

DISTRICT EMPLOYEE HANDBOOK 2019-2020



**Human Resources Department
BERKELEY UNIFIED SCHOOL DISTRICT**

Excellence ~ Equity ~ Engagement ~ Enrichment

Dear Newly-Hired Berkeley Unified School District Employee:

Welcome to the Berkeley Unified School District! Each employee in our district makes an important contribution to the education, well-being, and safety of all of our students, and we are glad you have chosen to join our team.

There are many ways for you to find out about your rights, responsibilities, benefits, and other employment information of interest to you as a District employee. This employee handbook provides a general overview of employment, contact information, and policies, as well as links to forms you might need at some time during your employment with us.

I encourage you to attend a new employee orientation and to take advantage of regularly held information sessions on employee benefits. Your supervisor will provide you with additional information directly related to your assignment.

There are several other portals of information you may want to access:

- Dedicated web pages for staff on our District website - www.berkeleyschools.net
- Union contracts and union-sponsored websites (as applicable depending on your position)
- Department handbooks for certain staff positions such as Transportation, Nutrition Services and Maintenance
- New employee orientations and information sessions on employee benefits

Please sign and return the receipt on page 22 showing you received the Employee Handbook.

Providing quality customer service to our employees is at the heart of our mission, and I encourage you to contact any one of us from the Human Resources Team to access employee services and resources.

I want to thank you joining our district and wish you many productive and memorable years here.

Samantha Tobias-Espinosa
Assistant Superintendent for Human Resources

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Section 1: Organizational Overview

Berkeley Unified School District Mission, Vision, and Values and Beliefs¹

Berkeley Unified School District Mission:

The Mission of the Berkeley Unified School District is to enable and inspire our diverse student body to achieve academic excellence and make positive contributions to our world.

Berkeley Unified School District Vision:

Our Students are curious and creative learners who succeed through personal initiative and sustained effort to reach high academic goals. They are critical thinkers who seek knowledge and possess technological competence and collaborative skills. Our students embrace diversity, act responsibly, and contribute to our community.

Our Educators believe that all students can meet or exceed rigorous academic standards. Teachers, staff, and administrators together form a rich professional learning community where all are supported to hone our professional craft and improve our effectiveness. Through the examination of our instructional practices and data, we adjust our teaching and operational systems in order to continuously improve. We are responsible in the stewardship of our fiscal resources and fair and equitable in their distribution.

Our Families and Community are integral to the success of our students and schools. Families are active, engaged and welcomed partners in their child's education, who give valued input and participate in making important decisions about our academic and enrichment programs. Our diverse community is passionate about equitable educational outcomes for all students. Our civic and community organizations partner with us to promote family engagement and the well-being and success of our students.

Our Schools are vital centers of community life enriched by the diversity of our city and welcoming to all families. Each classroom offers engaging and culturally relevant curriculum that builds on students' interests and abilities. Student needs, as identified by regular assessment, inform our teaching and guide appropriate and effective intervention services. We offer an enriched learning environment and a comprehensive system of supports to address the needs of the whole child.

Values and Beliefs of Berkeley Unified School District:

- Students are our priority.
- We take pride in our diversity.
- We hold high expectations for ourselves and our students.
- We treat each other with respect and act with integrity.

2020 VISION FOR BERKELEY'S CHILDREN AND YOUTH²

That all children, regardless of race, ethnicity and income, who enter Berkeley public schools beginning in 2007 (and remain in the district) will achieve equitable outcomes with no proficiency differences by the time they graduate in June, 2020; and that all children born in Berkeley in 2007 and beyond, receive a healthy start and are equally ready to learn and succeed in the Berkeley public schools.

¹ Board Adopted, June, 2010

² Board Adopted, June, 2008

District Goals

To ensure continual improvement of our public schools, the Management Team and School Board establish goals on a three-year calendar and revise them annually. Periodic reports on progress made in meeting goals are presented to the Berkeley School Board.

- 1) Curriculum and Instruction
- 2) Strategies to Promote Student Success
- 3) Family and Community Engagement
- 4) Cultural and Linguistic Relevance
- 5) Resources

The full three-year theory of action and goals that direct the work of the school district and our schools is available in the front of each School Board Meeting Agenda packet or online at <http://www.berkeleyschools.net>.

WE CARE

As a public service organization committed to our mission of excellence in public education, the Berkeley Unified School District adopted a system of high quality customer service known as WE CARE. Departmental personnel participate in staff development work on an on-going basis to create systems and service standards to support the WE CARE expectations:

WILLINGNESS: Willing to take the extra steps or go the extra mile

EMPATHY: Communicating caring and individualized attention

CONSISTENCY: Delivering core services in a consistent and dependable manner

APTITUDE: Demonstrating a high level of knowledge and skills

RESPONSIVENESS: Responding to customer requests or inquiries within 2 business days

EFFECTIVENESS: Delivering services in a user-friendly and high quality manner

WE CARE creates an organizational environment that supports strong interdepartmental relations and effective functioning of the interrelated systems that are necessary to create a responsive and customer-friendly work environment. The District recognizes employees who embody the WE CARE expectations because they contribute to our service driven culture and prioritize the needs of students and families. Employees should contact a supervisor to learn about staff development opportunities in the WE CARE model of customer service.

Human Resources Department – Mission, Vision, and Beliefs

Recruiting, supporting, and retaining the best candidates are crucial tasks. Highly qualified teachers and top performing support staff are the key to student achievement. In addition, the Human Resources Department provides daily guidance and support to District employees. The Human Resources Department Team is committed to its Mission, Vision, and Beliefs:

Mission

The mission of the Human Resources Team is to be responsive to employees' needs, to establish a bridge to other departments and to provide quality customer service.

Vision

The vision of the Human Resources Team is to recruit, hire, develop, support, and retain the most qualified and culturally competent staff to support the academic achievement and advancement of all students.

Beliefs

We believe....

...our employees are our best and most valuable asset.

...we can provide friendly, accurate, and timely customer service.

...in cooperative and collaborative team work.

...we are one team that respects and supports each other.

Due to the specialized nature of employment in a school district, the services of both certificated (e.g. teachers, counselors, school administrators) and classified (e.g. secretaries, custodians, instructional assistants) employees are needed to fulfill our mission and serve our students and their families. The organizational structure demonstrated on the next page is designed to provide specialized service to all of our employees. The Human Resources Department Team collaborates with the Personnel Commission and its staff to serve and support classified employees. A [Menu of Services](#) found on the District website outlines the lines services we provide and whom to contact for specific questions or services.

Personnel Commission

The Berkeley Unified School District Personnel Commission, established in 1943, is one of the oldest established personnel commissions in northern California. It is authorized by the Education Code and our Merit System rules and regulations. A “merit system” of employment is like a civil service system. It only applies to the District’s classified employees (those employees who are not required to maintain a teaching credential). The purpose of the merit system is to ensure that classified employees are selected, promoted and retained on the basis of merit and fitness without favoritism or bias.

The Personnel Commission is an independent body composed of three members and is an entity separate from the BUSD Human Resource Office. One commissioner is selected by the governing board, one commissioner is selected by the largest classified employee collective bargaining unit, and one commissioner is selected by the other two commissioners. Commissioners are appointed for a staggered three-year term. The term of one commissioner expires each year.

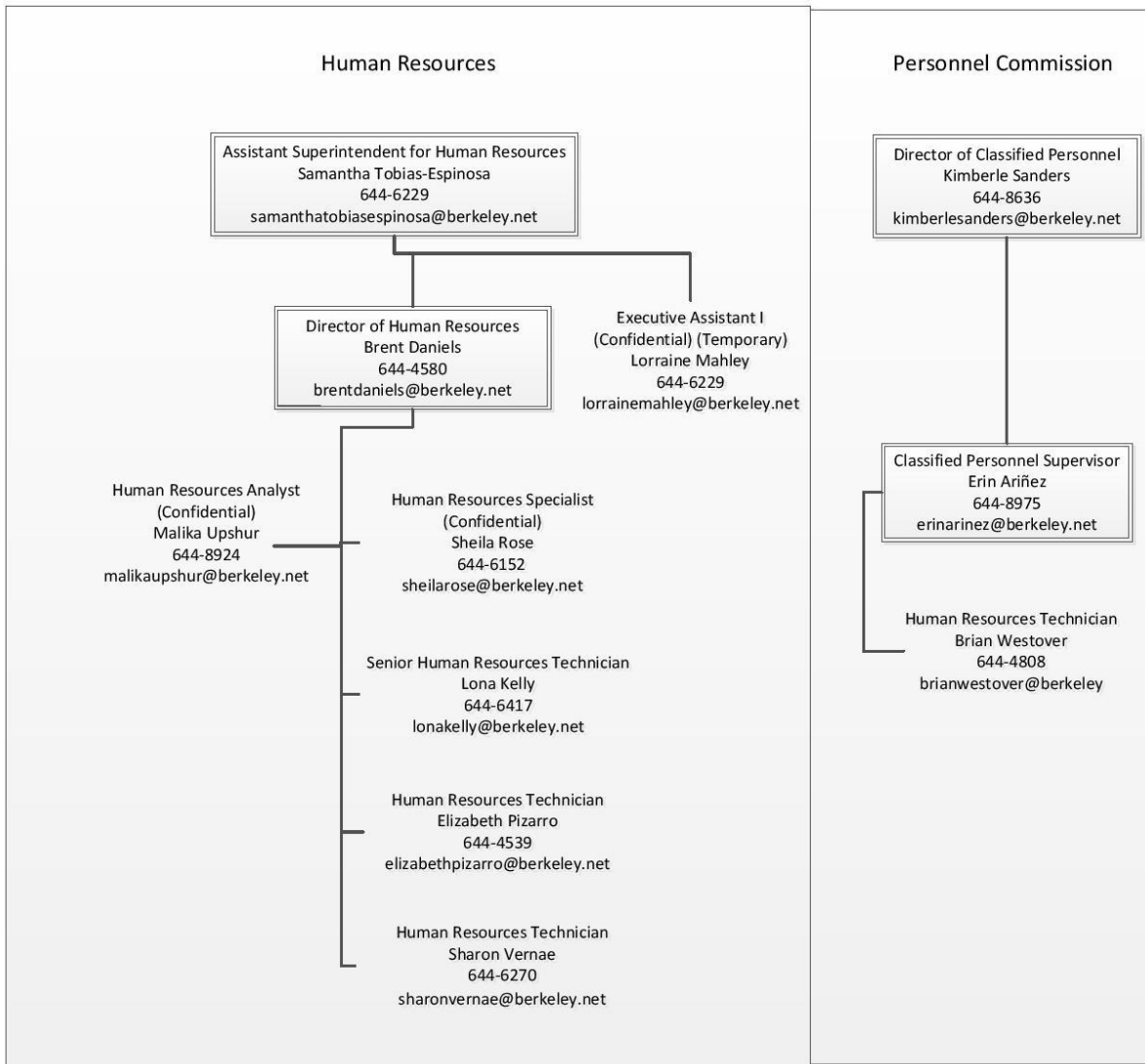
The Personnel Commission usually meets in open session at 4:30 PM on the first Thursday of the month at the Berkeley Unified School District Office, 2020 Bonar Street, Room 126, Berkeley, CA 94702. The public is welcome to attend Personnel Commission meetings. Meeting Agendas are posted 72 hours in advance. The Director of Classified Employees serves as Secretary to the Personnel Commission.

