



Division of Personnel Services

# MANAGEMENT PERSONNEL Practices Handbook



(Revised 11-2023)

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## *Pledge*

Every student in Riverside County will graduate from high school academically and socially prepared for college, the workforce, and civic responsibility.

### *Mission*

The mission of the Riverside County Office of Education is to ensure the success of all students through extraordinary service, support, and partnerships.

### *Vision*

The vision of the Riverside County Office of Education is to be a collaborative organization characterized by the highest quality employees providing leadership, programs, and services to school districts, schools, and students countywide.

### *Core Values*

- Building Relationships That Promote Trust
- Engaging in Open and Honest Communication
- Focusing on the Needs of Students and Children

## COMMITMENTS TO *Extraordinary* SERVICE

1. I am prompt, courteous, honest, and accurate in anticipating and responding to the needs of those we serve.
2. I create an environment of teamwork and collaboration.
3. I model professional appearance, language, and behavior.
4. I build strong and lasting relationships at all levels.
5. I continuously seek opportunities to innovate, improve, and expand support services.
6. I am trustworthy and respectful in my daily interactions.
7. I recognize and praise the efforts and successes of my colleagues.
8. I understand my role in actively contributing to student success.
9. I celebrate the success of all students.
10. I commit to the Mission, Vision, and Core Values of the Riverside County Office of Education.

## RIVERSIDE COUNTY OFFICE OF EDUCATION



## *Initiatives*



## PURPOSE

This handbook has been designed to familiarize management employees of the Riverside County Superintendent of Schools (RCSS) with the management personnel practices of the Riverside County Office of Education (RCOE) and also to consolidate the rules and regulations regarding the employee/employer relationship for management personnel of the RCSS.

The following are the classifications of management personnel in our office:

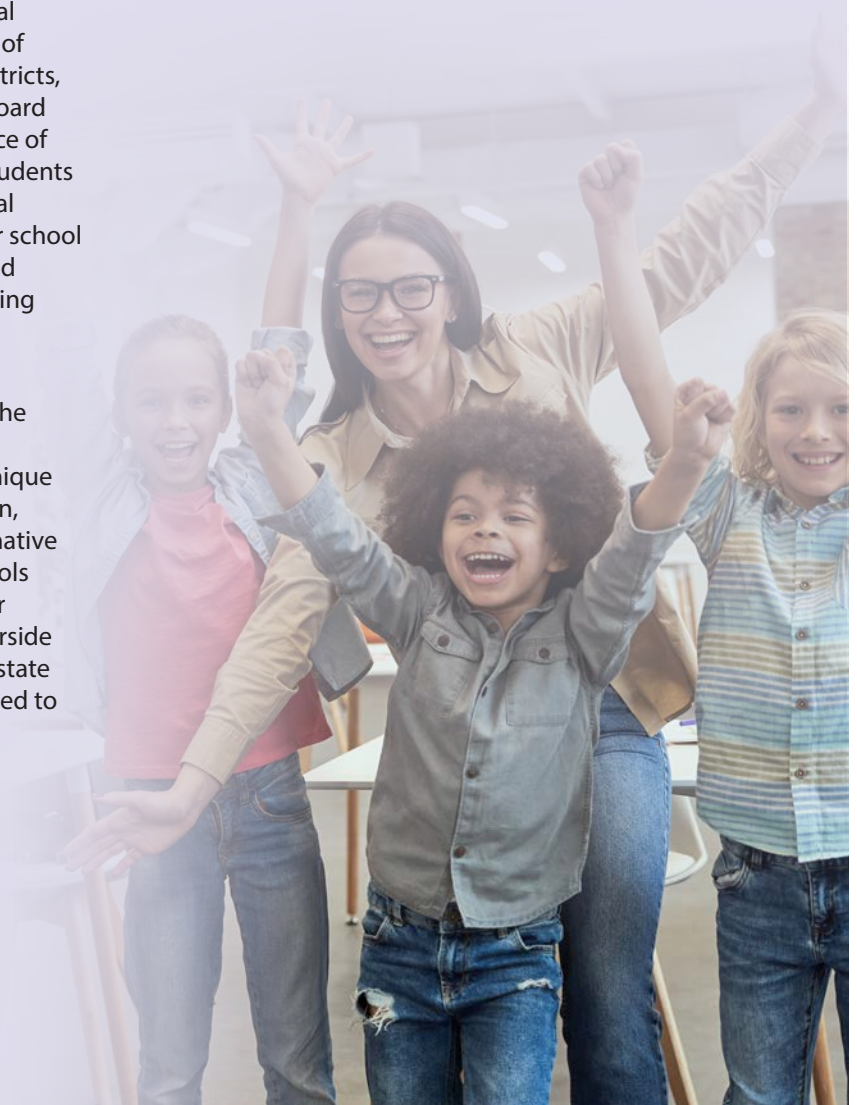
- Certificated
- Classified
- Categorically Funded
- Temporary Contract
- Senior Management

Note: The words “they,” “their,” and “them” are used as both singular and plural pronouns.

## RCOE SERVICES

County Superintendents of Schools serve as intermediaries between the California Department of Education and local school districts. They also work with the U.S. Department of Education to provide services and resources to school districts, students and families. In collaboration with the County Board of Education, some of the ways the Riverside County Office of Education assists districts in ensuring the success of all students is through the implementation of high quality educational programs; providing mandated oversight and training for school districts in the areas of finances, teacher credentialing, and various aspects of curriculum and instruction; and providing extensive training and support to new teachers.

Led by the Riverside County Superintendent of Schools, the Riverside County Office of Education strives to meet the specialized needs of over 35,000 students through the unique programs we operate directly, including Special Education, Head Start, Migrant Education, Migrant Head Start, Alternative Education through independent study, Community Schools and Juvenile Court Schools, and through the latest Career Technical Education (CTE) programs. In addition, the Riverside County Office of Education administers a broad range of state and federally funded grant programs and services designed to ensure student success throughout the county.



## DEFINITIONS OF MANAGEMENT EMPLOYEES

- **Certificated Management** - an employee in a position requiring certification under the California Education Code and designated by the employer as management under the provisions of the Educational Employment Relations Act (EERA).
- **Classified Management** - an employee in a position not requiring certification under the California Education Code and designated by the employer as management under the provisions of the EERA.
- **Categorically Funded Management** - an employee, classified or certificated, who holds a designated management position funded by special funds and whose employment or position is dependent upon the continuation of those special funds.
- **Temporary Contract Management** - an employee, classified or certificated, who holds a designated management position and is employed to manage a particular assignment/project of specified duration or to completion.
- **Senior Management** - pursuant to Education Code §45100.5, the Riverside County Superintendent of Schools may appoint senior management employees in positions not requiring certification qualification for those positions defined in Education Code §45108.5.

## EMPLOYMENT STATUS

All RCOE employees are employees of the Riverside County Superintendent of Schools. The RCSS may contract with certificated management employees on a year-to-year basis. Probationary or permanent status is available only to certain employees in particular positions, as specified by law and described in this section.

- **Certificated Management**
  - » **Certificated Manager** - unlike their counterparts in a local school district, a regular certificated manager does not receive tenure at any time (except as noted below) and is never classified as a permanent, probationary, or substitute employee. The certificated manager serves at the pleasure of the RCSS.
  - » **Certificated Manager with Displacement Rights** - a certificated manager with displacement rights is one who has taught as a classroom teacher for RCOE and has obtained permanency as a classroom teacher for RCOE prior to becoming a manager. Such an employee shall have permanency as a classroom teacher only and does not obtain permanency as a manager.
- **Classified Management**
  - » **Classified Management** – Classified managers, upon initial employment, shall serve a probationary period of six (6) months in a paid status, or 130 days of paid service, whichever is longer. Paid service is defined as days worked plus holidays. During this probationary period, a classified manager serves at the pleasure of the RCSS and may be dismissed at any time by the RCSS or designee.
  - » Upon successful completion of the probationary period, a classified manager shall gain permanent status in the position.

## EMPLOYMENT STATUS (continued)

- **Categorically Funded Management**

- » A certificated management employee hired pursuant to a program which is funded categorically on a year-to-year basis is not classified as a permanent, probationary, or substitute employee. The certificated manager serves at the pleasure of the RCSS.
- » A classified categorically funded management employee is subject to the same employment rights as other classified management employees.

