EMPLOYEE HANDBOOK

Beverly Hills
Unified School District
CREATING A WORLD CLASS EDUCATION

BEVERLY HILLS HIGH SCHOOL • HORACE MANN • BEVERLY VISTA • HAWTHORNE • EL RODEO

February, 2019
WELCOME!

Dear Employee:

A sincere and warm welcome to the Beverly Hills Unified School District. I hope you find your work experience here to be both enriching and engaging.

This Employee Handbook is your guide to Beverly Hills Unified School District employment procedures and information. It will also familiarize you with policies and practices for all employees.

On behalf of the administration, I hope you enjoy being a part of the Beverly Hills Unified School District team as we all work together in “Creating a World Class Education.”

Sincerely,

[Signature]

Luke Pavone
Executive Director, Human Resources
GENERAL INFORMATION

The Community
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The District
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The district employs approximately 315 certificated and 150 classified personnel. The staff is dedicated and highly capable.

The district is recognized nationally as a leader in education. Students have consistently scored far above national averages on standardized achievement tests.

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Board of Education
Noah Margo, President
Isabel Hacker, Vice President
Rachelle Marcus, Member
Tristen Walker-Shuman, Member
Mel Spitz, Member

District Administration
Dr. Michael Bregy, Superintendent
LaTanya Kirk-Carter, Assistant Superintendent, Business Services
Dustin Seemann, Assistant Superintendent, Education Services
Laura Chism, Assistant Superintendent, Student Services
Luke Pavoné – Executive Director, Human Resources
### SCHOOLS AND PRINCIPALS

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<tr>
<th>School</th>
<th>Principal</th>
<th>Assistant Principal</th>
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<tr>
<td>Beverly Vista School</td>
<td>Christopher Regan, Principal</td>
<td>Craig Bugbee, Assistant Principal</td>
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<td>200 S. Elm Drive, 90212</td>
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<td>Fax: (310) 275-3532</td>
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<td>El Rodeo School</td>
<td>Kevin Allen, Principal</td>
<td>Kevin Painter, Assistant Principal</td>
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<td>605 Whittier Drive, 90210</td>
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<td>Hawthorne School</td>
<td>Sarah Kaber, Principal</td>
<td>Richard Waters, Assistant Principal</td>
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<td>Horace Mann School</td>
<td>Juliet Fine, Principal</td>
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<td>8701 Charleville Boulevard, 90211</td>
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<td>(310) 229-3680</td>
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<td>Fax: (310) 652-8841</td>
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<td>(310) 229-3685</td>
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<td>Philip Wenker, Assistant Principal</td>
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<td>Fax: (310) 286-7446</td>
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<tr>
<td>Moreno High School</td>
<td>Dustin Seemann, Asst. Supt, Education Services</td>
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<td>Loren Newman, Lead Teacher</td>
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RIGHTS AND RESPONSIBILITIES

Attendance/Reporting of Absence
The District stresses regular attendance and requests that employees miss work only on those days when it is absolutely necessary. Certificated and classified staff members as needed are required to report their absence to the automated employee management system in one of two ways:

On-Line: www.bhusd.org (click on Aesop)
Phone: (800) 942-3767

Classified staff members are to call their immediate supervisor and/or leave a voicemail message at their supervisor’s extension to report an absence or tardiness prior to the beginning of the work day, even if they are also required to report their absence to Aesop. Failure to provide adequate notification to the District shall be grounds for denial of leave and forfeiture of pay.

If an absence is for two or more weeks, or if Human Resources deems it necessary, a medical release may be requested to return to work. Depending upon the circumstances, employees with a yearly absence total that exceeds the number of months employed may be required to provide documentation supporting their need for leave and may also subject to disciplinary action.

Completion of an Absence Request Form is required the following day after an absence. The form is available from the time reporter at each site/department.

Medical Leave
Any employee becoming aware of the need for an absence due to surgery, maternity, or other predictable or previously scheduled cause, shall submit a statement from his/her attending physician as far in advance of the initial disability date as possible. The physician’s statement shall include the beginning date of disability, the cause of the disability and the anticipated date of return to active service. The employee must also complete a Leave of Absence Application form. The form is available from Human Resources or may be printed from the District’s website.

Family Medical Leave Act (FMLA)/California Family Rights Act (CFRA)
FMLA/CFRA provides up to 12 weeks of unpaid, job-protected leave to eligible employees for certain family and medical reasons. During the FMLA/CFRA leave, the District must maintain the eligible employee’s health coverage. The District will continue to pay the premium amount up to the maximum District contribution. The employee will be responsible any premium above the District maximum. Eligible employees must have worked at least one fiscal year (certificated – 1250 hours (5 hours per day), classified – 900 hours) during the previous 12 months to be eligible for leave under FMLA/CFRA.

The leave may be for the following reasons: the birth of employee’s child, placement of a child with the employee for foster care or for the employee’s adoption of a child, to care for an employee’s child, parent or spouse with a serious health condition, or the employee’s own serious health condition. (Board Policy 4161.8/4261.8/4361.8) The Request for Family/Medical Leave form is available from Human Resources or may be printed from the District’s website.

Personal Necessity Leave
Please refer to the collective bargaining agreement for the appropriate employee group.
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February, 2019
Employee Handbook

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Section One

General Information
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PERSONNEL RECORDS
All permanent personnel files are located at the District Office in the Human Resources Office. All information (except ratings, reports or records obtained prior to employment or obtained in connection with a promotional examination) may be reviewed by employees. To do so, an appointment must be scheduled in advance with the Chief Human Resources Officer or designee who must be present during the review of materials. Information in the file may be copied at a cost of 10¢ per page. A copy of any derogatory material will be provided to the employee before being placed in the personnel file and the employee will be given a reasonable amount of time to prepare a written response.

CHANGE OF NAME OR ADDRESS
Employees must inform Human Resources immediately of any change of name, address or telephone number, so that employee records are current and accurate. Failure to do so may cause pay warrants and income tax statements to be delayed. Prior to turning in a name change, you must obtain a new Social Security Card showing the new name. You should also keep your emergency contact and beneficiary designation information up-to-date. Forms are available from Human Resources or may be printed from the District’s website.

Certificated Staff: In addition to immediately informing Human Resources of any change of name, you will also need to change your name on your credential. You may do this either by submitting a name change at the time you change your name, or by waiting and changing your name at the time you renew your credential online. If you choose to change your name on your credential before you renew your credential, please visit www.ctc.ca.gov, complete form 41-C, and mail it to the CTC with a personal check, cashier’s check, or money order in the amount of $27.50, made payable to the CTC.

EMERGENCY PROCEDURES
All District employees must be prepared to respond quickly and responsibly to emergencies, disasters and events that threaten to result in disaster. A disaster preparedness plan has been developed which details provisions for handling all foreseeable emergencies and disasters. Administrative Services annually reviews and updates this plan.
Employee Handbook

Section Two

Employment Process
EMployment PROCESS

Process and Procedure
All potential candidates for positions are subject to an application and an interview process. Openings are posted in the District Office, at each school site, on EdJoin.org and our District webpage (www.bhusd.org). District employees are encouraged to apply for advanced level jobs within the District as positions become available.

Classified: All applicants must submit an application, resume and two letters of recommendation. Frequently they must also take and pass a written test. After testing has been completed, an eligibility list of candidates is created. The candidates on the eligibility list who are available and interested will be interviewed for the vacant position. Current employees are encouraged to refer to their collective bargaining agreement regarding employee initiated transfers.

Certificated: Current District employees meeting the posted qualifications and applying for a transfer will automatically be scheduled for an interview.

Fingerprints
Individuals accepted for employment are required to be fingerprinted and have Department of Justice fingerprint clearance on file before beginning their assignment. Depending on the job classification, individuals may also be required to obtain FBI fingerprint clearance. This is done in accordance with state law and applies to all persons in California who work with or around children.

Health Requirements
California State Law requires all employees to have a current tuberculosis (TB) test result on file. Those who have a history of a positive skin test must present a certificate from a health provider stating that they are free of communicable disease. The TB skin test must be repeated every four years. At the District’s expense, a local clinic provides the TB skin test.

Personal Conduct
Employees of the Beverly Hills Unified School District are among our most valuable resources. Employees should always be courteous and helpful to the public and fellow employees. Certain rules and regulations are necessary to help us continue to meet our goal of educating students in a safe, orderly and efficient manner.

Employees who fail to abide by these established rules and regulations will be subject to progressive discipline. Progressive discipline may range from a verbal warning to suspension from work without pay or termination. Disciplinary action may result from violations of rules, regulations and policies in effect at your individual work site or District wide.