Business and Operational Services

The Business and Operational Services division of the District include some employee support services. Operational Services include technology, transportation, food service, maintenance and facilities while the Business portion of the division includes all the financial services. The Payroll, Benefits, and Risk Management Departments are all part of the financial services. Information on these services is included in Sections 4 and 5 of this handbook and on the [individual department webpages](#).

Berkeley Unified School District

Human Resources and Personnel Commission



Human Resources Services



Fax # for Classified Matters: (510) 644-6151

Certificated Matters: (510) 644-2883

Human Resources Staff

Samantha Tobias-Espinosa, Assistant Superintendent, Human Resources	samanthatobiasespinoza@berkeley.net	644-6229
Lorraine Mahley, Executive Assistant I (Confidential) (Temporary)	lorrainemahley@berkeley.net	644-6229
Brent Daniels, Director, Human Resources	brentdaniels@berkeley.net	644-8924
Sheila Rose, Human Resources Specialist (Confidential)	sheilarose@berkeley.net	644-6152
Málíka Upshur, Human Resources Analyst (Confidential)	malikaupshur@berkeley.net	644-8924
Lona Kelly, Senior HR Technician	lonakelly@berkeley.net	644-6417
Elizabeth Pizarro, HR Technician	elizabethpizarro@berkeley.net	644-4539
Sharon Vernae, HR Technician	sharonvernae@berkeley.net	644-6270

Personnel Commission Staff

Kimberle Sanders, Director, Classified Personnel	kimberlesanders@berkeley.net	644-8636
Erin Ariñez, Classified Personnel Supervisor	erinarinez@berkeley.net	644-8975
Brian Westover, HR Technician	brianwestover@berkeley.net	644-4808

SUBJECT

Absence Certificates
 Board Report Items
 Calendars
 Certificated Personnel
 Change of Name and Contact Information
 ▪ *Certificated*
 ▪ *Classified*
 Classified Personnel
 ▪ *Posting*
 ▪ *Testing*
 ▪ *Leaves*
 ▪ *Staffing/Personnel Requisitions*
 Contract Management
 Credentials
 Employee Assistance Program
 Employee Orientation (Classified)
 Employment Verifications
 ▪ *Certificated*
 ~ Financial Institutions and Housing
 ~ Work Experience for Salary Placement
 ▪ *Classified*
 ~ Employee Last Name A-M
 ~ Employee Last Name N-Z
 ▪ *Substitutes*
 ~ Certificated
 ~ Classified
 Evaluations
 ▪ *Certificated*
 ▪ *Classified*
 ▪ *Substitutes*
 Fingerprinting
 Grievances
 Investigations
 Job Descriptions
 ▪ *Certificated*
 ▪ *Classified*

CONTACT

Sharon Vernae
 Samantha Tobias-Espinosa/Lorraine Mahley
 Lorraine Mahley
 Sheila Rose

 Sheila Rose
 Málíka Upshur

 Erin Ariñez
 Erin Ariñez/Brian Westover
 Lona Kelly
 Málíka Upshur
 Samantha Tobias-Espinosa
 Sheila Rose
 Brent Daniels
 Málíka Upshur

 Lorraine Mahley
 Sheila Rose

 Málíka Upshur
 Lona Kelly

 Elizabeth Pizarro
 Sharon Vernae

 Lorraine Mahley
 Málíka Upshur
 Brent Daniels
 Málíka Upshur
 Brent Daniels/Samantha Tobias-Espinosa
 Brent Daniels/Samantha Tobias-Espinosa

 Sheila Rose
 Erin Ariñez

Human Resources Services



SUBJECT

Job Postings

- *Certificated*
- *Classified*

Leaves

- *Certificated and Classified*
- *Leave Balance*

Legal Resources

Negotiations

Pay Advances (BCCE)

Personnel Commission

Personnel File Reviews

- *Certificated*
- *Classified*

~ Employee Last Name A-M

~ Employee Last Name N-Z

Professional Growth

- *Certificated*
- *Classified*

Reasonable Accommodation

Reasonable Assurance Letters

Recruitment

- *Certificated*
- *Classified*

Retirement

- *Certificated (STRS)*
- *Classified (PERS)*

Salary Schedule Placement

Secretary to Personnel Commission

Staffing

- *Certificated*
- *Classified*

Substitute Employee Management System

- *Substitute permit expiration*
- *Monitoring of days*

~ *Certificated*

~ *Classified*

TB Clearance

Teaching Intern Program

Transcripts

- *Certificated*
- *Classified*

Unemployment Insurance Claims

Vacation Balances

- *Classified*

CONTACT

Sheila Rose

Erin Arriñez

Lona Kelly

Sharon Vernae

Samantha Tobias-Espinosa

Samantha Tobias-Espinosa

Málika Upshur

Kimberle Sanders

Sheila Rose

Málika Upshur

Lona Kelly

Sheila Rose

Málika Upshur

Lona Kelly

Kimberle Sanders

Brent Daniels/Samantha Tobias-Espinosa

Erin Arriñez

Brent Daniels

Málika Upshur

Brent Daniels

Kimberle Sanders

Brent Daniels

Kimberle Sanders, Erin Arriñez, Brent Daniels

Elizabeth Pizarro

Elizabeth Pizarro

Elizabeth Pizarro /Sheila Rose

Elizabeth Pizarro

Lorraine Mahley

Brent Daniels

Sheila Rose

Málika Upshur

Kimberle Sanders

Sharon Vernae

Section 2: Employment

Administrative Regulations and Procedures

All Governing Board policies and regulations are easily accessible through a web-based service known as [Gamut Online](#) sponsored by CSBA (California School Board Association). The District policies page is available by following the link on the [Berkeley School Board Policies webpage](#) or directly through Gamut using the following logon information:

Username: BUSD

Password: Policy

Equal Employment Opportunity

It is the policy of the Berkeley Unified School District to enhance the quality of education and actively promote equal employment opportunities. The Board prohibits unlawful discrimination against and/or harassment of District employees and job applicants on the basis of actual or perceived race, color, national origin, ancestry, religious creed, age, marital status, pregnancy, physical or mental disability, medical condition, veteran status, sex, gender, or sexual orientation, at any District site and/or activity. The Board also prohibits retaliation against any District employee or job applicant who complains, testifies or in any way participates in the District's complaint procedures instituted pursuant to this policy.

For a full reading of the District's Nondiscrimination in Employment policy, visit the [School Board Policies webpage](#) on the District website and use the GAMUT service referenced above.

Americans with Disabilities Act (ADA)

The District will provide reasonable accommodations for applicants and for employees as required by the Americans with Disabilities Act. The Human Resources Department handles all known requests for reasonable accommodations.

Anti-Bullying Policy

Every student and staff member has the right to a safe and secure school environment, free of humiliation, intimidation, fear, harassment, or any form of bullying behavior. The District's Anti-Bullying Policy outlines expectations for student, staff, and community member behavior. Employees who witness incidents of bullying at school are required by this policy to notify the Principal or Principal's designee. A specific Bullying Incident Form is available to document such incidents, although it is not required for reporting. BUSD employees should be familiar with the [Anti-Bullying Policy](#) and participate, as appropriate, in creating a school environment free of bullying behaviors. Recommendations for the implementation of this policy are further explained in the [Anti-Bullying Administrative Regulations](#).

Complaint Procedures

District complaint policy recommends that every attempt be made to resolve complaints informally and at the lowest level possible. Notifying a supervisor of a concern before it becomes a complaint encourages early resolution.

When informal resolution is not possible, a formal complaint process is in place for parents, students, and community members, as well as for employees. A full detailing of District complaint procedures including the Board Policy on Complaints and Administrative Regulations can be found on [the complaint procedures webpage](#) of the District website.

Employees represented by unions may also seek union representation. Grievance procedures are detailed in [the bargaining unit contracts](#).

Conduct

All employees are role models for our students and ambassadors to the Berkeley community and are expected to conduct themselves in a civil and professional manner at all times.

Confidentiality

Because of the nature of the District's business, employees may have access to confidential information about families, students, and other employees. In order to protect individual rights of privacy, it is important that knowledge of confidential information only be shared as needed to provide essential services to students, families, or employees.

E-mail and Voicemail

Email and voicemail are common forms of communication among employees, and between employees and the public we serve. A mini phone directory can be found in the appendix. A [full phone directory](#) is printed at the beginning of each school year and available online.

The District uses Google's gmail platform to host email addresses. Each employee is assigned an email address following this standard protocol: firstnamelastname@berkeley.net

Employees can participate in a Google for Education workshop to learn how to access and use the email and document sharing system most effectively.

Help requests for technical questions or problems can be submitted online at:
<http://helpdesk.berkeley.net>

Voicemail is an essential service for communicating effectively across our many school sites and departments and externally to our families and community. All District phone lines are equipped with voicemail service. Since many of our employees are not available at a desk to answer the phone, it is important that departmental staff and parents/guardians can leave voicemail messages for staff that will be received in a timely manner.

In an effort to embody the WE CARE principles, employees are encouraged to check and respond to email and voicemail regularly and to provide their phone and email contact information to those who may need it.

All employees are required to read and sign the Acceptable Use Agreement (AUA) for Technology. More information is found in Section 6 of this handbook and the full AUA with signature page is included in the Appendix.

Employment Opportunities

All employment opportunities in the District are advertised through the online services provided by edjoin.org (certificated) and governmentjobs.com (classified). The lists of classified position openings are easily accessible with links from the [Human Resources Department's webpage](#). Additionally, all open classified positions are posted on the bulletin boards outside of the Human Resources Department. Certificated vacancies are also posted via the Certificated Staff email group.