- **Temporary Contract Management Employee (TCME)**

A temporary contract management person employed for an undetermined duration is employed under the terms mutually agreed upon in writing by the temporary employee and the RCSS. A Temporary Contract Management Employee (TCME) is considered at-will and serves at the pleasure of the RCSS. A TCME is not classified as a permanent, probationary, or substitute employee. TCME's may be entitled to sick leave through AB 1522 and SB 616. Please contact Risk Management for additional information.

- **Senior Management**

A senior management employee serves on an annual basis pursuant to Education Code §35031 and is to receive notice of non-reelection at least 45 days in advance of the expiration of their term.

## PART-TIME PERSONNEL

Part-time employees are persons in positions who are hired on a regular basis, but for less than a normal eight-hour day or 40-hour week. Part-time employees accrue rights to absence due to illness benefits, as do full-time employees, except that their eligibility is proportional. Classified part-time employees accrue rights to vacation benefits, except that their eligibility is proportional.

### ***Part-Time or Contract Employment with School Districts in Riverside County and the RIMS Region***

To avoid any possible conflict of interest, management employees of the RCSS shall not accept employment, either part-time or under contract, with school districts within Riverside County. By extension, the same concern to avoid conflicts of interest exists with districts in the RIMS (Riverside, Inyo, Mono, and San Bernardino) Region counties. Management employees are highly skilled and well qualified and are employed by the RCSS to provide services to school districts and other entities in this county, other counties, and to school districts in the RIMS Region. Any services provided by such employees must be considered to be services provided by the RCSS.

### ***Part-Time or Contract Employment with School Districts or County Offices of Education Outside of Riverside County and the RIMS Region***

Full-time management employees of the RCSS may accept part-time or contract employment with school districts, other entities which receive like services, or county offices of education outside of Riverside County and the RIMS Region only upon prior written approval of their division head or the RCSS.

A management employee is first and foremost an employee of the RCSS. Management employees are often required to be available for evening and weekend assignments. Any outside employment requests must be reviewed by the appropriate division head to ensure that any other employment will not interfere with the employee's responsibilities to the RCSS.

# GUIDELINES FOR MANAGEMENT PART-TIME OR CONTRACT EMPLOYMENT

**Note:** *These guidelines are not all encompassing.*

*Any situation that requires clarification should be brought to Cabinet for discussion/action.*

- **Community Colleges**

It is clear that the practice of staff teaching in colleges and universities within Riverside County and the RIMS Region does not lend itself to a conflict of interest. However, technically, community colleges are school districts. Because community colleges have increased their autonomy and the RCSS staff have minimal involvement with them, management staff are permitted to teach community college classes without a concern for a conflict of interest. As with any other outside employment, such employment must have prior written approval of the appropriate division head.

- **Contracts for Employment of Personnel Between the RCSS and School Districts in Riverside County or the RIMS Region**

From time to time, local school districts need RCSS management personnel for special purposes such as fill-in administrative assignments or other services. Such employment is possible; however, the employee will be employed by the RCSS who will contract directly with the local school district for such services. Employee requests should be made through the division head to the county superintendent.

- **Inter-County/Region Exchange of Personnel**

County offices of education throughout the state have agreed to an inter-county exchange of personnel for certain assignments. This involves, essentially, a loan of personnel. When RCSS personnel are on loan, they shall continue to be paid by this office and shall not receive stipends from another county. Various arrangements may be made between the county offices regarding incurred expenses.





## SALARY SCHEDULE PLACEMENT AND ADVANCEMENT

New certificated managers will be eligible for step advancement recommendation if they have completed at least 50 percent of a contract year of satisfactory paid service in their class. An employee who has been approved for step advancement will be placed on the next step within the salary range effective the next July 1. Step advancement for certificated employees is based on successful completion of the contract year.

Classified management employees who serve a probationary period will not be eligible for step advancement recommendation until they have completed satisfactory service during their probationary period and reached one year of paid service. "Satisfactory service" means that the overall evaluation as indicated on the performance appraisal form is rated "Meets Expectations." An employee who has been approved for step advancement will be placed on the next step within the salary range effective the date on which the employee became eligible.

After their initial step advancement, classified management employees will be eligible for additional step advancement upon successful completion of one year of satisfactory paid service, dating from the date of their previous advancement.

Advancement on the salary schedule for advanced degrees or eligibility for the doctorate stipend shall be allowed at any time during the year. Such movement shall be effective for pay purposes no later than 30 days after submission and verification of the advanced degree earned, as evidenced by official written documentation. (Official verification, when transcripts are not immediately available, shall include a time-stamped letter from the registrar or other appropriate official.)

Employees who have reached the top step of the range in which their class is placed or who have had their position "Y" rated shall not be eligible for step advancement. Management employees who have been denied step advancement because of less than satisfactory performance will be reevaluated once per interval not to exceed 60 working days, until satisfactory performance is achieved or other appropriate action is taken. Those employees who achieve satisfactory performance will be placed on the next step within the salary range effective at the next full pay period following the date of the approval.

Management employees will be paid in accordance with current salary schedules in effect. Salary schedules may be obtained from the RCOE Website.



## SALARY ADJUSTMENT FOR STATUS CHANGES

An employee who receives a promotion or an upward reclassification will be placed on the appropriate step of the range to which the new classification is assigned as determined by the RCSS. The date of the salary adjustment will be effective on the date the promotion or reclassification is implemented. The anniversary date will be July 1. (Note: Reclassification requests will be processed in accordance with procedures outlined under "Position Reclassification" in this handbook.)

Whenever an existing position is reclassified and assigned to a lower salary range, incumbents of the position will be continued at their former rate of pay in a "Y"-rated status.

When an employee is demoted, either voluntarily or involuntarily, placement within the range of the newly assigned class becomes effective on the date in which the directed placement in the lower classification was made. The employer may assign a new anniversary date. The newly assigned step in the range of the lower classification will not exceed the rate paid the employee in the higher classification.

Salary schedule placement of classified management employees demoted during their initial probationary period shall be determined by their division head.

Classified management employees demoted during a promotional probationary period will be placed on the same step within the range assigned to the class that they held prior to the promotion.



## PERFORMANCE APPRAISAL PROCEDURES

The employer will determine the job content and qualification requirements of each management position.

All probationary classified management employees will be evaluated at least two (2) times during the probationary period.

Each management staff member with three (3) or more years in service will be evaluated at least once every other year. Management staff members with less than three (3) years of service will be evaluated at least once each year by his/her designated supervisor.

The employee will sign the evaluation, indicating acknowledgement of its receipt, and will be given a copy. The employee, after discussing the evaluation with the evaluator, has the right to respond in writing and have the response attached to the evaluation as part of the permanent file.

Neither the judgment of the evaluator, nor the content of the evaluation shall be subject to the appeal procedure. However, alleged misstatements of fact and procedural elements of evaluations may be appealed. An employee alleging that the evaluation contains misstatements of fact or procedural errors may appeal the evaluating administrative manager's evaluation by filing a written request to meet to review with his/her division head within ten (10) working days following receipt of the evaluation from the evaluating administrative manager. The division head/designee (other than the evaluator) shall review the allegations concerning factual misstatements or procedural errors and determine whether the subject evaluation will be reconsidered. The decision of the division head/designee shall be final.

The due date for probationary classified managers to receive their final probation period performance evaluation is the day before the end of the probationary period. Permanent classified managers' and certificated managers' evaluations are due by June 1 of the appropriate year.

The form for Leadership Team Employee Performance Review is available on the RCOE internet and intranet. The form may be completed on the computer or printed out and typed. When the form has been completed and signed, a copy is given to the employee, the division retains one copy, and the original is sent to Personnel for filing.



# SEPARATION/DISCIPLINARY ACTION

## Certificated Management Employees

### I. Release from Employment

Certificated management employees are subject to release from employment at the discretion of the RCSS.

### II. Non-Reemployment

Management employees serve at the pleasure of the RCSS. The RCSS may elect not to reemploy a certificated management employee for an ensuing contract year for any reason. Notice should be provided no later than June 30.

### III. Personnel Reduction - Reduction in Force (RIF) - Layoff

If a reduction in force becomes necessary, certificated management reductions will be determined in accordance with the program needs of the RCSS. The RCSS will make the final determination based upon the recommendations of division head(s).

**Displacement Rights** - Certificated managers with displacement rights as a teacher with the RCSS prior to being promoted to a management position have rights to teaching positions with the RCSS in accordance with applicable provisions of the Education Code.