The Beverly Hills Unified School District is a public employer and its employees must maintain the highest standards of ethics in the conduct of their activities. Certain practices are prohibited by employees and include, but are not limited to:
- The use of tobacco products at any all time in District owned or leased buildings, facilities, or vehicles.
- Drinking alcoholic beverages or using illegal narcotics during working hours or reporting to work while under the influence of a controlled substance
- Possession of alcohol and/or illegal narcotics during working hours or at any time on District owned or leased property
- Gambling on school property

Beverly Hills Unified School District
Employee Handbook

Employment Process
2.1
July, 2016
• Soliciting or collecting money for non-approved purposes during working hours
• Borrowing and/or selling school property without written authorization
• Leaving the work site without proper authorization
• Transporting of unauthorized passengers in District vehicles
• Using District property, vehicles, or equipment for personal use

Oath or Affirmation
All District employees are declared by law to be disaster service workers and thus shall take the oath or affirmation required by for disaster service workers before beginning employment with the District. In the event of natural, manmade or war-caused emergencies which result in conditions of disaster or extreme peril to life, property and resources, all District employees are subject to disaster service activities as assigned by them by their supervisors or by law. (AR 4112.3, 4212.3, 4312.3)

Work Day
Classified: The workday consists of a 24 hour period beginning with the start of an employee’s regularly scheduled work shift. The normal workday for a full-time employee is 8 hours of work, exclusive of not less than 30 nor more than 60 minutes for lunch. The District has the right to extend the normal workday and/or normal work week at the appropriate rate of pay when necessary to carry out District business.

Certificated: The basic daily assignment, on site, of all unit members shall be 7 1/2 hours. Additional information regarding the contracted hours can be found under Article IV – Hours in the collective bargaining agreement.

Lunch Periods
Classified: The normal workday for a full-time employee is 8 hours of work, exclusive of a 30 to 60 minute lunch period. Employees who work at least 5 consecutive hours per workday receive a duty-free, noncompensated lunch period of not less than 30 minutes and not more than 60 minutes at a time designated by the site administrator.

Certificated: Employees have at least a 40-minute consecutive, duty-free lunch period.

Rest Periods
Classified: Each employee receives one 15 minute rest period for each 4 hours of work performed or major fraction thereof taken at the time designed by the site administrator. If practicable, this break will be assigned at or near the midpoint of the hours worked. Employees who work less than 4 hours will be provided a short time for restroom breaks.

Probationary Period
Classified: A six-month probationary period is provided as the final part of the employment process. The probationary period gives you a clear picture of the work that is expected of you, and it affords you the opportunity to demonstrate that you can perform the job adequately. You will be judged on such factors as the quality and quantity of work produced, knowledge of work methods and procedures, attendance, dependability, initiative, appearance, ability to work harmoniously with others, etc. Department supervisors reserve the right to recommend termination any time they feel your work does not meet accepted standards. For most employees, the probationary period is the first six months of employment, but it can be extended an additional 6 months. If you are promoted or transferred to a different classification, you will serve a probationary period of 90 calendar days. During the probationary period, you may be returned to your prior classification at the discretion of the District which may, at its discretion, employ a substitute to hold the position for you.

Beverly Hills Unified School District
Employee Handbook

Employment Process
2.2
July, 2016
Certificated: For a fully credentialed teacher hired into a permanent position, the probationary period is two years.

**Performance Procedure and Evaluation**

Classified: Probationary employees are evaluated with the following timeline:
- OTBS – by the end of the 3rd and 6th month
- CSEA – by the end of the 1st, 3rd, and 5th month
- IA – meeting by the end of the 2nd month to set goals, evaluation by the end of the 6th month

Upon satisfactory completion of the probationary period, permanent status with the District will be granted. Permanent employees are subject to an evaluation once a year. Evaluations are completed annually for certain groups in the following manner:
- OTBS – by the end of each year’s service
- CSEA – by the end of each year’s service
- IA – by May 1st

Copies of the evaluation documents for certificated, OTBS, IA, and CSEA unit members can be found in the corresponding collective bargaining agreement.

Management: Classified management employees receive written performance evaluations from their supervisor at least four times during the probationary period (3, 6, 9 months). These evaluations indicate whether or not the evaluator is satisfied with the employee’s ability, performance, and compatibility with the job. After the successful completion of one year of service in the classified management, permanent status with the District is granted, and evaluations are completed annually.

Certificated administrators hired into administrative positions requiring certification are evaluated annually during their two-year probationary period and after permanent status is granted.

Management employees hired at the level of Chief or above are subject to the terms of their contract regarding evaluation and term of employment.

**Employee Eligibility Verification**

The District is required to verify the eligibility of individuals for employment to preclude the unlawful hiring, or recruiting or referring for a fee, of aliens who are not authorized to work in the United States. The information collected by the District will be used as a record of their basis for determining eligibility of an employee to work in the United States. The form will be kept by the District and made available for inspection by officials of the U.S. Immigration and Customs Enforcement, Department of Labor, and Office of Special Counsel for Immigration Related Unfair Employment Practices.

Submission of the information required for the Employment Eligibility Verification Form (I-9) is voluntary. However, an individual may not begin employment unless this form is completed, since employers are subject to civil or criminal penalties if they do not comply with the Immigration Reform and Control Act of 1986.

**Pay Schedule**

Classified: The pay period for classified employees ends on the final day of each calendar month. Classified monthly employees are paid twice per month – on the 25th of each month they receive an Estimated Salary Advance (ESA) check which is a half-month paycheck based upon
on projected salary for the entire month, and on the 10\textsuperscript{th} of each month they receive a monthly paycheck which is the actual salary earned for the month, less the amount issued on the ESA. Classified hourly employees are paid on the 10\textsuperscript{th} of each month. Should those days fall on a weekend or holiday, checks will be issued on the last work day prior to the scheduled date. Paychecks are delivered to the school sites and are available through the school secretary.

Certificated: Teachers are paid once a month on the first working day of the month. Paychecks are delivered to the school sites and are available through the school secretary. Paychecks for December and June are handled differently because of holidays and vacation — they are sent through the US Mail. You may arrange to have your check mailed or picked up at the District Office by contacting the Payroll Office at (310) 551-5100 ext. 2269 or 2270.

**Salary Schedule**

Certificated: Any employee hired between July 1 and October 31 of the year shall be eligible for his/her automatic salary increment on the following July 1. Any employee hired after October 31 shall be eligible for his/her automatic increase, eight (8) months after his/her date of hire. Thereafter, all employees shall receive the established increment each July 1 until the maximum salary for his/her appropriate classification is reached.

Certificated: Placement on the salary schedule depends upon previous, full-time contractual public school experience, for up to a total of five years. Credit will be allowed on a year-for-year basis. Column placement will be determined based on the number of units beyond the BA degree or the MA degree.

**Eligibility for Benefits**

Substitute, short-term and limited-term employees are not eligible for leaves, vacation, holidays, or other types of benefits. Other part-time regular employees may be eligible, but on a prorated basis.

**Health, Dental, and Vision Insurance**

The District has several group insurance plans available to all regular employees who meet the minimum requirements:

- **Classified**: work 20 or more hours per week
- **Certificated**: 50% assignment or more

The district contributes up to an annual maximum amount towards district medical, dental, and vision insurance for eligible employees, and their eligible dependents, including domestic partners. Employees whose spouses or domestic partners also work for the District may combine the district’s annual maximum contribution amount towards district medical, dental, and vision insurance. Teachers who are in a job share assignment in which each works 50% of the assignment share the District’s annual maximum contribution. Additional information regarding Health, Dental and Vision insurance can be obtained from the Payroll Office at (310) 551-5100 ext. 2269 or 2270.

**Supplemental Insurance Benefits**

There are a variety of other insurance options available to employees. These options are not paid through the District’s contribution but may be purchased separately by the employee through payroll deduction. These include, but are not limited to, disability/income protection insurance, supplemental life insurance and long-term care insurance.
Sign-in Procedures/Time Sheets
The time reporter for the school/department prepares the timesheet that is submitted to Payroll. They prepare the timesheet based on the sign-in/sign-out sheets and previous approval of hours/assignments. The time reporter will notify employees regarding the location of the sign-in/sign-out sheets.

Classified: All employees must sign-in when they arrive at their job site and sign-out when they leave their job-site at the end of the day. They are to receive prior approval from their supervisor before making any changes to assigned work hours.

Certificated: All employees must sign-in when they arrive at the job site. They are to receive prior approval from the site administrator if they leave the job site prior to the end of their professional day.

Overtime/Extra Duty
Classified: Overtime is defined as work performed beyond an 8-hour day or a 40-hour week. Overtime must be approved in advance by your supervisor. You must select to receive payment or compensatory time off (equal to 1 ½ times your regular pay) prior to working the additional time. Extra duty assignments are those that occur outside of the regular workday and work year. Timesheets are due on the last workday of the month worked.

Certificated: Information regarding extra duty assignments and additional assignments can be found in Article III-Salaries in the certificated bargaining agreement.

