

Welcome to Hemet Unified School District



New Employee Orientation

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Hemet USD | BP 4312.4, 4212.4, 4312.4 Personnel

Health Examinations

New Employees

The Superintendent or designee shall ensure that new district employees comply with all the health examination requirements of California law.

In addition, the Superintendent or designee may require applicants for employment in classified positions to undergo a preemployment physical examination to show that they are physically able to perform the duties of specific jobs. (Education Code 45122)

Continuing Employees

Continuing employees shall undergo periodic tuberculosis tests once every four years in accordance with law. (Education Code 49406)

The Governing Board is concerned about the prevalence of tuberculosis in our community and may require continuing employees to undergo tuberculosis tests when warranted upon the recommendation of the local health officer.

(cf. 4119.41 - Employees with Infectious Disease)

Legal Reference:

EDUCATION CODE

44839 Medical certificate; periodic medical examination

44839.5 Requirements for employment of retirant

44932 Grounds for dismissal of permanent employee

44942-?-?Suspension or transfer of certificated employee on ground of mental illness, psychiatric examination; mandatory sick leave

451

22 Physical examinations

494

06 Examination for tuberculosis

CODE OF REGULATIONS, TITLE 5

55

02-5503-?-?Physical examination for retirants employed as substitute teacher, etc.

5504 Medical certification procedures

Policy HEMET UNIFIED SCHOOL DISTRICT

adopted: August 6, 1996 Hemet, California

Hemet USD | AR 4314.4, 4212.4, 4314.4 Personnel

Health Examinations

New Employees

1. No person shall be initially employed unless he/she has placed on file with the district a certificate from a physician licensed under the Business and Professions Code indicating that a tuberculosis examination within the past 60 days shows that he/she is free from active tuberculosis. The tuberculosis examination shall consist of an approved intradermal tuberculin test. An X-ray of the lungs shall be required only if the intradermal test is positive. (Education Code 49406)

Persons transferring from another district may fulfill tuberculosis examination requirements in either of the following ways: (Education Code 49406)

a. By producing a certificate showing that the employee was examined within the last four years and found free of active tuberculosis, or

b. By having the last employing school verify that it has on file a current certificate which contains that showing.

2. When a new employee in a position requiring certification has not previously been employed in such a position in California, he/she must have a medical certificate on file with the district. The certificate will state that the employee is free from any disabling disease which would render him/her unfit to instruct or associate with children. The certificate form may be obtained from the personnel services office. It must be filled out by a licensed physician and returned to the personnel services office by the physician. The medical examination referred to in the certificate must have been conducted within six months of the time when the certificate is filed. (Education Code 44839)

When an employee's religious belief prevents him/her from undergoing a physical examination, the district shall follow provisions of Education Code 49406.

Continuing Employees

Continuing employees who test negative on tuberculin skin tests shall undergo a tuberculosis examination at least once every four years. (Education Code 49406)

Tuberculosis tests and other medical examinations required by the Superintendent or designee shall be administered by a physician licensed under the Business and Professions Code and shall be provided by the district or at district expense. (Education Code 44839, 45122, 49406)

Regulation HEMET UNIFIED SCHOOL DISTRICT

approved: August 6, 1996 Hemet, California

Hemet USD

Administrative Regulation

Nondiscrimination In Employment

AR 4030
Personnel

Unlawful discrimination or harassment of an individual includes:

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

Whether or not harassment has been deemed to occur shall be based upon an objective determination of the facts.

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

(cf. 4031 - Complaints Concerning Discrimination in Employment)
(cf. 4119.11/4219.11/4319.11 - Sexual Harassment)

Any supervisor who receives a discrimination/harassment complaint shall immediately notify the Superintendent, who shall ensure that the complaint is appropriately investigated in accordance with district policy and regulations.

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

Regulation HEMET UNIFIED SCHOOL DISTRICT
approved: January 9, 2001 Hemet, California

Hemet USD

Board Policy

Nondiscrimination In Employment

BP 4030
Personnel

The Governing 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, religion, age, marital status, pregnancy, physical or mental disability, medical condition, veteran status, gender, sex, 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.

(cf. 4031 - Complaints Concerning Discrimination in Employment)
(cf. 4032 - Reasonable Accommodation)
(cf. 4119.11/4219.11/4319.11 - Sexual Harassment)
(cf. 4119.41/4219.41/4319.41 - Employees with Infectious Disease)

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

(cf. 4117.4 - Dismissal)
(cf. 4118 - Suspension/Disciplinary Action))
(cf. 4218 - Dismissal/Suspension/Disciplinary Action)

Any district employee who observes or has knowledge of an incident of unlawful discrimination or harassment shall report the incident to the principal, supervisor, district administrator or Superintendent as soon as practical after the incident. Failure of a district employee to report discrimination or harassment may result in disciplinary action.

The Superintendent or designee shall regularly publicize, within the district and in the community, the district's nondiscrimination policy and the availability of complaint procedures. (34 CFR 100.6) Each announcement, bulletin or application form that is used in employee recruitment shall prominently include a statement of the district's nondiscrimination policy.

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

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

Deputy Superintendent or designee
2350 W. Latham Avenue
Hemet, CA 92545
(909) 765-5100

Other Remedies

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

1. To file a valid complaint with DFEH, the employee must file his/her complaint within one year of the alleged discriminatory act(s). (Government Code 12960)
2. To file a valid complaint directly with EEOC, the employee must file his/her complaint within 180 days of the alleged discriminatory act(s). To file a valid complaint with EEOC after filing a complaint with DFEH, the employee must file the complaint within 300 days of the alleged discriminatory act(s) or within 30 days after the termination of proceedings by DFEH, whichever is earlier. (42 USC 2000e-5)

Employees wishing to file complaints with the DFEH and/or EEOC may contact the nondiscrimination coordinator for more information, or may contact the agencies directly at:

DFEH: (800) 884-1684
(800) 700-2320 (TTY)
www.dfeh.ca.gov

EEOC: (800) 669-4000
(800) 669-6820 (TTY)
www.eeoc.ca.gov

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 HEMET UNIFIED SCHOOL DISTRICT
adopted: March 15, 2005 Hemet, California

Hemet USD

Board Policy

Nondiscrimination In District Programs And Activities

BP 0410

Philosophy, Goals, Objectives and Comprehensive Plans

The Governing Board is committed to equal opportunity for all individuals in education. District programs and activities shall be free from discrimination based on gender, sex, race, color, religion, ancestry, national origin, ethnic group identification, marital or parental status, physical or mental disability, sexual orientation or the perception of one or more of such characteristics. The Board shall promote programs which ensure that discriminatory practices are eliminated in all district activities.

(cf. 4030 - Nondiscrimination in Employment)
(cf. 4032 - Reasonable Accommodation)
(cf. 4119.11/4219.11/4319.11 - Sexual Harassment)
(cf. 5145.3 - Nondiscrimination/Harassment)
(cf. 5145.7 - Sexual Harassment)
(cf. 5146 - Married/Pregnant/Parenting Students)
(cf. 6145.2 - Athletic Competition)
(cf. 6164.4 - Identification of Individuals for Special Education)
(cf. 6164.6 - Identification and Education under Section 504)
(cf. 6178 - Vocational Education)
(cf. 6200 - Adult Education)

District programs and facilities, viewed in their entirety, shall be in compliance with the Americans with Disabilities Act.

The Superintendent or designee shall ensure that the district provides auxiliary aids and services when necessary to afford individuals with disabilities equal opportunity to participate in or enjoy the benefits of a service, program or activity. These aids and services may include, but are not limited to, qualified interpreters or readers, assistive listening devices, notetakers, written materials, taped text, and Braille or large print materials.

(cf. 5124 - Communication with Parents/Guardians)

Individuals with disabilities shall notify the Superintendent or principal if they have a disability that requires special assistance or services. Reasonable notification should be given prior to the school-sponsored function, program or meeting.

(cf. 9320 - Meetings and Notices)
(cf. 9322 - Agenda/Meeting Materials)

The Superintendent or designee shall notify students, parents/guardians, employees, employee organizations and applicants for admission and employment, and sources of referral for applicants about the district's policy on nondiscrimination. Such notification shall be included in each announcement, bulletin, catalog, application form or other recruitment materials distributed to these groups. (34 CFR 104.8, 106.9)

The Superintendent or designee shall also provide information about related complaint procedures.

(cf. 1312.3 - Uniform Complaint Procedures)

(cf. 1312.4 - Complaints Concerning Discrimination in Employment)

In compliance with law, the district's nondiscrimination policy shall be published in the individual's primary language to the extent practicable.

(cf. 5145.6 - Parental Notifications)

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination

48985 Notices to parents in language other than English

GOVERNMENT CODE

11000 Definitions

11138 Rules and regulations

12900-12996 Fair Employment and Housing Act

54953.2 Brown Act compliance with Americans with Disabilities Act

PENAL CODE

422.55 Definition of hate crime

422.6 Interference with constitutional right or privilege

CODE OF REGULATIONS, TITLE 5

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

UNITED STATES CODE, TITLE 20

1400-1482 Individuals with Disabilities in Education Act

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

2301-2415 Carl D. Perkins Vocational and Applied Technology Act

6311 State plans

6312 Local education agency plans

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-2000h-6 Title IX

12101-12213 Americans with Disabilities Act
CODE OF FEDERAL REGULATIONS, TITLE 28
35.101-35.190 Americans with Disabilities Act
36.303 Auxiliary aids and services
CODE OF FEDERAL REGULATIONS, TITLE 34
100.1-100.13 Nondiscrimination in federal programs, effectuating Title VI
104.1-104.39 Section 504 of the Rehabilitation Act of 1973
106.1-106.61 Discrimination on the basis of sex, effectuating Title IX, especially:
106.9 Dissemination of policy

Management Resources:

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

Protecting Students from Harassment and Hate Crime, January, 1999

Notice of Non-Discrimination, January, 1999

Nondiscrimination in Employment Practices in Education, August, 1991

WEB SITES

CDE: <http://www.cde.ca.gov>

Safe Schools Coalition: <http://www.casafeschoolscoalition.org>

Pacific Disability and Business Technical Assistance Center: <http://www.pacdbtac.org>

U.S. Department of Education, Office for Civil Rights:

<http://www.ed.gov/about/offices/list/ocr/index.html>

Policy HEMET UNIFIED SCHOOL DISTRICT

adopted: April 13, 2004 Hemet, California

Hemet USD

Board Policy

Child Abuse Prevention And Reporting

BP 5141.4

Students

Child Abuse Prevention

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

The district's instructional program shall include age-appropriate and culturally sensitive child abuse prevention curriculum. This curriculum shall explain students' right to live free of abuse, inform them of available support resources, and teach them how to obtain help and disclose incidents of abuse. The curriculum also shall include training in self-protection techniques.

(cf. 6143 - Courses of Study)

The Superintendent or designee shall seek to incorporate community resources into the district's child abuse prevention programs. To the extent feasible, the Superintendent or designee shall use these community resources to provide parents/guardians with instruction in parenting skills and child abuse prevention.

(cf. 1020 - Youth Services)

Child Abuse Reporting

The Board recognizes that child abuse has severe consequences and that the district has a responsibility to protect students by facilitating the prompt reporting of known and suspected incidents of child abuse. The Superintendent or designee shall establish procedures for the identification and reporting of such incidents in accordance with law.

(cf. 0450 - Comprehensive Safety Plan)

Employees who are mandated reporters, as defined by law and administrative regulation, are obligated to report all known or suspected incidents of child abuse and neglect. Mandated reporters shall not investigate any suspected incidents but rather shall cooperate with agencies responsible for investigating and prosecuting cases of child abuse and neglect.

