

# The MetroGUIDE: A MetroED Employee Compliance Handbook

Human Resources Revised  
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The MetroGUIDE is available online at MetroED's Internet



**MetroED**  
Metropolitan Education District



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## Superintendent's Message

Welcome to the Metropolitan Education District (MetroED)! As a valued member of our team, you play a vital role in supporting the students, programs, and community we serve.

MetroED is the largest career-focused educational organization in Santa Clara County, serving nearly 2,500 highschool and adult learners through our two premier programs: Silicon Valley Career Technical Education (SVCTE) and Silicon Valley Adult Education (SVAE). Together, we equip students with the skills, confidence, and real-world experience they need to succeed in life, college, and careers.

Established as a Joint Powers Agency (JPA), MetroED proudly partners with six school districts. Since 2022, we have expanded our reach to welcome schools and students from across Santa Clara County. Our talented team of more than 110 full- and part-time employees brings expertise, heart, and a shared commitment to student success.

As a regional provider of both Career Technical Education (CTE) and Adult Education (AE), our vision is become the model of authentic career technical and adult learning through high-quality instruction, staff, partnerships, and facilities.

SVCTE offers over 24 half day, high quality career technical programs that engage students in hands-on, project-based learning. These programs are grounded in the Standards for Career Readiness and aspire to meet the twelve elements of high quality CTE.

SVAE provides free and low-cost adult education programs including English as Second Language (ESL), Adult Basic Education (ABE), high school equivalency preparation, and career training in healthcare, technology, and skilled trades. SVAE also houses the Silicon Valley Regional Testing Center, offering critical exams such as GED, HiSET, CBEST, CSET, and CPACE to support students and the broader community. With caring instructors and personalized support grounded in standards for adult learning, SVAE opens doors to brighter futures.

This Employee Compliance Guide is here to help you navigate our organization and understand the expectations we hold for our team members so that we can best serve students. At MetroED, we are proud to be a focused, student-centered, high-performing organization that also takes care of its people. We offer generous benefits, professional growth opportunities, and a culture of inclusion and belonging so you can bring your best to students and each other.

Please note that this handbook is not a contract of employment and is subject to change. The most up-to-date version will always be available on the MetroED intranet.

Thank you for being a part of this important work. I appreciate your commitment to our students and your contributions to our shared mission.

Warmly,

A handwritten signature in blue ink that reads "Erin O'Neill". The signature is written in a cursive, flowing style.

Erin O'Neill  
Superintendent

## **1. Handbook Purpose**

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

## **2. Introduction**

### **2.1. About the District**

Metropolitan Education District, known as MetroED, operates Silicon Valley Career Technical Education (SVCTE) and Silicon Valley Adult Education (SVAE), making them leaders of career education in Silicon Valley. MetroED serves over 3,500 students annually by providing state-of-the-art Career Technical Education (CTE) and adult education programs. Silicon Valley Career Technical Education proudly serves six school districts: East Side Union High School District, Campbell Union High School District, Los Gatos- Saratoga Joint Union High School District, Milpitas Unified High School District, Santa Clara Unified School District, and San Jose Unified School District administered under a Joint Powers Agreement (JPA). All MetroED programs are fully accredited by the Western Association of Schools and Colleges (WASC) Organization.

### **The Metropolitan Education District Governing Board**

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

### **Brief History and Status of the Metropolitan Education District**

For over 41 years, MetroED has led the Bay Area in delivering high-quality Career Technical Education and Adult Education. MetroED began in 1917 as San Jose Technical High School. In 1958, the school became a vocational center and established a model of technical education that still serves as a foundation to our programs today. In that year, tenth, eleventh, and twelfth grade students from San Jose, Lincoln, and Willow Glen High Schools began spending half of their school day at the Technical High School and half of the day at their home schools. Changes in California legislation in 1965 created Regional Occupation Centers, and changed the nature of our collaboration. The legislative intent for the centers was to create one location that provided career-training opportunities for students from several schools to avoid duplicating courses and to prevent the need for individual high schools to purchase expensive equipment. By 1968, we became a co-ed educational center open to high school juniors and seniors. The six school district members in our current JPA have been the same since 1973. These members include Campbell Union High School District, East Side Union High School District, Los Gatos-Saratoga Union High School District, Milpitas Unified School District, San Jose Unified School District, and Santa Clara Unified School District.

MetroED's mission has evolved over the years with changes in legislation and infrastructure. Today, we aim to provide education relevant for post-secondary training, certifications,

college and careers including STEM focused programs. The MetroED Consortium's Silicon Valley Career Technical Education campus already works closely with over 100 local business professionals to gain insight on which skills we need to develop in our students. The California Career Pathway Trust application process has provided us with momentum to bring more employers on board to offer work-based learning experiences and advise us on curriculum and skills development.

### **Silicon Valley Adult Education (SVAE)**

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

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

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

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

SVCTE provides a wide variety of technical training programs at the SVCTE campus, and on high school and other campus locations throughout the county. Courses are offered in over 25 career technical areas. SVCTE Center's day programs serve more than 1,800 high school juniors and seniors, which come from over 45 comprehensive and continuation high schools. SVCTE Center also serves adults on a "space available" basis; our first priority is high school students. The program courses are also open to "Third Party Participants" that meet eligibility and legal criteria. These "Third Party Participants" may participate in the programs offered on a fee for service and space-available basis.

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

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

## **2.2. Professional Standards for Employees**

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

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

Each employee is expected to acquire the knowledge and skills necessary to fulfill their responsibilities and to contribute to the learning and achievement of district students. Inappropriate employee conduct includes, but is not limited to:

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

Reference: [BP 4119.21/4219.21/4319.21](#) – Professional Standards  
Reference: Exhibit 4119.21– Code of Ethics of the Education Profession - Teachers  
Reference: Exhibit [4219.21](#) – Code of Ethics – Classified Employees  
Reference: [Exhibit 4319.21](#) – California Professional Standards for Educational Leaders  
Reference: MetroED Employee Code of Conduct

### **2.3. Reports of Misconduct**

An employee who observes or has evidence of another employee's inappropriate conduct shall immediately report such conduct to the principal or Executive Director of HR. An employee who has knowledge of or suspects child abuse or neglect shall file a report pursuant to the District child abuse reporting procedures as detailed in [AR 5141.4](#) – Child Abuse Prevention and Reporting.

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

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

### **2.4 Vision and Mission Statement**

#### **Mission**

We inspire, engage, and connect for success in life, college, and careers.

#### **Our Vision**

We will become the model of authentic career technical & adult learning through high-quality instruction, staff, partnership & facilities.

#### **Guiding Values**

- Collaboration
- Compassion
- Creativity
- Equity
- Integrity

*\*Pending Board Approval*

## **2.5 District Contacts**

District departments include the following responsibilities and points of contact. You may find the most up-to-date on the [Telephone Directory](#)

### **District Offices – Building 6 & Building 400**

#### *Building 400*

Erin O’Neill, Superintendent

- Yocelin Cervantes, Executive Assistant to the Superintendent and Governing Board

#### **Educational Services**

Kiran Grewal, Assistant Superintendent, Educational Services

- Afsheen Raza, Executive Administrative Assistant
- Aduigna Irkiso, Database Systems Analyst
- Martha Larson, Systems Analyst/ District Registrar

Joell Hanson, Director of Workforce Development and Grants **Human Resources/**

#### **Communications**

Lisa Ketchum, Executive Director of Human Resources and Communications

- Sabrina La Rosa, Executive Assistant - Confidential

#### *Building 6*

#### **Business Services**

Wendy Zhang, Director of Business Services/CBO

- Paula Willie, Executive Assistant - Confidential
- Sheena Fuentes, Senior Accountant
- Beverly Garcia, Account Technician/Accounts Payable
- Sarah Martin, Accountant/Payroll

#### **Technology Services – Building 6**

Tung Tran, Director of Technology Innovation Services

- Mery Cheung, Network Specialist Lead
- Khuong Nguyen, Computer Network Technician
- Murphy Trinh, Computer Network Analyst

#### **Communications**

Lisa Ketchum, Executive Director of Human Resources and Communications

Shannon Carr, Communications Coordinator

- Kara Huynh, Communications Media Specialist

## **Human Resources**

Lisa Ketchum, Executive Director of Human Resources and Communications

- Sabrina La Rosa, Executive Assistant - Confidential
- Mary Hankins, Senior HR Systems Specialist
- Susan Nakahira, Human Resources Analyst

## **Maintenance and Operations – Building 7**

Kim Timoteo, Facilities Manager

- Gabriela Luna, Facilities Support Specialist

Daniel Burkart, Facilities Supervisor

### **3. Hiring and Orientation Policies**

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

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

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

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

8. Engaging in practices or procedures that violate antitrust laws, commercial bribery laws, copyright laws, discrimination laws, campaign contribution laws, or other laws regulating the company business.

### 3.1. Job Descriptions

MetroED attempts to maintain a job description for each position. If you do not have a current copy of your job description, you can locate a copy on the [District website](#).

Job descriptions prepared by the District serve as an outline. Due to District needs, you may be required to perform job duties that are not within your written job description. Furthermore, the District may have to revise, add to, or delete from your job duties per District needs.

If you have any questions regarding your job description or the scope of your duties, please speak with your Supervisor or HR.

### 3.2. New Hires and Introductory Periods

#### 3.2.1. Employee Classifications

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

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

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

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

**“Unrepresented Hourly Certificated”** employees provide student support in roles like CalWORKS, Counselors, GED Chief Examiner, CTE Pathway Coordinator and Transition Specialist.

### 3.2.2. Bargaining Units

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

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

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

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

The [Silicon Valley Career Teachers Association \(SVCTA\)](#) represents certificated contract teachers who teach classes primarily for high school students through SVCTE.

Administrators, staff not supported by State or Federal funding, confidential unit, substitutes, hourly classified and exempt classifications are not represented by a bargaining unit. The following Memorandums of Understanding cover most other classifications.

- [Administrative/Management Employees MOU](#)
- [Confidential Employees MOU](#)
- [Hourly Certificated and Other Unrepresented Certificated Employees MOU](#)

### 3.2.3. Probationary Periods

Beginning with your first day of employment, we believe you should know MetroED's expectations of you and your job performance. The probationary period will be an opportunity for you to become acquainted with our mission, our vision and our core values through your daily interaction with your supervisors, co-workers and students. Be sure to ask for direction and advice any time you are unclear about these expectations. Employees newly hired for regular positions in the certificated service should refer to their bargaining unit agreement regarding probationary periods.

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

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

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

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

Reference: [BP 4116](#), [BP 4216](#) – Probationary/Permanent Status

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

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

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

#### **3.2.4. Permanent Status**

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

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

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

#### **3.2.5. Credentials**

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

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

### 3.2.6. Verification of Credentials

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

Reference: [AR 4112.2](#) - Certification

Reference: [BP 4111](#) - Recruitment and Selection Reference: [BP 6178](#) – Career Technical Education Reference: [BP 6200](#) – Adult Education

### 3.3. Performance Evaluations

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

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

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

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

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

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

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

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

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

### **3.4. Advancement/Transfer Process**

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

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

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

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

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

Work with Human Resources to complete all transfer procedures.

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

Reference: BP [4312.1](#) - Contracts

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

### **3.5. Posting of Opening**

MetroED desires to promote qualified employees from within where it believes that is possible, consistent with the need to assure that all positions are staffed by highly competent individuals. New job openings will be posted on [EdJoin](#) and District bulletin boards.

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

### **3.6. Onboarding**

Employees will receive a general onboarding at the start of their employment. Your immediate supervisor will provide training. Employees will also receive general information from Human Resources.

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

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

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

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

### **3.7. Annual Required Training**

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

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

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

You will be assigned mandatory classes (i.e. SafeSchools on-line for Sexual Harassment, bullying, mandated reporting or other trainings) based on your position.

### **3.8. Disability Accommodation**

MetroED complies with the Americans with Disabilities Act (ADA), the Pregnancy Discrimination Act, and all applicable state and local fair employment practices laws, and is committed to providing equal employment opportunities to qualified individuals with disabilities, including disabilities related to pregnancy, childbirth, and related conditions. Consistent with this commitment, the District will provide reasonable accommodation to otherwise qualified individuals where appropriate to allow the individual to perform the essential functions of the job, unless doing so would create an undue hardship on the district.

If you require an accommodation because of your disability, it is your responsibility to notify your supervisor and HR. You may be asked to include relevant information such as:

- A description of the proposed accommodation.
- The reason you need an accommodation.
- How the accommodation will help you perform the essential functions of your job.

After receiving your request, HR will engage in an interactive dialogue with you to determine the precise limitations of your disability and explore potential reasonable accommodations that could overcome those limitations. Where appropriate, we may need your permission to obtain additional information from your medical provider. All medical information received by the District in connection with a request for accommodation will be treated as confidential.

The District encourages you to suggest specific reasonable accommodations that you believe would allow you to perform your job. However, the District is not required to make the specific accommodation requested by you and may provide an alternative accommodation, to the extent any reasonable accommodation can be made without imposing an undue hardship on the District.

If leave is provided as a reasonable accommodation, such leave may run concurrently with leave under the federal Family and Medical Leave Act and/or any other leave where permitted by state and federal law.

### **3.9. Animals on Campus**

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

Reference: [BP 6163.2](#) – Animals at School Reference: [AR 6163.2](#) – Animals at School

### **3.10. Work Calendar/Holidays**

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

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

The district also provides [Work/Planning Calendars](#) for employees.

The district will offer 178 days of instruction per school year for SVCTE, and 175 days of instruction for SVAE, except for any school year in which the district and employee organization(s) agree to have fewer days of instruction. Staff development days are not counted as instructional days.

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

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

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

### **3.11. Equal Employment Opportunity Statement**

Metropolitan Education District is committed to the principles of equal employment. We are committed to complying with all federal, state, and local laws providing equal employment opportunities, and all other employment laws and regulations. It is our intent to maintain a work environment that is free of harassment, discrimination, bullying or retaliation based on actual or perceived race or ethnicity, gender/sex (including gender identity, gender expression, pregnancy, childbirth, breastfeeding, and pregnancy-related medical conditions) sexual orientation, religion, color, national origin, ancestry, immigration status, physical or mental status, marital status, registered domestic partner status, age (40 and above), genetic information, political belief or affiliation (not union related), association with a person or group with one or more of these actual or perceived characteristics, or any other basis protected by federal, state or local law, ordinance, or regulation in any program or activity it conducts or to which it provides significant assistance. The District will conduct a confidential, prompt, and thorough investigation of all allegations of discrimination, harassment, or retaliation, or a violation of the Equal Employment Opportunity Policy.

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

The District will take appropriate corrective and remedial action, if and where warranted. The District prohibits retaliation against any employees who provide information about, complain about, or assist in the investigation of any complaint of discrimination or violation of the Equal Employment Opportunity Policy.

We are all responsible for upholding this policy. You may discuss questions regarding equal employment opportunity with your supervisor or any other designated member of management.

### **3.12. Nondiscrimination in District Programs and Activities**

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

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

1. Shunning and avoiding an individual who reports harassment, discrimination or retaliation;
2. Express or implied threats or intimidation intended to prevent an individual from reporting Denying employment benefits because an applicant or employee reported harassment, discrimination or retaliation or participated in the reporting and investigation process.
3. Complaints of discrimination should be filed according to the procedures described in the complaint procedure.