Automatic Deposit
Employees may utilize Electronic Payroll Deposit by contacting the Payroll Office (310-551-5100 ext. 2269 or 2270) for the Direct Deposit Authorization form or may print the form off of the District's website. This service is provided at no cost to the employee.

Tax-Sheltered Annuities
The Tax-Sheltered Annuity program is a supplemental retirement savings program authorized by Sections 403(b) and 457 of the Internal Revenue Code. All permanent, salaried employees are eligible to participate and can enroll at any time. Through this program you can invest a portion of your income for retirement on a pre-tax basis. Participation in the plan is voluntary. The employee makes the entire contribution; there is no employer match. Employees may obtain additional information regarding this program by contacting the Payroll Office (310-551-5100 ext. 2269 or 2270).
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Section Three

Rights and Responsibilities
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On-Line: www.bhusd.org (click on Aesop)  
Phone: (800) 942-3767

Classified staff members are to call their immediate supervisor and/or leave a voicemail message at their supervisor's extension to report an absence or tardiness prior to the beginning of the work day, even if they are also required to report their absence to Aesop. Failure to provide adequate notification to the District shall be grounds for denial of leave and forfeiture of pay.

If an absence is for two or more weeks, or if Human Resources deems it necessary, a medical release may be requested to return to work. Depending upon the circumstances, employees with a yearly absence total that exceeds the number of months employed may be required to provide documentation supporting their need for leave and may also subject to disciplinary action.

Completion of an Absence Request Form is required the following day after an absence. The form is available from the time reporter at each site/department.

Medical Leave
Any employee becoming aware of the need for an absence due to surgery, maternity, or other predicable or previously scheduled cause, shall submit a statement from his/her attending physician as far in advance of the initial disability date as possible. The physician's statement shall include the beginning date of disability, the cause of the disability and the anticipated date of return to active service. The employee must also complete a Leave of Absence Application form. The form is available from Human Resources or may be printed from the District’s website.

Family Medical Leave Act (FMLA)/California Family Rights Act (CFRA)
FMLA/CFRA provides up to 12 weeks of unpaid, job-protected leave to eligible employees for certain family and medical reasons. During the FMLA/CFRA leave, the District must maintain the eligible employee’s health coverage. The District will continue to pay the premium amount up to the maximum District contribution. The employee will be responsible any premium above the District maximum. Eligible employees must have worked at least one fiscal year (certificated - 1250 hours (5 hours per day), classified - 900 hours) during the previous 12 months to be eligible for leave under FMLA/CFRA.

The leave may be for the following reasons: the birth of employee’s child, placement of a child with the employee for foster care or for the employee’s adoption of a child, to care for an employee’s child, parent or spouse with a serious health condition, or the employee’s own serious health condition. (Board Policy 4161.8/4261.8/4361.8) The Request for Family/Medical Leave form is available from Human Resources or may be printed from the District’s website.

Personal Necessity Leave
Please refer to the collective bargaining agreement for the appropriate employee group.
Industrial Accident
Employees are eligible for injury and illness leave under the provisions of the California Compensation Insurance Fund. If you receive a job-related injury or illness, you must notify your immediate supervisor by the end of the work day.

In order to qualify for industrial accident leave, you must be examined and treated, if necessary, by a physician designated by the District or by the District's insurance carrier. Industrial accident leave cannot exceed 60 days per injury during a fiscal year and may be granted only during the period in which you would be performing regular duties for the District. When leave overlaps into the next fiscal year, you are entitled only to the amount of unused leave for the same injury or illness.

If you exhaust your available industrial accident leave, you may then use available sick leave, vacation or other paid leave. Payment while on leave may not exceed your normal wages.

During the period you receive injury benefits, you must remain within the state unless the District authorizes travel outside of California. You may return to your job following industrial accident leave upon presentation of release from an authorized physician. Your medical release must state that you can return to work without restrictions. Employees with work restrictions must contact their supervisor to determine whether the District is able to accommodate those restrictions and allow the employee to return to work.

Personal Appearance
The appearance and conduct of our employees are of supreme importance in establishing a positive image for education in the community and for presenting a good example for students. Therefore, we affirm our expectations that all personnel shall be professionally, neatly and appropriately attired for the work to be done. An employee's dress must not distract from the educational process and must be in accordance with health and safety standards. Dress should be appropriate for the job, taking into consideration the following factors:

- The nature of the work
- Whether the apparel is consistent with a professional environment
- Health and safety factors
- The nature of the employee's public contact and the normal expectations of outside parties with whom the employee will work
- The employee's interaction with students
- The prevailing practices of other workers in similar jobs

Reasonable accommodations may be made by principals to accommodate employees involved in special activities, duties, or other approved projects (i.e. spirit week, etc.)

Administrators and administrative support employees are expected to project a professional image and should dress and be groomed appropriately for an office/business environment.

Teachers and teacher support personnel are also expected to project a professional image that sets a positive dress and grooming example for students. Physical education teachers must wear appropriate athletic attire to meet the requirements of their job responsibilities.

Tobacco-Free Schools
The Board prohibits the use of tobacco products at any time in district-owned or leased buildings, on district property and in district vehicles. Employees who use tobacco on school
campuses, at facilities of the District, or at school-related activities, are subject to disciplinary action.

**Possession of Firearms and Weapons**
Employees, visitors and students are prohibited from bringing firearms, knives, or other weapons onto school premises or any grounds or building where school-sponsored activity takes place. To ensure the safety of all persons, employees who observe or suspect anyone carrying a weapon should report it to their supervisor immediately.

**Visitors in the Workplace**
All visitors are expected to enter any District facility through the main entrance and sign in or report to the building’s main office. Authorized visitors will receive directions or be escorted to their destination. Employees who observe an unauthorized individual on the premises should immediately direct him or her to the building office or contact the administrator in charge.

**Use of Internet and Email**
The District’s electronic information resources, including network access to the Internet, is primarily for administrative and instructional purposes.

Electronic mail transmission and other use of electronic communication systems are not confidential and can be monitored at any time to ensure appropriate use. Microsoft Outlook training information is available on the district’s website at [www.bhusd.org](http://www.bhusd.org). Under the Staff menu click on Helpdesk.

Employees and students who are authorized to use the systems are required to abide by the provisions of the Acceptable Use Policy for Employees. Failure to do so can result in suspension or termination of privileges and can result in disciplinary action.

**Copyrighted Materials**
Employees are expected to comply with the provisions of copyright law relating to the unauthorized use, reproduction, distribution, performance, or display of copyrighted materials (i.e., printed material, videos, computer data and programs, etc.). Videotapes are to be used for educational purposes only. Duplicating or backups of computer programs and data may be made within the provisions of the purchase agreement.

**Cell Phones**
Due to the enormous use of cell phones in our society today, guidelines for their use in the workplace must be addressed. Please remember the following:
- The primary purpose for using a personal cell phone during the workday is school safety.
- Personal cell phones should be used for emergencies only when a working telephone isn't available.
- Staff should not make or receive cell calls during work hours (unless there is an emergency).
- Calls should not interfere with classroom instruction or regular work responsibilities.
- Personal cell phones may be used at break time.

**Uniforms**
Uniform dress is required for cafeteria, grounds, maintenance, custodial and security personnel.
Counseling Services
The Beverly Hills Unified School District has an agreement with the Employee Assistance Service for Education (EASE), sponsored by the Los Angeles County Office of Education, to provide counseling services to our employees and their families.

EASE is a professional and highly confidential counseling service free to employees and their families. Counseling is provided in many areas, including personal and family problems, emotional distress, drug and alcohol abuse, and on-the-job anxieties and stress. The EASE offices are separate from school district sites and counseling sessions are kept confidential; no one is ever told of your contact with EASE, not even the District. If you wish information to be released to anyone, a consent form, signed by you, must be on file.

Employees/family members in need of special help must contact the EASE office directly at (800) 822-1341; they, in turn will refer you to a professional counselor in your area. This service is paid for by the District and is free to employees and their families.

COBRA (Consolidated Omnibus Budget Reconciliation Act)
The District is required to make continued health plan coverage available for certain employees and dependents under COBRA. Covered employees who terminate employment and their enrolled dependents have the right to pay for continued membership in the health, dental, and vision benefit plan under certain circumstances. You must notify the District Payroll Department as soon as possible if you plan to continue health coverage. For further information on rates, types of coverage and other information, contact the Payroll Department.

Retirement
Classified: If you are regularly employed for 20 or more hours per week, you automatically become a member of the Public Employees' Retirement System (PERS) on your first day. Under PERS, a portion of your salary is deducted each month. The District also makes a contribution. The accumulated sum is held by the state to pay your retirement benefits. The minimum age an employee may receive benefits is 50 (52 for employees who become PERS members on or after January 1, 2013), but the usual retirement age is 63 (67 for employees who become PERS members on or after January 1, 2013). In addition to being a member of PERS you will be covered under the federal Social Security System. All new classified employees qualifying for PERS must be enrolled concurrently in Social Security.