### IV. Involuntary Transfer or Reassignment

A certificated manager may be transferred or reassigned to another position in the same classification or salary range if a division head(s) believes the transfer is in the best interest of the office and with the approval of the RCSS.

### V. Disciplinary Actions

Certificated management employees are subject to disciplinary action up to and including termination without appeal at the sole discretion of the RCSS.

## Classified Management Employees

### I. Release from Employment

Probationary classified management employees are subject to release from employment at the discretion of the RCSS.

### II. Involuntary Reassignment

Involuntary reassignment is the directed change of assignment to a position other than that occupied by the incumbent without the employee's voluntary consent, except for a layoff for lack of work or lack of funds.

### III. Disciplinary Actions

- a. **Probationary Classified Management Employee** - In keeping with the provisions of the State Education Code, any classified probationary employee serves at the discretion of the RCSS. A probationary employee may be subject to discipline at any time and may be dismissed without a showing of cause by the RCSS or designee.
- b. **Permanent Classified Management Employee** - The following, non-exclusive, disciplinary actions may be taken by the RCSS against a permanent employee for any of the reasons listed in Section IV.
  1. **Dismissal** - Dismissal is removal from the employment of the RCSS.
  2. **Suspension** -
    - a) Suspension is temporary removal from employment for a specified period of time. Normally, suspension of an employee shall not be for more than 22 working days.



## SEPARATION/DISCIPLINARY ACTION (continued)

- b) An employee may be suspended pending investigation of alleged misconduct without receiving a notice of intent to dismiss when circumstances indicate that the employee's continued presence at the work site could have detrimental consequences on the health and welfare of students or employees. In such a situation, the employee may be suspended until a decision is reached regarding the potential disciplinary action. Should the suspension subsequently be found to be unwarranted or no longer necessary, restitution might be made, contingent upon approval of the RCSS. The limitations of Section 2.a. above shall not apply in this area.
- 3. **Involuntary Demotion** - Involuntary demotion is the directed placement in a lower classification.
  - 4. **Reductions in Compensation** - Reductions in compensation when independent of other forms of disciplinary action shall consist only of a change within the salary range from the existing step to a lower step for a specific duration of one or more work weeks but not to exceed one calendar year in a paid status.

### IV. Reasons for Actions

- a. Any of the following acts or omissions of an employee who has permanent status shall be good cause for having disciplinary action taken against them:
  - 1. Neglect of duty;
  - 2. Inefficiency or negligence in performance of duties;
  - 3. Incompetency;
  - 4. Insubordination or willful violation of an employee rule or regulation prescribed by the Riverside County Board of Education, RCSS, or the head of the division/department in which the employee is employed;
  - 5. Dishonesty;
  - 6. Conviction of a felony, misdemeanor, or any other offense other than minor traffic violations, in connection with or affecting the employee's duties. Conviction means plea of guilty or nolo contendere or a determination of guilt in a court of competent jurisdiction;
  - 7. Discourteous or abusive treatment of the public or other employees;
  - 8. Absence without proper leave, including the exhaustion of leave.
  - 9. Unfitness to perform assigned duties;
  - 10. Making a willful, material misrepresentation in connection with obtaining or maintaining employment or position;
  - 11. Political activity in violation of federal or state law;
  - 12. Conduct either during or outside of duty hours which adversely affects the employee's performance or operation of the department in which the employee is employed;
  - 13. Repeated tardiness or absenteeism;
  - 14. Failure to report to work as assigned;
  - 15. Sexual harassment;
  - 16. Violence, threats of violence, or menacing acts toward other employees or the public;
  - 17. Abandonment of position [absence for three (3) or more consecutive workdays without contacting the immediate supervisor or the Employer shall be deemed abandonment of position];
  - 18. Drinking or possession of alcoholic beverages on the job or reporting for work while under the influence;
  - 19. Unlawful possession of drugs or controlled substances, unlawful use of drugs or controlled substances while on the job, or reporting to work while under the influence of an illegal drug or controlled substance;
  - 20. Possession of firearm or other deadly weapons;
  - 21. Misuse of confidential information;
  - 22. Theft;
  - 23. Mistreatment of a child/student, including failure to report a reasonable suspicion of child abuse or neglect.

## SEPARATION/DISCIPLINARY ACTION (continued)

- b. Termination under Section IV.a.8 shall not be subject to review procedure, except where there exists a material dispute over matters of fact.
- c. Termination under Section IV.a.14 and 17 may be deemed as automatic resignation and shall not be subject to full review; should a hearing be granted on the basis of unusual circumstances or a dispute over matters of fact, the hearing shall be limited to the issue surrounding automatic resignation, and the burden will rest entirely with the employee.

### V. Predetermination Procedure

When the RCSS or designee determines that a permanent classified management employee is to be dismissed, suspended for more than five (5) working days, or reduced in compensation pursuant to Section III.b. 3 or 4 so as to materially affect the employee's salary for an amount in excess of five (5) working days' pay, the subject employee shall be given prior written notice by the RCSS or designee informing the employee of the intended discipline, the effective date, a specific statement of the charges, the reasons therefore; providing the employee, whenever feasible, with copies of the material upon which the proposed action is based (should the subject material not be attached or not complete, a statement will be included in the notice informing the employee that they have access to all materials supporting the proposed action and that copies will be provided upon request); giving notice of the opportunity to respond either orally or in writing to the RCSS or designee within a period of time of five (5) working days, as designated by the predetermination notice, stating that should the employee fail to do so, the employee shall have waived the rights to a predetermination review.

### VI. Disciplinary Action Procedure

#### a. *Written Notice*

A permanent employee who is to have disciplinary action taken against them shall be given written notice, similar in content to Section V above, and the employee shall be informed in writing of the following:

1. **Statement of Charges** - A statement of the specific charges against the employee shall be written in ordinary and concise language of the specific acts and omissions on which the disciplinary action is based and shall include the cause and any rules and regulations that have been violated. With the exception of an alleged violation of Section IV.a.10., no charge shall be made in which the facts giving rise to the allegation occurred prior to the employee's becoming permanent.
2. **Right to a Hearing** - The employee may request a hearing in writing within five (5) working days after service of the statement of charges. A form shall be provided to the employee, the signing of which shall constitute a demand for a hearing and unless otherwise expressly admitted, shall constitute a denial of all charges. Failure to request a hearing in writing within five (5) working days shall be deemed to be a waiver of the right to the hearing.
3. **Access to Material** - The employee may, upon request, have copies of the material upon which the charges are based.

## SEPARATION/DISCIPLINARY ACTION (continued)

### b. **Hearing**

1. The hearing shall be held within a reasonable period of time, but normally not less than five (5) working days after the filing of a request for a hearing.
2. If the employee does not request a hearing in writing by the set date, disciplinary action may become final without a hearing.
  - a) The employee may be represented at the hearing by a designated individual representative of the employee's choice.
  - b) The employee may be represented by an attorney-at-law.
3. The hearing shall be conducted before the RCSS or designee.
  - a) Hearing before the RCSS:
    - 1) The employee shall have the right to personally appear and testify, to call and cross-examine witnesses.
    - 2) Documentary and oral evidence shall be accepted so long as it conforms with that which is normally acceptable by reasonable and ordinary persons as being relevant, material, and operational.
    - 3) Hearsay evidence is admissible but will be given diminished weight unless it supports direct evidence.
    - 4) Irrelevant or unduly repetitious evidence shall be excluded.
    - 5) The employee shall have the burden of going forward with mitigating evidence.
    - 6) The RCSS shall make the decision based solely on the facts and arguments presented.
  - b) Hearing before designee:
    - 1) At the discretion of the RCSS, a disciplinary hearing may be delegated to a third party to act as a finder-of-fact in the matter.
    - 2) The finder-of-fact shall conduct the hearing in conformance with Section VI.b.4.a., and shall be responsible for keeping a record of the hearing.
    - 3) The finder-of-fact shall submit a written recommended decision to the RCSS that shall include proposed findings of fact and determination of issues.
    - 4) The RCSS may accept, reject, or modify the recommended decision. Should the decision be modified, pursuant to a review of the record, the Superintendent's final decision shall include any findings of fact and determinations of issues giving weight to the modifications.
  - c) Results of Hearing Process:

The Superintendent shall send a final and binding decision, which shall include findings of fact and determination of issues, to the employee by first class mail.