Reference: [BP 0410](#) – Nondiscrimination in District Programs and Activities

### **3.13. Uniform Complaint Procedures**

The uniform complaint policy is the use by parents and students for complaints related to specific activities and programs.

The District annually notifies our students, employees, parents, or guardians of its students, and other interested parties of the [Uniform Complaint Procedures \(UCP\) process](#).

The District is primarily responsible for compliance with federal and state laws and regulations, including those related to unlawful discrimination, harassment, intimidation or bullying against any protected group, and all programs and activities that are subject to the UCP.

### **3.14. Policy Against Workplace Harassment**

MetroED has a strict policy against all types of workplace harassment, including sexual harassment and other forms of workplace harassment based upon an individual’s race (including, but not limited to, hair texture and protective hairstyle such as braids, locks, and twists), color, religion, religious creed (including religious dress and grooming practices), national origin, ancestry, citizenship, physical or mental disability, medical condition (including cancer and genetic characteristics), genetic information, marital status, reproductive health decision-making, sex (including pregnancy, childbirth, breastfeeding, or

related medical conditions), gender (including gender identity and gender expression), age (40 years and over), sexual orientation, veteran and/or military status, protected medical leaves (requesting or approved for leave under the Family and Medical Leave Act or the California Family Rights Act), domestic violence victim status, political affiliation, or any other status protected by federal, state, or local laws.

This policy protects all applicants and employees (including managers and supervisors) from unlawful harassment and discrimination. This includes harassment by employees, managers, supervisors, applicants, contractors, visitors, volunteers, vendors, suppliers, and customers. In addition, this policy extends to conduct connected with an individual's work, even when the conduct take place away from the workplace, such as a business trip or business-related social function.

### **3.15. Harassment**

Harassment means disrespectful or unprofessional conduct, including disrespectful or unprofessional conduct based on an individual's race (including, but not limited to, hair texture and protective hairstyle such as braids, locks, and twists), color, religion, religious creed (including religious dress and grooming practices), national origin, ancestry, citizenship, physical or mental disability, medical condition (including cancer and genetic characteristics), genetic information, marital status, reproductive health decision-making, sex (including pregnancy, childbirth, breastfeeding, or related medical conditions), gender (including gender identity and gender expression), age (40 years and over), sexual orientation, veteran and/or military status, protected medical leaves (requesting or approved for leave under the Family and Medical Leave Act or the California Family Rights Act), domestic violence victim status, political affiliation, or any other status protected by federal, state, or local laws.

Unlawful harassment includes, but is not limited to, epithets; slurs, jokes; pranks; innuendo; comments, written or graphic material; stereotyping; or other threatening, hostile, or intimidating acts workplace harassment include:

The use of disparaging or abusive words or phrases, slurs, innuendo, pranks, negative stereotyping, or threatening, intimidating, or hostile acts that relate to the above protected categories;

- Written or graphic material that insults, stereotypes, or shows aversion or hostile acts toward an individual or group because of one of the above protected categories and that is placed on walls, bulletin boards, email, voicemail, or elsewhere on District premises, or circulated in the workplace; and
- A display of symbols, slogans, or items that are associated with hate or intolerance toward any select group.

### **3.16. Sexual Harassment**

Sexual harassment means harassment based on sex or conduct of a sexual nature, and includes harassment based on sex (including pregnancy, childbirth, breastfeeding, or related medical conditions), gender and gender identify, or gender expression. It may include all the actions described above as harassment, as well as other unwelcome sex-based conduct, such as unwelcome or unsolicited sexual advances, requests for sexual favors, conversations regarding sexual activities, or other verbal or physical conduct of a sexual nature. Sexually

harassing conduct need not be motivated by sexual desire and may include situations that began as reciprocal relationships, but that later ceased to be reciprocal.

Sexual harassment is generally categorized into the following types:

- Quid pro quo sexual harassment (“this for that”), which includes
  - Submission to sexual conduct when made explicitly or implicitly a term or condition of an individual’s employment.
  - Submission to or rejection of the conduct by an employee when used as the basis for employment decisions affecting the employee.

Hostile work environment sexual harassment is conduct of a sexual nature or on the basis of sex by any person in the workplace that unreasonably interferes with an employee’s work performance and/or creates an intimidating, hostile, or otherwise offensive working environment.

Examples include:

- Unwelcome sexual advances, flirtation, teasing, sexually suggestive or obscene letters, invitations, notes, emails, voicemails, or gifts.
- Sex, gender, or sexual orientation-related comments, slurs, jokes, remarks, or epithets.
- Leering, obscene or vulgar gestures, or sexual gestures.
- Displaying or distributing sexually suggestive or derogatory objects, pictures, cartoons, or posters or any such items.
- Impeding or blocking movement, unwelcome touching, or assaulting others.
- Any sexual advances that are unwelcome as well as reprisals or threats after a negative response to sexual advances.
- Conduct or comments consistently targeted at one gender, even if the content is not sexual.
- Repeated requests for dates after being informed that interest is unwelcome.
- Retaliating against another for refusing a sexual advance or reporting an incident of possible sexual harassment to the District or any government agency.

### **Definition of Sexual Harassment**

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

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

The Governing Board is committed to providing a safe work environment that is free of harassment and intimidation. The Board prohibits sexual harassment against district

employees and retaliatory behavior or action against any person who complains, testified, or otherwise participates in the complaint process.

### **3.17. Retaliation**

*Retaliation* means any adverse employment action taken against an employee because the employee engaged in activity protected under this policy. Protected activities may include, but are not limited to, reporting or assisting in reporting suspected violations of this policy and/or cooperating in investigations or proceedings arising out of a violation of this policy.

*Adverse employment action* is conduct or an action that materially affects the terms and conditions of the employee's employment status or is reasonably likely to deter the employee from engaging in protected activity. Even actions that do not result in a direct loss of compensation may be regarded as an adverse employment action when considered in the totality of the circumstances.

Examples of retaliation under this policy include but are not limited to: demotion, suspension, reduction in pay, denial of a merit salary increase, failure to hire or consider for hire, refusing to promote or consider for promotion because of reporting a violation of this policy, harassing another employee for filing a complaint, denying of employment opportunities because of making a complaint or for cooperating in an investigation, changing someone's work assignments for identifying harassment or other forms of discrimination in the workplace, treating people differently such as denying an accommodation, not talking to an employee when otherwise required by job duties, or otherwise excluding the employee from job-related activities because of engagement in activities protected under this policy.

### **3.18. Reporting Discrimination, Harassment, and/or Retaliation**

#### *Employees*

If an employee believes they are being subjected to discrimination, harassment, or other inappropriate behavior, they may immediately inform the offending party that the conduct is unwelcome and needs to stop. If the conduct does not cease, or if the employee is unable to or uncomfortable with addressing the alleged offender directly, they should report the incident to their own supervisor, a member of the Leadership Team, or to the Executive Director of HR. It is recommended, but not required, that the employee provide a written record of the date, time and nature of the incident(s) and the names of any witnesses. It is important to report all concerns of harassment, discrimination, or inappropriate behavior as soon as possible. Leaders must be made aware of the situation so an immediate and impartial investigation can be conducted and appropriate action can be taken to remediate or prevent the prohibited conduct from continuing.

#### *Managers and Supervisors*

Managers and supervisors must deal quickly and fairly when they have any knowledge of discrimination, harassment, or other inappropriate behavior within their departments, whether or not there has been a written or formal complaint. They must:

1. Take all complaints or concerns of alleged or possible discrimination, harassment, or other inappropriate behavior seriously no matter how minor or who is involved.

2. Report all incidents to Human Resources immediately so that a prompt investigation can occur.
3. Take any appropriate action to prevent retaliation or prohibited conduct from occurring during and after any investigations or complaints.

Managers and supervisors who knowingly allow or tolerate discrimination, harassment, other inappropriate behavior or retaliation, including the failure to immediately report such misconduct to HR, are in violation of this policy and subject to discipline.

### *Human Resources*

The Executive Director of Human Resources is responsible for:

1. Ensuring that both the individual filing the complaint (complainant) and the accused individual (respondent) are aware of the seriousness of a complaint.
2. Explaining MetroED's relevant policy/policies and investigation procedures to all parties involved.
3. Exploring informal means of resolving complaints.
4. Notifying the police if criminal activities are alleged.
5. Arranging for an investigation of the alleged discrimination, harassment, or other inappropriate behavior and the preparation of a written report.
6. Submitting a written report summarizing the results of the investigation and making recommendations to the appropriate members of the Leadership Team.
7. Notifying the complainant and the respondent of the corrective actions to be taken, if any, and administering those actions.

### **3.19 Complaint Resolution Procedures**

Complaints should be submitted as soon as possible after an incident has occurred, preferably in writing. The Executive Director of Human Resources may assist the complainant in completing a written statement or, in the event an employee refuses to provide information in writing, the Executive Director of Human Resources will dictate the verbal complaint. To ensure the prompt and thorough investigation of a complaint, the complainant should provide as much of the following information as is possible:

1. The name, department and position of the person or persons allegedly committing the discrimination, harassment, or other inappropriate behavior.
2. A description of the incident(s), including the date(s), location(s) and the presence of any witnesses.
3. The effect of the incident(s) on the complainant's ability to perform his or her job, or on other terms or conditions of his or her employment.
4. The names of other individuals who might have been subject to the same or similar discrimination, harassment, or inappropriate behavior.
5. What, if any, steps the complainant has taken to try to stop the discrimination, harassment, or inappropriate behavior.
6. Any other information the complainant believes to be relevant to the complaint.

### **3.20 Discipline**

Discipline for violation of this policy may include, but is not limited to, reprimand, suspension, demotion, transfer, and discharge. If the District determines that harassment or discrimination occurred, corrective action will be taken to effectively end the harassment. As necessary, the District may monitor any incident of harassment or discrimination to assure the inappropriate behavior has stopped. In all cases, the District will follow up as necessary to ensure that no individual is retaliated against for making a complaint or cooperating with an investigation.

### **3.21 Confidentiality**

All complaints and investigations are treated confidentially to the extent possible and information is disclosed strictly on a need-to-know basis. The identity of the complainant is usually revealed to the parties involved during the investigation and the Manager, Supervisor, and/or Executive Director of Human Resources take adequate steps to ensure that the complainant is protected from retaliation during and after the investigation. All information pertaining to a complaint or investigation is maintained in secure files within Human Resources.

Reference: BP [4144](#), AR [4144](#), BP [4244](#), AR [4244](#), BP [4344](#), AR [4344](#)

### **3.22 STOPit Anonymous Reporting**

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

### **3.23 TitleIX Compliance**

The complaint procedures described in the following shall be used to address any complaint governed by Title IX of the Education Amendments of 1972 alleging that a district employee, while in an education program or activity in which a district school exercises substantial control over the context and respondent, was subjected to one or more of the following forms of sexual harassment: (34 CFR 106.30, 106.44) Please see [MetroED TitleIX website](#) for questions.

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

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

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

### **Reporting Allegations/Filing a Formal Complaint**

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

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

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

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

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

### **Supportive Measures**

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

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

## **Emergency Removal**

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

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

## **Dismissal of Complaint**

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

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

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

## **Informal Resolution Process**

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

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

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

## Written Notice

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

1. The district's complaint process, including any informal resolution process
2. The allegations potentially constituting sexual harassment with sufficient details known at the time, including the identity of parties involved in the incident if known, the conduct allegedly constituting sexual harassment, and the date and location of the alleged incident if known. Such notice shall be provided with sufficient time for the parties to prepare a response before any initial interview.
3. If, during the course of the investigation, new Title IX allegations arise about the complainant or respondent that are not included in the initial notice, the Title IX Coordinator shall provide notice of the additional allegations to the parties.
4. A statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the complaint process
5. The opportunity for the parties to have an advisor of their choice who may be, but is not required to be, an attorney, and the ability to inspect and review evidence
6. The prohibition against knowingly making false statements or knowingly submitting false information during the complaint process The above notice shall also include the name of the investigator, facilitator of an informal process, and decision-maker and shall inform the parties that, if at any time a party has concerns regarding conflict of interest or bias regarding any of these persons, the party should immediately notify the Title IX Coordinator.

## Investigation Procedures

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

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

- investigative report
7. Objectively evaluate all relevant evidence, including exculpatory evidence, and determine credibility in a manner that is not based on a person's status as a complainant, respondent, or witness
  8. Create an investigative report that fairly summarizes relevant evidence and, at least 10 days prior to the determination of responsibility, send to the parties and their advisors, if any, the investigative report in an electronic format or a hard copy, for their review and written response

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

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

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

### **Written Decision**

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

After the investigative report has been sent to the parties but before reaching a determination regarding responsibility, the decision-maker shall afford each party the opportunity to submit written, relevant questions that the party wants asked of any party or witness, provide each party with the answers, and allow for additional, limited follow-up questions from each party. The decision-maker shall issue, and simultaneously provide to both parties, a written decision as to whether the respondent is responsible for the alleged conduct. (34 CFR 106.45)

The written decision shall be issued within 60 calendar days of the receipt of the complaint. The timeline may be temporarily extended for good cause with written notice to the complainant and respondent of the extension and the reasons for the action. (34 CFR 106.45)

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

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

1. Identification of the allegations potentially constituting sexual harassment as defined in 34 CFR 106.30
2. A description of the procedural steps taken from receipt of the formal complaint through the written decision, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held if the district includes hearings as part of the grievance process

3. Findings of fact supporting the determination
4. Conclusions regarding the application of the district's code of conduct or policies to the facts
5. A statement of, and rationale for, the result as to each allegation, including a decision regarding responsibility, any disciplinary sanctions the district imposes on the respondent, and whether remedies designed to restore or preserve equal access to the district's educational program or activity will be provided by the district to the complainant
6. The district's procedures and permissible bases for the complainant and respondent to appeal

## **Appeals**

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

If an appeal is filed, the district shall (34 CFR 106.45):

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

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

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

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

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

## **Remedies**

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

## **Disciplinary Actions**

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

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

## **Record-Keeping**

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

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

Reference: [BP 4119.12](#) – Title IX Sexual Harassment Complaint Procedures

### **3.24 Religious Accommodation**

The District is dedicated to treating its employees equally and with respect and recognizes the diversity of their religious beliefs. All employees may request an accommodation when their religious beliefs cause a deviation from the District dress or grooming code, or the individual's schedule, basic job duties, or other aspects of employment. The District will consider the request, but reserves the right to offer its own accommodation to the extent permitted by law. Some, but not all of the factors that the District will consider are cost, the effect that an accommodation will have on current established policies, and the burden on operations –

including other employees—when determining a reasonable accommodation. At no time will the District question the validity of a person’s belief.

### **3.25 Child and Dependent Adult Abuse Reporting Requirement**

The maltreatment of children and dependent adults with physical, mental or developmental disabilities is a serious concern. All persons have the right to live and learn in a safe environment, and as such, MetroED is committed to providing a safe, caring and nurturing environment for all its students. Children have very few resources for changing the circumstances of their lives. Since children cannot protect themselves, it is important for others to intervene when they suspect abuse or neglect by a parent, guardian, or other individual.

Child and adult abuse or neglect can occur in any situation or family, regardless of socio-economic status, sexual orientation, religion, ethnic background or level of education of the parties involved.