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

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

Legal Reference:

EDUCATION CODE

32280-32288 Comprehensive school safety plans
33308.1 Guidelines on procedure for filing child abuse complaints
44690-44691 Staff development in the detection of child abuse and neglect
44807 Duty concerning conduct of students
48906 Notification when student released to peace officer
48987 Dissemination of reporting guidelines to parents
49001 Prohibition of corporal punishment
51220.5 Parenting skills education

PENAL CODE

152.3 Duty to report murder, rape, or lewd or lascivious act
273a Willful cruelty or unjustifiable punishment of child; endangering life or health
288 Definition of lewd or lascivious act requiring reporting
11164-11174.4 Child Abuse and Neglect Reporting Act

WELFARE AND INSTITUTIONS CODE

15630-15637 Dependent adult abuse reporting

CODE OF REGULATIONS, TITLE 5

4650 Filing complaints with CDE, special education students

Management Resources:

CDE LEGAL ADVISORIES

0514.93 Guidelines for parents to report suspected child abuse

WEB SITES

California Attorney General's Office, Crime and Violence Prevention Center:

<http://safestate.org>

California Department of Education, Safe Schools: <http://www.cde.ca.gov/lr/ss>

California Department of Social Services, Children and Family Services Division:

<http://www.childsworld.ca.gov>

U.S. Department of Health and Human Services, National Clearinghouse on Child Abuse and Neglect Information: <http://nccanch.acf.hhs.gov>

Policy HEMET UNIFIED SCHOOL DISTRICT

Adopted: November 15, 2005 Hemet, California

Hemet USD

Administrative Regulation

Child Abuse Prevention And Reporting

AR 5141.4
Students

Definitions

Child abuse or neglect includes the following: (Penal Code 11165.5, 11165.6)

1. A physical injury or death inflicted by other than accidental means on a child by another person
2. Sexual abuse of a child, including sexual assault or sexual exploitation, as defined in Penal Code 11165.1
3. Neglect of a child as defined in Penal Code 11165.2
4. Willful harming or injuring of a child or the endangering of the person or health of a child as defined in Penal Code 11165.3
5. Unlawful corporal punishment or injury as defined in Penal Code 11165.4

Child abuse or neglect does not include:

1. A mutual affray between minors (Penal Code 11165.6)
2. An injury caused by reasonable and necessary force used by a peace officer acting within the course and scope of his/her employment (Penal Code 11165.6)

(cf. 3515.3 - District Police/Security Department)

3. An injury resulting from the exercise by a teacher, vice principal, principal, or other certificated employee of the same degree of physical control over a student that a parent/guardian would be privileged to exercise, not exceeding the amount of physical control reasonably necessary to maintain order, protect property, protect the health and safety of students, or maintain proper and appropriate conditions conducive to learning (Education Code 44807)
4. An injury caused by a school employee's use of force that is reasonable and necessary to quell a disturbance threatening physical injury to persons or damage to property, to protect himself/herself, or to obtain weapons or other dangerous objects within the control of the student (Education Code 49001)

(cf. 5144 - Discipline)

5. Physical pain or discomfort caused by athletic competition or other such recreational activity voluntarily engaged in by the student (Education Code 49001)

Mandated reporters include, but are not limited to, teachers; instructional aides; teacher's aides or assistants; classified employees; certificated pupil personnel employees; administrative officers or supervisors of child attendance; administrators and employees of a licensed day care facility; Head Start teachers; district police or security officers; licensed nurses or health care providers; and administrators, presenters, and counselors of a child abuse prevention program. (Penal Code 11165.7)

Reasonable suspicion means that it is objectively reasonable for a person to entertain a suspicion, based upon facts that could cause a reasonable person in a like position, drawing when appropriate on his/her training and experience, to suspect child abuse or neglect. However, reasonable suspicion does not require certainty that child abuse or neglect has occurred nor does it require a specific medical indication of child abuse or neglect. (Penal Code 11166)

Reportable Offenses

A mandated reporter shall make a report using the procedures provided below whenever, in his/her professional capacity or within the scope of his/her employment, he/she has knowledge of or observes a child whom the mandated reporter knows or reasonably suspects has been the victim of child abuse or neglect. (Penal Code 11166)

Any mandated reporter who has knowledge of or who reasonably suspects that a child is suffering serious emotional damage or is at a substantial risk of suffering serious emotional damage, based on evidence of severe anxiety, depression, withdrawal, or untoward aggressive behavior toward self or others, may make a report to the appropriate agency. (Penal Code 11166.05, 11167)

Any district employee who reasonably believes that he/she has observed the commission of a murder, rape, or lewd or lascivious act by use of force, violence, duress, menace, or fear of immediate and unlawful bodily injury against a victim who is a child under age 14 shall notify a peace officer. (Penal Code 152.3, 288)

Responsibility for Reporting

The reporting duties of mandated reporters are individual and cannot be delegated to another person. (Penal Code 11166)

When two or more mandated reporters jointly have knowledge of a known or suspected instance of child abuse or neglect, the report may be made by a member of the team selected by mutual agreement and a single report may be made and signed by the selected member of the reporting team. Any member who has knowledge that the member designated to report has failed to do so shall thereafter make the report. (Penal Code 11166)

No supervisor or administrator shall impede or inhibit a mandated reporter from making a report.
(Penal Code 11166)

Any person not identified as a mandated reporter who has knowledge of or observes a child whom he/she knows or reasonably suspects has been a victim of child abuse or neglect may report the known or suspected instance of child abuse or neglect to the appropriate agency.
(Penal Code 11166)

Reporting Procedures

1. Initial Telephone Report

Immediately or as soon as practicable after knowing or observing suspected child abuse or neglect, a mandated reporter shall make an initial report by telephone to any police department (excluding a school district police/security department), sheriff's department, county probation department if designated by the county to receive such reports, or county welfare department.
(Penal Code 11165.9, 11166)

Hemet Police Department
450 East Latham Avenue
Hemet, CA 92543
(951) 765-2400

Child Protective Services
(800) 448-4969

Riverside County Sheriff
43950 Acacia, Suite B
Hemet, CA 92544
(951) 791-3400

When the initial telephone report is made, the mandated reporter shall note the name of the official contacted, the date and time contacted, and any instructions or advice received.

2. Written Report

Within 36 hours of knowing or observing the information concerning the incident, the mandated reporter shall then prepare and either send, fax, or electronically submit to the appropriate agency a written follow-up report, which includes a completed Department of Justice form (SS 8572).
(Penal Code 11166, 11168)

The Department of Justice form may be obtained from the district office or other appropriate agencies, such as the county probation or welfare department or the police or sheriff's department.

Reports of suspected child abuse or neglect shall include, if known: (Penal Code 11167)

- a. The name, business address, and telephone number of the person making the report and the capacity that makes the person a mandated reporter
- b. The child's name and address, present location, and, where applicable, school, grade, and class
- c. The names, addresses, and telephone numbers of the child's parents/guardians
- d. The name, address, telephone number, and other relevant personal information about the person who might have abused or neglected the child
- e. The information that gave rise to the reasonable suspicion of child abuse or neglect and the source(s) of that information

The mandated reporter shall make a report even if some of this information is not known or is uncertain to him/her. (Penal Code 11167)

The mandated reporter may give to an investigator from an agency investigating the case, including a licensing agency, any information relevant to an incident of child abuse or neglect or to a report made for serious emotional damage pursuant to Penal Code 11166.05. (Penal Code 11167)

3. Internal Reporting

The mandated reporter shall not be required to disclose his/her identity to his/her supervisor, the principal, or the Superintendent or designee. (Penal Code 11166)

However, employees reporting child abuse or neglect to an appropriate agency are encouraged, but not required, to notify the principal as soon as possible after the initial telephone report to the appropriate agency. When so notified, the principal shall inform the Superintendent or designee.

The principal so notified shall provide the mandated reporter with any assistance necessary to ensure that reporting procedures are carried out in accordance with law, Board policy, and administrative regulation. At the mandated reporter's request, the principal may assist in completing and filing the necessary forms.

Reporting the information to an employer, supervisor, principal, school counselor, co-worker, or other person shall not be a substitute for making a mandated report to the appropriate agency. (Penal Code 11166)

Training

Training of mandated reporters shall include identification and mandated reporting of child abuse

and neglect. (Penal Code 11165.7)

Training shall also include guidance in the appropriate discipline of students, physical contact with students, and maintenance of ethical relationships with students to avoid actions that may be misinterpreted as child abuse.

(cf. 4119.21/4219.21/4319.21 - Professional Standards)

(cf. 4131 - Staff Development)

(cf. 4231 - Staff Development)

(cf. 4331 - Staff Development)

(cf. 5145.7 - Sexual Harassment)

Victim Interviews by Social Services

Whenever a representative from the Department of Social Services or another government agency investigating suspected child abuse or neglect deems it necessary, a suspected victim may be interviewed during school hours, on school premises, concerning a report of suspected child abuse or neglect that occurred within the child's home or out-of-home care facility. The child shall be given the choice of being interviewed in private or in the presence of any adult school employee or volunteer aide selected by the child. (Penal Code 11174.3)

A staff member or volunteer aide selected by a child may decline to be present at the interview. If the selected person accepts, the principal or designee shall inform him/her of the following requirements: (Penal Code 11174.3)

1. The purpose of the selected person's presence at the interview is to lend support to the child and enable him/her to be as comfortable as possible.
2. The selected person shall not participate in the interview.
3. The selected person shall not discuss the facts or circumstances of the case with the child.
4. The selected person is subject to the confidentiality requirements of the Child Abuse and Neglect Reporting Act, a violation of which is punishable as specified in Penal Code 11167.5.

If a staff member agrees to be present, the interview shall be held at a time during school hours when it does not involve an expense to the school. (Penal Code 11174.3)

Release of Child to Peace Officer

When a child is released to a peace officer and taken into custody as a victim of suspected child abuse or neglect, the Superintendent or designee and/or principal shall not notify the parent/guardian, but rather shall provide the peace officer with the address and telephone number of the child's parent/guardian. It is the responsibility of the peace officer or agent to notify the parent/guardian of the situation. (Education Code 48906)

(cf. 145.11 - Questioning and Apprehension by Law Enforcement)

Parent/Guardian Complaints

Upon request, the Superintendent or designee shall provide parents/guardians with a copy of this administrative regulation which contains procedures for reporting suspected child abuse occurring at a school site to appropriate agencies. For parents/guardians whose primary language is not English, such procedures shall be in their primary language and, when communicating orally regarding those procedures, an interpreter shall be provided.

To file a complaint against a district employee or other person suspected of child abuse or neglect at a school site, parents/guardians may file a report by telephone, in person, or in writing with any appropriate agency identified above under "Reporting Procedures." If a parent/guardian makes a complaint about an employee to any other employee, the employee receiving the information shall notify the parent/guardian of procedures for filing a complaint with the appropriate agency. The employee also is obligated pursuant to Penal Code 11166 to file a report himself/herself using the procedures described above for mandated reporters.

(cf. 1312.1 - Complaints Concerning District Employees)

In addition, if the child is enrolled in special education, a separate complaint may be filed with the California Department of Education pursuant to 5 CCR 4650.

(cf. 1312.3 - Uniform Complaint Procedures)

Notifications

The Superintendent or designee shall provide to all new employees who are mandated reporters a statement that informs them of their status as mandated reporters, their reporting obligations under Penal Code 11166, and their confidentiality rights under Penal Code 11167. The district also shall provide these new employees with a copy of Penal Code 11165.7, 11166, and 11167. (Penal Code 11165.7, 11166.5)

Before beginning employment, any person who will be a mandated reporter by virtue of his/her position shall sign a statement indicating that he/she has knowledge of the reporting obligations under Penal Code 11166 and will comply with those provisions. The signed statement shall be retained by the Superintendent or designee. (Penal Code 11166.5)

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

Employees who work with dependent adults shall be notified of legal responsibilities and reporting procedures pursuant to Welfare and Institutions Code 15630-15637.

The Superintendent or designee also shall notify all employees that:

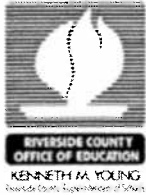
1. A mandated reporter who reports a known or suspected instance of child abuse or neglect

shall not be held civilly or criminally liable for making a report and this immunity shall apply even if the mandated reporter acquired the knowledge or reasonable suspicion of child abuse or neglect outside of his/her professional capacity or outside the scope of his/her employment. Any other person making a report shall not incur civil or criminal liability unless it can be proven that he/she knowingly made a false report or made a report with reckless disregard of the truth or falsity of the report. (Penal Code 11172)

2. If a mandated reporter fails to report an incident of known or reasonably suspected child abuse or neglect, he/she may be guilty of a crime punishable by a fine and/or imprisonment. (Penal Code 11166)

3. No employee shall be subject to any sanction by the district for making a report. (Penal Code 11166)

Regulation HEMET UNIFIED SCHOOL DISTRICT
approved: February 7, 2012 Hemet, California



How to Report Child Abuse

Categories of Child Abuse:

Physical Abuse: Any act resulting in non-accidental injury, including burning, biting, cutting, poking or twisting limbs.	Emotional Abuse: Includes verbal assault (i.e., belittling, screaming, threats, blaming, sarcasm), continual negative moods, and constant family discord.
Physical Neglect: Withholding basic necessities of life, including adequate food, clothing, shelter or medical care.	Sexual Abuse: Rape, rape in concert, incest, sodomy, oral copulation, penetration of genital/anal opening by a foreign object and child molestation.

Indicators of Abuse:

This is a partial list of abuse indicators. There are many others.

Physical Indicators of Physical Abuse: <ul style="list-style-type: none"> ~ Unexplained bruises/welts on face, lip or mouth; ~ Bruises in various stages of healing and where appearing in patterns; ~ Cigar or cigarette burns; ~ Unexplained fractures to skull, nose or facial structure; ~ Unexplained lacerations/abrasions to mouth; ~ Unexplained swelling of abdomen; ~ Constant vomiting; and/or Human bite marks. 	General Indicators of Neglect: <ul style="list-style-type: none"> ~ Clothing tattered/inadequate for weather conditions; ~ Constant hunger, or attempts to steal or beg for food; ~ Reports being left unattended for extended length of time; ~ Is dirty/smells, has bad teeth, hair falling out, or lice; ~ Unattended wounds; and/or ~ Thin, emaciated, constantly tired – shows evidence of malnutrition/dehydration.
Behavioral Indicators of Physical Abuse: <ul style="list-style-type: none"> ~ Wary/shrinking from adult human contact; ~ Becomes apprehensive when other children cry; ~ Demonstrates extremes in behavior, extreme aggressiveness or passivity; ~ Seems frightened of parents or does not want to go home; ~ Complains about being beaten or injured; and/or ~ Wears long-sleeved blouse/shirt/turtle neck sweater in summer to cover bruises or other marks. 	Behavioral Indicators of Sexual Abuse: <ul style="list-style-type: none"> ~ Difficulty in walking or sitting; ~ Complains of pain/itching in genital area; ~ Appears withdrawn, particularly around adults; ~ Displays bizarre/sophisticated/unusual sexual knowledge/behavior; ~ Goes to bathroom with difficulty; ~ Complains about someone doing things to them; and/or ~ Washes hands frequently.