## VII. Reduction in Force (RIF) - Layoffs

If a reduction in force becomes necessary (layoff for lack of work or lack of funds), classified management reductions will be determined in accordance with the following:

### a. **Notification of Layoffs**

1. When it has been determined by the RCSS that a reduction in a particular kind or level of service is required, the RCSS shall notify affected employees in writing by March 15 or for specially funded programs a minimum of 60 calendar days prior to the date of layoff.
2. The notice shall specify the reason for the layoff.
3. Any layoff shall be affected within a class. The order of layoffs shall be based on length of service within a class, plus higher classes. The employee who has been employed the shortest time in the class, plus higher classes, shall be laid off first. "Length of Service" shall be based on the date of hire into the class.

## SEPARATION/DISCIPLINARY ACTION (continued)

### b. **Displacement Rights**

1. Any permanent classified staff person who is laid off from a class and who has previous service in an equal or lower class (either management or regular classified) shall have the right to displace an employee with less seniority in that class. Seniority shall include the total of the previous service in equal or lower classes plus service in the class from which the layoff occurs and in higher classes.
2. In the event that two (2) or more affected employees have the same seniority, a lottery shall be cast by the RCSS to determine the relative placing of the subject employees upon a seniority list.

### c. **Voluntary Demotion or Transfer**

A permanent classified management employee who will suffer a layoff for lack of work or funds despite one's displacement rights may accept a voluntary demotion to a vacant position in a lower class or transfer to an equal class, provided that the employee is qualified to perform the duties required and provided further that the RCSS approves the voluntary demotion.

### d. **Reemployment Rights**

Laid off classified management employees are eligible for reemployment in the class from which they are laid off for a 39-month period and shall be reemployed in order of seniority.

Classified management employees who take voluntary demotions in lieu of layoff shall be, at the employer's option, returned to a position in their former class as vacancies become available within a 63-month period, except they shall be ranked in accordance with their hire date seniority on any valid reemployment list.

## Categorically Funded Management Employee

### I. **Disciplinary Actions**

Dismissal, Suspension, or Demotion - A categorically funded manager may be dismissed, suspended, or demoted for disciplinary reasons.

### II. **Non-Reemployment**

A categorically funded manager is subject to termination at the discretion of the RCSS or at the expiration of the employee's contract or the categorically funded project.

### III. **Involuntary Transfer or Reassignment**

A categorically funded manager may be reassigned at the discretion of the RCSS.

## Temporary Contract Management Employee

A manager employed under a contract of indefinite duration is employed under the terms mutually agreed upon in writing by the employee and the RCSS. A temporary contract manager may be subject to discipline at any time and may be terminated at any time by the RCSS or designee.



# COMPLAINT PROCEDURE FOR MANAGEMENT EMPLOYEES

The complaint procedure is the channel through which management employees seek adjustment of complaints arising out of alleged violations of established RCOE rules, administrative regulations, policies or procedures, working conditions, or job relations.

A “complaint” does not include a dispute over the interpretation or application of the Management Personnel Practices Handbook, the disciplinary action, or an appeal of disciplinary action, or the subject matter of RCOE regulations or policy.

Complaints concerning equal employment opportunities compliance should be directed to the Executive Director of Personnel Services.

Because complaints should be addressed as promptly as possible, time limits have been established to minimize delays in the levels that have been provided. The complainant must make known the existence of the complaint and the facts pertaining to the complaint following the timelines and procedures outlined in Board Policy 4344.

Complaints alleging a violation of a federal or state law or regulation, including unlawful discrimination, may be filed in accordance with the Uniform Complaint Procedures as provided in Board Policy 1312.3 and Administrative Regulation 1312.3.

Access Board Policies and Administrative Regulations on the intranet at  
<https://rcoe.sharepoint.com/sites/RCOEConnected/SitePages/Board-Policies-Series-0000.aspx>

For publicly posted Board Policies, visit  
<https://www.rcoe.us/about-us/board-of-education/board-policies-index>



## POSITION RECLASSIFICATION

The incumbent, the incumbent's supervisor, directors, and/or division head may initiate requests for reclassifications of management positions. All requests will be reviewed by the division head and require RCSS approval for study. The RCSS may authorize a study to be conducted at any time. The Division of Personnel Services will be responsible for investigating each authorized request and transmitting findings and recommendations to the RCSS for final action.

## REDUCTION TO PART-TIME EMPLOYMENT STATUS

Pursuant to provisions of EC §44922 and EC §22713, an eligible certificated management employee may request a reduction to part-time employment status. Such request shall be made in writing to the RCSS.

## RESIGNATION

Resignations should be submitted in writing to the Personnel Services division head. The letter should include the reason for the resignation and should normally give no less than two (2) weeks notice. In consultation with the appropriate division head, the Personnel Services division head may then accept the resignation and affix its effective date.

Upon the request of the separating employee or division head, the director of Personnel Services may conduct a voluntary separation interview.

All separating employees will complete the Employee Separation Checklist Form prior to their final day of work. The form can be obtained from the Administrative Assistant of your division.

Certificated managers may request to be released from their employment contract prior to its expiration date, however the decision as to whether to allow such resignation shall reside solely with the RCSS. Such permission is not required, if the certificated manager is retiring and becoming an annuitant.

## REEMPLOYMENT AFTER RESIGNATION

When a regular management employee voluntarily resigns and is subsequently rehired into a regular position within one year from the date of the resignation, for the purpose of this section, the resignation will not be considered a break in service, and the following benefits are restored:

1. Accumulated unused sick leave on record.
2. Placement on same salary schedule step and range as the employee received in the same classification at the time of resignation. If employed in a different classification, initial salary schedule placement procedures apply.
3. The initial date of hire is used to determine eligibility for RCOE health benefit contributions pursuant to the Public Employees' Medical and Hospital Care Act (PEMHCA).
4. The initial date of hire is used to determine eligibility for years-of-service recognition.

When a regular management employee voluntarily resigns and is reemployed after an absence of one year or more, the following applies:

1. The employee is not entitled to accumulated sick leave unless employed by another county office or school district in the intervening period.
2. Vacation accrual is the same as for a new employee (classified).
3. Salary schedule placement is according to initial employment procedures and approval of the RCSS.
4. The original date of hire will be used to determine eligibility and vesting requirements for retiree health benefit contributions under PEMHCA, if the employee met the vesting requirements in effect at the time of initial resignation.
5. The new date of hire will be used to determine eligibility for years-of-service recognition.

## RETIREMENT AGE

There are no maximum age limits established for the employment of persons by the RCSS.



## RETIREMENT CONTRIBUTION

The employer contributes the percentage of retirement costs commonly known as “employer contribution” for all management personnel. In addition, the employer and management employees participate in a program commonly called employer “pick-up” whereby the Internal Revenue Service allows public employers to designate required employee contributions as employer contributions for federal and state tax purposes only. The employees continue to contribute their portion of retirement costs. The “pick-up” provision allows the annual gross salary reported to IRS and the state to be reduced by the amount of the employee’s contribution.

In accordance with the regulations of Public Employees’ Medical and Hospital Act (PEMHCA), full-time management employees employed after September 15, 1993, and before July 1, 2006, who have been employed for 15 years or more with the RCSS, shall be entitled upon retirement to the same employer contribution amount toward CalPERS health coverage as is provided for active management employees.

Part-time management employees hired after September 15, 1993 and before July 1, 2006, who are eligible for benefits and have been employed 20 years or more with RCSS shall be entitled upon retirement to the same employer contribution amount toward CalPERS health coverage as is provided for active management employees.

In accordance with PEMHCA, any full-time management employee hired on or after July 1, 2006, who has been employed by the RCSS for 35 or more years, shall be entitled upon retirement from the employer to the minimum retirement contribution set by Public Employees’ Medical and Hospital Care Act (PEMHCA). Any part-time management employee hired on or after July 1, 2006, who has been employed by the RCSS for 40 or more years, shall be entitled upon retirement from the employer, to the minimum retirement contribution set by PEMHCA.

Part-time for this purpose is defined as having a work year or work day that is less than the regular work year or work day for other employees in the same job class.

In accordance with the regulations of the PEMCHA, upon reaching the age for Medicare eligibility, Medicare-eligible retirees must enroll in Medicare. RCOE will contribute up to the cap amount towards Medicare-related supplemental plan premiums, for eligible retirees, but not the Medicare coverage.