#### **Mandated Reporters**

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

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

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

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

#### **How to report suspected child abuse or neglect:**

1. CALL 9-1-1 if you believe a child is in imminent danger, needs medical attention, or it would not be safe for them to return or remain at home. Or CALL DFCS in the:
  - San Jose area: (408) 299-2071
  - Gilroy/Morgan Hill area: (408) 683-0601
  - Palo Alto area: (650) 493-1186
  - Santa Clara County Toll-Free Phone Number: (833) SCC-KIDS (722-5437)
2. After the initial call and within 36 hours, all mandated reports MUST then submit a suspected Child Abuse Report ([form SS 8572](#)) by mail to the DFCS at 373 West

Julian Street, 2nd Floor, San Jose, CA 95110 or fax to  
(408) 975-5851.

#### *Cautionary Note*

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

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

#### **How to report suspected dependent adult abuse or neglect**

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

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

## **4 Wage and Hour Policies**

### **4.1 Compensation Overview**

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

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

Reference: BP [3100](#), [AR 3100](#) – Budget

Reference: [BP 3400](#), [AR 3400](#) - Management of Districts Assets/Accounts

Reference: BP [4000](#)

Reference: BP [4154](#), [4254](#), [4354](#) - Health and Welfare Benefit

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

Reference: BP [4121](#) - Temporary/Substitute Personnel  
Reference: BP [4141](#), BP [4241](#) - Collective Bargaining Agreement  
Reference: BP [4143](#), BP [4243](#) - Negotiations/Consultation

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

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

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

## **4.2 Attendance Policy**

The contribution of each employee is critical and the efforts of each and every one are needed to help the District reach its goals. Unnecessary absenteeism results in reduced productivity, loss of service, and significant cost to the District. It is the District's responsibility to ensure that employees clearly understand the expectation for performing their job duties and how their attendance impacts their performance, and that they are given a fair opportunity to succeed.

Specifically:

- Employees are expected to work the number of hours they are assigned.
- Employees are expected to be at their work assignments on time.
- Employees are expected to comply with legal, District, and collective bargaining rules regarding reporting of absence and providing appropriate documentation.
- Supervisors are expected to provide feedback, monitor attendance, and maintain attendance records.

Bargaining unit members' collective bargaining agreement (CBA) specifies the leaves available to employees: vacation, sick, bereavement, jury duty, personal necessity/business, discretionary, parental, leave without pay, floating holiday and family and medical leave.

Administrators, confidential, unrepresented, and substitute employees are not represented by a bargaining unit, however, their leaves are defined in their memorandum of understanding (MOU). [CBAs and MOUs](#) are located on the Human Resources web page on the MetroED website under Departments.

Sick leave benefits are provided to ease the financial burden on employees who are required to be absent from duty due to illness, injury, or personal necessity. Employees who use illness and personal necessity leave for reasons other than indicated in the collective bargaining agreements are in violation of policy. Failure to comply with this policy and/or those outlined in the collective bargaining agreements can result in appropriate disciplinary action, up to and including termination. This policy ensures that our fellow employees do not unfairly bear the burden of the workload of those who inappropriately use sick or personal necessity leave.

Every employee is expected to understand and follow the absence and tardiness guidelines established by the district. If you have any questions, please ask your supervisor or HR.

Employees covered under the CSEA Collective Bargaining Agreement, may be granted permission by their immediate supervisor to take time during the unit member's scheduled work hours for either a dentist or doctor's appointment for the unit member only without loss of pay or loss of sick leave, provided that the time taken from shall not exceed two hours in any calendar month. In any case, where the time taken exceeds two hours, the excess amount of time will be deducted from the unit member's accumulated sick leave. Written documentation of the appointment must be provided. To the extent possible, the appointment should be scheduled at the beginning or end of the workday. This benefit may be denied when, in the judgment of the immediate supervisor, the employee's absence would result in the needs of the District not being adequately met.

Reference: BP [4161/42161/4361](#), [AR 4161](#)- Leaves

### 4.3 Work Hours

Definitions:

- (1) **Classification** means that each position shall have a designated title, a regular minimum number of assigned hours per day, days per week, and months per year, a specific statement of the duties required to be performed by the employees in each such position, and the regular monthly salary ranges for each such position.
- (2) **Permanent** as used in the phrase **permanent employee** includes tenure in the classification in which the employee passed the required probationary period, and includes all of the incidents of that classification.
- (3) **Regular** as used in the phrase **regular classified employee** or any similar phrase, refers to an employee who has probationary or permanent status.
- (4) **Demotion** means assignment to a lower position or status, without the employee's written voluntary consent.
- (5) **Seventy-five percent of a school year** means the number working days, including holidays, sick leave, vacation and other leaves of absence, irrespective of number of hours worked per day – X 75 of total

The District has established an expected range of hours for each position. Teacher hours are established by the relevant bargaining agreement and the schedule of classes offered for each school term. Reference: [Education Code 45101](#)

### 4.4 Tardiness

You are expected to be on time for work and be on duty from the beginning to the end of your scheduled workday. Tardiness means reporting to work any time after your scheduled work time has begun. Tardiness may result in the loss of wages and/or disciplinary action. Whenever it is necessary for you to be late for work, you must notify your supervisor. If it is necessary for you to leave work early, you must notice and get approval from your supervisor.

## 4.5 Absence Tracking

Bargaining unit members' collective bargaining agreement (CBA) specifies the leaves available to employees: vacation, sick, bereavement, jury duty, personal necessity/business, discretionary, parental, bereavement leave, leave without pay, floating holiday and family and medical leave.

Administrators, confidential, and substitute employees are not represented by a bargaining unit, however, their leaves are defined in their memorandum of understanding (MOU). [CBAs and MOUs](#) are located on the Human Resources web page on the MetroED website under Departments.

## 4.6 Recording Time

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

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

- When you know in advance that you will be absent, you must submit your request for absence to your supervisor at least two days, preferably a week, prior to your scheduled reporting time.
- In an emergency, you must personally notify either your supervisor or your department head by telephone prior to the start of your day.
- For each day you are absent, you must notify your supervisor. If you cannot return to work when you are expected, it is your obligation to notify your supervisor. You must enter the absence on the Frontline system.
- When you return to work after a sick leave absence you may need a doctor's excuse indicating that you may return to work. This note may be requested by the HR Director at any time.
- Unreported absences indicate a lack of interest in your job. **If you are, absent for three or more days without notifying your supervisor, we must assume that you have voluntarily given up your job and you may be terminated for job abandonment.**
- Give two-week prior notice if possible to your supervisor for approval of Vacation days, Discretionary days, Floating holidays or Non-Work days before they are taken.
- Comp Time is entered and approved just as vacation. See pages 44-46 for more information. Frontline

MetroED uses a service from Frontline Education that significantly simplifies recording, managing absences, and finding and assigning substitutes. The Frontline Absence Management solution is available 24 hours a day, seven days a week, and can be accessed

via the Internet and phone.

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

The Frontline System is used for all employees to record any day that you are absent from work. If you are a certificated employee whose position requires a Substitute when you are absent, the Frontline System will also be used to secure a substitute for you. Click the following for:

1. Employees enter absences, check their absence schedule, and update personal information, including daily work hours.
2. Substitutes can search for and accept available jobs, change personal settings, update their calendar, and personalize their available call times by visiting Frontline on the Internet.
3. Everyone can attach a file to an absence, Track your absence history and select your preferred substitute.

With Frontline, you can do the following:

- Created an absence online
- Attach a file to an absence
- Manage your work schedule
- Cancel an absence
- Find phone numbers and contact information for your substitutes
- Track your absence history
- Select your preferred substitutes
- Assign a substitute to your absence
- Create an absence over the phone

### **Frontline Mobile App**

Frontline Education has introduced a Mobile App for Substitutes, which can be downloaded through the iOS App Store or Google Play at no additional cost.

You can download the Frontline Education mobile app after creating your Frontline ID (from [Web Access](#)). Enter your Frontline ID credentials to sign in.

Once you have logged in with your Frontline ID Account username and password, the resources below will help guide you to navigate the app and accept jobs: [Downloading and Accessing the Frontline Education Mobile App](#)

### **Dial-In Access**

You can call Frontline toll-free at 1-800-942-3767. Follow the voice menu to enter and manage absences. We recommend that you call in to check the computer recording of your name and title. To do this, press Option 5 and follow the prompts.

Your ID and PIN for dial-in access are as follows:

- ID <<Is your Phone Number>>
- PIN <<Sent to you in the welcome email. You can also find the **PIN** online under the Account and Phone Credentials >>

## **Certificated Leave Increments**

Certificated absences are recorded in half-day increments. The District uses a consistent administrative practice aligned with the AM/PM instructional schedule.

- Morning absence = 0.5 day
- Afternoon absence = 0.5 day
- Full day = 1.0 day

Certificated leave is not recorded hourly.

### **4.7 Request for Leave**

All requests for leave require a 'Request for Leave' form which can be found in informed K12. Bargaining unit members/ collective bargaining agreement (CBA) specifies the leaves available to employees including: vacation, sick, bereavement, jury duty, personal necessity/business, discretionary, parental, floating holidays, leave without pay, and family and medical leave.

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

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

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

### **4.8 InformedK12**

Informed K-12 is a workflow automation platform for school districts that helps school and district administrators instantly move any paper-based process - including request for leave forms, new hire forms, accounts payable forms, field trip, mileage and business expense reimbursement, pay vouchers, permissions slips, timesheets, purchasing contracts, IT and facilities requests - entirely online.

## **Leaves Request Form Informed K12**

After first speaking with your supervisor (other than sick leave), enter your leave into Frontline, then create a [Request for Leave Form](#) in Informed K12 to be approved by your supervisor and the HR Executive Director with hours available verified by Payroll.

1. Access the form: For the Request for Leaves Form, go to the district Intranet website under Forms →Request for Leave Form. You can bookmark this page to access the link easily after logging in.
2. Enter your name and email: When you click on the link, you will be taken to the beginning of the form on the Informed K12 platform. Enter your name and email, and click “Go to form.” You do not need an account to fill out the form.
3. Fill out all required fields: Red Fields are REQUIRED. SIGN your form. You can also add attachments by scrolling to the bottom and clicking “Add Attachment.” Be sure to send HR your doctor’s appointment slip afterward.
4. Include the Frontline Confirmation Number: Enter the number from your Frontline entry on your Request for Leaves Form.
5. Click on the red SUBMIT FORM button and select your supervisor. Select the next recipient, press SEND TO THIS RECIPIENT, and then you’re done!
6. Once you submit it, you will receive a link to your email with a copy of your form. To see the progress of your request form as it moves through the district, refer back to it (just like a UPS package).

## **4.9 Business Expense Policy**

The purpose of this policy is to define approved non-travel business expenses and the authority for incurring and approving such expenses at MetroED.

Approved business expenses are the reasonable and necessary expenses incurred by employees to achieve legitimate business purposes that are not covered by normal District procurement processes.

### **4.9.1 Authority**

The Governing Board has delegated the responsibility for the procurement of materials and services necessary to carry out the programs and operation of the District to the Superintendent, Assistant Superintendent, Executive Director Human Resources and the Director of Business Services/CBO. Only these designees are authorized to commit funds in the name of the District. All approved purchases shall comply with district, state and federal policies and regulations including public bidding requirements and conflict of interest laws.

### **4.9.2 Unauthorized Purchases**

MetroED purchases a wide variety of merchandise through a centralized purchasing system. Procurement of supplies, materials, equipment and services are processed centralized in the Business Office. The District requires issuance of a signed purchase order prior to a vendor providing services or materials. Funds for the acquisition of goods or services may not be committed without an authorized Purchase Order.

Goods and/or services purchased or ordered without proper authorizations are considered unauthorized purchases for which the district has no legal liability or obligation to pay vendor claims. Accordingly, unauthorized purchases will not be honored by the District. The District is not obligated to reimburse faculty and staff for the cost of any such purchases on behalf of the District unless previous arrangements have been made.

District employees are prohibited from signing contracts offered by vendors. The power to execute contracts is designated by the Governing Board or its designee. Contracts signed by unauthorized individuals shall be considered non-binding.

#### **4.9.3 Employee Reimbursement**

The District maintains purchasing procedures to facilitate the purchase of supplies and services for District staff. For proper internal control, all expenditures of the District must be made through the district's financial system. In the event an employee makes a purchase using personal funds, for whatever reason, the District is not obligated to reimburse the employee unless no other means for the purchase is available and the item is not available from another source. Should an employee make a purchase or charge any item(s) on behalf of the District, determination for reimbursement will be made as follows:

- The purchase must have been pre-approved by the employee's supervisor.
- The expenditure must be appropriate and supported by the appropriate original, itemized receipt.
- Personal purchase of equipment, including technology, will not be reimbursed, unless approved in writing prior to the purchase by the appropriate administrators.

The District reserves the right to not reimburse an employee for a District-related expense, regardless of documentation presented.

#### **4.9.4 Paychecks**

The District will furnish each employee an accurate itemized statement in writing showing paid wages:

1. Gross wages earned,
2. Total hours worked by the employee, except for any employee whose compensation is solely based on a salary and who is exempt from payment of overtime under subdivision (a) of Section 515 or any applicable order of the Industrial Welfare Commission,
3. The number of piece-rate units earned and any applicable piece rate if the employee is paid on a piece-rate basis,
4. All deductions, provided that all deductions made on written orders of the employee may be aggregated and shown as one item,
5. Net wages earned
6. The inclusive dates of the period for which the employee is paid,
7. The name of the employee and the last four digits of his or her social security number or an employee identification number other than a social security number,
8. The name and address of the legal entity that is the employer and, if the employer is a farm labor contractor, as defined in subdivision (b) of Section 1682, the name and

address of the legal entity that secured the services of the employer, and

9. All applicable hourly rates in effect during the pay period and the corresponding number of hours worked at each hourly rate by the employee. The deductions made from payment of wages shall be recorded in ink or other indelible form, properly dated, showing the month, day, and year, and a copy of the statement and the record of the deductions shall be kept on file by the employer for at least three years at the place of employment or at a central location within the State of California.

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

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

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

A summary of your hours paid, your earnings and authorized deductions can be found on the check stub. Should you have any questions regarding your paycheck, please contact the Payroll Department (408) 723-6433.

#### **4.10 Paycheck Deductions**

MetroED is required by law to make certain deductions from your pay each pay period, including deductions for federal income tax, Social Security and Medicare (FICA) taxes, e.g., state unemployment taxes, etc., and any other deductions required under law or court order for wage garnishments. The amount of your tax deductions will depend on your earnings and the information you list on your federal Form W-4 and applicable state withholding form. You may also authorize voluntary deductions from your paycheck, including contributions for insurance premiums, retirement plans, spending accounts, or other services. Your deductions will be reflected in your wage statement.

Any payroll error resulting in insufficient payment for an employee shall be corrected, and a supplemental check issued, not later than five (5) working days after the employee provides notice to the Payroll Department. When an overpayment occurs, the Business Office will notify the employee of the overpayment, and the employee will have 30 day(s) to provide a response before the Business Office commences recoupment actions. If the employee submits a response prior to the next pay period, the District will consider the response and determine whether recoupment is appropriate. If the employee does not respond within 30day(s), the employee has no objection to recoupment, or if the District otherwise determines recoupment is appropriate, the Business Office will make the appropriate adjustment through a payroll deduction covering at least the same number of pay periods in which the error occurred and the Payroll deductions shall not exceed 25 percent of the employee's net disposable earnings for each payroll amount. In the event that an employee should terminate their employment with the District prior to paying back the entire overpayment, the District has the right to fully withhold all wages earned during the last period of employment. Furthermore, the District may take legal action to recover further repayment to fulfill the total overpayment.