Classified employees who do not qualify for PERS membership will contribute to a Social Security Alternative Plan. The Plan meets the Omnibus Budget Reconciliation Act (OBRA) of 1990 requirements under Section 457 of the Internal Revenue Code. The employee contribution is 6.3% and the District contribution is 1.2% for a total of 7.5% of earnings. The employee account is 100% vested. Employees may contact the Payroll Office at (310) 551-5100 ext. 2289 or 2270 for more information regarding this retirement program.

Certificated: All District teachers are automatically enrolled in the California State Teachers Retirement System (CalSTRS) which is the largest teachers' retirement fund in the United States. CalSTRS' primary responsibility is to provide retirement related benefits and services to teachers in public schools from kindergarten through community college. The CalSTRS's mission is "Securing the financial future and sustaining the trust of California's educators." Income to CalSTRS is derived from member contributions, employing school district contributions, investment earnings, and appropriations from the General Fund. The three basic benefits provided by CalSTRS are service retirement, survivor and disability benefits.
Employee Handbook

Section Four
Important Policies/Procedures
UNAUTHORIZED RELEASE OF CONFIDENTIAL/PRIVILEGED INFORMATION

The Board of Education recognizes the importance of keeping confidential information confidential. Staff shall maintain the confidentiality of information acquired in the course of their employment. Confidential/privileged information shall be released only to the extent authorized by law.

Disclosure of Closed Session Information

An employee shall not disclose confidential information acquired by being present during a closed session to a person not entitled to receive such information, unless the Board authorizes disclosure of that information. (Government Code 54963)

Confidential information means a communication made in a closed session that is specifically related to the basis for the Board to meet lawfully in closed session. (Government Code 54963)

(cf. 9011 - Disclosure of Confidential/Privileged Information)
(cf. 9321 - Closed Session Purposes and Agendas)

An employee who willfully discloses confidential information acquired during a closed session may be subject to disciplinary action if he/she has received training or notice as to the requirements of this policy. (Government Code 54963)

(cf. 4118 - Suspension/Disciplinary Action)
(cf. 4218 - Dismissal/Suspension/Disciplinary Action)

The Superintendent or designee shall provide all employees who attend closed sessions a copy of this policy. New employees who may attend closed sessions shall also receive a copy of this policy.

The district shall not take disciplinary action against any employee for disclosing confidential information acquired in a closed session, nor shall the disclosure be considered a violation of the law or Board policy, when the employee is: (Government Code 54963)

1. Making a confidential inquiry or complaint to a district attorney or grand jury concerning a perceived violation of law, including disclosing facts necessary to establish the illegality or potential illegality of a Board action that has been the subject of deliberation during a closed session (cf. 4119.1/4219.1/4319.1 - Civil and Legal Rights)
2. Expressing an opinion concerning the propriety or legality of Board action in closed session, including disclosure of the nature and extent of the illegal or potentially illegal action
3. Disclosing information that is not confidential
Other Disclosures

An employee who willfully releases confidential/privileged information about the district, students or staff shall be subject to disciplinary action.

No employee shall disclose confidential information acquired in the course of his/her official duties. Confidential information includes information that is not a public record subject to disclosure under the Public Records Act, information that by law may not be disclosed, or information that may have a material financial effect on the employee.

(cf. 4112.6/4212.6/4312.6 - Personnel Files)
(cf. 4143/4243 - Negotiations/Consultation)
(cf. 5125 - Student Records)
(cf. 5125.1 - Release of Directory Information)
(cf. 5141.4 - Child Abuse Prevention and Reporting)
(cf. 6164.2 - Guidance/Counseling Services)

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

Legal Reference:

EDUCATION CODE
35010 Control of district; prescription and enforcement of rules
35146 Closed sessions
35160 Authority of governing boards
44031 Personnel file contents and inspection
44932 Grounds for dismissal of permanent employees
44933 Other grounds for dismissal
45113 Rules and regulations for classified service
49060-49079 Pupil records
GOVERNMENT CODE
1098 Public officials and employees: confidential information
6250-6270 Inspection of public records
54950-54963 Brown Act
UNITED STATES CODE, TITLE 20
1232g Family Education Rights and Privacy Act

Management Resources:

WEB SITES
CSBA: http://www.csba.org

Policy adopted: March 10, 2009
BEVERLY HILLS UNIFIED SCHOOL DISTRICT
Beverly Hills, California
BEVERLY HILLS UNIFIED SCHOOL DISTRICT

Child Abuse Mandated Reporter Acknowledgement Form

All Beverly Hills Unified School District employees must acknowledge that they are aware of the provisions of section 11166 of the California Penal Code and that they are mandated child abuse reporters under California Penal Code section 11165.7. California Penal code section 11166 requires that:

§ 11166. Report; duty; time

(a) Except as provided in subdivision (d), and in Section 11166.05, a mandated reporter shall make a report to an agency specified in Section 11165.9 whenever the mandated reporter, in his or her professional capacity or within the scope of his or her employment, has knowledge of or observes a child whom the mandated reporter knows or reasonably suspects has been the victim of child abuse or neglect. The mandated reporter shall make an initial report to the agency immediately or as soon as is practicably possible by telephone and the mandated reporter shall prepare and send, fax, or electronically transmit a written follow-up report thereof within 36 hours of receiving the information concerning the incident. The mandated reporter may include with the report any nonprivileged documentary evidence the mandated reporter possesses relating to the incident.

(1) For the purposes of this article, "reasonable suspicion" means that it is objectively reasonable for a person to entertain a suspicion, based upon facts that could cause a reasonable person in a like position, drawing, when appropriate, on his or her training and experience, to suspect child abuse or neglect. For the purpose of this article, the pregnancy of a minor does not, in and of itself, constitute a basis for a reasonable suspicion of sexual abuse.

(2) The agency shall be notified and a report shall be prepared and sent, faxed, or electronically transmitted even if the child has expired, regardless of whether or not the possible abuse was a factor contributing to the death, and even if suspected child abuse was discovered during an autopsy.

(3) Any report made by a mandated reporter pursuant to this section shall be known as a mandated report.

(b) If after reasonable efforts a mandated reporter is unable to submit an initial report by telephone, he or she shall immediately or as soon as is practicably possible, by fax or electronic transmission, make a one-time automated written report on the form prescribed by the Department of Justice, and shall also be available to respond to a telephone follow-up call by the agency with which he or she filed the report. A mandated reporter who files a one-time automated written report because he or she was unable to submit an initial report by telephone is not required to submit a written follow-up report.

* * * * * * *

(f) Any mandated reporter who knows or reasonably suspects that the home or institution in which a child resides is unsuitable for the child because of abuse or neglect of the child shall bring the condition to the attention of the agency to which, and at the same time as, he or she makes a report of the abuse or neglect pursuant to subdivision (a).

(g) Any other person who has knowledge of or observes a child whom he or she knows or reasonably suspects has been a victim of child abuse or neglect may report the known or suspected instance of child abuse or neglect to an agency specified in Section 11165.9.

* * * * * * *

(i)

(1) The reporting duties under this section are individual, and no supervisor or administrator may impede or inhibit the reporting duties, and no person making a report shall be subject to any sanction for making the report. However, internal procedures to facilitate reporting and apprise supervisors and administrators of reports may be established provided that they are not inconsistent with this article.

(2) The internal procedures shall not require any employee required to make reports pursuant to this article to disclose his or her identity to the employer.

(3) Reporting the information regarding a case of possible child abuse or neglect to an employer, supervisor, school principal, school counselor, coworker, or other person shall not be a substitute for making a mandated report to an agency specified in Section 11165.9.

California Penal Code section defines a mandated reporter as:

Beverly Hills Unified School District
Employee Handbook

Important Policies/Procedures
4.3
July, 2016
§ 11165.7. Mandated reporter

(a) As used in this article, "mandated reporter" is defined as any of the following:

1. A teacher.
2. An instructional aide.
3. A teacher's aide or teacher's assistant employed by any public or private school.
5. An administrative officer or supervisor of child welfare and attendance, or a certificated pupil personnel employee of any public or private school.
6. An administrator of a public or private day camp.
7. An administrator or employee of a public or private youth center, youth recreation program, or youth organization.
8. An administrator or employee of a public or private organization whose duties require direct contact and supervision of children.
9. Any employee of a county office of education or the California Department of Education, whose duties bring the employee into contact with children on a regular basis.
10. A licensee, an administrator, or an employee of a licensed community care or child day care facility.
11. A Head Start program teacher.
12. A licensing worker or licensing evaluator employed by a licensing agency as defined in Section 11165.11.
14. An employee of a child care institution, including, but not limited to, foster parents, group home personnel, and personnel of residential care facilities.
15. A social worker, probation officer, or parole officer.
16. An employee of a school district police or security department.
17. Any person who is an administrator or presenter of; or a counselor in, a child abuse prevention program in any public or private school.
18. Any person who coaches or is a walk on-coach.

