnishing a controlled substance to a minor.
9. Conviction of a felony, conviction of any sex offense made relevant by provisions of law, or conviction of a misdemeanor which is of such a nature as to adversely affect the employee's ability to perform the duties and responsibilities of his or her position. A plea or verdict of guilty, or a conviction following a plea of nolo contendere, is deemed to be a conviction for this purpose.
10. Absence without leave, excessive absenteeism, and/or excessive, repeated tardiness.
11. Discourteous treatment of the public, students, or other employees.
12. Improper political activity, including engaging in political activities during assigned hours of duty, in support of a ballot measure or candidate using District funds, services, supplies or equipment.
13. Misuse of District property.
14. Performing work for an outside employer or an independent contract while in District paid status, including during hours of work and paid leave, but excluding vacation time.
15. Violation of District, Board, or departmental rule, policy or procedure.
16. Failure to possess or keep in effect any license, certificate, or other similar requirement necessary.
17. Refusal to take and subscribe to any oath or affirmation which is required by law in connection with his or her employment.
18. A physical or mental disability which precludes the employee from the proper performance of his or her duties and responsibilities as determined by competent medical authority with due regard for applicable state and federal disability laws, except as otherwise provided by contract or by law regulating the retirement of employees.
19. Unlawful discrimination, including harassment, on the basis of race, religious creed, color, national origin, ancestry, physical disability, medical condition, marital status, sex, sexual orientation or age against the public or other employees when acting in the capacity of a District employee.

WOODSIDE SCHOOL DISTRICT

CLASSIFIED PERSONNEL

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Dismissal/Suspension/Disciplinary Action – Page 3

Board Adopted: 12/13/05

20. Unlawful retaliation against any other District officer or employee or member of the public who, in good faith, reports, discloses, divulges, or otherwise brings to the attention of any appropriate authority any information relative to an actual or suspected violation of state or federal law occurring on the job or directly related thereto.
21. Any other failure of good behavior either during or outside of duty hours which is of such nature that it causes discredit to the District or his or her employment.

In accordance with the Education Code, no personnel action shall be taken for any cause which arose more than two (2) years before the date on which a statement of charges and notice of intent to dismiss or suspend is served on a classified employee by the District or its designee, unless said cause was concealed or not disclosed by the employee when it could reasonably be assumed that the employee should have disclosed the facts to the District.

Legal Reference:

Education Code

35161	Powers and Duties Generally
44009	Conviction of Specific Crimes
44010	Sex Offense
44011	Controlled Substance Offense
45101	Definitions
45113	Rules and Regulations Non Merit District
45116	Notice of Disciplinary Action
45123	Violent or Serious Felonies

Vehicle Code

1808.8	Schoolbus; Dismissal for Safety-Related Cause; Reinstatement; Reporting Requirements
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WOODSIDE SCHOOL DISTRICT

CLASSIFIED PERSONNEL

Regulation No.: 4215

Dismissal/Suspension/Disciplinary Action – Page 1

Board Adopted: 12/13/05

Initiation and Employee Notification of Charges

An employee who is subject to disciplinary action shall be informed in writing of the charges. Upon request, the employee will also be provided with an opportunity to meet with the Superintendent/Principal concerning the discipline sought to be imposed.

Statement of Charges

A statement of the specific charges against the employee shall be written in ordinary and concise language stating the specific act(s) and/or omission(s) on which the disciplinary action is based and shall include the cause and reference to any rules and regulations which have been violated. No charge, however, shall be made for a case which occurred prior to the employee's becoming permanent nor more than two (2) years from the filing of this statement of charges, unless such cause was concealed or not disclosed by such employee when it could be reasonably assumed that the employee should have disclosed the fact(s) to the District.

The statement of charges shall be served in person or by registered or certified mail to the employee before recommended discipline is imposed, except in the case of immediate suspension.

A copy of the statement of charges shall be sent to the applicable collective bargaining agent, if any; however, inadvertent failure to comply with this requirement shall not constitute reason to affect ultimate disciplinary action, if any. The statement of charges shall also include the disciplinary action being recommended.