Classified vacancies are posted at all work locations and distributed via the Classified Staff and Management Team email group and emailed to union presidents. Applications may only be submitted electronically via governmentjobs.com.

An employee interested in an open position must apply through edjoin.org (certificated) or governmentjobs.com (classified). The application process and documents required depend on the requirements of the specific position.

Employment Verification

The goal of the Human Resources (HR) Department is to complete Employment Verifications within 3-5 business days during regular work periods. There may be a delay of up to two weeks during peak periods that occur at the beginning and end of the school year. Employment verification requests are not processed during holidays or when the District Offices are closed.

To obtain an employment verification, an employee must provide a signed consent form allowing the District to release employment information, or in the case of a new applicant, for the District to request employment verification from another district or organization. The employee and/or institution must fax the signed permission and verification documents to (510) 644-6151 or bring the Employment Verification request to the Human Resources Department.

For timely and efficient processing, requests can be directed to the appropriate staff person:

Employment Classification	Staff	Employment Verification	Phone/Email HR Department Main # 510-644-6150
Certificated	Lorraine Mahley	➤ Verifications required by financial institutions or housing authority	lorrainemahley@berkeley.net 510-644-6229
	Sheila Rose	➤ Verifications of current and previous work experience	sheilarose@berkeley.net 510-644-6152
Classified	Málika Upshur	➤ All verifications last names A-M	malikaupshur@berkeley.net 510-644-8924
	Lona Kelly	➤ All verifications for last names N-Z	lonakelly@berkeley.net 510-644-6417

Mandated Reporting of Suspected Child Abuse

All school district employees are mandated reporters and fall under the legal requirements of the State's Penal Code to report to the police department, sheriff's department, or the County Welfare Department any cases of **suspected** child abuse.

Section 11166 of the Penal Code requires any child care custodian, medical practitioner, or employee of a child protective agency who has knowledge of or observes a child in his or her professional capacity or within the scope of his or her employment who he or she knows or reasonably **suspects** has been the victim of child abuse, to report the known or suspected instance of child abuse to a child protective agency immediately or as soon as practically possible by telephone and to prepare and send a written report thereof within 36 hours of receiving the information concerning the incident.

Because all BUSD employees are considered "Child Care Custodians" and are mandated reporters under the law, each school district employee is required to sign and complete the Statement

Acknowledging Requirement to Report Suspected Child Abuse (see Appendix) as a condition of employment. More information on reporting responsibilities is also available in the Appendix of this handbook and on the [Employee Forms and Information webpage](#) on the District website.

Separations

An employee who wishes to resign or retire from the District must fill out and sign the Separation Form. A copy of this form is available on the [Employee Forms and Information webpage](#).

Sexual Harassment Prevention Policy

The District is committed to providing an educational environment free from unwelcome conduct of a sexual nature including sexual advances, requests for sexual favors, and other verbal or physical conduct or communications constituting sexual harassment, as defined and otherwise prohibited by state and federal law.

The full Sexual Harassment Prevention Policy is included in the Appendix to this document and also found on the [Employee Forms and Information webpage](#). All new employees must complete and submit the Sexual Harassment Policy Acknowledgement as a condition of employment. Employees who become aware of a situation that violates the Sexual Harassment Policy should do at least one of the following:

- Contact site administrator (Principal or Department Head)
- Contact the Compliance Officer and Title IX Coordinator, Martha Walters: 510-486-9338.

Title IX: Non-discrimination

Board policy prohibits unlawful discrimination against and/or harassment of District employees and job applicants on the basis of gender as defined by federal law in Title IX.

Tuberculosis Clearance

Tuberculosis is a serious, potentially life-threatening illness. To protect students and staff from the effects of this disease, California Education Code Section 49406 requires all employees, upon initial employment, to present evidence that they are free from active tuberculosis. Evidence consists of a certificate of a skin test or chest X-Ray with a negative result performed within sixty days of hire, or within four years if employment is continuous with that of another school district, parochial or private school. Employees must re-certify their clearance every four years. Failure to comply may lead to the employee being placed on unpaid leave or being terminated. The cost of the TB clearance is borne by the employee. The Human Resources Department maintains a list of local free and low cost clinics and it is available upon request.

Workplace Safety

The District is committed to safe and well-maintained schools and District offices and properties. The Risk Management Department provides work safety training and tips during New Employee Orientations and during specialized staff development workshops.

In the case of any workplace safety or other hazard issue that may arise, employees are encouraged to use the [Report a Hazard Form](#) or make safety suggestions on the [Safety Suggestion/Reporting Form](#). More information on workplace safety is available on the [Risk Management Department webpage](#) or by contacting Kimberele Sanders in the Risk Management Office directly at: 510-644-6049.

An employee injured while performing District work must report the injury immediately to *Company Nurse* at: 877-247-1447. Workers' Compensation information is contained in the following section on "Leaves."

Section 3: Leaves of Absence

This section details the most common leaves of absence and includes information about absences and other leaves.

Additional information on employees' rights and responsibilities regarding absences can be found in the [respective employee union contract, if applicable](#).

Absence Reporting

Service to our students depends on timely notification of absences. An employee who will be absent from work should refer to their respective union contracts regarding the provisions that define when and how their absences should be reported. An employee who will be absent from work should contact his/her supervisor to inform him/her of the absence. Upon returning to work all employees are required to complete an absence certificate (available at all work sites).

Having adequate staffing each day is critical to the proper functioning of our schools and service to our students and their families. For some job classifications (i.e. teachers, instructional assistants, secretaries), the District uses an automated substitute system as a way for employees to request substitutes in the case of an absence.

Employees who need to request a substitute can do so online at aesoponline.com (formerly aesopeducation.com) or toll free by calling 1-800-942-3767.

For technical problems using the sub system, call 1-866-504-8222 (select option 2 then option1).

Request for Leave

District employees may be eligible for leave and should be referred to the Human Resources Department for assistance in applying for a leave of absence whether for medical or other personal reasons. The [Request for Leave Form](#) is available online.

Employees are encouraged to notify their supervisor in the case of possible need for medical leave so that proper advice and procedures can be explained and the process of applying for medical leave supported.

Employees should refer to their respective union contracts regarding the provisions that define Eligibility for Leave as they may vary.

Jury Duty

Employees who receive Jury Duty summons should notify their supervisor when jury service is required. To verify the reason for the absence, upon return to work, proof of jury duty service or the jury summons must be attached to the absence certificate. Since not all Jury Duty Summons result in a required absence from work, the original Jury Duty Summons is not sufficient to verify an absence for more than one day for Jury Duty. The courts provide jurors with daily verifications of Jury Duty participation.

Requests for Extended Leave

There are many reasons an employee may need a short or long term leave from work. Employees who notify their supervisors of the potential need for such a leave should be provided the Leave Eligibility Notice. Employees requiring a leave can contact the Human Resources Department directly for detailed information on eligibility. Conditions and requirements outlining an extended leave are detailed in full in the various union contracts.

Prior to taking a Leave of Absence, the Request for Leave form found in the Appendix and on the [Employee Forms and Information webpage](#) should be read and submitted to the employee's supervisor at least 15 days prior to the leave if possible.

Sick Leave

Personal Illness and Injury leave ("sick leave") is the authorized and necessary absence of an employee because of illness, injury, exposure to contagious disease, or necessary appointments for health treatment.

An employee who returns from sick leave lasting five (5) days or more must submit a medical certification (doctor's note) for the absence and clearance to return to work. Exhausted sick leave could result in differential pay as described in the respective union contract. Further sick leave considerations and accrual information are available in the [respective union contracts](#).

The Sick Leave Transfer Request form for personnel who wish to transfer sick leave from or to another school district is available on the [Employee Forms and Information webpage](#).

Vacation Leave

Vacation is provided for the benefit and health of our employees. **Twelve-month salaried classified employees** earn vacation leave and are encouraged to take earned vacation each year if possible. Earned vacation does not become a vested right until completion of the initial first six or twelve months of salaried employment.

Certificated employees must take their vacation outside of their contractual work year calendar. Vacation payout use is limited for ten-month employees. Please see the appropriate union contract for information on vacation accrual.

Workers' Compensation

The District seeks to create a safe and healthy work environment for all employees. General guidelines for ensuring an injury free workplace are promoted by the Risk Management Department. An employee injured while performing district work must report the injury immediately to *Company Nurse* at: 877-247-1447.

An employee who has had an **approved** Workers' Comp claim has a maximum of 60 days of industrial accident leave as supported by a doctor's note. An employee whose claim is in delay or not approved must use available paid leave. For further details on Workers' Compensation, the employee should contact Betty Torrian-Lee (644-2879) in the Risk Management Office and refer to the union contract, if applicable.

Section 4: Compensation/Pay Practices

Break/Rest Periods

State law requires that all employees who work more than four hours a day receive a break or rest period. Break and rest periods for District employees are allocated in agreement with the respective employee's union contract. Employees are encouraged to arrange such break and lunch periods with their supervisors to ensure continuity of service to our students and families.

Holidays

Generally, employees who are employed on a twelve-month basis or who were in a paid status on the day before or after the holiday(s) receive a paid holiday for the days listed below:

Independence Day
Labor Day

Veteran's Day
Thanksgiving Holiday (Wednesday - Friday)
Three Winter Board Holidays
December 25
New Year's Day
Martin Luther King Jr.'s Birthday
Lincoln's Birthday
Presidents' Day
Cesar Chavez Day
Malcolm X's Birthday
Memorial Day

Overtime

Overtime pay for non-management classified employees must be pre-approved by a Cabinet level administrator. Paid work time for classified employees must be completed at the respective school or district department and not from home.

Paycheck Deductions

Deductions made to employee payments differ depending on income tax withholding elections and other specific elections for benefits, credit unions, insurance, and flexible spending accounts. The Payroll Deduction Cancellation Form is on the [Payroll Department webpage](#).

Payroll

The Payroll Department is responsible for processing payments for salaried and hourly employees as well as making any adjustments or changes to deductions, tax withholding, and other pay related services.

Salaried and Non-salaried Employees

Salaried employees are those who have a fixed FTE (full-time equivalent) position and **are paid on the last business day of the month**. Salaried employees are usually full time positions but are also held by employees who have a part time FTE (e.g. .75 FTE). Some salaried employees submit timesheets for additional hourly work.

Non-salaried employees are those who submit timesheets and are paid on the 15th of the following month or the last business day preceding the 15th. Each school year a payroll schedule indicating salaried and hourly paydays is produced and is available on the [Payroll Department webpage](#).