When you must report:

When within scope of your professional capacity/employment, you know/reasonably suspect a child is/was a victim of abuse. **“Reasonable suspicion”** means it is objectively reasonable to entertain such a suspicion, based upon the facts that could cause a reasonable person, in a like position, to suspect abuse. If you have to think the matter over, this is enough to have suspicion and to report it. If in doubt, err on the side of reporting and call.

Do the following immediately:

- ~ Contact Child Protective Services, 24 hours a day, 7 days a week at the following numbers: (800) 442-4918. Contact the following number for elder abuse if the student is over 18 years of age and requires assistance with daily living: (800) 491-7123.
- ~ Contact your local law enforcement agency (i.e., police or sheriff department)
- ~ Tell Child Protective Services/law enforcement you have called the other.
- ~ Make a record of your call.
- ~ Complete suspected child abuse report and mail within 36 hours to:

Child Protective Services
Attn: Central Intake Unit
23119 Cottonwood, Bldg. C
Moreno Valley, CA 92552

Be ready to give the following information when you call:

- ~ Name of child(ren), approximate date of birth;
- ~ Name, address, and telephone number of parents, if known;
- ~ Nature of abuse and approximate date/time of abuse;
- ~ Any injuries/unusual behaviors;
- ~ Is child afraid to go home;
- ~ Name/location of alleged perpetrator; and
- ~ Your name, address, and telephone number.

Protection for reporters: *(You cannot get into trouble for reporting abuse)*

- ~ Your identity is confidential and it is against the law for it to be publicly divulged;
- ~ Your employer cannot discipline you because you made a report; and
- ~ Mandated reporters are immune from civil or criminal liability as a result of making a report.

It is not sufficient to report the incident to your site administrator. You have an independent responsibility to insure that the matter is reported to law enforcement and Child Protective Services.

Remember: It is against the law not to report child abuse and you may be criminally prosecuted for failing to do so. Child abuse has a devastating impact on a child for the rest of his or her life, so please report!

Hemet USD

Board Policy

Drug And Alcohol-Free Workplace

BP 4020

Personnel

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

(cf. 4112.41/4212.41/4312.41 - Employee Drug Testing)

(cf. 4112.42/4212.42/4312.42 - Drug and Alcohol Testing for School Bus Drivers)

An employee shall not unlawfully manufacture, distribute, dispense, possess, or use any controlled substance in the workplace. (Government Code 8355; 41 USC 701)

Employees are prohibited from being under the influence of controlled substances or alcohol while on duty. For purposes of this policy, on duty means while an employee is on duty during both instructional and noninstructional time in the classroom or workplace, at extracurricular or cocurricular activities, or while transporting students or otherwise supervising them. Under the influence means that the employee's capabilities are adversely or negatively affected, impaired, or diminished to an extent that impacts the employee's ability to safely and effectively perform his/her job.

(cf. 4032 - Reasonable Accommodation)

The Superintendent or designee shall notify employees of the district's prohibition against drug use and the actions that will be taken for violation of such prohibition. (Government Code 8355; 41 USC 701)

An employee shall abide by the terms of this policy and shall notify the district, within five days, of his/her conviction for violation in the workplace of any criminal drug statute. (Government Code 8355; 41 USC 701)

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

In accordance with law and the district's collective bargaining agreements, the Superintendent or designee shall take appropriate disciplinary action, up to and including termination, against an employee for violating the terms of this policy and/or shall require the employee to satisfactorily participate in and complete a drug assistance or rehabilitation program approved by a federal, state, or local public health or law enforcement agency or other appropriate agency.

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

Drug-Free Awareness Program

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

1. The dangers of drug abuse in the workplace
2. The district's policy of maintaining a drug-free workplace
3. Available drug counseling, rehabilitation, and employee assistance programs

(cf. 4159/4259/4359 - Employee Assistance Programs)

4. The penalties that may be imposed on employees for drug abuse violations occurring in the workplace

Legal Reference:

EDUCATION CODE

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

GOVERNMENT CODE

8350-8357 Drug-free workplace

UNITED STATES CODE, TITLE 20

7111-7117 Safe and Drug Free Schools and Communities Act

UNITED STATES CODE, TITLE 21

812 Schedule of controlled substances

UNITED STATES CODE, TITLE 41

701-707 Drug-Free Workplace Act

CODE OF FEDERAL REGULATIONS, TITLE 21

1308.01-1308.49 Schedule of controlled substances

COURT DECISIONS

Cahoon v. Governing Board of Ventura USD, (2009) 171 Cal.App.4th 381

Ross v. RagingWire Telecommunications, Inc., (2008) 42 Cal.4th 920

Management Resources:

WEB SITES

California Department of Alcohol and Drug Programs: <http://www.adp.ca.gov>

California Department of Education: <http://www.cde.ca.gov>

U.S. Department of Labor: <http://www.dol.gov>

Policy HEMET UNIFIED SCHOOL DISTRICT

adopted: February 15, 2011 Hemet, California

Hemet USD

Administrative Regulation

Tobacco-Free Schools

AR 3513.3

Business and Noninstructional Operations

Notifications

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

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

The Superintendent or designee may disseminate this information through annual written notifications, district and school web sites, student and parent handbooks, and/or other appropriate methods of communication.

(cf. 1113 - District and School Web Sites)

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

Enforcement/Discipline

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

(cf. 4118 - Suspension/Disciplinary Action)

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

(cf. 5144 - Discipline)

(cf. 5144.1 - Suspension and Expulsion/Due Process)

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

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

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

The Superintendent or designee shall not be required to physically eject a nonemployee who is smoking or to request that the nonemployee refrain from smoking under circumstances involving a risk of physical harm to the district or any employee. (Labor Code 6404.5)

Regulation HEMET UNIFIED SCHOOL DISTRICT
approved: January 3, 2012 Hemet, California

Hemet USD

Board Policy

Tobacco-Free Schools

BP 3513.3

Business and Noninstructional Operations

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

(cf. 3514 - Environmental Safety)
(cf. 4159/4259/4359 - Employee Assistance Programs)
(cf. 5030 - Student Wellness)
(cf. 5131.62 - Tobacco)
(cf. 5141.23 - Asthma Management)
(cf. 6142.8 - Comprehensive Health Education)
(cf. 6143 - Courses of Study)

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

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

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

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

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

Legal Reference:
EDUCATION CODE

48900 Grounds for suspension/expulsion

48901 Prohibition against tobacco use by students

HEALTH AND SAFETY CODE

39002 Control of air pollution from nonvehicular sources

104350-104495 Tobacco use prevention, especially:

104495 Prohibition of smoking and tobacco waste on playgrounds

119405 Unlawful to sell or furnish electronic cigarettes to minors

LABOR CODE

3300 Employer, definition

6304 Safe and healthful workplace

6404.5 Occupational safety and health; use of tobacco products

UNITED STATES CODE, TITLE 20

6083 Nonsmoking policy for children's services

7100-7117 Safe and Drug Free Schools and Communities Act

CODE OF FEDERAL REGULATIONS, TITLE 21

1140.1-1140.34 Unlawful sale of cigarettes and smokeless tobacco to minors

PERB RULINGS

Eureka Teachers Assn. v. Eureka City School District (1992) PERB Order #955 (16 PERC 23168)

CSEA #506 and Associated Teachers of Metropolitan Riverside v. Riverside Unified School District (1989) PERB Order #750 (13 PERC 20147)

Management Resources:

WEB SITES

California Department of Education, Alcohol, Tobacco and Other Drug Prevention:

<http://www.cde.ca.gov/ls/he/at>

California Department of Education, Tobacco-Free School District Certification:

<http://www.cde.ca.gov/ls/he/at/tobaccofreecert.asp>

California Department of Public Health, Tobacco Control:

<http://www.cdph.ca.gov/programs/tobacco>

Occupational Safety and Health Standards Board: <http://www.dir.ca.gov/OSHSB/oshsb.html>

U.S. Environmental Protection Agency: <http://www.epa.gov>

Policy HEMET UNIFIED SCHOOL DISTRICT

adopted: January 3, 2012 Hemet, California

Hemet Unified School District

Tobacco-Free School District Policy and Tobacco Cessation Information

The Governing Board recognizes the health hazards associated with smoking and the use of tobacco products, including the breathing of second-hand smoke, and desires to provide a healthy environment for students and staff. (BP 3513.3)

The Board prohibits the use of tobacco products at any time in district-owned or leased buildings, on district property and in district vehicles. This prohibition applies to all employees, students and visitors at any instructional program, activity or athletic event. (BP3513.3)

Smoking or use of any tobacco-related products and disposal of any tobacco-related waste are prohibited within 25 feet of any playground, except on a public sidewalk located within 25 feet of the playground (BP 3513.3) Health and Safety code 104495.

Information about smoking cessation programs shall be made available and encouraged for students and staff (BP5131.62) Health and Safety Code 104420.

A free brochure called "Clearing the Air, Quit Smoking Today", is available from the National Cancer Institute: 1 (800) 4-CANCER or at www.cancer.gov

The California Smokers' Helpline is a resource for anyone who is considering quitting. A friendly staff person will offer several options: self-help materials, a referral list to other programs, and one-to-one counseling over the phone. For help quitting smoking call 1-800-NO-BUTTS (1-800-662-8887); for help with chewing tobacco, call 1-800-844-2439; Spanish, 1-800 456-6386; Chinese, 1-800-838-8917; Vietnamese, 1-800 778-8440; Korean, 1-800-556-5564; TDD/TTY, 1-800-933-4833.

Tobacco cessation classes are offered through the Riverside County Tobacco Control program. They can be contacted at (951) 358-4977.

For information on cessation resources and services available through the Employee Benefits program, contact Michelle McCall at 765-5100, ext. 2400

Tobacco Cessation services are available for teens at Hemet Unified School District schools. Talk with a school site principal or counselor, or call the Educational Services Branch at 765-5100, ext. 3210.

Hemet USD

Administrative Regulation

Sexual Harassment

AR 4119.11 4219.11, 4319.11
Personnel

Prohibited sexual harassment includes, but is not limited to, unwelcome sexual advances, requests for sexual favors or other verbal, visual or physical conduct of a sexual nature made against another person of the same or opposite sex, in the work or educational setting, when (Education Code 212.5):

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

Other examples of sexual harassment, whether committed by a supervisor, any other employee or a non-employee, in the work or educational setting, include but are not limited to:

1. Unwelcome leering, sexual flirtations or propositions
2. Unwelcome sexual slurs, epithets, threats, innuendos, verbal abuse, derogatory comments or sexually degrading descriptions
3. Graphic verbal comments about an individual's body, or overly personal conversation or pressure for sexual activity
4. Sexual jokes, stories, drawings, pictures or gestures
5. Spreading sexual rumors
6. Touching an individual's body or clothes in a sexual way

7. Cornering or blocking, leaning over or impeding normal movements
8. Displaying sexually suggestive objects in the educational or work environment
9. Unwelcome visual conduct such as drawings, pictures, graffiti, gestures or sexually explicit e-mails
10. Unwelcome physical conduct such as massaging, grabbing, fondling, stroking or brushing the body
11. Any act of retaliation against an individual who reports a violation of the district's sexual harassment policy or who participates in the investigation of a sexual harassment complaint

Each principal and supervisor has the responsibility of maintaining an educational and work environment free of sexual harassment. This responsibility includes presenting the district's sexual harassment policy annually to his/her students and employees and assuring them that they are not required to endure sexually insulting, degrading, or exploitative treatment or any other form of sexual harassment.

Training

By January 1, 2006, and every two years thereafter, the Superintendent or designee shall ensure that 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. (Government Code 12950.1)

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.

Notifications

A copy of this policy shall: (Education Code 231.5)

1. Be displayed in a prominent location in the main administrative building or other area of the school where notices of district rules, regulations, procedures and standards of conduct are posted

2. Be provided to each faculty member, all members of the administrative staff, and all members of the support staff at the beginning of the first quarter or semester of the school year, or whenever a new employee is hired

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

3. Appear in any school or district publication that sets forth the school's or district's comprehensive rules, regulations, procedures and standards of conduct

All employees shall receive either a copy of information sheets prepared by the California Department of Fair Employment and Housing or a copy of district policies that contain, at a minimum, components on: (Government Code 12950)

1. The illegality of sexual harassment
2. The definition of sexual harassment under applicable state and federal law
3. A description of sexual harassment, with examples
4. The district's complaint process available to the employee
5. The legal remedies and complaint process available through the California Department of Fair Employment and Housing/Fair Employment and Housing Commission, and the United States Equal Employment Opportunity Commission.
6. Directions on how to contact the California Department of Fair Employment and Housing/Fair Employment and Housing commission which is listed in most telephone directories under State Government, and the United States Equal Employment Opportunity Commission, which is listed in most telephone directories under United States or Federal Government.