#### **4.11 Meal and Rest Periods Certificated Employees**

Full-time certificated employees are provided a minimum of 30 minutes for a duty-free lunch period.

#### **Classified Employees**

Paid rest periods and unpaid lunch periods shall be provided in the following increments:

- 0 to 3 hours period day; no rest or lunch periods
- to 5 hours per day: 15-minute rest period, no lunch period
- 5.25 to 7 hours per day: 15-minute rest period, 30 minute lunch period
- 7 or more hours per day: 15-minute morning rest period, 30-60 minute lunch period (amount of time at the discretion of supervisory), 15-minute afternoon rest period

Unused rest periods cannot be combined with lunch periods or early dismissals.

#### **4.12 Employee Self Service**

You may view your current and past payroll warrant information as well as W-2 information. You will need to go to [ess.sccoe.org](http://ess.sccoe.org), check MetroED as the District 62, click on the word Register in the menu bar or left pane and select new staff User. [Register and access Employee Self-Service \(ESS\)](#) to view your personal and payroll records online (current and past payroll warrant and W-2 information). Use the drop-down to indicate Metropolitan Education District 62 to set as your default district number and register as a new district employee your first time using it. The Santa Clara County Office of Education (SCCOE) operates MetroED's Employee Self-Service (ESS).

#### **4.13 Accommodations for Nursing Mothers**

MetroED is required by law to provide requesting employees who are nursing mothers with certain accommodations to express milk. Accordingly, the District will provide nursing mothers with:

- Reasonable break time to express milk for their infant child(ren) each time the mother has the need to express milk; and a private room or other location in close proximity to their work area, other than a restroom, which is shielded from view and free from intrusion, to express breast milk.

##### **4.13.1 Requesting Accommodation**

If you have the need for accommodation, contact your supervisor. If the District cannot provide break time or a location that complies with the above, the District will provide you with a written response. You may use your regular paid rest breaks or may take other reasonable break time when needed. If possible, the break time should run concurrently with the scheduled meal and rest breaks already provided to you. If the break time cannot run concurrently with meal and rest breaks already provided or additional time is needed, break times will be unpaid except where federal or state law dictates otherwise.

##### **4.13.2 Lactation Room or Location**

The provided lactation room or location will:

- Be safe, clean, and free of hazardous materials.
- Contain a surface to place a breast pump and personal items.
- Contain a place to sit.
- Have access to electricity or alternative devices, including, but not limited to, extension cords or charging stations, needed to operate an electric or battery-powered breast pump.

Multipurpose rooms may be used as lactation space if they satisfy the above requirements; however, use of the room for lactation purposes must take priority over other uses.

### **Milk Storage**

Expressed milk can be stored in District refrigerators, refrigerators provided in the lactation room or other location, or in a personal cooler, sufficiently mark or label your milk to avoid confusion for other employees who may share the refrigerator.

### **Retaliation**

The District will not retaliate against employees who request or obtain an accommodation in accordance with this policy.

## **4.14 Overtime**

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

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

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

Over-time hours shall be turned into Payroll on a timesheet, found in InformedK12, during the month the hours were earned by the 15<sup>th</sup> of the month and will be paid at the end of the month on your regular paycheck.

Employees may take compensatory time off in lieu of overtime. The generation of comp time and the schedule of comp time must be agreed upon between you and your immediate supervisor, and pre-approved. All Comp Time is submitted just as vacation through Frontline and a Request for Leave Form via InformedK12. All Comp Time must be used by June 30 each year

(See CSEA CBA Article 9650, and section 4.16 for more information).

**Definition:**

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

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

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

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

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

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

**4.15 Comp Time**

Comp time must be pre-approved and initiated by the manager, only if operational and necessary to meet district goals. To initiate, complete the District Comp Time Form. When ready to use comp time, submit a leave request via Frontline, just like vacation. Comp time must be used by June 30 each year and can only accumulate up to 32 hours, except for IT and M&O departments. Attach the pre-approval form to the leave request when using the time.

**4.16 Travel Expenses**

The purpose of this policy is to define approved business travel expenses and the authority for incurring and approving such expenses at MetroED. The Board shall authorize payment for

actual and necessary travel expenses incurred by an employee performing authorized services for the district, whether within or outside district boundaries.

An employee shall obtain approval from their supervisor and Director of Business Services/CBO prior to traveling by using the Conference Request Form in InformedK12. The Director of Business Services/CBO may approve travel requests in accordance with the adopted budget and upon determining that the travel is authorized or assigned by the employee's supervisor, is necessary to attend a conference or other staff development opportunity that will enhance employee performance, and/or is otherwise necessary to the performance of the employee's duties. Travel expenses not previously budgeted may be approved on a case-by-case basis by the Superintendent or designee if they determine that the travel is essential and that resources may be obtained or redirected for this purpose.

Except as otherwise provided, reimbursement of travel expenses shall be based on actual expenses as documented by receipts.

### **Conference/Workshop Travel Authorization and Reimbursement**

All workshops and conferences must have a pre-approved "[Travel & Conference Request](#)" form on file in InformedK12, before any expenses can be reimbursed. This form is available on the District Intranet under Fiscal Services Department. The form is used for:

1. Pre-approval to attend a conference or workshop
2. Provide estimate on total conference expenses
3. Justification for attending conference/workshop

### **Conference Attendance Approval Process**

Applicants should not assume that requests to attend conferences or workshops will be approved until the request form is actually signed and returned.

- Applicant completes Section A on the district "Travel & Conference Request" Form. Prior to acquiring the supervising administrator's approval, the following items **must be attached** to the "Travel & Conference Request" Form:
  - A copy of conference brochure/flyer
  - The Travel & Conference Procedures document with employee's original signature
- Obtain the supervising administrator's approval. The supervising administrator must verify that there is sufficient budget to cover the total estimated expenses for the travel request. They will review the request to ensure that the workshop or conference is appropriate for the District, and there is sufficient budget to cover conference expenses.
- All travel & conference requests must have prior approval by the District Chief Business Official.

District shall not be responsible for any expenses related to unauthorized travel or attendance at conferences and workshops. Unauthorized expenditures will become the financial responsibility of the individual.

### **Out of State Conferences and Workshops:**

Attendance at conferences and workshops outside the State of California require the prior

approval of the Superintendent and the Governing Board. Please allow time for this to be processed.

### **Travel and Conference Expense Reimbursement:**

There are three ways of handling travel and conference related expenses:

1. *District pays in advance:* The District will pay for conference registration using a PO or CalCard. The District will also pay for airfare using a CalCard.
2. For out of state conferences and workshops (board approved), such as SkillsUSA and HOSA, the teacher in charge may check out the District's CalCard to pay for approved travel expenses.
3. *Pay by District Credit Card:* For employees who were issued a CalCard to pay for pre-approved expenses related to conferences or workshops, such as parking fees, shuttle, etc., the employee must attach a copy of the pre-approved request with the credit card statement, the original itemized receipts. Using the CalCard Log in InformedK12, submit it to the Accounts Payable department for payment.

### **Expense Reimbursement Guidelines:**

**Actual & Necessary Expenses:** MetroED employees will be reimbursed for actual and necessary expenses, including (but not limited to):

- Mileage
- Car Rentals
- Taxi, Bus, Uber, Lyft, and Shuttle fares
- Parking fees & bridge tolls
- Meals & non-alcoholic beverages
- Reasonable Wi-Fi charges (if Wi-Fi is not free)

**Most Economical:** All travel expenses should be based on the most economical way to travel. An exception may be approved by the Chief Business Official.

**Conference Sponsored Activities & Membership Fees:** The costs of conference-sponsored activities, which are essentially entertainment or non-business, and individual memberships in an organization are not reimbursable.

**Meals:** The cost of meals will be reimbursed at the per diem rate of \$75 per day, unless the conference provides free meal(s):

- Breakfast \$15
- Lunch \$20
- Dinner \$40

**Lodging:** The conference location must be more than 50 miles from the District.

**Mileage:** For miles driven in privately-owned vehicles, employees are reimbursed the standard mileage rate allowed by the Internal Revenue Service.

### **Not Reimbursable (not an inclusive list):**

Exceptions may be approved by the Chief Business Official.

- In cases of approved car rental at a conference, the car rental and gas charges will be reimbursed, but not mileage.
- The cost of meals when the meals have been included in the cost of the conference (exception for specific dietary needs will be considered).
- Optional conference “special activities”, “events” and pre/post conference “side trips” not directly related to the education of the attendee
- Lodging for workshops within normal commuting distance of employee’s home (usually less than 50 miles)
- Individual membership fees in organizations sponsoring the conference/workshop
- Expenses for alcoholic beverages
- Purchase of gifts, items/services for personal use
- Unreasonable gratuities – Other gratuities (except meals up to 15%) are not reimbursable without pre-approval of the Chief Business Official and an original itemized receipt must be obtained.
- Unauthorized expenditures will become the financial responsibility of the individual.
- Room upgrades

## **Registration**

Travel and Conference accommodations and registrations are arranged by the site. Registration requests should be made far enough in advance to take advantage of all available discounts. Registration shall be prepaid if sufficient funds have been budgeted and supervisory and CBO approval have been obtained. If registration is paid upon arrival at the conference by the employee, an original receipt from the vendor must be submitted for reimbursement.

## **Transportation**

Employees traveling outside the Northern California area are anticipated to travel by air. The maximum reimbursement for air travel shall not exceed the equivalent cost of the most economical option available for “economy or coach refundable/unrestricted airfare.”

For travel outside the Northern California area via alternative transportation such as personal vehicles, supervisory authorization must be obtained in advance. Mileage reimbursement will be based on actual miles driven from the District site to the event in a non-circuitous manner at the approved IRS standard mileage reimbursement rate in effect at the time of travel. The maximum reimbursement paid for mileage to areas outside Northern California shall not exceed the equivalent cost of “economy or coach refundable/unrestricted airfare”, plus the cost of other necessary ground transportation at the destination.

## **Lodging**

Reimbursement for lodging is provided when travel is outside of Northern California and conference attendance is for two or more consecutive days. Reimbursement for lodging within Santa Clara County is allowed only when it is a requirement of the event. Lodging shall be obtained at the most economical rate available for good quality. Reservations will be made by the sites and/or employee.

## **Parking/Toll Fees**

Reimbursement for parking, taxi, shuttle, bus, etc., is provided with original receipts and supervisory and CBO approval for out-of-pocket and miscellaneous costs. There is no reimbursement for valet parking.

### **4.17 Use of Credit Cards Purpose of the Policy**

The MetroED superintendent and administrators with budget authority have been issued MetroED credit cards from US Bank CAL-Card for district business use because purchase orders may not be accepted by all merchants. US Bank credit cards with a more limited credit line have been issued to selected employees.

#### **General Policy**

Purchases are for MetroED business use only. The District shall not be responsible for unauthorized purchases. Cardholder is responsible for the security of the bank card. Cardholders are expected to stay within their established credit limit. Credit card statements (purchases) must be approved and signed by the individual's immediate supervisor. Any unauthorized purchases made with a District credit card will be the cardholder's responsibility.

#### **Authorized Card Use**

The credit card may be used for the following:

1. Travel expenses.
2. Purchasing food or supplies while at a district authorized conference or workshop.
3. Charging airfare, workshop registrations, and hotel and/or phone charges. However, it is recommended that district warrants be requested for these more costly items so your credit card funds will be available while you are traveling.
4. When a purchase order or check is not accepted by the vendor.
5. When it is not possible to obtain a purchase order or submit a check request because of time constraints.
6. Appropriate business meals.
7. Authorized district events.

#### **Unauthorized Card Use**

The credit card shall **NOT** be used for:

1. Computer or software purchases. These items must be submitted on a purchase order
  - a. requisition and be approved by the IT department. Software and computer equipment is
  - b. purchased through a district contract and the cost can often be substantially less because
  - c. of volume discounts.
2. Gasoline – this is covered under mileage reimbursement.
3. Alcoholic beverages or tobacco
4. Gifts (e.g.: flower arrangements, gift cards, candy, etc.)

5. Personal items or services
6. Equipment costing more than \$500
7. Rental or lease agreements, or contracts
8. Cash advance, wire transfer, money order, traveler's checks
9. No splitting of purchase to circumvent the purchase card limits
10. Any contracted work of any kind, including consulting, professional services, repair or maintenance contracts, assemblies, or construction or public works contracts

## Receipts

It is required that you retain all original itemized receipts that must be attached to the credit card statement when submitting to Business Services. Your monthly statement must be submitted with these receipts. If you are missing a receipt you will need to obtain a duplicate receipt from the vendor. If you are unable to obtain a duplicate copy. You are required to complete a missing receipt form. If the purchase was for a lunch or dinner meeting, please list the names of the people you paid for and the reason for the meeting. Receipts for meals must include both the credit card receipt and the detailed food receipt.

## Late Fees

If you have incurred a late fee and/or finance charge please research the reason for the late or missing payment (i.e. you didn't receive an invoice for the previous month, the invoice was not received in time to be paid before the due date, you submitted the invoice and receipts too late for the accounts payable deadline). If the fees owed are valid, the budget number to be charged is your program number and object code 5800.

## Lost Card

Immediately report lost or stolen District cards to business services. Failure to follow this policy may result in disciplinary action.

## Processing Statements for Payment

1. Number each itemized expense on the credit card statement and include the appropriate budget number to be charged.
2. Date and sign your name as authorization to pay. Credit card statements must have approval of employee's immediate supervisor. In order to facilitate timely payment of invoices, this approval may be obtained after payment is made by Fiscal Services.
3. Send the original statement with original receipts to Director of Business Services for review of compliance with district policies and procedures. Credit card statement and receipts are to be submitted to Business Services **before** the due date so we may avoid late fees and finance charges.

## Confiscation of Cards

To save dollars in times of budget cuts, credit cards may be collected and not used. Credit cards that are misused will be confiscated.

Reference: Governing Board Policies [3300](#), [3314](#), [3350](#)

## 5 Job Performance

### 5.1 Exit Interview

You may be asked to participate in an exit interview when you leave MetroED. The purpose of the exit interview is to provide management with greater insight into your decision to leave employment: identify any trends requiring attention or opportunities for improvement; and to assist the District in developing effective recruitment and retention strategies. Your cooperation in the exit interview process is appreciated.

### Outside Employment

In order to help maintain public trust in the integrity of district operations, the District expects all employees to give the responsibility of their positions precedence over any other outside employment. A District employee may receive compensation for outside activities as long as these activities are not inconsistent, incompatible, in conflict with, or inimical to their district duties.

An outside activity shall be considered inconsistent, incompatible, or inimical to District employment when such activity:

- Requires time periods that interfere with the proper, efficient discharge of the employee's duties
- Entails compensation from an outside source for activities which are part of the employee's regular duties
- Involves using the District's name, prestige, time, facilities, equipment, or supplies for private gain
- Involves service which will be wholly or in part subject to the approval or control of another District employee or Board member

### Tutoring

A certificated or classified employee shall not accept any compensation or other benefit for tutoring a student enrolled in their class. The employee shall not use District facilities, equipment, or supplies when providing the tutoring service.