Training in the duties imposed by this article shall include training in child abuse identification and training is child abuse reporting. As part of that training, school districts shall provide to all employees being trained a written copy of the reporting requirements and a written disclosure of the employees' confidentiality rights.

School Districts that do not train the employees specified in subdivision (a) in the duties of child care custodians under the child abuse reporting laws shall report to the State Department of Education the reasons why this training is not provided.

The absence of training shall not excuse a mandated reporter from the duties imposed by this article.

While the legal obligation to report applies to the aforementioned employees only, it shall be the policy of Beverly Hills Unified School District that all employees shall comply with the law's reporting procedures whenever they have knowledge of or observe a child in the course of their employment who they know or reasonably suspect to have been the victim of child abuse. The District will defend any employees who make a report consistent with this policy in the course of their employment against any actions or claims that may be made as a result of said report and will pay all expenses associated with such defense. Any failure to comply with this policy may subject an employee to disciplinary action.

The Child Protection Hotline telephone number is 1 (800) 540-4000. This is a toll free number within the state of California. The telephone number for the Telecommunication Device for the Deaf (T.D.D.) is 1 (800) 272-6699. To reach the Child Protection Hotline from outside the state of California dial 1 (213) 639-4500. A message will be taken and a Children's Social Worker will return your call in 24 hrs. Our address is 1933 S Broadway, 5th Floor, Los Angeles, CA 90007.

For general information, please call the DCFS Public Inquiry section at (213) 351-5825 and 351-5607.

Beverly Hills Unified School District
Employee Handbook

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DRUG AND ALCOHOL-FREE WORKPLACE

The Board of Education believes that the maintenance of a drug- and alcohol-free workplaces is essential to staff and student safety and to help ensure a productive and safe work and learning environment.

No employee shall unlawfully manufacture, distribute, dispense, possess, use or be under the influence of any alcoholic beverage, drug or controlled substance as defined in 21 USC 81 at any school district workplace. These prohibitions apply before, during and after school hours. A school district workplace is any place where school district work is performed, any school-owned or school-approved vehicle used to transport students to and from school or school activities; any off-campus sites when accommodating a school-sponsored or school-approved activity or function where students are under district jurisdiction; or during any period of time when an employee is supervising students on behalf of the district or otherwise engaged in district business. 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 his/her job.

(cf. 4112.41/4212.41/4312.41 - Employee Drug Testing)
(cf. 4112.42/4212.42/4312.42 - Drug and Alcohol Testing for School Bus Drivers)
(cf. 4032 - Reasonable Accommodation)

The Superintendent or designee shall notify employees of these prohibitions and the actions that will be taken for violation of such prohibitions. (Government Code 8355; 41 USC 701)

An employee shall abide by the terms of this policy and notify the district, within five days, of any criminal drug or alcohol statute conviction which he/she receives for a violation occurring in the workplace. (Government Code 8355; 41 USC 701)

The Superintendent or designee shall notify the appropriate federal granting or contracting agencies within 10 days after receiving notification, from an employee or otherwise, of any conviction for a violation occurring in the workplace. (41 USC 701)

In accordance with law and the district's collective bargaining agreements, the Superintendent or designee shall take appropriate disciplinary action, up to and including termination, against an employee for violating the terms of this policy and/or 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.

(cf. 4112 - Appointment and Conditions of Employment)
(cf. 4212 - Appointment and Conditions of Employment)
(cf. 4117.4 - Dismissal)
(cf. 4118 - Suspension/Disciplinary Action)
(cf. 4218 - Dismissal/Suspension/Disciplinary Action)
Drug-Free Awareness Program

The Superintendent or designee shall establish a drug- and alcohol-free awareness program to inform employees about: (Government Code 8355; 41 USC 701)

1. The dangers of drug and alcohol abuse in the workplace
2. The district policy of maintaining drug- and alcohol-free workplaces
3. Any available drug and alcohol counseling, rehabilitation, and employee assistance programs
   (cf. 4159/4259/4359 - Employee Assistance Programs)
4. The penalties that may be imposed on employees for drug and alcohol abuse violations occurring in the workplace.

Legal Reference:

EDUCATION CODE
44011 Controlled substance offense
44425 Conviction of controlled substance offenses as grounds for revocation of credential
44836 Employment of certificated persons convicted of controlled substance offenses
44940 Compulsory leave of absence for certificated persons
44940.5 Procedures when employees are placed on compulsory leave of absence
45123 Employment after conviction of controlled substance offense
45304 Compulsory leave of absence for classified persons

GOVERNMENT CODE
8350-8357 Drug-free workplace
UNITED STATES CODE, TITLE 20
7111-7117 Safe and Drug Free Schools and Communities Act
UNITED STATES CODE, TITLE 21
812 Schedule of controlled substances
UNITED STATES CODE, TITLE 41
701-707 Drug-Free Workplace Act
CODE OF FEDERAL REGULATIONS, TITLE 21
1308.01-1308.49 Schedule of controlled substances

COURT DECISIONS

Management Resources:

WEB SITES
California Department of Alcohol and Drug Programs: http://www.adp.ca.gov
California Department of Education: http://www.cde.ca.gov

Policy adopted: April 26, 2011

BEVERLY HILLS UNIFIED SCHOOL DISTRICT
Beverly Hills, California
SEXUAL HARASSMENT

Sexual harassment of or by any employee shall not be tolerated. The Board of Education considers sexual harassment to be a major offense which may result in disciplinary action or dismissal of the offending employee.

An employee who feels that he/she is being harassed is encouraged to immediately report such incident to the immediate supervisor of the accused employee or the appropriate personnel department official without fear of reprisal. The Personnel Department shall be informed of all such complaints and will assist in the investigation and resolution of complaints.

It shall be the policy of this district to:

1. Prohibit and discourage any person in the work or educational setting from harassing any other person including students in the work or educational setting;
2. Provide a harassment-free work and educational environment;
3. Remedy in a speedy manner any consequences of sexual harassment;
4. Provide ongoing education and awareness of the problem of sexual harassment and
5. Provide information about how to pursue claims of sexual harassment.

Definition of Sexual Harassment

Sexual harassment means unwelcome sexual advances, requests for sexual favors, and other verbal, visual, or physical conduct of a sexual nature made by any person from or in the work or educational setting under any of the following conditions:

1. Submission to the conduct is explicitly or implicitly made a term or a condition of an individual's employment, academic status, or progress.
2. Submission to, or rejection of, the conduct by the individual is used as the basis of employment or academic decisions affecting the individual.
3. The conduct has the purpose or effect of having a negative impact upon the individual's work or academic performance, or of creating an intimidating, hostile or offensive work or educational environment.
4. Submission to, or rejection of, the conduct by the individual is used as the basis for any decision affecting the individual regarding the benefits and services, honors, programs, or activities available at or through the educational institution.
5. As it relates to students, subjects any student to discrimination on the basis of sex, including sexual harassment, in any district program or activity.

Sexual harassment is prohibited against members of the same sex as well as against members of the opposite sex.

Prohibited Supervisory or Managerial Behavior

No supervisor, manager, administrator, or other authority figure may condition any employment,
employee benefit, or continued employment in the district on an applicant's or employee's acquiescence to any of the sexual behavior defined above.

No supervisor, manager, administrator, or other authority figure may retaliate against any applicant, employee, or student because that person has opposed a practice prohibited by Title VII of the Civil Rights Act of 1964 or the California Fair Employment and Housing Act or has filed a complaint, testified, assisted, or participated in any manner in an investigation, proceeding, or hearing conducted by an authorized investigative agency.

**Behavior Prohibited By All Persons**

No supervisor, manager, administrator, student, or any other person in the district shall create a hostile or offensive work environment for any other person by engaging in any sexual harassment or by tolerating it on the part of any employee or student.

No supervisor, manager, administrator, student, or any other person in the district shall assist any individual in doing any act which constitutes sexual discrimination against any employee or student of the district.

**Obligations of Supervisors/Managers**

**Preventive Action**

1. A copy of the sexual harassment policy shall be provided to all employees in the district, as well as displayed in prominent locations throughout the district.

2. A copy of the information sheet on sexual harassment prepared by the Department of Fair Employment and Housing will be distributed to all district employees.

3. All supervisors, managers, or administrators shall make available to any new employees a copy of the sexual harassment policy within one week of their employment.

4. A copy of the sexual harassment policy as it pertains to students shall be provided as part of any orientation program conducted for new students at the beginning of each semester.

5. The district shall periodically notify employees and parents/guardians of students of the procedures for registering a complaint as well as available redress. Such notification shall occur through the normal channels of written communication.

6. The Human Resources Office shall make available information from the Department of Fair Employment and Housing and the Equal Employment Opportunity Commission about filing claims of sexual harassment with these entities. Nothing in this policy/procedures precludes a complainant from pursuing other available remedies, such as; local information about mediation centers, private/public interest attorneys, injunctions, restraining orders, and anything else available in the community.