Eligibility requirements include, but are not limited to the following:

- Meet the pension vesting requirement of the pension system.
- Meet the years of service vesting requirement based on date of hire.
- Retire directly from RCOE; the benefit is not portable.
- Retire from STRS or PERS within 120 days of separation from employment from RCOE.
- Enroll in an approved health benefits plan.
- Remain an annuitant.
- Contact Risk Management regarding circumstances allowing reinstatement.



## RETIREMENT CONTRIBUTION (continued)

### RCOE Retiree Bridge Program

As an alternative to the PEMHCA benefit, management employees hired on or after July 1, 2006 and prior to July 1, 2021, may be eligible for the RCOE Retiree Bridge Program (RBP).

The RCOE Retiree Bridge Program is an alternative to the Public Employees' Medical and Hospital Care Act (a.k.a. CalPERS) retiree medical benefit. It is designed to "bridge" the need for medical insurance coverage between retirement and eligibility for Medicare. The RCOE Retiree Bridge Program is available to qualified Classified Management Leadership Team (MLT) employees with a hire date on or after July 1, 2006 and on or before June 30, 2022 and Certificated MLT employees with a hire date on or after February 3, 2006 and on or before June 30, 2022.

The Bridge Program provides qualified retirees with Employer-provided funds for eligible medical expenses implemented through a Health Reimbursement Arrangement (HRA). (See attachment)

Qualification requires being at least 55 years of age at retirement and having at least five (5) years of benefit-eligible consecutive service in a regular employee position with RCOE immediately prior to retirement. A regular employee is an active employee who works in a permanent position in the Certificated or Classified bargaining units or in a Management Leadership Team position. A benefit eligible employee is generally defined in the respective Collective Bargaining Agreement (CBA) or employee handbook as being employed in a position that is at least .50 FTE or 20 hours per week. However, enrollment in RCOE medical benefits is not required to be eligible for the RCOE RBP. The employee must retire from RCOE and become an annuitant with CalSTRS or CalPERS.

There are two types of Bridge Plans to choose from at the time of retirement:

**The Basic Plan** provides for the Employer to contribute to the Bridge fund \$2,500 annually for each benefit eligible employee, beginning in the 2019-2020 fiscal year. Employees vest (become eligible) in the benefit at five (5) year increments, starting at 25% of the contributed amount at five (5) years of service with RCOE. The vesting is 50% of the contributions at 10 years, 75% at 15 years, and 100% at 20 years and up of completed service.

**The Bridge Protection Plan** also requires at least five (5) years of consecutive service with RCOE and CalSTRS or CalPERS retirement by the employee. The employee's age and years of service must add up to at least 60. The benefit will be based on the formula  $\$10,000 \times (\text{Age } 65 \text{ minus Employee's retirement age})$ . For example, the calculation for an eligible employee who retires at age 61 would look like this:  $\$10,000 \times (65 - 61) = \$10,000 \times 4 = \$40,000$ .



# WORK YEAR

## Classified Management

Regular, full-time classified management employees shall have a basic work year determined on an annual basis by the RCSS prior to July 1 of each year. Non-holiday weekdays in excess of the number of required workdays in the classified manager's work year shall be vacation days, not to exceed ten (10) days in a fiscal year. Non-holiday weekdays that are neither work days nor vacation will be non-duty days.

Classified managers working less than the basic work year shall have their vacation days prorated, with non-duty days varying accordingly.

Classified managers shall annually prepare a calendar of their intended work days, vacation days, and non-duty days. Prior to June 15 each year this calendar shall be submitted to the respective division head for approval. Cabinet members shall submit a copy of their proposed work year to the deputy superintendent or RCSS, as appropriate. When changes are necessary, the updated calendar shall be submitted to the respective division head.

Another purpose of the work year calendar is to provide a plan so that the employee will be assured of working the required number of days during the year and to ensure appropriate coverage to provide continuity of services. The employee will have the responsibility for working the required number of days. Failure to work the specified number of days will result in an adjustment in pay for the employee and may

result in the employee receiving less than a full year of service credit for retirement purposes.

If an employee terminates service and had been granted vacation that was not yet earned at the time of termination of the employee's service, the employer shall deduct from the employee's final check the full amount of salary that was paid for such unearned days of vacation taken.

Classified management employees shall use all of their vacation time in the fiscal year in which it is earned. Vacation/non-duty time shall be taken for no less than two (2) hours, except as approved by the division head. If the employee is not able to take all of the employee's non-duty time, up to six (6) days/48 hours not taken shall accumulate for use in the next year. Except as approved by the RCSS, vacation/non-duty time may not be taken for more than two (2) consecutive weeks.

Upon separation of service, the employee shall be entitled to lump-sum compensation for all earned and unused vacation, except that earned vacation shall not become a vested right until completion of the initial six (6) months of employment.

The management employee shall be paid for the exact number of scheduled days worked during the current fiscal year. The daily rate used to determine any balance of vacation time owed shall be of the last day of service. Non-duty time has no monetary value, and there will be no compensation for unused non-duty time.

## Certificated Management

The basic work year (12 months) for certificated management employees shall be determined on an annual basis by the RCSS prior to July 1 of each year. Certificated managers work the number of days specified in their employment contract. This section will also cover certificated management employees with work years of less than the basic work year.

Certificated management employees shall annually prepare a calendar of their intended workdays and non-duty days. Certificated managers receive no vacation; days that are not identified as holidays are non-duty days. Prior to June 15 each year this calendar shall be submitted to the respective division head for approval. Cabinet members shall submit a copy of their proposed work year to the deputy superintendent or RCSS, as appropriate. When changes are necessary, the updated calendar shall be submitted to the respective division head.

Another purpose of the work year calendar is to provide a plan so that the employee will be assured of working the required number of days during the year and to ensure

appropriate coverage to provide continuity of services. The employee will have the responsibility for working the required number of days. Failure to work the specified number of days will result in an adjustment in pay for the employee and may result in the employee receiving less than a full year of service credit for retirement purposes.

Non-duty time shall be taken for no less than two (2) hours, except as approved by the division head. If the employee is not able to take all of the employee's non-duty time, up to six (6) days/48 hours not taken, shall accumulate for use in the next year. Except as approved by the RCSS, non-duty time may not be taken for more than two (2) consecutive weeks.

Certificated management employees who separate from employment with the RCSS prior to the end of their contract year will have their compensation adjusted to account for the number of days they have worked and the number of days for which they have previously been compensated. As a certificated manager, the release date for a separation prior to the end of the contract year, will be determined by the RCSS. Non-duty days have no cash value.

## OVERTIME EXCLUSION

Incumbents of positions designated by the RCSS as “management” under the provision of the Educational Employment Relations Act (EERA) shall not be eligible for overtime pay as provided by EC §45130.

## HOLIDAYS

The employer grants management employees the following holidays:

- Independence Day
- Labor Day
- Veterans Day
- Thanksgiving Day
- Day following Thanksgiving
- Day before Christmas Day
- Christmas Day
- Admission Day
- Day before New Year’s Day
- New Year’s Day
- Martin Luther King Day
- Lincoln Day
- Washington Day
- Memorial Day
- Juneteenth

Additionally, any day declared by the President or Governor of this state as a holiday or any day legally adopted as a holiday by the employer will be a paid holiday for all designated employees.

## LEAVES

Employees shall notify the employer’s absence management system when utilizing leave benefits. At this time, our attendance accounting procedures also require submitting the Request/Verification of Attendance form to request or verify use of leave benefits.

For complete information regarding Leaves, please refer to Board Policies and Administrative Regulations 4361.1 et. seq.

### A. SICK LEAVE

Full-time management employees shall receive one day of sick leave for each calendar month in a paid status. Sick leave benefits for management employees working less than full time will be prorated proportionately to time worked.

Access Board Policies and Administrative Regulations on the intranet at <https://rcoe.sharepoint.com/sites/RCOEConnected/SitePages/Board-Policies-Series-0000.aspx>

For publicly posted Board Policies, visit <https://www.rcoe.us/about-us/board-of-education/board-policies-index>

## LEAVES (continued)

### B. EXTENDED SICK LEAVE

#### ***Certificated***

Certificated managers are eligible to receive up to five (5) calendar months extended sick leave to run consecutive with their accrued sick leave. Every effort will be made to provide a substitute for the manager on extended sick leave. The cost of a substitute will be deducted from the absent employee's salary, whether or not a substitute is employed.