Timesheets

Salaried Employees

Salaried employees who work authorized additional hours must submit a timesheet by the first business day of the month in order for payment to be processed and paid out in the next payment cycle.

Non-Salaried Employees

Timesheets for authorized work completed by non-salaried classified employees are due on the first business day of the month and must include the immediate supervisor's signature.

Certificated Substitute employees are paid from the 25th of one month to the 24th of the next month. Timesheets must be signed by the principal/authorized personnel at each site where work is performed. (Note: In order to get the signatures in a timeline manner, it is recommended that the timesheet be left for signature in the morning and picked up at the end of the work day.) Submit any authorized timesheets by the 25th of the month to the last place of work in order to secure final signatures and budget coding.

To ensure timesheets are filled out properly, a sample timesheet is available from the Payroll Department. The supervisor is responsible for inserting the proper budget code on each timesheet and submitting it for payment. In some cases, when the immediate supervisor is not the budget manager, a second signature by the budget manager is required. This is often the case for BSEP parcel tax monies, or special categorical and grant funds.

Payment Methods

District employees, whether salaried or hourly, can be paid by “paper warrants” (i.e. checks) or by direct deposit. Requests for direct deposit payments can be made using the form on the Payroll webpage noted above. Payroll stubs and/or checks can be mailed either to an employee’s home or delivered to the employee’s work site.

The [Payroll Department webpage](#) contains more information as well as forms needed to initiate direct deposits and process or change deductions.

Payroll Department Contact Information

Name	Position	Answer questions regarding	Phone/Email
Vacant (last names beginning A to J) or Victoria Sessions (last names beginning K to Z)	Payroll Specialist	<ul style="list-style-type: none"> ➤ Paycheck errors ➤ Paycheck delivery problems ➤ Making changes to: <ul style="list-style-type: none"> ○ tax withholding ○ direct deposit ○ pay deductions ○ garnishments ○ paycheck delivery ➤ Obtaining copies of W-2’s 	644-6436 or 644-6067 victoriasessions@berkeley.net
Nicole Caldwell	Payroll Supervisor	<ul style="list-style-type: none"> ➤ Issues which cannot be resolved by payroll specialists ➤ STRS and PERS ➤ Overpayments 	644-6674

Section 5: Benefits

Benefits Department

The Benefits Department has two full time representatives to assist employees with selection of and participation in the District benefits programs.

Contact Information

Brenda Johnson (Temporary)	644-4812	brendajohnson@berkeley.net (retiree benefits)
Eman Elkelani	644-8750	emanelkelani@berkeley.net (active employee benefits)
Benefits Main Line	644-6666	This is an additional phone number for benefits specialists.

The [Benefits Department webpage](#) on the District website provides employees access to the Benefits Guides and forms for Active Employees, and information on Cobra Coverage, and Retirees.

Benefits Enrollment

To enroll in benefits complete the benefit forms given to you during the employee onboarding and turn into the Benefits Office at 2020 Bonar Street, Suite 234, Berkeley, CA. You have 30 days from your hire date to enroll in benefits with the District. Appointments are necessary to receive assistance with completed written election forms at the Benefits window. Please call 644-6666 or email ellaraywaller@berkeley.net to arrange an appointment time. New employees are encouraged to attend informational sessions offered by the Benefits Department at various times, communicated via the Human Resources Newsletter and postings outside of the Benefits office.

Salaried District employees are eligible for a range of benefits as stipulated in the union contract agreements. Medical insurance options for eligible District employees are offered through CalPERS and include nine (9) medical provider options. Vision coverage is available through VSP. The District offers two dental plans through Delta Dental. Please take time to research providers for coverages being considered for the current plan year. Once elections have been finalized no changes can be made unless there is a qualifying event.

“Open enrollment” begins in September. Open enrollment is the time to add, delete or make any changes to your benefit elections for the coming year. During open enrollment, there is an Employee Health Benefits Fair which provides an opportunity for employees to meet with health care providers and benefits specialists to help with benefits selections. Any enrollment changes made during open enrollment are effective the following January.

Other employee benefits include:

- Life Insurance for Employees (Basic life insurance is available to employees .50 FTE or greater)
- Supplemental Life Insurance (.50 FTE and greater)
- Flexible Spending Accounts (Health, Childcare, Transportation and Parking)
- Employee Assistance Program

More information on these benefits is available in the respective union contracts or by visiting the [Benefits webpage](#).

Retirement

Employment in the California public school system is generally subject to retirement coverage by either the California State Teachers’ Retirement System (CalSTRS) or the California Public Employees’ Retirement System (CalPERS). Employment in a position to perform “creditable service,” (i.e. certificated employee) as defined in Education Code Section 22119.5, is usually credited in CalSTRS, while classified (non-certificated) employment is usually credited in CalPERS.

California State Teachers Retirement System (CalSTRS)

Salaried certificated employees usually participate in the CalSTRS pension benefit program.

Benefits are based on age, service, and compensation. A supplemental benefit plan is also available as elected by members. Information about the state pension program for certificated employees as well as other electable options are available by contacting Brent Daniels at brentdaniels@berkeley.net or 510-644-8924.

California Public Employees Retirement System (CalPERS)

Salaried classified employees generally benefit from participation in the California Public Employees Retirement System (CalPERS). Some hourly classified employees may also qualify.

Employee and employer contributions are paid monthly. Employees who have been CalPERS members and/or who would like information about retirement and other benefits through CalPERS should contact 510-644-8924.

Retirement Transfer

A member of CalSTRS who becomes employed by the same or a different school district, a community college district, a county superintendent of schools or limited state employment, as defined in Education Code Section 22508, to perform service that requires membership in CalPERS will have that service credited with CalPERS unless he/she files a written election (within 60 days from the date of hire in the new position) to have the service credited with CalSTRS.

A member of CalPERS who is employed by a school employer, Board of Governors of Community College Districts or State Department of Education or has at least five years of CalPERS credited service, as defined in Government Code Section 20309, and who subsequently becomes employed to perform creditable service that requires membership in CalSTRS, will have that service credited with CalSTRS unless he/she files a written election (within 60 days of the date of hire in the new position) to have the service credited with CalPERS.

Rare exceptions to this rule of retirement program transfers apply. Consultation with the Human Resources Department immediately upon hire is recommended.

Section 6: General Information

Bulletin Boards

Bulletin boards are used in each work location to post employee and union information as well as public notices of meetings, job openings, and other important alerts. Postings must be professional and not violate any District, state or federal policy or regulations.

Change of Address or Name Form

It is important that the District have access to updated employee contact information including home address, telephone number, and emergency contacts. The Change of Address or Name Form is available to download from the [Employee Forms and Information webpage](#).

Distribution of Information

The Superintendent's Office must approve the distribution of any non-District materials (posters, flyers, events, etc.) to staff, students, and families.

Emergency Preparedness and Disaster Training

Emergency preparedness is an important part of ensuring the safety of our students and employees. The Emergency Operations Plan addresses the District's responsibilities in emergencies associated with natural disaster, human-caused emergencies, and technological incidents. The Plan provides a framework for coordination of response and recovery efforts as well as an emergency organization to direct and control operations at all sites during a period of emergency by assigning responsibilities to specific personnel.

Employees should participate in the appropriate safety and disaster preparedness trainings provided in the on-going effort to keep students and staff safe. The Disaster Preparedness webpage provides more details and employees should be well informed of their role and procedures in place in the case of an emergency.

Food Policy

Part of our educational mission is to improve the health and well-being of our students by offering healthy food choices and teaching them about good nutrition. The District Food Policy does not allow for the sale of candy, sodas, cookies, or other sweets by K-8 students. Bake Sales and Ice Cream Socials must be approved by the K-8 school principal and done in moderation and in consideration of the District Food Policy. Employees should take a moment to familiarize themselves with the District Food Policy.

Non-Smoking Policy

The District is a tobacco and drug free workplace supported by Board Policy, Education Code, Health and Safety Code, and other state and federal statutes. For the safety and health of our students, smoking is not permitted within 25 feet of a school or playground or district facility (Health and Safety Code [104495](#)). For more information and legal references on the tobacco and drug free workplace, Board Policy and legal references are available by accessing the GAMUT online service mentioned in Section 1 of this handbook.

Personal Calls, Email and Text Messages

Personal communication shall not occur during duty hours. Break times and lunch periods should be used for personal communication matters.

Technology - Acceptable Use Agreement (AUA)

The District encourages the responsible use of computers; computer networks, including the Internet; and other electronic resources in support of the mission and goals of the District and its schools.

The District e-mail system, email accounts, computer accounts and all other user accounts are owned by the District. All electronic mail activity utilizing the District server is monitored and logged. To provide for access to computer data when an employee is absent, account login and passwords shall be provided to a supervisor or the Technology Director when requested. Computer use is provided for educational purposes and District activities; use of computers for personal use shall be minimal and comply with the restrictions listed in the Acceptable Use Policy for Technology.

All new employees are required to sign the Acceptable Use Agreement at the start of employment with the District and submit a copy for their personnel file. The full AUA for Technology is available in the Appendix or on [the Technology Department webpage](#).

Transporting Students

Through its support of the Student Assignment Plan, the District's pupil transportation program enhances the educational opportunities for all of our students. Home to school bus transportation is provided within attendance zones to elementary school children who live beyond the **one and a half (1.5) mile** boundary. Transportation is also provided to certain special education students. Parents who wish to enroll their children in a school outside of their attendance zone must provide their own transportation. The District does not provide regular home to school transportation for middle or high school students.

Field trips are a very important part of the educational program. It is the goal of the Transportation Department to support the educational program by providing safe, efficient service on field trips.

All transportation of District students on school related trips must be arranged through the Transportation Department. The School Board does not allow parents or other individuals with private vehicles to transport students for school- sponsored events. District staff are also not allowed to transport students in their privately owned vehicles. Field trip costs are covered by the

participating school(s) utilizing the appropriate program budget. The only exceptions currently granted are in limited circumstances at Berkeley High School by way of School Board action.

Detailed information on the policies and procedures governing the use of pupil transportation services is provided yearly to schools in the *Transportation Guide: A School Site Manual for Users of BUSD Transportation Services*.

Use of District Supplies, Equipment, and Facilities

District supplies, equipment (phone, computer, projector, etc.) as well as buildings and facilities are to be used strictly for District business unless there is written authorization from the immediate supervisor or appropriate administrator in charge. District Facility Use permits are granted by the Facilities Department.