7. A copy of the sexual harassment policy shall appear in any publication of the district which sets forth the comprehensive rules, regulations, procedures, and standards of conduct for the district.

8. Notification of parents/guardians required pursuant to Education Code 48980 shall also include a copy of the district's policy on sexual harassment as it relates to students.
Complaints

Procedures for sexual harassment are in accordance with the uniform complaint procedures of the district in Board policy 1312.3.

Investigative/Corrective Action

1. All persons, including students, shall immediately report any evidence of sexual harassment or complaints regarding sexual harassment made to them to their school principal or designee, supervisor, manager, or to the Assistant Superintendent, Human Resources. Any administrator, supervisor, or manager who receives a complaint regarding sexual harassment shall immediately report it to the Assistant Superintendent, Human Resources.

2. The Assistant Superintendent Human Resources shall immediately authorize the investigation or conduct the investigation of any incident of alleged sexual harassment reported to him/her. The investigation shall be conducted in a way which ensures, to the extent feasible, the privacy of the parties involved.

3. The person designated to investigate shall immediately report in writing the results of any investigation of sexual harassment, including corrective action taken, to the Assistant Superintendent, Human Resources or designee and to the complainant, employee, or student.

4. All employees and students shall immediately report to their supervisor, principal, other district administrator or Superintendent or designee, any instances of sexual harassment which they have directly observed whether or not reported by the employee or student who is the object of the harassment.

5. Disciplinary action taken by any principal, supervisor, manager, or administrator, shall be decided in accordance with district policy and after consultation with the Assistant Superintendent, Human Resources.

6. Teachers or instructors shall discuss the district’s sexual harassment policy with their students in ways their students can understand. Students should be informed of their rights under this policy.

7. Under no circumstances shall an employee or student of the district who believes that he/she has been the victim of sexual harassment be required to first report that harassment to a supervisor or other authority figure if that person or authority figure is the individual who has done the harassing. A certificated/classified employee or student who has a claim of sexual harassment against an immediate supervisor or other authority figure shall contact the Assistant Superintendent, Human Resources.

8. Under no circumstances shall a principal, supervisor, manager, administrator, or other authority figure retaliate in any way against an employee or student who has provided information as a witness to an incident of alleged sexual harassment.

9. All principals, supervisors, managers, or administrators shall consider a claim of sexual harassment as confidential but subject to investigation.

10. Any supervisor, manager, administrator, or other authority figure who belatedly learns that a condition of employment or district program or activity has already been withheld or denied as a consequence of sexual harassment shall immediately inform the Assistant
Superintendent, Human Resources, and shall take steps to rectify any harm suffered by the victim.

Obligations of All Employees

1. All employees shall report any conduct, including that directed toward a student, which fits the definition of sexual harassment, to their immediate supervisor or appropriate authority figure. This includes conduct of non-employees, such as sales representatives or service vendors.

2. All employees shall cooperate with any investigation of any alleged act of sexual discrimination conducted by the district or by an appropriate state or federal agency.

Consequences for Violation of Policy

Any person who violates this policy will be subject to disciplinary action up to and including discharge, suspension, or other appropriate disciplinary measures.

Any student who violates this policy will be subject to disciplinary action up to and including expulsion.

(cf. 4144 - Complaints)

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination on the basis of sex

GOVERNMENT CODE

12900-12996 Fair Employment and Housing Act, especially:

12940 Prohibited discrimination

12950.1 Sexual harassment training

LABOR CODE

1101 Political activities of employees

1102.1 Discrimination: sexual orientation

CODE OF REGULATIONS, TITLE 2

7287.8 Retaliation

7288.0 Sexual harassment training and education

CODE OF REGULATIONS, TITLE 5

4900-4965 Nondiscrimination in elementary and secondary education programs receiving state financial assistance

UNITED STATES CODE, TITLE 42

2000d-2000d-7 Title VI, Civil Rights Act of 1964

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

2000h-2-2000h-6 Title IX, 1972 Education Act Amendments

CODE OF FEDERAL REGULATIONS, TITLE 34

106.9 Dissemination of policy

COURT DECISIONS

Department of Health Services v. Superior Court of California, (2003) 31 Cal. 4th 1026


Beverly Hills Unified School District
Employee Handbook

Important Policies/Procedures

4.10

July, 2016
Management Resources:
OFFICE OF CIVIL RIGHTS AND NATIONAL ASSOCIATION OF ATTORNEYS GENERAL
Protecting Students from Harassment and Hate Crime, January, 1999

WEB SITES
California Department of Fair Employment and Housing:  http://www.dfeh.ca.gov
U.S. Department of Education, Office for Civil Rights:  http://www.ed.gov/about/offices/list/ocr/index.html

Policy adopted: March 10, 2009

BEVERLY HILLS UNIFIED SCHOOL DISTRICT
Beverly Hills, California
Prevention of the Spread of Infectious Disease

In the school setting, knowing who carries an infectious disease and what germs may be present is not possible. Persons with infections do not always have outward signs and often are not aware of being infected. However, you can take precautions at the school and in other situations that will help protect you from infectious diseases. Those precautions include the following:

1. Wash your hands with soap and running water at regular times during your workday. Common infectious diseases may be contracted from dirt and waste encountered in the workplace (excluding human immuno-deficiency virus [HIV] infection, acquired immune deficiency disorder syndrome [AIDS] and hepatitis B).
2. Avoid punctures with objects that may contain blood of others.
3. Handle discharges from another person’s body (particularly body fluids containing blood) with gloves and wash hands thoroughly with soap and running water when you are finished.
4. Carefully dispose of trash that contains body wastes and sharp objects. Use special containers with plastic liners for disposal of sharp objects, use containers that cannot be broken or penetrated. Do not bend, break or recap needles.
5. Promptly remove another person’s blood and body wastes from your skin by washing with soap and running water.
6. Clean surfaces that have blood or body wastes containing blood on them with an Environmental Protection Agency (EPA) approved disinfectant or a 1:10 solution of household bleach and water. (The solution should be fresh daily to endure proper strength.)
7. Have a vaccination for protections from hepatitis B if you are an employee identified as having occupational exposure according to the Exposure Control Plan.
8. If you are responsible for administering first-aid to others or may be placed in a position where you may give first-aid, obtain a current instruction in first-aid and cardiopulmonary resuscitation (CPR). Current instruction will include modification of first-aid needed to protect the rescuer from infection.

These precautions will protect you from HIV infection, hepatitis B and many other infectious diseases. These ordinary hygienic practices will result in fewer illnesses for you and others around you. You do not need to know which people around you are infected with HIV or any other diseases because you use precautions routinely.

MAINTAIN CONFIDENTIALITY of all medical information concerning students and co-workers, especially if the individual has either HIV infection or AIDS. With few exceptions, sharing information about someone who has either HIV infection or AIDS without permission is prohibited by law and punishable by a fine in California.

HIV infection and hepatitis B are most commonly spread through sexual contact and by sharing needles with others to inject drugs. By abstaining from these activities, the major risk of exposure to these viruses is eliminated.
Board Policy
Tobacco-Free Schools  BP 3513.3
Business and Noninstructional Operations

The Board of Education recognizes the health hazards associated with smoking and the use of tobacco products, including the breathing of second-hand smoke, and desires to provide a healthy environment for students and staff.

(cf. 3514 - Environmental Safety)
(cf. 4159/4259/4359 - Employee Assistance Programs)
(cf. 5030 - Student Wellness)
(cf. 5131.62 - Tobacco)
(cf. 6142.8 - Comprehensive Health Education)
(cf. 6143 - Courses of Study)

The Board 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 athletic 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.

(cf. 1330 - Use of School Facilities)
(cf. 1330.1 - Joint Use Agreements)

Prohibited products include any product containing tobacco or nicotine, including, but not limited to, cigarettes, cigars, miniature cigars, smokeless tobacco, snuff, chew, clove cigarettes, betel, and nicotine delivery devices such as electronic cigarettes. Exceptions may be made for the use or possession of prescription nicotine products.