Management employees making use of this leave for less than a full work day shall have the cost of a substitute deducted from their salary if a substitute is employed or not.

The employer may assign any duties within the classification of the absent management employee. Reasonable efforts shall be made to assign the substitute to the work area of the absent management employee.

#### ***Classified***

A classified management employee will once a year be credited with a total of 100 working days of extended sick leave, including earned and accumulated sick leave cited in the above section. Earned and accumulated sick leave will be fully paid. When those days are exhausted, the remainder of the 100 days shall be compensated at 50 percent of the employee's regular salary. The extended paid sick leave will be exclusive of any other paid leave, holidays, vacation, or compensation time to which the employee may be entitled.

### C. INDUSTRIAL INJURY AND ILLNESS

An employee who is absent from duty because of an illness or injury defined as an industrial illness or accident under the provisions of the Workers' Compensation Insurance law shall be granted industrial accident leave for each such accident or illness while receiving temporary disability benefits from Workers' Compensation.

Paid industrial accident leave shall be for not more than sixty (60) working days per fiscal year for the same injury/illness. Such leave is not accumulated from year to year, and if any industrial accident or illness overlaps into a new fiscal year, the employee shall have only that amount of leave which was not used in the prior year for the same accident or illness.

Paid industrial accident leave shall be reduced by one day for each day of authorized absence regardless of the temporary disability allowance made under Workers' Compensation. Days absent while on paid industrial accident leave shall not be deducted from the number of days of paid sick leave to which the employee may be entitled.

If the employee is unable to return to duty after exhausting paid industrial accident leave, the employee shall be placed on paid sick leave, if eligible. Accumulated sick leave will be reduced only in the amount necessary to provide a full day's wages or salary, as indicated in the employee's assignment, when added to compensation without penalties from the Workers' Compensation Fund.

After all paid illness leave has been exhausted following a paid industrial accident leave, an employee may elect to receive pay from accrued vacation or other earned leave to the extent necessary to make up the employee's regular salary when receiving a temporary disability allowance without penalties from the Workers' Compensation Fund.

Employees who have been approved by Personnel Services to return to their position on a restricted basis for rehabilitative reasons and are unable to continue in their position for at least thirty (30) calendar days thereafter shall have their leave status assessed from the date of the original illness or injury, less those days worked on a restricted basis.

When all paid leaves of absence have been exhausted following an industrial accident or industrial illness, the employee's name shall be placed on the reemployment list for the class from which the employee was on leave for a period not to exceed 39 months.



## LEAVES (continued)

An employee who fails to accept an appropriate assignment after being medically approved shall be removed from the reemployment list. Appropriate assignment is defined as an assignment to the employee's former class, in the employee's former status and time basis, in assignment areas in which the employee is available.

An employee returning from a leave of absence shall not have any loss or gain in seniority or employer benefit status.

While an employee is on any paid leave resulting from an industrial accident or industrial illness, the employee's paid salary will not, when added to a normal temporary disability allowance without penalties granted the employee under State Workers' Compensation Insurance laws, exceed the employee's regular salary. A permanent employee's salary is computed on the basis of the number of hours and days in the employee's basic daily assignment. An employee who is not permanent will have the employee's salary computed on the basis of the average number of hours worked each month in which the employee was in paid status during the preceding year.

During all paid leaves resulting from an industrial accident or industrial illness, the employee will endorse to the employer all wage-loss benefit checks received under State Workers' Compensation Insurance laws. Appropriate warrants shall be issued for payment of wages, loss of benefits, salary, and/or leave benefits and will be deducted from normal retirement and other authorized contributions.

### **D. PERSONAL LEAVES OF ABSENCE**

The RCSS may grant a leave of absence for personal reasons with or without pay for a period not to exceed one (1) year to management employees on permanent status. While on a personal leave without pay, employees will neither advance nor lose steps on the salary schedule. Accumulated sick leave and vacation time will not be accrued during the period of the unpaid leave.

### **E. PERSONAL NECESSITY LEAVE**

An employee may elect to use for personal necessities up to seven (7) days of earned sick leave per fiscal year. Such leave shall not be taken for less than one (1) hour.

Personal necessity is defined as personal business as determined by the employee. The employee will provide advance notice for approval, if possible, or immediately upon return.

### **F. BEREAVEMENT/FUNERAL LEAVE**

Employees will be entitled to a maximum of three (3) days leave of absence or five (5) days leave of absence if travel in excess of 300 miles, one way, is required to attend the funeral/memorial service, without loss of salary on account of the death of any member of their immediate family. If fewer than 300 miles, employees may take an additional two (2) days of personal necessity. Employees shall be entitled to an additional two (2) days of leave of absence on account of the death of their spouse, registered domestic partner, or child. Such leave shall not be deducted from leave granted by other sections in this handbook.

The employee shall identify the name, relationship of family member, city and state of death upon request for bereavement leave. If the employee is traveling in excess of 300 miles, the employee shall also identify the location of the funeral/memorial service.

For purposes of this subsection, members of the immediate family shall include: mother, father, legal guardian, a step-mother, a step-father, grandmother, grandfather, grandchildren, brother, sister, uncle, aunt, niece, nephew of the manager or of the spouse/registered domestic partner of the manager; and the spouse, son, son-in-law, daughter, step-child, daughter-in-law of the manager, or a person identified as a significant other of the manager who resides in the manager's household.

## LEAVES (continued)

### G. JURY DUTY

Management employees will be provided leave for regularly called jury duty. The employee will submit a written request for an approved absence no less than ten (10) days prior to the beginning date of the leave.

The employee while serving jury duty will receive full pay provided that the pay received for jury duty (excluding mileage) is turned over to the RCSS.

Whenever practicable, and subject to rules that may be developed by the employer, the employee is to report to their work location during normal work hours when not occupied as a juror.

### H. PREGNANCY DISABILITY LEAVE

An employee shall have the right to utilize either sick leave or vacation or Personal Leave of Absence without pay for up to four (4) months (or the working days a manager would normally work in one-third of a year or 17 1/3 weeks) as necessitated by adoption, pregnancy, miscarriage, childbirth, or recovery therefrom. Any Pregnancy Disability Leave (PDL) requests will be processed in accordance with the applicable provisions of state and federal law.

### I. FAMILY AND MEDICAL LEAVE ACT/CALIFORNIA FAMILY RIGHTS ACT (FMLA/CFRA)

It is the intent of the Employer to follow the California Family Rights Act (CFRA) and the Federal Family and Medical Leave Act (FMLA). An employee is eligible for this leave if the employee has worked for the Employer for a total of at least twelve (12) months and has worked at least one thousand two hundred and fifty (1,250) hours over the previous twelve (12) months. Employees are required to provide at least thirty (30) days advance written notice to the Executive Director of Personnel Services if the need for FMLA is foreseeable. If the thirty (30) days advance written notice is not possible, then notice shall be given as soon as practicable to the Executive Director of Personnel Services. Any FMLA requests will be processed in accordance with the applicable provisions of state and federal law. Please reference AR 4161.8.

Access Board Policies and Administrative Regulations on the intranet at

<https://rcoe.sharepoint.com/sites/RCOEConnected/SitePages/Board-Policies-Series-0000.aspx>

For publicly posted Board Policies, visit

<https://www.rcoe.us/about-us/board-of-education/board-policies-index>

## LEAVES (continued)

### J. CATASTROPHIC SICK LEAVE (CSL) BANK

Catastrophic illness or injury means an illness or injury that is expected to incapacitate the employee for an extended period of time, or that incapacitates a member of the employee's immediate family which incapacity requires the employee to take time off from work for an extended period of time to care for that family member, and taking extended time off work creates a financial hardship for the employee because he or she has exhausted all of his or her sick leave and other paid time off.

Management Leadership Team (MLT) employees who suffer a catastrophic injury/illness or need to provide care for an immediate family member who suffers a catastrophic injury/illness, which results in the employee using all available sick leave or other paid time off, shall become eligible to use this catastrophic sick leave plan, subject to the restrictions and conditions outlined in this section. The use of Catastrophic Sick Leave (CSL) Bank leave shall be used concurrently with extended sick leave and does not extend paid sick leave beyond that which would otherwise be available to the employee. That is, catastrophic sick leave provides for fully paid sick leave during extended sick leave, but it does not increase the length of time the employee is eligible for paid leave.