Video Surveillance

To ensure the safety and security of individuals, district property, and facilities, video surveillance cameras are placed in various necessary locations. The District reserves the right to review the data, as necessary.

Volunteers in the Schools

Our schools are fortunate to have many parents, Berkeley residents, and community volunteers who give their time to support students in academic and enrichment programs. The Berkeley Public Schools Fund (BPSF) Volunteers Office works to place community volunteers where they are needed in our schools. For information on how to use volunteers in our schools, call BPSF 510-644-8833 or visit [its website](#).

Section 7: Policies and Receipt Forms

Receipt of Employee Handbook

<p style="text-align: center;">Receipt of Employee Handbook</p> <p>I have received a copy of the Berkeley Unified School District Employee Handbook. By signing this document, I acknowledge that I am familiar with the expectations of employment expressed herein.</p> <p>Print Name: _____</p> <p>Signature: _____</p> <p>Date: _____</p> <p>Department/Site: _____</p>

Upon completion, tear away this acknowledgement page and return it to your Principal/Supervisor for forwarding to the Human Resource Department.

This form is also available on the Employee Information and Forms webpage.

Employee Acceptable Use Agreement for Electronic Resources and the Internet

The Berkeley Unified School District ("District") recognizes the value of computers, personal electronic devices and other electronic resources, as well as, to improve student learning and enhance the administration and operation of its schools. To this end, the District encourages the responsible use of computers; computer networks, including the Internet; and other electronic resources in support of the mission and goals of the District and its schools.

District staff and contractors are reminded that the District e-mail system, email accounts, computer accounts and all other user accounts are owned by the District. All electronic mail activity utilizing the District server is monitored and logged. To provide for access to computer data when an employee is absent, account login and passwords shall be provided to a supervisor or the Technology Director when requested. Computer use is provided for educational purposes and district activities; use of computers for personal use shall be minimal and comply with the restrictions listed below.

As used in this Agreement, "personal electronic devices" may include but are not limited to, cellular telephones, personal digital assistants ("PDAs"), digital cameras, video recorders, electronic recording devices, and portable laptop computers, or any other device with wireless capabilities. This Agreement is referenced in Board Policy 4040 Employee Use of Technology and Administrative Regulation 4040.

Acceptable Use and General Rules of Usage

Use of District computers and other electronic resources or use of the wireless capability features of any personal electronic device is intended to be used in support of, and be consistent with, the educational standards and benchmarks of the District.

Users will be provided access to the Internet in accordance with the District Internet filtering and blocking measures. Every effort is made to log and monitor all web traffic for inappropriate or offensive content. The measures discussed below are in place to avoid access to inappropriate material that is not consistent with the educational standards or professional norms and benchmarks of the District. As necessary, the District will make determinations on whether specific uses of the network or personal electronic devices are consistent with the acceptable use practice.

Acceptable Use

1. Exhibit exemplary behavior on the network or while using District electronic equipment and while using the wireless capability features of any personal electronic device.
2. Network accounts are to be used only by the authorized user of the account for authorized purposes.
3. For District employees provided with email, the email is considered a regular avenue of communication and should be checked by employees frequently.
4. Communications and information accessible via the network are subject to monitoring and/or review at any time and should not be assumed to be private and can be subpoenaed.
5. Any employee, upon learning of an inappropriate use or a compromise (a breach, unauthorized access, suspected unauthorized changes, deletions, additions, or viewing) of one or more of the District's Enterprise Data Systems (PowerSchool, SASI, DataWise, QSS, BeMail, Network Accounts; or any other system used within the District) or the district network has potentially occurred, shall immediately notify his or her supervisor who shall notify the appropriate Associate Superintendent and the Director of Technology Services to initiate a prompt investigation.

Unacceptable Use

1. General instances of unacceptable use:
 - a. Use of the District's systems, network or technology resources for any unlawful purpose is prohibited.
 - b. Any use of the District systems or technology resources for commercial or political purposes, or for political lobbying, is prohibited.
 - c. Excessive use of the District systems or technology resources for personal business is prohibited.
 - d. Use of the network or personal electronic devices to intentionally access or process pornographic or adult sites with explicit sexual content or other inappropriate or derogatory material, is prohibited. Inappropriate texting or messaging is prohibited.

- e. Making copies of any district software is prohibited except as permitted by the Technology Department and applicable licensing agreements.
 - f. Users shall not intentionally seek information on, obtain copies of, or modify files, other data, or passwords belonging to other users, or misrepresent other users on the network.
 - g. Malicious use of the District's systems or technology resources to develop or use programs that harass other users or infiltrate a computer or computing system and/or damage the software components of a computer or computing system is prohibited.
2. Contact with students and families:
- a. All electronic communication with students and families shall be only for the furthering of the student's academic career, and should be done through the district's email system.
 - b. Contact with students through social networking sites like Facebook or MySpace should be avoided, and limited to educational communication. Extended communication with students or families should be done via district email or telephone.
 - c. All photography or video recording of students or families shall be done only with permission of the individuals being photographed. Written permission must be given if the material is to be published with personally identifying information; the written permission slips must be on file with the school office or Technology Department.
3. Contact with students, families, and the public through websites and blogs:
- a. Web sites and pages for district programs must maintain a consistent "look and feel" across all pages and have consistent navigation with current BUSD banner and menus. Any links to non-BUSD material must be through clearly-marked navigational links, and only to sites that do not violate any BUSD policy.
 - b. Employees shall not develop any classroom or work-related web sites, blogs, forums, or similar online communications representing the district or using district equipment or resources without permission of the Superintendent or designee. Such sites shall be subject to rules and guidelines established for district online publishing activities including, but not limited, to copyright laws, privacy rights, and prohibitions against obscene, libelous, and slanderous content. Because of the unfiltered nature of blogs, any such site shall include a disclaimer that the district is not responsible for the content of the messages. The district retains the right to delete, or demand deletion of materials on any such online communications.
4. Integrity of confidential data:
- a. Giving out personal or confidential information about another employee or student, including home address, phone number, special education or 504 status, lunch status, or other data without appropriate authorization, is strictly prohibited.
 - b. Users shall not disclose student information for any purpose other than a legitimate educational purpose, or as otherwise permitted by law.
 - c. Users shall not download confidential student or employee information onto laptops, desktops or other portable storage devices without authorization. Authorized loading of confidential information onto laptops or other portable storage devices should only be done utilizing secure encryption.
5. Logins and Network Credentials:
- a. Users shall only use accounts assigned to them and shall not attempt to log-in to accounts or systems for which they do not have authorized access.
 - b. Users shall not allow others to use their accounts.
6. The District network:
- a. No use of the District's systems or technology resources shall serve to disrupt the use of the network by others. Hardware and/or software shall not be destroyed or abused in any way. Modifications to system configurations should not be made without written authorization from Technology Services.
 - b. Plugging in any wireless access points or other devices into the network unless approved and authorized by Technology Services is prohibited.
 - c. Using personal or non-District computers or printers on the network without written authorization

from Technology Services is prohibited. All computers connected to the network must have virus protection software meeting district standards.

7. Downloading of files and software from the internet, flash drives, CDs, or DVDs:
 - a. The unauthorized installation of any software, including shareware and freeware, for use on Berkeley Unified School District computers is prohibited. Contact the Technology Department in advance for authorization.
 - b. Use of the network or personal electronic devices to intentionally access or process files dangerous to the integrity of the local area network is prohibited.
 - c. The District network may not be used for downloading entertainment software, music, videos or other files not related to the mission and objectives of the District. This prohibition pertains to freeware, shareware, copyrighted commercial and non-commercial software, and all other forms of software and files not directly related to the instructional and administrative purposes of the District.
8. Copyright Laws: Downloading, copying, otherwise duplicating, and/or distributing copyrighted materials without the specific written permission of the copyright owner is prohibited, except when duplication and/or distribution of materials for educational purposes is permitted when such duplication and/or distribution would fall within the Fair Use Doctrine of the United States Copyright Law.

A breach of this Agreement may lead to revocation of access privileges, disciplinary action, up to and including dismissal, and/or appropriate legal action.

I have read, understand, and will abide by the above agreement, all applicable District Board Policies and Regulations, Technology Services Department Official Procedures and Protocols, and applicable state and federal laws, when using computer and other electronic resources owned, leased, or operated by the Berkeley Unified School District. I understand that this agreement will be in effect during the entire time of my employment with the District. Any subsequent changes to the agreement will be posted online and will be communicated electronically to employees and will be sent to employees for signature.

Employee Name (Full Name) _____

Signature: _____

Date: _____

Acknowledgement and Requirements of Reporting Suspected Child Abuse

STATEMENT ACKNOWLEDGING REQUIREMENT TO REPORT SUSPECTED CHILD ABUSE

(Name)

(Facility)

(Employee Identification Number)

(Position)

Section 11166 of the Penal Code requires any child care custodian, medical practitioner, or employee of a child protective agency who has knowledge of or observes a child in his or her professional capacity or within the scope of his or her employment who he or she knows or reasonably suspects has been the victim of child abuse, to report the known or suspected instance of child abuse to a child protective agency immediately or as soon as practically possible by telephone and to prepare and send a written report thereof within 36 hours of receiving the information concerning the incident.

“Child Care Custodian” includes teachers, licensed day care workers, administrators of community care facilities licensed to care for children, foster parents, and group home personnel.

As a prospective employee of this facility, your employment position falls within the definition of “child care custodian”. Therefore, you are mandated to comply with the child abuse reporting requirements as stated above.

I, _____ have read and understand the requirements of PC Section 11166 as outlined and will comply with those provisions

(Date)

DEFINITIONS AND GENERAL INSTRUCTIONS FOR COMPLETION OF FORM SS 8572

All Penal Code (PC) references are located in Article 2.5 of the PC. This article is known as the Child Abuse and Neglect Reporting Act (CANRA). The provisions of CANRA may be viewed at: <http://www.leginfo.ca.gov/calaw.html> (specify "Penal Code" and search for Sections 11164-11174.3). A mandated reporter must complete and submit the form SS 8572 even if some of the requested information is not known. (PC Section 11167(a).)

I. MANDATED CHILD ABUSE REPORTERS

- Mandated child abuse reporters include all those individuals and entities listed in PC Section 11165.7.

II. TO WHOM REPORTS ARE TO BE MADE ("DESIGNATED AGENCIES")

- Reports of suspected child abuse or neglect shall be made by mandated reporters to any police department or sheriff's department (not including a school district police or security department), the county probation department (if designated by the county to receive mandated reports), or the county welfare department. (PC Section 11165.9.)