Smoking or use of any tobacco-related products and disposal of any tobacco-related waste are prohibited within 25 feet of any playground, except on a public sidewalk located within 25 feet of the playground. (Health and Safety Code 104495)

Legal Reference:

EDUCATION CODE
48900 Grounds for suspension/expulsion
48901 Prohibition against tobacco use by students

HEALTH AND SAFETY CODE
39002 Control of air pollution from nonvehicular sources
104350-104495 Tobacco use prevention, especially:
104495 Prohibition of smoking and tobacco waste on playgrounds
119405 Unlawful to sell or furnish electronic cigarettes to minors
LABOR CODE
3300 Employer, definition
6304 Safe and healthful workplace
6404.5 Occupational safety and health: use of tobacco products

UNITED STATES CODE, TITLE 20
6083 Nonsmoking policy for children's services
7100-7117 Safe and Drug Free Schools and Communities Act

CODE OF FEDERAL REGULATIONS, TITLE 21
1140.1-1140.34 Unlawful sale of cigarettes and smokeless tobacco to minors

PERB RULINGS
Eureka Teachers Assn v. Eureka City School District (1992) PERB Order #955 (16 PERC 23168)
CSEA #506 and Associated Teachers of Metropolitan Riverside v. Riverside Unified School District (1989) PERB Order #750 (13 PERC 20147)

Management Resources:
WEB SITES
California Department of Education, Alcohol, Tobacco and Other Drug Prevention: http://www.cde.ca.gov/ls/he/at
California Department of Public Health, Tobacco Control: http://www.cdph.ca.gov/programs/tobacco
Occupational Safety and Health Standards Board: http://www.dir.ca.gov/OSHSB/oshsb.html
Environmental Protection Agency: http://www.epa.gov

Policy
adopted: January 27, 2009
revised: January 21, 2014

BEVERLY HILLS UNIFIED SCHOOL DISTRICT
Beverly Hills, California
TOBACCO-FREE SCHOOLS

Notifications

Information about the district's tobacco-free schools policy and enforcement procedures shall be communicated clearly to employees, parents/guardians, students and the community. (Health and Safety Code 104420)

(cf. 4112.9/4212.9/4312.9 - Employee Notifications)

Signs stating "Tobacco use is prohibited" shall be prominently displayed at all entrances to school property. (Health and Safety Code 104420)

Enforcement/Discipline

Any employee or student who violates the district's tobacco-free schools policy shall be asked to refrain from smoking and shall be subject to disciplinary action as appropriate.

(cf. 4118 - Suspension/Disciplinary Action)
(cf. 4218 - Dismissal/Suspension/Disciplinary Action)
(cf. 5144 - Discipline)
(cf. 5144.1 - Suspension and Expulsion/Due Process)

Any other person who violates the district's policy on tobacco-free schools shall be informed of the district's policy and asked to refrain from smoking. If the person fails to comply with this request, the Superintendent or designee may:

1. Direct the person to leave school property
2. Request local law enforcement assistance in removing the person from school premises
3. If the person repeatedly violates the tobacco-free schools policy, prohibit him/her from entering district property for a specified period of time

(cf. 1250 - Visitors/Outsiders)
(cf. 3515.2 - Disruptions)
Community Relations

UNIFORM COMPLAINT PROCEDURES

Compliance Officers

The Board of Education designates the following compliance officers to receive and investigate complaints and to ensure district compliance with law:

<table>
<thead>
<tr>
<th>Program/Service</th>
<th>Office to Contact</th>
<th>Telephone</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adult Education</td>
<td>Director, Beverly Hills Adult School</td>
<td>(310) 551-5100 x2245</td>
</tr>
<tr>
<td>Child Nutrition, School Nutrition, and Child Care</td>
<td>Director Food Services</td>
<td>(310) 551-5100 x2208</td>
</tr>
<tr>
<td>Consolidated Categorical Aid: State Programs for Students of Limited English</td>
<td>Assistant Superintendent, Educational Services K-12</td>
<td>(310) 551-5100 x2240</td>
</tr>
<tr>
<td>Proficiency (ELA/LEP); Title I and Title VI</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Gender Equity/Sexual Harassment</td>
<td>Assistant Superintendent, Human Resources</td>
<td>(310) 551-5100 x2236</td>
</tr>
<tr>
<td>Special Education</td>
<td>Director, Special Education</td>
<td>(310) 551-5100 x2226</td>
</tr>
<tr>
<td>Nondiscrimination Requirements and Civil Rights</td>
<td>Assistant Superintendent, Human Resources</td>
<td>(310) 551-5100 x2236</td>
</tr>
</tbody>
</table>

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

(cf. 9124 - Attorney)

Notifications

The Superintendent or designee shall annually provide written notification of the district's uniform complaint procedures to students, employees, parents/guardians, the district advisory committee, school advisory committees, appropriate private school officials or representatives, and other interested parties. (5 CCR 4622)

The Superintendent or designee shall make available copies of the district's uniform complaint procedures free of charge. (5 CCR 4622)

The notice shall:

1. Identify the person(s), position(s), or unit(s) responsible for receiving complaints
2. Advise the complainant of any civil law remedies that may be available to him/her under
3. Advise the complainant of the appeal process pursuant to Education Code 262.3, including the complainant's right to take a complaint directly to the California Department of Education (CDE) or to pursue remedies before civil courts or other public agencies.

4. Include statements that:
   a. The district is primarily responsible for compliance with state and federal laws and regulations.
   b. The complaint review shall be completed within 60 calendar days from the date of receipt of the complaint unless the complainant agrees in writing to an extension of the timeline.
   c. An unlawful discrimination complaint must be filed not later than six months from the date the alleged discrimination occurs, or six months from the date the complainant first obtains knowledge of the facts of the alleged discrimination.
   d. The complainant has a right to appeal the district's decision to the CDE by filing a written appeal within 15 days of receiving the district's decision.
   e. The appeal to the CDE must include a copy of the complaint filed with the district and a copy of the district's decision.

(cf. 5145.6 - Parental Notifications)

Procedures

The following procedures shall be used to address all complaints which allege that the district has violated federal or state laws or regulations governing educational programs. Compliance officers shall maintain a record of each complaint and subsequent related actions, including all information required for compliance with 5 CCR 4631 and 4633.

All parties involved in allegations shall be notified when a complaint is filed, when a complaint meeting or hearing is scheduled, and when a decision or ruling is made.

Step 1: Filing of Complaint

Any individual, public agency, or organization may file a written complaint of alleged noncompliance by the district. (5 CCR 4630)

A complaint alleging unlawful discrimination shall be initiated no later than six months from the date when the alleged discrimination occurred, or six months from the date when the complainant first obtained knowledge of the facts of the alleged discrimination. A complaint may be filed by a person who alleges that he/she personally suffered unlawful discrimination or by a person who believes that an individual or any specific class of individuals has been subjected to unlawful discrimination. (5 CCR 4630)

The complaint shall be presented to the compliance officer who shall maintain a log of complaints received, providing each with a code number and a date stamp.

If a complainant is unable to put a complaint in writing due to conditions such as a disability or
illiteracy, district staff shall assist him/her in the filing of the complaint. (5 CCR 4600)

Step 2: Mediation

Within three days of receiving the complaint, the compliance officer may informally discuss with the complainant the possibility of using mediation. If the complainant agrees to mediation, the compliance officer shall make all arrangements for this process.

Before initiating the mediation of a discrimination complaint, the compliance officer shall ensure that all parties agree to make the mediator a party to related confidential information.

If the mediation process does not resolve the problem within the parameters of law, the compliance officer shall proceed with his/her investigation of the complaint.

The use of mediation shall not extend the district's timelines for investigating and resolving the complaint unless the complainant agrees in writing to such an extension of time. (5 CCR 4631)

Step 3: Investigation of Complaint

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

The complainant and/or his/her representative shall have an opportunity to present the complaint and evidence or information leading to evidence to support the allegations in the complaint. (5 CCR 4631)

A complainant's refusal to provide the district's investigator with documents or other evidence related to the allegations in the complaint, or his/her failure or refusal to cooperate in the investigation or his/her engagement in any other obstruction of the investigation, may result in the dismissal of the complaint because of a lack of evidence to support the allegation. (5 CCR 4631)

The district's refusal to provide the investigator with access to records and/or other information related to the allegation in the complaint, or its failure or refusal to cooperate in the investigation or its engagement in any other obstruction of the investigation, may result in a finding, based on evidence collected, that a violation has occurred and may result in the imposition of a remedy in favor of the complainant. (5 CCR 4631)

Step 4: Response

Unless extended by written agreement with the complainant, the compliance officer shall prepare and send to the complainant a written report of the district's investigation and decision, as described in Step #5 below, within 60 days of the district's receipt of the complaint. (5 CCR 4631)
If the Board hears the complaint, the compliance officer shall send the Board's decision to the complainant within 60 days of the district's initial receipt the complaint or within the time period that has been specified in a written agreement with the complainant. (5 CCR 4631)

Step 5: Final Written Decision

The district's decision shall be in writing and sent to the complainant. (5 CCR 4631)

The district's decision shall be written in English and in the language of the complainant whenever feasible or as required by law.