Pre-Disciplinary Conference (Skelly)

Upon receipt of the written notice of proposed disciplinary action provided under "Statement of Charges" above and prior to the imposition of discipline, the employee shall be informed of his/her right to respond to the charges either orally or in writing to the Superintendent/Principal prior to the imposition of discipline. The employee shall be informed of his/her right to be represented at this informal conference by a representative of his/her choice.

Right to Request a Hearing

The employee may request a hearing in writing within seven (7) working days after service of the statement of charges. A card shall be provided to the employee along with the statement of charges, the signing of the card shall constitute a demand for a hearing and denial of all charges. Failure to request a hearing within the seven (7) working days shall be deemed to be waiver of the right to the hearing. Whether or not an employee requests a hearing, he or she will be provided with an opportunity to meet with the Superintendent/Principal concerning the proposed discipline. (See Pre-Disciplinary Conference (Skelly) above.)

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CLASSIFIED PERSONNEL

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Dismissal/Suspension/Disciplinary Action – Page 2

Board Adopted: 12/13/05

In cases of recommended suspension without pay, demotion, reduction of pay, reduction of pay step in one's class, deprivation of any material or significant incident of classification, reassignment without a contractual or legal basis, or dismissal, a statement shall be included informing the employee that he or she has the right to a hearing on the charges before a mutually agreed upon hearing officer from a list provided by California State Mediation and Conciliation Service ("CSMCS").

The employee's request for a hearing must be in writing, mailed or delivered to the Superintendent/Principal no later than seven (7) working days after the date on which the District's notice of intent is served on the employee. Failure to request a hearing within such time shall constitute a waiver of the right to such hearing. The District shall inform the employee of his or her right to representation in such a hearing.

Access to Material and Hearing Within a Reasonable Time

The employee shall be furnished with a copy of the material on which the charges are based. The hearing before a mutually agreed upon third party, shall be held within a reasonable period of time but not less than thirty (30) calendar days after the filing of a request for hearing.

Representation in the Hearing

The employee may be represented at the hearing by a representative of his or her choice. If the representative or any witnesses required are employees of the District, they shall be released from duty to testify or represent with no loss of pay or benefits; otherwise the fees and expenses, if any, of the parties' representatives shall be their own responsibility. The number of witnesses and/or representatives released at or about the same time for purposes of participation in the hearing shall be reasonable and must not interfere with District operations.

Recommendation of the Hearing Officer

All hearings shall be before a mutually agreed upon third party with a written recommendation to the Board and the employee.

Results of the Formal Hearing

The Board shall make a final decision on the recommendation of the hearing officer within thirty (30) days of its receipt of the hearing officer's recommendation.

Immediate Suspension

An employee may be immediately suspended with pay under circumstances in which the presence of the employee on the job would potentially cause harm to students, employees, public property or any other persons, and where the protection of, health, safety and/or property becomes a factor. Upon the imposition of the immediate suspension, the employee shall be given verbal notification to go home or to stay home, followed by immediate written notice.

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CLASSIFIED PERSONNEL

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Dismissal/Suspension/Disciplinary Action – Page 3

Board Adopted: 12/13/05

The employee shall be given the opportunity to meet with the Superintendent/Principal, who shall explain the reasons for the suspension. At such meeting, the employee may state, orally or in writing, his or her side of the matter. If the employee's statement is in writing, the District shall enter such statement in the employee's personnel file, along with the District's notice of suspension and accompanying statement of reasons. Thereafter, whether or not the employee's immediate suspension continues, shall be decided by the Superintendent/Principal. Such suspension with pay may continue for not more than thirty (30) days while an internal investigation is pending. At the District's discretion it may extend such period while a hearing is pending.

Compulsory Dismissal

The District shall not employ or retain in employment any person who has been convicted of any sex offense as defined in Education Code section 44010 as amended, or any controlled substance offense as defined in Education Code section 44011 as amended. However, the District may employ a person convicted of a controlled substance offense if the Board determines from the evidence it requires that the person has been rehabilitated for at least five (5) years. If any such conviction is reversed and the person acquitted or charges dismissed, except as otherwise provided below, the employee may be re-employed by the District, although re-employment is not guaranteed.