The California Department of Fair Employment and Housing's website is <http://www.dfeh.ca.gov>.

The U.S. Equal Employment Opportunity Commission's website is <http://www.eeoc.gov>.

7. The protection against retaliation provided by 2 CCR 7287.8 for opposing harassment prohibited by law or for filing a complaint with, or otherwise participating in an investigation, proceeding or hearing conducted by DEFH and EEOC.

Regulation HEMET UNIFIED SCHOOL DISTRICT
Approved: November 1, 2005 Hemet, California

Hemet USD

Board Policy

Sexual Harassment

BP 4319.11 4219.11, 4319.11

Personnel

The Governing Board desires to provide district employees with a working environment that is free from harassment. In order to achieve this end, the Board prohibits sexual harassment of district employees by anyone, in any manner, and shall not tolerate retaliatory action or behavior against a district employee or other person who complains, testifies or otherwise participates in the complaint process pursuant to Board policy and administrative regulations.

For the purposes of this policy, district employees shall include applicants for employment in the district.

Any district employee who permits, engages in or participates in sexual harassment of another district employee, job applicant or student, or who aids, abets, incites, compels, or coerces another to commit sexual harassment against a district employee, job applicant, or student, shall be in violation of this policy and is subject to disciplinary action, up to and including dismissal. An employee shall be deemed to have permitted sexual harassment where he/she has knowledge or notice that a student or an employee has engaged in sexual harassment and fails to report such student or employee to the appropriate authorities, whether or not the victim makes a complaint.

A supervisor, principal or district administrator other than the Superintendent or designee who receives a harassment complaint shall promptly notify the Superintendent or designee.

(cf. 4030 - Nondiscrimination in Employment)

(cf. 4117.4 - Dismissal)

(cf. 4118 - Suspension/Disciplinary Action)

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

(cf. 4318 - Suspension/Disciplinary Action)

Any district employee who feels that he/she has been sexually harassed or who has knowledge or notice of any instance of sexual harassment by another employee or a student, shall immediately contact his/her supervisor, or the Superintendent, to obtain procedures for reporting a complaint. However, an employee may bypass his/her supervisor in registering a complaint where the supervisor is the alleged perpetrator of the sexual harassment. Employee complaints of sexual harassment shall be filed in accordance with AR 4031 - Complaints Concerning Discrimination in Employment.

All complaints and allegations of sexual harassment shall be kept confidential to the extent necessary to carry out the investigation or to take other subsequent necessary actions. (5 CCR 4964)

(cf. 4031 - Complaints Concerning Discrimination in Employment)

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

1. Providing annual training to all staff regarding the district's sexual harassment policy, particularly the procedures for registering complaints and employees' duty in availing themselves of the complaint procedure in order to avoid harm
2. Publicizing and disseminating the district's sexual harassment policy to staff
3. Ensuring prompt, thorough and fair investigation of complaints in a way that respects the privacy of all parties concerned, to the extent necessary
4. Taking timely and appropriate corrective/remedial actions after completion of investigation. This may require subsequent monitoring of developments.

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 HEMET UNIFIED SCHOOL DISTRICT
adopted: November 1, 2005 Hemet, California

Hemet USD

Administrative Regulation

Williams Uniform Complaint Procedures

AR 1312.4

Community Relations

Cautionary Notice: As added and amended by SBX3 4 (Ch. 12, Third Extraordinary Session, Statutes of 2009) and ABX4 2 (Ch. 2, Fourth Extraordinary Session, Statutes of 2009), Education Code 42605 grants districts flexibility in "Tier 3" categorical programs. The Hemet Unified School District has accepted this flexibility and thus is deemed in compliance with the statutory or regulatory program and funding requirements for these programs for the 2008-09 through 2012-13 fiscal years. As a result, the district may temporarily suspend certain provisions of the following policy or regulation that reflect these requirements. For further information, please contact the Superintendent or designee.

Types of Complaints

The district shall use the following procedures to investigate and resolve complaints when the complainant alleges that any of the following has occurred: (Education Code 35186; 5 CCR 4681, 4682, 4683)

1. Textbooks and instructional materials

- a. A pupil, including an English learner, does not have standards-aligned textbooks or instructional materials or state- or district-adopted textbooks or other required instructional materials to use in class.
- b. A pupil does not have access to textbooks or instructional materials to use at home or after school.
- c. Textbooks or instructional materials are in poor or unusable condition, have missing pages, or are unreadable due to damage.

(cf. 6161.1 - Selection and Evaluation of Instructional Materials)

2. Teacher vacancy or misassignment

- a. A trimester begins and a teacher vacancy exists.
- b. A teacher who lacks credentials or training to teach English learners is assigned to teach a class with more than 20 percent English learner pupils in the class.

(cf. 4112.22 - Staff Teaching Students of Limited English Proficiency)

- c. A teacher is assigned to teach a class for which the teacher lacks subject matter competency.

Teacher vacancy means a position to which a single designated certificated employee has not been assigned at the beginning of the year for an entire year or, if the position is for a one-semester course, a position to which a single designated certificated employee has not been assigned at the beginning of the semester for an entire semester. (Education Code 35186; 5 CCR 4600)

Beginning of the year or trimester means the first day classes necessary to serve all the pupils enrolled are established with a single designated certificated employee assigned for the duration of the class, but not later than 20 working days after the first day pupils attend classes for that semester. (5 CCR 4600)

Misassignment means the placement of a certificated employee in a teaching or services position for which the employee does not hold a legally recognized certificate or credential or the placement of a certificated employee in a teaching or services position that the employee is not otherwise authorized by statute to hold. (Education Code 35186; 5 CCR 4600)

(cf. 4112.2 - Certification)

(cf. 4113 - Assignment)

3. Facilities

- a. A condition poses an emergency or urgent threat to the health or safety of pupils or staff.

Emergency or urgent threat means structures or systems that are in a condition that poses a threat to the health and safety of pupils or staff while at school, including, but not limited to, gas leaks; nonfunctioning heating, ventilation, fire sprinklers, or air-conditioning systems; electrical power failure; major sewer line stoppage; major pest or vermin infestation; broken windows or exterior doors or gates that will not lock and that pose a security risk; abatement of hazardous materials previously undiscovered that pose an immediate threat to pupils or staff; or structural damage creating a hazardous or uninhabitable condition. (Education Code 17592.72)

- b. A school restroom has not been cleaned, maintained, or kept open in accordance with Education Code 35292.5.

Clean or maintained school restroom means a school restroom has been cleaned or maintained regularly, is fully operational, or has been stocked at all times with toilet paper, soap, and paper towels or functional hand dryers. (Education Code 35292.5)

Open restroom means, except as necessary for pupil safety or to make repairs, the school has kept all restrooms open during school hours when pupils are not in classes and has kept a sufficient number of restrooms open during school hours when pupils are in classes.

(Education Code 35292.5)

4. High school exit examination intensive instruction and services

A pupil, including an English learner, who has not passed the exit exam by the end of grade 12 was not provided the opportunity to receive intensive instruction and services pursuant to Education Code 37254(d)(4) and (5) after completion of grade 12 for two consecutive academic years or until the pupil has passed both parts of the exam, whichever comes first. (Education Code 35186)

(cf. 6162.52 - High School Exit Examination)

(cf. 6179 - Supplemental Instruction)

Filing of Complaint

A complaint alleging any condition(s) specified in items #1-3 above shall be filed with the principal or designee at the school in which the complaint arises. The principal or designee shall forward a complaint about problems beyond his/her authority to the Superintendent or designee in a timely manner, but not to exceed 10 working days. (Education Code 35186; 5 CCR 4680)

A complaint alleging any deficiency specified in item #4 above shall be filed with a district official designated by the Superintendent. Such complaints may be filed at the district office or at a school site and shall be immediately forwarded to the Superintendent or designee. (Education Code 35186)

Investigation and Response

The principal or designee shall make all reasonable efforts to investigate any problem within his/her authority. He/she shall remedy a valid complaint within a reasonable time period not to exceed 30 working days from the date the complaint was received. (Education Code 35186; 5 CCR 4685)

Complaints may be filed anonymously. If the complainant has indicated on the complaint form that he/she would like a response to the complaint, the principal or designee shall report the resolution of the complaint to him/her within 45 working days of the initial filing of the complaint. If a response is requested, the response shall be made to the mailing address of the complainant as indicated on the complaint form. At the same time, the principal or designee shall report the same information to the Superintendent or designee. (Education Code 35186; 5 CCR 4680, 4685)

When Education Code 48985 is applicable and the complainant has requested a response, the response shall be written in English and in the primary language in which the complaint was filed. (Education Code 35186)

If a complainant is not satisfied with the resolution of a complaint, he/she has the right to

describe the complaint to the Governing Board at a regularly scheduled meeting. (Education Code 35186; 5 CCR 4686)

For any complaint concerning a facilities condition that poses an emergency or urgent threat to the health or safety of pupils or staff as described in item #3a above, a complainant who is not satisfied with the resolution proffered by the principal or Superintendent or designee may file an appeal to the Superintendent of Public Instruction within 15 days of receiving the district's response. The complainant shall comply with the appeal requirements specified in 5 CCR 4632. (Education Code 35186; 5 CCR 4687)

All complaints and written responses shall be public records. (Education Code 35186; 5 CCR 4686)

(cf. 1340 - Access to District Records)

Reports

The Superintendent or designee shall report summarized data on the nature and resolution of all complaints to the Board and the County Superintendent of Schools on a quarterly basis. The report shall include the number of complaints by general subject area with the number of resolved and unresolved complaints. These summaries shall be publicly reported on a quarterly basis at a regularly scheduled Board meeting. (Education Code 35186; 5 CCR 4686)

Forms and Notices

The Superintendent or designee shall ensure that the district's complaint form contains a space to indicate whether the complainant desires a response to his/her complaint and specifies the location for filing a complaint. A complainant may add as much text to explain the complaint as he/she wishes. However, complainants need not use the district's Williams complaint form in order to file a complaint. (Education Code 35186)

The Superintendent or designee shall ensure that a notice is posted in each classroom in each school containing the components specified in Education Code 35186. (Education Code 35186)

Legal Reference:

EDUCATION CODE

1240 County superintendent of schools, duties

17592.72 Urgent or emergency repairs, School Facility Emergency Repair Account

33126 School accountability report card

35186 Williams uniform complaint procedure

35292.5 Restrooms, maintenance and cleanliness

37254 Supplemental instruction based on failure to pass exit exam by end of grade 12

48985 Notice to parents in language other than English

60119 Hearing on sufficiency of instructional materials

CODE OF REGULATIONS, TITLE 5

4600-4687 Uniform complaint procedures, especially:
4680-4687 Williams complaints

Management Resources:

WEB SITES

CSBA: <http://www.csba.org>

California County Superintendents Educational Services Association: <http://www.ccesa.org>

California Department of Education, Williams case: <http://www.cde.ca.gov/eo/ce/wc/index.asp>

State Allocation Board, Office of Public School Construction: <http://www.opsc.dgs.ca.gov>

Regulation HEMET UNIFIED SCHOOL DISTRICT

approved: September 2, 2008 Hemet, California



Dr. Sally Cawthon
Interim Superintendent

Dr. LaFaye Platter
Deputy Superintendent

Dr. Sally Cawthon
Assistant Superintendent

Vince Christakos
Assistant Superintendent

**Professional Development
Service Center**

1791 W. Acacia Avenue
Hemet, CA 92545
(951) 765-5100
Fax: (951) 765-5115

**Professional Development
Academy**

2085 W. Acacia Avenue
Hemet, CA 92545
(951) 765-5100
Fax: (951) 765-6421

www.hemetusd.k12.ca.us

Governing Board

Paul Bakkom
Dr. Lisa DeForest
Marilyn Forst
Charlotte Jones
Bill Sanborn
Ross Valenzuela
Joe Wojcik

HEMET UNIFIED SCHOOL DISTRICT

COMPLAINT PROCEDURES

PUBLIC COMPLAINTS 5CCR4622, EC 32289 (Governing Board Policy 1312.3, 1312.4)

It is the philosophy of the Hemet Unified School District to secure, at the lowest possible administrative level, equitable responses to complaints.

Step 1: The complainant shall attempt to discuss the matter with the employee within seven (7) working days of knowledge of the event given rise to the complaint unless the complainant alleges sexual harassment.

Step 2: If the complaint is not resolved at Step 1, the complainant shall submit a written complaint to the employee's immediate supervisor within twenty (20) working days of the Step 1 discussion. When a written complaint is received, the employee shall be notified by his/her supervisor in accordance with collective bargaining agreements. A written complaint must include: (1) The complainant's signature. (2) The complainant's name, address, and telephone number. (3) Information concerning the complainant's attempt, if any, to resolve the complaint directly with the person who allegedly engaged in the violation, including the date of such discussion and any information offered by the employee. (4) A description of the alleged violation, including the time, place, nature, participants in and witnesses to the alleged violation. (5) The law, regulation, policy, or procedure allegedly violated, if known. (6) The name(s) and work site(s) of the district staff member(s) who committed the alleged violation(s), and other pertinent information that may assist the District in investigating and resolving the complaint. The Supervisor shall hold a meeting with complainant and employee within 15 working days of receipt of the written complaint.