The decision shall include:

1. The findings of fact based on the evidence gathered (5 CCR 4631)
2. The conclusion(s) of law (5 CCR 4631)
3. Disposition of the complaint (5 CCR 4631)
4. Rationale for such disposition (5 CCR 4631)
5. Corrective actions, if any are warranted (5 CCR 4631)
6. Notice of the complainant's right to appeal the district's decision within 15 days to the CDE and procedures to be followed for initiating such an appeal (5 CCR 4631)
7. For discrimination complaints, notice that the complainant must wait until 60 days have elapsed from the filing of an appeal with the CDE before pursuing civil law remedies (Education Code 262.3)

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

Appeals to the California Department of Education

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

Upon notification by the CDE that the complainant has appealed the district's decision, the Superintendent or designee shall forward the following documents to the CDE: (5 CCR 4633)

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

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

Civil Law Remedies

A complainant may pursue available civil law remedies outside the district's complaint procedures. Complainants may seek assistance from mediation centers or public/private interest attorneys. Civil law remedies that may be imposed by a court include, but are not limited to, injunctions and restraining orders. For discrimination complaints, however, a complainant must wait until 60 days have elapsed from the filing of an appeal with the CDE before pursuing civil law remedies. The moratorium does not apply to injunctive relief and is applicable only if the district has appropriately, and in a timely manner, apprised the complainant of his/her right to file a complaint in accordance with 5 CCR 4622.

Regulation approved: February 10, 2009

BEVERLY HILLS UNIFIED SCHOOL DISTRICT
Beverly Hills, California
UNIFORM COMPLAINT PROCEDURES

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

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

Uniform complaint procedures shall also be used when addressing complaints alleging failure to comply with state and/or federal laws in adult education programs, consolidated categorical aid programs, migrant education, career technical and technical education and career technical and technical training programs, child care and development programs, child nutrition programs, and special education programs. (5 CCR 4610)

(cf. 0410 - Nondiscrimination in District Programs and Activities)
(cf. 1312.1 - Complaints Concerning District Employees)
(cf. 1312.2 - Complaints Concerning Instructional Materials)
(cf. 3553 - Free and Reduced Price Meals)
(cf. 4031 - Complaints Concerning Discrimination in Employment)
(cf. 5141.4 - Child Abuse Prevention and Reporting)
(cf. 5148 - Child Care and Development)
(cf. 6159 - Individualized Education Program)
(cf. 6171 - Title I Programs)
(cf. 6174 - Education for English Language Learners)
(cf. 6175 - Migrant Education Program)
(cf. 6178 - Vocational Education)
(cf. 6200 - Adult Education)

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

(cf. 1312.4 - Williams Uniform Complaint Procedures)

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

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

(cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information)
(cf. 5125 - Student Records)
(cf. 9011 - Disclosure of Confidential/Privileged Information)

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

Legal Reference:

EDUCATION CODE
200-262.4 Prohibition of discrimination
8200-8498 Child care and development programs
8500-8538 Adult basic education
18100-18203 School libraries
32289 School safety plan, uniform complaint procedure
35186 Williams uniform complaint procedure
41500-41513 Categorical education block grants
48985 Notices in language other than English
49060-49079 Student records
49490-49590 Child nutrition programs
52160-52178 Bilingual education programs
52300-52490 Career-technical education
52500-52616.24 Adult schools
52800-52870 School-based coordinated programs
54000-54028 Economic impact aid programs
54100-54145 Miller-Unruh Basic Reading Act
54400-54425 Compensatory education programs
54440-54445 Migrant education
54460-54529 Compensatory education programs
56000-56867 Special education programs
59000-59300 Special schools and centers
64000-64001 Consolidated application process

PENAL CODE
422.6 Interference with constitutional right or privilege

CODE OF REGULATIONS, TITLE 5
3080 Application of section
4600-4687 Uniform complaint procedures
4900-4965 Nondiscrimination in elementary and secondary education programs

UNITED STATES CODE, TITLE 20
6301-6577 Title I basic programs
6601-6777 Title II preparing and recruiting high quality teachers and principals
6801-6871 Title III language instruction for limited English proficient and immigrant students
7101-7184 Safe and Drug-Free Schools and Communities Act
7201-7283g Title V promoting informed parental choice and innovative programs
7301-7372 Title V rural and low-income school programs
BEVERLY HILLS UNIFIED SCHOOL DISTRICT
ACCEPTABLE USE POLICY FOR EMPLOYEES

The Beverly Hills Unified School District encourages the use of technology including Internet access to provide learning and communication opportunities for students and employees to support BHUSD’s educational mission. Since the Internet is a vast and expanding resource that holds appropriate and inappropriate opportunities for students and employees, this policy is set forth to communicate acceptable and unacceptable use.

Use of technology by BHUSD employees and students is permitted and encouraged where such use is suitable for educational purposes and supports the goals and objectives of BHUSD. The Internet is to be used in a manner that is consistent with the BHUSD standards of student and employee conduct, and as part of the normal execution of an employee’s job responsibilities and student learning.

Students and employees should be aware that computer files and communications over electronic networks including email and voice mail are not private. The district reserves the right to monitor these systems at any time without advance notice or consent.

Everyone who receives network access will participate in an orientation on proper behavior and use of technology with a BHUSD staff member.

TERMS AND CONDITIONS OF THIS USER CONTRACT

PERSONAL RESPONSIBILITY

As a representative of the school, users will accept personal responsibility for reporting any misuse of the network to the site system administrator.

Federal Copyright Law (Title 17, U.S. Code) will be observed in the use and distribution of information retrieved from or sent over the network/Internet. Downloading of copyrighted material is for personal use only and may not be placed on the system for distribution without the author's permission. Software shall only be added when the original copy of the software’s license is kept on file at the appropriate work location.

Staff will follow the standards of professional judgment when allowing a student to view a website or Internet resource that has been filtered for adult use and not student use.

Staff should exercise due diligence and preview prior to using this resource for instructional purposes.

If a teacher/adult determines that a student may use a website that is restricted for use by the District filtering policy, the appropriate adult employee must maintain visual oversight while the student is using the web at the staff level of access.

PRIVILEGES

The use of technology at BHUSD is a privilege, not a right. The Technology Standards Committee will determine what is acceptable use. Their decision is final.

ACCEPTABLE USE

Examples of acceptable use include, but are not limited to:
- Research curriculum topics
- Communicate with peers and experts
- Complete collaborative curriculum projects
- Participate in electronic field trips
- Work on individualized or group distance learning projects
- Find educational grant writing and contest opportunities
- Retrieve copyrighted material in accordance with copyright laws
- Obtain relevant current news and events
- Research colleges or universities
- Explore career options
- Use online assessment
- Publish educationally related information
- Personal email is acceptable during non-work time.
UNACCEPTABLE USE

Internet access is for professional and educational purposes. Examples of unacceptable or illegal Internet uses include, but are not restricted to:

- Damaging computer, computer systems, or computer networks.
- Using others’ ideas or writings without giving credit to the author (plagiarism).
- Sending, receiving, or displaying offensive material, or using obscene language
- Harassing, insulting, libeling, or attacking others
- Using others’ passwords and/or trespassing in other’s folders, work, or files
- Using the system for commercial purposes
- Installing or downloading inappropriate software on a school computer
- Use that conflicts with or interferes with primary job responsibilities
- Use of distribution lists for personal solicitations

NETWORK ETIQUETTE AND PRIVACY

Employees will abide by the generally accepted rules of network etiquette:

- Never share your password
- Be polite. Never send or encourage others to send abusive messages
- Use appropriate language. Remember that you are a representative of our school and district on a non-private system. You may be alone with your computer, but what you say or do can be viewed globally.
- Do not use the network in any way that would disrupt use of the network by others.
- Email is to be used for school related business. It is not to be used for non-District related communications.
- Use discretion, and professional judgment when forwarding, replying to all or using distribution lists.
- Users are responsible for maintaining up-to-date file folders. Email should be read and deleted regularly. File server space is limited.

DISTRICT/SCHOOL WEBSITES

The district office and each school site maintains its own website. Material published on these web pages will have permission from the author, and must include permission from the parent or guardian. Consult the BHUSD web site publishing guidelines.

VANDALISM

Vandalism is defined as any malicious attempt to harm, or destroy data of another user, or any other agencies or networks, that are connected to the system. This includes, but is not limited to:

- The uploading or creating of computer viruses
- The removal of any computer program from the system
- Changing settings on shared computers such as: file names, wallpaper, color schemes, system fonts, etc.
- Damaging the keyboards, mice, monitors, or computers themselves

NO WARRANTY

Although BHUSD does provide an Internet content filtering system, no warranties are made with respect to the Internet and specifically assumes no responsibilities for:

- The accuracy or validity of visited websites
- Any costs, liability, or damages caused by the way the user chooses to use the Internet
- Any consequences of service interruptions or changes, even if these disruptions arise from circumstances under the control of BHUSD

CONSEQUENCES

Violations will be addressed by the employee’s immediate supervisor. Upon violation of this contract, consequences may include, but are not limited to:

- Written notification, referral, and/or documentation of offense
- Loss of or reduction of Internet privileges
- Loss of or reduction of computer privileges
• Contact and referral to law enforcement
• Legal action and prosecution by authorities