The District reserves the right to recommend dismissal of an employee for any action(s) upon which the original criminal charges were based, despite the disposition of the courts. If dismissal is recommended and upheld, an employee will not be re-employed or compensated for the time he or she was suspended, unless otherwise required to do so by law. An employee shall be given notice of the possibility of not being reimbursed during mandatory suspension if he or she is ultimately dismissed for the act(s) and/or omission(s) upon which the original charges were based.

Limitations Period (Timeliness)

In accordance with the Education Code, no personnel action shall be taken for any cause which arose more than two (2) years before the date on which a statement of charges and notice of intent to dismiss or suspend is served on a classified employee by the District or its designee, unless said cause was concealed or not disclosed by the employee when it could reasonably assume that the employee should have disclosed the facts to the District.

Legal Reference:	Education Code
	35161 Powers and Duties Generally
	44009 Conviction of Specific Crimes
	44010 Sex Offense
	44011 Controlled Substance Offense
	45101 Definitions
	45113 Rules and Regulations Non Merit District
	45116 Notice of Disciplinary Action
	45123 Violent or Serious Felonies

WOODSIDE SCHOOL DISTRICT

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Regulation No.: 4215

Dismissal/Suspension/Disciplinary Action – Page 4

Board Adopted: 12/13/05

Legal Reference: (cont.)

Vehicle Code

1808.8 Schoolbus; Dismissal for Safety-Related Cause; Reinstatement;
Reporting Requirements

United States Code, Title 42

WOODSIDE SCHOOL DISTRICT

CLASSIFIED PERSONNEL

Policy No.: 4220

Evaluation/Supervision

Board Adopted: 12/13/05

The Board of Trustees recognizes that appropriate supervision and regular, comprehensive evaluations can help employees to continually improve in the performance of their responsibilities. Evaluations shall be made in accordance with procedures specified in negotiated contracts and based on job-specific standards of performance.

The Board expects supervisors to gauge employees' on-the-job effectiveness and appraise their major accomplishments and progress in a fair, objective and consistent manner. Evaluations shall address the competence and care with which the employee executes his/her assigned responsibilities. As appropriate, evaluations also may address the extent to which the employee works cooperatively with others and observes school or District rules and regulations.

The Superintendent/Principal shall ensure that evaluation ratings have uniform meaning throughout the District.

The Superintendent/Principal shall ensure that classified employees have access to written rules or procedures related to the evaluation of their performance.

Legal Reference: Education Code
 45113 Rules and Regulations for the Classified Service in Districts not
 Incorporating the Merit System
 45261 Subjects of Rules (Merit System Districts)
 45262 Printing and Distribution of Rules

 Government Code

3543.2 Scope of Representation

WOODSIDE SCHOOL DISTRICT

CLASSIFIED PERSONNEL

Policy No.: 4225

Probationary/Permanent Status

Board Adopted: 12/13/05

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

New employees shall be evaluated prior to the end of the six-month probationary period. These evaluations shall indicate whether the evaluator is satisfied with the employee's ability, performance, and compatibility with the job.

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

The Superintendent/Principal may dismiss an employee during the initial probationary period. A permanent employee who was promoted to a higher classification may be returned during the probationary period to his/her former classification.

This policy shall be made available to classified employees and the public.

Incorporating the Merit System

WOODSIDE SCHOOL DISTRICT

CLASSIFIED PERSONNEL

Policy No.: 4230

Employment Responsibilities

Board Adopted: 12/13/05

Each classified position represents a service that is important in carrying on the program of public education in this District. The community expects much from its public employees in return for adequate salaries and responsible conditions of employment.

The first responsibility of any employee is to do well in the position to which he/she has been assigned. The safety and health of students are affected by the condition of the buildings, ground and equipment. The Board of Trustees believes that since the classified employees are working in an educational environment and many are working closely with students they should attempt to conduct themselves in a manner that will serve as a good example to youth.

Public education is a cooperative venture involving the services of many people. The District functions best when there is a spirit of cooperation among all employees, when the employees have confidence in and respect for the rights and responsibilities of others.

Each employee should seek to learn as much as possible about the total program of the schools, for he/she will be called upon frequently to answer questions about the schools and to interpret the school program to the community.