The use of CSL Bank leave will only be available to MLT employees who have donated at least one day of sick leave or vacation (minimum of eight hours) to the bank during the current fiscal year, no less than 90 days prior to a request to withdraw from the bank by that employee.

The donation will be irrevocable. The employee shall file a Management Leadership Team Catastrophic Sick Leave Program Request for Withdrawal/Contribution form (form #2045T) with the Personnel Services office. A donation to the CSL Bank shall be a general donation, and shall not be donated to a specific MLT employee for their exclusive use. [Unused sick leave donations made prior to the creation of this Catastrophic Sick Leave Bank will be deposited in the CSL Bank, and the specific donors will be credited with the current year's donation.]

Requests to withdraw hours from the CSL Bank shall be submitted to Personnel Services on a MLT Catastrophic Sick Leave Withdrawal form, including a physician's verification of the need for the leave and its anticipated duration. The request shall state the number of days being requested by the employee. The maximum number of days allowed to be withdrawn by an employee is 30 days.

Withdrawal requests will be considered by a CSL Committee comprised of not less than three, or more than five, MLT employees appointed by the RCSS. Decisions will be determined by majority vote of the Committee members. Decisions of the Committee are final. Personnel Services will facilitate the activities of the Committee.

Any days approved that are unused by the employee in accordance with the withdrawal request shall be returned to the CSL Bank.

Pay to the employee who uses CSL shall be at the same rate as the employee's regular rate of pay for a day worked.

# INSURANCE

## A. HEALTH INSURANCE - MEDICAL

Health care plans are available for eligible employees and dependents.

The employer will contribute an amount to be determined annually by the RCSS for the health care programs for employees who work 20 or more hours per week. An employee wishing to enroll in one of the medical insurance plans must do so within 60 days after the employee's initial employment date. Employees not enrolling within the initial 60-day period must either wait until the ensuing open enrollment period or provide the carrier with evidence of insurability.

With exception of the above initial enrollment period, employees wishing to add dependents due to marriage or birth must elect the additional coverage within 30 days from the change in dependent status. Employees who have questions concerning hospital and medical coverage, eligibility, exclusions, and limitations, should consult the policy of the respective insurance carrier. Additionally, employees who have health insurance coverage under a CalPERS plan should consult the Public Employees' Medical and Hospital Care Act (California Government Code) for resolution of similar questions.

All health care benefits are subject to the standard provisions set forth in the policy or policies.

Employees may elect to waive their medical coverage and receive a stipend of \$1,800 annually in lieu of the employer's provided medical coverage by completing and submitting the CalPERS Declaration of Health Coverage and Cash-In-Lieu Affidavit forms annually. Employees waiving their medical coverage must attest to having other group health insurance coverage for themselves and their dependent(s) that conforms to the Affordable Care Act's (ACA) minimum value standards. For a qualifying group health plan to meet the ACA's minimum value standards, the plan must cover at least 60 percent of the total allowed costs of benefits provided under the plan.

Employees who receive individual (not group insurance) medical insurance coverage through Covered California and receive a subsidy are not eligible for the stipend.

## B. LIFE INSURANCE

Employees are eligible to enroll during health insurance enrollment periods for employee life insurance and accidental death and dismemberment coverage as provided by a carrier determined by the employer. Term life insurance is provided for management personnel as follows: a basic \$10,000 plus one and one-half (1 1/2) times the employee's annual salary for a combined maximum of \$300,000 for the two policies. Benefits reduce on the policy anniversary commencing upon the following age attainments: 35% at age 65, 55% at age 70, 70% at age 75, and 80% at age 80. The reduction rates and age thresholds are subject to change.

The employer pays the premium for coverage for all eligible full-time employees. The insurance of an employee not actively at work on the day the employee would otherwise become insured is deferred until the completion of one day of active employment. All life and accident, death, and dismemberment insurance benefits including but not limited to, scope of benefits, eligibility, exclusions, and limitations are subject to the standard provisions set forth in the policies of the insurance carrier.



## INSURANCE (continued)

### C. DENTAL INSURANCE

The employer will provide regular, full-time management employees and eligible dependents a dental insurance program and will contribute an amount to be determined annually by the RCSS. Employees are eligible for this program on the first day of the month following the month in which their employment or service begins. Dependents become eligible coincident with the employee or immediately following attainment of dependent status. Dependents are lawful spouse, registered domestic partner, and unmarried dependent children from birth to age 19, with coverage until age 25 if unmarried, a full-time student, or a dependent. Children include stepchildren, adopted children, and foster children, provided such children are dependent upon the employee for support and maintenance. Dependents in military service are not eligible.

Employees may choose between two dental plans.

Dental coverage shall terminate on the last day of the month in which full-time employment has been terminated. All dental benefits including scope of coverage, limitations, exclusions, claims, and claims appeal are subject to the standard provisions as set forth in the carrier's policy.

### D. VISION INSURANCE

The employer shall provide vision coverage for the employee and family and will contribute an amount to be determined annually by the RCSS for employees who work 20 or more hours per week.

### E. LONG-TERM CARE INSURANCE

Management employees receive a UNUM Long-Term Care benefit for the employee that provides a \$2,000 per month benefit for care for up to three years, if the employee requires care due to loss of certain specified activities of daily living. The employee may purchase higher benefits and coverage for family members.

Note: Premium costs in excess of the employer's contribution cap will be paid by payroll deductions.





## PERSONNEL RECORDS

Personnel records are kept on all current, resigned, or retired employees. Personnel files are considered confidential and, except as otherwise provided by law, will not be available to persons other than the employee and the employee's designee, those authorized by the RCSS, or other management personnel with the written approval of their respective division head or director. All written materials filed (except those prohibited by law) shall be made available for inspection by the employee in the presence of an administrator.

## PAYROLL DEDUCTIONS

Management employees are entitled to a number of payroll deductions such as Tax Sheltered Annuities, United Way, U.S. Savings Bonds, ACSA, etc. Information is available in the Risk Management Unit regarding enrollment in any of the available payroll deduction programs.

In the event that health and welfare premium costs exceed the amount contributed by the employer, the management employee shall pay the difference through automatic payroll deductions. Effective January 1, 2018, employee contributions for health and welfare benefits (medical, dental, vision insurance) will automatically be processed through the IRS 125 Plan as pre-tax contributions. This may save the employee money by reducing the amount of taxable income. Employees may opt out of the IRS pre-tax contribution arrangement and make their payroll premium deductions after payroll taxes are calculated. Contact Risk Management during Open Enrollment to opt-out of the pre-tax arrangement.

## EMPLOYEE ASSISTANCE PROGRAM

The Employee Assistance Program (EAP) is a voluntary confidential program providing professional assistance to help employees and their families resolve problems that disrupt their lives and affect job performance. The program is designed to help employees resolve problems before the problems threaten job performance. Assistance is provided for health or behavioral problems - emotional, mental, family, financial, occupational, and medical or drug-alcohol related.

For additional information, contact Professional Resources at (800) 266-0510 or (951) 781-0510 or email: [eap@pro-resources.org](mailto:eap@pro-resources.org). EAP contacts and services are confidential.

Access the Employee Assistance Program resource document at [www.rcoe.us/eap](http://www.rcoe.us/eap)

## TUBERCULOSIS EXAMINATION

Except for persons previously employed by other California school districts or county offices of education who produce certificates dated within the past four (4) calendar years affirming examination and/or assesment and freedom from communicable tuberculosis, no one will be initially employed unless the person has submitted to an examination and/or assesment within the past 60 calendar days to determine freedom from active tuberculosis. As a condition of continued employment, all management employees will be required to present evidence once every four (4) calendar years that they are free from active tuberculosis. Employees whose TB clearance has expired will not be permitted to report to work, and will be required to charge such time to their own leave benefits.

Whenever administratively possible, the employer will provide a written notice to the respective employee of the expiration of the tuberculosis clearance. The employee has the responsibility of providing a new certificate.

Employees will receive an approved tuberculosis risk assesment and/or intradermal tuberculosis test that, if positive, will be followed by an x-ray of the lungs. This test will be paid for by the employer, or the employer will provide reimbursement to the employee if the examination is conducted in accordance with established Personnel procedures, provided that the amount reimbursed does not exceed the standard rate established by the Riverside County Health Department. (AR 4312.4)

## CHILD ABUSE PREVENTION AND REPORTING

### ***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.



# CHILD ABUSE PREVENTION AND REPORTING (continued)

## Indicators of Abuse:

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

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

## When you must report:

When within the scope of your professional capacity/employment, you 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.