III. REPORTING RESPONSIBILITIES

- Any mandated reporter who has knowledge of or observes a child, in his or her professional capacity or within the scope of his or her employment, whom he or she knows or reasonably suspects has been the victim of child abuse or neglect shall report such suspected incident of abuse or neglect to a designated agency immediately or as soon as practically possible by telephone and shall prepare and send a written report thereof *within 36 hours* of receiving the information concerning the incident. (PC Section 11166(a).)
- No mandated reporter who reports a suspected incident of child abuse or neglect shall be held civilly or criminally liable for any report required or authorized by CANRA. Any other person reporting a known or suspected incident of child abuse or neglect shall not incur civil or criminal liability as a result of any report authorized by CANRA unless it can be proven the report was false and the person knew it was false or made the report with reckless disregard of its truth or falsity. (PC Section 11172(a).)

IV. INSTRUCTIONS

- **SECTION A - REPORTING PARTY:** Enter the mandated reporter's name, title, category (from PC Section 11165.7), business/agency name and address, daytime telephone number, and today's date. Check yes-no whether the mandated reporter witnessed the incident. The signature area is for either the mandated reporter or, if the report is telephoned in by the mandated reporter, the person taking the telephoned report.

IV. INSTRUCTIONS (Continued)

- **SECTION B - REPORT NOTIFICATION:** Complete the name and address of the designated agency notified, the date/time of the phone call, and the name, title, and telephone number of the official contacted.
- **SECTION C - VICTIM (One Report per Victim):** Enter the victim's name, address, telephone number, birth date or approximate age, sex, ethnicity, present location, and, where applicable, enter the school, class (indicate the teacher's name or room number), and grade. List the primary language spoken in the victim's home. Check the appropriate yes-no box to indicate whether the victim may have a developmental disability or physical disability and specify any other apparent disability. Check the appropriate yes-no box to indicate whether the victim is in foster care, and check the appropriate box to indicate the type of care if the victim was in out-of-home care. Check the appropriate box to indicate the type of abuse. List the victim's relationship to the suspect. Check the appropriate yes-no box to indicate whether photos of the injuries were taken. Check the appropriate box to indicate whether the incident resulted in the victim's death.
- **SECTION D - INVOLVED PARTIES:** Enter the requested information for: Victim's Siblings, Victim's Parents/Guardians, and Suspect. Attach extra sheet(s) if needed (provide the requested information for each individual on the attached sheet(s)).
- **SECTION E - INCIDENT INFORMATION:** If multiple victims, indicate the number and submit a form for each victim. Enter date/time and place of the incident. Provide a narrative of the incident. Attach extra sheet(s) if needed.

V. DISTRIBUTION

- **Reporting Party:** After completing Form SS 8572, retain the yellow copy for your records and submit the top three copies to the designated agency.
- **Designated Agency:** *Within 36 hours* of receipt of Form SS 8572, send **white copy** to police or sheriff's department, **blue copy** to county welfare or probation department, and **green copy** to district attorney's office.

ETHNICITY CODES

1 Alaskan Native	6 Caribbean	11 Guamanian	16 Korean	22 Polynesian	27 White-Armenian
2 American Indian	7 Central American	12 Hawaiian	17 Laotian	23 Samoan	28 White-Central American
3 Asian Indian	8 Chinese	13 Hispanic	18 Mexican	24 South American	29 White-European
4 Black	9 Ethiopian	14 Hmong	19 Other Asian	25 Vietnamese	30 White-Middle Eastern
5 Cambodian	10 Filipino	15 Japanese	21 Other Pacific Islander	26 White	31 White-Romanian

SUSPECTED CHILD ABUSE REPORT

To Be Completed by **Mandated Child Abuse Reporters**
Pursuant to Penal Code Section 11166

CASE NAME: _____

PLEASE PRINT OR TYPE

CASE NUMBER: _____

A. REPORTING PARTY	NAME OF MANDATED REPORTER		TITLE		MANDATED REPORTER CATEGORY	
	REPORTER'S BUSINESS/AGENCY NAME AND ADDRESS		Street	City	Zip	DID MANDATED REPORTER WITNESS THE INCIDENT? <input type="checkbox"/> YES <input type="checkbox"/> NO
	REPORTER'S TELEPHONE (DAYTIME) ()		SIGNATURE		TODAY'S DATE	
B. REPORT NOTIFICATION	<input type="checkbox"/> LAW ENFORCEMENT <input type="checkbox"/> COUNTY PROBATION		AGENCY			
	<input type="checkbox"/> COUNTY WELFARE / CPS (Child Protective Services)					
	ADDRESS		Street	City	Zip	DATE/TIME OF PHONE CALL
		OFFICIAL CONTACTED - TITLE		TELEPHONE ()		
C. VICTIM One report per victim	NAME (LAST, FIRST, MIDDLE)			BIRTHDATE OR APPROX. AGE		SEX
	ADDRESS			Street	City	Zip
				TELEPHONE ()		
	PRESENT LOCATION OF VICTIM			SCHOOL		CLASS
						GRADE
	PHYSICALLY DISABLED? <input type="checkbox"/> YES <input type="checkbox"/> NO			DEVELOPMENTALLY DISABLED? <input type="checkbox"/> YES <input type="checkbox"/> NO		OTHER DISABILITY (SPECIFY)
	IN FOSTER CARE? <input type="checkbox"/> YES <input type="checkbox"/> NO			IF VICTIM WAS IN OUT-OF-HOME CARE AT TIME OF INCIDENT, CHECK TYPE OF CARE: <input type="checkbox"/> DAY CARE <input type="checkbox"/> CHILD CARE CENTER <input type="checkbox"/> FOSTER FAMILY HOME <input type="checkbox"/> FAMILY FRIEND <input type="checkbox"/> GROUP HOME OR INSTITUTION <input type="checkbox"/> RELATIVE'S HOME		TYPE OF ABUSE (CHECK ONE OR MORE) <input type="checkbox"/> PHYSICAL <input type="checkbox"/> MENTAL <input type="checkbox"/> SEXUAL <input type="checkbox"/> NEGLECT <input type="checkbox"/> OTHER (SPECIFY)
RELATIONSHIP TO SUSPECT			PHOTOS TAKEN? <input type="checkbox"/> YES <input type="checkbox"/> NO		DID THE INCIDENT RESULT IN THIS VICTIM'S DEATH? <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> UNK	
D. INVOLVED PARTIES	VICTIM'S SIBLINGS					
	NAME		BIRTHDATE	SEX	ETHNICITY	
	1. _____		3. _____			
	2. _____		4. _____			
	VICTIM'S PARENTS/GUARDIANS					
	NAME (LAST, FIRST, MIDDLE)			BIRTHDATE OR APPROX. AGE		SEX
	ADDRESS			Street	City	Zip
				HOME PHONE ()		BUSINESS PHONE ()
	NAME (LAST, FIRST, MIDDLE)			BIRTHDATE OR APPROX. AGE		SEX
	ADDRESS			Street	City	Zip
			HOME PHONE ()		BUSINESS PHONE ()	
SUSPECT	SUSPECT'S NAME (LAST, FIRST, MIDDLE)			BIRTHDATE OR APPROX. AGE		SEX
	ADDRESS			Street	City	Zip
				TELEPHONE ()		
	OTHER RELEVANT INFORMATION					
E. INCIDENT INFORMATION	IF NECESSARY, ATTACH EXTRA SHEET(S) OR OTHER FORM(S) AND CHECK THIS BOX <input type="checkbox"/> IF MULTIPLE VICTIMS, INDICATE NUMBER: _____					
	DATE / TIME OF INCIDENT		PLACE OF INCIDENT			
	NARRATIVE DESCRIPTION (What victim(s) said/what the mandated reporter observed/what person accompanying the victim(s) said/similar or past incidents involving the victim(s) or suspect)					

SS 8572 (Rev. 12/02)

DEFINITIONS AND INSTRUCTIONS ON REVERSE

DO NOT submit a copy of this form to the Department of Justice (DOJ). The investigating agency is required under Penal Code Section 11169 to submit to DOJ a Child Abuse Investigation Report Form SS 8583 if (1) an active investigation was conducted and (2) the incident was determined not to be unfounded.

WHITE COPY-Police or Sheriff's Department; BLUE COPY-County Welfare or Probation Department; GREEN COPY-District Attorney's Office; YELLOW COPY-Reporting Party

Berkeley USD

BP 4119.11 Personnel

It is the policy of the Berkeley Unified School District to provide an educational, employment, and business environment free of unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct or communications constituting sexual harassment, as defined and otherwise prohibited by state and federal law.

It is both unlawful and a violation of this policy for anyone who is authorized to recommend or take personnel or educational action affecting an employee or student, or who is otherwise authorized to transact business or perform other acts or services on behalf of the Berkeley Unified School District, to engage in sexual harassment as defined under this policy.

The complete sexual harassment policy is available at school sites and at the Berkeley Unified School District Administration Building, 2020 Bonar Street, in both the Human Resources and Student Services Offices. If questions arise concerning the interpretation of the prohibition against sexual harassment, the methods and procedures to be followed in the investigation of complaints, and the appropriateness of specific solutions in disposition of complaints, contact:

1. If the question involves a student, the site principal or designee, and the Compliance Officer/Title IX Coordinator.

Dana Clark, Compliance Officer/Title IX Coordinator

2020 Bonar Street, Room 1116

(510) 486-9338

nondiscrimination@berkeley.net

2. In all other cases, the Assistant Superintendent, Human Resources. If a question relates to a site employee or an individual other than a student connected with the school site, the site principal should be contacted, then if necessary, the Assistant Superintendent, Human Resources.

Evelyn Bradley, Assistant Superintendent, Human Resources

2020 Bonar Street, Room 206

(510) 644-6229

evelynbradley@berkeley.net

Work Environment

Within the work environment, sexual harassment is unlawful and is prohibited between supervisors and employees, between employees, and between non-employees and employees.

Educational Environment

Within the educational environment, sexual harassment is unlawful and is prohibited between supervisors and employees, between employees, and between non-employees and employees.

Purpose of the Policy

This policy is intended to supplement, and not replace, any applicable state and federal laws and regulations. Formal complaints under those laws and regulations shall be processed through the procedures established by applicable state and federal agencies.