Step 3: If the complaint is not resolved at Step 2, the complainant shall submit a written complaint to the Superintendent or designee within ten (10) working days of the Step 2 response. The written complaint shall include the information listed in Step 2. The Superintendent or designee shall review and respond in writing within 15 working days.

Step 4: If the complaint is not resolved at Step 3, the complainant may appeal in writing to the Governing Board of the Hemet Unified School District within ten (10) working days of the Step 3 response. The written complaint shall include the information listed in Step 2. The Governing Board may: Uphold the Superintendent or designee's decision without hearing the complaint. Meet with all parties at a closed session meeting of the Board to present evidence and explain issues. The employee shall receive written notice of his/her rights to request that the complaint be heard in open session.

The Governing Board's decision is final.

UNIFORM COMPLAINT PROCEDURES California Code of Regulations, Title 5, Section 4622(Williams) (Education Code 35186) (AR 1312.4) (AR 1312.3 Uniform Complaint Procedures)

The Hemet Unified School District has primary responsibility for ensuring that it complies with state and federal laws and regulations governing educational programs implemented by the district and civil rights protections regarding actual or perceived sex, sexual orientation, gender, age, ethnic group identification, race, ancestry, national origin, religion, color, or mental or physical disability. Any complaints alleging unlawful discrimination or failure to comply with state or federal laws in adult education, consolidated categorical aid programs, migrant education, childcare and development programs, child nutrition programs, vocational education, and special education programs will be reviewed and mediated or investigated by the district. The complainant will have the opportunity to provide relevant information during the investigation. Within sixty days of receipt of the complaint, the district will provide a written report to the complainant unless the complainant agrees in writing to extend the timeline. [T5CCR4631] Complaints alleging discrimination must be filed within six months from the alleged occurrence or when knowledge was first obtained. Complainants may also pursue civil law remedies through mediation centers, the county office of education, and public/private interest attorneys.

The district follows Uniform Complaint Procedures established in Board Policy 1312.3 and 4030. Complaints should be directed to the district complaint officer, the Deputy Superintendent of Human Resources, at 951-765-5100, extension 2000.

If dissatisfied with the district's resolution of a complaint, the complainant has the right to appeal to the California Department of Education within fifteen days after the district's report is issued. The appeal to CDE must include a copy of the locally filed complaint and a copy of the LEA Decision. [T5CCR4632(c)] **In a discrimination complaint, the complainant has the right to seek legal remedies (such as court action) when at least sixty days has passed after filing an appeal with the California Department of Education.**

WILLIAMS COMPLAINT POLICY & PROCEDURE – EC 35186

Every school must provide sufficient textbooks and instructional materials. Every student, including English learners, must have textbooks or instructional materials, or both, to use at home or after school. School facilities must be clean, safe, and maintained in good repair. There should be no teacher vacancies or misassignments. If a school is found to have deficiencies in these areas, and the school does not take corrective action, then a complaint form may be obtained from the district complaint officer, the Assistant Superintendent of Human Resources. Parents, students, teachers or any member of the public may submit a complaint regarding these issues. However, it is highly encouraged that individuals express their concerns to the school principal before completing the complaint forms to allow the school to respond to these concerns.

The Uniform Complaint Form can be obtained free of charge at the school or district office. You may also download a copy of the form from the following web site: http://www.hemetusd.k12.ca.us/faq/parents_complaint/pdf

Sincerely,

Sally Cawthon

Sally Cawthon, Ed.D.
Interim Superintendent,

Paid Family Leave Insurance Program

Paid Family Leave insurance benefits for California workers

There are times in the life of every working person when they need to care for a loved one. Maybe it's a working parent who needs more time to bond with and care for a newborn. Maybe it's an employee who needs to care for a seriously ill parent, child, spouse, or registered domestic partner. California's Paid Family Leave insurance benefit was created for times like these. (**Note:** Registered domestic partners must meet requirements and register with the California Secretary of State to be eligible for benefits.)

A program that benefits you and your family

California is leading the nation as the first state to make it easier for employees to balance the demands of the workplace and family care needs at home. Paid Family Leave insurance benefits are based on the claimant's (care provider's) past quarterly earnings. For more information regarding maximum benefit amounts paid, view the link to the *Disability Insurance (DI) & Paid Family Leave (PFL) Weekly Benefit Amounts in Dollar Increments* form, DE 2589, at www.edd.ca.gov.

Paid Family Leave for California employees

Paid Family Leave insurance does not provide job protection or return rights. Your job **may** be protected **if** your employer is subject to the federal Family Medical Leave Act and the California Family Rights Act. You must notify your employer of your reason for taking leave in a manner consistent with your company's leave policy.

To qualify for Paid Family Leave compensation, you must meet the following requirements:

- Be covered by State Disability Insurance (SDI) (or a voluntary plan in lieu of SDI) and have earned at least \$300 in your base period from which deductions were withheld.
- Complete your claim forms accurately, completely, truthfully, and timely.
- Submit your claim no earlier than 9 days, but no later than 49 days after the first day your family care leave began.
- Supply medical information that supports your claim that the care recipient has a serious health condition and requires your care.
- Provide documentation to support a claim for bonding with a new biological, adopted, or foster child.
- Use up to two weeks of any earned but unused vacation leave or paid time off (PTO) prior to the initial receipt of benefits if required by your employer prior to the initial receipt of benefits.
- Serve a 7-day unpaid waiting period before benefits begin for each different care recipient within the 12-month period.

You may not be eligible for benefits if:

- You are receiving State Disability Insurance, Unemployment Insurance, or Workers' Compensation benefits.
- You are not working or looking for work at the time you begin your family care leave.
- You are not suffering a loss of wages.
- The need for care is not supported by the certificate of a treating physician or practitioner.
- You are in custody due to conviction of a crime.

You are entitled to:

- Know the reason and basis for any decision that affects your benefits.
- Appeal any decision about your eligibility for benefits. (Appeals must be sent to Paid Family Leave in writing.)
- A hearing of your appeal before an Administrative Law Judge (ALJ). You may further appeal the ALJ's decision to the California Unemployment Insurance Appeals Board and the courts.
- Privacy — Information about your claim will be kept confidential except for the purposes allowed by law.

Fast facts about Paid Family Leave

- Provides benefits but does not provide job protection or return rights.
- Provides eligible workers partial wage replacement when taking time off work to care for a parent, child, spouse, and registered domestic partner or to bond with a new child.
- Covers all employees who are covered by SDI (or a voluntary plan in lieu of SDI).
- Offers up to 6 weeks of benefits in a 12-month period.
- Provides benefits of approximately 55 percent of lost wages.

Contact Paid Family Leave

If you have any questions about these benefits or would like to request a claim form, contact us today. If you are a woman currently receiving SDI pregnancy-related benefits, it is not necessary to request a Claim for Paid Family Leave Benefits. You will automatically be sent a Claim for Paid Family Leave (PFL) Benefits - New Mother, DE 2501FP, when your pregnancy-related disability claim ends.

1-877-238-4373 (English) 1-877-379-3819 (Español)
1-866-692-5595 (Cantonese) 1-866-692-5596 (Vietnamese)
1-866-627-1567 (Armenian) 1-866-627-1568 (Punjabi)
1-866-627-1569 (Tagalog) 1-800-445-1312 (TTY)

For more information, visit:

www.edd.ca.gov



**Claim forms should be mailed to
Paid Family Leave at:
P.O. Box 997017
Sacramento, CA 95799-7017**

EDD is an equal opportunity employer/program. Auxiliary aids and services are available upon request to individuals with disabilities. Requests for services, aids, and/or alternate formats need to be made by calling 877-238-4373 (voice), or TTY 800-445-1312.

This pamphlet is for general information only and does not have the force and effect of law, rule or regulation.

SmartFindExpress

Employee Call System

Hemet Unified School District uses a web based system called *SmartFindExpress*. You can access the system via internet or telephone; however, we strongly encourage internet use.

Registration

To register, please follow these steps:

1. Call the SmartFindExpress system: **(951) 692 – 4789**
2. Enter your **Access ID**
 - a. Access ID = Six (6) digits of your employee number
 - o Your employee number will be sent to you in a memo **after** you have been approved by the Governing Board. The memo will be sent approximately one week after Board approval.
 - b. *Classified Substitute Access ID* = 7 digit phone # **without** area code
3. Enter your **Pin Number**
 - a. Pin Number = last six (6) numbers of your Social Security Number
4. Voice record your name

Tutorial Training

To familiarize yourself with SmartFindExpress, an interactive help tab is available 24/7 for your use. This tab is located on the home login page of SmartFindExpress. To log on, please follow these steps:

1. Go to web address: <https://hemetUSD.eschoolsolutions.com/logOnInitAction.do>
2. Log in on the home page
3. The help tab is located on the upper right hand side of the home page. Drop the help tab menu down to find the Employee User Guide along with video tutorials.

District Help Desk

If you need extra assistance or have questions, please contact **Cindy Pierce** at (951) 765 - 5100, ext. 2204. Please leave a voicemail explaining your situation and we will contact you as soon as possible.

Help Desk hours: Monday – Friday from 6:30 am to 3:30 pm

- Ensure that the correct time is entered. If the times for the substitute are different than the absence times, please enter the adjusted times
- Multiple Day (Recurring) Absence.
 - Your default work schedule is shown. Remove the checkmark(s) from the Work Days boxes that do not apply to this absence
 - Modify daily schedule and/or times for absence and substitute
- Request a particular substitute
 - Enter the substitute's access ID number or use the Search feature to find the substitute by name
- Indicate if the requested substitute has accepted this job
 - Yes = substitute is prearranged and will not be called and offered the job
 - No = call will be placed and the substitute will be offered the job
- Enter special instructions for the substitute to view
- Add File Attachment(s) to the job record, if desired. Up to 3 files can be added. The attachments can be lesson plans, slides, images or other file types. Files cannot exceed the maximum per file size limit.
- **Select the Continue button**

COMPLETE! You **MUST** receive a **Job Number** for your absence to be recorded in the system and to receive a substitute.

TO REVIEW/ CANCEL ABSENCE OR MODIFY SPECIAL INSTRUCTIONS

Choose the *Review Absences* link to review past, present and future absences or to cancel an absence.

Follow these steps

- Select the format for absence display: List or Calendar view.
- Search for Jobs: Enter specific date range (MM/DD/YYYY) or Calendar icon, or enter job number or leave blank to return all your absences
- Select the *Search* Button
- Select the *Job Number* link to view job details on future jobs

From the Job Details screen

- Special instructions can be updated on future jobs. Modify the special instructions and select the *Save* button
- To cancel your job, select the *Cancel Job* button
- If a substitute is assigned to your absence and you want the system to notify them of the job cancellation (by calling them), place a checkmark in the box prior to the question "Notify the Substitute of Cancellation?"
- Select *Return to List* button to return to the job listing

SIGN OUT AND WEB BROWSER INFORMATION

At any time during the session, the *Sign Out* link can be selected to end the session and disconnect from SmartFindExpress. Selecting the browser's back button or going to another site on the Internet does not disconnect the session from SmartFindExpress.

To ensure security and privacy of information, use the *Sign Out* link to disconnect from SmartFindExpress, and close the web browser when you finish with your session.

You can click the Help link to access Help Guides and How-to videos.

Important Note: Do NOT use the browser's BACK button to navigate to screens.

Navigation buttons are on the bottom of SmartFindExpress screens, such as the *Return to List* and *Continue* buttons.



HEMET UNIFIED SCHOOL DISTRICT Employee Quick Reference Card

System Phone Number 951.692.4789

Help Desk Phone Number 951-765-5100, ext. 2204

Write your Access ID here (employee number)

Write your PIN here (last 6 SS# digits) dropping first zero if applies

Web Browser URL https://hemetUSD.eschoolsolutions.com

TELEPHONE ACCESS INSTRUCTIONS

THE SYSTEM CALLS SUBSTITUTES DURING THESE TIMES:

	Today's Jobs	Future Jobs
Weekdays	Starts at 5:00 am	3:15-10:00 pm
Saturday	None	None
Sunday	None	3:30-10:00 pm
Holidays	None	5:00-10:00 pm

REASONS FOR ABSENCE:

- | | |
|-----------------------|-----------------------|
| 1. Sick Leave | 7. Comp Time |
| 2. Bereavement | 8. School Business |
| 3. Industrial Injury | 9. Other |
| 4. Jury Duty | 10. Family Sick Leave |
| 5. AWOP | 11. " R " Day |
| 6. Personal Necessity | 22. Vacation Day |

Before any features are available, you must register with the system by recording your name using your ID and PIN. The Access ID (Employee number) and PIN (last 6 of SS# digits) are used for all interactions with the system.