- 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

## Do the following immediately:

- Contact Child Protective Services, 24 hours a day, 7 days a week at the following numbers: **(800) 442-4918 or (877) 922-4453**. 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; and
- Contact your local law enforcement agency (i.e., police or sheriff department); and
- Tell Child Protective Services/law enforcement you have called the other; and
- Make a record of your call; and

## 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.

## CHILD ABUSE PREVENTION AND REPORTING (continued)

### **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 in good faith.
- 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 ensure 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!

## SECURITY RESPONSIBILITIES

Employees are to report all acts of vandalism, damage, or theft involving property of the RCSS to the appropriate division or program director immediately by telephone, to be followed by a thorough written incident report. In addition, the on-site administrator must also be immediately apprised of any vandalism. Security of property and of the facilities is the responsibility of all employees. In addition, management staff are accountable for security of all facilities and property, including county-owned vehicles. Employees may be required to reimburse RCOE for the replacement cost of lost or damaged property, including mobile devices such as cell phones, laptops, and tablets.

## HEALTH AND SAFETY

Management staff shall not be required to work under unsafe conditions or to perform tasks that endanger their health, safety, or well being (as per federal, state, and local law).

Disputes arising relating to reasonable employee safety processes should be brought to the attention of the employer. However, safety conditions which constitute an immediate hazard to health, safety, or well-being of employees should be reported immediately to Operational Support Services and to the director of Benefits and Risk Management Services.

A Safety Committee exists to review health and safety of working conditions on a continuing basis. The committee will make recommendations to the employer for correction of unsatisfactory health and safety conditions. Committee members will be allowed reasonable release time for committee duties without loss of pay.

No employee shall be reprimanded as a result of reporting unsafe conditions or any health condition reasonably believed to be a violation of law.

The employer may prepare, issue, and enforce rules and safety regulations necessary for the safe, orderly, and efficient operation of the county office. Please contact Risk Management for the Injury and Illness Prevention Plan (IIPP), Hazard Communication Standard, and Worker's Compensation plan.

All management employees shall make safety of staff, students, guests, and RCOE property a priority. Accordingly, management employees will hold themselves and other staff accountable for safe work conduct.

# NONDISCRIMINATION IN EMPLOYMENT

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

Equal opportunity shall be provided to all employees and applicants in every aspect of personnel policy and practice. The County Board and the RCSS shall not discriminate against physically or mentally disabled persons who, with reasonable accommodation, can perform the essential functions of the job in question.

Any employee who engages in unlawful discrimination or who aids, abets, incites, compels, or coerces another to discriminate, is in violation of this policy and is subject to disciplinary action, up to and including dismissal. Any employee who observes or has knowledge of an incident of unlawful discrimination or harassment shall report the incident to the site administrator, office administrator, or the RCSS as soon as practicable after the incident. Failure of an RCSS employee to report discrimination or harassment may result in disciplinary action.

Title IX of the Education Amendments of 1972 ("Title IX") is a federal law that prohibits sex-based discrimination in all educational programs and activities, including athletic programs. No person shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any educational program or activity operated by RCOE. Title IX protects all participants in RCOE's educational programs and activities, including students, parents, employees, and job applicants. RCOE does not discriminate on the basis of sex. Discrimination on the basis of sex can include sexual harassment and sexual violence.

## **Rights Under Title IX:**

- You have the right to fair and equitable treatment and you shall not be discriminated against based on your sex.
- You have the right to be provided with an equitable opportunity to participate in all academic extracurricular activities, including athletics.
- You have the right to have access to a sex/gender equity coordinator, referred to as the Title IX Coordinator (find contact information below), to answer questions regarding sex/gender equity laws.
- You have the right to contact the State Department of Education and the California Interscholastic Federation to access information on sex/gender equity laws.
- You have the right to file a confidential discrimination complaint with the United States Department of Education Office for Civil Rights or the California Department of Education if you believe you have been discriminated against or if you believe you have received unequal treatment on the basis of your sex.
- You have the right to pursue civil remedies if you have been discriminated against.
- You have the right to be protected against retaliation if you file a discrimination complaint.  
(California Education Code § 221.8.)

The RCSS or designee shall regularly publicize this nondiscrimination policy and the availability of complaint procedures throughout the County Office of Education and the community. The RCSS shall provide employees and job applicants with copies of this policy, County Office of Education regulations, and complaint procedures as necessary.

The RCSS designates the following position as coordinator for nondiscrimination in employment:

Executive Director, Personnel Services  
P.O. Box 868  
Riverside, CA 92502-0868  
(951) 826-6653



## RCOE-SPONSORED CERTIFICATE PROGRAM PARTICIPATION

Annually each division head may sponsor one management or supervisory staff member to participate in an approved non-degree, non-credential certificate program that will enhance learning and/or improve the skill of that staff member for the benefit of the organization. Not to exceed \$2,500.00 [Tuition only].

The staff member who is chosen and successfully completes said certificate program will not be eligible for future opportunities under this program.

Any staff member who drops the program without completion may not be eligible for future opportunities, contingent upon the situation.

The certificate program selected should not interfere with the regular work schedule of the staff member. Any work-related impact should be discussed and approved by the division head.

It is understood that certain annual or regular certifications are necessary for the accomplishment of specific targeted job descriptions. These certifications are not intended as a part of this offering and are considered within the normal course of conducting routine business and should be budgeted accordingly within the applicable division.

It is understood that this opportunity does not include discounts for RCOE classes/workshops for which participants are directly charged.

The organization may sponsor a certificate program for a staff member who is asked to fill a position outside of their job-specific area of expertise, for which the organization may benefit. This must be approved by the RCOE Cabinet.

The individual selected to attend the approved certificate program should be enrolled through the regular purchasing process. Payment will be made to the applicable institution upon submittal of appropriate documentation.

## GIFTS TO EMPLOYEES

As a public institution and custodian of public funds, the County Office of Education desires to ensure that there are appropriate safeguards against favoritism and impropriety with respect to those who conduct or seek to conduct business with the County Office of Education, or who seek some action or determination from the County Office of Education. The appearance of favoritism or impropriety alone can be extremely damaging to the County Office of Education and its officers and employees. The offer of gifts to, or acceptance of gifts by, any such officers or employees potentially can influence their conduct or otherwise create conflicts between their personal interests and their official responsibilities, regardless of whether the practice might be lawful or customary in any particular industry. This regulation is intended to assist in preventing any favoritism or impropriety, and any appearance of favoritism or impropriety that possibly could arise from acceptance of gifts by officers or employees of the County Office of Education. For further clarification review Administrative Regulation 1314.

Designated management positions require filing of conflict of interest forms (Form 700) upon employment, separation, and annually pursuant to BP 9270.

## BOARD POLICIES AND ADMINISTRATIVE REGULATIONS

This section outlines some of the frequently used Board Policies and Administrative Regulations that govern the RCOE and may be found on the RCOE Intranet.

<b>Topic</b>	<b>Board Policy and/or Administrative Regulation</b>
Drug and Alcohol Free Workplace	BP 4020
Employee Incompatible Activities	BP 4136 and AR 4136
Environmental Safety	BP 3514
How to Report Child/Elder Abuse	BP 5141.4 and AR 5141.4
Integrated Pest Management	AR 3514.2
Non-Discrimination in Employment	BP 4030 and AR 4030
Professional Adult/Student Boundaries	AR 4019
Sexual Harassment	BP 4119.11 and AR 4119.11
Travel Regulation	AR 3541.45
Uniform Complaint Procedures	BP 1312.3 and AR 1312.3
Universal Precautions	BP 4119.43 and AR 4119.43

In addition to the above Board Policies and Administrative Regulations all Board Policies and Administrative Regulations governing RCOE may be found on the RCOE Intranet (<https://rcoe.sharepoint.com/sites/RCOEConnected>) for your convenience. Keep in mind that policies are periodically updated so you may always check the Intranet for revisions.

**Access Board Policies and Administrative Regulations on the intranet at**  
<https://rcoe.sharepoint.com/sites/RCOEConnected/SitePages/Board-Policies-Series-0000.aspx>

**For publicly posted Board Policies, visit**  
<https://www.rcoe.us/about-us/board-of-education/board-policies-index>