WOODSIDE SCHOOL DISTRICT

CLASSIFIED PERSONNEL

Policy No.: 4235

Industrial Accident/Illness Leave – Page 1

Board Adopted: 1/17/07

Leave of absence for industrial accidents or illnesses shall be provided to classified employees who have served in the District continuously through the probationary period.

In each fiscal year, allowable leave for any single industrial accident or illness shall be for 60 working days.

Allowable leave shall not accumulate from year to year.

When a classified employee is absent from his/her duties because of an industrial accident or illness:

1. Industrial accident or illness leave shall start on the first day of absence.
2. Payment for wages lost on any day shall not, when added to an award granted the employee under the workers' compensation laws of this state, exceed the normal wage for the day.
3. Industrial accident or illness leave shall be reduced by one day for each day of authorized absence, regardless of a compensation award made under workers' compensation.
4. If an industrial accident or illness leave overlaps into the next fiscal year, the employee is entitled to only that amount remaining at the end of the fiscal year in which the injury or illness occurred, for the same illness or injury.

Upon expiration of allowable leave for an industrial accident or illness, the employee shall use personal illness and injury leave. If the employee continues to receive workers' compensation, he/she shall be entitled to use only as much of his/her accumulated or available sick leave, accumulated compensating time, vacation or other available leave as, when added to the employee's workers' compensation award, will provide for a full day's wage or salary.

During any paid leave of absence, the employee shall endorse to the District the workers' compensation checks received on account of his/her industrial accident or illness. In those cases, the District shall issue appropriate salary warrants for payment of the employee's salary and shall deduct normal retirement and other authorized contributions.

When available paid leave has been exhausted, the employee shall be so notified in writing and shall be offered an opportunity to request additional leave.

When all available leaves of absence, paid or unpaid, have been exhausted and the employee is not medically able to assume the duties of his/her position, the employee shall be placed either in another position or on a reemployment list for a period of 39 months. If during this time the employee becomes medically able, he/she shall be employed in a vacant position in the class of his/her previous assignment over all other available candidates, except for a reemployment list established because of lack of work or lack of funds, in which case the employee shall be listed in accordance with appropriate seniority regulations. An employee who has been placed on a reemployment list and has been medically released for return to duty, but fails to accept an appropriate assignment, shall be dismissed.

Any employee receiving benefits under this leave shall, during periods of injury or illness, remain within the

State of California unless the Board of Trustees authorizes travel outside the state.

WOODSIDE SCHOOL DISTRICT

CLASSIFIED PERSONNEL

Policy No.: 4235

Industrial Accident/Illness Leave – Page 2

Board Adopted: 1/17/07

During this leave, the employee may return to his/her position without suffering any loss of status or benefits. Periods of leave of absence, paid or unpaid, shall not be considered to be a break in service of the employee.

Legal Reference: Education Code
 45191 Leave of Absence for Illness or Injury

45192

Industrial Accident and Illness Leaves for Classified Employees

WOODSIDE SCHOOL DISTRICT

MANAGEMENT, SUPERVISORY AND CONFIDENTIAL PERSONNEL

Policy No.: 4300

Management, Supervisory and Confidential Personnel – Page 1

Board Adopted: 12/13/05

Senior Management of the Classified Service

The Board of Trustees recognizes that effective management is vital to the success of District operations. Management personnel are expected to demonstrate initiative and good judgment in the development, implementation and oversight of District programs. Supervisors shall promote the productivity, professional growth and teamwork of District staff.

The Board shall adopt policies related to management, supervisory and confidential personnel insofar as they are needed to comply with law and describe circumstances of employment within the District.

Management Positions

Management employees shall be defined as follows:

1. Management employees are those persons having significant responsibilities for formulating District policies or administering District policies and programs and who have been legally designated as management by the Governing Board.
2. Supervisory employees are those persons having the authority to make recommendations to the Superintendent/Principal concerning the employees under their supervision. This authority shall extend to the following areas: hiring, transfer, suspension, layoff, recall, promotion, discharge, assignment, reward, discipline, direction, work assignment and discipline.

Confidential Employees

A "Confidential Employee" is an employee who, in the regular course of duty has access to or possesses information relating to the employer's employer-employee relations. Confidential employees shall be excluded from membership in any employee bargaining unit.