### 5.2 Professional Courtesy (Problem Solving)

MetroED strives to provide a comfortable, productive, legal, and ethical work environment. To this end, we want you to bring any problems, concerns, or grievances you have about the workplace to the attention of your supervisor and, if necessary, to Human Resources or upper level management. To help manage conflict resolution we have instituted the following problem solving procedure:

#### Informal Level

An employee who has a concern regarding an action by a District supervisor or other district employee shall, as a matter of professional courtesy, first address such a concern with the individual employee who shall respond as soon as practicable by discussing the matter with the employee, seeking a mutually acceptable solution. Such an attempt at resolution shall normally take place within ten (10) working days of the issue giving rise to the concern or

employee awareness of the issue giving rise to the concern.

### **Assistance by Immediate Supervisor**

In the event there is no mutually acceptable solution or if the employee feels the matter is of such a nature that direct discussion would be inadvisable, the employee may refer the problem to the employee's immediate supervisor. The supervisor shall meet with the employee against whom the concern has been raised, become thoroughly familiar with the issue, and shall seek a mutually acceptable solution;

If the concern is regarding an action by the immediate supervisor of the employee or a higher level administrator, the employee may request that a Union representative to be present.

### **Assistance by the Executive Director of Human Resources & Communications or Designee**

In the event resolution of the problem is not achieved at the immediate supervisor level, the employee may request a meeting with the Executive Director of Human Resources & Communications or designee. The request should include:

1. The specific nature of the concern and a brief statement of the facts giving rise to it.
2. The nature and extent of the adverse effect of the situation giving rise to the concern.
3. A brief summary of the results of prior meetings, the specific action which the employee wishes taken, and the reasons why it is felt that such action should be taken.

### **Investigation with Resolution**

If the matter is resolved at the meeting to the satisfaction of the employee and there has been a determination that there have been no serious and/or recurring violations of rules, regulations, policies, or laws, no further steps will be taken.

Once the issue is resolved, the employee will make every effort to resume a professional relationship absent further references to the problem unless it recurs.

### **Investigation without Complainant Resolution**

If the matter is unresolved and the concern is regarding actions by another employee, the employee with the concern may pursue steps listed in Board Policy 4030 or their Collective Bargaining Agreement.

### **Confidentiality**

All information or proceedings regarding any concern shall be kept confidential by the District and the employee, shared only on a need to know basis.

Reference: [BP 4119.21/4219.21/4319.21](#) – Professional Standards

Reference: [Exhibit 4119.21](#) – Code of Ethics of the Education Profession - Teachers

Reference: [Exhibit 4219.21](#) – Code of Ethics – Classified Employees

Reference: [Exhibit 4319.21](#) – California Professional Standards for Educational Leaders

## **5.3 Standards of Conduct**

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

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

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

While it is impossible to list everything that could be considered misconduct in the workplace, what is outlined here is a list of common-sense infractions that could result in discipline, up to and including immediate termination of employment. This policy is not intended to limit our right to discipline or discharge employees for any reason permitted by law.

Inappropriate employee conduct includes, but is not limited to:

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

13. Causing damage to or engaging in theft of property belonging to students, staff, or the district
14. Wearing inappropriate attire

#### **5.4 Maintaining Appropriate Adult-Student Interactions**

The Governing Board desires to provide a positive school environment that protects the safety and well-being of district students. The Board expects all adults with whom students may interact at school or in school-related activities, including employees, independent contractors, and volunteers, to maintain the highest professional and ethical standards in their interactions with students both within and outside the educational setting. Such adults shall not engage in unlawful or inappropriate interactions with students and shall avoid boundary-blurring behaviors that undermine trust in the adult-student relationship and lead to the appearance of impropriety.

Employees are prohibited from entering into or attempting to form a romantic or sexual relationship with any student or engaging in sexual harassment of a student, including sexual advances, flirtations, requests for sexual favors, inappropriate comments about a student's body or appearance, or other verbal, visual, or physical conduct of a sexual nature.

Adults shall not intrude on a student's physical or emotional boundaries unless necessary in an emergency or to serve a legitimate purpose related to instruction, counseling, student health, or student or staff safety.

Any employee who observes or has knowledge of another employee's violation of this policy shall report the information to the Superintendent or designee or appropriate agency for investigation pursuant to the applicable complaint procedures. Other adults with knowledge of any violation of this policy are encouraged to report the violation to the Superintendent or designee. The Superintendent or designee shall protect anyone who reports a violation from retaliation. Immediate intervention shall be implemented when necessary to protect student safety or the integrity of the investigation.

Employees who engage in any conduct in violation of this policy, including retaliation against a person who reports the violation or participates in the complaint process, shall be subject to discipline, up to and including dismissal. Any other adult who violates this policy may be barred from school grounds and activities in accordance with law. The Superintendent or designee may also notify law enforcement as appropriate.

The district's employee code of conduct addressing interactions with students shall be provided to parents/guardians at the beginning of each school year and shall be posted on school and/or district websites. ([Education Code 44050](#))

#### **Inappropriate Conduct**

Employees shall remain vigilant of their position of authority and not abuse it when relating with students. Examples of employee conduct that can undermine professional adult-student interactions or create the appearance of impropriety include, but are not limited to:

1. Initiating inappropriate physical contact

2. Being alone with a student outside the view of others
3. Visiting a student's home or inviting a student to visit the employee's home without parent/guardian's consent
4. Maintaining personal contact with a student that has no legitimate educational purpose, by phone, letter, electronic communications, or other means, without including the student's parent/guardian or the principal

When communicating electronically with students, employees shall use district equipment or technological resources when available. Employees shall not communicate with students through any medium that is designed to eliminate records of the communications. The Superintendent or designee may monitor employee usage of district technology at any time without advance notice or consent.

5. Creating or participating in social networking sites for communication with students, other than those created by the district, without the prior written approval of the principal or designee
6. Inviting or accepting requests from students, or former students who are minors, to connect on personal social networking sites (e.g., "friending" or "following" on social media), unless the site is dedicated to school business
7. Singling out a particular student for personal attention and friendship, including giving gifts and/or nicknames to individual students
8. Addressing a student in an overly familiar manner, such as by using a term of endearment
9. Socializing or spending time with students outside school-sponsored events, except as participants in community activities
10. Sending or accompanying students on personal errands unrelated to any legitimate educational purpose
11. Transporting a student in a personal vehicle without prior authorization
12. Encouraging students to confide about their personal or family problems and/or relationships
13. Disclosing personal, family, or other private matters to students or sharing personal secrets with student.

Reference: [BP 4319.24](#) – Maintaining Appropriate Adult-Student Interactions

## **5.5 Criminal Activity/Arrests**

Involvement in criminal activity during employment, whether on or off MetroED property, may result in disciplinary action including suspension or termination of employment. Disciplinary action depends upon a review of all factors involved, including whether or not the action was work-related, the nature of the act, or circumstances that adversely affect attendance or

performance. Any disciplinary action is not dependent upon the disposition of any case in court.

You are expected to be on the job, ready to work, when scheduled. Inability to report to work as scheduled as a result of an arrest may lead to disciplinary action, up to and including termination of employment, for violation of an attendance policy or job abandonment.

Any disciplinary action taken will be based on information reasonably available. This information may come from witnesses, police, or any other source as long as management has reason to view the source as credible.

## **5.6 Disciplinary Process**

Violation of MetroED policies and procedures may result in disciplinary action including demotion, transfer, leave without pay, or termination of employment. The District encourages a system of progressive discipline depending on the type of prohibited conduct. However, the District is not required to engage in progressive discipline and may discipline or terminate employees who violate the rules of conduct, safety of students or other employees is in question, or where the quality or value of their work fails to meet expectations at any time. In appropriate circumstances, management will first provide you with a verbal warning, then with one or more written warnings, and if the conduct is not sufficiently altered, eventual demotion, transfer, forced leave, or termination of employment.

Your supervisor will make every effort possible to allow you to respond to any disciplinary action taken. The District follows the disciplinary procedures outlined in the Education Code and appropriate Collective Bargaining Agreement.

## **5.7 Post-Employment Reference Policy**

Post-employment references may be provided by the supervising administrator only and should be factual in nature. With written authorization from the individual, Human Resources will confirm compensation. Forward any requests for employment verification to Human Resources.

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

## **5.8 Resignation Policy**

We hope you will be with us for many years. We recognize, however, that either you or the District may terminate the employment relationship. If you decide to leave, we ask that you give a notice of two weeks or more. If you are on the Leadership Team, we kindly request that you provide as much notice as possible. Provide a written resignation letter to your supervisor and HR. The District and your co-workers will appreciate it. The District intends to handle any resignation in a professional manner with minimal disruption to the workplace.

Terminated employees are required to return all District property such as manuals, keys, tools, ID badge, equipment and any other District property in their possession before last day of

employment. Final payroll check will be issued with the end of the month payroll.

Notify the District if your address changes during the calendar year in which resignation occurs to ensure tax information is sent to the correct address.

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

Reference: [BP 4117.2](#) – Resignation

Reference: [AR 4117.5](#) – Termination Agreements

## **6 General Policies**

### **6.1 Authorization for Use of Personal or District Vehicle**

All employees required to operate a motor vehicle as part of their employment duties must maintain a valid driver's license, acceptable driving record, and appropriate insurance coverage. MetroED may run a motor vehicle department check to determine your driving record. It is your responsibility to provide a copy of your current driver's license and insurance coverage for your personnel file. Any changes in your driving record, including, but not limited to, driving infractions or changes to your insurance policy, must be reported to the District.

If you use your personal or District vehicle in the course and scope of employment, you may not operate such vehicle while:

1. Under the influence of drugs, alcohol, or any other substance that might impair your judgment or ability to drive; or
2. Texting, emailing, or otherwise using a cell phone or other handheld device without utilizing a hands-free device.

All infractions or violations while driving the vehicle and all restrictions, suspensions or revocations against your driver's license must be immediately reported to HR.

When a District vehicle cannot be operated, is unsafe for use, or has been damaged, notify your supervisor immediately.

As the driver of a District vehicle, you are responsible for the vehicle while in your charge and must not permit unauthorized persons to drive it. You are also responsible for the daily housekeeping of the vehicle; it is to remain clean and uncluttered.

If there are persistent and ongoing problems with driving infractions, and driving a vehicle is a part of successful execution of job responsibilities, you may be disciplined up to terminated.

### **6.2 Technology Acceptable Use Agreement**

The District's technical resources including desktop and portable computer systems, fax

machines, Internet and World Wide Web access, voicemail, electronic mail (e-mail), and its intranet system enable employees to quickly and efficiently access and exchange information throughout the District and around the world. When used properly, we believe these resources greatly enhance employee productivity and knowledge. Because some of these technologies are both new and rapidly changing, it is important for every employee to understand the rules and restrictions governing their use.

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

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

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

Employees must understand that they have no right to privacy as to any information or file maintained in or on the District's property or transmitted or stored through the District's computer, voicemail, e-mail, or telephone systems, and that any such information or files may be monitored by the District at any time. Employees are not to share passwords. During the course of carrying out their responsibilities, authorized District personnel or other authorized representatives may access any technology, including employee e-mails and other electronic communications. The district also has software and systems in place that monitor and record all internet/Intranet usage. Notwithstanding the foregoing, the District endeavors to maintain the confidentiality of its internal email system and other electronically stored information, and employees are expected to respect that confidentiality. To safeguard and protect the proprietary, confidential and sensitive business information of the District and to ensure that the use of all technology is consistent with District legitimate business and educational interests, authorized representative of the District may monitor the use of technology, messages, and files.

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

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

### **Equipment Checkout Responsibilities**

- All equipment is the property of MetroED and is provided for work-related use only. MetroED retains full and complete ownership of this equipment and reserves the right to recall it at any time for misuse, restaging, upgrading, replacement, maintenance, or any other reason deemed necessary by the Information Technology Department.
- Employees will handle the equipment responsibly and take reasonable care to prevent

damage, loss, or theft.

- Employees will not leave equipment unattended in unsecured areas or vehicles and will follow all MetroED guidelines regarding data security and physical safety.
- Employees will not install, download, or modify any software, applications, or system settings without prior written authorization from the Technology Department.
- Employees will follow all district technology policies, including the Acceptable Use Policy (AUP), cybersecurity protocols, and related board policies and administrative regulations.
- Employees understand the equipment may be tracked or managed remotely by the district's Technology Department.
- Employees agree to protect all sensitive student or staff data accessed using this equipment and will comply with FERPA and other applicable privacy laws.
- Employees understand that they may be held financially responsible for damage, loss, or failure to return the equipment if it results from negligence or noncompliance with district policies.
- Employees will report any technical issues, damage, or loss immediately to my supervisor or the IT Help Desk.
- Employees understand that all items must be returned before their last day of employment or long-term leave. Final pay or clearance may be delayed if items are not returned.
- Employees understand district equipment is not for personal use unless specifically authorized in writing. They will not repair, reset, or reconfigure the device without guidance from district IT.

Reference: [BP 4040](#) – Employee Use of Technology Reference: [BP4119.23/4219.23/4319.23](#)  
Unauthorized Release of Confidential-Privileged Information

All MetroED employees are required to sign a “MetroED Employee Use of Technology” agreement acknowledging their understanding of the policies and procedures related to all communications and technology use at the District.

Employees will not develop any classroom or work-related web sites, blogs, forums, political, or similar on-line communications representing the District or using District equipment or resources without permission of the Superintendent or designee. Such sites or e-mails shall be subject to rules and guidelines established for District on-line publishing activities including, but not limited to, copyright laws, privacy rights, and prohibitions against obscene, libelous, and slanderous content. Any such site shall include a disclaimer that the District is not responsible for the content of the messages. The District retains the right to delete material on any such on-line communications.

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

## **Staff Responsibilities**

Staff members who supervise students, control electronic equipment, or otherwise have occasion to observe student use of said equipment online shall make reasonable efforts to monitor the use of this equipment to assure that it conforms to the mission and goals of the District.

Staff should make reasonable efforts to become familiar with the Internet and its use so that effective monitoring, instruction, and assistance may be achieved.

## **User Responsibilities**

Use of the electronic media provided by the District is a privilege that offers a wealth of information and resources for research. Where it is available, this resource is offered to staff and students at no cost. In order to maintain the privilege, users agree to learn and comply with all of the provisions of this policy.

## **Passwords**

Employees are responsible for their passwords and are not to be shared. Users are expected to change generic passwords to personalized passwords and keep them secure. Current passwords may be requested by an employee's supervisor and the supervisor will take reasonable precautions to maintain the confidentiality of the password except as needed for legitimate business purposes as set for in rules and regulations.

Passwords should be created with the following:

- Use of both upper-and lower-case letters.
- Place numbers and punctuation marks randomly in passwords.
- Make passwords long and complex, so they are hard to crack. Between 8 to 20 characters long is recommended.
- Use of more of these characters: @ # \$ % \* < >

## **6.3 Use of E-Mail and the Internet/Intranet**

### **Correspondence**

MetroED will deliver correspondence to employees at their assigned MetroED email address. Employees are encouraged to regularly check their MetroED email for the Communications, important information and updates.