The Governing Board of the Berkeley Unified School District has developed this policy to:

1. Affirm the Board's opposition to sexual harassment in the Berkeley Unified School District
2. Create a learning and work environment in which all persons who participate in school programs and activities can do so in an atmosphere free from all forms of sexual harassment
3. Establish explicitly the responsibilities of all Berkeley Unified School District employees and students by defining conduct which constitutes prohibited and inappropriate behaviors
4. Create a mandate to develop educational programs designed to help Berkeley Unified School District employees and students recognize, understand, prevent, and take corrective action to end sexual harassment
5. Establish the framework for effective procedures for addressing harassment complaints.

Definition of Sexual Harassment

Sexual harassment occurs when unwelcome sexual advances, requests for sexual favors, and other verbal, visual or physical conduct of a sexual nature:

1. Are made either explicitly or implicitly a term or condition of an individual's educational status or employment
2. Are used as a basis for educational or employment decisions affecting such individual
3. Have the purpose or effect of unreasonably interfering with an individual's education or work performance or creating an intimidating, hostile, or offensive educational or working environment

Specific Examples

For the purpose of further clarification, sexual harassment includes, but is not limited to:

1. Making unwelcome written, verbal, physical, and/or visual contact with sexual overtones.

Written examples include but are not limited to suggestive or obscene letters, notes, or invitations. Verbal examples include but are not limited to derogatory comments, slurs, innuendoes, jokes, or epithets. Physical examples include but are not limited to assault, touching, impeding, or blocking movement. Visual examples include but are not limited to leering, gestures, display of sexually suggestive objects or pictures, cartoons, or posters.

2. Continuing to express sexual interest after being informed that the interest is unwelcome. Reciprocal attraction is not considered sexual harassment in the case of employees but is inappropriate between employees and students.

3. Making reprisals, threats of reprisal, or implied threats of reprisal following a negative response.

For example, within the work environment either implying or actually withholding grades earned or deserved; suggesting a poor performance evaluation will be prepared; or suggesting a scholarship or college recommendation will be denied.

4. Within the work environment, engaging in implicit or explicit coercive sexual behavior which is used to control, influence, or affect the career, salary, and/or work environment of another employee. Within the educational environment, engaging in implicit or explicit coercive sexual behavior which is used to control, influence or affect the educational opportunities, grades, and/or learning environment of a student.

5. Offering favors for employment benefits, such as promotions, favorable performance evaluations, favorable assignments, favorable duties or shifts, recommendations, reclassifications or the like in exchange for sexual favors.

Retaliation Prohibited

The initiation of a complaint of sexual harassment will not reflect on the complainant or witnesses in any way. It will not affect such person's future relationship with the district, his or her employment, compensation or work assignments, or, in the case of students, grades, class section or other matters pertaining to his or her status as a student in any district program. It is unlawful and a violation of this policy to engage in such retaliation.

Confidentiality

The request of a complainant or witness to not have his/her identity revealed will be honored in accordance with applicable policies, laws, and/or collective bargaining agreements.

However, it is understood and shall be made clear to the complainants and witnesses that not revealing the identity of the complainants or witnesses may limit the investigation and the action that may be taken against the harassers or retaliators.

Even when the identities of the persons who make complaints or are witnesses are known, reasonable efforts will be made to maintain their confidentiality. Only those who have need to know, including those taking or investigating the complaint, the alleged target of harassment or retaliation, the alleged harassers or retaliators, and any witnesses will be advised of their identities.

Additionally, reasonable efforts will be made to keep a complaint and the results of the investigation confidential. Persons who may be contacted in the course of investigations of sexual harassment complaints shall be informed that it will be a violation of this policy to disclose the complaint, the identities of the complainant and witnesses, or the nature of the investigation to others. They shall be advised that any retaliation or reprisal against any individual who is an alleged target of harassment or retaliation, who has made a complaint, or who has provided evidence in connection with a complaint is a separate actionable offense.

Disciplinary Action

Employees who act in violation of this policy and/or the law may be subject to discipline up to and including dismissal. Such disciplinary action shall be in accordance with applicable policies, laws, and/or collective bargaining agreements.

In addition, no District employee shall engage in any sexual relationship with any current District student, regardless of the age of the student. Such behavior shall be subject to discipline up to and including dismissal in accordance with applicable policies, laws, and/or collective bargaining agreements.

Complaint Procedures

Filing

Employees, students, or other individuals who feel aggrieved because of conduct that may constitute sexual harassment are encouraged, but not required, to directly inform the person engaging in such conduct that such conduct is offensive and must stop. It is recognized that power and status disparities between an alleged harasser and a target of harassment may make such a confrontation impossible.

If an aggrieved employee, student, or other individual is unable to communicate directly with the person whose conduct is offensive, or if direct communication has been unavailing or would be inappropriate, the aggrieved employee, student, or other individual may file a complaint in writing with:

1. His or her supervisor (in the case of harassment of an employee by an employee);
2. His or her site principal or designee (in the case of harassment of a student by a student, a student by an employee, or an employee by a student);
3. The site principal or designee associated with the incident (in the case of a site-related incident and harassment by a non-student or non-employee);
4. The Assistant Superintendent, Human Resources (for a non-site related incident and harassment by a non-student or non-employee).

The attached complaint form may be used. If the form is not used, the information requested on the form should be provided.

Before a written complaint is filed, an aggrieved individual may discuss with the person responsible for taking the complaint whether the alleged conduct is sexual harassment and what options, besides filing a written complaint, are available to the aggrieved individual. The person responsible for taking the complaint will assist the aggrieved individual in determining what action should be taken.

While complaints should be in writing, any complaint received, whether anonymous or not or whether in writing or not, shall be accepted and investigated to the extent possible and appropriate.

An aggrieved individual need not be someone who has been the specific target of harassment. It may be anyone who has been a target of retaliation as a result of a harassment complaint or anyone who has observed sexual harassment or retaliation.

If the person responsible for taking the complaint is not of the same gender as the aggrieved individual, the aggrieved individual may request of the person responsible for taking the complaint that a person of the same gender assist in taking the complaint. If the individual responsible for taking the complaint is the one harassing, the aggrieved person may file the complaint with the individual who is next in line in the appeal process.

Responsibilities of Employees

Employees serving in supervisory or managerial positions that receive complaints or observe harassing or retaliating conduct by or of employees, students or others shall inform the individual responsible for taking the complaint as appropriate.

Investigation

1. Review and Disclosure of Complaint

The individual responsible for taking the complaint shall review the complaint. As soon as reasonably possible after receipt of the complaint, the student, employee, or other person who is accused of sexual harassment shall be informed of the contents of the complaint.

2. Complaints Against Students

Upon completion of the investigation of a complaint filed against a student, the site principal or designee shall determine whether the harassment has occurred and, if so, the appropriate corrective action. Corrective action may include counseling, warning, or the initiation of disciplinary procedures against the student.

3. Complaints Against Employees

Upon completion of the investigation of a complaint filed against an employee, the individual responsible for taking the complaint shall determine whether harassment has occurred and, if so, the appropriate corrective action.

Corrective action may include counseling, warning, or the initiation of disciplinary procedures against the employee.

4. Complaints Against Other Individuals

Upon completion of the investigation of a complaint filed against an individual who is neither a student nor an employee, the Assistant Superintendent, Human Resources, or the site principal or designee shall determine whether harassment has occurred and, if so, the appropriate corrective action. Corrective action may include counseling, warning, or such penalties or sanctions against other individuals or parties as may be available to the District given the nature of the contractual or business relationship that may exist with such parties or individuals. Such individuals include visitors to the District and those who have business relations with the District.

Appeal and Disciplinary Procedures

All decisions made under this procedure may be appealed by the aggrieved person to the Superintendent and, thereafter, to the Board.

If the complaint is against a student, the complainant, before appealing to the Superintendent, should appeal to the Assistant Superintendent, Educational Services. In the cases where a site designee is responsible for the complaint, the complainant should appeal to the site principal before appealing to the Assistant Superintendent, Educational Services.

If the complaint is against an employee, the complainant, before appealing to the Superintendent, should appeal to the Assistant Superintendent of Human Resources. If the employee is a site employee and the principal of the site has not heard the complaint, the complainant should appeal to the site principal before appealing to the Assistant Superintendent, Human Resources.

If the complaint is against an individual who is not a student or employee and the incident occurred on a school site, the complainant should appeal to the Assistant Superintendent, Human Resources, before appealing to the Superintendent.

Established statutory and district procedures, under which the District has the burden of proof, shall be used in the event the administrative review results in a decision that disciplinary action is necessary.

Since established personnel disciplinary procedures provide for Board-level review or decision-making, the Governing Board will take no action on any complaint until it has been acted upon in accordance with this policy. In this way, employees shall be assured of their due process rights.

Time Limits

A complaint shall be filed as soon as reasonably possible after the conduct in question has arisen. All complaints shall be promptly and thoroughly investigated in a confidential manner. The investigation shall be completed within thirty (30) calendar days. If the complainant has submitted a signed written complaint, a written report summarizing the findings and disposition of the complaint will be provided the complainant within the thirty calendar days.

Special Assistance

It is expected that questions may arise concerning the interpretation of the prohibition against sexual harassment, the methods and procedures to be followed in the investigation of complaints, and the appropriateness of specific solutions in disposition of complaints. For assistance in these matters, an aggrieved person may contact the Assistant Superintendent, Educational Services, or the Assistant Superintendent, Human Resources.

Implementation and Dissemination of Policy

This policy will be disseminated to all personnel and students at the beginning of the school year. All newly hired district employees and new students will receive a copy of this policy in connection with the orientation of newly hired employees or new students. District employees shall understand and agree to abide by this policy.

The policy shall be prominently displayed at each instructional or work location and shall be incorporated into any institutional publication that sets for the rules, regulations, procedures, and standards of conduct. It shall be included as part of the district's annual notification to parents pursuant to Education Code Section 49080.

The Superintendent or designee shall ensure that every two years supervisory employees receive at least two hours of classroom or other effective interactive training and education regarding sexual harassment. All newly hired or promoted supervisory employees shall receive training within six months of their assumption of the supervisory position.

The district's training and education program for supervisory employees shall include information and practical guidance regarding the federal and state statutory law on the prohibition against and the prevention and correction of sexual harassment and the remedies available to the victims of sexual harassment in employment. The training shall also include practical examples aimed at instructing supervisors in the prevention of harassment, discrimination, and retaliation.

In addition, the Superintendent or designee shall ensure that all employees receive periodic training regarding the district's sexual harassment policy, particularly the procedures for filing complaints and employees' duty to use the district's complaint procedures.