The Governing Board will, on recommendation of the Superintendent/Principal, designate the confidential employees of the District.

Legal Reference:	Education Code
	35031 Term of Employment
	45100.5 Senior Management Positions
	45104.5 Abolishment of Senior Classified Management Positions
	45108.5 Definitions of Senior Classified Management Employees
	45108.7 Waiver of Provisions of 45108.5
	45128 Overtime
	45130 Exclusion from Overtime Provisions
	45256.5 Designation of Certain Positions

Government Code

3540.1	Definitions
3543.4	Management Position; Representation

WOODSIDE SCHOOL DISTRICT

MANAGEMENT, SUPERVISORY AND CONFIDENTIAL PERSONNEL

Policy No.: 4300

Management, Supervisory and Confidential Personnel – Page 2

Board Adopted: 12/13/05

Legal Reference: Government Code (cont.)
3545 Appropriateness of Unit; Basis

Court Decisions
Auer v. Robbins (1997) 117 S.Ct. 905

WOODSIDE SCHOOL DISTRICT

MANAGEMENT, SUPERVISORY AND CONFIDENTIAL PERSONNEL

Regulation No.: 4300

Management, Supervisory and Confidential Personnel

Board Adopted: 12/13/05

Designation of Management/Confidential Employees

The Board of Trustees designates the following as management and confidential positions. All individuals serving in these positions and such other positions that may be designated shall be members of the management team.

Management

District Superintendent/Principal
Assistant Superintendent

Confidential

Administrative Assistant

WOODSIDE SCHOOL DISTRICT

MANAGEMENT, SUPERVISORY AND CONFIDENTIAL PERSONNEL

Policy No.: 4310

Promotion/Demotion/Reassignment

Board Adopted: 12/13/05

The Board of Trustees may promote, demote, and reassign management and confidential employees when such action is determined to be in the best interest of the District. The Board shall consider the recommendation of the Superintendent/Principal when making decisions related to promotion, demotion and reassignment.

The Superintendent/Principal shall ensure that the District complies with all applicable statutory deadlines and due process procedures.

Legal Reference:	Education Code
	35031 Senior Management Employee in the Classified Service: Nonreelection
	44660-44665 Evaluation and Assessment of Performance of Certificated Employees
	44850.1 No Tenure in Administrative or Supervisory Positions
	44896 Transfer of Administrator or Supervisor to Teaching Position
	44951 Continuation in Position Unless Notified (Position Requiring Administrative or Supervisory Credential)
	45101 Definitions (Including Disciplinary Action, Cause)
	45113 Rules for Classified Service in Districts not Incorporating the Merit System

Court Decisions

Jefferson v. Compton Unified School District (1993) 14 Cal.App.4th 32

Ellerbroek v. Saddleback Valley Unified School District (1981) 177 Cal.Rptr. 910

Hentschke v. Sink (1973) 34 Cal.App.3d 19

WOODSIDE SCHOOL DISTRICT

MANAGEMENT, SUPERVISORY AND CONFIDENTIAL PERSONNEL

Policy No.: 4315

Evaluation/Supervision – Page 1

Board Adopted: 12/13/05

Certificated Management

The Board of Trustees shall establish and define job responsibilities for administrative personnel. The evaluation and assessment of the competency of administrative personnel shall be based on:

1. The administrator's progress toward agreed-upon goals, objectives and tasks.
2. General expectations of performance that recognize professional responsibility, accountability and attitude.
3. Additional factors as determined by the Superintendent/Principal.

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

Each administrator shall be evaluated formally at least once every school year. Evaluation is a continuous process.

Formal management evaluations shall be recorded in writing on a form prescribed by the Superintendent/Principal. The evaluation shall include recommendations for improvement and/or focus areas for growth.

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

A copy of the report shall be given to the administrator by June 30. The employee may make a written response to the evaluation at any time up to 10 days after receiving a copy of the evaluation. The response shall be attached to the evaluation and permanently placed in the employee's personnel file.

For 12-month employees, the written evaluation report shall be given to the administrator no later than June 30 and a discussion of the evaluation shall be held no later than July 30 of the year in which the evaluation takes place.