REGISTRATION

1. Enter your **Access ID** followed by the star (*) key
2. Enter your **PIN#** when it asks for your PIN followed by the star (*) key
3. Record your name followed by the star (*) key
4. Listen to the prompt to re-record your name is needed.



TELEPHONE ACCESS INSTRUCTIONS (Cont.)

1. Enter your **Access ID** followed by the star (*) key
2. Enter your **PIN** followed by the star (*) key

MENU OPTIONS

- 1 – Create an Absence
- 2 – Review, Cancel Absence or Modify Special Instructions
- 3 – Review Work Locations and Job Descriptions
- 4 – Change PIN, Re-record Name
- 9 – Exit and hang-up

TO CREATE AN ABSENCE

1. Enter dates for the absence
PRESS 1 if the Absence is only for today
PRESS 2 if the Absence is only for tomorrow
PRESS 3 to Enter the dates and times for the absence
2. If you pressed 3 to Enter Dates and time
Enter Start Date
PRESS 1 to Accept the date offered
PRESS 2 to Enter start date (MMDD)
3. Enter the reason from page 1 followed by the star (*) key or wait for a list of reasons
4. Record Special Instructions
PRESS 1 to Record special instructions. Press the star (*) key when done
PRESS 2 to Bypass this step
5. Is a Substitute Required?
PRESS 1 if a substitute is required
PRESS 2 if a substitute is not required
6. If you **pressed 1**, a substitute is required
PRESS 1 to Request a particular substitute
Enter the substitute access ID, followed by the star (*) key
PRESS 1 to Accept requested substitute
PRESS 1 if the Substitute should be called
PRESS 2 if the Substitute has already agreed to work and does not need to be called
PRESS 2 to Bypass requesting a substitute
7. Complete Absence
PRESS 1 to Receive the job number
Record the Job Number. The Job Number is your confirmation.

TO REVIEW/CANCEL ABSENCE OR MODIFY SPECIAL INSTRUCTIONS

1. Hear the job information
PRESS 1 to Hear absence information again
PRESS 2 to Modify special instructions
PRESS 3 to Cancel the absence

2. If you **pressed 3** to Cancel the job
PRESS 1 to Confirm the cancellation request
If a substitute is assigned to the absence
PRESS 1 for the System to call the assigned substitute
PRESS 2 to Not have the system call the substitute
Once you confirm a request to cancel the job, you **MUST** wait for the system to say "**Job Number has been cancelled.**"

TO CHANGE PIN or RE-RECORD NAME

1. **PRESS 1** to Change your PIN
PRESS 2 to Change the recording of your name

WEB BROWSER ACCESS INSTRUCTIONS

SIGN IN

Open your browser and access the SmartFindExpress Sign In page. Enter your Access ID and PIN.

PIN REMINDER

The "Trouble Signing In" link supports users who want to log into the system, but have forgotten their PIN. When this link is selected, the system displays the PIN Reminder Request page. The user's Access ID and the security code being displayed must be entered on this page. **Note:** You must be registered with the system and have a valid email address in your profile to use this option.

PROFILE

Information

- Review profile status and address information.

Update Email

- Enter or change email address.

Change Password

- Enter your current PIN followed by a new PIN twice and click Save.

SELECT ROLE

- For multi-role employees, click on the desired icon to access another profile. No need to log out of the system and back in again!

TO CREATE AN ABSENCE

Choose the *Create an Absence* link

Important Note: Items in Bold are required to complete an Absence.

- **Select the Location**
- **Select the Classification**
 - Choose from the drop-down menu
- **Select the Reason for this absence from the drop-down menu.**
NOTE: If you select a reason that requires administrator approval, the system displays a notification that the selected reason requires approval. You can continue with the job create with this reason or choose another reason. You can also provide an Approval Comment. ***Absence Approval may not be enabled for your district.**
- **Indicate if a substitute is required for this absence**
 - Choose Yes or No
- **Select Start and End Dates for your absence**
 - Enter the dates with forward slashes (MM/DD/YYYY) or use the calendar icon
- **Select Start and End Times for your absence. Default times are listed**
 - To change defaults, enter time in HH:MM am or pm format

TIME OF HIRE PAMPHLET

This pamphlet, or a similar one that has been approved by the Administrative Director, must be given to all newly hired employees in the State of California. Employers and claims administrators may use the content of this document and put their logos and additional information on it. The content of this pamphlet applies to all industrial injuries that occur on or after January 1, 2013.

WHAT IS WORKERS' COMPENSATION?

If you get hurt on the job, your employer is required by law to pay for workers' compensation benefits. You could get hurt by:

One event at work. Examples: hurting your back in a fall, getting burned by a chemical that splashes on your skin, getting hurt in a car accident while making deliveries.

—or—

Repeated exposures at work. Examples: hurting your wrist from using vibrating tools, losing your hearing because of constant loud noise.

—or—

Workplace crime. Examples: you get hurt in a store robbery, physically attacked by an unhappy customer.

Discrimination is illegal

It is illegal under Labor Code section 132a for your employer to punish or fire you because you:

- File a workers' compensation claim
- Intend to file a workers' compensation claim
- Settle a workers' compensation claim
- Testify or intend to testify for another injured worker.

If it is found that your employer discriminated against you, he or she may be ordered to return you to your job. Your employer may also be made to pay for lost wages, increased workers' compensation benefits, and costs and expenses set by state law.

WHAT ARE THE BENEFITS?

- **Medical care:** Paid for by your employer to help you recover from an injury or illness caused by work. Doctor visits, hospital services, physical therapy, lab tests and x-rays are some of the medical services that may be provided. These services should be necessary to treat your injury. There are limits on some services such as physical and occupational therapy and chiropractic care.

- **Temporary disability benefits:** Payments if you lose wages because your injury prevents you from doing your usual job while recovering. The amount you may get is up to two-thirds of your wages. There are minimum and maximum payment limits set by state law. You will be paid every two weeks if you are eligible. For most injuries, payments may not exceed 104 weeks within five years from your date of injury. Temporary disability (TD) stops when you return to work, or when the doctor releases you for work, or says your injury has improved as much as it's going to.
- **Permanent disability benefits:** Payments if you don't recover completely. You will be paid every two weeks if you are eligible. There are minimum and maximum weekly payment rates established by state law. The amount of payment is based on:
 - Your doctor's medical reports
 - Your age
 - Your occupation
- **Supplemental job displacement benefits:** This is a voucher for up to \$6,000 that you can use for retraining or skill enhancement at an approved school, books, tools, licenses or certification fees, or other resources to help you find a new job. You are eligible for this voucher if:
 - You have a permanent disability.
 - Your employer does not offer regular, modified, or alternative work, within 60 days after the claims administrator receives a doctor's report saying you have made a maximum medical recovery.
- **Death benefits:** Payments to your spouse, children or other dependents if you die from a job injury or illness. The amount of payment is based on the number of dependents. The benefit is paid every two weeks at a rate of at least \$224 per week. In addition, workers' compensation provides a burial allowance.

OTHER BENEFITS

You may file a claim with the Employment Development Department (EDD) to get state disability benefits when workers' compensation benefits are delayed, denied, or have ended. There are time restrictions so for more information contact the local office of EDD or go to their web site www.edd.ca.gov.

If your injury results in a permanent disability (PD) and the state determines that your PD benefit is disproportionately low compared to your earning loss, you may qualify for additional money from the Department of Industrial Relation's special earnings loss supplement program also known as the return to work program. If you have questions or think you qualify, contact the Information & Assistance Unit by going to www.dwc.ca.gov and looking under "Workers'

Compensation programs and units” for the “Information & Assistance Unit” link or visit the DIR web site at www.dir.ca.gov.

Workers’ compensation fraud is a crime

Any person who makes or causes to be made any knowingly false statement in order to obtain or deny workers’ compensation benefits or payments is guilty of a felony. If convicted, the person will have to pay fines up to \$150,000 and/or serve up to five years in jail.

WHAT SHOULD I DO IF I HAVE AN INJURY?

Report your injury to your employer

Tell your supervisor right away no matter how slight the injury may be. Don’t delay – there are time limits. You could lose your right to benefits if your employer does not learn of your injury within 30 days. If your injury or illness is one that develops over time, report it as soon as you learn it was caused by your job.

If you cannot report to the employer or don’t hear from the claims administrator after you have reported your injury, contact the claims administrator yourself.

Workers’ compensation insurance company or if employer is self-insured, person responsible for handling the claim is:

Lura Castillo x2305/Lucy M. Rebuck x2300

Address: 1791 W Acacia Ave, Hemet CA 92545

Phone: (951) 765-5100

You may be able to find the name of your employer’s workers’ compensation insurer at www.caworkcompcoverage.com. If no coverage exists or coverage has expired, contact the Division of Labor Standards Enforcement at www.dir.ca.gov/DLSE as all employees must be covered by law.

Get emergency treatment if needed

If it’s a medical emergency, go to an emergency room right away. Tell the medical provider who treats you that your injury is job related. Your employer may tell you where to go for follow up treatment.

Emergency telephone number: Call 911 for an ambulance, fire department or police. For non-emergency medical care, contact your employer, the workers' compensation claims administrator or go to this facility:

Lucy M. Rebuck (951) 765-5100 x2300.

Fill out DWC 1 claim form and give it to your employer

Your employer must give you a [DWC 1 claim form](#) within one working day after learning about your injury or illness. Complete the employee portion, sign and give it back to your employer. Your employer will then file your claim with the claims administrator. Your employer must authorize treatment within one working day of receiving the DWC 1 claim form.

If the injury is from repeated exposures, you have one year from when you realized your injury was job related to file a claim.

In either case, you may receive up to \$10,000 in employer-paid medical care until your claim is either accepted or denied. The claims administrator has up to 90 days to decide whether to accept or deny your claim. Otherwise your case is presumed payable.

Your employer or the claims administrator will send you "benefit notices" that will advise you of the status of your claim.

MORE ABOUT MEDICAL CARE

What is a Primary Treating Physician (PTP)?

This is the doctor with overall responsibility for treating your injury or illness. He or she may be:

- The doctor you name in writing *before* you get hurt on the job
- A doctor from the medical provider network (MPN)
- The doctor chosen by your employer during the first 30 days of injury if your employer does not have an MPN or
- The doctor you chose after the first 30 days if your employer does not have an MPN.

What is a Medical Provider Network (MPN)?

An MPN is a select group of health care providers who treat injured workers. Check with your employer to see if they are using an MPN.

If you have not named a doctor before you get hurt and your employer is using an MPN, you will see an MPN doctor. After your first visit, you are free to choose another doctor from the MPN list.

What is Predesignation?

Predesignation is when you name your regular doctor to treat you if you get hurt on the job. The doctor must be a medical doctor (M.D.), doctor of osteopathic medicine (D.O.) or a medical group with an M.D. or D.O. You must name your doctor in writing *before* you get hurt or become ill.

You may predesignate a doctor if you have health care coverage for non-work injuries and illnesses. The doctor must have:

- Treated you
- Maintained your medical history and records before your injury and
- Agreed to treat you for a work-related injury or illness before you get hurt or become ill.

You may use the “predesignation of personal physician” form included with this pamphlet. After you fill in the form, be sure to give it to your employer.

If your employer does not have an approved MPN, you may name your chiropractor or acupuncturist to treat you for work related injuries. The notice of personal chiropractor or acupuncturist must be in writing *before* you get hurt. You may use the form included in this pamphlet. After you fill in the form, be sure to give it to your employer. State law does not allow a chiropractor to continue as your treating physician after 24 visits.

WHAT IF THERE IS A PROBLEM?

If you have a concern, speak up. Talk to your employer or the claims administrator handling your claim and try to solve the problem. If this doesn’t work, get help by trying the following:

Contact the Division of Workers’ Compensation (DWC) Information and Assistance (I&A) Unit

All 24 DWC offices throughout the state provide information and assistance on rights, benefits and obligations under California's workers' compensation laws. I&A officers help resolve disputes without formal proceedings. Their goal is to get you full and timely benefits. Their services are free.

To contact the nearest I&A Unit, go to www.dwc.ca.gov and under “Workers’ Compensation programs and units”, click on “Information & Assistance Unit.” At this site you will find fact sheets, guides and information to help you.

The nearest I&A Unit is located at:

Address: **3737 Main St, Room 300, Riverside CA 92501-3337**

Phone number: **(951) 782-4347**

Consult with an attorney

Most attorneys offer one free consultation. If you decide to hire an attorney, his or her fees may be taken out of some of your benefits. For names of workers' compensation attorneys, call the State Bar of California at (415) 538-2120 or go to their website at www.californiaspecialist.org. You may get a list of attorneys from your local I&A Unit or look in the yellow pages.

Warning

Your employer may not pay workers' compensation benefits if you get hurt in a voluntary off-duty recreational, social or athletic activity that is not part of your work-related duties.

Additional rights

You may also have other rights under the Americans with Disabilities Act (ADA) or the Fair Employment and Housing Act (FEHA). For additional information, contact FEHA at (800) 884-1684 or the Equal Employment Opportunity Commission (EEOC) at (800) 669-4000.

The information contained in this pamphlet conforms to the informational requirements found in Labor Code sections 3551 and 3553 and California Code of Regulation, Title 8, sections 9880 and 9883. This document is approved by the Division of Workers' Compensation administrative director.