Internet/Intranet access is available to students and staff at MetroED. Internet and e-mail use is intended for business and educational activities. The district will deliver correspondence to employees at their assigned MetroED email address. Employees are expected to regularly check their MetroED email for memos from the Superintendent or designee, event information, MetroED news, Employee Newsletter, and other MetroED correspondence. Responses to emails should be done within 48 hours.

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

central location.

Electronic mail (email) is available to most District staff. To ensure compliance and proper usage, the following regulations have been established:

Basic Guidelines:

- All email messages, as all paper documents, are the property of the District and are subject to District policy, procedures, and control.
- Messages should include a pertinent subject title
- Messages should be brief and concise
- Messages should not contain profanity, racial or sexual slurs, or other unprofessional language

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

The following actions are prohibited:

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

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

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

#### **6.4 Bulletin Boards**

Employees will have the right to exercise freedom of speech and of the press including, but not limited to, the use of bulletin boards; the distribution of printed materials or petitions; the wearing

of buttons, badges, and other insignia; and the right of expression in official publications. ([Education Code 48907](#) )

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

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

## **6.5 Email Signature**

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

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

Reference: [Email Signatures](#)

## **6.6 Notifications to Employees**

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

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

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

References: [BP 4112.9](#), [42119.9](#), [4312.9](#)

## **6.7 Nonsolicitation/ Nondistribution Policy**

To avoid disruption of business operations or disturbance of employees, visitors, and others,

MetroED has implemented a Nonsolicitation/Nondistribution Policy. For purposes of this policy, “solicitation” includes, but is not limited to, selling items or services, requesting contributions, and soliciting or seeking to obtain membership in or support for any organization. Solicitation performed through verbal, written, or electronic means is covered by the policy.

You are prohibited from soliciting other employees during your assigned working time. For this purpose, working time means time during which either you or the employees who are the object of the solicitation are expected to be actively engaged with assigned work. You may conduct solicitations during your lunch period, breaks, or their authorized nonworking time, so long as you do so when the other employees are also on nonworking time.

Non-employees are not permitted to distribute materials on district premises at any time. Employees shall not solicit district staff, students or their families with the intent to sell general merchandise, books, equipment or services for their own personal profit or benefit. Solicitation of students and staff on behalf of the school or other charitable organizations shall be allowed.

Staff members shall respect the confidentiality of district employees and students and shall not use their status as district employees to secure information such as names, addresses, e-mail addresses, and telephone numbers for solicitations or use in personal profit-making or beneficial ventures.

Staff participation in “flower funds,” “anniversary funds,” “birthday funds” shall be voluntary.

## **6.8 Political Activity/Contributions**

The District encourages employees to participate in political activities. Participating in these activities must be conducted on the employee’s own time and may not involve any MetroED funds, supplies, services, or equipment.

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

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

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

Reference: [BP 1160](#) – Political Processes Reference: [BP 1325](#) – Advertising and Promotion

Reference: [BP 4118](#) – Dismissal/Suspension/Disciplinary Action

Reference: [AR 4118](#)– Dismissal/Suspension/Disciplinary Action

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

Reference: Education Code [51520](#) – Prohibited solicitations on school premises

## **6.9 Employee Access to the Facilities**

Employees are required to request access to classrooms or facilities outside of their scheduled duty hours, including the following:

1. After regular work hours (e.g., evenings after school or summer classes have ended)
2. Non-duty weekdays (e.g., non-student days or breaks when teachers are not scheduled to work but the district office remains open, e.g. Fall break, Thanksgiving break, Winter break, Spring break, Summer break)

Access will not be granted on:

1. Official district holidays/shutdown days
2. Weekends (Saturday/Sunday)
3. Days when the site is closed or undergoing maintenance
4. Any time when the building alarm system cannot be adjusted

All access must be pre-approved by your site administrator, using the official District form in InformedK12. The district reserves the right to deny access based on security, liability, or operational constraints.

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

## **6.10 Personal Appearance**

Your personal appearance reflects on the reputation, integrity, and public image of MetroED. All employees are required to report to work neatly groomed and dressed. You are expected to maintain personal hygiene habits that are generally accepted in the community, including clean clothing, good grooming and personal hygiene, appropriate attire for the workplace and the work being performed. This may include wearing uniforms or protective safety clothing and equipment, depending upon the job. Use common sense and good judgment in determining what to wear to work.

Fragrant products, including but not limited to perfumes, colognes, and scented body lotions or hair products, should be used in moderation out of concern for others with sensitivities or allergies.

In addition, MetroED shall not dismiss an employee, discriminate against an employee in compensation or in terms, conditions, or privileges of employment, or refuse to hire a job applicant based on religious dress or grooming practices. Remember we are setting an example for our students.

All employees shall be held to the same standard unless their assignment provides for modified dress as approved by their supervisor. Any questions or complaints regarding the

appropriateness of attire should be directed to the Human Resources department.

Reference: [BP 4119.22/4219.22/4319.22](#) - Dress and Grooming

## **6.11 Cell Phone/Mobile Device Use**

### **Employer Provided**

MetroED may issue certain employees a District cell phone/mobile device for work-related communications and/or operations. If you drive a vehicle during your employment, you may not use any cell phone/mobile device or other communication device while driving unless the device is equipped or configured with a “hands-free” listening/speaking option, and you in fact utilize the hands-free device.

We understand that you may use the cell phone/mobile device for personal use; however, such personal use should not exceed the plan allowance. When the cell phone/mobile device is used for personal reasons and the activity results in additional cost to the District, you are responsible for the cost of that usage, including all applicable taxes unless prohibited by law.

The District owns and remains entitled to all cell phone/mobile devices issued to employees, including all passwords controlling access to them.

You may not change those passwords except with permission. At the time of employment termination, all such equipment and passwords must be returned to the District in operable condition.

Violation of this policy may result in discipline up to dismissal.

### **Personal Cellular Phone or Mobile Communication Devices During Work Hours**

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

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

### **Telephone Policy**

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

you?”

Telephone calls should be answered within three rings whenever possible. You should offer to assist the caller in any way you can until the call is completed to the caller's satisfaction. You are expected to limit personal use of District telephones.

## **6.12 Personal Information Changes**

It is your obligation to provide MetroED with your current contact information, including current mailing address and telephone number. You should also inform the District of any changes to your marital or tax withholding status. Failure to do so may result in loss of benefits or delayed receipt of W-2 and other mailings. Please use Informed K-12 to make any changes or contact Human Resources. It is important that we have your correct address and phone number in case of an emergency. Any change to your legal right to work in the United States, such as immigration status, must be reported as well. Do not forget to update your STRS/PERS retirement information online when status changes occur.

## **6.13 Security**

All employees are responsible for helping to make MetroED a secure work environment. Upon leaving work, lock all desks, lockers, and doors protecting valuable or sensitive material in your work area and report any lost or stolen keys, passes, or similar devices to your supervisor immediately. Refrain from discussing specifics regarding District security systems, alarms, password, etc. with those outside of the District.

Immediately advise your supervisor of any known or potential security risks and/or suspicious conduct of employees, customers, or guests of the District. Safety and security are the responsibility of all employees and we rely on you to help keep our premises secure.

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

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

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

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

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

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

are held.

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

## 6.14 Incident Reports

Incident reports are essential documents that record accidents, or incidents within our district. They help maintain safety, security, and accountability. An incident is any event that disrupts normal operations, compromises safety, or affects the well-being of individuals.

Incident reports must be submitted promptly using the designated [Incident Report form](#). Administration takes all reports seriously and ensures appropriate follow-up actions. Reports are used only for investigation, corrective actions, and legal compliance. Your attention to detail and prompt reporting contribute to maintaining a safe environment for all.

Why Incident Reports Matter:

- **Safety and Improvement:** They help identify hazards and improve safety protocols to prevent future incidents.
- **Accountability and Documentation:** Reports ensure accuracy and accountability while supporting follow-up actions.
- **Compliance:** Incident reports help the district meet legal and regulatory obligations.

Employees must report the following incidents, whether involving students, staff, or visitors:

- Injuries, including those requiring medical attention or accidents
- Bullying, harassment, fights, or other disruptive behavior.
- Threats, violence, or property damage.
- Unsafe working conditions, environmental hazards, or substance abuse incidents.
- Fires, evacuations, or emergency situations.
- Inappropriate behavior, including discrimination or sexual misconduct.
- Unauthorized access or security violations.
- Cybersecurity issues or misuse of technology.

## 6.15 Parking

To maintain the safety and security of the MetroED Campus, all staff members are **required** to display a valid MetroED parking tag on any vehicle parked on campus at all times.

- To obtain a parking tag, scan the QR code, to complete an electronic form with the following: name, license plate number, make and model of the vehicle, and vehicle color.
- Parking tags will be issued through the **Superintendent's Office**.
- Parking tags must remain clearly visible whenever the vehicle is on district property.
- The **sole exception** to this requirement is during the annual car show event, when parking tags are temporarily not required.



- In the event that a parking tag is lost or stolen, staff must **promptly notify** the Superintendent's Office to request a replacement.

This requirement is part of MetroED's commitment to ensuring campus safety and security throughout the district.

For additional information or assistance regarding parking tags, please contact the Executive Assistant to the Superintendent in the Superintendent's Office.

**Disclaimer: *The vehicle owner or driver hereby acknowledges that the District assumes no liability for theft of, or damage to, vehicles parked on district premises.***

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

## **6.16 Raptor**

Raptor is a visitor management system that enhances campus security by reading a visitor's drivers' license (or other approved government issued ID), comparing information against a sex offender database to alert District administrators if a match is found. Raptor is located at the District Office, SVAE and SVCTE main offices, the Regional Testing Center, and Maintenance and Operations office. Once cleared through the system, a visitor badge is produced that includes a photo, name of the visitor, date & time, and destination.

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

For more information, [visit here](#).

## **6.17 Security Cameras**

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

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

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

any applicable.

## **6.18 Social Media Policy**

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

We follow the community standards established by various social media platforms, and ask our users to do the same. MetroED reserves the right to remove any content deemed as bullying, intimidation, or harassment; content deemed hateful, libelous, slanderous, or hostile. We will immediately remove material that is obscene, pornographic, contains nudity or graphic or gratuitous violence. Any content which contains proprietary or unauthorized self-promotion and/or solicitations whether for profit or not, such as spam or comments that include links to other sites, which are not community partners will be removed. Repeat contact or engagement to drive traffic to a non-partner account, product, service or initiative will be removed. If a user has multiple infractions, the individual will be blocked from the social media platform.

Reference: [BP 1114](#) – District-Sponsored Social Media

### **Press Inquiries/Media Contacts**

Employees are not authorized to speak on behalf of the District unless directed by the Superintendent. Direct all media inquiries for official District response to the Superintendent and Communications Department.

## **6.19 Confidential Student Information**

An employee may access a student record without written parental consent only when that employee has a legitimate educational interest to inspect the record. No District employee who is permitted to access a student record shall divulge or otherwise permit access to the information contained in that record to any other person without the written consent of the student's parent or guardian, unless further sharing of information is with other persons within the educational institution and those persons have a legitimate educational interest in the information.

## **6.20 Third Party Disclosures**

MetroED may become involved in news stories or potential or actual legal proceedings of various kinds. When that happens, lawyers, former employees, newspapers, law enforcement agencies, and other outside persons may contact our employees to obtain information about the incident or the actual or potential lawsuit

If you receive such a contact, you should not speak on behalf of the district and should refer any call requesting the position of the district to the Superintendent.

## **6.21 Workplace Privacy and Right to Inspect**

MetroED property, including but not limited to lockers, phones, computers, tablets, desks, workplace areas, vehicles or machinery, remains under the control of the district and is subject to inspection at any time, without notice to any employees, and without their presence.

You should have no expectation of privacy in any of these areas. We assume no responsibility for the loss of, or damage to, your property maintained on District premises including that kept in including that kept in lockers and desks.

### **District Property**

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

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

## **6.22 Personnel and Medical Records**

MetroED maintains separate medical records files and personnel files for all employees. Files containing medical records are stored separate and apart from any business-related records. The medical file is the repository for sensitive and confidential information related to an individual's health, health benefits, health-related leave and/or accommodations, and benefits selections and coverage. Medical records are kept confidential in compliance with applicable laws and access is on a "need-to-know" basis only.

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

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

Supervisors and others in management may have access to your personnel filed for possible employment-related decisions. Current and former employees have a right to inspect certain documents in their personnel file, as provided by law, in the presence of a representative of the Human Resources Department at a mutually convenient time. Current employees may add comments to any disputed item in the file.

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

Written materials filed, except for those prohibited by law, will be made available for inspection by the employee at an off-duty time during HR office hours. Inspections shall take place in the presence of a HR administrator. Ratings, reports, or records which (1) were obtained prior to the employment of the person involved, (2) were prepared by an identifiable examination committee member, or (3) were obtained in connection with a promotional examination shall not be available for inspection by employees. ([Education Code 44031](#))

### **6.23 Whistleblower Policy**

When employees notify a supervisor, manager, or an appropriate government or law enforcement agency that they have reason to believe their employer is violating a state or federal statute, or violating or not complying with a state or federal rule or regulation, those employees are protected from retaliation. As such, MetroED has a strict policy that prohibits retaliation against employees who make such reports while employed in any form of employment. The District also does not permit retaliation against employees who refuse to participate in an activity that would result in a violation of a state or federal statute, or a violation or noncompliance with a state or federal rule or regulation.

### **6.24 Accommodations for Pregnant Employees**

MetroED will provide reasonable accommodation to pregnant employees for known limitations related to pregnancy, childbirth, or other related medical conditions in accordance with the federal Pregnant Workers Fairness Act (PWFA).

Examples of potential reasonable accommodations include:

- Seating;
- Closer parking;
- Appropriate sized uniforms and safety apparel;
- Additional break time to use the bathroom, eat, and rest
- Leave or time off to recover from childbirth;
- Limitations on strenuous activities; and
- Limitations on strenuous activities or those that involve exposure to compounds not safe for pregnancy.

If you require an accommodation, notify your supervisor. If the need for a particular accommodation is not obvious, you may be asked to include relevant information such as:

- The reason you need an accommodation.
- A description of the proposed accommodation.
- How the accommodation will address limitations caused by pregnancy, childbirth, or related medical conditions.

MetroED will not require you to accept any accommodation without engaging in the interactive process to accurately understand your limitations and explore potential accommodations. MetroED is not required to make your specific requested accommodation and is not required to provide any accommodation that would constitute an undue hardship on the District.

If leave is provided as a reasonable accommodation, it may run concurrently with leave under the federal Family and Medical Leave Act and/or any other leave where permitted by law. Please refer to your Collective Bargaining Agreement leave policies and the Leave Section of

this Handbook.

The District will not retaliate against employees who request or receive an accommodation under this policy.

Please refer to 4.13 Accommodations for Nursing Mothers in this handbook.

## 7 Leaves and Benefits

### 7.1 Bereavement Leave

#### No Loss of Pay or Sick Leave Bereavement - Immediate Family

A unit member is granted up to five (5) days for each death in the immediate family. No deduction in salary shall be made for such absence. Immediate family for this section shall include Employee's – spouse, child, parent, sibling, grandparent, grandchild, domestic partner or parent-in-law, or any relative currently living in the Employee's household. Leave may be consecutively or intermittently.