The Superintendent/Principal shall develop regulations and procedures for the evaluation of all administrative and supervisory personnel. These written regulations and procedures shall be available to administrative and supervisory personnel.

Classified Management Employees

Classified management personnel will be evaluated according to the procedures developed by the Superintendent/Principal and approved by the Board. The evaluation shall include recommendations for improvement if needed. Assistance shall be provided by the District as necessary.

WOODSIDE SCHOOL DISTRICT

MANAGEMENT, SUPERVISORY AND CONFIDENTIAL PERSONNEL

Policy No.: 4315

Evaluation/Supervision – Page 2

Board Adopted: 12/13/05

The evaluation form must be signed by both the person being evaluated and the supervisor making the evaluation. The signature of the evaluated management employee shall not show agreement with the evaluation unless so indicated above the signature of the employee. The employee may make written response to the evaluation at any time up to 10 days after receiving a copy of the evaluation. The response shall be attached to the evaluation and placed in the employee's personnel file.

Confidential Personnel

The Superintendent/Principal shall develop appropriate procedures for the evaluation of confidential personnel. Evaluations shall be administered in the same manner and time schedule as classified employees who have similar but nonconfidential positions with the District.

Legal Reference: Education Code
 33039 State Guidelines for Teacher Evaluation Procedures
 35171 Availability of Rules and Regulations for Evaluation of Performance
 44660-44665 Evaluation and Assessment of Performance of Certificated
 Employees
 45113 Rules and Regulations for the Classified Service in Districts not
 Incorporating the Merit System

Government Code

3543.2 Scope of Representation (Re Evaluation Procedures)

WOODSIDE SCHOOL DISTRICT

MANAGEMENT, SUPERVISORY AND CONFIDENTIAL PERSONNEL

Policy No.: 4320

Staff Development

Board Adopted: 12/13/05

The Board of Trustees recognizes that professional development opportunities enhance employee effectiveness and contribute to personal growth. Staff development for management, supervisory and confidential personnel shall be designed to guide instructional improvement, build leadership skills, and enhance overall management efficiency.

The Superintendent/Principal shall develop a plan for administrator support and development activities based on a systematic assessment of the needs of District students and staff and aligned to the District's vision and goals. The Board desires that all administrators participate in planning activities that are pertinent to their specific areas of responsibility.

Within budget parameters, the Superintendent/Principal may approve participation in activities that will benefit individual administrators and enhance their contributions to the District.

The Superintendent/Principal shall evaluate the benefit to staff and students of professional development activities.

Legal Reference: Education Code
 44510-44517 Principal Training Program
 44681-
 44689.2 Administrator Training and Evaluation

WOODSIDE SCHOOL DISTRICT

MANAGEMENT, SUPERVISORY AND CONFIDENTIAL PERSONNEL

Regulation No.: 4320

Staff Development

Board Adopted: 12/13/05

Staff development activities may include but are not limited to:

1. Professional education conferences or committee meetings.
2. Courses offered by institutions of higher education.
3. Workshops offered by the District, San Mateo County Office of Education or state.
4. Small-group activities.
5. Self-directed learning.
6. Observation of other schools.
7. Follow-up activities that help staff implement newly acquired skills.

WOODSIDE SCHOOL DISTRICT

MANAGEMENT, SUPERVISORY AND CONFIDENTIAL PERSONNEL

Policy No.: 4325

Leaves

Board Adopted: 12/13/05

The Board of Trustees recognizes the need to provide for leaves which management and confidential personnel may take for justifiable reasons. Such leaves shall be authorized pursuant to Board policies and/or administrative regulations.

Certificated management and supervisory employees shall be entitled to those leave provisions provided in the certificated agreement unless otherwise specified in Board policy, administrative regulations or individual contract.

Classified management, supervisory and confidential employees shall be entitled to those leave provisions provided in the classified negotiated agreement unless otherwise specified in Board policy, administrative regulations or individual contract.

Legal Reference:	Education Code
	44036 Leaves of Absence for Judicial and Official Appearances
	44037 Unlawful to Encourage Exemption from Jury Duty
	44940 Sex Offenses and Narcotic Offenses; Compulsory Leave
	44962-44988 Leaves of Absence (Certificated)

45190-45210 Leaves of Absence (Classified)