Revised 12/20/12 and effective for dates of injuries on or after 1/1/13

PREDESIGNATION OF PERSONAL PHYSICIAN

In the event you sustain an injury or illness related to your employment, you may be treated for such injury or illness by your personal medical doctor (M.D.), doctor of osteopathic medicine (D.O.) or medical group if:

- on the date of your work injury you have health care coverage for injuries or illnesses that are not work related;
- the doctor is your regular physician, who shall be either a physician who has limited his or her practice of medicine to general practice or who is a board-certified or board-eligible internist, pediatrician, obstetrician-gynecologist, or family practitioner, and has previously directed your medical treatment, and retains your medical records;
- your "personal physician" may be a medical group if it is a single corporation or partnership composed of licensed doctors of medicine or osteopathy, which operates an integrated multispecialty medical group providing comprehensive medical services predominantly for nonoccupational illnesses and injuries;
- prior to the injury your doctor agrees to treat you for work injuries or illnesses;
- prior to the injury you provided your employer the following in writing: (1) notice that you want your personal doctor to treat you for a work-related injury or illness, and (2) your personal doctor's name and business address.

You may use this form to notify your employer if you wish to have your personal medical doctor or a doctor of osteopathic medicine treat you for a work-related injury or illness and the above requirements are met.

NOTICE OF PREDESIGNATION OF PERSONAL PHYSICIAN

Employee: Complete this section.

To: _____ (name of employer) If I have a work-related injury or illness, I choose to be treated by:

(name of doctor)(M.D., D.O., or medical group)

(street address, city, state, ZIP)

(telephone number)

Employee Name (please print):

Employee's Address:

Name of Insurance Company, Plan, or Fund providing health coverage for nonoccupational injuries or illnesses:

Employee's Signature _____ Date: _____

Physician: I agree to this Predesignation:

Signature: _____ Date: _____
(Physician or Designated Employee of the Physician or Medical Group)

The physician is not required to sign this form, however, if the physician or designated employee of the physician or medical group does not sign, other documentation of the physician's agreement to be predesignated will be required pursuant to Title 8, California Code of Regulations, section 9780.1(a)(3).

Title 8, California Code of Regulations, section 9783.

Predesignation of Personal Physician; Reporting Duties of the Primary Treating Physician
Regulations 8 C.C.R. section 9780, et seq. (Approved 02/12/2014)

NOTICE OF PERSONAL CHIROPRACTOR OR PERSONAL ACUPUNCTURIST

If your employer or your employer's insurer does not have a Medical Provider Network, you may be able to change your treating physician to your personal chiropractor or acupuncturist following a work-related injury or illness. In order to be eligible to make this change, you must give your employer the name and business address of a personal chiropractor or acupuncturist in writing prior to the injury or illness. Your claims administrator generally has the right to select your treating physician within the first 30 days after your employer knows of your injury or illness. After your claims administrator has initiated your treatment with another doctor during this period, you may then, upon request, have your treatment transferred to your personal chiropractor or acupuncturist.

NOTE: If your date of injury is January 1, 2004 or later, a chiropractor cannot be your treating physician after you have received 24 chiropractic visits unless your employer has authorized additional visits in writing. The term "chiropractic visit" means any chiropractic office visit, regardless of whether the services performed involve chiropractic manipulation or are limited to evaluation and management. Once you have received 24 chiropractic visits, if you still require medical treatment, you will have to select a new physician who is not a chiropractor. This prohibition shall not apply to visits for postsurgical physical medicine visits prescribed by the surgeon, or physician designated by the surgeon, under the postsurgical component of the Division of Workers' Compensation's Medical Treatment Utilization Schedule.

You may use this form to notify your employer of your personal chiropractor or acupuncturist.

Your Chiropractor or Acupuncturist's Information:

(name of chiropractor or acupuncturist)

(street address, city, state, zip code)

(telephone number)

Employee Name (please print):

Employee's Address:

Employee's Signature _____ Date: _____

Title 8, California Code of Regulations, section 9783.1.
(Optional DWC Form 9783.1 Effective date July 1, 2014)



WELCOME NEW EMPLOYEE!!!

Hemet Unified School District Announces An Employer Sponsored 401(a) Program for Certain Eligible Employees as an Alternative to Social Security

Hemet Unified School District now sponsors an alternative program to Social Security known as the **Accumulation Program for Part-time and Limited-Service Employees (APPLE)**. If you are a part-time employee of the District, and you are not enrolled in CalSTRS/CalPERS, you will **automatically** be enrolled in this program.

Effective with your first payroll, your contributions to Social Security will cease and your contributions will be made to the APPLE program on a **pre-tax** basis. The materials included in this packet provides more details on the APPLE program.

The Advantages for Eligible Employees include:

- ❑ 7.5% Contribution of Salary
- ❑ 3% Guaranteed Minimum Interest Rate and a current net rate of 3.6%
- ❑ Account Balances Accumulate with ReliaStar Life Insurance Company, a Member of the ING Family
- ❑ Annual Statements are Mailed Directly to Participants' Homes
- ❑ Account Distributions Available Upon Termination of Employment
- ❑ Medicare Eligibility Contributions Continue
- ❑ APPLE Plan Website Access in the Client Center at www.keenan.com

The following forms (*which can also be retrieved off the Internet*) are included:

Beneficiary Form

Your Beneficiary under the Plan will automatically be your spouse if you are married, or your estate if you are not married. Please complete the attached Beneficiary Designation or Participant Data Change Form only if you wish to designate a beneficiary other than your spouse. If married and you elect a beneficiary other than your spouse, your spouse must agree to your election and sign the form in the presence of a Notary Public.

Social Security Form SSA-1945

The Federal Government requires the District to provide a statement to employees in a job not covered under Social Security. The attached Social Security (Form SSA-1945) meets this requirement. The Statement explains how a pension from your job could affect future Social Security benefits to which you may become entitled. This form must be signed and returned to the Benefits Department.

If you have any questions, please contact any of the following:

Record Keeper: MidAmerica - Customer Service Toll Free Number: (800) 634-1178

Plan Consultant: Keenan & Associates - Customer Service Toll Free Number: (800) 444-9995, Ext. 3623

Social Security: Toll Free Number (800) 385-0778 – Website: www.socialsecurity.gov

Keenan Financial Services
Consultant

PLAN

PROVIDES ONGOING INFORMATION
PRIMARY CONTACT FOR THE DISTRICT AND
MIDAMERICA ADMINISTRATIVE SOLUTIONS

MidAmerica
Administrative Solutions
Record Keeper

MAINTAINS PLAN RECORDS
PRODUCES ANNUAL INDIVIDUAL STATEMENTS
MAILS DISTRIBUTIONS AND REFUNDS
RESOURCE FOR ALL PARTICIPANT QUESTIONS

FOR CUSTOMER SERVICE OR QUESTIONS ABOUT
THE PLAN, CALL **800 634-1178**

ReliaStar Life
Insurance Company
Insurance/Funding

ANNUITY CONTRACTS FOR THIS PRODUCT
ARE UNDERWRITTEN BY RELIASTAR LIFE
INSURANCE COMPANY

401(a)



ACCUMULATION
PROGRAM FOR
PART-TIME AND
LIMITED-SERVICE
EMPLOYEES

Keenan

Financial Services

2355 Crenshaw Blvd., Suite 200
Torrance, CA 90501
800 444-9995
www.keenan.com/fs

Keenan & Associates
License No. 0451271
214_APPLE_05/2006

Keenan

APPLE ACTIONS

- Enrollment is automatic upon employment.*
- Annual statements of account balance will be mailed to each participant approximately 6 weeks after the fiscal year ends.
- Distribution of participant account balances are available upon separation from the District, change of employment status, death, or permanent disability.
- If requesting a distribution, a participant must fill out a Request For Settlement of Account (RSA) Form and return it to MidAmerica.
- Distributions will be made as soon as practical, following the quarterly valuation.
- The District office has a complete copy of the Plan Document and Summary Plan Description for review.

* Some plans provide a choice between APPLE and Social Security.

WHAT IS APPLE?

- A qualified plan under 401(a) of the Internal Revenue Code for part-time and limited-service employees.
- Established as an alternative to Social Security.
- Each employee of the District who is not covered under the Public Employees' Retirement System (PERS) or the State Teachers' Retirement System (STRS), and is not covered under a collective bargaining agreement that precludes coverage under this Plan, is an eligible employee.
- An employee is eligible to participate in the Plan after earning at least one hour of service for the District.
- Tax-deferred contributions accumulate in individual participant accounts and may provide additional retirement income.
- Combined employee/employer contribution is 7.5% of compensation.
- All assets of the Plan are held in a Fixed Dollar Investment Account, earning a minimum guaranteed rate of 3%.
- A participant is always 100% vested.

APPLE BENEFITS

- Increased take-home pay.
- Pre-tax accumulation.
- Account balance is available to be paid upon separation of service from the District.
- Account balance may be paid to the participant's designated beneficiary.
- If a participant transfers to a category of employment covered under the Public Employees' Retirement System (PERS) or the State Teachers' Retirement System (STRS), they may be entitled to receive an in-service withdrawal of the account balance. To determine eligibility for an in-service withdrawal, please call MidAmerica's customer service line at 800 634-1178.
- **APPLE WEBSITE**
www.keenan.com/fs
 - Online Internet participant access to account activity and balance information.
 - Ability to update participant information such as name and address changes.
 - Convenient access to APPLE Plan materials, forms and reports.
 - Option to customize and print personal Statements of Account.
- Benefits are paid in a single lump sum or may be rolled over to an Individual Retirement Account (IRA) of your choice.**

** 10% Early withdrawal penalty may apply if withdrawn before age 52 1/2.



New Health Insurance Marketplace Coverage Options and Your Health Coverage

Form Approved
OMB No. 1210-0149
(expires 11-30-2013)

PART A: General Information

When key parts of the health care law take effect in 2014, there will be a new way to buy health insurance: the Health Insurance Marketplace. To assist you as you evaluate options for you and your family, this notice provides some basic information about the new Marketplace and employment-based health coverage offered by your employer.

What is the Health Insurance Marketplace?

The Marketplace is designed to help you find health insurance that meets your needs and fits your budget. The Marketplace offers "one-stop shopping" to find and compare private health insurance options. You may also be eligible for a new kind of tax credit that lowers your monthly premium right away. Open enrollment for health insurance coverage through the Marketplace begins in October 2013 for coverage starting as early as January 1, 2014.

Can I Save Money on my Health Insurance Premiums in the Marketplace?

You may qualify to save money and lower your monthly premium, but only if your employer does not offer coverage, or offers coverage that doesn't meet certain standards. The savings on your premium that you're eligible for depends on your household income.

Does Employer Health Coverage Affect Eligibility for Premium Savings through the Marketplace?

Yes. If you have an offer of health coverage from your employer that meets certain standards, you will not be eligible for a tax credit through the Marketplace and may wish to enroll in your employer's health plan. However, you may be eligible for a tax credit that lowers your monthly premium, or a reduction in certain cost-sharing if your employer does not offer coverage to you at all or does not offer coverage that meets certain standards. If the cost of a plan from your employer that would cover you (and not any other members of your family) is more than 9.5% of your household income for the year, or if the coverage your employer provides does not meet the "minimum value" standard set by the Affordable Care Act, you may be eligible for a tax credit.¹

Note: If you purchase a health plan through the Marketplace instead of accepting health coverage offered by your employer, then you may lose the employer contribution (if any) to the employer-offered coverage. Also, this employer contribution—as well as your employee contribution to employer-offered coverage—is often excluded from income for Federal and State income tax purposes. Your payments for coverage through the Marketplace are made on an after-tax basis.

How Can I Get More Information?

For more information about your coverage offered by your employer, please check your summary plan description or contact Michelle McCall 951-765-5100 ext 2400 mmccall@hemetUSD.k12.ca.us / Lucy Rebuck ext 2300 lrebuck@hemetUSD.k12.ca.us.

The Marketplace can help you evaluate your coverage options, including your eligibility for coverage through the Marketplace and its cost. Please visit HealthCare.gov for more information, including an online application for health insurance coverage and contact information for a Health Insurance Marketplace in your area.

¹ An employer-sponsored health plan meets the "minimum value standard" if the plan's share of the total allowed benefit costs covered by the plan is no less than 60 percent of such costs.

PART B: Information About Health Coverage Offered by Your Employer

This section contains information about any health coverage offered by your employer. If you decide to complete an application for coverage in the Marketplace, you will be asked to provide this information. This information is numbered to correspond to the Marketplace application.

3. Employer name Hemet Unified School District		4. Employer Identification Number (EIN)	
5. Employer address 1791 West Acacia Avenue		6. Employer phone number 951-765-5100	
7. City Hemet	8. State CA	9. ZIP code 92545	
10. Who can we contact about employee health coverage at this job? Michelle McCall			
11. Phone number (if different from above)		12. Email address mmccall@hemetusd.k12.ca.us	

Here is some basic information about health coverage offered by this employer:

- As your employer, we offer a health plan to:

☐ All employees.