#### Bereavement - Extended Immediate Family

A unit member is granted up to three (3) days to attend services for each death in the extended immediate family. A unit member is granted up to five (5) days if traveling beyond 250 miles or out of state. The unit member must attend the services to be granted bereavement leave. No deduction in salary shall be made for such absence. Extended immediate family for this section should include: Employee's: Grandmother, Grandfather, Son-in-law, Daughter-in-law, Brother-in-law, Sister-in-law, Step-parent or Step-child, Domestic Partner's parent; Spouse's/Domestic Partner's: grandparent, child, siblings, grandchild, step-parent, step-child. Leave may be consecutively or intermittently.

Up to one (1) day or eight (8) hours per year of leave will be granted to the unit member with the approval of the Executive Director of HR and/or designee to attend funeral services for a person not described above.

The Executive Director of HR or designee may require employees to provide documentation of the family member's death with 30 days upon return from bereavement leave. Verification shall be in the form of letters, certificates of death, obituaries, memorial cards, or any other form of notice of the employee's first date of bereavement leave.

### 7.2 Jury Witness Duty

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

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

on your Frontline reporting system. You will not be charged for this day but must report the day as absence as soon as possible. You will also enter the absence as Jury Duty through a Request for Leave InformedK12 form.

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

### **7.3 Leave of Absence**

At some time during the course of employment, it may be necessary for an employee to apply for a leave of absence. The District will consider all requests for leave and evaluate the circumstances of each individual situation, the needs of the District, the appropriate bargaining unit agreement and the appropriate laws on mandated leaves. Requests for personal leaves of absence without pay shall be made on the Request for Leave of Absence form in InformedK12. When possible, requests should be submitted at least 30 days before the anticipated start of the leave. The request should state the reasons for the leave. The decision of the District will be final.

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

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

- Medical
- Personal
- Family
- Educational

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

#### **Medical Leave**

If you are unable to work due to illness or injury, you may apply for a health leave of absence. The District requires satisfactory medical evidence for a leave or an extension of a leave. If you participate in the insurance program, you may be eligible for benefits during all or a portion

of your leave of absence. Your bargaining unit contract and benefit coverage will govern the amount and time of coverage.

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

### **Family and Medical Leave Act (FMLA)**

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

Leaves will be provided for eligible employees up to a combined total of 12 weeks of unpaid, job protected FMLA/CFRA leave per leave year for the following reasons and any others authorized by the FMLA/CFRA:

- **Parental Leave:** For the birth of your child, or adoption or foster care placement of a child with you
- **Personal Medical Leave:** When you are unable to work due to your own serious health condition (not including disability due to pregnancy, childbirth, or related medical conditions)
- **Family Care Leave:** The serious health condition of your child, parent, designated person, or spouse (the term spouse includes same-sex partners in marriage and registered domestic partners)
- **Military Exigency Leave:** When your spouse, parent, son, or daughter (of any age) experiences a qualifying exigency resulting from military service (applies to active service members deployed to a foreign country, National Guard and Reservists)
- **Military Care Leave:** To care for your spouse, parent, son, daughter (of any age), or next of kin who requires care due to an injury or illness incurred while on active duty or that was exacerbated while on active duty. Note: Up to 26 weeks of leave per 12- month period may be taken to care for the injured/ill service member

### **Family and Medical Leave Act (FMLA) Notification**

The District reviews employee absences to determine when they may qualify for Family and Medical Leave Act (FMLA) protections. When an employee is absent due to their own medical condition for **five (5) consecutive workdays**, the District will send the employee an FMLA information packet. This includes the FMLA Eligibility Notice and the Medical Certification Form.

Employees are encouraged to notify their supervisor or Human Resources as early as possible if they anticipate being out for an extended period or if they know they will require medical leave. Early communication allows the District to provide timely support and ensure that all applicable leave protections are in place.

Employees must return the completed Medical Certification Form within the timeframe stated in the packet, and Human Resources will follow up with a Designation Notice once eligibility is confirmed.

## **Call-In Procedures**

In all instances of absence, the call-in procedures and standards established for giving notice of absence from work must be followed.

## **Parental Leave**

Leave for the birth or placement of a child can be taken in a single block or in two week increments. Parental leave must be completed within 12 months of the birth or placement of the child; however, you may use parental leave before the placement of an adopted or foster child for consult with attorneys, appear in court, attend counseling sessions, etc.

## **Family Care, Personal Medical, Military Exigency, and Military Care Leave**

Leave taken for these reasons may be taken in a block or blocks of time. In addition, if a health care provider deems it necessary or if the nature of a qualifying exigency requires, leave for these reasons can be taken on an intermittent or reduced-schedule basis.

## **Paid Leave Utilization during FMLA Leave**

If you are taking parental, family care, military exigency, and/or military care leave, you must utilize available vacation and personal business days during this leave. If you are taking personal medical leave, you must utilize available sick, personal, and vacation days during this leave. If you are receiving short- or long- term disability or workers' compensation benefits during a personal medical leave, you will not be required to utilize these benefits. However, you may elect to utilize accrued benefits to supplement these benefits.

## **Military Leave**

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

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

## **Certification and Fitness for Duty Requirements**

Provide certification from a health care provider when requesting family care, personal medical, or military care leave. Such certification must be provided within 15 days of the request for leave unless it is not practicable under the circumstances despite your diligent efforts.

If leave is for your own serious health condition, certification must include:

- The date when the serious health condition began.
- The probable duration of the condition.
- A statement that, due to the serious health condition, you are unable to perform the function

of your position.

If leave is for a covered family member's serious health condition, certification must include:

- The date when the serious health condition began.
- The probable duration of the condition.
- An estimate of the amount of time that the health care provider believes you are needed to care for the family member.
- A statement that the family member's serious health condition requires you to provide care during the period of treatment or supervision.

Failure to timely provide certification may result in leave being delayed, denied, or revoked. In our discretion, you may also be required to obtain a second and third certification from another health care provider at District expense (except for military care leave). Recertification of the continuance of a serious health condition or an injury/illness of a military service member will also be required at appropriate intervals.

When requesting a military exigency leave, you may also be required to provide appropriate active duty orders and subsequent information concerning particular qualifying exigencies involved.

When requesting personal medical leave, you will also be required to provide a fitness for duty certification from your health care provide prior to returning to work.

#### **Critical Staff Presence and Essential Work Days**

MetroED's success relies on collaboration, coordination, and consistency across all departments. While we understand and support the importance of work-life balance, there are specific days throughout the year when it is critical that all staff are present. These dates are essential for ensuring smooth operations, professional learning, student services, and key organizational events.

To support program readiness and ensure continuity during the busiest time of the year, all staff are considered essential. Vacation or personal leave during the first week of school and on All Staff days is not permitted unless specifically approved by a supervisor due to extenuating circumstances.

## **7.4 Health Insurance**

### **Benefits Overview**

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

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

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

help when some of life's problems occur.

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

For eligible employees, MetroED provides health plans through CalPERS Health Benefits. The District also provides a [dental](#) plan and life insurance for employees who qualify. Part-time employees can supplement the coverage provided by MetroED. Employee-paid vision care and short/long term disability insurance is available. For specific information on benefit programs, contact the Human Resources Department (408) 723-6434 or visit the [Important Employee Information](#) section on the website.

### **IRC 125 Plan**

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

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

[Employee Assistance Program \(EAP\)](#) is a service available to you and your dependents at no extra cost. It is designed to help you with everyday problems and questions, big or small. No need to fill out paperwork or make an appointment to speak with an EAP staff member. You will be connected to EAP Staff who are available 24 hours a day, every day. EAP is a well-being benefit available for:

- All employees who are eligible for benefits through MetroED;
- Any family member living with the employee, including in-laws, cousins, unmarried partners, etc.; and
- Children/Dependents living away from home up to 26.

Employees and their family members do not need to participate in a health insurance plan offered by the district to be covered by EAP. The EAP provides confidential 24/7 support for mental, emotional, financial, and occupational well-being at no cost. With the EAP, you have:

- Cost-free Counseling Sessions
- Financial and Legal advice
- Online Professional and Personal Development
- Professional Coach Services

You can access EAP by calling toll-free help line 800-252-4555 or login [EAP](#) at by clicking on the “employee & family” button.

### **Unemployment Compensation Insurance Policy**

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

## **Liability Insurance**

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

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

## **7.5 Workers' Compensation**

We are committed to creating a safe work environment at our facility, which means taking necessary safety precautions at all times to prevent injuries. Everyone should work safely to protect themselves from injuries, but if you do get injured, here is what you should do:

1. Notify your supervisor immediately and Human Resources.
2. As soon as possible after the injury, complete the form (DWC form 1) which will be provided by your supervisor or office administrator. This form must be completed within 24 hours of your injury. Be sure to note the time and place of your injury.
3. Get medical treatment. You do not have to be treated by any specific doctors. Be sure to tell them this is a job-related injury.
4. Any medical bills incurred due to work related injuries must be submitted to Keenan & Associates, 1740 Technology Drive, San Jose CA 95110.
5. If your physician determines that you have temporary work restrictions, a temporary
6. modified or alternate position may be provided, if available, and meets operational needs

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

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

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

Reference: [AR 4157.1-Work Related Injuries](#)

### **Further Information:**

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

## **Ergonomic Injury and Illness Prevention Plan**

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

The Ergonomics Injury & Illness Prevention Program outlines the policies and procedures that are both necessary and required to control RMI's and comply with the various provisions of the ergonomics safety regulations. Contact HR for more information.

Please remember that no job is so important and no service is so urgent that we cannot take time to perform our work safely. Should there be any job-related accident, injury and/or illness, employees are to immediately report this occurrence to their supervisor. In no situation, except in an emergency, should an employee leave their shift without reporting an injury or illness that occurred. Report immediately to your supervisor any personal injury you may suffer regardless of how minor it may seem at the time. Report immediately to your supervisor any personal injury a guest may suffer no matter how minor it may seem at the time. Make sure you develop a "safety attitude" in all your work habits.

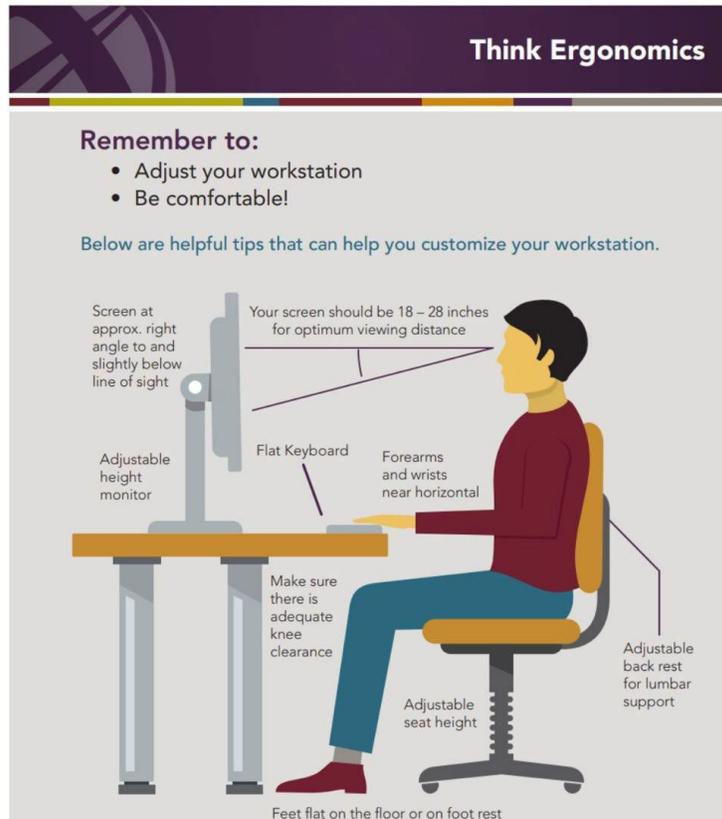
### **7.6 Safety Plans**

The development of a comprehensive school safety plan is mandated by California education code 32281. This mandate, which was established by senate bill 187, states that each school's site council, or a safety planning committee authorized by the site council, shall develop a "safety plan" relevant to the needs and resources of the school. "Safety," in terms of these plans includes aspects of social, emotional, and physical safety for both youth and adults at our schools. You can review the individual plans on the [Emergency Information webpage](#).

### **7.7 Workstation Evaluation**

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

- [Ergonomics Tips](#)
- [Workday Stretching Guide](#)



for

## 7.8 Employee Wellness

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

## 7.9 Crime Victim Leave

The District provides employees who are victims of crime or abuse with unpaid leave to:

- Seek medical attention for injuries caused by the crime or abuse
- Obtain services from a domestic violence shelter or program, rape crisis center, or victim services organization or agency as a result of the crime or abuse.
- Obtain psychological counseling or mental health services related to the experience of crime or abuse.
- Participate in safety planning and take other actions to increase safety from future crime or abuse, including temporary or permanent relocation.

*Victim* includes:

- A victim of stalking, domestic violence, or sexual assault.
- A victim of a crime that caused physical injury or that cause mental injury and a treat of physical injury.
- A person whose immediate family member is deceased as the direct result of a crime.

*Crime* means a crime or public offense anywhere that would constitute a misdemeanor or a felony if the crime had been committed in California by a competent adult, regardless of whether any person is arrested or prosecuted for, or convicted of committing the crime.

*Immediate family member* means:

- Your spouse or domestic partner.
- Your child, which includes, regardless of age, a biological, adopted, or foster child; stepchild or legal ward; the child of your domestic partner; a child to whom you stand in loco parentis; or a person to whom you stood in loco parentis when the person was a minor.
- You, or your spouse's or domestic partner's, biological, adoptive, or foster parent, stepparent, legal guardian, or a person who stood in loco parentis of you or your spouse or domestic partner when you/they were a minor child.
- Your biological, foster, or adoptive sibling, step-sibling, or half-sibling.
- Any other individual whose close association with you is the equivalent of a family relationship described above.

You must provide reasonable advance notice of your intention to take leave for the above reasons unless advance notice is not feasible. If an unscheduled absence occurs, you must provide the following documentation within a reasonable amount of time after your absence:

- A police report indicating that you were a victim;
- A court order protecting or separating you from the perpetrator of the crime or abuse, or other evidence from the court or prosecuting attorney stating that you have appeared in court;
- Documentation from a licensed medical professional, domestic violence counselor, sexual assault counselor, licensed health care provider, or counselor stating that you were undergoing treatment for physical or mental injuries or abuse resulting from the crime or abuse; or
- Any other form of documentation that reasonably verifies that the crime or abuse occurred, including but not limited to a written statement signed by you, or an individual acting on your behalf, certifying that the absence is for an authorized purpose.

You may use available vacation, personal business, accrued paid sick leave for compensatory time off for your leave.

Leave under this policy will run concurrently with other types of leave where permitted under applicable law.

The District will maintain the confidentiality of anyone requesting time off under this policy, except as required by federal or state law or as necessary to protect your safety in the workplace.

The District will not retaliate against a victim of crime or abuse for requesting or taking leave in

accordance with this policy.