Education of employees and students about this policy and associated federal and state laws prohibiting sexual harassment shall take place periodically. The objective of this education shall be to foster a better understanding of sexual harassment and of this policy and to develop behaviors and attitudes that mitigate against inappropriate sexual overtures and pressures in school, work, and social settings.

Those responsible for taking complaints of sexual harassment or implementing this policy shall receive training designed to inform them of their duties and responsibilities for handling appropriate all incidents of sexual harassment in the Berkeley Unified School District.

(cf. [5145.7](#) - Sexual Harassment)

(cf. [4319.11](#) - Sexual Harassment)

(cf. [4219.11](#) - Sexual Harassment)

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

Faragher v. City of Boca Raton, (1998) 118 S.Ct. 2275

Burlington Industries v. Ellreth, (1998) 118 S.Ct. 2257

Gebser v. Lago Vista Independent School District, (1998) 118 S.Ct. 1989

Oncale v. Sundowner Offshore Serv. Inc., (1998) 118 S.Ct. 998

Meritor Savings Bank, FSB v. Vinson et al., (1986) 447 U.S. 57

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>

Equal Employment Opportunity Commission: <http://www.eeoc.gov>

U.S. Department of Education, Office for Civil Rights:
<http://www.ed.gov/about/offices/list/ocr/index.html>

Policy BERKELEY UNIFIED SCHOOL DISTRICT

adopted: July 14, 1993 Berkeley, California

revised: May 21, 2003

revised: September 6, 2006

revised: January 11, 2017

revised: June 28, 2017

revised: February 28, 2018

Receipt of Sexual Harassment Prevention Policy

SEXUAL HARASSMENT POLICY ACKNOWLEDGEMENT

I have read the provisions and conditions of the Berkeley Unified School District's Sexual Harassment Policy. By signing this document, I acknowledge that if I violate the provisions of the Policy, I may be subject to disciplinary action or referral to the legal authorities.

Print Name: _____

Signature: _____

Date: _____

Department/Site: _____

Tear away this acknowledgement page and return it to your Principal/Supervisor for forwarding to Educational Services.

Berkeley USD

Board Policy

Nondiscrimination In Employment

BP 4030

Personnel

Statement of General Policy

It is the policy of the Governing Board to enhance the quality of integrated education. The integration of the Berkeley staff is imperative in order to provide both a broad instructional perspective and a socially exemplary staff. To meet these educational needs, the district, through its classified and certificated employee regulations and practices, will actively promote equal employment opportunities. It is the intention of the district to emphasize personnel and other organizational practices that will improve the district's performance in implementing equal opportunity practices. The Board desires to recruit and retain the highest qualified personnel for all certificated and classified positions.

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

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

Any district employee who permits unlawful discrimination or harassment may be subject to disciplinary action up to and including dismissal. A district employee shall be deemed to have permitted unlawful discrimination or harassment if he/she fails to report an observed incident of discrimination and/or harassment, whether or not the victim complains.

The Superintendent or designee shall regularly publicize this nondiscrimination policy and the availability of complaint procedures

throughout the district and the community. He/she shall provide district employees and job applicants with copies of this policy, district regulations and complaint procedures as necessary.

The district's policy shall be posted in all schools and offices including staff lounges and student government meeting rooms. (5 CCR 4960)

Complaints shall be filed with the Superintendent or designee.

Other Remedies

An employee may, in addition to filing a discrimination complaint with the district, file a complaint with either the Equal Employment Opportunity Commission (EEOC) or the California Department of Fair Employment and Housing (DFEH).

Legal Reference:

CIVIL CODE

51.7 Freedom from violence or intimidation

GOVERNMENT CODE

11135 Unlawful discrimination

12900-12996 Fair Employment and Housing Act

PENAL CODE

422.56 Definitions, hate crimes

CODE OF REGULATIONS, TITLE 2

7287.6 Terms, conditions and privileges of employment

CODE OF REGULATIONS, TITLE 5

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

UNITED STATES CODE, TITLE 20

1681-1688 Discrimination based on sex or blindness, Title IX

UNITED STATES CODE, TITLE 29

794 Section 504 of the Rehabilitation Act of 1973

UNITED STATES CODE, TITLE 42

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

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

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

12101-12213 Americans with Disabilities Act

CODE OF FEDERAL REGULATIONS, TITLE 28

35.101-35.190 Americans with Disabilities Act

CODE OF FEDERAL REGULATIONS, TITLE 34

100.6 Compliance information

104.8 Notice

106.8 Designation of responsible employee and adoption of grievance procedures

106.9 Dissemination of policy

COURT DECISIONS

Carter v. California Department of Veterans Affairs (2003) 2003

Cal.LEXIS 5694

Shephard v. Loyola Marymount (2002) 102 CalApp.4th 837

Management Resources:

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

Enforcement Guidance: Vicarious Employer Liability for Unlawful Harassment by Supervisors, June 1999

Enforcement Guidance: Reasonable Accommodation and Undue Hardship under the Americans with Disabilities Act, March, 1999

U.S. DEPARTMENT OF EDUCATION, OFFICE OF CIVIL RIGHTS

Notice of Non-Discrimination, January, 1999

WEB SITES

EEOC: <http://www.eeoc.gov>

OCR: <http://www.ed.gov/offices/OCR>

DFEH: <http://www.dfeh.ca.gov>

Policy BERKELEY UNIFIED SCHOOL DISTRICT

Adopted: December 19, 2001 Berkeley, California

Revised: February 1, 2006

Request For Leave Form

Berkeley Unified School District Human Resources Department 2134 Martin Luther King Jr. Way, Berkeley, CA 94704 Telephone (510) 644-6150 Fax (510) 644-6151 REQUEST FOR LEAVE				
Section I – Employee				
Last Name		First Name		
Address				
City		State		Zip
Position/Title		Current FTE%		
<input type="checkbox"/> Certificated <input type="checkbox"/> Classified				
Email Address:				
District ID number		OR Last four digits of Social Security Number		
Work Phone Number		Work Location		
Home Phone Number				
Date Requested	Month	Day	Year	
Leave Starts				
Leave Ends				

Leave Requested: ☐ 100% leave or ☐ _____ % Leave

<input type="checkbox"/> Pregnancy Leave <input type="checkbox"/> Maternity/Paternity/Child Rearing Leave <input type="checkbox"/> Family Medical Leave (FMLA) <input type="checkbox"/> Adoption Leave <input type="checkbox"/> Military Leave (Attach Orders)	<input type="checkbox"/> Sick Leave <input type="checkbox"/> Extended Sick (After other paid leave is exhausted) <input type="checkbox"/> Unpaid Leave Explanation: _____ _____
--	--

I certify that the reason(s) specified above are true and correct.

Signature _____
Date _____

INSTRUCTIONS

For your leave request to be considered, please ensure the following is completed at least 15 work days prior to the leave date requested:

Refer to your union agreement, if applicable, for benefits provided for each type of leave.

Complete Section I.

For pregnancy, maternity, paternity, sick, extended sick or Family Medical Leave, have a licensed health care provider complete Section II on the reverse side of this form.

For adoption, have the attorney or authorized agent complete Section II on the reverse side of this form.

After all of the appropriate sections of the form are completed, submit this request to your supervisor for review.

Your supervisor completes Section III on the reverse side of the form and forwards the leave request to the Human Resources Department for action.

To ensure your leave balances and pay are accurate, promptly submit to the Human Resources Department, Absence Certificates for all of your absences.

Section II Physician's or Attorney's Verification

A physician's verification is required for leaves such as pregnancy, maternity, paternity, sick leave, extended sick or Family Medical Leave. An attorney's verification is required for adoption leave.

Employee's Last Name	Employee's First Name	Date of health condition, expected delivery or adoption:
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Reason for Leave:

☐ I have attached documentation to justify reason(s).

This does not constitute a medical release. A SEPARATE MEDICAL RELEASE IS REQUIRED BEFORE THE EMPLOYEE CAN RETURN TO REGULAR DUTY.

Name of Physician or Attorney:	Anticipated date employee will be able to return to full duty:
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Office Address	City	State	Zip	Office Telephone Number:
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Physician's or Attorney's Signature:	Date:
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Section III Immediate/Program Supervisor's Review

I certify that all absence certificates for this employee have been submitted to the Human Resources Department.

☐ Leave Recommended ☐ Leave Not Recommended

Supervisor's Name	Signature	Date
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Section IV

Approved: ☐ Yes ☐ No

Director, Classified Personnel	Date	Director, Personnel Services	Date
HR Staff replied to employee and employee's supervisor:	Date	Method of Communication:	HR Staff:

Telephone Directory

Each year a new telephone directory is issued to all schools and department offices. A Telephone Directory is also easily available on the district website under “Contact Us” in the top margin of each webpage. Street addresses of all schools and departments are available on the school and department web pages at <http://www.berkeley.net>. For quick reference here is a condensed telephone directory:

SCHOOL OFFICES

Berkeley Adult School.....	644-6130
Berkeley Arts Magnet Elementary School.....	644-6225
Berkeley High School	644-6120
Berkeley Technology Academy (B-Tech)	644-6159
Cragmont Elementary School	644-8810
Early Childhood Education	644-6203
Emerson Elementary School.....	644-6890
Jefferson Elementary School.....	644-6298
John Muir Elementary School	644-6410
Longfellow Middle School	644-6360
Malcolm X Elementary School	644-6313
Martin Luther King, Jr. Middle School	644-6280
Oxford Elementary School	644-6300
Rosa Parks Elementary School.....	644-8812
Sylvia Mendez Elementary School	644-6290
Thousand Oaks Elementary School	644-6368
Washington Elementary School.....	644-6310
Willard Middle School	644-6330

DISTRICT OFFICES

Admissions and Attendance	644-6504
Berkeley Schools Excellence Program (BSEP).....	644-8717
Board of Education	644-6550
Judy Appel, President	
Ty Alper , Vice President	
Ka’Dijah Brown, Director/Clerk	
Beatriz Leyva-Cutler, Director	
Julie Sinai, Director	
Berkeley Research, Evaluation and Assessment (BREA)	644-6959
Educational Services.....	644-6257
Family Engagement and Equity	644-8991
Human Resources.....	644-6150
Nutrition Services	644-6200
Public Information.....	644-6320
Special Education and Health	644-6210
Special Projects and Programs	644-8931
Student Services (Discipline, Truancy, Alternative Placement, 504, Foster Youth)	883-5224
Substitute Employee Management System.....	1-800-942-3767
Superintendent.....	644-6206
Transportation.....	644-6182
Volunteers.....	644-8833