☒ Some employees. Eligible employees are:

see Article 8; Health and Welfare Benefits included

- With respect to dependents:

☒ We do offer coverage. Eligible dependents are:

Children Under Age 26 or IRS Qualified Dependent, Legal Spouse and Registered Domestic Partner

☐ We do not offer coverage.

☒ If checked, this coverage meets the minimum value standard, and the cost of this coverage to you is intended to be affordable, based on employee wages.

★★ Even if your employer intends your coverage to be affordable, you may still be eligible for a premium discount through the Marketplace. The Marketplace will use your household income, along with other factors, to determine whether you may be eligible for a premium discount. If, for example, your wages vary from week to week (perhaps you are an hourly employee or you work on a commission basis), if you are newly employed mid-year, or if you have other income losses, you may still qualify for a premium discount.

If you decide to shop for coverage in the Marketplace, [HealthCare.gov](https://www.healthcare.gov) will guide you through the process. Here's the employer information you'll enter when you visit [HealthCare.gov](https://www.healthcare.gov) to find out if you can get a tax credit to lower your monthly premiums.

Hemet Unified School District & Hemet Chapter 104, California School Employees Association – CSEA

Collective Bargaining Agreement

ARTICLE 8: HEALTH AND WELFARE BENEFITS

8.1 The District shall pay a maximum annual contribution for health and welfare benefits of \$7,200.00 for each school year. The District's maximum contribution for each eligible full-time [seven (7) or more hours per day] unit member shall be figured on a ten (10) month basis of \$720.00. Bargaining unit members shall pay any premium cost of health and welfare benefits in excess of the District's monthly and annual maximum contributions on a tenths basis through payroll deduction. For all eligible part-time bargaining unit members, the District's annual and monthly contribution caps shall be based on its pro-rata portion of the annual and monthly contribution caps for full-time employees. All eligible part-time bargaining unit members shall pay their pro-rata portion of the premium up to the amount of the annual and monthly caps and shall pay all premium costs in excess of the District's monthly contribution cap on a tenths basis through payroll deduction .

8.1.1 The District and Association have determined the types of health and welfare benefits which are set forth in Appendix M. A health and welfare committee composed of management, confidential, and CSEA representatives shall be established for the purpose of looking into cost containment and plan design. The number of representatives and frequency of meetings of the committee shall be mutually determined by the District and Association.

8.2 All eligible bargaining unit members may participate in one of the major medical plans, all of the health and welfare benefits, or none at all. Bargaining unit members participating in Health and Welfare plans may opt out only during open enrollment with proof of coverage as per MOU dated 5/8/2013.

8.2.1 The District will contribute the following percentage for a bargaining unit member participating in the super-composite medical plan, which includes prescription drugs for employees enrolled after July 1, 2006:

- 8 hours daily 100%
- 7.0 – 7.99 hours daily 87.50%
- 6.0 – 6.99 hours daily 75%
- 5.0 – 5.99 hours daily 62.50%
- 4.0 – 4.99 hours daily 50%

The District will contribute the following percentage for a bargaining unit member participating in the super-composite medical plan, which includes prescription drugs for employees enrolled before July 1, 2006:

- 5 - 8.0 hours daily 100%
- 4 - 4.9 hours daily 82%
- 2 - 3.9 hours daily 64%

2013-2014 Classified, Management, Confidential, Preschool, ROTC

Payroll Deductions for 8 Hour Employees

See below for Additional Premiums for Part-time Employees

Add on:	Kaiser High	Kaiser Low	Kaiser Deductible	Anthem Blue Cross HMO 15	Anthem Blue Cross HMO 30	Anthem Blue Cross HMO 40	Anthem Blue Cross PPO 500	Anthem Blue Cross PPO 750	Anthem Blue Cross PPO Essentials	No Medical
Life	\$624.00	\$391.99	\$262.16	\$774.98	\$665.44	\$638.20	\$1,116.34	\$935.00	\$493.87	n/a
Life										
Delta PPO w/ Ortho VSP-Vision Plan	\$793.01	\$561.00	\$431.17	\$943.99	\$834.44	\$707.21	\$1,285.34	\$1,104.01	\$662.88	\$0.00
Life										
Delta PPO w/ Ortho MES-Vision Plan	\$776.88	\$544.87	\$415.04	\$927.86	\$818.32	\$691.08	\$1,269.22	\$1,087.88	\$646.75	\$0.00
Life										
Delta PPO w/o Ortho VSP-Vision Plan	\$773.69	\$541.68	\$411.85	\$924.67	\$815.12	\$687.89	\$1,266.02	\$1,084.69	\$643.56	\$0.00
Life										
Delta PPO w/o Ortho MES-Vision Plan	\$757.56	\$525.55	\$395.72	\$908.54	\$799.00	\$671.76	\$1,249.90	\$1,068.56	\$627.43	\$0.00
Life										
Safeguard Dental VSP-Vision Plan	\$704.88	\$472.87	\$343.04	\$855.86	\$746.32	\$619.08	\$1,197.22	\$1,015.88	\$574.75	\$0.00
Life										
Safeguard Dental MES-Vision Plan	\$688.75	\$456.74	\$326.92	\$839.74	\$730.19	\$602.95	\$1,181.09	\$999.76	\$558.62	\$0.00

If enrolled on benefits prior to 7/1/2006(Grandfathered)

5-8 hrs	Add	\$0.00	to any medical total above to obtain payroll deduction
4-4.99 hrs	Add	\$129.60	to any medical total above to obtain payroll deduction
2-3.99 hrs	Add	\$259.20	to any medical total above to obtain payroll deduction

If enrolled on benefits after 7/1/2006

8 hrs	Add	\$0.00	to any medical total above to obtain payroll deduction
7-7.99 hrs	Add	\$90.00	to any medical total above to obtain payroll deduction
6-6.99 hrs	Add	\$180.00	to any medical total above to obtain payroll deduction
5-5.99 hrs	Add	\$270.00	to any medical total above to obtain payroll deduction
4-4.99 hrs	Add	\$360.00	to any medical total above to obtain payroll deduction

Michelle McCall

Benefits Manager 951-765-5100, ext 2400
Benefits Acct Tech 951-765-5100, ext 2401

Employee Relations – Health Care Reform FAQs:

Q. What is Health Care Reform?

A. Health Care Reform is also known as Obamacare, the Affordable Care Act and the Patient Protection and Affordable Care Act (PPACA). It is all the same thing.

Q. How does this impact me?

A. Starting January 1, 2014, all individuals in the United States must have medical coverage for themselves and family members or pay a penalty. If you currently have health insurance through your employer and will be continuing coverage in 2014, you can keep it and meet the requirement. The health plan we offer is intended to meet the requirement of minimum essential coverage. You don't need to purchase insurance through the Exchange to avoid penalty.

Q. What is the Exchange?

A. The Exchange is a marketplace that sells health insurance policies to individuals. There is a California Exchange operated by the State of California called "Covered California." Insurance policies purchased through Covered California are eligible for federal subsidies for low income individuals. There are also a number of private exchanges that may be selling individual health insurance policies that have not been qualified by Covered California, and are not eligible for federal subsidies. If you intend to request government assistance, make sure that you are purchasing coverage from Covered California.

Q. What does Covered California have to do with the requirement that I must have medical coverage?

A. Covered California was set up to make coverage available to people who do not have medical coverage. You can buy coverage from Covered California but you need to do your homework first because the medical coverage may be quite different than what you have available from your employer.

Q. Is my employer coverage better or worse than what I can purchase on Covered California?

A. Generally speaking, our coverage will be better than the coverage that you could buy from Covered California but it really depends on your personal circumstances with respect to the cost, doctors and hospitals. For some people with low incomes, the Federal government will subsidize the purchase of coverage from Covered California. However, the physician networks and hospitals may differ significantly from what you are used to under our plan. In other words, you need to do your homework and compare our coverage to the coverage you can buy from Covered California.

Q. How do I know whether I am eligible for a Federal government subsidy to purchase medical coverage from Covered California?

A. Covered California, the IRS, Homeland Security and the Department of Health and Human Services will review your application, tax information and legal residency requirements. They will decide whether you

are eligible for government assistance. In general, people with low incomes whose employers do not offer medical coverage or whose coverage is unaffordable would be eligible for government assistance.

Q. Is our employer coverage affordable?

A. Our coverage is intended to be affordable based on our employees' wages.

Q. Will employees be eligible for government assistance to purchase coverage from the California Exchange?

A. Most of our employees will not be eligible for government assistance to purchase coverage from Covered California. To determine if you're eligible, you can contact Covered California. They also have a calculator on their website that will be helpful. However, in order to be sure that you will receive government assistance, it is likely that you will have to complete a Covered California application and submit it for approval.

Q. How do I find out more about coverage on Covered California and whether I should purchase coverage from them and receive government assistance?

A. To find out more, you must contact Covered California by any one of the following means:

- ✓ Call 1-888-975-1142
- ✓ Visit www.coveredca.com
- ✓ Additional information regarding Health Care Reform can be found at: www.healthcare.gov

Q. Is the enrollment in Covered California different than my employer enrollment?

A. Yes. Open enrollment for Covered California begins on October 1, 2013 for coverage starting January 1, 2014. Contact them by one of the methods indicated above. You will need to complete an extensive application form because Covered California does not know you. By comparison, our enrollment process for coverage during open enrollment is simplified.

Q. Will the cost of my coverage with Covered California be deducted from my pay?

A. No. You will have to write a check each month or have amounts automatically deducted from your personal checking account. There may be other means of payment. However, you will have to pay for your coverage on an after-tax basis, not through our cafeteria plan (pre-tax) and not by means of payroll deductions.

Q. What types of medical plans are offered on Covered California?

A. Covered California has indicated that they will be selling HMO coverage and PPO coverage. You will need to contact them to evaluate and compare your employer coverage and their coverage. However, the medical coverage sold on Covered California will be different than our coverage.

Q. How will I know which is better?

A. You will need to contact Covered California and compare the plans available from them with our plans.

Q. Is coverage on Covered California cheaper than my employer coverage?

A. This is a very difficult question to answer because the value of a plan is not just found in the premiums paid but also includes the deductibles, copayments, out-of-pocket maximums and other out of pocket expenses incurred. Moreover, the value of a plan would include the quality of providers and hospitals. If you are considering the purchase of coverage from Covered California, we urge you to do your homework and comparison shop before making a purchase.

Q. Can I drop my employer coverage and purchase coverage from Covered California?

A. You can always elect to drop employer coverage during open enrollment. The election would be effective for the upcoming plan year. You cannot drop our coverage in the middle of the plan year because you wish to purchase coverage from Covered California. Moreover, should you not like the coverage you purchased from Covered California; you cannot come back into our plan until you elect to do so at the next open enrollment.

Q. If I elect employer coverage, can I purchase coverage on Covered California in the middle of the plan year?

A. During Covered California's open enrollment, you can purchase coverage from them but you cannot drop employer coverage in the middle of the year because you purchased coverage from the Exchange.

Q. If I don't like the coverage I purchased from Covered California, can I come back to my employer's plan?

A. You have an opportunity to enroll into our plan during open enrollment each year. There are no special enrollment rights with respect to dropping coverage that you purchased from Covered California. In other words, you cannot enroll in the plan during the plan year if you decided that you don't like your coverage from Covered California.

Q. When can I go to the Exchange and when can I come back?

A. Exchange open enrollment begins October 1, 2013 for a January 1, 2014 effective date. If you choose not to be covered under our plan, you can re-enroll during the next open enrollment which would be effective on the first day of the plan year.

Q. Can I purchase coverage from Covered California for my family but stay with single employer coverage for myself?

A. Covered California has not established its rules with respect to family coverage. However, you always have the right not to cover family members and elect single coverage. You should talk to your family about this decision before making a decision on family coverage.

Q. Can I purchase coverage for me and my family from Covered California and from my employer so that I have dual coverage?

A. Covered California has not established its rules with respect to dual coverage and guidance has not been received about coordination of benefits with group and individual policies.

Q. I read about Health Care Reform, am I now eligible for coverage under my employer's group medical plan?

A. If you were not previously eligible for group health coverage based on classification or work hours, please review the eligibility requirements below:

See Bargaining Unit Agreement for eligibility

Q. I am on COBRA, is it better for me to drop my COBRA coverage and purchase coverage from Covered California?

A. The answer depends on what you mean by "better" coverage. If the cost of coverage is your concern, it may be possible to find less costly, and a greater variety, of options with Covered California as compared to your COBRA coverage. If adequacy of networks and hospitals are your concern, you would need to compare your COBRA coverage with coverage offered by Covered California. For example, if you have a certain doctor that you like and use under COBRA, or are undergoing a treatment for a specific condition but the physician providing those services is not available as an in-network physician under coverage from Covered California, you may prefer to continue with COBRA. There is no one right answer to this question.

Q. Did Health Care Reform extend the time period I can have COBRA beyond 18 months?

A. No. The coverage period for COBRA has not been extended and related rules have not changed under COBRA.

Q. If I am on COBRA, can I drop COBRA and enroll in Covered California?

A. You may terminate your COBRA coverage at any time. The COBRA rules have not changed with respect to the availability of other coverage.