## 7.10 Retirement Plans

Eligible MetroED employees also participate in *defined-benefit* pension plans that permit employees to retire after a number of years of employment at a defined percentage of their salary. Employees *vest* in these programs after five years of employment. Certificated employees participate in the State Teachers

Retirement System (STRS) and classified employees participate in the California Public Employees' Retirement System (PERS) pension plan. Please contact Human Resources (408) 723-6434 for more information.

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

## 8 Safety and Loss Prevention

### 8.1 General Safety Policy

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

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

Reference: BP [3514](#) - Environmental Safety

Reference: BP [3514.1](#) - Hazardous Substances

Reference: BP [4119.41/4219.41/4319.41](#) - Employees with Infectious Disease

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

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

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

Reference: BP [4158/4258/4358](#) - Employee Security

### 8.2 Injury Illness and Prevention Program (IIPP)

MetroED is committed to the health and safety of all employees and recognizes the need to comply with regulations governing injury and accident prevent and employee safety. The [Injury and Illness Prevention Plan \(IIPP\)](#) is the official Safety Program for the District.

The primary objective of the Injury and Illness Prevention Program (IIP) is to reduce job- related employee injuries and illness as well as to ensure compliance with California Code of

Regulations Title B, Section 3203. Please click the hyperlink above to read the plan, presentation and facts.

- [FactSheet – Injury and Illness Prevention Plan \(IIPP\)](#)

Purpose is to:

- Implement a system that provides tools for managers to run their safety programs.
- Give employees access to safety information for the safe completion of their jobs
- Ensure routine safety inspections.
- Provides guidance for achieving the three fundamental objectives

The three fundamental objectives are:

1. To strive for an injury and illness free workplace.
2. To identify and eliminate deficiencies that can lead to injuries, illnesses, or death.
3. To maintain a proactive and effective Safety Program with open communication between employee and supervisor, with a strong focus on employee health and safety training, regularly scheduled inspections, and accident and injury investigation.

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

## **Responsibilities (IIPP)**

### *Superintendent*

The ultimate authority and responsibility for health and safety management rest with the Superintendent.

### *IIPP Program Administrator, Executive Director HR, Facility Manager:*

The District's Injury and Illness Prevention Program coordinators(s) are responsible for implementing and maintaining all aspects of the District's Injury and Illness Prevention Program (IIPP) including:

- Review the IIPP annually.
- Coordinate all risk control activities
- Act as liaison between management and outside safety agencies
- Establish minimum safety standards, rules and regulations, and ensure that employees are aware of these regulations
- Ensure that safe practices and conditions are established
- Review all supervisors' reports of accidents, and see that recommendations are acted upon. Use the reports for analysis of accident trends. Follow up concerning recommendations that result from accident investigations critical
- Work with district management to establish training programs for all employees and supervisors
- Ensure that all employees comply with all identified safety and health work practices
- Establish and president over a safety committee comprised of department managers, and

key employees. The Safety Committee also has a part in meeting the IIPP safety communication burden

- Verify and post emergency phone numbers for police, fire and medical
- Maintain bulletin boards in clearly visible areas with required safety information such as accident reporting and how to get medical help
- Determine when first-aid training is necessary and coordinate such training
- Follow-up on the completion of safety recommendations of the safety committee, district personnel or other safety consultants
- Follow all Cal-OSHA record keeping and accident reporting requirements

*Site Managers are required to:*

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

The site manager safety and health responsibilities include

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

*Department Managers/Supervisors are required to:*

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

The Principals', Department Managers' and Supervisors' duties and responsibilities include:

- Instruction of employees in general safe work practices and on hazards unique to specific job assignments
- Supervision of employees to ensure that safety policies, rules and regulations are followed and not violated
- Supervision to ensure that employees use appropriate personal protective and safety equipment when required and that such use is in accordance with operating instruction
- Ensure that unsafe acts or conditions are brought to the attention of the program coordinators or the authorized person in charge of facilities
- Attend specialized training programs for supervisors and key employees when offered by the District
- Complete the "Supervisor's Report of Accident" when appropriate

- Follow-up accident investigations by providing department employees with a synopsis of the accident and what precautions are necessary to prevent a reoccurrence
- Conduct periodic inspections of the workplace when directed by the program coordinator and complete the appropriate inspection check-off forms
- Attend monthly safety meetings. Supervisor will conduct trainings with staff

*Employee Responsibilities:*

The District is taking action to ensure a safe and healthful work place. To assure that the district's program works, each employee should act in a manner which protects his or her health and welfare as well as that of coworkers, other District employees, students, visitors and the general public (when job duties extend beyond a District site.)

Each District employee's safety responsibilities include:

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

**Compliance with Safe & Healthy Work Practices**

Safe Work Practices:

- Immediately report all work-related injuries or illnesses to your supervisor.
- If you go to the doctor for work related injury, you must first report to HR to receive treatment authorization.
- Report all hazards to your supervisor.
- Obey all warning signs and tags, check labels, and follow instructions carefully
- Never damage labels and instructions on equipment or containers.
- Only perform authorized work.
- Do not attempt any work unless you understand the safety procedures and hazards involved.
- Only qualified and authorized persons shall attempt electrical repairs.
- Do not endanger the safety of yourself, co-workers, students or the public.
- Machinery must be operated with safety guards in place at all times.
- Exits, aisles, stairways, and emergency equipment must be kept clear of obstructions.
- Use only tool that are in safe condition. If you provide your own tools, you are responsible for their care and condition. Store tools properly when not in use.
- Do not attempt to operate a forklift or other similar vehicle without appropriate training,

- authorization and licensing.
- Frayed electrical cords must not be used.
- No horseplay is allowed on the job.
- Use proper lifting techniques and use lifting devices to avoid back injuries.
- Attend all mandatory safety meetings, training and activities.
- Do not ride as a passenger on any vehicle not designed for passengers.
- Lock out the power (or disconnect cord-connected machinery) before removing guards or doors.
- Make sure all movement is stopped before removing doors, guards, or other machinery covers.
- Before removing a padlock used to lock out machinery, all guards and access doors must be in place.
- Use appropriate hand tools around sprockets, pulleys, or dangerous moving machinery parts. Never reach into a running machine.
- Always use a ladder to access elevated locations. Never use chairs, boxes, desks, etc.
- Do not smoke or use other sources of ignition where flammable liquids are stored or used.

### **Disciplinary Action Procedure**

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

Examples of safety violations are:

- Purposely breaking a safety work rule.
- Carelessness resulting in injury to self or others.
- Misuse of equipment.
- Misuse of vehicles or failure to adhere to the California Vehicle Code.
- Failure to heed posted caution and warning signs.
- Failure to report accidents or injuries.
- Any other action detrimental to the health and well-being of employees, students, or the public.

Your complete cooperation is required in observing the following guidelines:

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

### 8.3 Health Requirements

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

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

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

Reference: [BP 5113](#) - Absences and Excuses Reference: [BP 5141](#) - Health Care and Emergencies

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

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

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

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

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

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

All food service workers who cook, serve, or handle food are required to obtain a health certificate before being assigned to work in any cafeteria or kitchen of the District. If a disease is suspected, subject to local ordinance, a blood test may be required. Periodic health examinations may be required for continued employment. Food service workers are required to wear appropriate clothing, hairnets and other protective devices while handling food.

Reference: [AR 4112.4/4212.4/4312.4](#) - Health Examinations Reference: [BP 5141.26](#) -

## Tuberculosis Testing

### **Infectious Disease Control**

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

The Board may reassign or grant disability leave to an employee who is unable to perform their job responsibilities because of illness or because the employee's illness significantly endangers their health or safety or the health or safety of others.

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

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

### **Use of Cleaning and Disinfecting Products on Campus**

To maintain a safe and healthy environment for all students and staff, employees may not bring or use personal cleaning, sanitizing, or disinfecting products on campus. The District's Maintenance & Operations (M&O) Department provides all necessary cleaning supplies that meet California Healthy Schools Act guidelines. These approved products are selected specifically to reduce exposure to asthma triggers, allergens, and other health-related concerns.

If you need general-purpose cleaner (GPC) for use in your area, please submit a request to M&O. Only District-issued products should be used for cleaning purposes at SVCTE, SVAE and in District offices.

### **Blood Borne Disease Control**

#### **Definitions**

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

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

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

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

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

Reference: [BP 4119.43](#), [BP 4219.43](#), [BP 4319.43](#) - Universal Precautions Reference: [BP 4157](#), [BP 4275](#), [AR 4357](#) - Employee Safety

### **Employee Information**

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

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

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

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

Therefore, each employee needs to know about the use of universal precautions, using gloves when in contact with body fluids, and the prescribed process for proper disposal of bloody bandages, Band-Aids or other contaminated waste. Special biohazard clean-up kits are provided to protect employees in cleaning up blood or body fluid spills. Generally, custodial, housekeeping and certain other identified employees will handle such wastes.

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

Be sure you understand our Blood Borne Disease Policy and Procedures, the use of universal precautions, and the appropriate disposal of infected/bloody waste. Ask a member of the Human Resources Department to explain our Bloodborne Disease Control Policies and Procedures to you (723-4245).

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

### **Emergency Preparedness:**

MetroED has an active [emergency preparedness](#) plan covering major emergencies including fires, earthquakes, chemical spills and other incidents which may threaten our students,

employees and facilities. Copies of our [Comprehensive School Site Safety Plan](#) and other emergency procedures are available on-line on the MetroED Intranet under the Emergency Preparedness Tab. All employees should become acquainted with the major emergency procedures and escape routes.

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

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

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

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

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

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

#### **8.4 Policy Against Workplace Violence**

MetroED endeavors to promote mutual respect, civility, and orderly conduct within our school system and seeks public cooperation with this endeavor. The District believes a safe and civil environment is essential to ensure high expectations and high student achievement and seeks to establish a work and learning environment that is safe, secure, and peaceful, pursuant to the California Constitution. Please review the [Workplace Violence Prevention Plan](#) (WVPP) found on our Website. Management will ensure that all workplace violence policies and procedures within the WVPP are clearly communicated and understood by all employees. Managers and supervisors will enforce the rules fairly and uniformly.

The District is committed to providing a safe, secure workplace for our employees. Threats, threatening language, or any other acts of aggression or violence made toward or by an

employee will not be tolerated and may lead to disciplinary action, including termination. A threat may include any verbal or physical harassment or abuse, attempts to intimidate others, menacing gestures, stalking, or any other hostile, aggressive, and/or destruction actions taken for the purpose of intimidation. This policy covers any violent or potentially violent behavior that occurs in the workplace or a MetroED-sponsored functions or events.

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

All employees, including managers and supervisors, will have training and instruction on general and job-specific workplace violence practices.

MetroED staff and students will treat parents and other members of the public with respect and shall be accorded the same treatment. The district is committed to maintaining orderly educational and administrative processes that keep schools and office free from disruptions and prevent unauthorized persons from entering school or District Grounds.

### **Prohibited Conduct**

Prohibited conduct includes, but is not limited to:

- Physically injuring another person.
- Threatening to injure a person or damage property by any means, including verbal, written, direct, indirect, or electronic means.
- Taking any action to place a person in reasonable fear of imminent harm or offensive contact.
- Possessing, brandishing, or using a firearm on District property or while performing District business except as permitted by state law.
- Violating a restraining order, order of protection, injunction against harassment, or other court order.

### **Reporting Incidents of Safety or Accidents**

Report to your supervisor, in accordance with this policy, any behavior that compromises our ability to maintain a safe work environment. All reports will be investigated immediately and kept confidential, except where there is a legitimate need to know. You are expected to cooperate in any investigation of workplace violence.

### **Violations**

Violating this policy may subject you to criminal charges as well as discipline up to and including immediate termination of employment.

### **Retaliation**

Victims and witnesses of workplace violence will not be retaliated against in any manner. In addition, you will not be subject to discipline for, based on a reasonable belief, reporting a threat or for cooperating in an investigation.

If you initiate, participate, are involved in retaliation, or obstruct an investigation into conduct prohibited by this policy, you will be subject to discipline up to and including termination.

If you believe you have been wrongfully retaliated against, immediately report the matter to Human Resources.

## **8.5 Drug and Alcohol Policy**

It is the policy of MetroED to maintain a drug- and alcohol-free work environment that is safe and productive for students, employees and others having business with the organization.

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

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

While the use of marijuana has been legalized under some state laws for medicinal and/or recreational uses, it remains an illegal drug under federal law. The District does not discriminate against employees solely on the basis of their lawful off-duty use of marijuana. You may not consume or be under the influence of marijuana while on duty or at work. If you have a valid prescription for medical marijuana, please see the Executive Director of Human Resources.

Under the influence means that the employee's capabilities are adversely or negatively affected, impaired, or diminished to an extent that impacts the employee's ability to safely and effectively perform their job.

Nothing in this policy is meant to prohibit your appropriate use of over-the-counter medication or other medication that can legally be prescribed under both federal and state law, if it does not impair your job performance or safety or the safety of others. If you take over-the-counter medication or other medication that can legally be prescribed under both federal and state law to treat a disability, inform HR if you believe the medication may impair your job performance, safety, or the safety of others or if you believe you need a reasonable accommodation before reporting to work while under the influence of that medication.

Employees' health plans may have provisions for drug counseling and rehabilitation and offer counseling and referrals to help resolve problems effectively and confidentially. The cost of these services will depend on your plan.

### **Violations**

Violation of this policy may result in disciplinary action, up to and including termination of employment. The Superintendent or designee shall notify employees of the district's prohibition against drug use and the actions that will be taken for violation of such prohibition. An employee shall abide by the terms of this policy and shall notify the district, within five days, of their conviction for violation in the workplace of any criminal drug statute. The District shall require the employee to satisfactorily participate in and complete a drug assistance or

rehabilitation program approved by a federal, state, or local public health or law enforcement agency or other appropriate agency at their own cost.

The Superintendent or designee shall establish a drug-free awareness program to inform employees about:

- The dangers of drug abuse in the workplace.
- The district's policy of maintaining a drug-free workplace.
- Available drug counseling, rehabilitation, and employee assistant programs.
- The penalties that may be imposed on employees for drug abuse violations occurring in the workplace.

If you believe you have a problem concerning drugs and/or alcohol, please contact the Employee Assistance Program for assistance.

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

## **8.6 Tobacco Free Schools**

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

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

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

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

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

Reference: [BP 3513.3](#) – Tobacco-Free Schools Reference: [BP 4020](#) – Drug and Alcohol-Free Workplace

Smoking or use of any tobacco-related product or disposal of any tobacco-related waste is prohibited with 25 feet of any district property. In addition, any form of intimidation, threat, or retaliation against a person for attempting to enforce this policy is prohibited.

## **9 Employee Handbook Overview**

This Employee Handbook is designed to help you become familiar with the Metropolitan Education District (MetroED), understand the general expectations of your employment, and know what you can expect from MetroED as your employer. It outlines your responsibilities as

an employee and guides you on where to find more detailed information about your work and workplace.

Please note that this handbook is intended to serve as a general guide and does not constitute an employment contract. Individual situations may require individualized attention, and the information contained herein is not meant to cover every possible scenario.

Because the District's operations and policies may evolve, the contents of this handbook are subject to change at any time—either generally or on a case-by-case basis—at the sole discretion of management, with or without prior notice.

For the most current and important employee information, please visit: [Important Employee Information](#) on the MetroED website at [metroed.net](http://metroed.net)>Departments>Human Resources